

**THE WEST COAST REGIONAL COUNCIL**

**MINUTES OF THE MEETING OF THE RESOURCE MANAGEMENT COMMITTEE  
HELD ON 13 SEPTEMBER 2011 AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL,  
388 MAIN SOUTH ROAD, GREYMOOUTH, COMMENCING AT 10.32 A.M.**

**PRESENT:**

B. Chinn (Chairman), R. Scarlett, T. Archer, D. Davidson, A. Robb, A. Birchfield, 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 / Tumahai) *that the minutes of the previous Resource Management Committee meeting dated 9 August 2011, be confirmed as correct.*

*Carried*

**Matters Arising**

There were no matters arising.

**4. CHAIRMAN'S REPORT**

Cr Chinn reported that he received a telephone call from a ratepayer in the Franz Josef area concerned about the recent landslide dam that formed in the Callery gorge. Cr Chinn stated that he advised the caller to phone Council and speak to the staff who had carried out the inspection. The inspection report was then emailed to the concerned ratepayer.

**Moved** (Chinn / Davidson) *that Council receive this report.*

*Carried*

**5. REPORTS**

**5.1 PLANNING AND ENVIRONMENTAL GROUP**

**5.1.1 PLANNING & ENVIRONMENTAL MANAGER'S MONTHLY REPORT**

M. Meehan spoke to his report advising that the hearing set down for the 15<sup>th</sup> August for the Wetlands – Variation 1 was deferred to the 17<sup>th</sup> of August due to heavy snow in Christchurch. M. Meehan reported that the court heard from several witnesses including council's planning witness, but there was not time to hear from all the witnesses therefore the hearing will resume on the 10<sup>th</sup> of October. He advised that good progress is being made on the recommending reports for the merged Plan hearing but this cannot be held until the outcome of the Wetlands case is to hand.

M. Meehan reported the Ministers of Conservation and Fisheries have made decisions on the marine reserves and maitai reserves for the West Coast. He advised that the minister's recommendations are that five areas have some kind of marine protection. M. Meehan advised that this would now go out to a public process so that the public can make submissions before these five areas are confirmed.

M. Meehan reported that the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Bill has been introduced to Parliament. He stated that this Bill will allow for some control over our oceans and the Environmental Protection Agency is the agency that will deal with applications for oil rigs out beyond the 12 mile zone. M. Meehan advised that the application fees for oil rigs may rise from a couple of thousand dollars up to approximately \$300,000 but this is still a small proportion of the overall cost of an oil rig which can be \$300M.

M. Meehan reported that the Aquaculture Amendment Legislation Bill has passed its third reading in Parliament. M. Meehan advised that staff made a submission on this Bill in December 2010 supporting the relaxing of RMA planning requirements for aquaculture.

M. Meehan reported that the Ministry for the Environment has released a discussion document on Environmental Reporting. M. Meehan advised that the Government would like national reporting improved so that matters such as our State of Environment Report could be reported on a national level and consistency can be gained on matters such as water quality for the whole world to see. M. Meehan advised that Government is looking at moving responsibility for this reporting function away from the Ministry for the Environment and giving it to the Parliamentary Commissioner for the Environment.

M. Meehan reported that the Waiho River flood warning alarms were triggered twice during the reporting period. M. Meehan drew attention to the report given to councillors regarding the slip in the Callery River catchment. He advised that staff have been working closely with the Department of Conservation, Westland District Council and NZTA and a press release was arranged. M. Meehan advised the Department of Conservation in Franz Josef has an email network that they use to get the information out to the community. M. Meehan advised the GNS are now involved with this as they have stated that this is a good opportunity for them to get some information on landslides and it fits in with their work programme.

