

Managers Report, Resource Policy

Wayne Hastie, Manager

April 2000

1. Regional Plans

A summary of the status of the various Environment Court references on regional plans is attached. Changes from the last meeting are shown in bold.

(1) Regional Coastal Plan (Wayne Hastie)

The Council adopted the Plan at its meeting on 9 March 2000. The Plan has now been forwarded to the Minister of Conservation for approval, and is currently being assessed by Department of Conservation staff. Council staff have supplied additional information to the Department of Conservation in relation to Iwi consultation and the appeals on the Plan.

The Minister of Conservation has been invited to launch the Plan once it is approved.

(2) Regional Plan for Discharges to Land (Kirsten Forsyth)

The Plan became operative on 17 December 1999. There is nothing further to report to the Committee since the previous meeting.

(3) Regional Air Quality Management Plan (Nicki Kinghorn)

We have reached agreement with the Moir Street residents on their appeal that related to discharges from spray painting operations. A consent order will be placed before the Environment Court on 27 March 2000. Assuming that the Court signs the order, the Council will be able to finally approve the Plan and make it operative.

In relation to the Moir Street residents' appeal, we have agreed to produce and distribute a brochure for spray painters alerting them to the conditions on the rules in the Plan and the potential penalty for non-compliance. The brochure will also suggest that they maintain a log of paint usage as a means of demonstrating compliance with the Plan.

While ultimately agreeing to the resolution of the appeal, the residents were not happy that we would not agree to additional testing in their area. In our view, such testing could not be justified in light of the results of the recent stack testing. We have advised the residents that they could pursue additional testing through a submission on the annual plan.

(4) Regional Freshwater Plan (Kirsten Forsyth, Murray McLea)

The Plan became operative on 17 December 1999. There is nothing further to report to the Committee since the previous meeting.

(5) **Regional Soil Plan (Nicki Kinghorn)**

Significant progress has been made since the last meeting. The Court has accepted a letter from Mr Riddiford withdrawing his status as an interested party to the Federated Farmers appeal. Mr Riddiford has also agreed to withdraw his appeal to the High Court, although we have not yet received formal notice of his withdrawal.

We have sent the Environment Court draft consent orders for both the Transit New Zealand and Federated Farmers appeals, together with an explanation of some technical issues in relation to latter appeal. Once the consent orders are signed, the Council will be able to approve the Plan and make it operative.

2. **Regional Plan Implementation**

(1) **Community and School Beach and Stream Management (Jo Fagan)**

We have continued to work with Naenae School and on 10th March held a water monitoring exercise for their students at the Waiwhetu Stream. The exercise was assessed in relation to the development of the Environmental Trails.

Seaweed cleanups occurred during 11-19th March, and the Council supported these through media releases.

(2) **On-site Sewage Treatment (Kirsten Forsyth)**

This is the subject of a separate report to the Committee. Essentially there has been further consultation with territorial authorities and the brochures are being modified to incorporate the feedback received.

(3) **Review of Air Discharge Problems (Nicki Kinghorn)**

No further action this month.

(4) **Promotion of Code of Practise for the Management of Agrichemicals (Nicki Kinghorn)**

No further action this month.

(5) **Sustainable Land Management (Nicki Kinghorn)**

A draft sustainable land management action plan is being prepared. Further discussion with Regional Council staff and other organisations is planned for April.

3. **Iwi matters (Tracey Whare)**

The Council adopted the proposal for strengthening its relationship with tangata whenua at its meeting on 9 March 2000.

Iwi were provided with the opportunity to provide input into the draft Annual Plan. Four Iwi authorities provided written comments, and the Policy and Finance Committee considered these on 9 March. The Policy and Finance Committee recommended that some matters be referred back to standing committees for further consideration.

Training on Maori matters is occurring on a number of fronts in the Council. In the last month, Councillors had their first training session and Resource Policy staff continued their training with a noho marae at Whakarongotai marae. Feedback from both events has been positive.

4. **Staff**

Paula Reeves has been appointed as Policy Advisor to replace Bianca Sullivan who resigned. Paula is currently working as a Senior Policy Analyst at Waitakere City Council. Paula has a background in wetland ecology and working with the community.

