

**THE WEST COAST REGIONAL COUNCIL**

**MINUTES OF THE MEETING OF THE RESOURCE MANAGEMENT COMMITTEE  
HELD ON 7 FEBRUARY 2012 AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL,  
388 MAIN SOUTH ROAD, GREYMOOUTH, COMMENCING AT 10.33 A.M.**

**PRESENT:**

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

**IN ATTENDANCE:**

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

**1. APOLOGIES**

**Moved** (Archer / Davidson) *that the apology from I. Cummings be accepted.*

*Carried*

**2. PUBLIC FORUM**

There was no public forum.

**3. MINUTES**

**Moved** (Davidson / Archer) *that the minutes of the previous Resource Management Committee meeting dated 13 December 2011, be confirmed as correct.*

*Carried*

**Matters Arising**

There were no matters arising.

**4. CHAIRMAN'S REPORT**

Cr Chinn advised that he has nothing to report this month.

**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 tenders have been invited for the identification of areas of Outstanding Natural Features and Landscapes as this is part of the Coastal Plan Review. He advised that we are working in partnership with the three district councils as they all have an interest in this process. M. Meehan advised that this council would be leading the process throughout its term with input from the district councils. He stated that tenders close at the end of this month and will be evaluated then.

M. Meehan reported that Contact Recreation Sampling Results for the end of last year and early this year have revealed some high results in Buller at Shingle Beach and Marr's Beach. He advised that since writing this report further results have been submitted and these results are looking good. M. Meehan stated that heavy rainfall was associated with the higher results and it was felt that stormwater might have contributed to these higher results.

Cr Archer asked how far is the study on identification of Outstanding Natural Features and Landscapes is likely to be extended and if it is going to be part of a major Coast wide study or just about the coastal area? M. Meehan responded that the work would be of the whole area as the district councils are

interested in doing work on land, outside of the CMA and this council is interested in doing work inside the CMA and this is why the councils have combined to do the work. M. Meehan advised that some work in both Buller and Grey districts have been done but there has not been a lot done in Westland. M. Meehan advised that WCRC wants a review of Outstanding Natural Features and Landscapes sites in the coastal plan, as this is the major part of our review. Cr Archer stated that he is pleased that the whole region is included in the review. C. Ingle advised that he is aware of a study being conducted by Meridian Energy Ltd for the Buller region as part of their Mokihinui consent applications. C. Ingle stated that it may well be that this information and the study tie in together. He advised that depending on how the tender process works out it could be that the same provider does both studies. C. Ingle advised that the district councils are contributing financially because they need some information on outstanding landscapes on land and in the coastal environment whereas this council is interested in the coastal marine area. He stated that putting the two together makes good financial and environmental sense. C. Ingle advised that he would be keeping a careful eye on the cost of this. Cr Birchfield asked what is the next step and will there be further restriction on private land development. C. Ingle advised that the information would assist resource consent applications if someone wants to do something like building a jetty if the jetty is in one of the Outstanding Landscape areas the applicant would have to consider how they would mitigate the affects on the landscape. He stated applicants have to do this now so is it no different to how the Plan is now other than the areas might change. M. Meehan stated that this process would give consent applicants a concise portfolio of Outstanding Natural Features. Cr Archer stated some of the major benefits to the people of the region is that when they are going through the resource consent process they are currently having to pay huge amounts of money to identify these areas and there will soon be significant savings for future developers. Cr Archer stated there would also be views from extremists who think the entire West Coast should be protected as an Outstanding Natural Feature. C. Ingle stated that his experience with the Coastal Plan and the Jackson Bay marine farm, in that case the maps in the Coastal Plan identified the headlands around the corner from Jacksons Bay as being outstanding landscape but not the bay itself. He advised that this was quite pertinent in the Environment Court's decision in that they took the Plan areas as being what was outstanding even though experts at the hearing said that the Bay is outstanding as well. Cr Davidson stated that he would be keen for Council to push for government funding for this project. Cr Birchfield stated he does not see why ratepayers should be funding this and if it is a statutory requirement then government should be providing the money for it.

