

THE WEST COAST REGIONAL COUNCIL

MINUTES OF THE MEETING OF THE RESOURCE MANAGEMENT COMMITTEE HELD ON 9 MARCH 2010 AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOOUTH, COMMENCING AT 10.33 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), S. Moran (Planning & Environmental Manager), R. Mallinson (Corporate Services Manager), C. Dall (Consents & Compliance Manager), T. Jellyman (Minutes Clerk), The Media

1. APOLOGIES

There were no apologies.

2. MINUTES

Moved (Davidson / Archer) *that the minutes of the previous Resource Management Committee meeting dated 9 February 2010, be confirmed as correct.*

Carried

Matters Arising

There were no matters arising.

3. CHAIRMAN'S REPORT

Cr Ewen reported that he, C. Ingle and N. Costley met with Transport Minister, Hon Stephen Joyce when he visited the West Coast to discuss transport matters. He stated this was a very informative meeting with the security of route through Klondyke and Arthurs Pass and single lane bridges discussed. Cr Ewen reported that the Minister was surprised that although Klondyke corner is not on our patch it is of major concern to the West Coast. Cr Ewen advised the Minister that it is in our best interests that this area is not jeopardised and that the upgrade is progressed as it has a big impact for the West Coast even though this area is included in the Canterbury Transport Plan and has a low priority for Canterbury. The Haast to Hollyford proposal was also discussed. MP Chris Auchinvole was also in attendance at this meeting.

Cr Ewen reported that he received a few phone calls from ratepayers regarding the proposed surtax on petrol for health. Cr Ewen advised that he pointed out that as a member of the Land Transport Committee the opportunity to implement this was taken away by the government and therefore was never going to happen. Cr Ewen stated it was unfortunate that it this was floated without reference back to the LTC as this could have stopped some angst in the community. He feels that other means of advocacy for health need to be investigated. Cr Ewen stated that West Coasters pay their taxes and should be getting no less of a service that what other districts are. He spoke of his personal health experiences and that when health issues are a matter of urgency the service is there. He feels that a collective response is required with this matter.

Cr Ewen reported that he has viewed the Blaketown side of the Greymouth Floodwall and feels that the upgrade is progressing well. He stated he is impressed with the new panels that have been placed in this area as they marry in well with the existing panels.

T. Scott asked what was the Transport Minister view on the likelihood of the Haast to Hollyford Road. Cr Ewen responded that he feels this wouldn't be a goer with Government and that it would need to be a private road but it is early days yet.

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 proposed National Environmental Standard for assessing and managing contaminants in soil is looking as though there are greater implications for district and city councils rather than regional councils. S. Moran advised that he would report on this matter at next month's meeting as submissions close on the 19th of April.

S. Moran reported that the National Environmental Standard for Electricity Transmission Activities has now come into effect. He advised that at the time staff did not consider that there were any issues with the proposed standard that would impact on our regional plan. He stated that further work might be required with the Regional Policy Statement in order to align with the National Environment Standard but this will be worked out over the coming weeks.

S. Moran reported that the Board of Inquiry report on the Proposed Freshwater National Policy Statement has now been released. He advised that this Council's submission was made to the Board of Inquiry in July last year. The Board has now reported back and the Minister has referred the report back to the Land and Water Forum for them to consider. S. Moran advised that the decision rests with the Minister for the Environment as to whether he will accept the Board's recommendations. S. Moran advised that the Land and Water Forum is due to report back in June.

