

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, 9th October 2012**

B.CHINN
CHAIRPERSON

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

<u>AGENDA NUMBERS</u>	<u>PAGE NUMBERS</u>	<u>BUSINESS</u>
1.		APOLOGIES
2.	1 – 5	MINUTES 2.1 Confirmation of Minutes of Resource Management Committee Meeting – 4 September 2012
3.		PRESENTATION
4.		CHAIRMAN'S REPORT
5.		REPORTS
		5.1 Planning and Environmental Group
	6 – 7	5.1.1 Planning & Environmental Manager's Monthly Report
	8	5.1.2 Hydrology & Flood Warning Update
	9	5.1.3 Reefton Air Quality Winter Update
	10 – 12	5.1.4 Civil Defence & Regional Transport Report
		5.2 Consents and Compliance Group
	13 – 15	5.2.1 Consents Monthly Report
	16 – 18	5.2.2 Compliance & Enforcement Monthly Report
		6.0 GENERAL BUSINESS

THE WEST COAST REGIONAL COUNCIL**MINUTES OF THE MEETING OF THE RESOURCE MANAGEMENT COMMITTEE
HELD ON 4 SEPTEMBER 2012 AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL,
388 MAIN SOUTH ROAD, GREYMOUTH, COMMENCING AT 10.32 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), M. Meehan (Planning & Environmental Manager), J. Adams (Consents & Compliance Manager), T. Jellyman (Minutes Clerk)

1. APOLOGIES

There were no apologies.

2. PUBLIC FORUM

There was no public forum.

1. MINUTES

Moved (Birchfield / Cummings) *that the minutes of the previous Resource Management Committee meeting dated 14 August 2012, be confirmed as correct.*

Carried

Matters Arising

There were no matters arising.

2. CHAIRMAN'S REPORT

Cr Chinn reported that he received two inquiries regarding the resource consent on the Waitangitaona River at Whataroa. Cr Chinn advised that he went and had a look at the river and then contacted M. Meehan to discuss this further.

Moved (Chinn / Birchfield)

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

M. Meehan spoke to his report and advised that Government has considered changes to the Exclusive Economic Exclusion Zone (EEEZ) and Continental Shelf (Environmental Effects) Bill. He outlined the key changes Government is proposing to make. M. Meehan advised that the Environment Minister, Amy Adams, considers the revised penalty for non-compliance will provide significant incentive to comply with the regime when operating in the EEEZ.

M. Meehan reported that Council has been successful in obtaining funding for a Biodiversity Co-ordinator from the Biodiversity Advice and Condition Fund to work with landowners with wetlands identified in the Land and Riverbed Plan to assist them to obtain funding to protect these areas. M. Meehan reported that Council also received funding from the same source for a small wetland enhancing project at Carew Bay, Lake Brunner.

M. Meehan reported that staff are working with Grey District Council on the Contaminated Land National Environmental Standard (NES) to see what systems can be put in place to better streamline what is required for subdivision processes relating to contaminated land management. If this is successful then it will be rolled out to Buller and Westland District Councils.

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

Carried

5.1.2 REEFTON AIR QUALITY SUMMARY

M. Meehan spoke to this report and advised that the end of the winter reporting period has now been reached and 27 exceedances of the NES for PM₁₀ in Reefton between 1 May to 22 August.

Moved (Robb / Archer) *that Council receive this report.*

Carried

5.1.3 AIR QUALITY PLAN REVIEW

M. Meehan spoke to this report advising that the Air Quality Plan was made operative on the 2nd of July 2002 and is currently undergoing its ten year review. M. Meehan advised that a huge part of this review is giving effect to the NES for Air Quality from the Ministry for the Environment. M. Meehan stated that it is important that we get input from the community at the front end of the plan review process. M. Meehan advised that he proposes that Council forms a Reefton Airshed Committee (RAC) to make recommendations back to Council on how Council can meet the NES. M. Meehan is proposing the Council forms an Appointments Committee and they would seek representatives from the local community, a WCRC representative, a Buller District Council representative and local Iwi. M. Meehan advised that at the August Councillor Workshop the principles of what to use when drafting changes to the plan were discussed. He advised that the same principles could be used to guide the RAC.

M. Meehan read out the five guiding principles from his report. M. Meehan suggested that the RAC meets monthly for a year and then council would receive the recommendations from the RAC.

Cr Scarlett feels that Council should meet with the Reefton community and seek those who are willing to progress this and take this forward to try to find a solution on how to meet the NES. Cr Scarlett feels that it is not necessary to have a representative on the RAC from the energy industry. Cr Scarlett stated that the appointment process for RAC needs to be a transparent process and it is important that the community owns it and that the community appoints the RAC. Cr Scarlett stated that the community needs to address the issues under the Terms of Reference and be guided by these Terms of Reference.

Cr Robb agreed with Cr Scarlett and stated that community backing is the most important thing. M. Meehan stated that members of the community who are not on the RAC could come along to the meetings and speak. C. Ingle advised that the Chairman of the RAC should be a member of the community. Cr Scarlett stated that it is critically important that Reefton solves this problem themselves. C. Ingle suggested a sub committee of three councillors to form the appointment committee. Cr Scarlett stated that people who are close to Reefton who can attend these meetings are the best candidates. It was agreed that Crs Scarlett, Robb and Birchfield be the council representatives on the appointment committee. Cr Birchfield stated that he would like to see the Reefton representatives be publicly elected at a meeting, not by postal votes but by the people of Reefton. Cr Scarlett agreed with Cr Birchfield. Cr Robb stated that in view of the recent news item on TV 3 there should be a reasonable amount of people attending the public meeting. C. Ingle stated that the timeframe is reasonably tight to start to work through the issues so that the MfE 50 mcg limit of PM₁₀ can be reached by 2016.

Moved (Davidson / Archer)

1. *That this report is received.*
2. *That Council form a Liaison Committee, made up of Crs Scarlett, Robb and Birchfield, tasked with forming the Reefton Airshed Committee, and confirming the Terms of Reference it will operate under.*

Carried

Cr Scarlett suggested that the committee be called a liaison committee and not an appointments committee. Cr Davidson agreed with this.

Cr Chinn invited F. Tumahai to join the RAC committee. F. Tumahai accepted this nomination and confirmed that he would represent local Iwi. Cr Scarlett nominated Cr Archer onto the RAC and he feels

Cr Archer has a technical background and brings his previous experience from Buller District Council with him. Cr Scarlett stated that there needs to be a representative from Buller District Council on the RAC committee as well.

Moved (Scarlett / Robb) *that Cr Archer be the Regional Council representative on the Reefton Airshed Committee and that F. Tumahai represent Iwi on this committee.*

Carried

Cr Scarlett stated that the Liaison Committee now needs to get together and work through the Terms of Reference and organise a meeting in Reefton to make community appointments. Cr Scarlett stated that Council has until 2016 to get the 27 exceedances down to three and this needs to be done in 2 ½ year's time. Cr Scarlett stated that if there is not a lot of progress being made by 2016 then there will be problems, as time is needed to implement the changes in this Airshed. Cr Scarlett stated that this is a big ask and a start needs to be made.

LATE ITEM

REGIONAL PLAN UPDATE

Moved (Davidson / Scarlett) *That Council accept the late agenda item.*

M. Meehan advised that this matter needs to be urgently addressed at today's meeting because it deals with Variation 2 of the Land and Riverbed Plan. The intention was to have that Plan made operative at the same time as we release the decisions on the Land and Water Plan. The Land and Riverbed plan cannot be made operative unless we have withdrawn variation 2.

Cr Chinn stated that he is not very happy with the procedure, as the whole thing has come in the backdoor. He stated that there are landowners with wetlands that don't know that they are involved and here council is putting things into the plan and people don't know. Cr Chinn stated that he knows that the Environment Court has made a decision and whether we agree with that decision or not the whole thing is a big disappointment. Cr Scarlett asked if Council has notified everyone that is affected. M. Meehan responded that staff are yet to inform landowners. Cr Birchfield stated that someone could quite easily challenge this, as natural justice would allow you to challenge this as it has been done behind landowner's backs. Cr Birchfield stated that the wetlands decisions have effectively taken people's property rights away. Cr Chinn stated that people with a significant wetland will have to get a consent and then they will have to get the swamp expert in who will recommend against it, then go to appeal and then end up in the Environment Court and you have to front up with \$25,000 and you are going to lose anyway. Cr Chinn stated that this is more or less taking the land off you. Cr Chinn stated there is 400 hectares of wetlands in Westland. Cr Scarlett asked the Chairman if Council has a legal obligation to notify people of this. C. Ingle stated that this question was asked of the Court, as it was the Court who put the wetlands into the plan and not the Council. C. Ingle advised that Council's lawyer asked the Judge when she would like council to notify the landowners and the Judge responded that the Court did not want to go there. C. Ingle stated that he is now left in a bit of uncertainty as to where Council is legally in terms of informing people. C. Ingle said that if Council want him to inform people and send out maps of wetlands on individual's properties then Council could do this. Cr Birchfield said people might have started work on their wetlands without knowing that they would need to get consent. C. Ingle advised that he knows that some of these areas have been developed in the interim period and he feels it would be a good idea to get these developed areas documented as well so that landowners can be told that they did not do this illegally as they did it before it became law. M. Meehan advised that he currently has his team working through aerial photos to see where there have been changes to the mapped wetlands. M. Meehan said that he has visited some areas where work has been done prior to the wetlands being included in the plan and that it is important these areas are documented and that landowners are informed of the rules from now on. M. Meehan stated that it might be that in a couple of years time, council may need to do a variation to reduce down the size of some of the wetlands where there has been some development if it is obvious that it is not a wetland anymore. Cr Archer stated that he totally supports the concept of Council notifying the affected landowners. He stated that any legal recourse is up to the landowners to take up with their own solicitors. Cr Scarlett stated it is important that landowners concerned are given a factual explanation as to what has happened.

Cr Scarlett stated that the good news is that landowners can apply to council for a resource consent, which council can grant prior to development and this land is not locked up forever. C. Ingle stated that areas could be developed unless there are significant values identified. Cr Davidson stated that the government should acknowledge that they have a responsibility to these landowners. C. Ingle responded

that he and Cr Scarlett went to see the Conservation Minister about this some years ago and talked to her about compensation. C. Ingle advised that one of the obvious solutions was a land swap where the landowner gets some low value DoC land that he can use and DoC gets proper protection over the significant wetlands. C. Ingle suggested that once landowners have been informed of the new rules then perhaps the Minister of Conservation could be asked to come over and talk to landowners directly. Cr Scarlett agreed with this and stated that there is a matter of justice. Cr Birchfield stated that council should have said to the government, before the wetlands were identified, what compensation are landowners going to be paid. If the government said no compensation then Council should have refused to identify the wetlands. Cr Scarlett stated that this is what he and C. Ingle visited the Minister about at the very start and she was not interested. Cr Scarlett stated that council should remain keen to seek some sort of compensation from the government for these landowners.

Moved (Scarlett / Archer)

That Council notifies landowners of wetlands of the new rules requiring wetlands to have resource consent prior to any development being undertaken.

Carried

M. Meehan spoke to the late item on the Regional Plan Update. M. Meehan reported that appeals on Variation 1 to the Proposed Land and Riverbed Management Plan have been resolved through the Environment Court. Variation 2 to the Proposed Land and Riverbed Management Plan was notified on 17 July 2009. He advised that Variation 2 sought to include two additional wetlands and boundary adjustments to two other wetlands already included in Schedule 1 into the Land and Riverbed Plan. M. Meehan reported that submissions were received on Variation 2 but that process was put on hold until there was a resolution on Variation 1. M. Meehan reported that one of the outcomes on Variation 1 was the introduction of Schedule 2, which introduces a number of new wetlands with an accompanying discretionary rule status. M. Meehan reported that the proposed new wetlands in Variation 2 have been included in Schedule 2 and therefore council can now withdraw Variation 2 using Clause 8D of the First Schedule. C. Ingle explained that now that the court process and appeals process for Variation 1 has been gone through we now have the Variation 2 wetland areas put into the plan by the Court. He said that Variation 2 is basically already done and all the now needs to be done is to tidy up the loose ends.

M. Meehan advised that appeals on the Proposed Water Management Plan were filed in April 2005 but this was put on hold pending Variation 1. He stated that now resolution on Variation 1 has been gained, the Court is directing Council to go back to mediation on the Proposed Water Management Plan. M. Meehan advised that there is likely to be some minor amendments but a lot of the issues that were appealed on in the Water Management Plan have now been resolved with Variation 1. M. Meehan reported that mediation is set down for three days during October.