**Moved** (Archer / Davidson) *that with the correction of the word "beach" in the State of Environment section of this report, this report is received.*

*Carried*

### **5.1.2 STATE OF ENVIRONMENT REPORT – POLICY IMPLICATIONS**

C. Ingle spoke to this report advising that following the Surface Water Quality Report which was released in August last year, he asked the Planning staff to check the results of that report against our policies in the Land and Water Plan and assess how well this told us we were doing in terms of our plan objectives. C. Ingle advised that the conclusion is reasonably positive with the State of Environment Report results indicating that the main objectives in the West Coast Regional Council's Proposed Land and Water Plan are being met and the policy framework is operating as intended. C. Ingle stated that this report provides an explicit link between the science WCRC does and the policy work that WCRC does. Cr Davidson stated that he is pleased with how well on track council is.

**Moved** (Robb / Davidson) *That Council receive this report.*

*Carried*

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

M. Meehan spoke to this report and advised that the Plan was notified on 17 September 2010. He stated that staff have been going through the submissions and working on the recommending report which is due to be finalised within the next month or so. M. Meehan reported that constructive prehearing meetings have been held with Community & Public Health regarding sewage on-site effluent rules (Rule 77) and discussions have been held with Territorial Authorities and Federated Farmers also. M. Meehan advised that hearings would be held in May 2012.

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

*Carried*

#### 5.1.4 NATIONAL POLICY STATEMENT FOR FRESHWATER MANAGEMENT – TRANSITIONAL POLICIES

M. Meehan spoke to this report advising that the NPS on Freshwater Management was gazetted in May 2011 and took effect on the 1<sup>st</sup> of July. M. Meehan advised that although a report was provided to council in July 2011 more work and analysis is required to determine whether further changes are required to the Land and Water Plan. He advised that with the State of Environment Report showing that the majority of waterways in our region are being maintained or enhanced with regard to water quality, we are not looking at any huge issues arising from the NPS. M. Meehan advised that this report looks at the specific policy amendments that council has been directed to make by the NPS, which is to insert policy A4, and B7 of the NPS into the regional plan which has now been done. M. Meehan advised that the amendment to the Plan was notified on the 18<sup>th</sup> of January. M. Meehan clarified that no changes to the Plan have been made apart from the insertions of policy A4 and B7. Cr Archer stated that he feels the NPS requirement to insert these NPS policies are reasonably complimentary to the existing policy and he would be interested in management's view of this. M. Meehan agreed and stated that they do compliment the existing policies that are in place and they are there to guide consents officers when dealing with consent applications.

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

*Carried*

#### 5.1.5 INTERIM DECISION – WETLANDS VARIATION

M. Meehan spoke to this report advising that the Environment Court has released a second interim decision on Variation 1 on the Proposed Land and Riverbed Management Plan (wetlands). He advised that the interim decision focuses on the planning evidence given at the hearings in August and October of last year. He spoke of the positive outcomes for council and stated that the Court has asked for further clarification regarding the rules relating to wetlands identified in Schedule 1 and 2 and is seeking further mediation to be undertaken by the end of February. M. Meehan advised that a further hearing has been scheduled for the week of 2 April 2012 if necessary. Cr Scarlett stated he feels that there are no negative outcomes at this stage. Cr Archer stated that Appendix 8 contained some very difficult areas for council and now with the inclusion of words such as "important" and "typical" this will take a lot of the sting out of Appendix 8.

**Moved** (Archer / Robb) *That Council receive this report.*

*Carried*

#### 5.1.6 HYDROLOGY & FLOOD WARNING UPDATE

M. Meehan spoke to this report. He advised that there is an interference issue that is causing problems with transmitting of floodwarning information from the Buller and Karamea Rivers. M. Meehan advised that the source of the interference is a 900 MHz Broadband site that is operating 20 – 30 metres from the Council's repeater location on Mt Frederick. He stated that interference results in data not coming through until the Broadband site is turned off. M. Meehan advised that he has been working with Radio Spectrum, the government body in charge of radio licences and regulations, to try and get a resolution. He advised that council's radio technician is going up to the site tomorrow to trial gear that has been supplied by Radio Spectrum to see if this will provide a solution. M. Meehan advised that until a solution is found, Radio Spectrum management have advised that when a heavy rain warning is received from Met Service that council asks the Broadband operator to turn his service off, which he has been doing, data is then collated and staff can then run the normal floodwarning service is operated. M. Meehan advised that this system is not ideal. M. Meehan advised that if the new equipment that is being installed tomorrow does not resolve this problem then the Broadband operator will be asked to move as Council operates under a general licence and he operates under a free licence. M. Meehan advised that council's site on Mt Frederick has been operating for 20 years and the Broadband operator has come in later. Cr Archer stated that the current situation is untenable and the council site will have preference. M. Meehan stated he is hopeful of this matter being resolved tomorrow.

