

## **THE WEST COAST REGIONAL COUNCIL**

### **MINUTES OF THE MEETING OF THE RESOURCE MANAGEMENT COMMITTEE HELD ON 13 JULY 2010 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:**

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** (Scarlett / Davidson) *that the minutes of the previous Resource Management Committee meeting dated 8 June 2010, be confirmed as correct.*

*Carried*

#### **Matters Arising**

There were no matters arising.

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

Cr Ewen reported that he has been liaising with staff and Councillors on the Amended Pest Plant Management Strategy. He has also dealt with enquiries regarding gravel extraction matters and 1080 issues with the Animal Health Board. Cr Ewen noted that the upgrade of the Greymouth Floodwall is now complete and spoke of the visit to the site with fellow councillors following last month's meeting. Cr Ewen is currently dealing with correspondence from three ratepayers which he will complete once he has gathered further information.

Cr Ewen reported that he has been contacted by Mr Andy England who has been carrying out a kayaking survey on local rivers. Mr England wants to speak to Cr Ewen about the function of councillors.

**Moved** (Ewen / Robb) *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 appeal period for the Coastal Plan Change 2 closed on the 8<sup>th</sup> of July and he has not received notification of any appeals. S. Moran stated that he would be checking with the Environment Court to confirm that there are no appeals.

S. Moran advised that submissions are due by the 23<sup>rd</sup> of July for the Pest Management Proposed National Plan of Action. He advised that more integration between agencies and organisations is being sought. S. Moran stated that there are concerns with the high handed approach from MaF in terms of working together and he feels a reminder is needed that funding by regional councils is guided by their LTCCP's and what their communities prioritise rather than directives from MaF. S. Moran advised that

Local Government New Zealand's draft submission does cover some of these points and he will be reiterating these points in his response.

S. Moran reported that the Government has announced that it wishes to progress the Foreshore and Seabed Act Repeal with the draft legislation being introduced to Parliament by August and enacted before the end of the year. S. Moran advised that the main issues are the effect on the 12,000 + existing privately held titles, the existing mining permits and resource consents be protected until the end of their term. S. Moran stated that it is unclear what will happen after this until the detailed legislation is available.

S. Moran reported that there have been further announcements from Government on what the Environmental Protection Agency will be responsible for, included are processing matters for proposals of national significance, ERMA functions and administering the Emissions Trading Scheme.

S. Moran advised that the installation date for the weather radar has been put back slightly to the end of the year rather than the middle of the year.

S. Moran reported that the "Get Ready" civil defence display banners are available for use for schools and councils around the region to use as a tool to get the message across to people. These banners are a resource that can be used for public displays when projects are being done on natural hazards.

S. Moran advised that there have been no floods during the reporting period. S. Moran reported that repeat sampling of groundwater bores is currently being carried out again. This was previously done three years ago.

S. Moran reported that there have been nine exceedences of the National Environmental Standard for PM<sup>10</sup> in Reefton during the reporting period with the highest exceedence being 83 micrograms / m<sup>3</sup>. Cr Birchfield asked if there is any concern from residents in Reefton regarding air quality. S. Moran responded that there have been three public meetings regarding this issue and a couple of meetings with the Ministry for the Environment and one with the community. S. Moran advised that the general feeling from these meetings has been that while people are affected, residents like to be able to burn coal. S. Moran advised that one comment made at the meeting was that residents would like to be able to access EECA grants for upgrading insulation on their properties but they did not want this to be traded off against not being able to burn coal. Cr Scarlett stated that the submission council put forward reflects council views of having taken notice of what Reefton residents wanted. T. Scott asked if there is any evidence of the health effects air quality in Reefton is having on residents. S. Moran responded that a Masters Student from Canterbury University has done some work on this but it was inconclusive and they could not find that Reefton resident's respiratory health was any worse than any other place on the West Coast. S. Moran advised that there a paper was presented to the technical advisory group which was the precursor to this review and a copy was sent to this group. Cr Ewen asked for a comparison for a high PM<sup>10</sup> exceedence for Christchurch. S. Moran responded that a high exceedence for Christchurch would be around 180 micrograms / m<sup>3</sup>.