Moved (Archer / Tumahai)

1. *That Council receives this Report; and*
2. *That Council agree, pursuant to clause 8D of the First Schedule of the RMA, to withdraw Variation 2 to the Proposed Regional Land and Water Plan; and*
3. *That Council publicly notify the operative status of the Land and Riverbed Management Plan as per clause 20 of the First Schedule of the RMA; and*
4. *That Council withdraws the Land and Riverbed Management Plan, Proposed Water Management Plan and the Regional Plan for Discharges to Land once the Land and Water Plan becomes operative.*

Carried

5.2 CONSENTS AND COMPLIANCE GROUP

5.2.1 CONSENTS MONTHLY REPORT

J. Adams spoke to his report advising that 18 non-notified resource consents were granted during the reporting period. Along with ten notified variations to consent conditions and two limited notified

resource consents granted during the reporting period. J. Adams reported that the decision on the consent applications for Solid Energy NZ Ltd's joint application for opencast mining at Mt William North on the Stockton Plateau was granted on the 17th of August. J. Adams reported that TrustPower Ltd has lodged an appeal in the Environment Court against two of the conditions associated with the granting of the consents for the operation and maintenance of the Kaniere Forks Hydro Power Scheme. He advised that the appeals are around how long the period of summer is for in relation to water takes. J. Adams is currently liaising with the two parties and attempting to arrange informal mediation.

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

Carried

5.2.2 COMPLIANCE & ENFORCEMENT MONTHLY REPORT

J. Adams spoke to this report advising that 36 site visits were carried out during the reporting period. He advised that five dairy sheds were inspected during the reporting period. These were picked up during the recent annual dairy flight and were suspected of being non-compliant. He advised that there are a number of investigations underway following these inspections. J. Adams reported that three infringement notices were issued during the reporting period and one formal warning was also issued. J. Adams reported that five mining work programmes were received during the reporting period. He reported that an inspection would be carried out on the Stockton Plateau tomorrow prior to the work programme being granted.

Cr Davidson asked J. Adams if there are extra costs involved with the new system of GPS marking of whitebait stands. J. Adams responded that a number of the rivers have been washed out and he has taken bearings and back bearings to more accurately locate the stands and he has given these readings to the whitebait stand owners. This will provide consistency for future years and is more accurate than compass readings.

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

Carried

6.0 GENERAL BUSINESS

There was no general business.

The meeting closed at 11.31 a.m.

.....
Chairman

.....
Date

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee Meeting 9 October 2012
Prepared by: Michael Meehan, Planning and Environment Manager
Date: 28 September 2012
Subject: Planning and Environment Manager's Monthly Report

Land and Riverbed Management Plan

The Land and Riverbed Management Plan became operative on 24 September 2012. Landowners of Schedule 2 wetlands have been contacted and staff are discussing the implications of the Environment Court decision with them as well as undertaking site visits where required.

Proposed Water Management Plan

Appeals on the Proposed Water Management Plan were placed on hold until Variation 1 on the Land and Riverbed Management Plan could be resolved. Now that the final Environment Court decision has been received on the Land and Riverbed Management Plan, this process has resumed.

The outstanding issues primarily related to rules relating to 'significant' wetlands. Mediation had been set down with the other Parties for the week commencing 1 October 2012 however, Council has been able to resolve all outstanding appeals with a minor amendment to a single rule which cross references to a rule in the Land and Riverbed Management Plan. This is considered by Council as a minor tidy up and achieves consistency across the Plans.

As a result of this amendment, Forest and Bird have withdrawn their remaining outstanding appeals and Council is now waiting to hear from the Court that they are satisfied with the outcome. Following this, the Proposed Water Management Plan can be made operative.

Air Quality Plan

On 29 October at 7pm a public meeting will be held at the Reefton Area School. The purpose of the meeting is to appoint 3-4 Reefton people to represent their community on the Council's Reefton Airshed Committee, a working committee charged with searching for ways the community can meet the National Air Quality Standard. This Standard is currently breached every winter in Reefton.

Progress with Coastal Plan Review

A draft version of the reviewed Regional Coastal Plan is nearly completed. Once the draft has been checked by senior staff, a workshop will be held for Councilors and iwi representatives.

Marine Legislation Bill

The Marine Legislation Bill passed its first reading in Parliament recently, and is now open for submissions. The Bill enables New Zealand to become a party to three international maritime conventions, on liability for claims on contaminant spills and pollution damage from ship wrecks. The grounding of the *Rena* on Astrolabe Reef has highlighted the need to update New Zealand's liability limitation regime for maritime claims, to protect New Zealand's maritime interests.

The first part of the Bill proposes to replace provisions from the Local Government Act into the Maritime Transport Act giving regional councils roles for managing maritime transport and harbour management in marine waters within their regions. This includes:

- Requiring regional councils to regulate, control, and ensure maritime safety in their ports, harbours, and waters in their region;
- Giving regional councils the ability to require wreck owners or agents to remove wrecks within a timeframe and in a manner satisfactory to the council;
- Enabling councils to recover their costs incurred from removing a wreck from the vessel owner.

The second part of the Bill transfers the regulation of waste dumping and discharges from ships and offshore installations involved in seabed activities in the Exclusive Economic Zone and the Continental Shelf from Maritime New Zealand to the Environmental Protection Authority. This will

be done by making changes to the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012.

The submission period for the new Bill closes on 12 October. Staff are assessing the implications for this Council of the provisions relating to regional council maritime functions, and whether we need to make a submission. Council will be advised before the submission period closes.

EEZ and Continental Shelf Bill

The Exclusive Economic Zone and Continental Shelf (Environmental Effects) Bill passed its third reading on 28 August and was enacted on 3 September. The Act will come into force when the first set of regulations is developed, probably in 2013. Staff are considering what if any changes need to be made to the Coastal Plan to be consistent with the new Act, as part of the 10 year review of the Plan.

Proposed Tasman-Nelson Regional Pest Management Strategy

Staff submitted on the proposed Tasman-Nelson Regional Pest Management Strategy in July 2012. Two key points were made in the submission. These included supporting the process of liaison between Tasman District Council and the West Coast Regional Council over cross border issues, and the concern for potential pests to be transferred from the Tasman District via the Buller River. In light of the second point, it was recommended that an Envirolink study be undertaken to assess the risk of the transmission of pest plants.

The Committee made up of Tasman District Council and Nelson City Council Councillors have declined the recommendation sought in regards to the risk of transference of pest plants as they believe that there is little risk of this occurring and therefore little benefit of a joint study. The Tasman District Council utilises funding from the Ministry of Primary Industries (previously the Ministry of Agriculture and Forestry) to promote the use of check Clean Dry by river users to slow the spread of aquatic pests.

Proposed Plan Change 7 to the Westland District Plan: Managing Fault Rupture Risk in Westland

Staff submitted on the Proposed Plan Change 7 to the Westland District Plan: Managing Fault Rupture Risk in Westland (Proposed Plan Change). The submission supported the Proposed Plan Change which resulted from the work facilitated by this Council through the identification of the fault rupture zone undertaken in two Envirolink projects.

The Proposed Plan Change seeks to create two new zones:

1. A Franz Josef – Waiau Fault Rupture Avoidance Zone; and
2. A General fault Rupture Avoidance Zone (for the rest of the District).

In addition, the Proposed Plan Change ensures that there are building restrictions in place on and immediately adjacent to the potential fault rupture line which takes a significant step towards improving the health and safety of the public within these areas.

While the intent of the Proposed Plan Change is supported, several minor wording amendments were recommended to provide further clarity for Plan users. A copy of the submission letter is attached to this report.

RECOMMENDATION

That this report is received.

Michael Meehan
Planning and Environment Manager

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee Meeting 9 October 2012
 Prepared by: Stefan Beaumont, Hydrologist
 Date: 28 September 2012
Subject: HYDROLOGY & FLOOD WARNING UPDATE

Data Requests

2 Water Level Flow, 2 Rainfall

Flood Warning

A series of frontal systems brought heavy rain to the Grey and Buller regions on 7 and 8 September. These fronts produced alarms on the Grey, Buller and Karamea Rivers.

Site	Time of peak	Peak level	Warning Issued	Alarm threshold
Karamea Rv at Gorge	7/9/2012 11:00	4334mm	7/9/2012 09:15	4000mm
Buller Rv at Te Kuha	8/9/2012 19:00	8095mm	8/9/2012 11:35	7400mm
Grey Rv at Dobson	7/9/2012 14:45	3457mm	7/9/2012 13:45	3400mm
Grey Rv at Dobson	8/9/2012 21:00	3706mm	8/9/2012 16:45	3400mm

RECOMMENDATION

That the report is received

Michael Meehan
Planning and Environment Manager

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee Meeting 9 October 2012
 Prepared by: Emma Chaney, Resource Science Technician
 Date: 26 September 2012
Subject: REEFTON AIR QUALITY WINTER UPDATE

There have been twenty-seven exceedances of the Resource Management (National Environmental Standards for Air Quality) Regulations 2004 for PM₁₀ in Reefton during Winter 2012 (see Figure 1).

An exceedance occurs when there has been an average of more than 50 micrograms/m³ of PM₁₀ recorded over a 24 hour period. The National Environmental Standard (NES) allows one exceedance per year, any further exceedances are in breach of the NES.

The highest 24hr average PM₁₀ so far this winter was 115 micrograms/m³ on 28 June and also 5 July. See Table 1 for comparison to previous years.

Table 1. Exceedances of the Resource Management Regulations for PM₁₀ at the Reefton air quality site since 2006. NB: 2012 year up to 25 September 2012.

	2006	2007	2008	2009	2010	2011	2012
Number of exceedances (over whole year)	16	25	18	16	22	7	27
Maximum recorded 24hr average (µg/m ³)	86	129	78	91	99	68	115
Median 24hr concentration (µg/m ³)	24	15	16	15	17	15	23

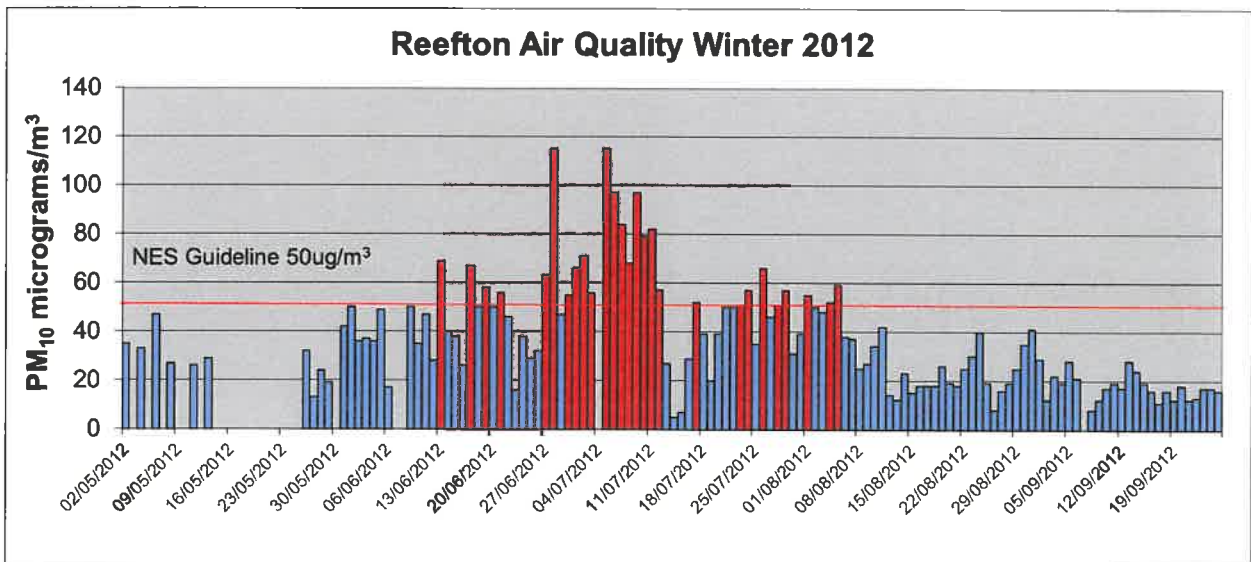


Figure 1. Daily average PM₁₀ for Reefton Winter 2012 (NB: missing data due to machine failure).

RECOMMENDATION

That this report is received.

