

Document: 424500

4 March 2008

**Chairperson and Members
Policy and Planning Committee**

Notice of Meeting

Notice is hereby given that a meeting of the **Policy and Planning Committee** will be held in the Taranaki Regional Council Chambers, 47 Cloten Road, Stratford on:

Thursday 13 March 2008 commencing at 10.30am.

B G Chamberlain
Chief Executive

**THE TARANAKI REGIONAL COUNCIL REQUESTS THAT THIS
AGENDA REMAINS EMBARGOED UNTIL COMMENCEMENT OF THE
MEETING**

Agenda for the meeting of the Policy and Planning Committee of the Taranaki Regional Council to be held in the Taranaki Regional Council Chambers, 47 Cloten Road, Stratford on Thursday 13 March 2008 commencing at 10.30am.



Councillors		N W Walker M J Cloke P D Horton M A Irving M P Joyce	(Chairperson)
		D L Lean D N MacLeod	(ex officio) (ex officio)
Representatives	Councillor	A Hickey	(South Taranaki District Council)
	Councillor	M Betts	(New Plymouth District Council)
	Councillor	J Rowe	(Stratford District Council)
	Mr	G Hight	(Federated Farmers of New Zealand)
		TBA	(Te Puni Kōkiri)
In attendance	Messrs	B G Chamberlain R A Phillips A D McLay G K Bedford M J Nield G C Severinsen P Ledingham	(Chief Executive) (Director-Operations) (Director-Resource Management) (Director-Environment Quality) (Director-Corporate Services) (Policy Manager) (Information Officer)
	Mrs	K van Gameren	(Committee Administrator)
	Mr	J Clough	(Wrightson Consulting)
Apologies	Councillor	M G Davey	

Notification of Late Items

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**Minutes of the Policy and Planning
Committee Meeting of the Taranaki
Regional Council, held in the Taranaki
Regional Council Chambers, 47 Cloten
Road, Stratford, on Thursday 14
February 2008 at 10.30 am.**

ITEM ONE

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Present	Councillors	M J Cloke	(Deputy Chairperson)	
		M G Davey		
		M A Irving		
		D L Lean	(ex officio)	
		D N MacLeod	(ex officio)	
Representatives	Councillor	A Hickey	(South Taranaki District Council)	
	Councillor	J Rowe	(Stratford District Council)	
	Mr	G Hight	(Federated Farmers of New Zealand)	
In attendance	Councillor	R F H Maxwell		
	Messrs	A D McLay	(Director-Resource Management)	
		M J Nield	(Director-Corporate Services)	
		R A Phillips	(Director-Operations)	
		G C Severinsen	(Policy Manager)	
		P Ledingham	(Information Officer)	
		Mrs	K van Gameren	(Committee Administrator)
		Ms	F Moore	(Scientific Officer Hydrology)
		Ms	R Miller	(Policy Analyst)
		Mr	G Gallop	(Animal Pest Manager)
Mr	J Clough	(Wrightson Consulting)		

One member of the media.

Apologies The apologies from Councillor P D Horton, Councillor M P Joyce and Councillor N W Walker were received and sustained.

Notification of Late Item General Business – purple ragwort and pest animal (rabbits).

Welcome and Introduction Committee Deputy Chairperson, Councillor M J Cloke, welcomed the district council and Federated Farmers representatives to the Policy and Planning Committee meeting.

**1. Confirmed Minutes: Policy and Planning Committee Meeting
- 22 November 2007**

Recommended

THAT the Taranaki Regional Council

1. receives the confirmed minutes of the Policy & Planning Committee meeting held on Thursday 22 November 2007 at 10.30am.

08/013

Irving/MacLeod

Matters Arising

Annual Report on the Dairying and Clean Streams Accord 2006/2007

Members discussed the impacts of the current dry-spell/drought in Taranaki on the riparian plantings implemented under the Dairying and Clean Streams Accord programme. It was noted that the condition of the plantings was being maintained and that stream temperatures were lower in catchments with riparian planting significantly reducing the impact of the current drought conditions.

2. Update on policy and planning work

- 2.1 Mr A D McLay, Director-Resource Management, spoke to the memorandum advising Members of the release by the Ministry for the Environment of a report on Groundwater quality in New Zealand: state and trends 1995-2006 prepared for the Ministry by the Institute of Geological and Nuclear Sciences.

