

THE WEST COAST REGIONAL COUNCIL

MINUTES OF THE MEETING OF THE COUNCIL HELD ON 11 MAY 2010, AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOUTH, COMMENCING AT 11.05 A.M.

PRESENT:

R. Scarlett (Chairman), P. Ewen, A. Robb, T. Archer, D. Davidson, B. Chinn, A. Birchfield

IN ATTENDANCE:

C. Ingle (Chief Executive Officer), R. Mallinson (Corporate Services Manager), S. Moran (Planning and Environmental Manager), C. Dall (Consents and Compliance Manager), T. Jellyman (Minutes Clerk),
The Media

1. APOLOGIES:

There were no apologies.

2. PUBLIC FORUM

There was no presentation.

3. CONFIRMATION OF MINUTES

Moved (Robb / Archer) *that the minutes of the Council Meeting dated 13 April 2010, be confirmed as correct.*

Carried

Matters arising

There were no matters arising.

REPORTS:

4.1 PLANNING AND ENVIRONMENTAL MANAGER'S REPORT ON ENGINEERING OPERATIONS

S. Moran spoke to his report advising that there has not been a lot of rock movement from the quarries in the month of March but this will increase in the next month in view of the works currently being carried out.

Moved (Ewen / Birchfield) *that the report be received.*

Carried

5.1 CORPORATE SERVICE MANAGER'S REPORT

R. Mallinson spoke to his report advising that trends are consistent with what has been previously reported in the financial area. R. Mallinson advised that he has shown the surplus deficit before the Greymouth Floodwall upgrade, and on a separate line, he has shown the amount of the floodwall upgrade costs and then the adjusted accounting surplus to make it clearer the financial impact of the upgrade. R. Mallinson reported that the investment portfolio has shown an excellent return for the nine months to March. He advised it that it will ease back slightly in May due to the Greek debt crisis effect on the international markets. Cr Chinn reported that he has fielded three phone calls from constituents regarding the loan for the Greymouth Floodwall upgrade. He stated that some people did not read the information about the upgrade properly and think that they are paying for the

upgrade. R. Mallinson advised that he was happy to be contacted by those concerned about this and give a detailed response. It was agreed that a further article would be placed in the next rates newsletter to further clarify this matter.

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

Carried

6.0 CHIEF EXECUTIVES REPORT

C. Ingle spoke to his report. He stated that he attended the funeral of Denis Shannahan, former Deputy Chairman.

C. Ingle reported the he and R. Mallinson met with Cristin Dyer of Audit NZ to discuss the audit of the LTCCP and the shortcomings Audit NZ see. C. Ingle advised that Mr Dyer was unable to come up with anything of significance but he is going to investigate further. C. Ingle spoke of the various government meetings he attended in Wellington and advised that on a national level there is quite a lot going on. The water metering, changes at Ecan have all changed things at a national level. C. Ingle advised that the three councillors who have formed the subcommittee for the pest plant strategy have now considered the information and have authorised the redevelopment of the pest strategy. C. Ingle advised that once minor changes are made it will be brought back to council to ask council to notify the strategy for submissions and hearings. C. Ingle advised that another new matter at the national level is the Resource Management Discount Regulations that come into force at the end of July. He advised that the regulations provide a sliding scale of discount at 1% per working day to a maximum of 50% discount for consents that are not processed within the statutory timeframe. C. Ingle advised that management have considered this and are of the view that there will not be a large cost impact on this council as our current consents are at 98% and it will not be hard to get this up to 100%. C. Ingle stated that the only risk is with the notified resource consents, options are being looked at as to how to manage these processes a lot more closely with contracts for commissioners and negotiations with applicants put in place to make sure that the ratepayer does not end up footing the bill for any lateness. C. Ingle stated that it is the larger notified consents that normally run over time. C. Ingle advised that he had a discussion with Hon Chris Auchinvole yesterday regarding the new Transparency, Accountability and Financial Management (TAFM) review that has had its first reading in Parliament this week. C. Ingle advised that TAFM relates to the Local Government Act and changes that the new government wants to bring about. C. Ingle stated that he feels they could have gone further than they have with this Bill. Mr Auchinvole has invited further submissions from us to that effect, LGNZ will also be making submissions. R. Mallinson advised that Mr Auchinvole is the Chairman of this Select Committee and will be hearing the submissions.