Michael Meehan
Planning and Environment Manager

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee Meeting – 9 October 2012
Prepared by: Nichola Costley – Regional Planner
Subject: **CIVIL DEFENCE & REGIONAL TRANSPORT REPORT**

Civil Defence Emergency Management UpdateExercise ShakeOut

The national earthquake drill ShakeOut was held at 9.26am on 26 September. Over 7,000 people registered to participate in the drop, cover hold drill on the West Coast with more than 1.3 million nationally registering. Both the Westland and Grey District Councils used the drill as an opportunity to run an exercise based on an Alpine Fault Earthquake. The Group used the drill to take staff through the Emergency Coordination Centre setup and functioning, as well as learning some of the basic functions of the Emergency Management Information System.

Emergency Management Information System (EMIS)

The West Coast, Marlborough and Nelson Tasman CDEM Groups made a joint application to the Resilience fund to employ an EMIS trainer. An EMIS trainer has been successfully recruited and employed by the Nelson Tasman CDEM Group and is commencing their employment at the end of October. It is anticipated that this person will be visiting the West Coast Councils in the New Year to commence EMIS training leading up to the South Island Exercise in May 2013.

Regional Transport UpdateNational Land Transport Programme 2012 – 2015

The NZ Transport Agency released the National Land Transport Programme 2012 – 2015 (NLTP) on 29 August 2012. For the West Coast this has resulted in a \$100m programme of investment over the next three years. The intent of the NLTP investment for the West Coast will be to maintain the efficiency, overall resilience and safety of the regions road network for road users and freight movers.

The committed and recommended investment includes approximately \$38m for maintaining the efficiency of local roads and \$62m for the State Highways over this period. Indicators of the condition of West coast roads show that they are generally at or above average and are holding relatively steady.

Key projects included in the programme include:

- The replacement of the Rough River Bridge on Atarau Road with a structure that can carry high productivity vehicles weighing up to 53 tonnes;
- Road strengthening and widening for the Atarau Road;
- Road strengthening for the Taylorville – Blackball Road;
- Investigation, design and construction for the installation of a cycle 'clip-on' to the State Highway 6 Taramakau River Bridge. The bridge forms part of the national cycle pathway network; and
- Gates of Haast realignment design work to be completed on State Highway 6.

There has been no funding made available for passing opportunities as the NZ Transport Agency assessment has not found these projects to rank highly enough to be included in the programme at this time.

The Mingha Bluff to Rough Creek Improvement project did not rank highly enough to be included within the three year Canterbury programme.

Land Transport Management Amendment Bill

Government is proposing changes to the Land Transport Management Act through a new Bill. The proposed amendments have three main components:

1. Changes to the planning and funding framework;
2. Changes to streamline the framework for assessing road toll schemes; and
3. Establish a new policy framework for building long term partnerships between regional councils and public transport operators, known as the public transport operating model.

Of these amendments, it is those under 1 '*Changes to the planning and funding framework*', which will primarily affect this Council.

The changes proposed in the Bill are considered to result in a more straightforward, less prescriptive piece of legislation which will simplify processes and reduce costs. It is also considered to provide regions with greater flexibility in how transport planning responsibilities are approached. The changes include:

- Purpose of the Act changed

Reference to the list of economic, social, cultural and environmental considerations is to be removed in order to focus on the effectiveness and efficiency of public expenditure in advancing socio-economic outcomes. The changes will also align the purpose of the Act with the proposed new purpose of the Local Government Act 2002 and is considered to make the purpose simpler, clearer and easier to understand and interpret. The revised purpose is: "to contribute to an effective, efficient and safe land transport system that supports the public interest."

- Change to the Decision-making Framework

The current Act contains a number of assessment criteria which are designed to assist with determining the type of activities to be funded and delivered. However there is considerable repetition, inconsistency and ambiguity in applying these criteria. Therefore the decision-making criterion is to be replaced with 'effective', 'efficient' and 'safe'. The current decision-making criteria includes affordable, integrated, safe, responsive, sustainable, assist economic development, assist safety and personal security, improve access and mobility, protect and promote public health and ensure environmental sustainability criterion.

- Alignment of National and Regional Planning documents

One of the primary changes is the proposal to merge the Regional Land Transport Strategy and the Regional Land Transport Programme into one document. Known as the Regional Land Transport Plan it will set objectives, policies and interventions for at least ten years, be issued every six years and reviewed every three years. The requirement to 'take into account' the relevant Government Policy Statement is to be amended to 'is consistent with'. For the purpose of seeking funds from the NZ Transport Agency it must contain the first six years of funding required for activities within the region. This differs from the current three year requirement under the Regional Land Transport Programme. It is considered that these changes will result in reduced consultation over minor activities.

- Changes to the Regional Transport Committees

The current membership of the Regional Transport Committee (RTC) is proposed to be amended to consist of agencies that make a funding contribution: local authorities and the NZ Transport Agency. The non-voting representatives chosen to reflect the various objectives in the current legislation would no longer sit on the RTC. However this does not preclude these representatives, or others, from being included in the various plan development processes. The proposed changes are considered to give RTC's flexibility to decide who they need to hear from rather than engagement being predetermined by legislation as well as confirming the principle of elected representatives making decisions after consulting with stakeholders.

- Removal of Regional Fuel Tax provisions

The amendments also seek to remove the regional fuel tax provisions. This is not to be confused with Regional (R) funding. Regional fuel taxes are not considered to be fair or equitable and an expensive way in which to collect a tax.

- Repeal of the Public Transport Management Act 2008

The Bill proposes to repeal the Public Transport Management Act 2008 carrying over its provisions, as modified by the Bill, into the Land Transport Management Act 2003. The Regional Public Transport Plan (RPTP) will be required to be 'consistent with' the Regional Land Transport Plan. Currently the RPTP is included within the Regional Land Transport Strategy. Whether the RPTP provisions will still be able to be included within the proposed Regional Land Transport Plan remain to be seen.

The amendments may take affect from the first half of 2013 depending on when the Bill is passed. The Select Committee is to report back on the bill on 11 March 20113. Submissions close on the Bill on 26 October. Staff will consider the proposed amendments and their implications and draft a submission. This will be circulated around Councilors for feedback.

RECOMMENDATION

That this report be received.

Chris Ingle
Chief Executive

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee
 Prepared by: John Adams - Consents & Compliance Manager
 Date: 28 September 2012

Subject: CONSENTS MONTHLY REPORT**CONSENTS**Consents Site Visits from 25 August – 28 September 2012

DATE	NAME, ACTIVITY & LOCATION	PURPOSE
30/07/12	Whitebait stands, Hokitika River	To determine the location of whitebait stands.
08/08/12	RC06163v1, Steve Grant Excavating Ltd, Gold mining, Blue Spur	To gain a better understanding of the gold mining operation.
31/08/12	Whitebait stands, Hokitika River	To determine the location of whitebait stands.
17/09/12	Whitebait stands, Hokitika River	To determine the location of whitebait stands.
18/09/12	RC12157, Gold mining, BRM Developments Ltd, Ianthe Forest	To gain a better understanding of the proposed gold mining operation.
25/09/12	Dairy effluent discharge, Ryan Burke, Rotomanu	To gain a better understanding of the effluent disposal system.
26/09/12 and 27/09/12	TrustPower – All West Coast hydro schemes	A site visit to view the status and water metering requirements of the hydro schemes.
04/09/12	Barry Foster, Goldmining Kapitea RC12144	To access the proposed gold mining activities and to assess the monitoring points for the discharge.
25/09/12	Coal Mining, Crusader Mine (formerly Terrace Mine), Reefton	To assist in the determination of consenting requirements associated with the lapsing of a mining licence.

Non-Notified Resource Consents Granted from 25 August – 28 September 2012

CONSENT NO. & HOLDER	PURPOSE OF CONSENT
RC12029 ABE Enterprises Ltd	To discharge contaminants (concrete containing reinforcing bars) to land, Victoria Park Raceway, Greymouth.
RC12089 Fahey Contracting Ltd	To undertake earthworks associated with alluvial gold mining adjacent to Red Jacks Creek within MP 41127. To undertake alluvial gold mining activities within Red Jacks Creek and tributaries within MP 41127. To divert Red Jacks Creek and tributaries for alluvial gold mining within MP 41127.

	To take and use water for alluvial gold mining activities adjacent to Red Jacks Creek for mining within MP 41127.
	To discharge sediment-laden water to land in circumstances where it may enter Red Jacks Creek and tributaries associated with gold mining activities within MP 41127.
	To discharge sediment-laden water to Red Jacks Creek and its tributaries associated with alluvial gold mining activities within MP 41127.
RC12100 D & W Kennedy	To discharge treated dairy effluent to an unnamed tributary of the Grey River.
RC12127 New Zealand Transport Agency	To disturb the bed of Dry Creek (Littleman River) for the purpose of stream training and continued maintenance. To divert water within Dry Creek (Littleman River) for the purpose of stream training and continued maintenance. To discharge sediment to water in Dry Creek (Littleman River) from stream training and continued maintenance.
RC12139 West Coast Regional Council	To disturb the bed of Nelson Creek to construct a stopbank. To disturb the bed of Nelson Creek (including the wet bed) for the purpose of extracting gravel. To divert water of Nelson Creek from a stopbank.
RC12142 Hokitika Rimu Tree Top Walk Limited Partnership	To undertake earthworks within the riparian margin of Johnnies Creek, Rimu for the purpose of installing bridge abutments and an overflow channel. To undertake vegetation clearance within the riparian margin of Johnnies Creek, Rimu for the purpose of installing bridge abutments and an overflow channel. To allow the diversion of Johnnies Creek, Rimu at time of high water, through the overflow channel.
RC12143 IP Grafton & VL Hateley	To undertake land disturbance associated with flipping and/or humping and hollowing at Powerhouse Road. To discharge water containing sediment to land in circumstances where it may enter water bodies.
RC12145 Department of Conservation	To authorise the aerial discharge of 1080 (sodium monofluoroacetate) possum control cereal pellets (at a sowing rate of up to 4.5 kg per hectare) containing up to 0.15% weight/weight of 1080, to land in the Otira & Otehaake Discharge Area.
RC12149 Westland Contractors Ltd	To disturb the dry bed of the Taramakau River for the purpose of removing gravel.
RC12150 Department of Conservation	To discharge treated sewage effluent to land from toilet facilities at the Franz Josef Glacier car park.
RC12159 Karamea Medical Association Trust	To discharge treated sewage effluent to land from a dwelling on Lot 1 DP 15289, Karamea Highway.

Changes to Consent Conditions Granted from 25 August – 28 September 2012

CONSENT NO, HOLDER & LOCATION	PURPOSE OF CHANGE
RC00387[v1] Westland District Council Franz Josef Oxidation Ponds	To change the volume of the wastewater discharged from the Wastewater Treatment Plant from a total daily volume to an average daily volume.

RC00388[v1] Westland District Council Fox Glacier Oxidation Ponds	To change the volume of the wastewater discharged from the Wastewater Treatment Plant from a total daily volume to an average daily volume.
RC00389[v1] Westland District Council Haast Oxidation Ponds	To change the volume of the wastewater discharged from the Wastewater Treatment Plant from a total daily volume to an average daily volume.
RC03262[v1] Maruia Springs Thermal Resort Ltd Maruia Springs	To split the water extraction volumes taken for use for general use at the resort and hydro electricity generation purposes.
RC03332[v4] Kawatiri Energy Ltd Lake Rochfort	To relocate the siphon route that forms part of the hydro electricity generation scheme.
RC06154[v2] Westland District Council Hokitika Oxidation Ponds	To change the volume of the wastewater discharged from the Wastewater Treatment Plant from a total daily volume to an average daily volume.
RC11117[v1] Amalgamated Mining Ltd Notown	To increase the maximum surface area of unrehabilitated land associated with goldmining, and a subsequent increase to the bond amount.

No Limited Notified or Notified Resource Consents were granted from 25 August – 28 September 2012.

Public Enquiries

49 written public enquiries were responded to during the reporting period. 40 (81%) were answered on the same day, 4 (9%) the following day, and the remaining 5 (10%) no more than 10 working days later. 49 LGOIMA requests were responded to, all within the required timeframe.

RECOMMENDATION

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

John 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 October 2012
 Subject: **COMPLIANCE & ENFORCEMENT MONTHLY REPORT**

Site Visits

A total of 64 site visits were undertaken during the reporting period, which consisted of:

Activity	Number of Visits	Fully Compliant (%)
Resource consent monitoring	28	86%
Dairy shed inspections	21	52%
Mining compliance & bond release	15	53%

These totals include 4 visits in response to complaints.

