

THE WEST COAST REGIONAL COUNCIL

MINUTES OF THE MEETING OF THE RESOURCE MANAGEMENT COMMITTEE HELD ON 8 NOVEMBER 2010 AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOUTH, COMMENCING AT 10.30 A.M.

PRESENT:

B. Chinn (Chairman), R. Scarlett, D. Davidson, A. Robb, A. Birchfield, T. Archer, I. Cummings,
F. Tumahai

IN ATTENDANCE:

C. Ingle (Chief Executive Officer), S. Moran (Planning & Environmental Manager), C. Dall (Consents & Compliance Manager), R. Mallinson (Corporate Services Manager), T. Jellyman (Minutes Clerk), The Media

Cr Chinn welcomed F. Tumahai to his first meeting representing Ngati Waewae and Cr Cummings to his first Resource Management Committee meeting.

1. APOLOGIES

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

Carried

2. MINUTES

Moved (Robb / Archer) *that the minutes of the previous Resource Management Committee meeting dated 14 September 2010, be confirmed as correct.*

Carried

Matters Arising

There were no matters arising.

3. PRESENTATION

There was no presentation.

LATE ITEM

COASTAL PLAN CHANGE 2 OPERATIVE

Moved (Archer / Robb)

S. Moran advised that this matter was overlooked for the October meeting. He stated that this is the final part of the process when the Plan change is now made operative.

- 1. That the Council make operative Plan Change 2 to the Regional Coastal Plan, under Clause 20 of the First Schedule of the Resource Management Act.*
- 2. That the Council set 16 November 2010 as the operative date for Plan Change 2 to the Regional Coastal Plan.*

Carried

4. CHAIRMAN'S REPORT

Cr Chinn stated that he has nothing to report at this stage.

5. REPORTS

5.1 PLANNING AND ENVIRONMENTAL GROUP

5.1.1 PLANNING AND ENVIRONMENTAL MANAGER'S MONTHLY REPORT

S. Moran spoke to his report and advised that 60 submissions have been received on the Proposed Regional Land and Water Plan. He reported that early in the New Year we would be inviting further submissions with the summary of submissions completed by the end of this year.

S. Moran reported that the appeal period for the Regional Pest Plant Management Strategy has now closed and he is not aware of any appeals having been received.

S. Moran reported that the Marine and Coastal Area (Takutai Moana) Bill impacts on this council are minimal. He advised that staff have been through this and there is nothing contained in the Bill that requires a submission from this Council. S. Moran invited the meeting to let him know if they felt there was anything they wished to make a submission on. Cr Davidson asked if there is any impact on customary rights. S. Moran responded that the Marine Protection Forum has dealt with this along with Makaawhio and Ngati Waewae who were looking at reserves that were separate to this. Cr Davidson asked F. Tumahai if customary reserves are identified areas on the maps. F. Tumahai confirmed that these areas are identified on maps but last time he saw them they were still in draft form. F. Tumahai offered to send these maps to S. Moran.

S. Moran advised that the key points to note in the New Zealand Coastal Policy Statement are the requirements to identify where activities or developments might be inappropriate, this will require close consideration. S. Moran advised that the restricted coastal activity status has been removed. He reported that a timeframe has now been put in place for hazards and to assess risk over a one hundred year timeframe. S. Moran advised that a tougher line would now be taken for coastal settlements in terms of discouraging seawalls etc. Cr Archer passed on his appreciation of council staff and management for the submissions they made to the Coastal Policy Statement. He stated that the removal of restricted coastal activities from the regional plan is a significant and positive step for the future of the West Coast. S. Moran stated that it is pleasing to achieve some of the changes we were seeking.

S. Moran reported that a submission on the Proposed National Environmental Standard for Plantation Forestry was lodged to seek changes to land preparation and hazard prone areas.

S. Moran reported that the key point of the discussion document on reforming urban and infrastructure planning is investigating replacing existing regional strategic planning instruments such as the Regional Land Transport Strategy and the Regional Policy Statement with spatial plans to simplify the planning system. S. Moran advised that this is driven out of the Auckland reforming of the super city and is not really applicable for the West Coast. S. Moran advised that as this is worked through there will be a submission to the next council meeting that says if you want to do this keep it in Auckland and use it as a pilot but not to apply it to the rest of the country until issues that arise are ironed out. He stated it would be preferable if the West Coast did not see this at all.