Cr Davidson asked R. Mallinson why GST is paid on rates. He feels that this is a tax on a tax. R. Mallinson responded that GST was introduced in 1986 and the Labour Cabinet added GST onto rates at the time. R. Mallinson stated he agrees with Cr Davidson but that is the law that we are stuck with.

Moved (Archer / Chinn) *that this report be received.*

Carried

7.0 CHAIRMANS REPORT (VERBAL)

The Chairman reported that he attended the meeting with Hon Kate Wilkinson on the 23rd of April. He stated this was a long meeting with a reasonable amount of ground covered regarding wetlands on the West Coast. Cr Scarlett reported that he attended the Zone 5 & 6 meeting in Invercargill on the 5th and 6th of May. He advised that there were some interesting speakers at this meeting including Alan Bollard who gave an overview of the economy. Cr Scarlett stated that the economy is best described as patchy and fragile with some agriculture sectors doing okay but some manufacturing areas are fragile. Cr Scarlett advised that George Hawkins (Labour Party Spokesman for Local Government) gave a talk on democracy and spoke about the Ecan situation. Stephen Cairns (RAC Chair of Regional Councils) alerted all councils to the new policy statement on freshwater management advising all councils to be aware of this. Cr Scarlett reported that Dr Nick Smith (Minister for the Environment) gave a long speech on environmental matters and said the government is looking at the pollution problems that freedom campers are causing. Cr Scarlett advised that the Auditor General also spoke at this meeting. Hon. Rodney Hide also spoke at the

Zone 5 & 6 meeting. Cr Scarlett advised that he to has received various letters from members of the public which he intends to respond to.

Cr Scarlett reported that he attended the funeral of former Councillor, Denis Shannahan.