Specific Issues

Dairy Effluent Discharges: 21 dairy sheds were inspected during the reporting period. The main focus of the visits was to follow up on farms that had failed to meet time frames to obtain the appropriate resource consents for their discharges. Formal enforcement action is pending for a farmer in the MaiMai Valley area for a discharge of dairy effluent. Enforcement action is also pending for a farmer in the Lake Brunner Catchment for a discharge of dairy effluent and for allowing a number of stock free access to a waterway in breach of the relevant regional rules.

Solid Energy New Zealand Limited (SENZ) – Stockton Coal Mine:

On the 5 September 2012 a site inspection was carried out at Stockton. The visit was in response to several compliance limit breaches for turbidity at Mine Creek monitoring point S6. The improvements to infrastructure to address the non compliant discharges were viewed.

Alluvial Gold Mining: A number of alluvial gold mining operations were found to be non-compliant, due mainly to discharge conditions not being met. One operation was deemed non-compliant due to an overdue Annual Work Programme.

Complaints/Incidents between 29 August 2012 and 27 September 2012

The following 10 complaints/incidents were received during the reporting period:

Activity	Description	Location	Action/Outcome
Gold Mining	Complaint about discharge of sediment.	Notown	Site visit carried out, enforcement action undertaken.
River protection Work	Complaint about unauthorised river protection work.	Atarau	Site visit carried out, enquiries are ongoing.
Gravel Extraction	Complaint about unauthorised gravel extraction	Greymouth	Site visit carried out, enforcement action undertaken.
Earthworks within the Coastal Marine Area	Complaint about a digger working on the beachfront.	Hector	Enquiries established that no regional rules had been breached.
Gold Mining	Complaint about discharge of sediment.	Waimea	Site visit carried out, the operator was warned for the discharge.

Sediment discharge	Complaint received regarding sediment in Card Creek.	Marsden	Site visit carried out and unable to locate the source of the discharge.
Gravel Extraction	Complaint that gravel was extracted from the wet bed of the river.	Taramakau	Site visit carried out and enforcement action undertaken.
Sediment discharge	Complaint about sediment discharge in New River.	Cameron's	Site visit carried out and unable to locate the source of the discharge.
Effluent Discharge	Discharge of untreated dairy effluent to a creek.	MaiMai Valley	Site visit carried out, enforcement action pending.
Dumping of Rubbish	Rubbish or waste had been disposed of in breach of the operators consent conditions.	Taramakau	Site visited and the operator directed to undertake remedial work.

Formal Enforcement Action

The following nine abatement notices were issued during the reporting period

Activity	Location
Two notices issued to the same farmer; cease stock access to waterways within the Lake Brunner Catchment and a second notice to cease the unauthorised discharge of dairy effluent.	Rotomanu
Unauthorised gravel extraction	Grey River
Unauthorised discharge of dairy effluent	Mawheraiti
Unauthorised discharge of dairy effluent	Maimai Valley
A notice was issued to cease dumping of rubbish in breach of consent conditions, and a second notice was issued directing the operator to undertake remedial work.	Taramakau
Unauthorised discharge of dairy effluent	Westport
Unauthorised discharge of dairy effluent	Westport

The following five infringement notices were issued during the reporting period:

Activity	Location
Unauthorised gravel extraction	Taramakau
Unauthorised gravel extraction.	Grey River
Two notices issued for an unauthorised gold mine discharge. One notice was issued to the consent holder and one notice was issued to the site manager.	Notown

MINING

Work Programmes

The Council received the following eight work programmes during the last reporting period, with three programmes being processed in the 20 day timeframe. Some of the remaining work programmes (shown in italics) require a site inspection or further information before they can be processed.

Date	Mining Authorisation	Holder	Location
04 Sept 12	RC02259	Birchfields Minerals Ltd	Ngahere
07 Sept 12	RC98024	Ellis Mining Ltd	Marsden
07 Sept 12	RC09053	Westco Lagan	Ruatapu
<i>13 Sept 12</i>	<i>RC12007</i>	<i>Vortex Minerals</i>	<i>Kumara</i>

17 Sept 12	RC09084	Humphreys Mining Ltd	Arahura
19 Sept 12	RC11117	Amalgamated Mining Ltd	Notown
20 Sept 12	RC10239	Ferguson	Waipuna
20 Sept 12	RC12123	Bonar Farms Ltd	Ianthe

The following bonds were received during the reporting period:

Mining Authorisation	Holder	Location	Amount
RC11200	Blacktopp Mining Ltd	Stafford	\$6000
RC11063 & RC12011	BBC Excavation Ltd	Waimangaroa	\$12000

The following two bonds are recommended for release as Compliance staff are satisfied that there are no outstanding compliance issues in relation to the relevant resource consents:

Mining Authorisation	Holder	Location	Amount
RC02020/1	Pike River Coal	Pike River	\$25000
RC09039	Brian Blacktopp Contracting Ltd	Takutai	\$6000

RECOMMENDATION

1. That the October 2012 report of the Compliance Group be received.
2. That Council release the bonds held for Resource Consents RC02020/1 and RC09039.

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, 9th October 2012** commencing on completion of the Resource Management Committee Meeting.

A.R. SCARLETT
CHAIRPERSON

C. INGLE
CHIEF EXECUTIVE OFFICER

<u>AGENDA NUMBERS</u>	<u>PAGE NUMBERS</u>	<u>BUSINESS</u>
1.		APOLOGIES
2.		PUBLIC FORUM
3.		MINUTES
	1 – 2	3.1 Minutes of Council Meeting 4 September 2012
4.		REPORTS
	3 – 4	4.1 Planning & Environmental Manager's Report on Engineering Operations
	5 – 7	4.2 Corporate Services Manager's Report
	8	4.2.1 Adoption of Audited Annual Report
	9 – 15	4.2.2 Multi Option Credit Line with Westpac
	16 – 25	4.2.3 Animal Health Board Report from January – June 2012
5.		CHAIRMAN'S REPORT
6.	26 – 31	CHIEF EXECUTIVE'S REPORT
7.		GENERAL BUSINESS

THE WEST COAST REGIONAL COUNCIL**MINUTES OF THE MEETING OF THE COUNCIL HELD ON 4 SEPTEMBER 2012,
AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOOUTH,
COMMENCING AT 11.32 A.M.****PRESENT:**

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

IN ATTENDANCE:

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

1. APOLOGIES:

There were no apologies

2. PUBLIC FORUM

There was no public forum.

3. CONFIRMATION OF MINUTES

Moved (Robb / Davidson) *that the minutes of the Council Meeting dated 14 August 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 work has been carried out in the Red Jacks, Taramakau, Wanganui and Punakaiki rating districts during the reporting period. He advised that rock was sourced from close to the Punakaiki area which was useful and saved the rating district a reasonable amount of money.

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

Carried

4.2 CORPORATE SERVICES MANAGER'S REPORT

R. Mallinson spoke to this report and advised that he has been busy through August finalising the Annual Report. R. Mallinson reported that the Investment Portfolio rebounded quite strongly during July.

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

Carried

4.2.1 ANNUAL REPORT FOR THE YEAR TO 30 JUNE 2012

R. Mallinson spoke to this report and stated that he circulated a copy of the Annual Report separately from the agenda.

Moved (Archer / Davidson) *that Council receive the unaudited 2012 Annual Report.*

Carried

5.0 CHAIRMANS REPORT (VERBAL)

The Chairman reported that he has nothing to report as it was a very short reporting period. He stated that he dealt with normal constituency matters during this time.

GENERAL BUSINESS

There was no general business.

Land and Water Plan Hearing

Cr Scarlett re-opened the Land and Water Plan Hearing to formally adopt the draft decisions report on submissions on the Land and Water Plan, and release these decisions to submitters.

Moved (Birchfield / Archer) *that Council adopt the Land and Water Plan Decision on Submissions.*

Carried

Cr Scarlett closed the hearing.

C. Ingle advised that the decision will be released and there will be a 15 day appeal period. J. Adams advised that there have not yet been any appeals on the Mt William consent application.

The meeting closed at 11.37 a.m.

.....
Chairman

.....
Date

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting – 9 October 2012
 Prepared by: W. Moen – Rivers Engineer and Paulette Birchfield – Engineering Officer
 Date: 27 September 2012
 Subject: **ENGINEERING OPERATIONS REPORT**

RIVER AND DRAINAGE INSPECTIONS

- Lower Waiho RD – Flood Damage
- Grey River – G. Woodman – Flood Damage
- Wanganui RD – Inspection
- Punakaiki RD – Damage Inspection
- Whataroa RD – Inspection

WORKS COMPLETED & WORKS TENDERED FORTaramakau Rating District

This work involving the placing of 820 tonnes of rockwork has been completed by Westland Contractors Ltd. at a cost of \$14,046 (G.S.T. Exclusive).

Taramakau Rating District – Dymac Farms

This maintenance work, involving the placing of 500 tonnes of rock, has been tendered out.

Wanganui Rating District

Six tenders were received for maintenance work, involving the placing of 710 tonnes of rock. The successful tender was Westland Contracting Ltd. With a price of \$9,108 (G.S.T. Exclusive).

FUTURE WORKS

- Inchbonnie Rating District
- Whataroa Rating District
- Taramakau Rating District
- Franz Josef Rating District
- Nelson Creek Rating District
- Lower Waiho Rating District
- Karamea Rating District
- Vine Creek Rating District

OTHER WORK

- Redjacks Creek RD – Committee Meeting
- Whataroa RD – Committee Meeting – Proposed Reclassification
- Wanganui RD – Committee Meeting – proposed Reclassification
- Franz Josef RD – DOC Meeting re Bush Block Cut-off Stopbank Alignment

QUARRIESQuarry Work Permitted from 20 August 2012

Quarry	Contractor	Tonnage Requested	Permit Start	Permit Finish
Wanganui	Westland Schist	100	27 Aug 2012	10 Sep 2012
Kiwi	Ferguson Brothers	200	29 Aug 2012	31 Aug 2012
Camelback	Westland Contractors Ltd	500	3 Sep 2012	1 Oct 2012
Camelback	Westland Contractors Ltd	200	3 Sep 2010	1 Oct 2012

Approximate rock in quarry as at 20 September 2012 (in tonnes)

Quarry	Rock Available	Emergency Stockpile
Blackball	2,300	
Camelback	4,000	2,000
Inchbonnie	3,000	
Kiwi	5,000	-
Whataroa	1,500	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: 1 October 2012

1. Financial Report

FOR THE TWO MONTHS ENDED 31 AUGUST 2012				
	ACTUAL	YEAR TO DATE BUDGET	ACTUAL % ANNUAL BUDGET	ANNUAL BUDGET
REVENUES				
General Rates	336,777	336,667	17%	2,020,000
Rates Penalties	24,017	11,667	34%	70,000
Investment Income	386,830	160,750	40%	964,500
Resource Management	307,794	233,667	29%	1,073,500
Regional Land Transport	9,568	14,583	11%	87,500
Emergency Management	8,446	12,000	12%	72,000
River, Drainage, Coastal Protection	279,909	209,177	22%	1,255,061
Regional % Share Controls	108,794	108,333	17%	650,000
VCS Business Unit	1,490,335	332,542	75%	1,995,250
	2,952,470	1,419,385	36%	8,187,811
EXPENDITURE				
Governance	62,349	63,919	16%	383,511
Resource Management	589,405	445,816	22%	2,674,895
Regional land Transport	18,552	25,142	12%	150,854
Hydrology & Floodwarning Services	70,669	66,471	18%	398,825
Emergency Management	17,676	22,364	13%	134,185
River, Drainage, Coastal Protection	243,606	210,361	19%	1,262,165
Regional % Share Controls	149,076	147,857	17%	887,144
VCS Business Unit	1,220,221	249,208	82%	1,495,250
Portfolio Management	15,350	10,000	26%	60,000
	2,386,904	1,241,138	32%	7,446,829
SURPLUS / (DEFICIT)	565,566	178,247		740,982

BREAKDOWN OF SURPLUS (-DEFICIT)	Variance Actual V Budgeted YTD	ACTUAL	BUDGET Year to date	ANNUAL BUDGET
Rating Districts	-35,056	4,517	39,573	237,436
Quarries	52,692	52,414	-278	-1,668
Regional % Share of AHB Programmes	-758	-40,282	-39,524	-237,144
Investment Income	220,730	371,480	150,750	904,500
VCS Business Unit	186,781	270,114	83,333	500,000
General Rates Funded Activities	-37,070	-92,677	-55,607	-662,142
TOTAL	387,319	565,566	178,247	740,982

