

THE WEST COAST REGIONAL COUNCIL

MINUTES OF THE MEETING OF THE RESOURCE MANAGEMENT COMMITTEE HELD ON 14 JULY 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, A. Birchfield, T. Archer, T. Scott

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),

1. APOLOGIES

There were no apologies.

2. MINUTES

Moved (Archer / Scarlett) that the minutes of the previous Resource Management Committee meeting dated 9 June 2009, be confirmed as correct.

Carried

Matters Arising

Cr Birchfield asked C. Dall if a follow up report regarding the Blackball sewage ponds was available. C. Ingle confirmed that a heavy rainfall event had caused problems at the ponds but that follow up would be needed to ascertain whether or not sewage had been lost during this event. C. Ingle advised that Grey District Council informed WCRC of this at the time. C. Dall agreed to prepare a short report and email it to councillors in the next few days.

3. PRESENTATION

Mrs Mary Molloy gave a presentation on behalf of FATE (Farmers Against Ten Eighty). Mrs Molloy stated that she lives in Harihari and has been a dairy farmer in this area for 34 years. She has a past history of deer capture and deer farming. Mrs Molloy advised that over the years she has become familiar with the Tb regulations and has always taken an active interest in this since her deer farming days. Mrs Molloy stated she is familiar with legislation relating to Tb control and control areas that are Tb infected or suspicious areas. Mrs Molloy stated that her concern is that the first answer is to throw 1080 at recurrent Tb infected areas rather than finding out whether the infection is an on farm infection that could be dealt with on the farm. Mrs Molloy requested that the regional council look at use of 1080. She stated that a growing number of farmers don't wish to see 1080 used as it has been in the past and some farmers don't want it used at all. Mrs Molloy asked that the regional council look at the potential health issues for people in the areas where 1080 is used. Mrs Molloy stated that 1080 is no longer used overseas in great amounts.

Mrs Molloy drew attention to reports from the Animal Health Board and Landcare Research relating to 1080. Mrs Molloy acknowledged that persistently infected areas need to be treated differently.

Mrs Molloy gave a history of the origin of 1080 and its discovery. Mrs Molloy stated that the group she is associated with, Farmers Against Ten Eighty, is growing and it includes ratepayers opposed to the use of 1080. Mrs Molloy spoke of loss of bird life and bats, which she believes is related to the use of 1080. Mrs Molloy spoke of other countries that have been successful with Tb control who do not use 1080. Mrs Molloy stated she is not anti any person but is anti 1080 and she no longer finds the use of 1080 acceptable. Mrs Molloy stated that she commends the ground control staff and feels that they do an excellent job.

Cr Ewen thanked Mrs Molloy for her presentation. He stated that Council has a statutory role processing consents, and it is the Animal Health Board who make decisions about pest control and that Mrs Molloy should put her concerns to them. Cr Ewen asked C. Dall to outline the Animal Health

Board's role regarding the use of 1080. C. Dall advised that the Animal Health Board is responsible for Tb control throughout the country. He advised that under our current RMA plans the use of 1080 is either permitted, controlled or discretionary. Ground control is a permitted activity with conditions, if applied aurally then it is a controlled or discretionary activity. If it is a controlled activity under our Discharge to Land Plan then council must grant consent and there is no option as this is law. If it falls under discretionary activity status then council can grant consent or decline consent. Mrs Molloy drew attention to the Review, Refine and Replace document from Landcare Research that gives a summary of what other options are available for ground control. Cr Archer asked Mrs Molloy how big is the Farmers Against Ten Eighty group. Mrs Molloy responded that currently there are 73 members throughout New Zealand. Cr Archer asked Mrs Molloy that in view of the fact that every application goes before either the Medical Officer of Health or Environment Health Officer to make comment on, who did she think the Council should be listening to in terms of health issues as this is the health process for these applications. Mrs Molloy responded that there has been very little research done in this area. She provided a document from Victoria Library, which contains information on the effect of 1080.

Mrs Molloy thanked Council for the opportunity to speak. She stated she has been unable to get an appointment with the Animal Health Board.

Mr Lindsay Molloy addressed the meeting. Mr Molloy expressed his disappointment at not being permitted to speak to his submission at the recent public meeting when the LTCCP hearing process was held. He was advised that his submission did not relate to the LTCCP. Mr Molloy stated that there is no platform for anti 1080 organisations on the West Coast to go to have a debate. He thanked Council for the opportunity to speak today. Mr Molloy stated that 1080 is only one issue and that he agrees with most other things that this council does. He stated that sooner or later the use of 1080 will be stopped and Council will have to deal with this.

4. CHAIRMAN'S REPORT

Cr Ewen reported that he has met with Blaketown residents regarding their concerns with gravel extraction from Blaketown Beach. Cr Ewen met with Cr Kevin Rose from Hawkes Bay Regional Council during his visit to the West Coast.