S. Moran reported that the New Zealand Waste Strategy is not a legally binding document but when the Regional Policy Statement is redone this area will be looked at closely.

S. Moran reported that the draft of the Regional Land Transport Strategy will go to the next Regional Land Transport Committee meeting in December and publicly notified in the New Year.

S. Moran reported that the Coordinating Executive Group for Civil Defence met on the 28th of October. He advised that the MCDEM staff member attending this meeting made some interesting points relating to the Canterbury earthquake on what worked well during this event.

S. Moran reported that the building of the Weather Radar is still on track but may now not be built until towards the end of 2011. He advised that all access agreements for this are now in place.

S. Moran reported that Exercise Tangaroa, the national exercise based on a tsunami off the coast of Peru went well. He stated that this council participated in the exercise at a fairly low level and attended the national controllers teleconferences. He stated that Grey District Council were the local authority which activated to the greatest degree. S. Moran stated that although training is different to the reality of an event such as the Canterbury earthquake, it does provide a good opportunity to iron out little issues before an event which is a major part of being ready. Cr Scarlett asked that in such an event off the coast of Peru how long would it take for the wave to arrive. S. Moran advised that it would be about 17 hours before it hits the West Coast with the maximum wave arriving 20 – 24 hours from first impact. S. Moran stated that the whole situation was around 2 – 3 days long; with people requiring evacuation and welfare care. S. Moran explained the warning systems in place for the waves, he noted that the key factor is that it is not just the time that the wave arrives but the maximum wave could be 24 hours after the first wave then disturbed seas for three days after this and the whole event could last for up to a week.

S. Moran reported on the Resilience Fund Application. He advised that the four West Coast Councils have put in an application for satellite communications that can deal with data and will link us into Wellington to enable the transfer of information and will provide a more robust system for the linking with individual emergency operation centres located at the district councils. S. Moran advised that the funding application will be for ongoing operational funding for three years.

Cr Archer stated that he is concerned that contestable funding is likely to benefit the more affluent councils the most as they have more staff resources to make funding applications and this could be to the detriment of smaller less affluent councils. He stated that historically this is what happens with contestable funding. S. Moran stated that this has been a concern from the start as bigger councils have more staff or may engage consultants to assist with funding applications. S. Moran advised that a meeting is to be held this month with all the Chairs of the CEG's in attendance to thrash out the criteria might work. He advised that Stuart Gray from Buller District Council will be attending and will make sure that our concerns are aired. Cr Davidson stated that he hopes the funding allocation is made on a land base and not population based funding. Cr Scarlett stated that we have a good case to put in view of the alpine fault and is hopeful of getting more than \$3,000 out of \$1M. C. Ingle stated that he feels council has put in a good application and that there has been a move away from population based funding and he feels it is unlikely that they will swing back that way. He noted that communication is difficult on the West Coast and it is very likely that communication will be lost during a major event. In view of this, C. Ingle stated that he would be very surprised if the funding request is not granted.

S. Moran advised that there have been a few heavy rainfall events during this reporting period, he noted that this report covers September and October. He advised that the largest event was a 1 in 10 year and a 1 in 20 year event in the Karamea area which occurred on the 6th of September and resulted in surface flooding around the town.

Cr Archer drew attention to the Changes to the Public Works Act in relation to compensation. He asked if there were any incentives, which could link this Act to providing compensation for lack of permitted activity for land of significance under Section 6 of the RMA, or is the public works amendment a stand alone act in terms of taking land under the Public Works Act. S. Moran offered to look into this further as he is unsure of this.

Cr Davidson passed on his appreciation of N. Costley's article published in the Civil Defence Impact magazine reporting on her trip to Japan which was sponsored by MCDEM.