Net Contributors to General Rates Funded Surplus (-Deficit)	Actual	Budget ytd	Annual Plan
Net Variance Actual V YTD			
Rates	110	336,777	2,020,000
Rates Penalties	12,350	24,017	70,000
Representation	1,570	-62,349	-383,511
Resource Management	-69,462	-281,611	-1,601,395
Planning Activities	1,575	-8,984	-63,354
River, Drainage, Coastal Protection	19,851	-20,628	-242,872
Environmental Monitoring	-4,198	-70,669	-398,825
Emergency Management	1,134	-9,230	-62,185
	-37,070	-92,677	-662,142

STATEMENT OF FINANCIAL POSITION @ 31 AUGUST 2012

	@ 31/08/12	@ 30/06/2011
<u>CURRENT ASSETS</u>		
Cash	208,926	71,191
Deposit - Westpac		
Accounts Receivable - Rates	172,097	284,961
Accounts Receivable - General Debtors	605,344	1,178,808
Prepayments	211,517	94,431
Sundry Receivables	131,098	146,660
Stock - VCS	46,521	592,585
Stock - Rock	541,890	436,302
Stock - Office Supplies	14,740	14,740
Accrued Rates Revenue	618,503	0
Unbilled Revenue	330,010	264,683
	<u>2,880,646</u>	<u>3,084,361</u>
<u>Non Current Assets</u>		
Investments	11,523,572	11,706,004
Investments-Catastrophe Fund	588,975	569,713
Fixed Assets	4,510,404	4,452,535
Infrastructural Assets	49,180,358	49,180,358
	<u>65,803,309</u>	<u>65,908,610</u>
TOTAL ASSETS	<u>68,683,955</u>	<u>68,992,971</u>

<u>CURRENT LIABILITIES</u>		
Bank Short Term Loan	955,000	857,000
Accounts Payable	379,330	951,396
GST	-2,239	0
Deposits and Bonds	499,130	460,645
Sundry Payables	699,882	545,161
Accrued Annual Leave, Payroll	308,559	324,032
Other Revenue in Advance		495,790
Rates Revenue in Advance		53,627
	<u>2,839,662</u>	<u>3,687,651</u>

<u>NON CURRENT LIABILITIES</u>		
Future Quarry restoration	70,000	70,000
Greymouth Floodwall	1,983,756	1,993,267
Inchbonnie	61,211	64,423
Punakaiki Loan	160,278	167,654
Office Equipment Leases	15,176	21,669
	<u>2,290,421</u>	<u>2,317,013</u>

TOTAL LIABILITIES	<u>5,130,083</u>	<u>6,004,664</u>
--------------------------	-------------------------	-------------------------

<u>EQUITY</u>		
Ratepayers Equity	19,004,721	19,004,722
Surplus Tsfrd.	565,566	
Rating District Equity Mvmts	225,589	
Rating Districts Equity	1,037,543	1,263,132
Tb Special Rate Balance	39,344	39,344
Revaluation	32,295,638	32,295,638
Quarry Account	338,758	338,758
Catastrophe Fund	569,713	569,713
Investment Growth Reserve	9,477,000	9,477,000
TOTAL EQUITY	<u>63,553,872</u>	<u>62,988,307</u>

LIABILITIES & EQUITY	<u>68,683,955</u>	<u>68,992,971</u>
---------------------------------	--------------------------	--------------------------

2. Investment Portfolio

PORTFOLIO @ 31 August 2012 Summary & Reconciliation		Cash	Bonds	Australasian Equities	International Equities	Property Equities	Alternative Asset Classes	Total
Portfolio Value @ Start	01 July 2012	\$ 1,746,702	\$ 2,369,104	\$2,737,916	\$ 2,365,682	\$ 895,703	\$ 625,146	\$ 10,740,253
Contributions		\$ -						\$ -
Withdrawals		-\$ 275,015			\$ 47,031		\$ 27,984	-\$ 200,000
Realised Gains/(Losses)		-\$ 2,077		-\$ 1,775	\$ 433,902	\$ -	-\$ 27,984	\$ 402,066
Unrealised Gains/(Losses)		\$ 5,003	\$ 1,057	\$ 157,437	-\$ 394,654	\$ 27,564	\$ 61,453	-\$ 142,141
Mgmt Fee					\$ 668			\$ 668
Income		\$ 8,066	\$ 7,246	\$ 8,939	\$ 21,484	\$ 3,605	\$ -	\$ 49,340
Changes Accrued Interest		-\$ 2,271	\$ 20,506	\$ 7,555		\$ 136		\$ 25,926
Portfolio Value @ End Period	31 August 2012	\$ 1,480,408	\$ 2,397,912	\$2,910,072	\$ 2,474,113	\$ 927,007	\$ 686,599	\$ 10,876,111
ytd return for 2 months		0.53%	2.98%	6.29%	2.53%	3.49%	5.29%	3.14%

Asset Allocation %'s @ 31 August 2012	Benchmarks	Tactical asset allocation range	
Cash	14%	25%	10% - 50%
Bonds	22%	25%	10% - 50%
Australasian Equities	27%	15%	0% - 20%
International Equities	23%	15%	0% - 20%
Property Equities	9%	5%	0% - 10%
Alternative Asset Classes	6%	15%	0% - 20%
	100%	100%	

3. Total Investments.

This includes;

Westpac Catastrophe Fund Portfolio	\$588,975
Westpac General Portfolio	\$565,809
Westpac (PRCC bond)	\$50,000
Ministry Economic Development & DOC Bond Deposits	\$31,651
Forsyth Barr Ltd (as per above table)	10,876,112
Total	\$12,427,547

Investment Income includes

Forsyth Barr Ltd (as per above table)	\$335,859
Westpac	\$50,971
Total	\$386,830

4. General Comment

Surplus for the two month period amounted to \$518,294, compared to the budgeted \$178,000. The investment portfolios continued their strong rebound during August, with a total return of \$387,000 during the two months to 31 August.

Net negative budget variances in the general rate funded activities area amount to \$37,000.

RECOMMENDATION

That this report be received.

Robert Mallinson
Corporate Services Manager

4.2.1

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting
Prepared by: Robert Mallinson – Corporate Services Manager
Date: 1 October 2012
Subject: **ADOPTION OF AUDITED ANNUAL REPORT**

Council received the unaudited annual report at the September meeting.

The team from Audit NZ have completed their work and it is expected that they will release the audit report on the morning of 9 October, following the receipt of an emailed copy of the Council's Letter of Representation signed by the Chairman and Chief Executive that morning. I will table the audit report at the meeting.

I reported an unaudited surplus of \$186,151 to the September meeting.

The following changes to the financial statements were requested by Audit NZ:

- \$68,000 called bond required to be treated as revenue. It had been parked with other cash bonds pending completion of the restoration work.
- \$50,000 Pike River bond required to be treated as revenue. The two main bonds (\$1 million and \$100,000) were refunded to the receiver in July following receipt of the new surety bond from Solid Energy Ltd. That left a \$50,000 bond with the Council which relates to end of mine life portal restoration. This amount now needs to be recognised in Council balance sheet.
- The future Quarry restoration liability was reassessed upwards from \$60,000 to \$70,000 following review by our Engineering Officer.

That means that the final audited surplus is:

Surplus reported to September meeting	\$186,151
Plus	
Called bond now treated as revenue	\$68,000
PRCC bond now recognised in Council balance sheet	\$50,000
Less	
Increase in Quarry restoration liability	-\$10,000
Audited Surplus	\$294,151

RECOMMENDATION

That Council receives the audit report from Audit NZ and adopts the audited annual report for the year to 30 June 2012.

Robert Mallinson
Corporate Services Manager

4.2.2

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting
 Prepared by: Robert Mallinson – Corporate Services Manager
 Subject: **MULTI OPTION CREDIT LINE (MOCL) WITH WESTPAC**
 Date: 29 June 2012

I have renegotiated our MOCL with Westpac from the existing level of \$3,000,000 to \$4,000,000. This is to allow for funding of Warm West Coast Loans as well as provide better short term flexibility for Council funding.

The existing Deed of Charge to Westpac secures the following (@ 30/6/12);

OD facility	\$250,000
Punakaiki	\$168,000 (reducing table loan)
Bond	\$30,000
Risk Management	\$200,000
MOCL	\$3,000,000 **
Total	\$3,648,000

** MOCL utilised @ 30/6/12

Greymouth Floodwall Upgrade	\$1,993,000 (reducing table loan)
Inchbonnie	\$64,000 (reducing table loan)
Short Term Advances	\$857,000 (interest only)
Total	\$2,914,000

The new facility with Westpac will include the following (@ 31/8/12);

OD facility	\$500,000
Punakaiki	\$160,000 (reducing table loan)
Bond	\$30,000
Risk Management	\$350,000
MOCL	\$4,000,000 **
Total	\$5,040,000

** MOCL Utilised @ 31/8/12

Greymouth Floodwall Upgrade	\$1,984,000 (reducing table loan)
Inchbonnie	\$61,000 (reducing table loan)
Short Term Advances	\$955,000 (interest only)
Total	\$3,000,000

This means that there is at least \$1,000,000 available for funding of Warm West Coast loan advances and other potential borrowing requirements.

How will this fit with the LTP Financial Strategy quantified limits on borrowing?

The LTP sets a cap of borrowing (Term Liabilities / Total assets) of 7.50%

Greymouth Floodwall Upgrade	\$1,984,000 (reducing table loan)
Inchbonnie	\$61,000 (reducing table loan) – fully repaid June 15
Punakaiki	\$160,000 (reducing table loan) – fully repaid Nov 15
Warm West Coast / Other	\$1,000,000
Total potential term borrowing	\$3,205,000
Total Assets per 30/6/12 Balance Sheet	\$68,982,000
% Term borrowing / Total Assets	4.6%

The new agreement with the bank has been executed under seal by the Chief Executive, and this is now reported to Council pursuant to the delegations manual.

RECOMMENDATION

1. That Council note the new financing facility entered into with our bankers Westpac.
2. That Councillors note the use of the Council seal.

Robert Mallinson
Corporate services Manager

31 August 2012

Corporate Services Manager
The West Coast Regional Council
C/- P O Box 66
Greymouth

Dear Robert

Re: LETTER OF VARIATION TO THE WEST COAST REGIONAL COUNCIL

We are pleased to confirm that we have approved the following changes to your banking arrangements.

THE CHANGE

1. The limit of your Multi Option Credit Line facility Midas Number 397760 will be increased by \$1,000,000.00 to \$ 4,000,000.00.
2. The Line of Credit Charge for your facility will be increased from 0.25% to 0.35%.

THE CONDITIONS OF APPROVAL

No conditions apply.

In all other respects, your banking arrangements remain unchanged.

Please confirm your acceptance of these changes by signing this letter and arranging for all signatories to sign it. The changes will take effect from the date we receive the signed copy from you.

This offer is open for acceptance until 5pm on 30 September 2012.

WESTPAC NEW ZEALAND LIMITED

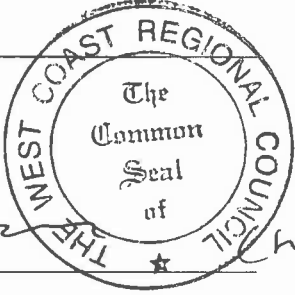


Tony Pratt
Business Manager - Nelson

ACCEPTANCE

We accept the changes described in this letter.

THE COMMON SEAL of WEST COAST REGIONAL COUNCIL was hereto affixed at the offices of and in pursuance of a resolution of the Council:



_____ Chris Ingle, CEO

in the presence of:



 Witness Signature

Patricia Jelliman

 Witness Name

Executive Assistant

 Occupation

375 Main South Rd

 Address Greyouth

Date of Acceptance 13/9/12

Overdraft Agreement

Facility Account Number 03-0846-0121500-000

28 August 2012

The West Coast Regional Council, 388 Main South Road, Paroa, Greymouth 7805

Facility Summary

Westpac New Zealand Limited having its principal place of business at 16 Takutai Square, Auckland (Westpac NZ) is pleased to offer you an Overdraft Facility ("the facility") on the account number above subject to the terms and conditions set out in this Overdraft Agreement, the Westpac NZ General Terms and Conditions and Transaction and Service Fees or Business Price List brochures (which together, and as they may be amended or replaced, form your Agreement with Westpac NZ in relation to the facility).

