

THE WEST COAST REGIONAL COUNCIL

MINUTES OF THE MEETING OF THE RESOURCE MANAGEMENT COMMITTEE HELD ON 10 JULY 2018, AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOOUTH, COMMENCING AT 10.30 A.M.

PRESENT:

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

IN ATTENDANCE:

M. Meehan (Chief Executive Officer), R. Mallinson (Corporate Services Manager, left meeting at 10.43), R. Beal (Operations Manager), H. McKay (Consents & Compliance Manager), H. Mills (Planning Science & Innovation Manager), T. Jellyman (Minutes Clerk), The Media.

1. APOLOGY

There were no apologies.

2. MINUTES

Moved (Archer / McDonnell) *that the minutes of the previous Resource Management Committee meeting dated 12 June 2018, be confirmed as correct, with the amendment to the typographical error in the third line in matters arising.*

Carried

Matters Arising

Cr McDonnell drew attention to the last line of the first page, he asked if the two submitters were Buller residents? H. Mills confirmed they were residents.

Cr Archer drew attention to a typographical error in the third line of matters arising.

Cr Ewen stated that he would like further detail around the comments he made at last month's meeting regarding Elect Mining Ltd seeking getting alternative justice. Cr Ewen stated that Elect Mining Ltd did not cooperate with Council as they would not meet with staff. Cr Ewen stated that this sends the wrong message. He stated why anyone would be cooperative if they are going to get alternative justice anyway. He stated this was the point he was making, and requested that this be added to the minutes. Cr Ewen stated that this lack of cooperation compromises and undermines the very purpose of Council giving alternative justice.

Cr Ewen drew attention to the first line of the minutes in the general business section where he suggested that Plan Change 1 is withdrawn. He had previously stated that the scheduled wetlands on private land should be removed from the plan. Cr Ewen requested that J. Douglas's comment is added to the minutes, as she had stated that iwi supported this.

Moved (Archer / Challenger) *that the above amendments are made to the minutes.*

Carried

3. There was no presentation.

Matthew Ross, Programme Leader for Te Runanga o Ngai Tahu joined the meeting at 10.35 a.m. He was introduced to the meeting by F. Tumahai.

4. CHAIRMAN'S REPORT

The Chairman spoke to his report and advised that he attended a meeting in Wellington with the Chief Executive, West Coast Mayors, Development West Coast Chief Executive and Chairperson, Hon Damien O'Connor, Hon Shane Jones and Hon Winston Peters. The Chairman stated that regional economic development was discussed. The Chairman said that Hon Winston Peters stated that the West Coast only has 14% of its land available and that makes the region a special case. The Chairman advised that other members of the West Coast contingent also met with Minister Sage.

The Chairman reported that further sampling has been done at Marrs Beach. He stated that the working group is making good progress.

The Chairman reported that he attended the site visit to the new Taramakau Bridge and stated that the new bridge is very impressive.

Moved (Clementson / Archer) *That the report is received.*

Carried

5. REPORTS

5.1 PLANNING AND OPERATIONS GROUP

5.1.1 PLANNING REPORT

H. Mills spoke to this report. He advised that the Panel has completed its deliberations for the Regional Policy Statement hearing and their recommendations will be brought to the RMC August meeting for a decision. H. Mills advised that there will be further discussion on this at the workshop at the conclusion of today's meeting.

H. Mills advised that the Zero Carbon Bill is yet to be drafted. He outlined the three potential targets for 2050 which are in the discussion document.