M. Meehan reported that there have been six exceedences of the NES for air quality in Reefton so far this winter.

Cr Scarlett asked M. Meehan if the lake fails in the Callery River catchment how long would it be until the water arrives in civilisation. M. Meehan responded that the advice from the GNS Scientist is that it is unlikely that the lake will fail as there is heavy rock in the lake but if it does fail then it is unlikely that it would result in a large amount of flooding. M. Meehan stated that GNS have indicated that the most concerning factor is the threat of a heavy rainfall event. He advised that if a sensor is placed in the lake then there may be about an hour's warning to enable NZTA to close the road and take some safety precautions. C. Ingle advised that NIWA are doing some work for council trying to estimate if that amount of water were released all at once, what sort of difference in terms of water level at the bridge would it make. M. Meehan advised that a \$5,000 grant has been received from Envirolink to do this work. C. Ingle advised that the main concern is that a further slip occurs that could make a much larger reservoir. He stated that the small reservoir is considered to be fairly low risk. Cr Archer asked if this river is a narrow channel as he is concerned about the risk of the spread of water. C. Ingle confirmed that the river channel is narrow until it meets the Waiho River and then it broadens out to about 130 metres wide. M. Meehan advised that the Callery River alarm can no longer be used because of gravel build up under the bridge.

Cr Archer expressed his concern at what the cost implications could be for council for the Discussion Document of Environmental Monitoring in view of the short reporting timeframe for this change in legislation. M. Meehan advised that he discussed this with MfE at a recent meeting and other councils present were also concerned about additional costs. M. Meehan advised that the message in our submission will be that if the government would like us to do more monitoring for national reporting then they will need to provide additional funding.

Cr Archer asked what happens if there are more exceedences of the NES for air quality in Reefton than the three that are prescribed by 2016. M. Meehan drew attention to the emailed article from Hon Nick Smith that the Chief Executive sent to councillors regarding compliance with the National Standard for Air Quality. C. Ingle stated that the Minister is talking about extreme measures such as going to the point of dissolving councils and replacing them with Commissioners if they don't take action to achieve these timeframes. C. Ingle feels that drastic action would probably not be taken straight away. C. Ingle advised that he has spoken with other councils who are working on air quality and also with EECA who are trying to make more money available to people who want to improve the insulation in their homes and to improve the quality of the discharge from their burner. C. Ingle advised that further work would be done on this through the LTP. Cr Archer is concerned

there is no proof to say that by installing better heating systems will improve the situation in Reefton. He feels that this is a stick waving exercise that may not achieve anything. Cr Davidson asked how much work would need to be done to get the exceedences under control in Reefton. C. Ingle responded that we have not done the modelling work required to work this out, as there has been a big focus on water quality in the region. C. Ingle stated that that air quality will become a much bigger focus over the coming three years than what it has been.