Cr Ewen reported that he assisted with the tender process for the Inchbonnie stopbank contract. Cr Ewen advertised that 11 tenders were received, the tender has now been awarded and work is expected to commence shortly. Cr Ewen attended the Marine Protection Forum meeting in Greymouth last night. He stated that recreation users are fearful of the cumulative effect of marine reserves for the West Coast.

Moved (Ewen / Scarlett) *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 this report advising that submissions are now being heard on the National Policy Statement on Freshwater Management.

S. Moran reported that he is waiting to hear from the Environment Court for a mediation date for Variation 1 for Wetlands.

S. Moran reported that John Hamilton, Director of Ministry of Civil Defence Emergency Management visited to discuss the coordination role that they would have in an event. S. Moran stated that Mr Hamilton commented that an event on the West Coast is of concern to the Ministry because of the isolation of our region. S. Moran advised that he has asked the Ministry to use the West Coast as a pilot to see how they would get fuel into the region if the passes were closed. The Ministry declined to use this region as a pilot but are using Wellington for this purpose. S. Moran advised he would be following up with the Ministry after the Ru Whenua exercise scheduled for September.

S. Moran reported that the Regional Land Transport Programme was approved and submitted to the NZTA on 18 June. The national programme is not due to be finalised until the end of August and any effect on the regional programme will be known at this time.

S. Moran reported that there have been 12 exceedences of the National Environmental Standard for PM₁₀ in the Reefton Airshed. S. Moran stated that this is not vastly different from last year but weather has been windier this year. Cr Archer asked if health representatives have been able to link any particular respiratory illness directly to air quality in Reefton. S. Moran responded that a Masters Student was looking into this but the report on this thesis is awaited. Cr Archer asked S. Moran in view of government subsidies for insulation in homes does he think that this will have an impact on air quality. S. Moran responded that it is a 33% subsidy with the homeowner required to come up with cash for the other two thirds. Cr Archer asked what other pathways are available to assist with this. Cr Davidson stated that mainly wood and coal are used for heating in Reefton and that if heat pumps were subsidised in Reefton as in they were in Canterbury then this could lead to an improvement. C. Ingle confirmed that he is working with EECA to get a better subsidy for insulation and is looking to the health sector to assist with funding also. C. Ingle spoke of the Hawkes Bay Regional Council option whereby the council lends ratepayers the money and recovers the money via rates. C. Ingle advised that if homes in Reefton were fully insulated then people would need less fuel to heat them and air quality could improve. Cr Scarlett stated that Reefton residents might not see air quality as a huge problem in view of the fact that they have done this for years. Cr Archer asked if there is a quantifiable or identifiable outcome that would indicate that there are any respiratory illnesses in the Reefton area as a result of air quality. S. Moran spoke of a meeting with the community board where air quality was discussed and an informal survey undertaken by the Reefton Area School which the anecdotal evidence revealed that most people feel that it is not really a problem and have acknowledged that there is smog in the area. Cr Ewen stated that the link with the Healthy Inangahua project is a useful vehicle to get the message out to the Reefton community.

Moved (Ewen / Davidson) *that this report is received.*

Carried

5.1.2 LAND AND RIVERBED PLAN – PROPOSED VARIATION 2 (WETLANDS)

C. Ingle spoke to this report. He advised this variation adds two new wetlands and modifies two existing wetlands that are already in the plan. C. Ingle reported that he has completed consultation with all affected landowners. He stated that there has been a mixture of attitudes from landowners, with some being happy with these areas being protected and some not quite so pleased. C. Ingle advised that all landowners are being advised on how to make submissions and that Council expects to see written submissions and landowners to come along to the hearing. Cr Birchfield asked if all of these areas are on private land. C. Ingle confirmed that they are with one small area being DoC reserve. Cr Birchfield stated that he would vote against accepting this as he feels that the Crown should provide compensation to the landowners before the wetlands are put into the plan. Cr Ewen stated that this is just a proposal at this stage. Cr Birchfield asked if the intention is to rate this land. C. Ingle confirmed that Council's position is to continue to rate the land but there is a method included in the Plan that suggests rates relief for people who have significant wetlands. Cr Birchfield stated that he objects to the whole proposal to take peoples private land off them without compensation. Cr Chinn stated that it is hard to make a decision without hearing what the affected parties have to say. Cr Ewen feels that we have gone through this process with 82 wetlands originally identified and that we need to progress to giving landowners the opportunity to make their submissions. Cr Archer spoke of the statutory dilemma facing Council is that the RMA requires one of its Council functions to provide for protection of wetlands and that this is the crux of the issue. Cr Archer stated that government in the past has stated that they may provide some incentives but they will not buy or provide compensation as their argument is that it is in the best interests of the country. Cr Archer stated he sympathises with all the points of view but until the process of hearing everybody's points of view on the issue then you cannot make a decision. He supports the recommendation. Cr Davidson agreed and stated that if Council does nothing DoC could request that all the wetlands are reviewed and we would be back to square one. C. Ingle concurred that this is a risk and it is important that Council is proactive with this matter. Cr Archer stated that wetlands is only one issue, other issues are to provide protection for significant natural areas, which includes those on private land as well. Cr Archer stated this is a statutory process that this Council has to go through. Discussion ensued on who would pay compensation. Cr Scarlett stated that once the submission process is complete compensation for landowners could then be taken to the Government. Cr Chinn stated that he would like to know which councillors are in favour of compensation, in principle, for affected landowners. The chairman asked for a show of hands, all councillors are in agreement.

