

## THE WEST COAST REGIONAL COUNCIL

### **MINUTES OF THE MEETING OF THE RESOURCE MANAGEMENT COMMITTEE HELD ON 14 APRIL 2009 AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOOUTH, COMMENCING AT 10.30 A.M.**

#### **PRESENT:**

P. Ewen (Chairman), R. Scarlett, D. Davidson, B. Chinn, A. Robb, T. Archer, A. Birchfield, R. Barber (arrived 10.42)

#### **IN ATTENDANCE:**

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

#### **1. APOLOGIES**

**Moved** (Archer / Scarlett) *that the apology from T. Scott be accepted.*

*Carried*

#### **2. MINUTES**

**Moved** (Scarlett / Archer) *that the minutes of the previous Resource Management Committee meeting dated 10 March 2009, be confirmed as correct but at the request of Cr Birchfield comments made by Cr Chinn in relation to RC08198 are included. Cr Chinn voiced his concern during the consents report that Grey District Council were granted consent to disturb the bed of Lake Brunner despite Ferguson Farms not being allowed to do so by Environment Court for the purpose of humping and hollowing.*

*Carried*

#### **Matters Arising**

There were no matters arising from the minutes.

#### **3. PRESENTATION**

Mr Jim O'Regan gave a presentation called "Understanding Beech". Mr O'Regan stated that he would be presenting to all four councils on the West Coast. He is seeking councils to jointly champion the reinstatement of Beech Forestry. Cr Scarlett stated that Mr O'Regan's presentation is a very considered paper and well put together. Cr Ewen stated that beech is a viable crop. R. Barber commented that this is an economic issue but queried how real is this option as most of the beech is on DoC land. Cr Davidson stated that the submission is brilliant and he is very supportive of the venture. Cr Scarlett suggested the next step would be to put a business case forward that worked through the financial viability and present that to government.

#### **4. CHAIRMAN'S REPORT**

The Chairman reported that attending various tender openings, including the upgrade of the Greymouth Floodwall and the clearing of vegetation from Cobden Island.  
Cr Ewen reported that he was invited to speak at a function for rural fire fighters held at Ikamatua recently.

**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. He advised that the Environment Court pre hearing conference for appeals on Variation 1 (Wetlands) was held in Greymouth on the 6<sup>th</sup> of April. The result of the hearing was to get a timeframe in place to get mediation underway. S. Moran reported that the first hearing is expected to take place in the last quarter of this year. Cr Scarlett asked if anything radical had come out of the pre hearing conference that Council needed to be especially aware of. S. Moran confirmed that the parties were a long way apart and that the main parties involved are the Department of Conservation, Friends of Shearer Swamp, Forest and Bird, Federated Farmers, Solid Energy and OceanaGold.

S. Moran reported that further submissions on the Coastal Plan Change 2 closed on the 27 of March. He advised a total of four submissions were received.

S. Moran advised that further submissions on the Proposed National Policy Statement of Freshwater Management would be circulated to Councillors later today.

S. Moran reported that the Civil Defence Emergency Management Group met on the 6<sup>th</sup> of March. He stated that a coordinated training approach between the three District Councils and the Regional Council is being progressed.

S. Moran reported that the West Coast Engineering Lifelines Group met on the 17<sup>th</sup> of March. One of the key topics discussed was an update on fuel and Fast Moving Consumer Goods sectors. National Contingency Plans are being developed and the Group will be writing to the Director requesting that the West Coast be used as an example on how to continue service in these sectors, as this region is remote and a high risk area.

Submissions for the Land Transport Programme for the West Coast close today, eight submissions have been received and a further three are expected. A hearing for the submissions is scheduled for the 29<sup>th</sup> of April. Cr Scarlett spoke of the meeting he and N. Costley attended with Jo Kane, Chair of the Regional Land Transport Committee. The reconstruction of the Mingha Bluffs to Rough Creek section of State Highway 73 was discussed at this meeting. S. Moran advised that the West Coast Regional Council Transport Committee would be making a submission in support of the upgrade. He stated it is hoped that the upgrade will take place sooner rather than later as costs are currently estimated at \$12.3M but if the upgrade is left until years to come the costs could go as high as \$20M. Cr Birchfield stated that this upgrade is long overdue and that the narrow winding road is very dangerous for trucks coming to and from the West Coast. He is surprised that there haven't been more serious accidents in this area over the years. S. Moran spoke of the importance in ensuring that the current 5 cents / litre R Funding petrol tax is retained after 2014 / 15 as this ensures flexibility for roading activities at local level. Cr Scarlett stated that the focus seems to have come off ports and onto the roading areas.

S. Moran reported that Resource Science staff are commencing a new water sampling project aimed at gaining a better understanding of water quality in West Coast lakes. Lakes Kaniere and Haupiri are included in the project.

