

# **Managers Report, Resource Policy**

## **Wayne Hastie, Manager**

**June 2000**

### **1. Regional Plans**

A summary of the status of the various Environment Court references on regional plans is attached (Attachment 1). Changes from the last meeting are shown in bold.

#### **(1) Regional Coastal Plan (Wayne Hastie)**

The Minister of Conservation approved the Plan on 16 May 2000. The Plan can be made operative by giving public notice at least five working days in advance. Once the Plan becomes operative, the Transitional Regional Coastal Plan will cease to exist.

The Minister of Conservation has agreed to launch the Plan, on 16 June 2000.

I have written to the Mount Victoria Residents' Association to inform them of the Committee's decision on the Clyde Quay Boat Harbour and to seek the additional information they have on the fore and aft moorings.

#### **(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)**

The Plan became operative on 8 May 2000. Copies have been distributed in accordance with the statutory requirements.

#### **(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)**

We are still waiting for the Environment Court to process the final two consent orders. As outlined at the last meeting, Mr Riddiford has declined to withdraw his High Court appeal at this time so we have asked for the matter to be brought before the Court. The first proceedings will be to hear our application to strike out the appeal.

Following comments at the last meeting of the Committee, we sought advice on the merits of applying for security of costs. We were advised that the cost of making an application would be likely to outweigh the benefit of a successful application. Unless the Committee directs otherwise, we will not pursue this option.

## 2. **Regional Plan Implementation**

A summary of the regional plan implementation for the year is the subject of a separate report to the Committee, so will not be considered further here.

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

We continue to work through issues and proposals surrounding the use of Māori hearings commissioners on resource consent hearings. A successful technical workshop was held with Iwi on 3 May, and a follow-up workshop held on 7 June. It is likely that the issue will be discussed at Ara Tahī on 14 June.

Proposed changes to the Charter of Understanding were considered by Ara Tahī and were generally well received. We have drafted further changes in response to feedback, and will present the updated revision to the next meeting of Ara Tahī on 14 June. I am hopeful that Ara Tahī will adopt the revised Charter.

Tracey, Jane and I attended a pre-launch of the proposed Ngāti Raukawa Iwi Management Plan for the Ōtaki River and its catchment. We are currently arranging for the Plan to be presented to Councillors.

Staff joined Councillors for a joint training session on the Waitangi Tribunal and Treaty claims in the Wellington Region. The session was a useful introduction to both of these topics.

We have been working with the Iwi to identify projects that the Council can support. This was a key aspect of the Council's policy on strengthening its relationship with Iwi. A summary of the current status is outlined below:

### *Ngāti Raukawa*

The Council has helped fund the Iwi Management Plan for the Ōtaki River and its catchment. Discussions have been held regarding future projects, which may involve ecological restoration on Ngāti Raukawa land. Projects identified in the Management Plan will also be considered.

*Ati Awa ki Whakarongotai*

We have a contract with the Iwi to produce three policy statements this year. These will help the Council to understand the Iwi's position on a number of key resource management areas.

*Ngati Toa*

Initial discussions have been held, but no firm projects identified at this time.

*Wellington Tenth's Trust*

A meeting was planned to discuss projects, but unfortunately this meeting did not take place. A further meeting will be arranged in due course.

*Te Runanganui o Taranaki Whanui ki te Upoko o Te Ika a Maui*

A meeting was held and a draft contract has been prepared and forwarded to the Iwi for comment. The contract is for the Iwi to prepare a project plan of potential joint venture projects that can then be considered for funding.

*Ngati Kahungunu*

A meeting was held and agreement reached in principle for the Iwi to prepare a number of draft policy statements by the end of June. The statements will be finalised by the end of July. A contract is being prepared.

*Rangitāne*

We have agreed in principle to assist with funding the fencing of an area of native bush on Māori land at Cape Palliser. This project has already received funding from a number of sources, including the Queen Elizabeth II National Trust.

**4. Hazards (Jan Hania)**

Opus International Consultants Limited have completed the work on the relative risk that natural hazards pose to the storage of petroleum products in the Wellington Region. The findings are the subject of a separate report to the Committee.

## Regional Coastal Plan

Reference	Applicant	Status
RMA 920/96	Titahi Bay Residents' Association	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	Settled by consent order 27 March 2000

## 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 <b>had</b> indicated his intention to withdraw the appeal, <b>but has subsequently advised that he will not do so at this stage. The Council has asked that the strike out proceeding be brought before the High Court.</b>
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.