Recommended

THAT the Taranaki Regional Council

1. receives this memorandum on the release of the report groundwater quality in New Zealand state and trends 1995-2006 by the Ministry for the Environment; and
2. notes the findings of the report that indicate the Taranaki region is not shown to have significant issues with groundwater quality.

08/014

MacLeod/Irving

3. Development of a National Policy Statement on Fresh Water Management

- 3.1 Mr G C Severinsen, Policy Manager, spoke to the memorandum advising Members of central Government's intention to develop a National Policy Statement on Fresh Water and the process and opportunities for the council to provide input.

Recommended

THAT the Taranaki Regional Council

1. receives the memorandum updating progress with the Sustainable Water Programme of Action and on the proposed National Policy Statement on Fresh Water Management;
2. notes that Council views have been consistently conveyed to the Ministry for the Environment through the involvement of senior Council officers on several high level committees and working groups; and
3. notes that the Council will have a formal opportunity to submit on a draft National Policy Statement when it is formally notified, possibly in May or June of this year.

08/015

Rowe/Davey

4. Hydrological Update and Council response to low river levels

- 4.1 Ms F Moore, Scientific Officer Hydrology, provided a presentation to the Committee on the Council's response to the drought and low river flow conditions in Taranaki together with an overview of the Council's Water Shortage Event standard operating procedure.

Recommended

THAT the Taranaki Regional Council

1. receive the memorandum; and
2. notes the Council will use its Water Shortage Event standard operating procedure to manage the current and predicted low river flow conditions.

08/016

Lean/Davey

5. Submissions on Biosecurity policy and discussion document

- 5.1 Mr R A Phillips, Director-Operations, spoke to the memorandum presenting two submissions that were submitted to MAF Biosecurity New Zealand at the end of 2007 on Policy for Responding to Pests and Diseases (risk organisms) and the Joint Decision Making and Resourcing for Readiness and Incursion Response. Submissions were sent on 18 December 2007 having obtained an extension of time beyond the closing date of 14 December 2007.

Recommended

THAT the Taranaki Regional Council

1. receives this memorandum on submissions made to the '*Policy for Responding to Pests and Diseases (risk organisms)*' and on the '*Joint Decision Making and Resourcing for Readiness and Incursion Responses*' discussion document; and
2. endorses the submissions made on the above policy and discussion document.

08/017

MacLeod/Irving

6. Submission to the South Taranaki District Council on Plan Change 10: Scheduled Rivers and Streams

- 6.1 Mr G C Severinsen, Policy Manager, spoke to the memorandum introducing a submission made to the South Taranaki District Council on the Proposed District Plan Change 10: Scheduled Rivers and Streams and to recommend its endorsement. The submission was sent by the due date of 3 December 2007.
- 6.2 The reduction of 21 to 11 rivers and streams that are considered significant within the Proposed District Plan whereby esplanade reserves or strips are required to be set aside when adjacent land subdivision occurs was noted and discussed. The Committee noted and agreed that the South Taranaki District Council needed to clearly justify the selection process carried out to determine the 11 rivers and streams. In requesting that the list of rivers and streams be increased, the Council's submission focuses on the Council's riparian management programme, access issues and the issue of compensation to land owners. It was agreed that the Council therefore now be heard in support of their submission to enable it to enter into dialogue with the South Taranaki District Council to work collaboratively in retaining the original 21 river and streams catchments supported by both riparian management and esplanade/reserve strips for public access.

Recommended

THAT the Taranaki Regional Council

1. receives the memorandum on the submission to the South Taranaki District Council on Plan Change 10: Scheduled Rivers and Streams;
2. endorses the submission; and
3. notes that the Council wishes to be heard by the South Taranaki District Council in support of the submission.

08/018

Lean/MacLeod

7. Council water recreation survey

- 7.1 The memorandum advising Members of a survey currently being undertaken by Council staff of recreational water use in Taranaki was received and discussed by the Committee.

Recommended

THAT the Taranaki Regional Council

1. receives the memorandum on the Water recreation survey for Taranaki; and
2. notes that the results of the survey will be included in the Council's next state of the environment report due to be released in October 2008.

