

THE WEST COAST REGIONAL COUNCIL

MINUTES OF THE MEETING OF THE RESOURCE MANAGEMENT COMMITTEE HELD ON 8 FEBRUARY 2011 AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOOUTH, COMMENCING AT 10.30 A.M.

PRESENT:

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

IN ATTENDANCE:

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

1. APOLOGIES

There were no apologies.

2. PUBLIC FORUM

There was no public forum.

3. MINUTES

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

Carried

Matters Arising

T. Scott stated that the Conservation Board sent a letter to Council complaining about processes and procedures around the hearings and decisions on submissions on the Regional Pest Plant Management Strategy for the West Coast. C. Ingle advised that the Chairman has responded to this letter and noted that this strategy was made operative at the last meeting. He advised that the Conservation Board made a submission on this strategy but they choose not to appeal the decision of council. Cr Archer advised that he was asked to raise this matter at this meeting. He stated that council does not want to create a situation where submitters feel that their views are not being given adequate consideration. Cr Scarlett concurred with this and felt that perhaps this could have been dealt with in softer terms.

4. CHAIRMAN'S REPORT

Cr Chinn reported that he received an enquiry from a farmer in the Kowhitirangi area following a recent flood event where livestock were lost during the flood. The farmer was not affected but he asked if the council operated floodwarning alarms in the upper Hokitika catchment and if Council could contact those further down the valley in future events. C. Ingle advised that staff are preparing a comprehensive report on the flood event of the 28th of December. He advised that the floodwarning service would be looked into to ensure that this service is meeting the needs of the region. C. Ingle advised that when an alarm goes off on a river council staff ring the local civil defence, district council, police and various others but it is only in the Buller district that their civil defence people start to ring people in the communities. This does not happen in Grey or Westland districts. T. Scott asked if all rivers are monitored. C. Ingle responded that the Karamea, Buller, Grey, Hokitika and Waiho Rivers are monitored, as this is where the main centres of the West Coast are. C. Ingle advised that Seddonville and Mokihinui areas might be considered for the future. He advised that a flow monitoring site run by NIWA is already in place on the Mokihinui River and telemetry equipment could be added to monitor the Mokihinui River. C. Ingle explained monitoring methods to the meeting. Cr Archer stated that the ring around process developed between the regional council and the district council in the Buller area is very helpful during heavy rainfall events. C. Ingle advised that the Haast and Whataroa Rivers are monitored via the council website but there is not a warning procedure or trigger

level on either of these rivers. Cr Davidson stated that this will be a good opportunity to look further into the services we offer in the future and could be coordinated in with the Annual Plan performance targets. C. Ingle stated that it would take a couple of months to get this information back to council for their input. M. Meehan advised that advertisements have been placed in all West Coast newspapers requesting information on this flood event. He stated that his staff are following up on these responses from locals. Cr Cummings asked what are the costs involved in setting up a monitoring system on a river. C. Ingle advised that if the flow recording equipment is already in place then he would estimate a rough cost of around \$15,000 but if a new site were to be set up then it would be around \$50,000 to \$60,000. Cr Chinn reported that he and Cr Davidson attended the Lower Waiho reclassification meeting, he stated that there was a very small amount of ratepayers in attendance. Cr Chinn attended the Regional Transport Committee on the 3rd of February.

Moved (Chinn / Birchfield) *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

M. Meehan spoke to his report advising that twelve submissions were received on the Proposed Land and Water Plan. He reported that staff are working on a recommending report and a hearing is scheduled for later in the year. M. Meehan reported that staff are involved with the caucusing of planning witnesses for the wetlands appeal and planning evidence is set to be heard on the 4th of April.

M. Meehan reported that the Proposed NES for On-Site Wastewater Systems has been withdrawn as it has been seen as another layer of unnecessary regulation.

M. Meehan reported that following on from the Lakes Workshop work is being done with the Department of Conservation and Fish and Game to look at Largarosiphon which has infested Lake Paringa. M. Meehan advised that options are being looked at to limit the spread to other lakes.

