

THE WEST COAST REGIONAL COUNCIL

MINUTES OF THE MEETING OF THE RESOURCE MANAGEMENT COMMITTEE HELD ON 13 APRIL 2010 AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOOUTH, COMMENCING AT 10.34 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), T. Jellyman (Minutes Clerk), The Media

1. APOLOGIES

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

Carried

2. MINUTES

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

Carried

Matters Arising

There were no matters arising.

3. CHAIRMAN'S REPORT

Cr Ewen reported that he attended the budget round meeting with fellow Councillors earlier in the month. Cr Ewen reported that he had discussions with staff regarding the upgrade of the Greymouth Floodwall progress and a proposal from Grey District Council. He advised that a further meeting would be held tomorrow to progress this. Cr Ewen advised that he dealt with various enquiries relating to National Policy Statements and environmental statements and provided comments to media regarding mining on conservation land.

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 hearing for the Coastal Plan Change 2 is to be reconvened for this afternoon. S. Moran reported that the NPS on Electricity Transmission is to be incorporated as part of the RPS review.

S. Moran reported that following the recent Road Safety Committee meeting funding for the final two years of the three year programme has been granted. He advised that Tai Poutini Polytechnic would continue with the Road Safety Coordinator contract for the remainder of time.

S. Moran advised that the flood warning alarm on the Whataroa River was triggered following a recent heavy rainfall event.

S. Moran drew attention to the summary of contact recreation sampling for the season which has now finished. S. Moran stated for the most part there was a good result but there have been some issues with the Orowaiti Lagoon and Seven Mile Creek as was noted at last month's Council meeting.

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

Carried

5.1.2 CONTACT RECREATION SAMPLING RESULTS FOR OROWAITI LAGOON & SEVEN MILE CREEK

S. Moran spoke to this report advising that the results for the Orowaiti Lagoon are mostly in the low risk to moderately high risk category with only occasionally being in the very low risk category. He stated that Seven Mile Creek does get into the low risk to moderately high risk category but mostly in a season of the five monthly samples generally four times it is okay. S. Moran advised that generally Seven Mile Creek is fairly reasonable, however the Orowaiti Lagoon is the opposite and only a small amount of time it is in the low risk category. Cr Ewen queried whether signage should be in place at the Orowaiti Lagoon. S. Moran stated that this area is a site that triggers the categories in the MfE guidelines that should have a warning sign in place advising that this is a site that has a contact recreation risk to users. Cr Archer stated that there is signage in place on the Orowaiti Lagoon. He is hopeful that with the connection of reticulated sewage scheme in this area over a three year period, we may see some improvements. Cr Archer asked if the NPS on Freshwater Management is likely to put pressure on us to address these matters. S. Moran stated that under the current wording it would but it is not yet finalised. He said that on reading the policy statement that has come back from The Board of Inquiry these type of sites would be required to be identified then work done to enhance water quality in these areas. Cr Davidson feels that the major cause of contamination has been from urban sources rather than farming. Cr Robb asked if there is a test available that can determine if the contamination is from either urban or animal source. S. Moran responded that for this to be successful it needs to be a fairly high level of contamination. Cr Scarlett stated that as it stands at the moment we do not know the definite cause and birdlife could also be associated with the contamination problem.

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

Carried

5.1.3 BOARD OF INQUIRY'S CHANGES TO THE WATER NATIONAL POLICY STATEMENT

S. Moran spoke to this report. He advised that there are quite a few areas that we were concerned about which have been picked up by the Board. These include the inclusion of a new national issue and goal relating to wetlands management and the inclusion of a new national goal for phasing out contamination of water. S. Moran stated that it is unclear what contamination means or what level it means, as under the RMA you are able to have some effect. He is concerned about how far this is intended to be taken by central government. Cr Scarlett stated we should also be concerned about the wetlands management also. Cr Birchfield stated that there is a clause in the NPS that states the new policies will take effect immediately and will require consent to take, use, dam or diversion or draining of a wetland. Cr Birchfield stated that this takes the whole thing away from what we have been arguing about with DoC. Cr Ewen stated that this reinforces the concerns he has had for NPS's and if this is where central government is heading then this reinforces our case for compensation for wetland landowners. Cr Ewen asked C. Ingle if there is still benefit in Council going ahead with the Plan Merge process. C. Ingle advised that the Plan Merge process is proceeding quite well and there are not any controversial elements to this apart from the Lake Brunner changes. He feels that if the Board of Inquiry comes out with an NPS and it is adopted by government then a whole new suite of changes may be needed but it is such a moving target that we should not plan ahead on this basis. S. Moran advised that the current version of the NPS allows for regional plan changes in 2014, or a programme of defined timeline stages for full implementation by December 2030 with annual reporting of targets. C. Ingle stated that his understanding of the NPS for Freshwater is that it is being referred by the Minister to the Land and Water Forum and there is no guarantee that it will go through in its current form. Cr Scarlett feels that we should be honing in on the wetlands aspect and making it very clear from this council that we are not at all happy with wetlands being included. Cr Scarlett feels this is a very serious matter and we need to be writing to ministers and perhaps The Board of Inquiry themselves with our concerns. Cr Scarlett stated it is important that we get support from other regional councils as well. Cr Chinn expressed his concern with another of the