Before you can draw under the facility you need to:

- sign and return a copy of this document;
- if required by Westpac NZ, complete and sign any new security documentation and satisfy Westpac NZ's security requirements;
- if required by Westpac NZ arrange for any other person to give security, to sign that security and satisfy Westpac NZ security requirements; and
- pay the establishment charge and any other credit fees and charges that are payable in respect of the facility.

Initial Unpaid Balance **\$0.00**

This is the amount you owe us as at the date of this Overdraft Agreement. The amount and description of each advance, charge or payments accounted for in the initial unpaid balance referred to above are disclosed in bank statements that have been sent to you. If any additional advances, charges or payments have been made since the date of your last statement another statement will be sent to you.

Facility Limit **\$500,000.00**

This is the maximum amount of credit to be made available to you under the facility. It may be reduced or increased at Westpac NZ's discretion at any time.

On demand

This is an on demand facility. Any amount drawn is available to you only at the discretion of Westpac NZ who may cancel or reduce the facility and demand repayment from you at any time.

Review, Reduction and Expiry

Subject to Westpac NZ's ability to cancel the facility and demand repayment at any time;

- Westpac NZ will review your facility Annually.


Annual Interest Rate **5.60% p.a.**

The formula for calculating the Annual Interest Rate is: (the base rate x the modifier (if any)) plus a margin (if any). The Annual Interest Rate may change from time to time.

At the date of this Overdraft Agreement the Annual Interest Rate is based on Westpac NZ's Commercial Lending Rate of 5.20% and the margin is 0.40%.

Westpac NZ may change the base rate, replace it with a new base rate, or change the modifier or the margin, from time to time.

Westpac NZ's published base rates are available at www.westpac.co.nz; and are advertised from time to time in major newspapers when changes occur. In addition, base rates are available by contacting your Westpac NZ branch or Relationship Manager.

Excess Interest Rate	7.00% p.a.
If your Facility Limit is exceeded, or you do not pay any amounts when due, the rate of interest payable on the excess amount will be increased by the excess interest rate until the excess amount due is paid in full. This applies even if Westpac NZ at its discretion reduces, cancels or allows you to exceed the Facility Limit, or if the facility has expired. Westpac NZ may at any time change the excess interest rate.	
Method of Charging Interest	
Interest is accrued daily on the outstanding balance of your account on a 365 day calculation basis and charged monthly on the last business day of each month or as otherwise detailed in the Agreement.	
Payments	
You must make all payments at any Westpac NZ branch or at any other place Westpac NZ specifies, and in the manner that Westpac NZ specifies.	
Security	
The amounts owing under the facility as well as any other moneys you may owe Westpac NZ now or in the future under any other existing or future agreements between you and Westpac NZ, including any guarantee you have granted Westpac NZ in favour of Westpac NZ, will be secured by all existing and future securities and/or guarantees (together "Securities") held by Westpac NZ in respect of your obligations and any further securities which Westpac NZ at any time advises you that it requires. This may constitute a change to your arrangements with Westpac NZ under those agreements.	
Credit Fees and Charges	\$0.00
Comprising	
Establishment Charge payable on the date of execution of this Loan Summary whether or not the Loan is drawn down.	\$0.00
Line of Credit Charge	0.0250% Per Month
This is payable on the last business day of every month and is calculated on the greater of the highest Facility Limit made available or highest daily balance outstanding during such month.	
Provided however the minimum Line of Credit Charge payable in terms of this clause shall be \$5.00 per month.	
Additional Fees and Charges	
Additional credit fees and charges may apply as detailed in Westpac NZ's Transaction and Service Fees or Business Price List brochures.	
What you Agree Westpac NZ May Do	
At any time, Westpac NZ may at its discretion increase or reduce the Facility Limit and/or vary the interest rate and credit fees and charges payable in respect of the facility, including those as specified in this Overdraft Agreement or the Transaction and Service Fees or Business Price List brochures. Westpac NZ can also vary the term of the facility. In any of these cases the Facility Limit, and/or interest sections of the Agreement will be taken to have been amended accordingly.	
More Than One Borrower	
If there is more than one of you, each of you is individually liable for the full amount of the Agreement. You are still bound by the Agreement even if anyone you thought was also going to sign this document does not sign it, or any of you is not bound by it or is released from part or all of their obligations under it. You refers to each of you. Anyone of you can make a drawing under the facility.	
Yours sincerely	
	
.....	
On behalf of Westpac NZ	

Acceptance and Acknowledgement

I/We have read each document comprising the Agreement and accept the offer of the facility set out in the Agreement.


I/we acknowledge that the Agreement represents the entire agreement between me/us and Westpac NZ in respect of the facility and that it replaces all earlier representations, warranties, understandings and agreements, whether oral or written between me/us and Westpac NZ in respect of the facility.

I/We acknowledge that for the purposes of initial disclosure under the Credit Contracts and Consumer Finance Act 2003 (if this Agreement is a consumer credit contract for the purposes of that Act) I/we have been provided with a completed copy of the Agreement (including a copy of the Westpac NZ General Terms and Conditions brochure and the Transaction and Service Fees or Business Price List brochures) and the Security (if any) and other documentation relating to the facility.

Signed by The West Coast Regional Council

[Director Name] (Director)

Dated: 13/9/12


Signature
Chris Kyle, CEO

[Director Name] (Director)

Dated:

.....
Signature

[Director Name] (Director)

Dated:

.....
Signature

[Director Name] (Director)

Dated:

.....
Signature

[Director Name] (Director)

Dated:

.....
Signature

[Director Name] (Director)

Dated:

.....
Signature

[Director Name] (Director)

Dated:

.....
Signature

4.2.3

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting
Prepared by: Robert Mallinson – Corporate Services Manager
Subject: **Report from the Animal Health Board January – June 2012**
Date: 19 September 2012

As per the funding agreement, the Animal Health Board provides a six monthly report to Council with regard to West Coast Bovine Tb Programme Management.

The graph on page 7 indicates that with 37 infected herds the programme is within the AHB 3 year plan target of 40.

RECOMMENDATION

That the report be received.

Robert Mallinson
Corporate Services Manager

**ANIMAL
HEALTH
BOARD**

Level 9
Guardian Trust House
15 Willeston Street
PO Box 3412
Wellington 6140
P: 04-472 2858
F: 04-473 8786
enquiries@ahb.org.nz
www.ahb.org.nz



6 September 2012

Chris Ingle
Chief Executive
West Coast Regional Council
PO Box 66
Greymouth 7840

Dear Chris

RE: Biannual report from the Animal Health Board

Please find enclosed our report for January – June 2012.

Should you have any questions about the report, please contact:

PM Imogen Squires
Ph 03-769-9048
Email imogen.squires@tbfree.co.nz

Yours sincerely

Matthew Hall
Vector Operations Manager

Animal Health Board; West Coast Programme Management Bi-Annual Report - January to 30 June 2012

To: Chris Ingle, Chief Executive, West Coast Regional Council
From: Danny Templeman, Regional Coordinator Northern South Island
Date: 15 August 2012

Introduction

The Animal Health Board (AHB) is the management agency for control of bovine TB under the Biosecurity Act 1993. A review of the national TB strategy was carried out in 2009 and a proposal to revise the strategy to provide for an effective and strategically sound TB control programme for the 15 years from 1 July 2011 was approved. This revision signals a change in emphasis from reducing the number of infected herds, to reducing the area containing TB possums. In particular, it proposes a strategic eradication of TB from wildlife in land areas classified as Vector Risk Areas (VRA), along with minimising the infection risk to cattle and deer.

The objective of the national TB strategy in the past has been to reduce the number of TB-infected cattle and deer herds to a 0.2 per cent annual period prevalence by 30 June 2013. Progress has been well ahead of the targets needed to meet this objective.

Under the revised strategy the AHB has identified a number of new objectives.

The primary objectives of the strategy are to:

1. Establish the feasibility of eradication of endemic TB from wildlife populations across a representative range of New Zealand terrains, by achieving:
 - a. Eradication of TB from vector populations in two extensive forest areas representing relatively difficult operational terrain containing vector infection.
 - b. Continued freedom from wildlife infection in areas where TB is considered to have been eradicated from wildlife populations.
2. By 30 June 2026, to have eradicated TB from wild animal populations from at least 2.5 million hectares of TB Vector Risk Area, including the areas in 1. a. above, with consequent reclassification of this land as TB Vector Free Area (VFA).
3. Prevent the establishment of TB in possum populations in Vector Free Areas during the term of the proposed strategy.

The secondary objective of the strategy is to:

Maintain the national TB infected herd annual period prevalence at the lowest possible level while achieving the primary objectives, and at no greater than 0.4 per cent throughout the term of the proposed strategy.

The plan for the achievement of these objectives has been described in the National Disease Management Plan (NDMP) for the period of 15 years from the start of the strategy at 1 July 2011. Given the funding available for implementation of the strategy the current vector risk area of New Zealand has been divided into three strategic choices.

Eradication

This is the land area from which the disease (Bovine TB) will be eradicated by the completion of the current strategy in 2025/26. The land that is within this strategic choice (approximately 2.5 million hectares) will have received sufficient control that the density of the possum population will have been maintained at lower than two per cent RTC (two possums per ten hectares) without any residual clustering of possums allowed. The focus in these areas will be on gathering data from surveillance of possums and other wildlife to allow proof of freedom to be achieved at a confidence of greater than 95 per cent.

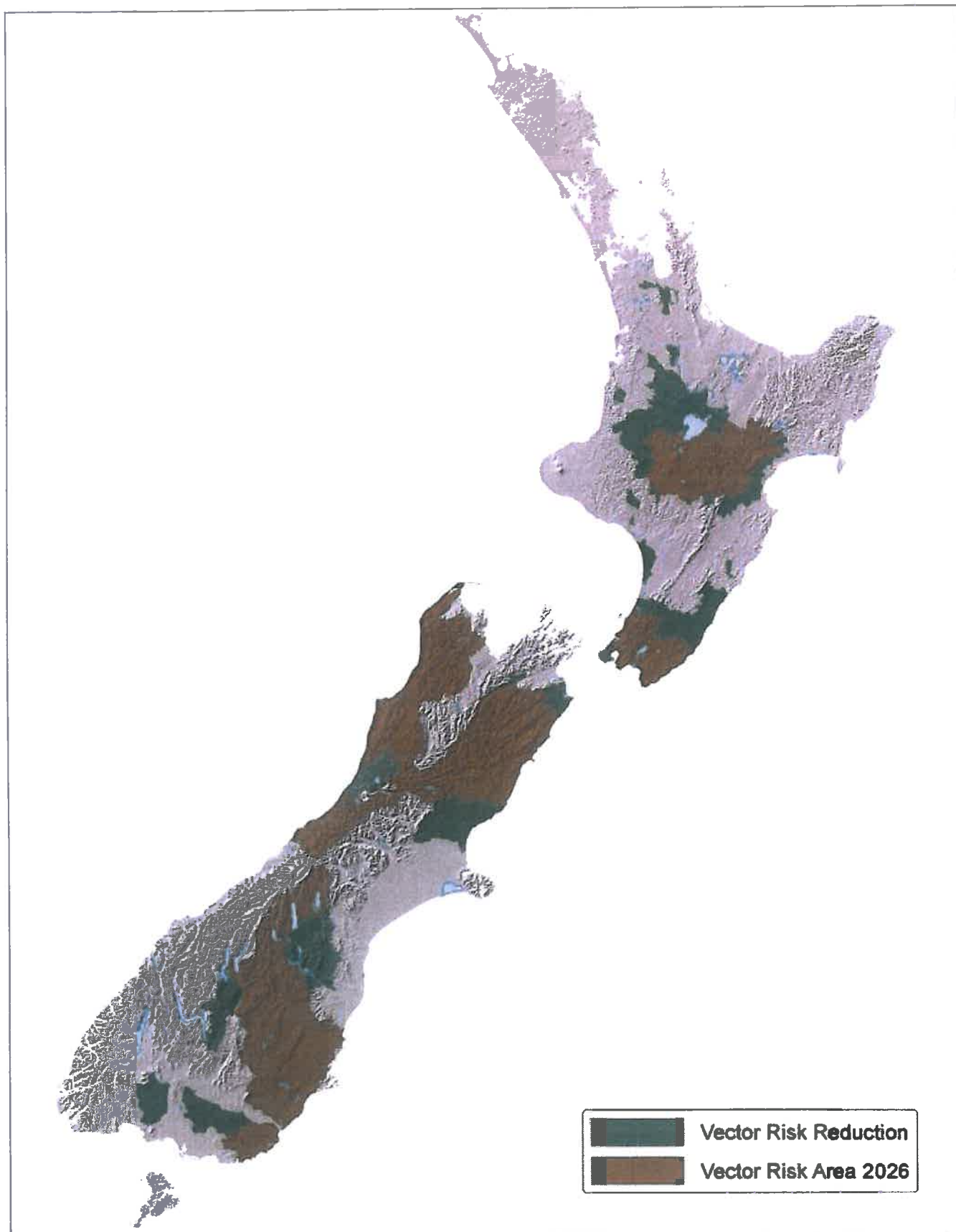
Free Area Protection

The land within this strategic choice will generally surround or protect the land already free from TB or working towards the eradication goal. The aim of control is to prevent the migration of infected possums from an area where known infection exists to that area being protected. This requires a similar level of intensity of control as that in eradication with low even control but surveillance is only required to check the disease status of wildlife present within the area.