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

*Carried*

### **5.1.2 AMENDED PEST PLANT MANAGEMENT STRATEGY NOTIFICATION AND HEARING**

S. Moran spoke to this report in C. Ingle's absence. S. Moran advised that Council is required to review the Pest Plant Management Strategy and to formally notify the strategy by mid July with submissions closing in mid August. S. Moran advised that the strategy has been worked through by a subcommittee of Councillors with C. Ingle coordinating the project. S. Moran advised that a committee of council members is required to be appointed to a hearing panel with the hearing panel acting as a Board of Inquiry to hear submissions and make and release the decisions. It was agreed that those councillors involved with the review of the strategy would be appointed to the hearing committee and any other councillor who would like to be included. T. Scott advised that he wishes to be included in this process.

**Moved** (Archer / Robb)

*That the Resource Management Committee appoint all Committee members, as available, to*

- (i) form a Board of Inquiry in terms of Section 79A of the Biosecurity Act to hear all submitters who wish to be heard; and*
- (ii) make and release decisions on the Amended Pest Management Strategy in terms of Sections 79B and 79C of the Biosecurity Act.*

*Carried*

### **5.1.3 CONTINUATION OF THE CIVIL DEFENCE & EMERGENCY MANAGEMENT GROUP THROUGH THE TRIENNIAL ELECTIONS**

S. Moran spoke to this report advising that this is the same process council went through prior to the last triennial elections. The purpose of this is to ensure that the West Coast Civil Defence Group remains live until the new council comes in to force and makes its appointments.

**Moved** (Scarlett / Robb)

*The Council resolves, as provided for by clause 30(7) of Schedule 7 of the Local Government Act 2002, that the West Coast Civil Defence Emergency Management Group, and any subcommittee constituted by that Group, shall not be deemed to be discharged on the coming into office of the new members of Council elected at the 2010 election, and will remain in force until a new CDEM Group is formally constituted by the new Councils.*

*Carried*

## **5.2 CONSENTS AND COMPLIANCE GROUP**

### **5.2.1 CONSENTS MONTHLY REPORT**

C. Dall spoke to this report advising that it has been a normal month in the consent processing area with the consents granted covering the typical range of consent activities on the West Coast.

C. Dall reported that the Environment Court has released an interim decision on the appeal relating to TrustPower's proposed Arnold Valley Hydro Scheme. The court indicated that the J. Groome appeal is likely to be dismissed but amendments are being sought to some of the consent conditions in relation to adaptive management process to address adverse effects if they arise from the scheme. C. Dall advised that further work with TrustPower would be required to sort out the conditions to the Court's satisfaction. C. Dall reported that the Hearing Committee heard the consent applications by Solid Energy for its Proposed Stockton Hydro Scheme and released its decision. The committee refused the applications on the grounds that the committee considered that the proposed scheme had more than minor adverse effects in some aspects and was either contrary or not consistent with some of the relevant planning provisions in the Buller District Plan.

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

*Carried*

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

C. Dall spoke to this report advising that Council has continued to field calls regarding the Westroads gravel extraction site in Blaketown relating to dust and dust management at the site. C. Dall advised that he has obtained monitoring results from the company who undertakes the monitoring of dust but the results don't indicate any levels that were unacceptable or exceeded nuisance levels based on the Ministry for the Environment's guidelines.

C. Dall reported that Pike River Coal Ltd undertook an external review following the earlier incident of coal fine discharges to Big River. As part of the external review, Pike River Coal Ltd will be taking further action to ensure no further discharges occur. Cr Davidson asked C. Dall what is the difference between a settling pond and a polishing pond. C. Dall responded that a polishing pond is generally pond at the tail end of a process and is likely to have vegetation growing around it.

