

## **THE WEST COAST REGIONAL COUNCIL**

### **MINUTES OF THE MEETING OF THE RESOURCE MANAGEMENT COMMITTEE HELD ON 14 SEPTEMBER 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**

There were no apologies.

#### **2. MINUTES**

Cr Birchfield drew attention to his comments in the minutes regarding DoC giving access to the New River / Saltwater Creek area. He stated that this comment is not correct and should read that the landowners in the area of the New River Bridge have given permission for a digger to cross their land from the main highway to the sea.

**Moved** (Archer / Scarlett) *that the minutes of the previous Resource Management Committee meeting dated 10 August 2010, be confirmed as correct with the appropriate amendments above made.*

*Carried*

#### **Matters Arising**

There were no matters arising.

#### **3. PRESENTATION**

Mr Wayne McClunie, Senior Programmes Advisor, Sustainable Programmes, Ministry of Agriculture and Forestry made a presentation to Council on aspects relating to the Emissions Trading Scheme (ETS). Mr McClunie advised that the key message that he wishes to get across to forest owners is that there is approximately one year for those who have pre 1990 forestland to apply for an exemption from the ETS before deforesting their land. After this year landowners wishing to deforest will be subject to the ETS and therefore it would be in their favour to apply for an allocation of units, which is a form of partial compensation for deforestation. This needs to be applied for by the end of November 2011 otherwise landowners who deforest their land and wish to convert it to another land use will be looking at paying many thousands of dollars per hectare. Mr McClunie advised that the price per hectare depends on the carbon price at the time. He advised that the current price for a mature pine forest on the West Coast is around \$5,000 - \$8,000 per hectare. This would be paid for in carbon units for deforestation. Mr McClunie advised that harvesting and replanting is not deforestation and there is no need for an exemption. Cr Scarlett asked Mr McClunie if he is talking about pre 1990 exotic forests. Mr McClunie confirmed this. He advised that Government made a decision based on there not being substantial native forest being deforested on the West Coast so native forest will not be brought into the ETS.

Mr McClunie advised that the main message he wishes to convey is that anyone who owns pre 1990 forestland needs to make a decision as to whether or not they want an exemption. He advised that if you own less than 50 hectares in December 2007 then you are eligible for an exemption but it may not be the best choice for your land.

Mr McClunie answered various questions from Councillors and explained the process involved in making an emissions return to the Crown. Mr McClunie left information brochures for Councillors and staff.

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

Cr Ewen reported that he attended a joint hearing with the Westland District Council regarding a mining venture at Squatters Creek near Ross. He also made a site visit to this area. Cr Ewen advised that a decision regarding this venture is expected to be released next week. Cr Ewen reported that he also attended two tender openings during the reporting period both for emergency works; one was for Vine Creek and the other for the Taramakau Settlement. Cr Ewen advised that he has been liaising with staff on the Proposed Regional Pest Management Strategy and will be attending this hearing next week.

Cr Ewen reported that he and Crs Birchfield and Robb attended a full day of rating district meetings yesterday.

**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 Proposed Regional Pest Management Strategy would be held at 1pm on the 22<sup>nd</sup> of September.

S. Moran reported on various MfE work that is underway. He advised that work on the NES for plantation forestry is underway and he feels that there is not too much cause for concern to us on this matter in view of the rules already in place.

S. Moran reported that work on the proposed NES for Assessing and Managing Contaminants in Soil is ongoing and has created a lot of interest to North Island councils. S. Moran reported that the possible NES on future sea-level rise is due around December but he has yet to receive further information on this matter. S. Moran reported that the proposed NES for on-site wastewater systems is currently on hold. S. Moran advised that the NES's on the Foreshore and Seabed Bill has been notified during the last couple of days.

S. Moran reported that the Procurement Strategy has been signed off by the NZ Transport Agency. He advised that Tai Poutini Polytechnic have signed on to continue providing the Community Road Safety Programme for the next two years. S. Moran reported that the Government has advised that there will be no change to the level of funding for this programme.

S. Moran reported that the Civil Defence Emergency Management Group Plan was adopted yesterday by the CDEM Group. S. Moran reported that Exercise Tangaroa, a national civil defence exercise is scheduled for the 20<sup>th</sup> of October. S. Moran reported that Building Inspectors from the District Councils and Nichola Costley from this council are currently in Christchurch assisting the Canterbury Civil Defence Group with the recovery following the recent Canterbury earthquake.

