

THE WEST COAST REGIONAL COUNCIL

MINUTES OF THE MEETING OF THE RESOURCE MANAGEMENT COMMITTEE HELD ON 11 MARCH 2013 AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOUTH, COMMENCING AT 10.30 A.M.

PRESENT:

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

IN ATTENDANCE:

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

1. APOLOGIES

There were no apologies.

2. PUBLIC FORUM

Staff from the Ministry for the Environment (MfE) provided a presentation to Council regarding the forthcoming changes to the RMA. Planning staff and elected members from Grey District Council, Westland District Council and West Coast Regional Council were present. Mr Guy Beatson, Deputy Secretary Policy, introduced himself to the meeting. Mr Beatson gave an overview of the proposed changes. Mr Beatson advised that submissions close on the 2nd of April. He stated that as yet no policy decisions have been made. C. Ingle thanked MfE staff for travelling to the West Coast; he also thanked all others present for taking the time to come to today's presentation. Cr Chinn also thanked MfE for their presentation and stated that this has been a great opportunity for Council to express their views directly to MfE staff on RMA reform. Mr Beatson thanked everyone present for the opportunity to meet today and advised that the notes taken today would be fed back into to work plan for RMA reform.

The meeting resumed at 11.18 a.m.

3. MINUTES

Moved (Birchfield / Robb) *that the minutes of the previous Resource Management Committee meeting dated 12 February 2013, be confirmed as correct.*

Carried

Matters Arising

Cr Archer asked if there was going to be a staff report relating to Mr Drew's presentation at last month's Resource Management Committee meeting. C. Ingle advised that J. Adams is able to provide a verbal report to today's meeting. Cr Birchfield stated that he would like to comment on this matter but he is aware that there are privacy matters to be considered and he therefore prefers that the verbal report is discussed in the public excluded part of today's meeting.

4. CHAIRMAN'S REPORT

Cr Chinn reported that he fielded two calls from concerned landowners regarding wetlands which he will discuss later in the meeting.

Moved (Chinn / Archer)

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 TrustPower's appeal on the Land and Water Plan has now been resolved and an Order from the Court is now in place. M. Meehan stated that the only change to the Proposed Plan is to the explanation of Policy 4.3.3. M. Meehan advised that Mr Paul Elwell-Sutton's appeal is yet to be resolved. Mr Elwell-Sutton has now applied to the Environment Court to amend his notice of appeal. M. Meehan advised that Mr Elwell-Sutton has reduced his appeal down to riparian margins within wetlands.

M. Meehan reported that the Reefton Airshed Committee met on the 18th of February. M. Meehan advised that the committee would not be submitting to Council regarding the new monitoring machine. M. Meehan stated that the committee is keen to promote the EECA grant scheme via the Clarion which is the local newspaper. M. Meehan reported that the committee sought feedback from the community on the idea of banning backyard fires. He stated that at this stage the committee has advised that they are not seeking a bylaw but they are keen to continue with a lot more education via the Clarion and school noticeboards. M. Meehan advised that Air Quality Consultant, Emily Wilton, was present at the recent meeting. Her recent inventory was discussed and the committee asked a number of questions on this matter. M. Meehan advised that the committee is also focussing on new technology which is now coming onto the market which is around how to reduce PM¹⁰ emissions from burners and how to capture some of the particles before they are emitted. M. Meehan advised that the committee is to invite an expert in this field to their next meeting.

M. Meehan reported that the Sustainable Dairying Water Accord is looking to improve water quality and to promote industry good practice and self-management which is something that Council should be supporting the dairy industry in. M. Meehan advised that other regional councils around the country have signed up as "friends of the accord". M. Meehan stated that he is recommending that Council signs up for this to show its support for the improvements the industry is seeking to approve.

Cr Chinn expressed his concern regarding landowners of schedule 2 wetlands. Cr Chinn feels that schedule 1 landowners had a chance to get into the loop but schedule 2 landowners did not have the same chance as they were put into the Plan by the Environment Court. Cr Chinn stated that a moss farmer contacted him as his land has been identified as a wetland and has not had a chance to be heard on this matter. Cr Chinn feels that this is unfair.