H. Mills advised that Hon James Shaw (Climate Change Minister) visited Greymouth on 2 July and spoke to the proposed Bill at a public meeting. H. Mills advised that his key messages were that innovation will be the key to achieving the 2050 target, they are committed to a transition and it will be a planned with a gradual phase in. H. Mills stated that there is a move away from traditional energy and transport with a potential green investment fund created, the Bill will design and create certainty and it is hoped it will be a guiding pathway to the 2050 target. H. Mills stated that the public meeting was fairly contentious with lots of questions asked, matters such as the stewardship land review were discussed along with queries as to who would make up the Climate Change Commission, and that there should be a regionally based criteria to meet the target with a focus on the West Coast being the world leader in ethical mining. M. Meehan stated that he attended the meeting and there were questions asked about sustainable logging and if native forest can be used on the DoC estate as an offset as carbon credits. He stated that the answer was no because of the agreements in place internationally and forests pre 1990's do not count. Extensive discussion took place, H. Mills and M. Meehan answered questions relating to the public meeting. M. Meehan advised that Minister Shaw advised that they have done some economic analysis and advised that there will be a slow down in the economy with regions like the West Coast affected worse than other regions. Minister Shaw said that this needs to be part of the submissions going to government and that the government needs to look at this as part of any implementation, providing support for regions that are a lot more affected than others. H. Mills advised that staff will be preparing a strong submission on this matter. Cr Birchfield stated that the science needs to be looked at as this matter is very political.

H. Mills spoke to the rest of his report. Cr Archer stated that the current government may totally throw out or amend significantly the proposed water plans (Fresh Water NPS), he asked where does this leave councils. M. Meehan advised that if government make changes, and allow councils to make changes without going through Schedule 1, and implement changes straight into the plans then very little costs will be incurred. Cr Archer is concerned about the impact on Council's Long Term Plan and the direction the new government is taking. M. Meehan stated that there is always ongoing change with water and national direction. He stated there has been consistent change through the previous government from 2010 and consistent change through the Freshwater NPS. He stated this government will look though this and make changes as they see fit, he is unsure if they will be huge dramatic changes but they may affect other regions much more than the West Coast. M. Meehan stated that he feels the West Coast is well set up in view of water quality and should not be too badly affected.

H. Mills reported that the Marrs and Shingle Beach working group has identified swimming as its highest priority value for the beaches. He stated that new sampling sites have been identified along with voluntary sampling. New funding sources will be explored at the next meeting and a media release is expected shortly.

H. Mills reported that staff in partnership with Te Runanga o Ngai Tahu have now come up with a draft Terms of Reference for the NPS for Freshwater Management Grey Fresh Water Management Unit Group. He stated that the group will come up with values and issues with quality and quantity of water. H. Mills advised that the purpose is to make recommendations to the Resource Management Committee. He explained the timeline for the group and advised that he expects recommendations to be before the Resource Management Committee prior to December 2019.

M. Ross addressed the meeting. He stated that the partnership between Te Runanga o Ngai Tahu and Council staff has been very open with good dialogue. M. Ross spoke to the Grey FMU Group Terms of Reference and explained the process in detail to the meeting. F. Tumahai provided further information. H. Mills advised that the relationship MOU will go in tandem with the process. Cr Ewen asked M. Ross if fishing should be included in the values and interests list the group will consider. H. Mills agreed that fishing could be included. Cr McDonnell asked if an individual MOU was being sought. M. Meehan advised that the MOU could focus on how Council interacts in partnership across all RMA business as this has been a relationship that has evolved through different regional plans. F. Tumahai agreed and stated that this is already being done. M. Ross stated that having a high level relationship agreement is the first step, and is wider than just RMA responsibilities and also encompasses Local Government Act responsibilities and where there is responsibility to the Treaty of Waitangi, when decision of significance are made, and how Maori is involved in decision making and takes account of their relationship with their ancestral taonga. M. Ross advised that this provides a helpful touchstone should there be disagreements and how they can be worked through. H. Mills advised that work will begin on the draft MOU and this should be complete by August / September. It was agreed that a third recommendation would be added.

Moved (Robb / Challenger)

1. *That the report is received.*
2. *That the draft Terms of Reference for the Grey Fresh Water Management Until (FMU) Group are supported.*
3. *That staff work in partnership with Te Runanga o Ngai Tahu to draft a partnership MOU to then bring back to a future meeting.*

Carried

5.1.2 REEFTON AIR QUALITY SUMMARY

H. Mills spoke to this report and advised that there have been no exceedances of the air quality NES so far this winter. He advised that the changes to the NES are being updated and will go out for public consultation mid 2019.