Cr Ewen stated that he is concerned that we have our Regional Plans and policy statements insitu and there is a growing list of NES and NPS and he feels the templates that are being put forward may compromise the plans we already have in place. Cr Ewen stated that not all of the NES's and NPS's are applicable to the West Coast. S. Moran responded that the submissions that Council put forward to the NPS's and NES's include fact that the one size fits all scenario is not always appropriate and we try to identify examples of this in our submissions. He stated that we have been successful in this area in terms of air quality by gaining an exemption for coal burners and multi fuels. Water metering is another example of our concerns and the expectation that this would be reflected in the final standard. Cr Archer stated that if plans were to be changed again this would involve a massive consultation process and cost. Cr Birchfield stated there is no point in bringing in national standards if they are not achievable and the standard brought in should make it easier for people to comply. He asked how would an alluvial gold miner be affected. S. Moran advised that he is not yet aware of what the Board has come back with for the Freshwater NPS but there are bottom lines. C. Ingle advised that if the applicant cannot meet the national environmental standard then councils are not allowed to grant a resource consent. C. Dall stated that if the applicant can comply with the national environmental standard then the consent process should be more straightforward but this does not replace the consent process. Cr Ewen stated that his concern is that the national environmental standard is going to be tougher for the West Coast and yet the status quo is satisfactory. S. Moran stated that for water quality aspects the standard that is going to be set is for long low gradient, slow flowing rivers. This does not suit the short steep catchments on the West Coast. He stated that we are obligated to go with the new standard and unless there is some flexibility with the national environmental standard then that will be the bottom line. Cr Archer stated the problem is the continual shifting of the goalposts.

S. Moran reported that the Ministry of Civil Defence and Emergency Management issued a tsunami warning just after midnight on the 27th of February following an earthquake in Chile. He stated that there were no effects from this on the West Coast. S. Moran reported that this was a good exercise for staff in dealing with the agencies involved. He stated that there was little concern from a local level due to the direction the tsunami was coming from. Police fielded a few phone calls from concerned members of the public and our staff were in contact with the Police during this time. The warning was down graded later in the morning. S. Moran stated that response from the public in not going down to the water edge was appreciated; the warning was heeded well by the public especially in view of the fact that there have been a few similar warnings in the past.

S. Moran reported that the Coordinating Executive Group Meeting reviewed and approved the Group Plan Review at yesterday's Mayors and Chairs Forum. The plan will go out for consultation and will be publicly notified this Friday.

S. Moran reported that there were no flood events during the reporting period. He advised that staff will soon be busy with the autumn round of water quality monitoring. S. Moran drew attention to the table in his report for contact recreation sites for February. Cr Scarlett asked for the exact location of Houhou Creek. S. Moran advised that this creek is close to the oxidation ponds in Hokitika. Cr Archer asked what sort of strategic direction is in place for identifying the actual source of the high contaminant levels for the three moderate to high risk sites. S. Moran responded that it is important to build up a picture over time of what is happening. He stated that the Orowaiti Lagoon has failed regularly in the past and

following a review it is thought the one of the issues affecting water quality was septic tanks which are now going in to the town scheme and also upstream farm land uses, though recent work by farmers in the area involved putting in riparian margins and fences to address contaminant leakage. S. Moran advised that Seven Mile Creek has shown significant improvement over the last few years and has been more of an issue in the past than recently. Houhou Creek has only just started to be monitored so a trend is yet to be revealed. He advised that once a trend is picked up staff could then establish if the contamination is from humans, birds or cows. Cr Archer remains concerned that there is no strategy in place as nobody is monitoring voluntary farm plans to establish if they have actually been implemented. C. Ingle advised that in terms of farm plans there is a "Working Together" document in place with Westland Milk Products to work through some of these issues. He advised that it is intended that a follow up audit check of farm plans for farmers in the Lake Brunner area who were involved in this project is being arranged. Orowaiti catchment farm plans could be investigated once work in the Lake Brunner catchment is complete as Lake Brunner is taking priority at the moment. C. Ingle advised that a strategy for the Orowaiti Lagoon could be prepared by staff for Council's consideration if they wish. Cr Ewen suggested that a graph be prepared for the next Council meeting of these three sites. It was noted that Houhou Creek is a new site and would not be included yet but a graph would demonstrate the trend in the Orowaiti Lagoon and Seven Mile Creek and would be information only rather than a strategy at this stage.