Cr Chinn stated that he is struggling with the term "friend" in the Sustainable Dairying Water Accord agenda item. He also is concerned about the rules around stock crossings as our Plan clearly outlines the rules in a different way to the Sustainable Dairying Water Accord. M. Meehan advised that by signing up to the Accord as a friend, the regional council has no obligations under the Accord, we are simply signing up to support the improvements that the dairy industry is seeking to achieve. M. Meehan advised that all the responsibilities in enforcing what is contained in the Accord are on Westland Milk Products and Dairy NZ. Cr Scarlett stated that he agrees with Cr Chinn. The Accord is between dairy companies and Dairy NZ. Cr Chinn agrees with Cr Scarlett and feels that it is messy. Cr Robb stated that he is of the understanding that the Accord goes above what is required in regional plans and that by supporting the dairy industry in signing the Accord then council is being seen as helping those in the dairy industry in being a better environmental citizen. Cr Robb does not

see a problem in signing the Accord as the key points in the Accord go above what is required and imposed by councils in their regional rules and plans. Cr Archer agrees with Cr Robb and stated that the Accord is made up of simple principles and by being a friend to an accord does not put any onus or responsibility on council and council's responsibility is on the statutory document, the Plan and that is council's sole centre of focus. Cr Archer stated he has read the Accord several times and in principle, he supports these views. Cr Scarlett stated that he would feel happier about signing the Accord if the wording was changed to principles rather than "friends" because he feels that "friend" is too soppy. Cr Birchfield stated that a word change is a good idea. Cr Robb stated that the Accord is a self-regulating mechanism that dairy farmers are using to improve environmental awareness in their industry and to ensure that customers in the international dairy markets can be aware of this. Further discussion ensued. It was agreed that the Council would sign in support of the principles of the accord.

Moved (Scarlett / Davidson)

1. *That this report is received.*
2. *That Council signs the Sustainable Dairying Water Accord as recognising the principles outlined in the Accord.*

Carried

5.1.2 SUBMISSION ON RESOURCE MANAGEMENT REFORM BILL

M. Meehan spoke to this report advising that Council's submission focuses on the proposed changes to section 35 and 360 of the RMA. Council's main concerns are around the cost implications of council having to undertake national state of the environment monitoring. Cr Scarlett requested that the submission be emailed to Mr Guy Beatson from MfE who spoke earlier on at today's meeting. Cr Scarlett feels that Mr Beatson may well have some empathy for the West Coast regarding this.

Moved (Archer / Birchfield) *that Council receive this report.*

Carried

5.1.3 BATHING BEACH WATER QUALITY SAMPLING UPDATE

M. Meehan spoke to this report and advised that this report is for the summer period from November to March. He advised that the results that are not coloured green in the report are generally associated with minor rainfall events in the week prior to sampling. M. Meehan advised that the final report for this summer will be brought to the April meeting.

Moved (Archer / Cummings) *that Council receive this report.*

Carried

5.2.1 CONSENTS AND COMPLIANCE GROUP

J. Adams spoke to this report advising that 24 non-notified resource consents were granted during the reporting period. He advised there were five changes to consent conditions granted and one limited notified consent granted to disturb the coastal marine area between the mouth of the Hokitika River and the Mikonui River for the purpose of removing selected stone. He advised that this stone would be removed by hand.

J. Adams reported that he attended a meeting last Friday with Grey District Council and members of the public regarding the notified consent relating to the Preston Road sewage system. J. Adams advised that it was put to last night's meeting of the Grey District Council to request funding to change the sewage system to an enclosed system. J. Adams advised that an outcome for this change is expected this afternoon.

Cr Chinn asked J. Adams if the consent holders for RC13024 are going to quarry their own rock for the river protection works they are doing. J. Adams confirmed this.

Moved (Scarlett / Archer) *That the March 2013 report of the Consents Group be received.*
Carried

5.2.2 COMPLIANCE & ENFORCEMENT MONTHLY REPORT

J. Adams spoke to this report. 72 site visits were carried out during the reporting period. He advised this figure includes 49 dairy shed inspections with five dairy sheds being graded as significantly non-compliant due to unconsented discharges and lack of effluent storage. J. Adams reported that the two infringement notices that were issued were in relation to complaints of cattle in waterways. J. Adams reported that the other two infringement notices were in relation to mining activities. Cr Scarlett asked if it is too late to make a submission on the RMA changes regarding vexatious and problematic complainants who disregard the costs involved to council with repetitive and unfounded complaints. M. Meehan advised that submissions close on the 2nd of April. Cr Archer stated that he understands that MfE are noting on general submissions, only calling submissions on changes to the RMA. J. Adams advised that a list is kept of repeat complainers and a careful eye is kept on this. Cr Scarlett stated that he was of the understanding that compliant dairy farmers would have their dairy shed inspected every second year and not every year but he has since been informed that inspections are done every year. J. Adams responded that he wants to get a baseline as to where all dairy farms are at with compliance. Cr Scarlett feels that once compliant, then biannual inspections should be acceptable. C. Ingle confirmed that there has never been a full year when every single farm has been visited.

Moved (Robb / Archer)

1. *That the March 2013 report for the Compliance Group be received.*
2. *That Council release the bonds held for Resource Consent RC10112 (McKay Mining Ltd).*

Carried

6.0 GENERAL BUSINESS

There was no general business.

The meeting closed at 12.02 p.m.

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Chairman

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Date