Regional Coastal Plan

Reference	Applicant	Status
RMA 920/96	Titahi Bay Residents' Association	A Memorandum of Parties signed by the Council and the Titahi Bay Residents' Association has been filed at the Environment Court. Porirua City Council and Kim Arnold are registered as interested parties to the proceedings and have not signed the Memorandum. The matter is now back before the Court. Hearing held on 13 th December 1999. Appeal resolved by Environment Court Decision W 6/2000, 1 February 2000.
RMA 921/96	Titahi Bay Residents' Association	Settled by consent order 18 October 1999.
RMA 701/98	Graeme Ebbett	Settled by consent order 18 October 1999.
RMA 926/96	Mobil Oil New Zealand Limited	Settled by consent order 17 March 1999
RMA 915/96	Union Steam Ship Company of New Zealand	Settled by consent order 9 July 1998
RMA 904/96	Port Wellington Limited	Settled by consent order 21 May 1998
RMA 906/96	Port Wellington Limited	Settled by consent order 21 May 1998
RMA 905/96	Port Wellington Limited	Settled by consent order 21 May 1998
RMA 907/96	Port Wellington Limited	Settled by consent order 21 May 1998
RMA 908/96	Port Wellington Limited	Settled by consent order 21 May 1998
RMA 909/96	Port Wellington Limited	Settled by consent order 23 February 1999
RMA 910/96	Port Wellington Limited	Settled by consent order 21 May 1998
RMA 911/96	The Minister of Conservation	Settled by consent order 21 May 1998
RMA 925/96	Lambton Harbour Management Limited	Withdrawn
RMA 949/96	Lambton Harbour Management Limited	Settled by consent order 8 May 1998
RMA 923/96	Tranz Rail Limited	Settled by consent order 21 May 1998
RMA 902/96	Daniel Thomas Spencer Riddiford	Settled by consent order 20 August 1998
RMA 913/96	EWJ & J Sims	Withdrawn

Regional Plan for Discharges to Land

Reference	Applicant	Status
RMA 308/97	Masterton District Council	Settled by consent order 11 November 1998
RMA 309/97	NZ Fertiliser Manufacturers Research Association	Settled by consent order 13 November 1998
RMA 313/97	Wellington City Council	Settled by consent order 13 November 1998
RMA 314/97	Tranz Rail Limited	Settled by consent order 2 September 1999.
RMA 315/97	Mobil Oil New Zealand Limited	Settled by consent order 2 September 1999.
RMA 316/97	Port Wellington Limited	Settled by consent order 2 September 1999.
RMA 320/97	PJ Atkinson	Part struck out as invalid by Environment Court The remainder was settled by consent order 21 September 1999.

Regional Air Quality Management Plan

Reference	Applicant	Status
RMA 584/98	Port Wellington Limited	Settled by consent order 25 March 1999
RMA 583/98	Shell NZ Limited	Settled by consent order 6 April 1999
RMA 524/98	Dow AgroSciences	Settled by consent order 7 September 1999
RMA 586/98	Moir Street Residents' Group	Negotiations in progress Stack testing completed. Results discussed with the Residents' Group and compromise proposal forwarded for their

		consideration. Draft consent order agreed by all parties and placed before the Court.
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Regional Soil Plan

Reference	Applicant	Status
RMA 1537/98	Department of Conservation	Settled by consent order 12 August 1999.
RMA 1460/98	Federated Farmers (Wairarapa)	Agreement reached with Federated Farmers. Jurisdictional hearing held at the Environment Court on 1 November 1999 at which time Mr Hedley withdrew from the proceedings. Evidence was completed for a Court hearing, but this became unnecessary when Mr Riddiford withdrew from the proceedings. A draft consent order is now before the Court.
RMA 1459/98	Transit New Zealand	Agreement reached by the parties and a draft consent order has been placed before the Environment Court.
RMA 1458	Winston Aggregates Limited	Settled by consent order 19 February 1999
RMA 1456/98	Dan Riddiford	Waiver application declined by the Environment Court. Decision appealed to the High Court. Application to strike out proceedings laid with the High Court. Mr Riddiford has indicated his intention to withdraw the appeal.
RMA 1461/98	Jim Hedley	Court declined Mr Hedley a waiver for late service of notice on WRC on 13 April 1999. Reference can not be heard by Court

Regional Freshwater Plan

Reference	Applicant	Status
RMA 471/99	Wellington Fish and Game Council	Settled by consent order 23 July 1999.