

## THE WEST COAST REGIONAL COUNCIL

### MINUTES OF THE MEETING OF THE RESOURCE MANAGEMENT COMMITTEE HELD ON 12 JUNE 2012 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, T. Archer, D. Davidson, A. Robb, A. Birchfield, I. Cummings, 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** (Davidson / Archer) *that the minutes of the previous Resource Management Committee meeting dated 8 May 2012, be confirmed as correct.*

*Carried*

#### Matters Arising

There were no matters arising.

#### 2. CHAIRMAN'S REPORT

Cr Chinn reported that he attended the West Coast Regional Transport committee meeting on the 16<sup>th</sup> of May and he chaired the hearing for Council's Long Term Plan on the 29<sup>th</sup> of May.

**Moved** (Chinn / Davidson) *that the 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 Land and Water Forum has released the first of two reports detailing the setting of objectives and limits for freshwater quantity and quality. He reported that 38 recommendations have been made and he highlighted some of the major recommendations including the change to the NPS for Freshwater Management to further recognition of Tangata Whenua relationship to water and the risks to human health. He advised that a national instrument will be developed to set national minimum bottom lines and to direct regional councils to set limits for water takes and discharges in catchments, as rules in regional plans which is what we have done in Lake Brunner. He outlined the rest of the recommendations to the meeting and advised that the Forum suggests that the government should defer the consideration of transitional tools until the Forum's second report is released in

September 2012. M. Meehan reported that the second report would include further parameter levels for the fair, good and excellent bands and options for dealing with wetlands and estuaries.

M. Meehan reported that a joint consent order was submitted to the court in May and we are currently awaiting a decision on this for the wetlands variation.

M. Meehan that the Heritage New Zealand Pouhere Taonga Bill has passed its first reading and is open for submissions until the 21<sup>st</sup> of June. M. Meehan stated that it is looking as though this Bill is going to make some changes to the structure of the Historic Places Trust to bring it into line with the RMA timeframes for consent processing.

**Moved** (Archer / Birchfield) *That this report is received.*

*Carried*

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

M. Meehan spoke to this report advising that hearings for Proposed Regional Land and Water Plan will be held next week. M. Meehan advised that there are 17 submitters wishing to be heard and it is looking like Monday and Tuesday will be taken up with hearing these submitters. M. Meehan stated that he is hopeful Thursday will be spent conducting deliberations but the timeframes are dependant on how long submitters take and also if there are further speakers. M. Meehan advised that decisions must be released by the 17<sup>th</sup> of September this year and then submitters have 15 working days to appeal those decisions.

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

*Carried*

### **5.1.3 HYDROLOGY AND FLOOD WARNING UPDATE**

M. Meehan spoke to this report advising that there were no flood warning alarms during the reporting period but after the writing of this report there was a heavy rainfall event with caused a few problems in the lower Grey catchment and Buller catchment on the 6<sup>th</sup> and 7<sup>th</sup> of June.

M. Meehan reported that a new rain gauge has been installed for the Cropp River at the Hut and Sirdar Creek sites. He advised that this installation now brings rain gauges in all Council monitored mountain sites up to the standard 1m high measurement as per the National Standards for rainfall measurement.

M. Meehan tabled a report relating to works required following the recent heavy rainfall event. He advised that work is required to the Punakaiki seawall as a result of the heavy rainfall event, which was combined with big tides at the same time. M. Meehan advised that tenders and prices have been received for the work required in the Coal Creek rating district to increase the height of a section of the stopbank up to 1.5m. M. Meehan reported that the Cobden Cut was opened to  $\frac{3}{4}$  of the way during the recent heavy rainfall event and later on that day it was opened up fully then shut off once the water had receded. M. Meehan tabled an update report that covered the main impacts of the 6<sup>th</sup> and 7<sup>th</sup> June event and showed photographs of the New River / Saltwater Creek area where the sea overtopped the road out to the rock groyne. C. Ingle clarified to Cr Birchfield that there is no need for a resource consent from Grey District Council for the upgrade work in the Coal Creek rating district, as it is more than 10 metres away from the river.

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

*Carried*

### **5.1.4 AIR QUALITY MONITORING PROBLEMS**

M. Meehan spoke to this report advising that there have been problems with the air quality monitoring machine in the Reefton Airshed. He advised that the machine was sent to Auckland for repairs and it was returned to Reefton and there were still problems with it. M. Meehan advised that the machine was sent back to Auckland for further repairs and a loan machine is now in place in Reefton in the meantime and staff are now able to continue to report on air quality in Reefton.

**Moved** (Robb / Tumahai) *That Council receives this report.*

*Carried*

## 5.1.5 CIVIL DEFENCE AND REGIONAL TRANSPORT REPORT

C. Ingle spoke to this report advising that the West Coast Co-ordinating Executive Group (CEG) met on the 1<sup>st</sup> of May. He reported that the West Coast Preparedness Survey was completed and this revealed that some people are better prepared than others. C. Ingle reported that the Ministry has assessed how the West Coast performs as a civil defence group region wide and they feel that we are very good and in particular our Lifelines Group is excellent. C. Ingle stated that a group meeting was held yesterday and community response planning for different communities in the region was discussed. C. Ingle reported that the Resilience Fund application was partially successful with the funding for the hard wiring of service stations being granted. C. Ingle stated that the funding for public education was not successful as the Ministry felt that this is something that should be done as business as usual and extra money should not be granted for doing business as usual.