M. Meehan reported that along with the heavy rainfall event of the 27th - 29th of December there were also other major rain events during the reporting period but the 27th - 29th event was a coast wide event which was unusual. M. Meehan reported that the Karamea River reached the same level as the 1998 flood, Seddonville suffered significant flooding and the flood committee was called in for the Grey River, where the floodwalls were put down in Preston Road as a precautionary measure. The Waiho River spent seven days in a row above its alarm threshold. M. Meehan advised that the estimates for the return period for this event were between 10 and 50 years coast wide but more robust data will be provided in the report that is currently being put together. M. Meehan reported that a second event on the 18th and 19th of January revealed rainfall totals that were comparable to the December event and the flood committee for the Grey River was called in again, the floodgates were not lowered but the situation was carefully monitored during this time.

Cr Archer asked if the peak level in the Waiho River graph is in relationship to the mean sea level or flood depths at the monitoring station. M. Meehan responded that the red line is the level at the highway bridge where measuring is done which is based on previous floods. M. Meehan advised that the Waiho is an aggrading river; it is difficult to measure as some of the peaks might not necessarily be because of rainfall events but could be gravel or aggrading under the bridge at the measuring site.

T. Scott asked how bad is the infestation of Largarosiphon in Lake Paringa. M. Meehan responded that this is quite bad and the closest lake to Lake Paringa is Lake Moeraki but this is not affected. M. Meehan confirmed that Largarosiphon is spread by boat transfer and there is no natural dispersion of Largarosiphon. He advised that regulations and education is being worked through with Fish and Game and locals are being encouraged to clean down boats and trailers before entering other lakes. M. Meehan advised that a good eye is being kept on this to avoid infestations of other lakes and staff are working with the Department of Conservation on this matter. T. Scott requested that Makaawhio Runanga is kept informed on this.

Cr Archer asked if a cause has been revealed for the high risk reading for contact recreation at North Beach. Cr Archer stated that he is interested in finding what is the specific cause of this reading at this site. M. Meehan responded that more frequent sampling would be done at this site next year to ascertain the cause of this high risk reading.

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

Carried

5.1.2 RECONVENING OF THE WASTE MANAGEMENT WORKING GROUP

M. Meehan spoke to this report and advised that this working group was established in 1999 in order to promote integrated management of hazardous waste issues between regional and district councils as they have dual roles under the RMA for the management of adverse effects of hazardous substances. M. Meehan advised that this group has staff and councillor representatives from all four local councils. M. Meehan reported that it was agreed to reconvene this working group at the December meeting of the Mayors and Chairs and to make a joint application to the contestable Waste Minimisation Fund. M. Meehan advised that regional council staff would coordinate the preparation of the application. M. Meehan advised that the late Denis Shannahan was this council's previous representative on this working group and a new representative now needs to be appointed. M. Meehan explained what is required of council's representative for the Waste Management Working Group. Cr Cummings stated that he is interested in the problem that we have with the management of waste and he would be prepared to join this group. Cr Scarlett nominated Cr Cummings, Cr Davidson seconded the nomination.

Moved (Scarlett / Davidson)

That the Council appoint Councillor Cummings to the West Coast Waste Management Working Group, for the purpose of making a joint application to the national Waste Minimisation Fund.

Carried

T. Scott asked why there is not a tangata whenua representative on this group. He stated he did not realise that the Waste Management Working Group had gone into abeyance. Cr Chinn stated that there is not been an Iwi representative in the past. Cr Archer advised that this council does not have the ability to appoint to this group but suggested that Cr Cummings could take this request to the first meeting. Cr Cummings asked if T. Scott was asking for two representatives. T. Scott confirmed that was correct.

5.1.3 CIVIL DEFENCE & REGIONAL TRANSPORT REPORT

C. Ingle spoke to this report and advised that the funding bid for the installation of satellite dishes to allow phone and data communication when phone lines are down was successful and has been installed. C. Ingle reported that the final report on the Monitoring and Evaluation Project being carried out by the Ministry of Civil Defence Emergency Management is due at the end of this month. He advised this report would reveal strengths and weaknesses for civil defence in our region.