Moved (Archer / Davidson)

That the Council approve the Proposed Variation 2 (Wetlands) to the Proposed Land and Riverbed Plan for public notification, in accordance with Clause 5 of the First Schedule of the Resource Management Act.

*Cr Birchfield against
Carried*

C. Ingle stated that he is looking at the regional policy statement (RPS) chapter on Biodiversity; he has received further information via an Envirolink grant where Landcare Research has looked into SNA's on the West Coast. C. Ingle advised that the RPS is required to give direction to District Councils regarding SNA's. He advised that at a national level there are no areas of bush in Westland or Grey District that are under represented therefore arguably there is no reason to have SNA's at all. C. Ingle confirmed that there are some under represented areas in the Buller area. C. Ingle is suggesting that WCRC puts this out there as our regional policy statement policy for biodiversity so that the minimum standard that is met is minimal RMA requirement for protection of bush. This would then be put to the community to see what their submissions are on this.

Cr Archer requested that the newspaper advertisement for wetlands includes the name of the four areas and a brief description of them to save the public having to find this information themselves.

5.2 CONSENTS AND COMPLIANCE GROUP

5.2.1 CONSENTS MONTHLY REPORT

C. Dall spoke to this report. He stated that he has attended mediation meetings during the reporting period, further mediation meetings are scheduled for the next few weeks for TrustPower's Proposed Arnold Valley Power Scheme. C. Dall reported that one appeal has been resolved and one has been deferred. Cr Scarlett asked how many appeals are there. C. Dall responded that there are four appeals from private parties and one appeal from TrustPower itself. Cr Scarlett asked what is the timeframe for the appeal process. C. Dall responded that the timetable has been dictated by TrustPower's timetable, as they are involved in other legal matters around the country at this time. C. Dall reported that he chaired a pre-hearing meeting in Mokihinui for Meridian Energy's consent applications for options for coastal erosion protection works.

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

Carried

5.2.2 COMPLIANCE & ENFORCEMENT MONTHLY REPORT

C. Dall reported that it has been a fairly quiet month as there have been a number of staff on leave and that it is in between dairy seasons. C. Dall reported that staff have been dealing with enquiries relating to the installation of dairy effluent systems. C. Dall reported that Westroads are on track with their allocated quantity of beach gravel. C. Dall advised that Westroads application to DoC to increase the amount of gravel was declined but DoC have agreed that the amount of gravel that can be extracted is the net amount taken from the beach itself and rejects are not counted. Cr Birchfield asked if the beach is building. C. Dall confirmed in general it is building, there are some hot spots – around the aerodrome area therefore the company is not allowed to take gravel from these areas.

C. Dall commented that the company is working within their consent.

Cr Davidson stated that farmers that are looking at installing new dairy effluent discharge systems need to be given a clear message given that installation needs to be well planned and in place well before the season starts. C. Dall responded that it is pleasing to see farmers being proactive but there will always be those that choose to play a waiting game and not doing anything until they are forced to. This has resulted in an increase in enforcement action. Cr Scarlett commented that a farmer putting up a new dairy shed nowadays should be mindful about getting his effluent system up and running. Cr Ewen suggested placing a suitable article regarding dairy effluent into the next WCRC newsletter.

C. Dall reported that monitoring of recent 1080 drops in the Ahaura area revealed that all operations were found to be operating within their consent conditions as issued by this Council.

C. Dall reported that a meeting has been held with OceanaGold regarding the formal letter sent to them requesting improvement with water management.

C. Dall reported that there have been a number of recent issues relating to Pike River Coal's underground mine; one is more significant than first envisaged with coal deposits found in the river. Council staff are following up on this matter.

C. Dall reported that complaints have been received regarding the discharge to air from the new aquatic centre. C. Dall stated that these are teething problems with the boiler and he is hopeful that this will soon be resolved. C. Dall advised that Grey District Council have instigated monitoring of the discharge.

C. Dall reported that enforcement action during the reporting period relates mainly to the Stockton Coal Mine. Cr Scarlett stated that it is important that Council is consistent in applying enforcement action for mining as well as for farming.

Moved (Archer / Chinn)

1. *That the July 2009 report of the Compliance Group be received.*
2. *That the Council releases the bond for Resource Consent RC02217.*

Carried

5.1. GENERAL BUSINESS

Cr Scott requested that the opportunity for general business to be discussed during this meeting. Cr Ewen agreed with this request.

The meeting closed at 12.02 p.m.

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Chairman

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Date