S. Moran reported that water quality at contact recreation sites is good overall.

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

*Carried*

#### 5.1.2 DOC RESPONSE TO SUBMISSIONS – DRAFT WEST COAST CONSERVATION MANAGEMENT STRATEGY

S. Moran spoke to this report and took it as read. Cr Chinn drew attention to the matter of gravel extraction and he wondered what DoC considers a business opportunity to be. S. Moran responded that duplication of regulatory processes needs to be considered in these areas.

Cr Scarlett stated that the word "significant" is an interesting aspect of DoC's interpretation of the RMA. S. Moran responded that under the Conservation Management Act, DoC see the term "significant" as meaning all conservation values whether of high or low value seem to be termed as "significant" but under the RMA the term "significant" is far more specialised i.e. rare or threatened habitats.

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

*Carried*

### **5.1.3 DRAFT SUBMISSION ON RESOURCE MANAGEMENT (SIMPLIFYING AND STREAMLINING) AMENDMENT BILL**

S. Moran spoke to this report. Discussion took place relating to maximum fines, Clause 141. Cr Chinn and Cr Birchfield did not agree with the level of fines for offences increasing. Cr Chinn stated that a fine \$200,000 for an individual is high enough and is not in favour of the fine for an individual being increased to \$600,000. Cr Scarlett stated that this he feels that high fines for individuals could be financially crippling. Cr Birchfield stated that \$200,000 was a maximum fine and it should not be increased to \$600,000. Some Councillors also considered the fine for a body corporate being increased from \$200,000 to \$600,000 excessive. Crs Davidson and Archer and R. Barber were in favour of the increase in fines and suggested for a particularly harmful and deliberate discharge, higher penalties might be appropriate. The majority agreed that the submission be put without Clause 141 on page 23.

**Moved** (Ewen / Scarlett)

*That Council approve the submission on the Resource Management (Simplifying and Streamlining) Amendment Bill 2009 but without Clause 141, on page 23 of the agenda.*

*Carried*

## **5.2 CONSENTS AND COMPLIANCE GROUP**

### **5.2.1 CONSENTS MONTHLY REPORT**

C. Dall spoke to this report. He stated it has been a relatively quiet month in the Consents Department. Cr Ewen asked if the contractors extracting gravel near the Cobden Rail Bridge have separate work areas. C. Dall responded that they are all working close together and to date there have been no issues. He added that Council staff are mindful that this area could become problematic and are keeping a careful eye on this area.

C. Dall reported that the Environment Court held a pre-hearing conference on the 6<sup>th</sup> of April on the appeals against the consents granted to TrustPower Ltd for their proposed Arnold Valley Hydroelectricity Power Scheme. It is expected that the hearing will take place early next year which allows TrustPower time to work on resolving appeals lodged by submitters.

A meeting with Grey District Council staff, Council's lawyer and TrustPower Ltd have resolved much of TrustPower's own appeal.

**Moved** (Chinn / Scarlett) *that the April 2009 report of the Consents Group be received.*

*Carried*

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

C. Dall reported that staff have been busy carrying out dairy shed inspections. He stated that effluent ponding has been an ongoing non-compliant issue. Cr Scarlett asked if this is the result of effluent irrigators having stopped. C. Dall confirmed that in most cases irrigators have not been moved or they have broken down and this has led to the ponding of dairy effluent.

C. Dall reported that OceanGold's self-monitoring results were fully compliant during the reporting period. He added that a prolonged wet weather period has not been encountered for some time.

C. Dall reported Pike River Coal notified Council of two non-compliant discharges during the month, neither of which breached receiving water standards. He advised that Pike River Coal were granted a change to the conditions of some of their discharge permits, and this change does not compromise water quality in Pike Stream.

C. Dall reported that monitoring of Solid Energy mine sites showed good compliance during the reporting period.

C. Dall drew attention to the fact that there were 10 infringement notices issued during the month and not 12 as stated in his report as two infringement notices in the Waitaha area were documented twice.

C. Dall reported the sinking of the Glen Cora fishing vessel. He advised that to date there have been no reported onshore affects from this oil spill.

Discussion took place regarding net and gross gravel takes off Blaketown beach. Cr Ewen queried whether the permit holder might have taken more gravel than their consent allows. He asked whether once the rejected gravel has been reinstated to the beach does this then count toward the consented amount again.

C. Ingle advised that in the past conflicting advice has been given by Council on this issue, but that now we are clear that all matters of mining permit interpretation should be referred to Mike Slater from the Department of Conservation.

**Moved** (Robb / Archer)

1. *That the March 2009 report of the Compliance Group be received.*
  2. *That the Council release the bond for RC04137 and the remaining bond amount for RC95056.*
- Carried*

## **5.2. GENERAL BUSINESS**

There was no general business.

The meeting closed at 11.58 am.

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Chairman

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Date