C. Ingle reported that a Regional Transport Committee was held on the 3rd of February. Cr Scarlett attended this meeting. C. Ingle advised that he supports the new classification of state highways as State Highway 73 has been recognised as one of the major routes in and out of the West Coast along with State Highway 6 to Nelson and down to Haast and Wanaka.

Moved (Scarlett / Archer)

1. *That the Council receives this report.*
2. *That the Council accepts the cultural representatives nominated to the West Coast Regional Transport Committee, and the alternatives for the Environmental Sustainability and Safety and Personal Security objectives.*

Carried

5.2 CONSENTS AND COMPLIANCE GROUP

5.2.1 CONSENTS MONTHLY REPORT

C. Dall spoke to this report. He advised that in the lead up to Christmas it was busy but since the New Year consent processing has been fairly quiet.

Cr Archer referred to RC10252 to extract gravel from the Buller River. He asked should the Mokihinui Dam proceed would the reduced gravel flow impact on this permit. C. Dall responded that the term for this consent is very short and the consent would have expired before any potential hydro scheme would be due to go ahead. Cr Archer asked C. Dall asked for the location of RC10251 and if the application includes issues such as stockpiling and screening of gravel in view of this being close to town. C. Dall responded that he would get back to Cr Archer on the exact location of this site and the information requested.

Moved (Robb / Archer) *that the February 2011 report of the Consents Group be received.*

Carried

5.2.2 COMPLIANCE & ENFORCEMENT MONTHLY REPORT

C. Dall reported that this report covers a two month period as there was not a meeting in January. He reported that over 100 site visits were made during the reporting period. C. Dall reported that four dairy farms in the Lake Brunner catchment were found to have poorly maintained effluent ponds, these farms will be inspected again this month to ensure that the required remedial works have been completed.

C. Dall reported that prior to the recent heavy rainfall events gravel levels were low in the Organs Island area and consent holders were requested to cease operations but there has now been replenishment in this area.

C. Dall reported that post season inspections of whitebait stands have been carried out with five stands yet to be removed.

C. Dall reported that due to the current situation at Pike River Coal Mine monitoring has now been tailored down in relation to discharges but this will be reviewed once the future of the mine is known.

C. Dall reported that OceanaGold Ltd notified council of a recent exceedence of a discharge consent limit but this was related to a recent high rainfall event which was statistically greater than a 1 in 100 year event.

C. Dall reported that there were a number of exceedences of trigger limits at the Stockton Coal Mine during the reporting period, staff are working through these to get to the heart of the issues around these discharges.

C. Dall reported that the formal enforcement action taken during the reporting period is related to a matter that was discussed at the December council meeting.

T. Scott asked for further information regarding the unauthorised gold mining at Ross. C. Dall advised that this is in relation to test pitting for gold on a farm, which is allowed under the permitted activity rule in the Regional Plan. C. Dall advised that if gold were found then a resource consent would need to be applied for.

Cr Birchfield asked if the two callouts to the Goldsbrough area are unsubstantiated complaints. Cr Birchfield stated that he feels if someone is complaining unnecessarily they should be billed for any visits relating to unsubstantiated complaints.

Moved (Archer / Scarlett) *That the February 2011 report of the Compliance Group be received.*