08/019

Davey/Lean

8. Submission on Port and Harbour and Navigation Safety Management

- 8.1 Mr A D McLay, Director-Resource Management, spoke to the memorandum on a submission made on the Ministry of Transport's Port and Harbour and Navigation Safety Management Discussion Paper (2007) and to recommend its endorsement. The submission was sent by the due date of 19 December 2008. In conjunction with the agenda item, and as part of the Council's Councillor Induction Programme, a presentation was provided to the Committee on the Council's regional navigation and safety responsibilities.
- 8.2 Members also discussed the issues associated with jet ski use in the regions estuaries and coastal areas and it was noted Maritime New Zealand is responsible.

Recommended

THAT the Taranaki Regional Council

1. receives the memorandum;
2. notes the Ministry of Transport's request for submissions on the *Port and Harbour Navigation Safety Management Discussion Paper(2007)* by 19 December 2007; and
3. endorses the submission prepared by officers of the Taranaki Regional Council.

08/020

Lean/MacLeod

9. Draft Biodiversity Strategy for Taranaki

- 9.1 Mr R A Phillips, Director-Operations, spoke to the memorandum presenting for Members' consideration the Draft Biodiversity Strategy: An operational strategy to guide biodiversity actions of the Taranaki Regional Council. The Draft Strategy is non-statutory and has been prepared in order to pull together all the Council's biodiversity programmes under one operational strategy and also integrate these with others work to obtain maximum biodiversity benefit. This will allow the biodiversity objective, policies and methods of the Proposed Regional Policy Statement for Taranaki to be implemented.
- 9.2 Ms R Miller, Policy Analyst, provided a presentation to the Committee on the purpose, structure and content of the Draft Strategy.

Recommended

THAT the Taranaki Regional Council

1. receives the memorandum and *Draft Biodiversity Strategy: An operational strategy to guide biodiversity actions of the Taranaki Regional Council*; and
2. agrees to circulate to stakeholders the *Draft Biodiversity Strategy: An operational strategy to guide biodiversity actions of the Taranaki Regional Council* for comment on the 20th February 2008.

08/021

Davey Rowe

Councillor M A Irving left the Policy and Planning Committee meeting at 12.00 noon.

10. Submission to Maritime New Zealand on their proposal to remove Urenui River permanent speed uplifting

- 10.1 The memorandum providing an outline of a submission that has been prepared and submitted to Maritime New Zealand on its proposal to remove the gazetted speed uplifting on the lower Urenui River, was received and discussed by the Committee. Following a two year consultation process, Maritime New Zealand publically announced in December 2007 that the ski land and the associated speed limits on the lower Urenui River would be removed. Formal gazettement is to occur and the new signage was put in place on 20 December 2007.

Recommended

THAT the Taranaki Regional Council

1. receives the memorandum on the submission to Maritime New Zealand on their proposal to remove permanent speed uplifting;
2. endorses the memorandum on the submission to Maritime New Zealand on their proposal to remove permanent speed uplifting; and
3. notes the submission was successful.

08/022

MacLeod/Lean

11. Government's contaminated land management position paper

- 11.1 Mr A D McLay, Director-Resource Management, spoke to the memorandum advising the Committee of the release of a position paper by the Ministry for the Environment providing direction to contaminated land management, which set out the Ministry's work programme of actions intended to provide leadership and direction for the management of the issues surrounding contaminated land in New Zealand.

Recommended

THAT the Taranaki Regional Council

1. receives the memorandum on the release by the Ministry for the Environment of the position paper '*Working towards a comprehensive policy framework for managing contaminated land in New Zealand*'(MfE 2007);
2. notes that its submission on an earlier discussion paper have been implemented in part but that there still remain matters of concern to the Council; and
3. notes that there will be further opportunities for engagement in the process of development of a national policy and management framework.

08/023

Lean/Davey

12. General Business

Councillor A Hickey, South Taranaki District Council representative, spoke to the Committee on the identification of pest plant purple ragwort on the Council's southern boundary and discussed the potential for the Council to advocate the inclusion of Purple Ragwort into Horizon's Pest Plant Strategy. Councillor Hickey also sought discussion on the increase in rabbit numbers in South Taranaki due to the drought conditions. Council officers addressed the queries and agreed to again advocate strongly to Horizons of the need to address purple ragwort. Council officers also noted educational material about rabbit control would be made available to farmers.

There being no further business, the Deputy Chairman Councillor M J Cloke, declared the Policy and Planning Committee meeting closed at 12.15pm.