S. Moran reported that the Emergency Information System is set for roll out by the end of the year with training arranged over the next few months.

S. Moran reported that the alarm on the Grey River and Buller River were triggered following a heavy rainfall event during the reporting period.

S. Moran reported that further sampling work is being carried out in groundwater wells to ascertain ground water quality. He stated that this work ties in our State of the Environment programme.

S. Moran advised that two Envirolink grants of \$5000 of been approved.

Moran reported that the summary for air quality is likely to be the summary for the entire winter as usually by the end of August there are no further exceedences. S. Moran advised that the proposed changes to the NES for air quality are likely to shift the threshold from one exceedence per year being allowed to three exceedences. He advised that Reefton usually has a few more exceedences than this therefore a plan would have to be written and approved by the Minister as to what is going to happen to the Reefton air shed by 2018. Cr Archer asked if responses will have to be linked to proven health deterioration. S. Moran responded that not in terms of local plans. S. Moran advised that no statistical trend has been discovered to say that Reefton had more respiratory illnesses than any other place. Cr Archer asked if there is any intention to change the requirement for Council to publicly notify exceedences. S. Moran advised that there is a requirement by 2013 to ensure that air sheds meet the standards but there are a number of air sheds that will not meet this standard by 2013 and lobbying from councils has resulted in this review. Cr Scarlett asked if it would be possible to get an exemption for Reefton. S. Moran responded that he is not aware of any exemption within

the standard but if a plan is written and approved by the Minister then this would go to the context of what is being done for this area.

Cr Birchfield commented that one of his criticisms of the whole Lake Brunner issue is that other sources of the so-called deterioration in the lake have not been investigated. He stated that he feels phosphorus contamination and other possible sources have not been investigated fully enough and that the reduced colour is now being blamed on CDOM. S. Moran advised that the further reduction in reduced clarity is not being blamed on CDOM as this has stayed fairly constant. Cr Birchfield stated that other lakes have not been looked at to get a background level of what the clarity is and other sources of phosphate have not been looked at and he therefore is challenging that Lake Brunner is actually deteriorating. S. Moran stated that the science has been done and the information shows that it is phosphorus that is the cause of declining water clarity and increasing algal levels.

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

*Carried*

### **5.1.2 PROPOSED REGIONAL LAND AND WATER PLAN**

S. Moran spoke to this report advising that he is seeking that Council approve the merged plan for public notification. He drew attention to the attached Section 32 reports, for the Lake Brunner Catchment, the on-site sewage effluent discharge rule, the permitted stormwater discharge rules and minor changes that have occurred for the other objectives and policies. S. Moran advised that they outline the reasoning for the changes and why they are the most efficient and effective way of achieving the objectives in the Plan. S. Moran advised that should Council approve the recommendation then the submission period would be from the 17<sup>th</sup> of September to the 15<sup>th</sup> of October. Cr Ewen stated that there are parts of the plan that will be subject to change as there are matters before other forums which are yet to be determined. He stated that key word is 'proposed' plan. Cr Chinn stated that he would like to see Schedule 1 removed from the plan or at least put on hold, as there is nowhere else in New Zealand do they take land off private landowners without compensation. Cr Chinn read from a letter from Dr Nick Smith. Cr Birchfield stated that he supports Cr Chinn's comments.

Cr Archer moved the following motion.

*That the Council approve the Proposed Regional Land and Water Plan including the amendments tabled at this morning's workshop, for public notification, in accordance with Clause 5 of the First Schedule of the Resource Management Act.*

Cr Chinn moved an amendment to the motion *that schedule 1 be withdrawn or postponed until we get answers about compensation for private landowners, or a land swap or rates readjusted on private land.* He is in favour of locking up wetlands if landowners are going to be compensated.

Cr Birchfield seconded amended motion

**Moved** (Chinn / Birchfield)

Cr Davidson asked if schedule 1 stays in the Plan, then it will not exclude future compensation for farmers who have got wetlands on their property. Cr Scarlett advised that the Crown at any time could compensate a landowner under Schedule 1 at anytime if they choose to do it. C. Ingle advised that Schedule 1 is in the plan now and this recommendation does not change anything as this is just merging three existing plans into one.