Moved (Ewen / Challenger) *That the report is received.*

Carried

5.2.1 CONSENTS MONTHLY REPORT

H. McKay spoke to this report and advised that two site visits were carried out, four non-notified resources consents were granted and 11 change to and review of consents conditions were granted during the reporting period.

Moved (Archer / Robb) *That the July 2018 report of the Consents Group be received.*

Carried

5.2.2 COMPLIANCE & ENFORCEMENT MONTHLY REPORT

H. McKay spoke to this report. She advised that 35 site visits were carried out during the reporting period, 11 complaints / incidents reported with 10 resulting in site visits.

H. McKay updated the meeting on the Hokitika Waste Water Treatment Plant. She advised that there has been close engagement with both Westland District Council (WDC) and residents. WDC have recently installed aerators into the treatment ponds and since installation WCRC has not received any further odour complaints. She advised that discharges on to the beach have been investigated by compliance staff. H. McKay stated that a report on the odour survey is expected from WDC. She advised that inquiries are ongoing and there has been no enforcement decision made at this stage. H. McKay advised that WCRC staff will continue to engage with residents and WDC.

Cr McDonnell asked if the only way of measuring odour in the air is by surveying people. H. McKay stated that staff are investigating as to whether there is any form of measuring device. M. Meehan advised that this in the opinion of the enforcement officer. He spoke of nose testing that was used years ago but has since been thrown out. Cr McDonnell asked how much investigation is being undertaken with the activities of Silver Fern Farms Ltd with regard to the odour complaints. H. McKay advised that the district council is the consent holder. M. Meehan clarified that the consent that this Council monitors is owned by WDC and they control what goes into the treatment ponds whether it is discharge from Silver Fern Farms, or any other user.

Cr Challenger stated that since the installation of aerators at the treatment ponds he has not noticed any odour. He confirmed that he has received a form which confirms that monitoring is underway.

Extensive discussion took place on the treatment ponds and the odour problem. F. Tumahai asked if there has been any progress with the possibility of long term solutions for the treatment ponds. H. McKay advised that discussions with WDC are ongoing and are not just about the odour problem. Cr Robb stated that WCRC compliance staff need to ensure that the current consents are monitored as they stand and when the consents come up for renewal there is then opportunity to review the conditions of the consent. H. McKay advised that the consents were renewed in 2016. M. Meehan advised that a review has been initiated for all district and regional consents to ensure that they are all in order.

Cr Archer stated that he is impressed with the level of detail in the section of the report relating to the treatment ponds as this is very helpful in giving councillors a good level of understanding.

Cr McDonnell drew attention to the bond amount from Buller Coal Ltd. H. McKay confirmed this is a typographical error and should read \$1.27M.

Cr Challenger drew attention to the complaint of page 17 regarding earthworks on a hazardous site. He stated that this is an old saw mill site and there is PCP dust in this area. He stated that it is important that council staff are aware of the risk involved when visiting this site.

Moved (Archer / Challenger) *That the July 2018 report of the Compliance Group be received.*

Carried

GENERAL BUSINESS

Cr Ewen raised the matter of Johnson Bros Ltd who are currently being prosecuted. He stated that he would have liked this to have been discussed at Council level given that this company has gone through the alternative justice process previously. Cr Ewen stated that the penalty received was twice what have been given to other parties who have gone through this process. Cr Ewen stated that previously the company made a community contribution and he feels it would be unwarranted for them to get hit again. Cr Ewen stated that this should have been a mitigating factor as last time it cost the company around \$40,000. M. Meehan stated that he would not be commenting on a matter that is currently going through a court process.

The meeting closed at 11.32 a.m.

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Chairman

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Date