**Moved** (Scarlett / Archer) *That Council receive this report.*

*Carried*

## 5.2 CONSENTS AND COMPLIANCE GROUP

### 5.2.1 CONSENTS MONTHLY REPORT

C. Dall spoke to his report and noted that over the two month reporting period there have been a number of consents issued. C. Dall reported that Council and Buller District Council provided their evidence to the Environment Court in relation to the Mokihinui Hydro Scheme appeals and they are now waiting for the evidence from the submitters to be filed. C. Dall reported that he attended two mediation meetings in Westport for the appeals relating to the Escarpment Mine proposal.

Cr Archer asked C. Dall if RC11227 is the transfer from the former Pike River Coal Ltd. C. Dall responded that Solid Energy Ltd attempted to take the lease for this site, which led to the High Court saying that they could not take the lease but they gave Solid Energy the option of maintaining the lease of the site for two years. C. Dall advised that Solid Energy have had to apply for their own consents because Pike River Coal Ltd is now in receivership and the receivers declined to transfer the consents to Solid Energy. C. Dall stated that in terms of takes and discharges this consent is basically a double up of what is already in place.

**Moved** (Archer / Birchfield) *that the February 2012 report of the Consents Group be received.*

*Carried*

### 5.2.2 COMPLIANCE & ENFORCEMENT MONTHLY REPORT

C. Dall spoke to this report advising that 66 dairy shed inspections were carried out during the reporting period. He stated that compliance is pretty good but seven of these dairy sheds were rated as significantly non-compliant which staff are now following up on.

C. Dall reported that there have been a few water management issues with the Rockies Mine, which is a small coalmine on the side of the Stockton Plateau. C. Dall stated that this is a small, constrained mine site. He advised that new consents for this site are currently being obtained.

C. Dall reported that there have been some exceedences of limits at the Stockton Mine site during the reporting period. He advised that none of the exceedences have occurred as a result of any significant adverse affects although a formal warning has been issued to the company as a result of one of the non-compliances.

C. Dall reported that the Reddale Mine near Reefton will be producing coal in the near future, council staff are making sure that monitoring is under control from the outset.

C. Dall reported that there is a continuing increase in gold mining activity. He stated that problems are being experienced with the number of new miners around their knowledge and meeting their consent requirements.

C. Dall reported that there were around 60 complaints during the two month reporting period with approximately 20% of the complaints relating to follow up work on whitebait stands that are yet to be taken down. C. Dall reported that five abatement notices were issued during the reporting period. C. Dall reported that the sentencing hearing for Council's prosecution against Mr Derek Newton took place on the 20<sup>th</sup> of January. C. Dall reported that Council is continuing to provide staff to the Rena operation in Tauranga. Cr Archer stated that he is interested to know how much resources are going into the follow up work for whitebait stands and if the consent holder meets this cost. C. Dall responded that if a whitebait stand is not removed then council has the option of issuing an infringement notice and if council needs to get work done to get the whitebait stand taken down then the consent holder is liable for those costs. Cr Archer asked what could be done about future consents for repetitive non-compliers. C. Dall stated that for consents relating to whitebait stands are under a programme where the whole suite of consents is replaced in one period. He advised that these consents have recently been replaced and they are not due to come up again until 2017. C. Dall advised that a consent cannot be declined on those grounds but more specific consent conditions can be put in place. Cr Chinn asked who pays for follow up visits to the whitebait stands. C. Dall advised that if there is non-compliance then the consent holder is liable.

**Moved** (Robb / Scarlett)

1. *That the February 2012 report for the Compliance Group be received.*
2. *That Council release the bond held for Resource Consent RC04169*

*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