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

Carried

5.2 CONSENTS AND COMPLIANCE GROUP

5.2.1 CONSENTS MONTHLY REPORT

C. Dall reported that he attended a further mediation meeting for the J. Groome appeal on the TrustPower Ltd resource consent for the Proposed Arnold Valley Hydro Power Scheme. C. Dall reported that agreement has been reached over most of the conditions except for the minimum flows for the scheme. He advised this has resulted in an Environment Court hearing which is being dealt with at the moment. C. Dall advised that he will be presenting his evidence next Monday and a final outcome is expected shortly. C. Dall reported that the consents that were granted to Hydro Developments Limited for its proposed hydropower scheme on the Stockton Plateau have received two appeals. He advised that one appeal is from Solid Energy Ltd and the other is from local residents. C. Dall reported that the appeals will be considered by teleconferences on the 14th of April. Cr Scarlett asked for an indication as to when the decision on the Mokihinui Hydro Power Scheme is likely to be released. C. Dall responded that this decision is expected by the end of this month. He advised that the CEO's of this Council and Buller District Council wrote to the Hearing Commissioners to express their disappointment with the delay of this decision. C. Ingle advised that he would email Councillors when the decision is announced.

Moved (Robb / Archer) *that the March 2010 report of the Consents Group be received.*

Carried

5.2.2 COMPLIANCE & ENFORCEMENT MONTHLY REPORT

C. Dall reported that a field day for the management of dairy effluent is to be held in the Lake Brunner Catchment, he stated this is a critical issue in this catchment.

C. Dall reported that Westroads Ltd have now provided the beach profiles for Blaketown Beach. The profiles show that the amount of gravel is above the 1994 trigger level therefore Council has allowed gravel extraction to recommence. C. Dall stated that at the time of writing this report 780m³ of gravel has been removed.

C. Dall reported that following an incident at Pike River Coal Ltd, coal fines were discharged into Big River. He advised that further information from the company is awaited but at this stage there has been no explanation regarding this incident.

C. Dall reported that there were a number of incidents reported by Solid Energy during the reporting period but none of these were significant.

C. Dall advised that 26 complaints were received during the reporting period with a number of these still under investigation. C. Dall reported that two abatement notices and two infringement notices were issued during the reporting period.

C. Dall reported that it has been a quiet month with regard to mining and no bonds were released during the reporting period.

Cr Birchfield drew attention to the two site visits to Stafford and noted that activities were compliant both times. He feels that people should be charged for site visits if the complaint is false. Cr Archer stated that there is no mechanism for charging for false complaints. C. Dall advised that at times complaints made at this location have been substantiated but not always. He stated that complaints are prioritised and rationalised with other visits in the area and sometimes a problem is found and sometimes not.

Cr Ewen stated that everyone feels the same about complaints without foundation but we are tied by legislative requirements and we cannot recover costs until the legislation is changed. C. Dall advised that there are practical constraints that make proving a complaint to be vexatious or frivolous very difficult and this takes a lot of time and effort to prove. Cr Scarlett spoke of a previous case where a person was continually making complaints that were often found to be complaint. C. Dall advised that in this case the complainant was confined to one phone call per week. T. Scott asked if these complaints are coming from the same person each time. C. Dall responded that the majority are coming from one person. Cr Ewen stated that Cr Scarlett made a good point and that if staff are mindful of whom the complainant is then a common sense and discretionary approach is required. Cr Robb suggested that if the complaint is elaborated a little more in the report then this could be helpful especially for repetitive complaints. C. Dall agreed with this. Cr Davidson asked how long after a complaint has been laid do staff go out and inspect the site. C. Dall responded that this is considered on a case by case basis. He stated that if staff are advised that a discharge is happening right now and it is a major discharge then it is investigated urgently but judgement is required in all cases.

Cr Scarlett asked if the providing beach profiles by Westroads Ltd is an expensive exercise and do they have to provide beach profiles every year? C. Dall responded that this is costly but the surveying has been refined over the years. He advised that this occurs at least every year, if not six monthly but it does depend on what the profiles reveal.

Moved (Archer / Robb) *that the March 2010 report of the Compliance Group be received.*

Carried

6.0 GENERAL BUSINESS

There was no general business.

The meeting closed at 11.18 a.m.

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Chairman

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Date