Confirmed

Chairman: _____
D N MacLeod

Date: 26 February 2008

ITEM TWO

13 March 2008

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**Memorandum to
Chairperson and Members
Policy and Planning Committee**

Draft Taxon Management Plan for Western North Island Brown Kiwi

Purpose

1. To introduce a submission on the draft '*Taxon Management Plan for Western North Island Brown Kiwi*' (the 'Plan') prepared by the Department of Conservation ('DOC') and to recommend its endorsement by the Council.
2. A copy of the letter sent to DOC is attached to this memorandum.
3. A copy of the Plan could be made available to Members on request.

Key matters raised for Members' information in the item are:

- The Department of Conservation has sought comments on its management and consultation plan for the western north island brown kiwi.
- Council officers met with staff from the Department of Conservation to discuss the plan and to discuss how the Council would be best placed to contribute most meaningfully to kiwi conservation in Taranaki for biodiversity enhancement purposes in line with the Council's draft Biodiversity Strategy.
- A brief letter was sent to the Department following up on the outcomes of that meeting. It highlighted existing projects the Council is assisting with and encouraged the Department to seek resources to be able to undertake pest control in the Matemateaonga area (i.e. such as the Waitotara catchment) given its importance for kiwi habitat, and in order to link up the various kiwi initiatives between Taranaki and Wanganui.

Background

4. Last year the Council provided a submission on the 'Kiwi Recovery Plan 2007-2017'. That plan set out high level goals and objectives for the recovery goal for kiwi. The long term recover goal for kiwi is that self sustaining populations of each kiwi taxon will be maintained in its existing range and re-introduced to parts of its former range. The recovery plan noted that more detailed 'taxon plans' would be prepared.
5. The western brown kiwi is one of the four 'races of North Island Brown kiwi, *Apteryx mantelli*, a species now regarded as separate and distinct from similar species in the South Island. The western 'race' of North Island brown kiwi is the ancestral stock of all North Island brown kiwi: the birds initially took hold in the Wanganui/Taranaki region, then fanned out northwards and westwards.

6. The Plan discusses the distribution and abundance. Of particular note is the high populations recorded from the forests and shrublands of inland Wanganui and Taranaki with the Matemateaonga ecological district estimated to support about 6000-11,800 adults (60% on lands administered by the Department). The population in northern Taranaki is also estimated to hold about 2000 individuals, with about 500-1000 individuals scattered around the core areas.
7. The Plan identifies threats and rates of decline. It concludes that the western race of North Island brown kiwi is declining in all unmanaged parts of its range (due largely to predators, especially stoats), but that it is in no immediate danger of extinction, but if nothing is done, the remaining populations of kiwi will half in size every 24 years and finally disappear altogether in about 130 years.
8. The Plan identifies the current initiatives to conserve the western race of brown kiwi. In Taranaki, these include large scale aerial 1080 operations to control stoats and other predators, repeated at a frequency that allows kiwi chick survival to more than match adult mortality, large scale ground predator trapping to control stoats (such as work in Egmont National Park and east Taranaki), predator proof fencing to create safe havens for kiwi (such as at Lake Rotokare) and captive rearing of kiwi chicks until they are large enough to defend themselves from stoats, then releasing them into the wild (such as the Operation Nest Egg work being undertaken by Taranaki Kiwi Trust).
9. The purpose of the plan is to identify the main sites where populations will be protected in the wild and aims to improve communication between each of the agencies, groups or individuals working on kiwi conservation. The plan aims to ensure that the collective work achieves more than the sum of each individual part.
10. The Plan sets out goals, and how these will be achieved through management of self sustaining kiwi populations, advocacy, involvement of iwi and community groups, research and coordination.

Issues raised by the Council

11. Preparing, and then consulting on a plan that recognises, and gives credibility to, all the various players involved in kiwi conservation in Taranaki is a good approach to generating more coordination of kiwi work in Taranaki. This was conveyed to DOC.
12. The Council is one of those players, contributing to kiwi conservation through projects such as:
 - Assistance currently being provided to Ngati Tama on their land at Whitecliffs;
 - Assistance being provided, both technical support and operational resources, for work being undertaken by the Lake Rotokare Scenic Trust;
 - Assistance being provided to the East Taranaki Environment Trust and their proposals for an enlarged operation involving Matau/Purangi and Pouiatoa blocks; and
 - Assistance the Council provides through coordinating possum operations around the boundary of Egmont National Park with the Department.
13. These projects are undertaken under either the Key Native Ecosystem programme described in the draft Biodiversity Strategy, or under existing programmes (such as the boundary of ENP).
14. The Council, in its recently released draft Biodiversity Strategy, has indicated a willingness to work with other agencies and community groups working on

biodiversity in Taranaki. DOC indicated support for this approach, noting that it was compatible with one of the purposes of the Plan, i.e. improving communication and coordination amongst the groups contributing to kiwi conservation.