C. Dall reported that council staff have visited the Globe Progress Mine – Oceana Gold Ltd site during the reporting period. C. Dall advised that the company is still complying with its discharge limit and has now do so for more than 40 weeks.

C. Dall reported that Solid Energy Ltd is undertaking a stowing trial at its Stockton Opencast Mine site. He advised that Solid Energy are looking at mining some older parts of the mine that were previously mined by underground means and to make this area safe they are filling the voids with a slurry material as a trial.

C. Dall advised that two abatement notices and two infringement notices have been issued during the reporting period. C. Dall advised that council staff have inspected the rehabilitation work relating to Teronick Mining Ltd and are satisfied with this work therefore the bond can be released.

Cr Archer asked C. Dall for an update on the sentencing of Oceana Gold Ltd in relation to Council's prosecution of the company with regard to the significant effects on Devils Creek downstream of the

mine. C. Dall responded that this has been adjourned and the date has yet to be confirmed. C. Dall advised that Oceana Gold Ltd is investigating options to rehabilitate this area more quickly as part of the Restorative Justice process in relation to the prosecution.

Discussion took place regarding gravel extraction from riverbeds close to highways and the impact this could have on bridges and roading. Cr Ewen feels that a close eye needs to be kept on contractors to ensure that a common sense approach is taken. C. Dall advised that in some cases the removal of gravel from riverbeds near bridges is beneficial as gravel build up can reduce flood carrying capacity in some cases.

**Moved** (Archer / Birchfield)

1. *That the July 2010 report of the Compliance Group be received.*
  2. *The Council release the bond for Resource Consent RC03274 to Teronick Mining Limited.*
- Carried*

## **6.0 GENERAL BUSINESS**

Cr Chinn provided councillors with copies of correspondence from Hon Kate Wilkinson, Minister of Conservation and Hon Dr Nick Smith Minister for the Environment relating to the matter of significant wetland identification on the West Coast. Cr Ewen read the two letters to the meeting and advised that DoC is involved with this process. Cr Ewen reminded that meeting that this matter is currently before the Court. S. Moran advised that the Court has heard further evidence from the Ecologists, they had run out of time therefore written closing submissions were made and these are being worked through. S. Moran advised that there has not been an indication from the Court as to when a decision is likely or whether the Court wishes to hear from anybody else. S. Moran advised that DoC is continuing with the process of putting together a secondary list of wetlands on the West Coast. Cr Chinn is concerned that he is hearing mixed messages and feels a little lost as to where we are currently at. S. Moran advised that under Part 2 of the Act, Section 6 matters of National Importance, is one of the requirements to be addressed. S. Moran advised that in the Land and Riverbed Plan we addressed wetlands in a particular way, it went through the submission process but some other groups felt this wasn't addressed in a way to their liking so they appealed. Council has now been through the appeal process with mediation then to the Environment Court which is where we are now. S. Moran advised that in terms of what is outlined in Dr Smith's letter, central government has not yet issued a National Policy Statement giving clear direction. S. Moran advised that the Labour Government had a draft National Policy Statement on Biodiversity but they parked it, then it came out as a National Guidance document but not formal policy. Dr Smith is talking about making this a formal policy that will state what is required. S. Moran advised that in the interim Councils still have to work with Section 6 as the only direction from Central Government. Section 6 states that protection from wetlands from inappropriate subdivision and use is a matter of National Importance. S. Moran advised Cr Chinn that the matter is now before the Court and timeframes will be set by the Court. Cr Ewen stated that at the meeting he, Cr Scarlett and C. Ingle had with Hon Kate Wilkinson he invited the Minister to make a National Policy Statement on wetlands because it takes the identification of wetlands out of our hands. Cr Ewen stated that we have entered this train of processes and we have to go through with it. It was agreed that a copy of the letters would be made for each Councillor. Cr Ewen reiterated the comments of the CEO at a previous meeting where he stated that he remains confident of a positive outcome to this matter.

The meeting closed at 11.09 a.m.

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Chairman

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Date