C. Ingle suggested a second recommendation to endorse the submission on the Proposed NES for Plantation Forestry.

Moved (Archer / Robb)

1. *That this report be received*
 2. *That Council endorses the attached submission on the Proposed NES for Plantation Forestry.*
- Carried*

5.1.2 REGIONAL TRANSPORT COMMITTEE CONSTITUTION

S. Moran spoke to this report and advised that the reconstitution of the Regional Transport Committee is a requirement following the Local Body Elections. He advised that currently there is not a Cultural Interests representative appointed but once this appointment is made then the person's name will be brought to Council for approval.

Moved (Archer / Birchfield) *that the Council ratify the appointments for the Objective representatives to the reconstituted Regional Transport Committee.*

Carried

5.2 CONSENTS AND COMPLIANCE GROUP

5.2.1 CONSENTS MONTHLY REPORT

C. Dall spoke to this report. He advised that a large number of consents were issued during the reporting period as it was a two month period due to there not being an October Resource Management Committee meeting. C. Dall advised that MR and GG Ferguson Partnership consent application was a limited notified consent which went to a hearing for a proposed alluvial gold mining operation near Squatters Creek. C. Dall advised that the decision was released and the consents granted, he is unaware of any appeals being lodged on this application therefore it can now proceed.

C. Dall advised that Council has received and publicly notified the applications for a coalmine on the Denniston Plateau, which was lodged by L & M Coal Ltd. He stated that at the close of submissions 177 submissions were received with some late submissions that are likely to be accepted. He advised that he does not have a split of the number in opposition or support but he will supply this information to Councillors if they wish. C. Dall advised that a hearing date is yet to be set but a hearing will be required along with the appointment of commissioners. Cr Archer asked if this proposal is the one known as Bathurst. C. Dall confirmed this.

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

Carried

5.2.2 COMPLIANCE & ENFORCEMENT MONTHLY REPORT

C. Dall reported that monitoring of dairy effluent discharges is being ramped up in view of the new dairy season. C. Dall reported that gravel extraction monitoring is continuing with no significant issues arising during the reporting period. C. Dall reported that the Taramakau and Wanganui Rivers have been visited by staff to monitor whitebait stands.

C. Dall reported that the noncompliance issue relating to Pike River Coalmine was not significant but follow up with the company is underway. He advised that monitoring results at OceanaGold are also been followed up on with some pikes in turbidity in Devils Creek being followed up. C. Dall reported that OceanaGold has undertaken a trial to try to accelerate the recovery of Devils Creek which has been affected by sediment discharges from the mine site. C. Dall stated that at this stage the trial looks fairly successful but the longterm effectiveness is still uncertain.

C. Dall reported that an increase in pH found in Rudolph Creek does not look as though it is associated with the Stockton Mine site at this stage but this is being investigated further.

C. Dall advised that 38 complaints were received during the two month reporting period. He advised that one infringement notice and two abatement notices were issued during the reporting period.

Cr Birchfield asked for an update on John Morris's bond. He stated that council had agreed to release this bond a couple of years ago but it was rescinded. C. Dall advised that council has been keen to resolve this matter and some of the desirable rehab has now taken place. There is a current mining operation on this site which is providing some overburden and fill that the depression needs. C. Dall advised that council is still working with both parties to try to get a mutual and acceptable outcome and they are now getting to the heart of the issues of what is required for this site to enable the bond to be released. Cr Birchfield asked if it is correct that the landowner is denying access to the miner to do the restoration? C. Dall stated that this was an issue early on but he is unsure if this is an issue at the moment. C. Dall advised that the key matter has been how to revegetate the site, as this was not successful in the first place. Cr Birchfield stated that this has gone on for too long and council needs to take a lead on this. C. Dall offered to bring a report to the next meeting on this matter.

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

Carried

6.0 GENERAL BUSINESS

Cr Archer raised the matter of councillors, especially new councillors and Iwi Representatives, contacting management should there be any issues in the council agenda papers that they require more information on prior to the meeting. Cr Archer feels that by researching issues prior to the meeting this would then allow for the sharing of information especially if it is a technical matter that might require assistance from staff. C. Ingle welcomed councillors and Iwi representatives to contact him or other managers at any time either by telephone or email should they require any information or assistance prior to the meeting.

The meeting closed at 11.14 a.m.

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Chairman

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Date