Cr Ewen asked for a show of hands. This amended motion was lost.

The original motion was put again with Cr Scarlett seconding the original motion.

**Moved** (Archer / Scarlett)

*That the Council approve the Proposed Regional Land and Water Plan including the amendments tabled at this morning's workshop, for public notification, in accordance with Clause 5 of the First Schedule of the Resource Management Act.*

*Carried*

### **5.1.3 WATER MEASURING AND REPORTING REGULATIONS**

S. Moran spoke to this report advising that the comments from this Council earlier on have been taken into account with this new regulation and there are some exemptions in this NES. S. Moran advised that the regulations do not apply to permitted takes or those less than 5 litres per second. Also non-consumptive takes are exempt which is important with regard to alluvial mining when water is being taken and returned to the river under the original proposal from MFE this would have been required to be metered. S. Moran stated that there are some wins in the regulations for the West Coast. C. Ingle stated this is a huge step forward as in the beginning they were wanting us to measure every take. Cr Archer asked if the templates being prepared by the Ministry for reporting are the requirements for individual consent holders to report to the council or is this a reporting requirement from the council to the ministry. S. Moran confirmed this is for both parties to report on. Discussion ensued on how this process is managed. S. Moran advised that there is further information awaited on the measuring methods.

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

*Carried*

### **5.1.4 JOINT AGREEMENT WITH WESTLAND MILK PRODUCTS**

C. Ingle spoke to this report advising that this is a summary report on the last four years of the Joint Agreement that council has with Westland Milk Products. C. Ingle advised that there has been a lot of work done, he drew attention to the main points including the positive growth in dairy farming throughout the region, water quality in streams that come out of dairy catchments has significantly improved with improved water clarity (excludes Lake Brunner which is a special case). C. Ingle advised that farm planning projects are undergoing a review this year. He advised that a lot of work has been done with fencing, bridging creeks and the stock crossing policy that Council put in place with input from Westland Milk Products. C. Ingle advised there is a considerable amount of best practice work going on with our compliance team and the farm liaison staff from Westland Milk Products. He stated that the goals in the agreement all still stand and the Board at Westland Milk Products recently received this report. C. Ingle advised that a further meeting between the two parties is scheduled for later this month. Cr Davidson stated that the agreement is very supportive of the clean green image that Westland Milk Products promotes and is supportive of farmers working towards the regulatory requirements for the industry. Cr Scarlett stated that Westland Milk Products overseas markets demand very high environmental standards which the company takes very seriously. Cr Ewen stated that the joint agreement has been a positive initiative for both entities.

**Moved** (Robb / Archer) *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. C. Ingle advised that evidence has been exchanged in the Environment Court for matters relating to the appeals for TrustPower's proposed Arnold Valley Hydro Power Scheme. C. Ingle reported that J. Groome has now withdrawn from the proceedings.

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

*Carried*

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

C. Ingle spoke to this report in C. Dall's absence. He requested that this report be taken as read and offered to answer any questions. Cr Birchfield asked if the person who dumped offal and rubbish at 17 Mile would be prosecuted. C. Ingle responded that this seemed to be more akin to litter dumping on the side of the road. T. Scott asked what type of septic tank system is being used

at Jacksons Bay. C. Ingle advised that he will seek further information on this matter and he will inform T. Scott of progress.

**Moved** (Scarlett / Archer) *that the September 2010 report of the Compliance Group be received.*  
*Carried*

## **6.0 GENERAL BUSINESS**

There was no general business.

Cr Ewen thanked councillors and T. Scott for their time over the past council term. He stated that their cooperation and input has been valued. Cr Ewen stated that the primary goal is to work in the best interests of those you represent. He commented that it is important that the Coast is progressed in the best interest of all the ratepayers that Council represents. Cr Ewen stated that he is pleased that parochialism is left at the door when entering this room. Cr Ewen passed on his thanks to staff for their efforts and their endeavours to obtain significant amounts of funding for West Coast projects. He advised that Envirolink funding over \$500,000 has been secured in recent years, which is significant for a small council. Cr Ewen wished all councillors well for the October 9 Local Body Elections.

The meeting closed at 11.27 a.m.

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Chairman

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Date