Board of Inquiry's key changes which states "any change in the character, and any increase in intensity or scale of a land use or activity involving a discharge of contaminants to land or water, from what immediately preceded it". Cr Chinn is concerned that this means that you cannot increase production or the amount of stock or what is done with your land. Cr Robb expressed his concern with this also. C. Ingle stated that this would be counter productive to the government's attempts to kick start the economy and she feels that for this reason it will not go anywhere. Cr Scarlett feels that wetlands is still the one we have to watch. Cr Archer noted that the content of the submission made to The Board of Inquiry is very focussed and to the point. He feels the Board of Inquiry have taken up on this council's submission and most of the changes recommended in this council's submission have been adopted. Cr Scarlett would like a letter to be written to the Board of Inquiry and the Minister expressing our concerns with the NPS. Cr Davidson is concerned about the amount of control on land and the way it could be interpreted. Cr Scarlett would like to include the Minister for the Environment and the Prime Minister in these letters in view of the fact that he is keen to get this country back on track economically. Cr Davidson stated he sees this as a priority issue for the council as the long term costs to the West Coast are huge, if it goes ahead it could have a disastrous effect on the farming industry. Cr Scarlett requested that C. Ingle works up a letter and circulates it to Councillors for their feedback within two or three days, then the letters sent off to the Ministers concerned.

Moved (Scarlett / Davidson)

1. *That this report be received.*
2. *That C. Ingle writes to The Prime Minister, Minister for the Environment and Minister of Economic Development expressing Councillors concerns regarding the Proposed National Policy Statement for Freshwater Management.*

Carried

5.1.4 WEST COAST PEST PLANT STRATEGY REVIEW

C. Ingle spoke to this report advising that this strategy has been in place for five years this August. He advised that the Biosecurity Act requires us to review the document on a five yearly basis. C. Ingle stated that it is pleasing to see that the strategy has had some effect. We have managed to get rid of a couple of pest plants and it has also been quite low cost with few resources having to be put into it as a lot of the work has been done by DoC officers rather than council officers. C. Ingle advised that the rules for the boundary control pest plants like Ragwort and gorse have worked well in that it has not been an overly regulatory approach and we have not had to issue Notices of Direction or had to take formal compliance action as it seems that once people know that there is a rule that can be enforced then they do what is required. Often a phone call from Council staff has been enough to get some action. C. Ingle stated we have done quite well with total control pest plants, Spartina and Coltsfoot have now been eradicated and good progress is being made with Africa Feather Grass and Nodding Thistle infestations. C. Ingle advised that DoC has increased their annual pest plant programmes for progressive control plants. He stated that DoC believe progress has been good with progressive control areas. C. Ingle stated that he is happy for council to add to the list of pest plants if councillors wish but he feels we would not add to the list if it were going to cost the council or landowners a lot of money with little justification. Cr Scarlett feels only those plants that are highly significant should be added to the list. Cr Davidson stated that the strategy has worked well and has been very cost effective and we should continue on with it.

Cr Archer queried what the implications would be of adding boundary control methods to some of the pest plants that are migrating through fence lines in view of the fact that it is unknown as to what degree the problem is and the cost benefits. C. Ingle agreed with this, he stated it is important that the benefits of including more pest plants outweigh the costs, as Council could be accused of not meeting Section 72 of the Biosecurity Act. C. Ingle asked Councillors if they thought it this could be dealt with more efficiently by appointing a subcommittee to work through the strategy, as we do not have to notify it until August. Cr Scarlett agreed with this. Cr Ewen asked those councillors who are interested in being part of the subcommittee to email C. Ingle. Cr Chinn advised that there is virtually no Ragwort in the Waitaha Valley but the seeds come down the valley and Ragwort is all through the riverbed. Cr Chinn would like DoC as a landowner to be made to get rid of Ragwort before it gets out of control. Cr Chinn stated that DoC sprayed the wild passion fruit

but left the Ragwort. He stated that he finds this disgusting. Cr Scarlett stated that Karamea has the same problem and he is concerned about who decides what DoC sprays.

