

Manager's Report, Resource Policy

Wayne Hastie, Manager

November 1999

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)

Two of the three outstanding appeals have been resolved by consent order. The remaining appeal has been set down for a hearing on or about the 13th December, and we hope that it can be determined at that time.

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

The Council gave its final approval to this Plan at its meeting on 4 November 1999. Staff are making final preparations for the printing and notification of the Plan. There has been a minor hold-up in the printing due to the unavailability of recycled paper. However, the printing should be complete by early December, allowing notification before Christmas.

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

Stack testing has been completed and we are awaiting the results to determine the appropriate limits for the spray painting rule in the Plan. We remain hopeful that the information will be sufficient to allay the concerns of the Moir Street residents, and hence resolve the last appeal on the Plan. The appeal has been set down for a call-over at the Environment Court on 13 December, giving added impetus to resolve the matter before then.

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

As per the Regional Plan for Discharges to Land.

(5) Regional Soil Plan (Nicki Kinghorn)

Some progress has been made. Firstly, the parties to the Transit New Zealand appeal have reached agreement and placed a draft consent order before the Environment Court. Secondly, a jurisdictional hearing was held on the Federated Farmers (Wairarapa) appeal, during which one of the parties withdrew. We await the Court's decision. Thirdly, we have filed an application with the High Court to strike out Mr Riddiford's appeal on the decision of the Environment Court to decline his application for a waiver for late service of his appeal on the Plan.

2. **Regional Plan Implementation**

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

A group of Naenae School children were taken on an afternoon fieldtrip to learn about riparian plant species. In addition, a resource workshop was held at the school to see how the school's desire to be involved in management of the Waiwhetu Stream could be integrated into the school curriculum and how resources and activities could be adapted and/or designed to enable this to occur.

Staff created a display for the *Sustainable Wellington Green Day* that included material on community involvement in clean-up events.

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

The first draft of a report "Guide to On-Site Sewage Treatment and Disposal" has been completed and released for internal peer review. The report provides information for territorial authorities. Four pamphlets for homeowners have also been drafted, and consultation is scheduled with territorial authority staff.

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

We are reviewing the information we have about air discharges in the Region to identify the main contributors of pollutants, and the areas that we should focus on when promoting non-regulatory methods to mitigate the effects of air discharges. Examination of the consents database, pollution response database, emissions inventory, and air quality monitoring reports has been completed.

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

Work has commenced on this project and we are checking whether Regional Council and territorial authority staff are complying with the Code of Practise. A list of spraying contractors and relevant organisations is being compiled with a view to working with them to determine the best means of encouraging farmers to comply with the Code.

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

We are currently consulting with Iwi and hapu on the paper that was discussed at the Councillor workshop on 1 November, and will be reporting back to Ara Tahī on 1 December. Hopefully a collective view can be agreed at the Ara Tahī meeting, and the proposals can then be progressively implemented.

4. **Planwell (Nigel Clarke)**

Planwell has been reformatted this year into three parts to provide documents targeted at specific audiences – community groups, businesses and schools. The additional complexities arising from producing three separate publications meant that production fell slightly behind time, but staff are happy with the result. The publications are pilots and we are seeking feedback on their content and format.

5. **Staff**

Bernie Manaena is currently on secondment to the Department for a ten-week period. Bernie comes to us from Ngati Kahungunu, and is working on coastal issues.

Jan Hania is due to start as the Hazard Analyst on 1 December, and Paul Denton is transferring to the Department from Resource Investigations on 6 December.

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 scheduled for on or about the 13th December.
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 – awaiting results.

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. Awaiting the decision of 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.
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.