Infected Herd Suppression

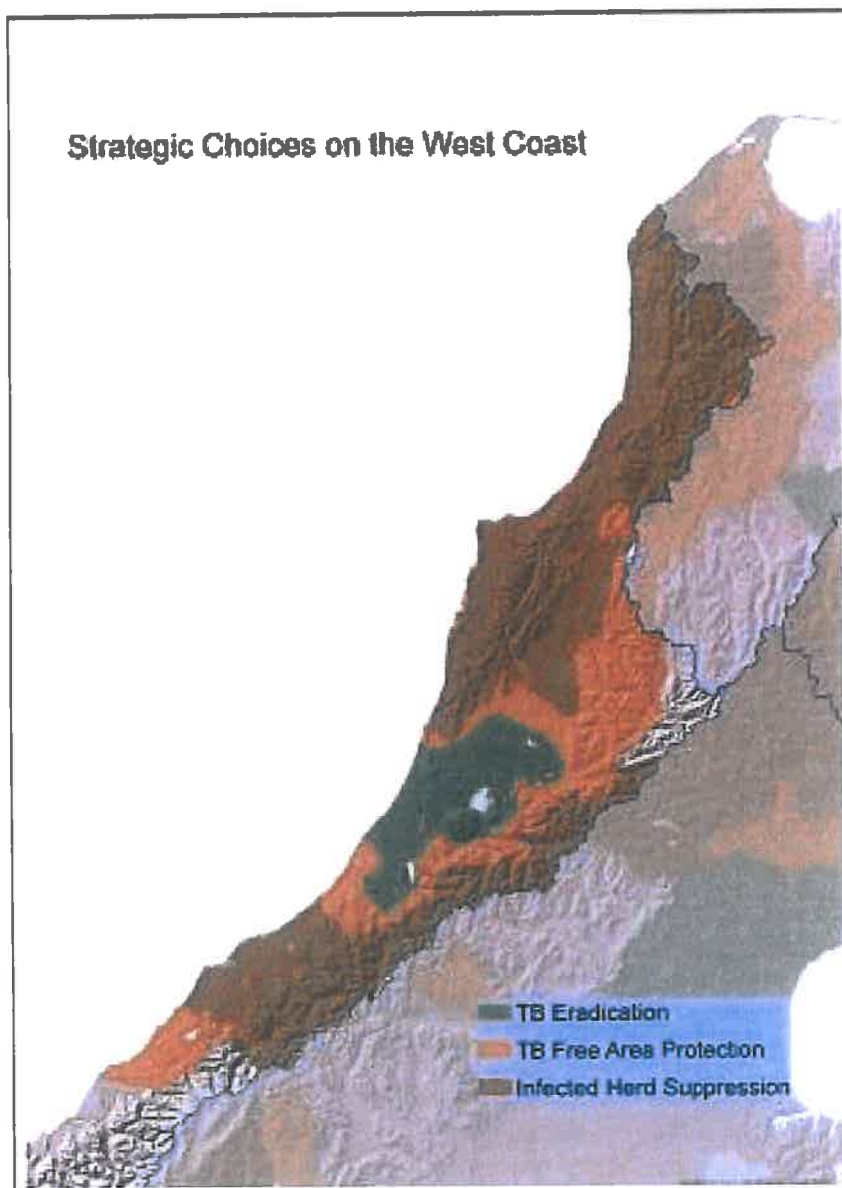
The remaining VRA land is where there is known wildlife infection and the target of control is to prevent interaction between infected wildlife and cattle and deer farms. Control is targeted on a cycle aimed at keeping possum density as low as possible in order to keep the national annual infected herd period prevalence as low as possible with available funding without letting it go any higher than the national level of 0.4 per cent.

Map of NZ with current and planned eradication



Regional Council Strategic Targets (From March 2012)

1. Eradicate TB from approximately 220,000 ha of TB VRA by 30 June 2026:
2. Protect TB VFA by preventing expansion of TB VRA
3. Suppress infected herd numbers at a cost-effective level that supports < 0.4 per cent period prevalence nationally through to 30 June 2026: (West Coast Tasman range 20-40 l Herds)



Progress to Regional targets

TBfree Area protection

Achieved - no infected herds located outside the West Coast Vector Risk Area.

Infected herd Suppression

Achieved - 37 infected herds within the West Coast region (further information on this later in the document).

Proposed new eradication area and associated changes for the West Coast

During March of this year the Animal Health Board announced an extension to the proposed eradication areas and included a large eradication area for the West Coast. The area of interest is largely defined by the Ahaura and Grey Rivers in the north and northwest respectively, and the Hokitika River in the south. The eastern boundary along the foothills of the Southern Alps will become a TB Free Area Protection zone.

TB possums, feral pigs and deer have all been found throughout this area since the early 1970s, and as a result the West Coast has some of the longest standing TB infection in wild animals and most persistent vector-related TB problem herds in New Zealand. However, possums throughout much of this area have been under regular maintenance control since at least 2000 and the whole area has been under control since 2009. The area currently contains 420 herds (37 per cent of West Coast herds).

Since the announcement of an extension to the proposed eradication areas the AHB have received a large amount of positive feedback from stakeholders on the coast and throughout the rest of the country. This is pleasing as initially there was some concern regarding the lack of progress the coast would have seen during the term of the strategy to 2025/26.

Vector Control

- The planned 2011/12 programme was completed and delivered within the design specifications.
- Ground control operations continue to be completed to a high standard. This is evident through monitoring and auditing control activities.

Activities completed as at 30 June 2012

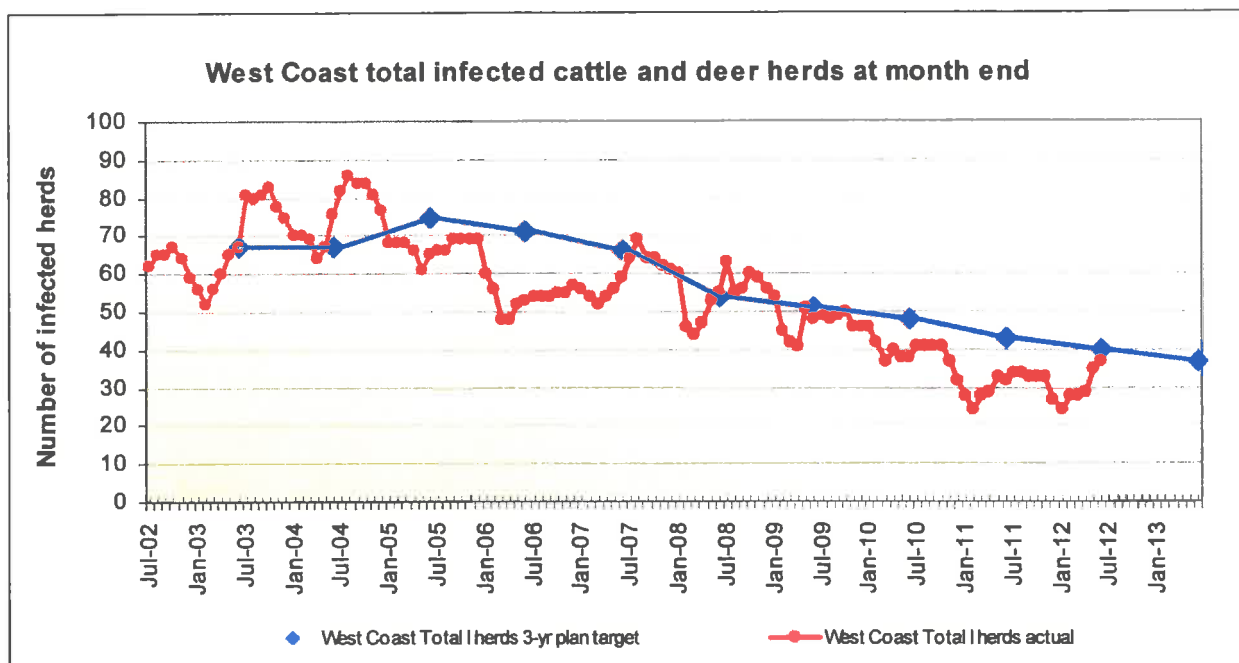
TMA	Possum Control (Ha)	Performance Monitors (Ha)	Possum Surveys (Ha)	Ad Hoc Survey (Ha)	Total Hectares	Value (\$)
West Coast North (Buller)	15,398	13,733	0	0	29,131	336,217
West Coast Central (Grey)*	279,815	171,413	0	0	451,228	4,539,377
West Coast South (South Westland)	144,819	103,800	0	0	248,619	2,285,516
Totals	440,032	288,946	0	0	728,978	7,161,110

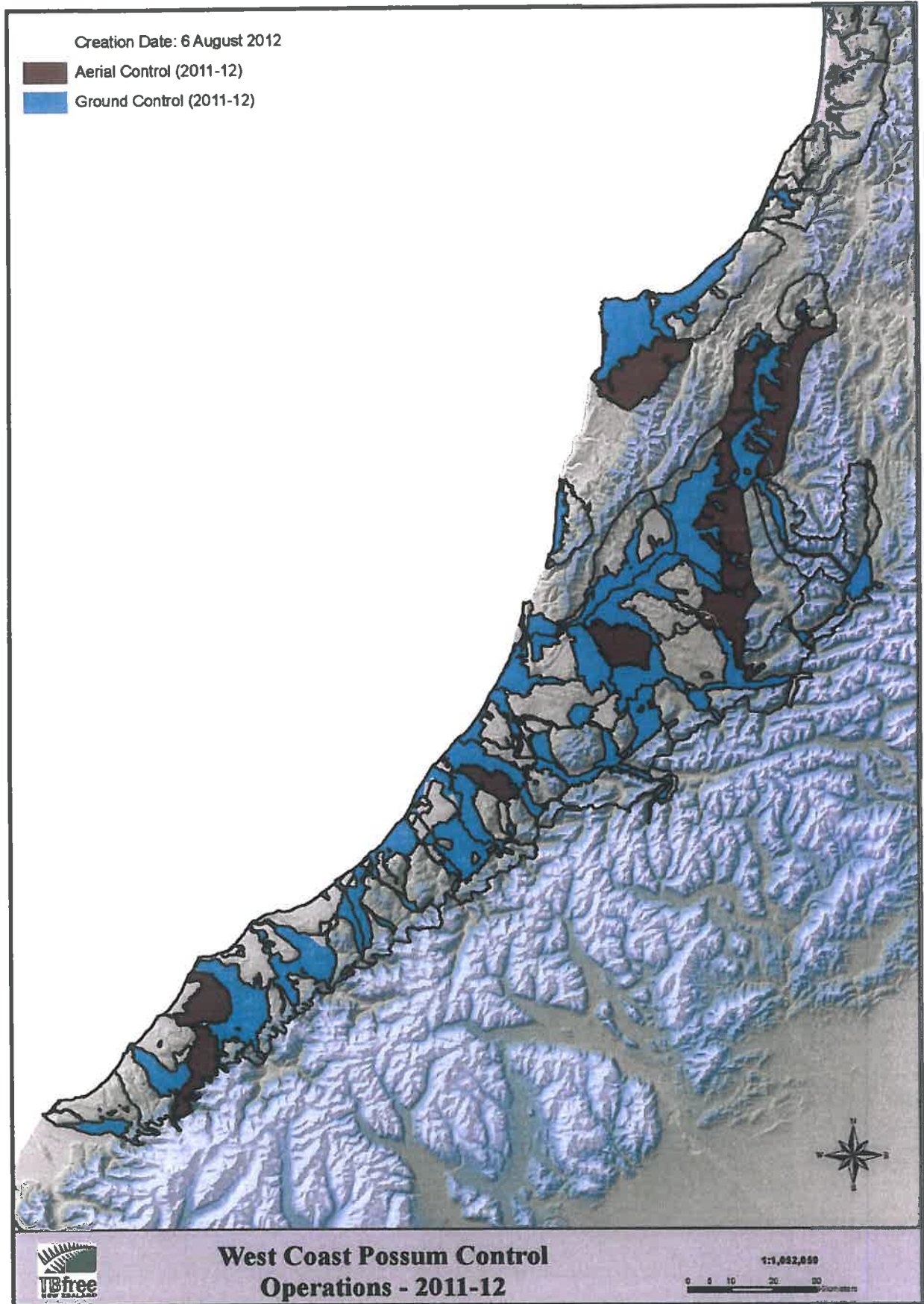
* Please note that all Buller South operations fall under the Grey TMA

- As of 30 June 2012 99 per cent of the West coast programme had been delivered and fully paid
- Nine aerial operations completed
- 292 ground control activities completed
- 245 performance monitors completed
- 14 performance monitor activities have been carried forward.
- Between January and June 2012 there were eight performance failures. Five were reworked and re-monitored (passed remonitor) and three were derogated.