15. There is also the possibility that Land Management Officers, working with landowners in the hill country could, in their role as information brokers, ensure that landowners have accurate information about kiwi habitat requirements.
16. The Plan sets out research requirements. One of these is to research the benefits of large scale aerial 1080 operations. It may be that some of Council's existing operations could be used for such research.
17. The Plan, as noted above, stresses the importance of the Matemateaonga ecological district as supporting high kiwi populations. However, this is an area where the Department is looking to do less possum control, given their current resource constraints. The letter prepared on behalf of the Council encourages the Department to seriously pursue options for maintaining the basic level of possum control in this area, particularly in recognition of its importance for kiwi habitat and in order to link up kiwi initiatives happening in Wanganui and Taranaki.
18. It was suggested that the Department should be looking for opportunities, perhaps with partners such as the Council, to secure funding that may meet a variety of objectives in the Matemateaonga ecological district, particularly in the Waitotara catchment – biodiversity protection, kiwi protection, sustainable land management, carbon sequestration and flood mitigation, on a mixture of crown managed and private land.

Recommendations

THAT the Taranaki Regional Council:

1. receives this memorandum on the '*Taxon management plan for western North Island brown kiwi*'; and
2. endorses the attached submission made on the above document.

RA Phillips
Director - Operations

Approved:

B G Chamberlain
Chief Executive

Document: 419846

27 February 2008

Mr D Coutts
Conservator
Department of Conservation
Wanganui Conservancy
Private Bag 3016
WANGANUI

Dear Damian

Taxon Management Plan for Western North Island Brown Kiwi

Thank you for the opportunity to provide comment on the Taxon Management Plan for Western North Island Brown Kiwi. Please pass on my thanks to Department staff, Peter Morton and Jim Clarkson, who made themselves available to spend time with Council staff to discuss the plan. This meeting was most helpful in clarifying the purpose and direction of kiwi work in Taranaki.

The Council commends the Department on pulling together a plan that recognises, and gives credibility to, all the various players involved in kiwi conservation in Taranaki. Preparing and implementing the plan will no doubt serve to provide increased coordination of kiwi work in Taranaki.

There are a number of specific areas where the Council is working in close partnership either with community groups or with the Department on kiwi conservation projects:

- Assistance currently being provided to Ngati Tama on their land at Whitecliffs;
- Assistance being provided, both technical support and operational resources, for work being undertaken by the Lake Rotokare Scenic Trust;
- Assistance being provided to the East Taranaki Environment Trust and their proposals for an enlarged operation involving Matau/Purangi and Pouiatua blocks; and
- Assistance the Council provides through coordinating possum operations around the boundary of Egmont National Park with the Department.

There are also opportunities for Council staff working with landowners in East Taranaki to be themselves better informed about kiwi habitat so that they can provide landowners with advice and information on how to manage such habitat in such a way as to look after kiwi that may be there.

There may also be opportunities for the Department to make use of existing Council pest control operations to undertake research into such things as the appropriate level of control needed to reduce stoat numbers to a level that will protect kiwi, or the frequency of 1080 operations. This may be useful particularly given that the Council and the Department have historically adopted different control techniques.

The Council supports the recognition in the Plan of the Whanganui National Park as a key WNIBK protection site. The Council encourages the Wanganui Conservancy to continue to advocate for sufficient resources to adequately treat DOC managed land in the Matemateaonga ecological district, particularly as this is recognised in the technical background to the plan as a core area for kiwi. It will be important to continue looking for opportunities to link up the various kiwi initiatives. It would be unfortunate if the future of the Western North Island brown kiwi was restricted isolated islands under more intensive pest control.

It may be that the Department and the Council should be looking for opportunities to secure funding that may meet a variety of objectives in the Matemateaonga ecological district, particularly in the Waitotara catchment – biodiversity protection, kiwi protection, sustainable land management, carbon sequestration and flood mitigation, on a mixture of crown managed and private land.