C. Ingle advised that the Engineering Lifelines Group meet recently at the Mines Rescue facility in Runanga.

C. Ingle reported that Cr Scarlett presented Council's submission to the Canterbury Draft Regional Land Transport Programme 2012 – 2015 on the 29<sup>th</sup> of May.

Cr Birchfield asked if the hard wiring for service stations includes a generator. C. Ingle advised that he understood it was for wiring a generator to the pumps but the generator itself was already there. He stated that the services stations concerned have been required to sign a Memorandum of Understanding to ensure that they will supply fuel to emergency vehicles only during a civil defence emergency.

**Moved** (Robb / Scarlett) *That Council receives this report.*

*Carried*

## 5.1.6 WEST COAST REGIONAL LAND TRANSPORT PROGRAMME 2012 – 15

C. Ingle spoke to this report advising that this is the formal adoption of the West Coast Regional Land Transport Programme 2012 – 15 (RLTP) following on from the hearing that was held on the 16<sup>th</sup> of May and the programme has to be adopted before it goes before the NZ Transport Agency. C. Ingle reported that 18 submissions were received but only one submitter presented to the panel. He advised that there may be some minor changes made to the programme prior to its final submission as a result of funding changes to the District Councils Long Term Plans as they are still going through their LTP process. C. Ingle advised that the hearing panel was delegated authority to approve the RLTP following the hearing and this has now been put forward to Council to either approve the RLTP without modification or to refer it back to the Regional Transport Committee to reconsider parts of the RLTP, but adoption is required by the 29<sup>th</sup> of June. C. Ingle answered various questions relating to passing opportunities on the West Coast.

**Moved** (Scarlett / Robb)

*That the Council adopt the West Coast Regional Land Transport Programme 2012 – 2015 as per 18B(3)(a) of the Land Transport Management Act to be submitted to the NZ Transport Agency.*

*Carried*

## 5.2 CONSENTS AND COMPLIANCE GROUP

### 5.2.1 CONSENTS MONTHLY REPORT MAY AND JUNE

C. Dall spoke to his report and stated that there is a report for both May and June as the May report was omitted from the last agenda. He offered to answer any questions councillors might have regarding the May report. C. Dall advised that the typical range of consent applications were granted during the reporting period. C. Dall stated that the most significant issue during the month relates to the appeals on the declarations on the so called greenhouse gas emissions from burning coal and climate change. C. Dall stated that this morning he was advised that all the parties have agreed to consolidate their appeals into one, and that no parties oppose that the appeal is moved from the High Court to the Court of Appeal. C. Dall is hopeful that the Court of Appeal will agree to this and the High Court can be bypassed. C. Dall reported that the hearing for the Solid Energy proposed Mt William North Mine project commenced on 21 May and was adjourned on 31 May. C. Dall advised the hearing for TrustPower's consent application for its hydro scheme on McKay's Creek Hydro Electricity Power Scheme

enhancements and the re-consenting of the Kaniere Forks Hydro Electricity Power Scheme in Kaniere has now started.

Discussion took place on whether or not Council would apply for security of costs from parties for appeals. Cr Archer stated that we have been awarded costs in the past by the court for spurious appeals and then when we went to collect the money, the appellants dissolved their society claiming they were unable to pay. Cr Archer stated that he is conscious that when Council is dragged into court for appeals the process ends up costing the ratepayer. Cr Scarlett agreed and stated that it would be very useful to go for security of costs. Cr Archer stated he is aware that Incorporated Societies can dissolve themselves as they have done this in the past. Cr Archer stated that it is important that Council does not prejudice its legal position.

**Moved** (Archer / Scarlett)

*That the Consents and Compliance Manager seeks legal advice on the recovery of Security of Costs during appeal processes.*

*Carried*

**Moved** (Archer / Scarlett)

1. *That the May 2012 report of the Consents Group be received.*
2. *That the June 2012 report of the Consents Group be received.*

*Carried*

## 5.2.2 COMPLIANCE & ENFORCEMENT MONTHLY REPORT

C. Dall spoke to this report advising that 79 dairy sheds were inspected during the reporting period with 11 of these sheds having their effluent discharge systems rated as being significantly non-compliant. He stated that the non-compliance is mainly due to lack of effluent storage.

C. Dall reported that there were no compliance issues identified at any of the Solid Energy mining operations during the reporting period. He advised that the typical amount of and range of complaints were received during the month with no abatement notices being issued but four infringement notices were issued in relation to the unauthorised discharge of sediment from a gold mining operation at Camerons, two to the Consent Holder and two to the miner operation under the consent.

Cr Birchfield stated that although 11 dairy sheds were non-compliant there appeared to be no actual pollution. C. Dall responded that lack of effluent storage is worrying but he noted that weather wise, due to low rainfall at the time of inspection, there were no significant environmental effects as a result of insufficient effluent storage.

**Moved** (Davidson / Archer)

1. *That the June 2012 report for the Compliance Group be received.*
2. *That the Council releases the bonds held for Resource Consent RC11117 and RC1061.*

*Carried*

## 6.0 GENERAL BUSINESS

There was no general business.

The meeting closed at 11.17 a.m.

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Chairman

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Date