

## **THE WEST COAST REGIONAL COUNCIL**

### **MINUTES OF THE MEETING OF THE RESOURCE MANAGEMENT COMMITTEE HELD ON 12 AUGUST 2008 AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOUTH, COMMENCING AT 10.37 A.M.**

#### **PRESENT:**

P. Ewen (Chairman), R. Scarlett, D. Davidson, B. Chinn, A. Robb, T. Archer, A. Birchfield, T. Scott (arrived 11.28)

#### **IN ATTENDANCE:**

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

#### **1. APOLOGIES**

**Moved** (Scarlett / Davidson) *that the apology from R. Barber be accepted.*

*Carried*

#### **2. MINUTES**

**Moved** (Scarlett / Archer) *that the minutes of the previous Resource Management Committee meeting dated 8 July 2008, be confirmed as correct.*

*Carried*

#### **Matters Arising**

There were no matters arising.

#### **3. CHAIRMAN'S REPORT**

The Chairman reported that it had been a relatively quiet month. He advised that he has been pursuing the coal levy business and associated matters with the Chief Executive, Cr Scarlett and MP Auchinvole. The Chairman spoke of the press statement and rebuttal he issued regarding Mr Duynhoven response. This matter will be pursued further this afternoon when MP Gerry Brownlee and MP Auchinvole visit.

The Chairman reported there has been some advancement on the Hokitika Oxidation Pond hearing that he chaired. The Westland District Council has provided further data therefore WCRC in now is a position to reduce the outstanding matters relating to the hearing process. A date for reconvening is yet to be set.

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

*Carried*

#### **5. REPORTS**

##### **5.1. PLANNING AND ENVIRONMENTAL GROUP**

##### **5.1.1 PLANNING AND ENVIRONMENTAL MANAGER'S MONTHLY REPORT**

S. Moran spoke to his report advising that staff met with representatives from MfE last week to progress the drafting of a report on the Proposed National Environmental Standard for Ecological Flows and Water Levels. S. Moran is seeking an exclusion from the parts of the NES that do not apply to the West Coast.

Proposed National Environmental Standard for On-site Wastewater Systems: S. Moran reported that this will apply to property owners in areas that are considered to be "hotspots", where there is an issue with old systems or poor soakage and it would be up to this council to identify the "hotspot" areas. Cr Archer stated that he hopes a carte blanche approach isn't taken. C. Ingle expressed that he is confident that this will be handled sensibly. S. Moran invited councillors to

attend a workshop on the 25<sup>th</sup> of August. The Chairman voiced his concern that all parties including the health sector handle this in a consistent matter. C. Ingle stated that his concern is what process does this council go through to determine which areas are in and which are not in and which agencies will be involved. Cr Archer spoke of the systems that are installed in good soakage areas but may not be operating particularly well. These systems may be outside of the "hotspot" area but may still need attention. S. Moran advised that submissions close on the 26<sup>th</sup> of September and a report would be brought to the September meeting. C. Ingle stated that this is very much an area where we can add value.

Civil Defence Emergency Management: S. Moran reported that staff attended Tsunami workshops. He added that the West Coast is considered to be a low risk area but it is important that staff keep up with this at a national level. Cr Davidson stated that there are no warning systems on the west coast and only on the east coast. Cr Archer stated that there has been a very robust process of evaluation of all hazards that the west coast is exposed to and Tsunami is ranked at thirteen.

S. Moran reported that there was one minor flood event during the reporting period.

Air Quality: S. Moran advised there have been 18 exceedances of the NES for PM10 in total, five of these have occurred since the last report. Cr Archer asked if there has been a good response rate to the air quality survey from the Reefton residents. S. Moran stated that it was not as successful as hoped. Cr Birchfield stated that he had surveyed contacts in Reefton and there was no concern regarding air quality in Reefton.

Water Quality: S. Moran advised that staff have been assisting with the Development West Coast Education for Enterprise programme. This is aimed at increasing the knowledge base and interest in sciences. Cr Archer commended those involved in this and stated that it is a great way of getting information out into the community.

S. Moran reported that in 2005 there was an approach from district councils and tourist operators alongside State Highway 73 requesting to rename the highway from The Arthurs Pass Highway to The Alpine Highway. This was agreed to by this committee at the time. New signs with the new title will be installed over the next few weeks.

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

*Carried*

### **5.1.2 END OF YEAR REPORT FOR THE TOTAL MOBILITY PROGRAMME**

S. Moran spoke to this report advising that it is a requirement from Land Transport New Zealand to provide a report on passenger services. He advised there was a 68% response rate to the survey sent to patrons of this service. The Chairman asked if the decline in service related to the period when there was no taxi service available in Hokitika. S. Moran confirmed this would have contributed to the decline in use.

S. Moran reported that the West Coast Shuttle was the only provider that has signed up for the Total Mobility Pilot Shuttle Service.

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

*Carried*

### **5.1.3 REGIONAL TRANSPORT COMMITTEE CONSTITUTION**

S. Moran spoke to this report. T. Scott asked if a letter has been received from Makaawhio objecting to the cultural interest being shared as he represents Makaawhio in the southern area. R. Barber represents Ngati Waewae which is the northern area. The Chairman advised that the Terms of Reference under the Act is not our choice and only one Iwi representative is allowed and that he hoped the two Iwi would get together and have a discussion among themselves to resolve this. S. Moran advised that in the legislation there are six appointed members to the committee. Extensive discussion ensued, the Chairman asked all councillors for their opinions. It was agreed that the outside organisations would be instructed to nominate their own appointees and then report back to council once confirmation is ascertained.