Carried

6.0 GENERAL BUSINESS

Cr Davidson stated that his understanding of the opening of Saltwater Creek outlet into the sea at Paroa is that there were emergency plans in place for the go ahead to do this if the need arose. Cr Davidson stated that there was also a resource consent application being processed for the opening to be made. Cr Davidson feels that the response to the media by C. Ingle was not printed in the newspapers correctly. Cr Davidson stated that Grey District Council made an objection to the mouth opening and he would like to know more about their objection as the Department of Conservation had approved the consent application. C. Dall advised that the consent application was lodged by the Guardians of Paroa Taramakau Coastal Area Trust, one of the affected parties was the Grey District Council and the other affected party was the Department of Conservation. C. Dall stated that during the early stages of the consent process, Grey District Council were keen to have flexible consent which allow for more frequent opening but in trying to accommodate this, new issues were raised which the Department of Conservation were less happy with and there was a delay caused. C. Ingle advised that the original application was quite a focussed application which said the cut must be opened at a certain location but Grey District Council requested that the proposal be made broader and when the counter proposal went back to Department of Conservation they then dug their heels in and would not accept the consent application for environmental reasons. C. Dall advised that the timing was unfortunate as draft conditions had been circulated between the parties and just before Christmas most issues had been resolved but when the consent was emailed through the staff member dealing with this was on leave and the consent was not granted prior to the Christmas break. C. Ingle advised that the consenting process did not work out as well as it could have but Grey District Council has now made the cut under the emergency powers which as an infrastructure owner they are entitled to do. C. Ingle advised that looking at photographs even with the cut open it is looking like water will still back up from Saltwater Creek around the Paroa Hotel and main road areas because when New River is in flood it tends to take precedent. C. Ingle stated that this is still a live issue and as part of the flood report that is being done, staff want to engage with the community in this area to look for a longterm solution for this

flooding problem. C. Ingle advised that the cut is a good short term solution but a longterm solution needs to be sought. Grey District Council is now applying for a retrospective consent, which is a requirement under the emergency powers and this will be maintained as the outlet for Saltwater Creek. C. Ingle advised that there are still issues outstanding as to who will pay for the work. C. Ingle feels this council needs to step forward and take the lead role in the longterm solution for this area. Cr Davidson asked if C. Ingle thought that a rating district might be formed in this area. C. Ingle confirmed that this is a likely option. Cr Archer asked if the cut was in the location where the permitted activity rule applies. C. Ingle responded no, the permitted activity rule is quite a constrained rule and only allows for a creek to be reopened in the location that it was last flowing and in the case of Saltwater Creek / New River the location was north of the Paroa Hotel. C. Ingle advised that Grey District Council reopened the mouth at the location where the two rivers meet which is the most hydro logically efficient place to get the water out to sea. Cr Birchfield stated that there was more rainfall on the 18th of January than on the 28th of December and the cut did work. C. Dall stated that there would still be the issue of maintaining the outlet, which may require further protection works.

Cr Archer asked if Grey District Council is applying for a retrospective resource consent, C. Ingle confirmed that this is correct. Cr Cummings asked if this council was looking at offsetting some of the costs of the work to the district council and is there a fund to cover this. Cr Cummings stated that he supplied free rock and trucks for this work. He stated that he visited the site a few days ago and the end of the works was starting to "go" but more rock and a further four days work was done to repair this. Cr Cummings asked if this Council had any way of recovering the \$30,000 to \$40,000 that has already been spent. Cr Davidson expressed his concern with creating a precedent as if council spent money in this area then they would need to do the same for other flood affected ratepayers. Cr Robb stated that there were other flood events during the same time and is council going to put money into those as well. Cr Robb stated that this council's role is to set up rating districts and the people that are affected pay and not the general ratepayer of the West Coast. Cr Robb stated that there are over 20 rating district on the West Coast that are already set up and it is not this council's role to pay for repair works in areas that are not rating districts. Cr Robb advised that the Taramakau River breached its banks in three different places during this flood event and the people in that rating district have to fund the repair work themselves. Cr Robb stated that if the Grey District Council carried out the works under the emergency rules then they pay for the repair work. Cr Archer asked if the Paroa area that was affected is part of a special rating district. C. Ingle responded that it is not. He advised that he has discussed costs with Mr Pretorius from Grey District Council. Cr Birchfield stated that he would like this council to make some financial contribution, perhaps in the costs of processing the retrospective resource consent for the works and would like to move a motion for this purpose. Cr Archer called a Point of Order as such a motion is in breach of Standing Orders as there are no reports in front of Council outlining what is being decided on, it is all hearsay, there has been no request from Grey District Council for financial assistance and therefore in terms of Standing Orders this motion cannot proceed. Cr Archer advised that there is the option of discussing this matter as a workshop item. He reminded all Councillors that they were all party to adopting Standing Orders at the Triennial Meeting in October. Cr Chinn stated that this matter could be discussed as a workshop item and placed on the agenda for next month's meeting.

The meeting closed at 11.30 a.m.

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Chairman

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Date