Finally, I thank you for the opportunity to provide input into the development of this management plan for kiwi. The Council looks forward to assisting in facilitating improved coordination between kiwi conservation groups within the context of working more closely with those working on biodiversity in Taranaki.

Yours faithfully
B G Chamberlain
Chief Executive

per: RA Phillips
Director - Operations

ITEM THREE

13 March 2008

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**Memorandum to
Chairperson and Members
Policy and Planning Committee**

Carbon farming seminars and landowner opportunities

Purpose

1. To inform Members on seminars recently run by the Council on opportunities for hill country farmers to generate an income from marginal hill country through 'carbon farming'.

Key points for Members' information in the item are:

- The Government has introduced policies to promote the removal of carbon from the atmosphere. This includes several schemes to encourage landowners to retain land in trees and to promote the growth of new trees, and at the same time, earn carbon credits.
- Any scheme which encourages the retirement or planting of marginal hill country, thus making its land use more environmentally sustainable, is completely complementary with the Council's sustainable land management objectives.
- Therefore, as part of the Council's advice and information service, three seminars were organised to raise awareness of this issue with hill country farmers and to provide information to them. The Council was not promoting one scheme above another, or specific service providers, but rather aimed to provide information for landowners to enable them to make decisions on the long term use of their hill country.
- There are potentially very positive income streams from carbon farming of marginal land for dry-stock grazing purposes.

Background

2. Members were briefed late last year on the Government's Emissions Trading Scheme for greenhouse gases, and on some of the implications for the region and this Council, to the extent they have been identified. A presentation was made in November 2007 to the Committee about the implications of the scheme for the region and the opportunities that may arise. The Committee also received a presentation from the Kyoto Forests of New Zealand Limited on opportunities for hill country land owners.
3. The financial incentives offered through the Government's policies bring new opportunities for land owners in Taranaki. The details of these schemes are

complicated in parts and the Council has run three seminars to help land owners understand the new regime and how to obtain the maximum advantages for themselves and the environment.

Carbon farming seminars

4. The Council held seminars in Uruti, Douglas and Waverley. The seminars were free and were followed by refreshments and barbecue. They were well attended with 40-45 people attending the one in South Taranaki, 50-60 people attending the one in North Taranaki and over 80 people attending the one in East Taranaki.
5. Presentations were made by representatives from MAF, Kyoto Forests Limited, TRC and the NZ Forestry Limited.
6. The purpose of the seminars was to raise the awareness of landowners to the opportunities that were developing for alternative uses for their marginal hill country. The Council facilitated the seminars, but was not endorsing one approach over another.

Presentation from the Ministry of Agriculture and Forestry

7. The presentation from MAF outlined the Forestry Emissions Trading Scheme (FETS), the Permanent Forest Sink Initiative (PFSI) and the Afforestation Grants Scheme (AGS).
8. The Permanent Forest Sink Initiative was described as a business opportunity for landowners to grow permanent forests for carbon and to receive carbon credits under the Kyoto Protocol. This scheme is a voluntary agreement between the landowner and the crown, landowners receive tradable Kyoto credits from the Government. Landowners are responsible for costs associated with generating carbon credits and with replacing credits if carbon is lost (e.g. through a fire). To be eligible landowners must plant, or allow natural regeneration, on land that was non-forested as at 1 January 1990. 'Forest' means an area bigger than 1 ha and wider than 30 m, with species capable of reaching over 5 m at maturity, with crown cover greater than 30%. Some restricted harvesting is permitted.
9. The Forestry Emissions Trading Scheme does not involve registering a covenant against the title, the carbon units assigned are NZUs (New Zealand Units which can be traded within a wider New Zealand emissions trading scheme although these can be converted to Kyoto units). Again, costs and risks will rest with forest owners who join FETS. There are no restrictions on harvesting (which is taken to involve replanting as well).
10. The Afforestation Grants Scheme is a Government grant for new forest establishment (either planted exotic or assisted indigenous forest regeneration) involving cash grants totaling \$50 million over 6 years that will be granted by competitive tender initially. The Government then accepts the carbon credits generated and the associated liabilities.
11. MAF outlined how carbon would be measured in forests and how MAF would play an audit role. Total carbon stored is the sum of the above ground tree biomass, coarse woody debris, forest floor litter and below ground root biomass sequestered during the first five years.
12. The requirement for the agricultural industry to pay carbon credits for their emissions is not proposed to come into the scheme until 2013 and the details of that are still being worked through. However, the MAF presentation did set out some indicative figures, e.g. a 500 ha hill country farm will have about 1,500 tonnes of carbon emissions which could be offset by about 50 ha of fast growing trees for about 45 years; a 200 ha dairy

farm will also have about the same amount of carbon emissions requiring about 50 ha of fast growing trees (probably planted elsewhere) to offset this for about 45 years.