Infected herds

- As at 30 June 2012, there are 37 infected herds in the West Coast region, this equates to:
 - 28 dairy herds
 - 1 dairy dry herd
 - 6 beef breeding herds
 - 2 deer breeding herds





6.0

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting 9 October 2012
 Prepared by: Chris Ingle – Chief Executive
 Date: 28 September 2012

Subject: **CHIEF EXECUTIVES REPORT**

Meetings Attended

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

- Met with Westland Milk Products on the 5th of September.
- Travelled to Westport to meet with Minister Joyce on the 7th of September.
- Hosted meeting of Mayors and Chair (Development West Coast Appointments Panel) to re-appoint the joint council appointee for three years.
- Met with new Solid Energy Chairman Mark Ford and Chief Executive Don Elder on the 18th of September.
- Participated in the exercise shakeout exercise at Westland District Council EOC on 26 September.

Productivity Commission submission

As advised at the last meeting, I have prepared a brief submission for the Productivity Commission (attached) which I was sent to the Commission before their deadline last month. I also assisted with the preparation of the LGNZ submission for the regional sector.

Policy on Managing Perceived Conflicts of Interest

This matter was raised by our Audit Director John Mackie recently. It relates to the Council sometimes having a role as a consent applicant as well as being responsible for RMA consent processing and granting. It is important that the public understand the procedures we have in place to separate the applicant from the processing staff and decision-maker. These procedures have been in place for some time, but Mr Mackie advised a policy should be developed to reassure the public of the care we take in ensuring bias does not occur.

Councillors will be aware that the elected member's role as decisionmaker is already addressed within the delegations manual (Appendix II) where independent commissioners are used for consent hearings when Council is the applicant. The attached policy describes in some detail other scenarios where perceived conflict of interest may arise, and how these are addressed.

Annual Leave

I took 5.5 day's annual leave during the August – September two month period.

RECOMMENDATIONS

1. *That this report be received.*
2. *That the letter to the Productivity Commission be received.*
3. *That the policy on avoiding conflicts of interest be noted.*

Chris Ingle
 Chief Executive



388 Main South Road, Paroa
P.O. Box 66, Greymouth 7840
The West Coast, New Zealand
Telephone (03) 768 0466
Toll Free 0508 800 118
Facsimile (03) 768 7133
Email info@wcrc.govt.nz
www.wcrc.govt.nz

Murray Sherwin
New Zealand Productivity Commission
PO Box 8036
Wellington 6143

13 September 2012

Dear Murray,

Submission on the Local Government Regulation Inquiry 2012

The West Coast Regional Council are supportive of reviewing the level at which regulation is developed, and delivered, with the intent of making it clearer, quicker and easier for businesses to gain the necessary approvals to conduct their business.

The Council sees the regional level as being one that works well for regional scale business (eg farming, mining) with local matters best sitting with local councils (local services, social issues). The principle of subsidiarity is important to consider. National government logically manages issues that are common across the entire country: fish stocks, sea level rise, national infrastructure services (eg. highways, rail, electricity). Where there are significant variations between regions the national approach can be counter-productive.

Across-region regulatory co-ordination has benefits but not always to the national level, often the sub-national level may be better. The water metering regulations is an example of national regulations that have assisted some regions, but in the West Coast region they have added cost with no resulting benefit.

The Management of Dams under the Building Act operates as a shared service in Otago, West Coast and Southland. Otago is the lead agency. This has worked well for the three regions as West Coast and Southland do not need to employ specialist staff. Otago becomes the 'centre of excellence' for dam safety and all three regions benefit from that.

Many Regional Councils are merging their regional plans together for the 'one plan' approach which gives resource users a one stop shop for guiding consents applications (for regional functions). This could be extended to district plans and the West Coast Mayors and Chair forum is looking into the feasibility of one district plan for the region.

Plan development processes need to be streamlined. Council has only recently received the final decision from the environment court on a Plan Variation notified seven years ago. This glacial pace of plan appeal resolution slows down regulatory adaptability and innovation. It can make Councils reluctant to notify a new plan change because they wonder how long and costly the process will be. A quicker system is urgently needed.

Consent processing has been conducted efficiently at the West Coast Regional Council for several years now, and it seems the new discounting regulations have successfully quickened this processing elsewhere also. The reporting of environmental outcomes is also relatively good in the regional sector with most or all councils producing regular state of environment reports, and the Audit Office and PCE doing regular checks to ensure the environment benefits from the RMA planning, consenting and enforcement processes.

There is still a serious problem with the approach under the RMA to biodiversity as there is a strong feeling among our communities that private landowners should not be meeting the burden of protecting land that supports significant native bio-diversity. The RMA is not a good tool for protecting biodiversity in our view.

The West Coast Regional Council has achieved improved water quality in our lakes and rivers using the RMA regulatory and non-regulatory processes. This is a major success and is reinforced by the recent integration of outcomes and objectives between our Long Term Plan under the Local Government Act and our Regional Land and Water Plan under the RMA. We intend building on this to ensure industry on the West Coast is well supported by our low cost regulatory delivery – we are proud that our organization is welcoming and responsive to industry - while still ensuring environmental improvement occurs.

Finally, there is a concern that Government will seek to devolve increasingly more functions to local government without any funding provided to deliver the functions transferred. Local government then gets the blame for raising the rates in order to deliver the new regulatory function. This Council is not opposed to delivering government functions if those are more efficiently delivered at regional level, however, the funding needs to follow the function, to enable equity between tax funded and rate funded activities.

I trust these comments assist in your decision-making.

Yours sincerely



Chris Ingle
Chief Executive

West Coast Regional Council Policy on Avoiding Conflicts of Interest when Processing Resource Consents

When making decisions about conflicts of interest, public entities need to be guided by the concepts of integrity, honesty, transparency, openness, independence, good faith, and service to the public.

Council has an organisational culture document that covers matters of honesty and integrity, loyalty and professionalism. It requires that all employees maintain proper standards of integrity, conduct and concern for the public interest. It also requires that staff must avoid conflicts of interest. Part 5 of the Auditor General's Good Practice Guide (2007) is defines best practice in this area.

Councillors are governed by a Code of Conduct that also addresses matters of integrity and ensures conflicts of interest are declared. Appendix II of Council's delegation manual addresses situations where the Council is an applicant for a resource consent or where council decision makers have an conflict of interest. In such situations an independent decision maker is appointed.

Councillors and Council officers are expected to display at all times the highest level of personal integrity in delivering the RMA functions that the Council is responsible for.

The Organisational Structure is Designed to Avoid Conflicts of Interest

Council has different staff teams that have different purposes. The staff and management structure is carefully organised so that staff members are not put in a situation where they are conflicted within their team. If a conflict were to arise then the staff member must declare the conflict to their manager and to step aside from any discussion or decision-making.

Council's VCS business unit's role is to generate income for council, often by assisting others to gain resource consents. The VCS team members therefore must have absolutely no role in processing or granting consents. VCS are not located on the same work site as Council regulatory staff, which helps to maintain a healthy separation between the two staff teams and their different functions.

The processing and granting of consents lies with the Consents and Compliance Manager and his team of consents processing officers and compliance monitoring officers. These staff are specialists in the field of processing consents and will meet among themselves to discuss and make decisions on consents, on a regular basis. These meetings never involve staff from the VCS business unit, nor any other consent applicant.

The Planning and Environmental Manager's river engineering staff sometimes apply for a resource consent for river protection works on behalf of Council's rating districts. These staff are not involved

in the processing of resource consents either, but are sometimes approached by processing officers for river engineering advice regarding other's resource consent applications.

What about when Staff are Expert Advisors during a Consent Process?

Council's River Engineers are often asked to advise on applications – however such advice is never sought if the Council itself is the applicant. In that case the Consents officer will seek advice from an independent source, if such advice is required.

The Planning and Environmental team also includes expert science and planning staff. These staff are sometimes asked to comment on a consent application if their expertise is needed. If the individual expert who was asked to provide advice on an application had been involved in applying for the consent, they will declare an interest and no advice will be given.

Resource Consent Decision Making Delegations

It is critical that the public has confidence that Council decision-makers are seen to be making impartial decisions that are free of any actual or perceived bias.

The final decision on most of the Council's consent applications are made by the Consents and Compliance Manager, as set out in the Council's Delegations Manual. This role is particularly important in terms of the need to be absolutely free of any perceived bias or conflict of interest. This Manager is particularly aware of and well trained in the rules around avoiding conflicts of interest.

For notified consents, decisions are made by a Hearing Committee appointed by the Chairman or Deputy Chairman. If the Chairman or Deputy is the applicant they will not be asked to make the appointment. No Councillor will be asked to be on a consent panel if they had any interest in the consent application under consideration. Part 4 and Appendix II of the delegations manual applies.

When the Consents and Compliance Manager is on leave, the delegations manual authorises the Planning and Environmental Manager or the CEO to authorise the granting of resource consents.

The CEO cannot approve a resource consent that has been applied for by the VCS business unit, due to his role on the governance board of the business unit. The Planning and Environmental Manager has no involvement with the VCS board, so no such constraint occurs for him. However the Planning and Environmental Manager may have involvement with preparing applications for river protection or flood protection works on behalf of a Council rating district so he cannot authorise the granting of a consent for those applications.

Chris Ingle
Chief Executive

Appendix 1: Specific Situations where a Perceived Conflict of Interest may arise

Scenario	Resolution
VCS business unit staff apply for a resource consent for aerial pest control work on behalf of AHB, that VCS have tendered for and won.	Applications are processed by external consultants. Decision is made by C&C Manager or P&E Manager. If notified, the decision is made by an independent commissioner.
VCS business unit applies for various resource consents for gold mining or dairy farm related activities, for a private client.	Processed by Consents staff. Decision made by C&C Manager or P&E Manager. If notified, the decision is made by an independent commissioner.
VCS business unit applies for various resource consents for mining for a private client who is also an elected regional councillor.	Processed by Consents staff. Decision made by C&C Manager or P&E Manager. If notified, the decision is made by an independent commissioner.
The River Engineering team applies for resource consent for new river protection works or improvements to a stop bank on behalf of a Council rating district.	Processed by Consents staff. Decision made by C&C Manager. P&E Manager cannot make a decisions on a consents lodged on behalf of a Council Rating District.

Acronyms:

VCS = Vector Control Service, Council's Business Unit

AHB = Animal Health Board

C&C = Consents and Compliance

P&E = Planning and Environmental

References:

Controller and Auditor General, 2007. *Guidance for members of Local Authorities about the law on Conflicts of Interest*. A Good Practice Guide published under section 21 of the Public Audit Act 2001. web address: <http://www.oag.govt.nz/2007/conflicts-public-entities>

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.
- | | | |
|---------|-----|---|
| 32 – 36 | 8.1 | Confirmation of Confidential Minutes 4 September 2012 |
| 37 | 8.2 | Overdue Debtors Report |
| | 8.3 | Response to Presentation (if any) |
| | 8.4 | In Committee Items to be Released to Media |

Item No.	General Subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution.
8.			
8.1	Confirmation of Confidential Minutes 4 September 2012		Section 48(1)(a) and in particular Section 9 of 2nd Schedule Local Government Official Information and Meetings Act 1987.
8.2	Overdue Debtors Report		
8.3	Response to Presentation (if any)		
8.4	In Committee Items to be Released to Media		

I also move that:

- Chris Ingle
- Robert Mallinson
- Michael Meehan
- 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.