**Moved** (Scarlett / Robb)

### **RECOMMENDATION**

- 1. That the Council adopt the Terms of Reference for the Regional Transport Committee.*
- 2. That the Council consider the nominees and appoint those nominees put forward for the Environmental Sustainability, Economic Development, Safety and Personal Security, and Public Health categories to the new Regional Transport Committee in accordance with Section 105 of*

*The Land Transport Management Amendment Act 2008. The nominations for Cultural Interest and Access and Mobility categories to be referred back to their respective organisations with a request to bring a nominee to the next Council meeting.*

3. *That the Council confirm the Chair of the RTC as Cr Ross Scarlett, and Deputy Chair as Cr Peter Ewen.*

*Carried*

## **5.2 CONSENTS AND COMPLIANCE GROUP**

### **5.2.1 CONSENTS MONTHLY REPORT**

C. Dall spoke to this report. He drew attention to the hearing for Meridan Energy's consent application which is scheduled to commence on the 25<sup>th</sup> of August. The hearing will be held in Westport.

C. Dall advised that the mediation for West Sand Company Limited has failed and will now proceed to the Environment Court.

Cr Birchfield stated that it was good to see the Meridan consent application go through quickly.

**Moved** (Robb / Chinn) *that the August 2008 report of the Consents Group be received.*

*Carried*

### **5.2.2 COMPLIANCE & ENFORCEMENT MONTHLY REPORT**

C. Dall spoke to this report noting that 71 site visits have been carried out. C. Dall stated that the Arahura Bridge replacement project is running smoothly with no major issues encountered to date.

C. Dall reported that there have been some issues with Solid Energy's Rapahoe site. He is currently dealing with the company and will proceed to formal enforcement action if things don't improve.

C. Dall advised that both consents and compliance staff have been dealing with recent AHB Aerial 1080 operations. There were no issues of concern during this time.

Cr Birchfield asked for more information regarding a complaint of discharge to water in the Greymouth area. C. Dall advised that there has been a problem with the adequacy of the bund in the wetbed gravel extraction operation near the Cobden Bridge. Cr Birchfield requested to be kept informed on this matter. C. Dall advised that Fish & Game and DoC are also involved with this consent.

Cr Scarlett raised the matter of enforcement action and asked why aren't we fining these people first. Then giving them ten days to clean up their act and then issue them with an abatement notice if they don't act. C. Dall advised that an abatement notice force people to stop the activity. C. Ingle advised that these are people that have been spoken to for the first time and they are acting quickly to fix the problem.

Cr Ewen drew attention to the three farms in Whataroa that have been issued abatement notices where discharge of dairy effluent to land where it may enter water. He asked if this is the same complainant. C. Dall confirmed that these three farms are all the same owner and that this does not rule out further action but the first step is the abatement notice. Cr Scarlett suggested that fining people does make them sit up and take notice. Cr Birchfield stated that first time offenders should be given the opportunity to rectify matters first. Cr Scarlett stated that by and large most farmers do the right thing. C. Dall and C. Ingle agreed to meet with compliance staff to discuss this matter further.

C. Dall advised that the hearing for Aden Farms prosecution would take place next week.

**Moved** (Scarlett / Davidson)

### **RECOMMENDATION**

1. *That the August 2008 report of the Compliance Group be received.*
2. *That the Council approves the release of the bond for Resource Consent RC06266.*

*Carried*

**LATE ITEM**

C. Ingle confirmed that this paper should be received as a Notice of Motion signed by him as CEO.

**Moved** (Archer / Ewen)

*Carried*

**NOTICE OF MOTION**

**DEFERRAL OF BOND RELEASE FOR RESOURCE CONSENT RC94077**

Cr Chinn asked for some background on this matter. C. Dall advised that we believed Mr Alborn is seeking unreasonable rehabilitation of the site. One of the major issues Mr Alborn was looking at, we believed had been adequately addressed. Considerable discussion ensued with Crs Archer and Scarlett contributing. C. Dall advised that the consent has expired therefore there is no an option to apply for a variation to the consent. Cr Birchfield stated that it looks as though there is only a day's work for a digger involved to remedy the situation. C. Dall advised that it is the contractor who is the bondholder. Cr Scarlett asked who legally has to fix it, C. Dall confirmed that it is the consent holder does but there is an agreement between the consent holder and the contractor as the contractor has the bond. C. Dall stated that this matter is the subject of Ombudsman enquiries. C. Dall advised that there is an access agreement in place which is a lot more vigorous and stronger than the consent. C. Dall stated that council needs to go back to the consent requirements, as it is not our job to enforce the access arrangement. The Chairman stated that it is unfortunate how this event has come into play but Mr Alborn has to be pragmatic about the matter.

Cr Archer asked if Council wrote to the parties following the February meeting advising them that Council has resolved to refund the bond. C. Dall confirmed we did write to them but we had to write back to advise that we had deferred release of the bond due to noncompliance with one of the consent conditions.

**Moved** (Scarlett / Archer)

**RECOMMENDATION**

*That Council revokes its decision to release the bond for Resource Consent RC94077.*

*Carried*

**6. GENERAL BUSINESS**

There was no general business.

The meeting closed at 12.02 pm

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Chairman

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Date