Cr Scarlett advised that the RAC are looking at the Good Neighbour principle and it is looking as though it will come to pass. This would mean that DoC would have to do something about it if there were a rule in the strategy. C. Ingle advised that we do have a Progressive Control area for the whole of the Karamea area and Ragwort could be added to this list if it met S72. Cr Robb asked if this would apply to all landowners. C. Ingle responded that not at the moment because the rule only applies to The Crown. C. Ingle advised that DoC is seeking to change this. C. Ingle advised that for gorse and ragwort which are already well established, millions of dollars would need to be spent each year to try to eradicate them. He states this is why we only have boundary control rules for the well established pest plants. Cr Scarlett feels that if DoC were to control Ragwort on riverbanks this would help to keep it out of the valleys.

C. Ingle agreed to assist with the formation of a Council subcommittee for the Pest Plant Strategy.

Moved (Robb / Scarlett) *that Council move to notify an amended Pest Plant Strategy for the West Coast, prior to August 2010.*

Carried

5.1.5 REGIONAL POLICY STATEMENT REVIEW

S. Moran spoke to this report advising that this is the commencement of the ten year review required by the Resource Management Act. S. Moran advised that cross over issues such as sewage effluent and stormwater, where there is a shared function, will be discussed with District Councils. Cr Archer asked if there is any indication as to when the NPS for freshwater management is likely to be implemented. S. Moran advised that the Land and Water forum has to report back in June and they have been tasked with looking at the Board of Inquiry's changes or amendments and sometime after this has been done the Minister will make a decision but the timeline remains unclear. S. Moran advised that the timeline for the cost benefit analysis work is June. Cr Archer asked if we are exposed to any potential negative impact by going through plan changes when the NPS's are likely to have an impact on us as plans that are not to be inconsistent with the NPS or do we just respond to changes as we go along? S. Moran stated that the Minister has said he is interested in NPS's and NES's and they could keep these rolling out but if we wait we could be waiting for some time.

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

Carried

5.2 CONSENTS AND COMPLIANCE GROUP

5.2.1 CONSENTS MONTHLY REPORT

C. Ingle spoke to this report in C. Dall's absence. He drew attention to the limited notified and notified resource consent granted for T. Visser. This was to discharge sediment from humping and hollowing at Aratika.

C. Ingle reported that C. Dall has given further evidence at the Environment Court hearing for J. Groome's appeal against the consents granted by Council for TrustPower Ltd for the Arnold Valley Hydro Scheme. C. Ingle advised that a decision is expected within the next four to eight weeks but that environment court are not bound by the timelines. C. Ingle reported that Meridian Energy Ltd wishes to be a party to the appeal by Solid Energy on the HDL Hydro Scheme consent that was granted. He stated that Meridian is entitled to be a party as they did make a submission. C. Ingle reported that the submission period for Solid Energy's Hydro Scheme consent on the Stockton Plateau closed on 12 March. C. Ingle advised that approximately 27 submissions have been received with about just over half of the submissions being in opposition to the scheme.

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

Carried

5.2.2 COMPLIANCE & ENFORCEMENT MONTHLY REPORT

C. Ingle reported that 85 site visits were carried out during the reporting period with 70 – 80% of consent holders found to be compliant. C. Ingle reported that dairy effluent issues have been dealt

with in accordance with the policy. He advised that a field day on low application effluent management was held yesterday for farmers in the Lake Brunner catchment. This went well with over half the farmers in the catchment attending. C. Ingle reported that Westroads Ltd is now halfway to their allowable limit for gravel extraction. C. Ingle reported that an Abatement Notice has been issued to Pike River Coal Ltd following the discharge of coal fines into Big River. He advised that Pike River Coal Ltd is investigating the ecology of the river to ascertain whether or not this is serious and they commissioned a report from Golders Associates. They concluded that accidental release of coal fines has not resulted in any significant adverse effects on the aquatic benthic communities in Big River and will not result in any long term ecological impacts. Cr Davidson asked how objective would this report be as Pike River had commissioned and paid for the report. C. Ingle stated that council has dealt with Golders in the past with regard to bonds for Solid Energy and have found that Golders are reliable and they are an international company with an excellent reputation.

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

Carried

6.0 GENERAL BUSINESS

There was no general business.

The meeting closed at 11.35 a.m.

.....
Chairman

.....
Date