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

Carried

GENERAL BUSINESS

Cr Birchfield stated that he has concerns over the Lake Brunner Plan Change and has spoken to staff about this. Cr Birchfield is concerned about the reliability of sampling and the science behind it. Cr Birchfield is not convinced that there is deterioration in the lake and he feels that the other possible pollution sources have not been looked into including bird population and recreation users. Cr Birchfield stated that other lakes have not been considered and compared to Lake Brunner. He is against pushing along with the plan change and would like to see the whole process halted until the science has been proven. Cr Scarlett asked S. Moran to respond to this in view of Cr Birchfield not being convinced that phosphate is the only source of contamination. S. Moran advised that other sources have been considered but there is not much in the way of data on bird populations. But given the monitoring and sampling that has been done, all the scientists that have been involved believe that the amount of contribution from other sources is small. S. Moran stated that mid lake sampling has been done to get the overall effect on the lake and at the same time sampling has been done in the tributaries – The Crooked, the Orangipuku and the Hohonu rivers to see what the relative contributions from those are. The Orangipuku and the Crooked results are coming from the intensively farmed catchments, the Hohonu is the control so the sampling area for that is further up where there is very limited impact from stock or anything else because it is further up into the bush. S. Moran advised that at any time the Hohonu has substantially less phosphorus in the water than both the Orangipuku and the Crooked Rivers. S. Moran advised that it is not helpful to compare Lake Brunner to other lakes. The Water Plan was notified in 2004. It has a chapter in it, which the community accepted, and the objective was to maintain or enhance the water quality in Lake Brunner. S. Moran advised that the sampling from 1992 until now has shown a decline in water quality over this time. S. Moran advised that the objective is not being met. Cr Scarlett stated that the question for the scientists is what is the source of the decline in water quality in Lake Brunner. Cr Scarlett stated that the answer from the scientists is that it is phosphate runoff from agricultural use. S. Moran agreed with this. C. Ingle advised that there was some work done on birds and the effect was 0.2% that might come from Canada Geese. Cr Birchfield stated that he would challenge that, as there would be hundreds of thousands of birds in the Lake Brunner catchment. S. Moran advised that all the scientists that have been working on this project are quite clear about where they see the impact. All the reports done by NIWA, workshops and field days with the farming community where all those involved with the research have been present do not dispute the source of the water quality issues. Cr Birchfield asked if recreational use was factor. S. Moran stated that this is very limited also. Cr Birchfield feels that the rules are not very practical as once they come into force farmers can be prosecuted. Cr Scarlett stated that the issue is that we need to be guided by the scientists who have done the testing, they are independent and the results are their expert view. Cr Birchfield asked where is the control lake and all lakes could have this reading. C. Ingle advised that the control is the Hohonu catchment, whereas the two affected catchments are the Crooked and the Orangipuku which both show elevated phosphate levels, consistently, compared to the non-dairy catchment. C. Ingle stated there is a control in place, it is all done scientifically, and the top lake scientists in the country have reviewed it. S. Moran stated that in terms of statistical tests, they are highly correlated and are significant results without gray areas. Cr Archer asked if we have a totally independent peer review of the combined viewpoint because there are viewpoints from different parties involved. Cr Archer stated that the convincing balance of evidence indicates and supports the current view that the phosphate levels are elevated. S. Moran gave the professional details of the experts involved with this project to date. Cr Scarlett stated that all the scientists agree that it is a phosphate problem and they all agree that it comes from agriculture. Cr Scarlett said that the question for the council is how is the best way to approach this and how should the rules lay in this matter. Cr Scarlett asked Cr Ewen for his view. Cr Ewen responded that he has confidence in the science that is there and it has been peer reviewed by several scientists, several times and out of the three rivers mentioned the interpretation is that one is vacant of any phosphorus and it clear that phosphorus is the cause of the declining water quality in the lake. Cr Robb stated that he believes in the science and there is cause to do something about this and what level of change needed is to be debated through the Plan Change process. Cr Robb feels that we

need to get a balance between the livelihoods of the community and the water quality in Lake Brunner. Cr Robb stated that as a farmer he still has some reservations about the whole fertiliser process but he is very confident of the science behind this and where the problem is coming from. Cr Robb is certain that there needs to be some change to alleviate the current situation. Cr Scarlett stated that a hardnosed approach could be to reduce fertiliser input dramatically to an economic application level. Cr Scarlett feels that if economic applications levels are looked at then this would not disadvantage farmers and he feels that Council is being pretty fair by putting in a Olsen P level of 30 in the plan. Cr Chinn stated that he would like to see a steadying period to see the benefits of the work that has been done and that is going to get done. Cr Chinn feels that the farming community in the area is aware of the problem and that if RPR works then it could be the answer as he has used RPR for 17 years. Cr Chinn stated that he feels a little bit more adjusting needs to be done before more rules are put in place. Cr Davidson stated that at the meetings there was no great opposition, no one was challenging the science that there was an increase in the phosphates in the lake. He stated that people were interested in what they could do to stop the phosphates from getting into the lake. Cr Davidson stated that there are not many lakes on the West Coast that we can compare with that have the same rainfall. There are not many farms in the Mahinapua catchment, or Kaniere. Cr Davidson stated that to do nothing is irresponsible and this council could end up in the same situation as Ecan. Cr Davidson stated that Lake Brunner is a jewel in the crown for the West Coast and the council has a responsibility to this. Cr Scarlett that he got the impression at the meetings that farmers have accepted that the lake is deteriorating and they agreed that it is probably to do with the phosphate. He stated farmers would want to know if there would be restrictions in how much phosphate can be used, if there are new developments and whether or not RPR actually works. Cr Birchfield stated he is not saying do nothing but he feels that we should be encouraging good farming practice by bridging creeks, fencing, wetlands and buffer zones. He is not happy to be ramming though ill-conceived regulations that are not achievable. Cr Scarlett stated that part of the rules include bridging and fencing.

The meeting closed at 11.41 a.m.

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Chairman

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Date