

## **THE WEST COAST REGIONAL COUNCIL**

### **MINUTES OF THE MEETING OF THE RESOURCE MANAGEMENT COMMITTEE HELD ON 8 MAY 2012 AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOUTH, COMMENCING AT 10.32 A.M.**

#### **PRESENT:**

B. Chinn (Chairman), R. Scarlett, T. Archer, D. Davidson, A. Robb, A. Birchfield, I. Cummings (arrived 10.55), 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**

There were no apologies.

#### **2. PUBLIC FORUM**

There was no public forum.

#### **1. MINUTES**

**Moved** (Archer / Davidson) *that the minutes of the previous Resource Management Committee meeting dated 10 April 2012, be confirmed as correct.*

*Carried*

#### **Matters Arising**

There were no matters arising.

#### **2. CHAIRMAN'S REPORT**

Cr Chinn stated 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 work is underway with the Coastal Plan Review. He reported that a meeting was held with Brown NZ Ltd and planning staff from the three district councils and he is confident that all concerned are on the same page and he is happy with the methodology that Brown NZ Ltd is going to use. M. Meehan advised that Brown NZ Ltd have already carried out a lot of this work in the Buller district as part of a consent application and some of the work down actually reduced one of the Outstanding Natural Features and Landscapes down to a more appropriate area. M. Meehan reported that an indication of cost divisions will be available in a couple of weeks and it is hoped that the project will be completed by July this year.

M. Meehan reported that further mediation has been done with other parties involved in the Wetlands appeals, this is now nearing an end and general agreement has now been reached on the majority of rules and policies. He advised that a consent order is to be circulated to the parties by the 16<sup>th</sup> of May.

M. Meehan advised that the recommending report for the Land and Water Plan has been completed and is currently being reviewed by C. Ingle and hearings are scheduled for the 18<sup>th</sup> to 22<sup>nd</sup> of June. C. Ingle

advised that the normal process for hearings is for all members of the Resource Management Committee to be appointed as commissioners, as available. Cr Chinn asked all present if this date is suitable, it was confirmed that this date is suitable to everyone. Cr Scarlett wondered if a whole week was needed. M. Meehan advised that 53 submitters have stated that they wish to be heard but this could change once the recommending report is circulated to submitters as this report could resolve some of the submissions. C. Ingle stated that the recommending report is over 400 pages long.

M. Meehan reported that a small project on farm planning work has been undertaken with DoC and Westland Milk Products. He stated that this involves riparian margin management in the lower Waitangitaona River catchment. M. Meehan stated that results are encouraging and show that farmers are looking after the river well in this area. A further meeting with DoC and Westland Milk Products will be arranged to discuss where to from here.

M. Meehan reported that a meeting has been held with the Gloriavale community to discuss farm planning work in the Lake Haupiri catchment. Staff are visiting this area today to progress this work.

M. Meehan reported that a representative from Landcare Trust has visited to discuss the possibility of a Landcare group for the Lake Brunner catchment. He advised that this visit followed on from the funding application that was put in by Council to the Ministry for the Environment's Fresh Start to Freshwater Fund and council is seeking a more collaborative approach from stakeholders in this community.

M. Meehan reported that winter air quality reporting has been delayed due to a machine malfunction, parts from overseas were ordered and the machine is now functional.

M. Meehan reported that a small Envirolink grant was obtained to look at lining effluent oxidation plants in the Lake Brunner catchment.

C. Ingle suggested that all members of the Resource Management Committee be appointed as commissioners to hear submissions and make decisions on the Land and Water Plan.

#### **Moved** (Archer / Birchfield)

1. *That this report is received.*
2. *That all members of the Resource Management Committee be appointed, as available, to hear submissions and make decisions on submissions on the Proposed Land and Water Plan.*

*Carried*

### **5.1.2 CIVIL DEFENCE & REGIONAL TRANSPORT REPORT**

C. Ingle spoke to this report. He advised that the Civil Defence Emergency Management (CDEM) Group, which includes the Mayors of the three district councils plus the Regional Council's Chairman, Cr Scarlett, met on the 23<sup>rd</sup> of April. He advised that at this meeting two new Controllers were appointed, Ian Davidson-Watts for Grey District and Michael Meehan for the group.