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

*Carried*

### **5.1.2 HARRIS CREEK AND OROWAITI RIVER FARM PLANS PROJECT**

M. Meehan spoke to this report advising that in 2006 Council, Landcare Trust and Westland Milk Products prepared farm plans in Harris Creek and the Orowaiti River catchments. M. Meehan stated that the aim of the farm plans was to improve the farm management practices, enhance the water quality and create a greater awareness of the environment. M. Meehan advised that participation in the project was 70% of farmers in the Harris Creek catchment and 66% of farmers in the Orowaiti River catchment. M. Meehan advised that all farmers that participated were visited by Jan Derks, farm consultant, who prepared a farm plan for each property. M. Meehan stated that some improvements were major works such as bridges for stock crossings. M. Meehan stated that he was involved with some of the first meetings of the project and that some farmers were quite hesitant to begin with but by the end of the project they were in praise of it. M. Meehan advised that one of the major results from the two projects was a deeper level of understanding from the farmers involved of the importance of healthier streams and simple measures that can be put in place. M. Meehan advised that Mr Derks has done follow up work to see what has been put in place and to question the farmers as to whether they felt this project was worthwhile being involved with. M. Meehan stated that feedback has revealed that some farmers would like a follow up farm plan to guide them through further improvements and take this to the next level. M. Meehan advised that further discussions have taken place with Mr Derks and Westland Milk Products to ascertain the possibility of initiating new voluntary farm plan projects in three new catchments spread over the three districts. M. Meehan drew attention to the water quality results in this report and stated that they are very encouraging. Cr Chinn asked where the next three farm plan projects are likely to be. M. Meehan stated that there will be one in each district but the exact locations were still being developed. Cr Robb asked if farmers that declined to be involved are now feeling pressure from their fellow farmers to come on board. M. Meehan responded that there was a vast range of reasons why some farmers did not get involved. Cr Davidson asked if there were major costs involved. M. Meehan responded that one of the major costs is time and what farmers are prepared to do as some projects like bridges are a huge cost. He stated that with the farm plans being for three years this allows for farmers to budget and some farmers have been able to make cost savings in other areas such as nutrients and fertiliser use. C. Ingle advised that the farm plans are for those farmers who wish to do more than the minimum. C. Ingle advised that the next step could be phase 2 of the farm plans which is for those farmers who have completed the initial farm plan and may wish to do further enhancement projects such as planting out of riparian margins. Cr Archer stated that his understanding of the farm plans is that the bottom line benchmark was the performance objectives of the operative regional plans. M. Meehan confirmed that this is correct. He stated that farms have had to comply with the normal rules and RMA regulations. Cr Scarlett stated that this is a step in the right direction; he asked that on a scale of 1 –10 where would this rank with regard to water quality and national objectives. C. Ingle responded that before and after results have been looked at but results have not been compared to particular guidelines or standards for each area. C. Ingle stated that clarity results in Harris Creek have shown a steady increase since the start of the project but it is important to remember that this is still a farming catchment and farm production for the economy is also important and there is a balance to be reached.

**Moved** (Archer / Scarlett)

1. *That this report be received.*
2. *That Council notes the intended launch of three further catchment based voluntary farm plan projects in conjunction with Westland Milk Products.*

*Carried*

### 5.1.3 WAIVER OF TIME FOR LODGING FURTHER SUBMISSION ON PROPOSED LAND AND WATER PLAN

M. Meehan spoke to this report advising a late submission has been received from Mr Philip Paterson on the Proposed Land and Water Plan. Mr Paterson stated in his submission that the reason he didn't know about the Land and Water Plan merge is because he does not get a newspaper and does not have email access and he has just found out about the process. M. Meehan advised that staff have taken a look at the tests under Section 37 and 37A for waiving the timeframe for a late submission and Mr Paterson's submission meets the tests but it is a very late submission but council needs to make a decision on this matter. Cr Archer stated that he is not opposed to the recommendation but feels that seven months late after closing of submissions is an incredibly long leeway time and this could have a precedent affect. Cr Birchfield stated that seven months late is ridiculous. Cr Birchfield is against this recommendation.

**Moved** (Archer / Davidson) *That the Council accept the late further submission from Philip Paterson on the Proposed Land and Water Plan.*

*The motion was lost.  
(The majority voted against the motion)*

**Moved** (Chinn / Archer) *That the Council does not accept the late further submission from Philip Paterson on the Proposed Land and Water Plan.*

*Carried*

### 5.1.4 DEVELOPING OUR ENERGY POTENTIAL

C. Ingle spoke to this report advising that this is a new initiative from Government. He stated that this document is the new energy strategy for New Zealand and it also incorporates the Energy Efficiency and Conservation Strategy. C. Ingle advised this does not have any legislative impact for Council, it is not a National Environmental Standard but is a broad expression of what government intends to do over the next 20 – 30 years to make New Zealand a more energy efficient and energy sustainable country. C. Ingle advised that this is quite timely, as this document can be used in the Regional Policy Statement review which is underway. Cr Birchfield stated that he has noted that in the Grey District Plan, small hydro dams are now a permitted activity and he feels that this council should be looking at making these dams permitted activity as well. C. Ingle advised that this has also been suggested in the National Policy Statement on Renewable Energy and is being considered by staff.

