

THE WEST COAST REGIONAL COUNCIL

MINUTES OF THE MEETING OF THE RESOURCE MANAGEMENT COMMITTEE HELD ON 11 NOVEMBER 2013 AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOOUTH, COMMENCING AT 10.32 A.M.

PRESENT:

P. Ewen (Chairman), A. Robb, A. Birchfield, P. McDonnell, S. Challenger, N. Clementson, T. Archer,

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

Moved (Robb / Archer) *that the apology from F. Tumahai be accepted.*

Carried

2. PUBLIC FORUM

There was no public forum.

3. MINUTES

Moved (Robb / Birchfield) *that the minutes of the previous Resource Management Committee meeting dated 8 October 2013, be confirmed as correct.*

Carried

Matters Arising

Cr McDonnell asked for background information relating to Mr Paul Elwell-Sutton. M. Meehan responded that Mr Elwell-Sutton has appealed Council's Land and Water Plan. C. Ingle advised that he is the only appellant on the Plan. M. Meehan advised the Mr Elwell-Sutton's appeal relates to the grazing of stock within riparian margins within Schedule 2 wetlands.

4. CHAIRMAN'S REPORT

Cr Ewen reported that he assisted with the opening of two tenders for works in the Lower Waiho and Wanganui rating districts.

Moved (Ewen / 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 and advised that to date Council has been unsuccessful in securing funding from MfE for the field trial of Oeko Tube for the Reefton Airshed Committee. M. Meehan advised that the committee is keen for the trial to take place during the next winter period. M.

Meehan reported that the Rural Fire Authority has advised that getting a ban on smoky backyard fires in Reefton during the winter months would require a change to a bylaw and this would be just as onerous as doing a plan change. M. Meehan advised that this information will be taken back to the Reefton Airshed Committee and will form part of their recommendations in March next year.

M. Meehan provided an overview and update on the Land and Water Plan for the benefit of the new councillors. He advised this is the main plan Council deals with and was formed when Council merged the Water Management, Land and Riverbed Plan and the Discharge to Land Plans together. Mr Paul Elwell-Sutton submitted on the Land and Water Plan and made submissions around grazing within riparian margins. He took this submission to an appeal; Council has had mediation with him and other Section 274 parties to his appeal which include DoC, Friends of Shearer Swamp and Federated Farmers. M. Meehan advised that Solid Energy and TrustPower have pulled out as Section 274 parties once it was worked out what Mr Elwell-Sutton's appeal was about. M. Meehan advised that this process has taken a long time because the appeal was very vague. He advised that originally there were eleven appeal points and now it is down to two. M. Meehan advised that the appeal is very narrow and focusses on the grazing of stock within riparian margins within wetlands. M. Meehan advised that the next step is Planning and Ecology experts that are meeting for joint conferencing on the 26 and 27 of November. M. Meehan stated that he will be attending this. M. Meehan advised that Council applied for Security of Costs in June. The Judge has rejected Council's application for security of costs but the same judgement has made it clear to Mr Elwell-Sutton that he is not immune to an award of costs.

Regarding the errors in the Schedule 2 Wetlands, M. Meehan advised that H. Fairbairn, Wetlands Co-ordinator, has now visited the landowners who were contacted following the first letter that was sent out. A further 40 landowners have now been contacted and H. Fairbairn is currently following up with these landowners. M. Meehan advised that it is likely that Council will get a variation underway for the Land and Water Plan in the New Year to remove Schedule 2 areas that are not wet.

M. Meehan reported that he attended MfE's Workshop about the proposed amendments to the Freshwater National Policy Statement. He advised that MfE released a discussion document on Thursday afternoon with the main changes being a series of bottom lines for various parameters that Council monitor. He advised that he will be reporting further on this matter at the December meeting. M. Meehan advised that submissions close on the 4th of February next year which allows plenty of time for staff to prepare a submission.

M. Meehan explained what security of costs means in relation to Mr Elwell-Sutton's appeal on the Land and Water Plan for the benefit of the new councillors.

Cr Archer asked who is likely to carry out the trial for the Oeko Tube for the Reefton Airshed. M. Meehan advised that he is in discussions with a Lab in Christchurch who are keen to do this trial but the community is keen for a field trial.

Moved (Birchfield / Clementson) *that this report is received.*

Carried

5.1.2 HYDROLOGY AND FLOOD WARNING UPDATE

M. Meehan spoke to this report and advised that October was a particularly wet month with some significant floods recorded. M. Meehan advised that on 14 October the Grey, Buller and Karamea Rivers all caused flood warning alarms with the Karamea River recording its highest flow on record. M. Meehan advised that some outages were experienced during the reporting period with one outage due to vandalism of the NIWA site on the Karamea River. M. Meehan stated that this is very unusual and particularly unusual that someone would do this during a flood. M. Meehan reported that the Te Kuha site suffered lightning damage during this flood event which resulted in the loss of data during this crucial time. M. Meehan stated that there was a radio outage on the 24th of October which was also caused by lightning. He stated that this outage affected the whole radio network. M. Meehan advised that staff are looking at options to minimise the risk of outages in the future.

Cr Archer asked if there has been an outcome from the discussions with NIWA regarding the closure of some of the recording stations. C. Ingle advised that has been in contact with a senior manager at NIWA who will be the decision maker on this matter and he advised C. Ingle to write to him setting out the risks in terms of civil defence and hazard management. C. Ingle advised that he has

written the letter and he is also liaising with a senior person at the Ministry for the Environment. C. Ingle advised that he is focusing on the sites that are critical for flood warning and not on all of the hydrology sites. He is hopeful that the three sites that council relies on for flood warning will be kept. Cr Archer asked if there is a timeline for these changes to the recording stations. M. Meehan advised that decisions on the sites that Council has an interest should be known by July next year.

Moved (Archer / Challenger) *that the report is received.*

Carried

5.2.1 CONSENTS AND COMPLIANCE GROUP

J. Adams spoke to this report and advised that during the reporting period 25 non-notified resource consents were granted. There were five changes of consent conditions and one limited notified consent. J. Adams reported that the Court has rejected Forest and Bird's appeal against Bathurst Mining Ltd.

Moved (Robb / Archer) *That the November 2013 report of the Consents Group be received.*

Carried

5.2.2 COMPLIANCE & ENFORCEMENT MONTHLY REPORT

J. Adams spoke to this report and advised that 131 site visits were carried out during the reporting period. J. Adams stated that 14 abatement notices were issued in relation to seven incidents. J. Adams advised that of the 15 complaints received during the reporting period, four of these were unsubstantiated. J. Adams reported that two mining bonds were received during the reporting period with three bonds being recommended for release.

Cr Clementson asked J. Adams for an update on the problems with the Reefton Dump. J. Adams advised that river works have been put in place to protect the rest of the dump and that contractors have been engaged to clean up the rubbish discharged to the river. J. Adams advised that his staff made a further site visit on Friday and this revealed that very little in the way of clean-up has been done. J. Adams advised that he will be issuing Buller District Council with a further abatement notice today.

Moved (Archer / Birchfield)

1. *That the November 2013 report of the Compliance Group be received.*
2. *That That Council release the bonds held for Resource Consent RC05085 (Gried Mining Ltd), RC12011 (BBC Excavation Ltd), RC12033 (Phoenix Mining Ltd).*

Carried

6.0 GENERAL BUSINESS

There was no general business.

The meeting closed at 10.58 a.m.

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Chairman

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Date