C. Ingle reported that Exercise Cruickshank Minor which is an exercise involving a pandemic scenario is scheduled for the 12<sup>th</sup> of July. He advised this exercise is a slow moving exercise which will provide staff with an opportunity to exercise in a different scenario than the usual one, which is earthquake, tsunami or flood.

C. Ingle reported that submissions have now closed on the draft West Coast Regional Land Transport Programme 2012 – 2015. He advised that 17 submissions were received but only two of these submitters wish to be heard. C. Ingle stated that the hearing will be held on the 16<sup>th</sup> of May and will involve the Chairman and Deputy Chairman. He advised that decisions will then be made and these decisions will then come to the council meeting in June for final adoption.

C. Ingle reported that Tai Poutini Polytechnic has agreed to continue to provide the Road Safety Coordinator service for the region for the next three years. C. Ingle stated that they are doing a very good job.

Cr Birchfield asked Cr Scarlett how he got on with his submission on the Draft Canterbury Regional Land Transport Programme 2012 / 15 which includes council's concern on the Arthurs Pass, Mingha Bluff section of State Highway 73. Cr Scarlett responded that he has received notification that he will be speaking to his submission between 12.40 and 1pm on the 29<sup>th</sup> of May. Cr Birchfield commented that the recent fatality on this section of road was inevitable, and he is surprised that given the amount of commercial traffic and tourists that drive this road, he is concerned that it is only a matter of time before there is another fatality. Cr Scarlett agreed with this and stated that large trucks on the tight corners are very dangerous. Cr Scarlett stated that Mrs Detlaff, from Ross, contacted him to inform him of the serious injuries her son suffered a few years ago when he was involved in a very serious accident in this area. Cr Scarlett stated that he is hopeful that these series' of serious accidents will add weight to Council's submission.