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

*Carried*

### 5.1.5 CIVIL DEFENCE REPORT

C. Ingle spoke to this report and advised that the recent Top of the South meeting was very positive. He advised that Nelson / Tasman, Marlborough Civil Defence groups are rated as one of the most well organised groups in the country with West Coast not far behind this group. C. Ingle advised that Exercise Pacific Wave is planned for November. He stated that this would be a very good test to see how well we respond to a tsunami that could hit New Zealand and the West Coast. C. Ingle advised that this exercise will be held during business hours and he will report back to council on how well this exercise goes.

C. Ingle stated that the response from BP regarding fuel storage on the West Coast is a very positive response. He noted BP's comments on their contingency plans should the West Coast experience an alpine fault earthquake with BP being willing to work with both national and local levels of civil defence. C. Ingle advised that BP's response would be included in the next agenda for the civil defence group meeting. Discussion took place on the lifespan and storage of fuels.

**Moved** (Robb / Cummings) *That this report be received.*

*Carried*

## 5.1.6 REGIONAL TRANSPORT REPORT

C. Ingle spoke to this report. He advised that the Funding Assistance Rates (FAR) administration grant is to be let as it is for the time being but the Road Safety Programme will be changed, but this will not take effect until 2012 / 2013. C. Ingle advised that council would need to make a decision before 2012 / 2013 consultation with the district councils as to whether or not road safety will continue to be funded as a joint council activity.

C. Ingle reported that he was pleased to see that our support for State Highway 73 to Christchurch to retain its status as a strategic route is pleasing. He stated that this helps us to argue that this is a very important route in the South Island and it is important that it is maintained well. Cr Scarlett stated that this would give council strength in the argument for the upgrade of the Mingha Bluff section of this highway.

C. Ingle reported a draft submission has been prepared for the draft Canterbury Regional Land Transport Strategy 2012 – 2042, and the submission is attached to this report.

**Moved** (Scarlett / Robb)

1. *That Council adopts the submission on the draft Canterbury Regional Land Transport Strategy 2012 – 2042.*
2. *That Council receives this report.*

*Carried*

## 5.2 CONSENTS AND COMPLIANCE GROUP

### 5.2.1 CONSENTS MONTHLY REPORT

C. Dall spoke to his report. He advised that the Hearing Committee for the consent applications lodged by Buller Coal Ltd for its proposed Escarpment Mine on the Denniston Plateau released its decisions on the consent applications and has granted all the consent applications sought. C. Dall advised that the appeal period for the decision closes this Friday. He stated that to date one appeal has been received. C. Dall reported that he attended a Pre Hearing Conference for the appeals relating to the Mokihinui River Hydro Power Scheme. He advised that this hearing is still planned to proceed in July 2012 in the Environment Court, which could be significant hearing in terms of resource demands and time.

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

*Carried*

### 5.2.2 COMPLIANCE & ENFORCEMENT MONTHLY REPORT

C. Dall spoke to this report advising that the reason why less than half of dairy shed inspections were compliant is because staff were deliberately following up on what appeared to be non-compliant activities as a result of the recent aerial inspections.

C. Dall advised there is an issue with contaminated stormwater discharge to the Hokitika River. He advised that there have been problems identifying the source of this contamination.

C. Dall reported that Solid Energy Ltd have advised that they have had a record month for cleaning out sediment from its sediments ponds with almost 31,000 m<sup>3</sup> of sediment being removed from ponds.

C. Dall reported that most of the enforcement action during the reporting period is related to the follow up work for stand off pads following the dairy shed inspections.

T. Scott asked C. Dall if he has any idea of what is causing the contaminated stormwater discharge into the Hokitika River. C. Dall responded that this discharge is thought to be paint but because it is going into the stormwater system it is very difficult to trace. He stated that this discharge could even be from a residential property.

**Moved** (Birchfield / Archer)

1. *That the September 2011 report for the Compliance Group be received.*
2. *That the Council release the bond held by Daryl Oates for Resource Consent RC04021.*

*Carried*

**6.0 GENERAL BUSINESS**

There was no general business.

The meeting closed at 11.35 a.m.

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Chairman

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Date