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

*Carried*

### **5.1.3 FRESHWATER NATIONAL POLICY STATEMENT – ASSESSMENT FOR THE WEST COAST REGIONAL COUNCIL**

C. Ingle spoke to this report is an analysis that he and N. Costley prepared to try and get a handle of where this council sits in terms of the National Policy Statement (NPS) for Freshwater. He stated that this is a complex NPS and sits at the heart of what this council does for freshwater quality. C. Ingle stated that this analysis looks at the policies and objectives in our Regional Plans and in our Proposed Longterm Plan and applies the Freshwater NPS requirements for those documents. C. Ingle stated that his opinion is that council is in compliance with the Freshwater NPS, largely, but there is one outstanding matter; we do not have a policy for the transfer of takes. He advised that we do have a permitted activity that allows for transfers of takes downstream, but we have no policy guidance for upstream transfers. He stated this is a small gap that needs to be filled but it is not an urgent matter. C. Ingle advised that the water quality side of how we do things is strong here and the objectives are being met, apart from in the Lake Brunner catchment. C. Ingle stated that the changes in the Land and Water Plan will help greatly in the Lake Brunner catchment and once these changes take effect we will then be fully compliant with the Freshwater NPS. Cr Scarlett stated that the changes made in the Lake Taupo water body would not be seen for 80 years. C. Ingle stated that he is hopeful that changes will be seen in Lake Brunner within the lifespan of the plan, which is ten years. Cr Davidson stated he feels very positive about this but wondered if it should be peer reviewed. C. Ingle stated that Audit NZ would look at this as part of the audit process. Cr Archer asked C. Ingle what process council would be going through to identify what the outstanding freshwater bodies are going to be. C. Ingle responded that the NPS does not require council to go through a process of identifying outstanding water bodies as we are currently doing for the Coastal Plan. He advised that the NPS simply tells us we must protect the quality of our outstanding water bodies, which is ambiguous as there is no case law around this term and it is council's discretion as to how this is interpreted. Cr Archer stated that he agrees that if rules are especially robust to encapsulate the requirements in a generic way then this is the best way to address this. Cr Archer asked C. Ingle if because the implementation of the Proposed Land and Water Plan will not be until after the decision and appeals on the Wetlands Variation, that the NPS for Freshwater will not go ahead until after this. C. Ingle responded that when the wetland decision comes out it would be incorporated into the planning documents of the time. C. Ingle stated that he feels there will not be a need for any further public notification as there are no gaps in the NPS that are not already in the Land and Water Plan, other than the transfer of take policy. C. Ingle advised that the LTP performance provisions help us very much on water quality by the measurements taken every year to ensure that water quality is both maintained and enhanced in our rivers and lakes. Cr Archer asked C. Ingle to summarise how does the Freshwater NPS address climate change and the reasonably foreseeable impacts of climate change. C. Ingle responded that in his opinion, the NPS is focussing on regions where for climate change the science was indicating that droughts would become more prevalent whereas for this region the science is indicating that the region is likely to get wetter rather than drier. He stated that in drier regions, climate change would impact on water takes management but this is not going to happen on the West Coast. Cr Archer drew attention to the second paragraph of B3 on page 13, where it states that it may be sufficient to adopt a policy by council resolution in the interim, rather than a plan change. C. Ingle stated that he has since investigated this further and has advised that he found a submission on the Land and Water Plan that asks for such a policy to be included in the Land and Water Plan so we do have authority to do this and will not need to go through a plan change. Cr Archer asked what are the current controls are for stock grazing on riparian margins. C. Ingle responded that provided there is no conspicuous pugging or erosion, fencing is not required, but it is best practice (noting in Lake Brunner catchment, new rules now apply). Cr Archer asked if there is a proposed timeline for compliance for the stock crossing policy. C. Ingle responded that this policy was put in place some years ago and it took effect quite quickly. Cr Chinn congratulated staff on their work with this NPS Analysis.

**Moved** (Scarlett / Archer)

- 1. That Council receives this report.*
- 2. That Council note that a new policy may be needed identifying criteria by which approvals of transfers of water take permits are to be decided, to improve and maximise the efficient allocation of water.*

*Carried*

**5.2 CONSENTS AND COMPLIANCE GROUP**

**5.2.1 CONSENTS MONTHLY REPORT**

C. Dall spoke to his report. He noted that this report is out of date and he would circulate an up to date report to the Resource Management Committee following today’s meeting.

C. Dall reported that one of the main matters in his report was the outcome of the Environment Court declarations concerning whether or not the effects of the burning of coal on climate change could be taken into account when considering consent applications for coal mines. The Court had confirmed that they cannot be.

**5.2.2 COMPLIANCE & ENFORCEMENT MONTHLY REPORT**

C. Dall spoke to this report advising dairy shed inspections continued during the reporting period with five out of 37 sheds being rated as significantly non-compliant due to a lack of effluent storage and maintenance issues.

C. Dall reported there have been some issues with alluvial gold mining where multiple tribute miners working under the same resource consent and processes are being tidied up to ensure that work programmes, approvals and consent conditions are met. C. Dall reported that the normal number of complaints was received during the reporting period. He advised that staff were called in to advise on how to tidy up the riverbed as a result of cooking oil and food waste spillage at Otira following a fatal truck crash. C. Dall reported that no formal enforcement action was taken during the reporting period.

Cr Scarlett stated that most farmers deal with their effluent ponds in June and July after the dairy season has finished and he feels that it would be better to carry out these inspections at the end of the season. C. Dall responded that problems are often identified during the season and then work can be done on improvements during the off season.

**Moved** (Archer / Robb) *That the May 2012 report for the Compliance Group be received.*

*Carried*

**6.0 GENERAL BUSINESS**

There was no general business.

The meeting closed at 11.22 a.m.

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Chairman

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Date