13. More information can be obtained from the following website:
www.maf.govt.nz/forestry/pfsi

Presentation from the Council

14. The Council's presentation highlighted the role that the Council plays in providing information for landowners and in assisting farmers recognise opportunities for carbon through the provision of resources (access to historical and recent aerial photos of Taranaki) and the preparation of free property plans. Farm property plans are prepared using land use capability assessment, and can therefore be used to identify suitable land for carbon farming. Council officers use GIS mapping technology to produce 'shape-files' to calculate areas recommended for retirement etc. These resources will greatly assist landowners wishing to get into the area of carbon farming. Council officers can also provide information on suitable areas for establishing forestry, exotic and native, and can use GIS mapping tools to calculate fence lengths, paddock, bush, scrub and retirement areas.
15. The policies will provide financial incentives for landowners to make land management changes such as retiring or planting highly erodible and marginal land, and will greatly assist Council to promote its sustainable land management objectives such as reducing hill country erosion, improving water quality and promoting biodiversity.
16. The Council is well placed to provide landowners with information, GIS mapping and other advice to enable them to consider options opening up to them with this new market. However, landowners will need to seek advice from a number of sources before making long term land use changes.

Presentation from the Kyoto Forests of New Zealand Limited

17. Kyoto Forests of New Zealand Limited (KFNZ) is a private company, established in 2005, that operates throughout New Zealand. The Company works with landowners to assist them to become 'carbon farmers', allowing landowners to earn money from indigenous forest regeneration of their marginal land. This is primarily under the Permanent Forest Sink Initiative (PFIS).
18. The Company contends that carbon farming is a very complicated activity that, for most landowners, will involve significant investment, up-skilling, time and effort to participate in. There are some aspects to carbon farming that are potentially difficult for individual landowners. These include risk management, carbon credit aggregation and sale of carbon. KFNZ, as a specialist in the area of carbon farming, has the ability to achieve economies of scale, infrastructure and Intellectual Property (IP). By working with landowners KFNZ provides those functions that landowners would find difficult to do by themselves.
19. The Company is developing partnership arrangements whereby landowners can earn an income by retiring marginal hill country through both carbon farming and leasing out their land for the production of honey. One example illustrated was of a 2100 ha hill country farm in the Whanganui catchment where the landowner could retire 700 ha into this carbon/honey scheme and potentially earn \$220/ha/year for 30 years(\$4.62 m). Whether this is gross income or net of consultant costs is unclear.

20. Kyoto Forests indicated that their 'cut' for managing the carbon farming/honey production on blocks of land of 50ha would be about 20%, with that proportion reducing with larger blocks of land.
21. The Kyoto Forests presentation concluded by advising the audience to take it slowly and learn all they could about this new industry especially as more information and research became available, to seek advice (from a range of advisors, noting that traditional farm advisors may not be well informed on this issue) and to consider both the income earning potential and the liability and risk management issues.
22. More information can be obtained about this Company on their web site: www.kyoto.co.nz
23. It is noted that there may be other companies or consultant that will provide a similar service to Kyoto Forests New Zealand Limited. The Council is not promoting any specific company or consultant.

Presentation from the NZ Forestry Limited

24. NZ Forestry Limited is a forest management and consultancy company that focuses on advising landowners of opportunities of combining farming with forestry.
25. The NZFL presentation focused on the benefits to landowners of planting Californian redwoods, documenting the ability of redwood forests to sequester carbon for a long time (other species of forest tree stop sequestering carbon once they reach maturity, redwoods take a long time to get to that point).
26. Redwoods have some advantages to other potential exotic trees for carbon farming such as their coppicing ability, which means the carbon locked up in the root biomass remains, and their ability to grow under shade, which makes them a compatible species for those schemes that allow a restricted amount of harvesting.

Recommendations

THAT the Taranaki Regional Council:

1. receives this memorandum on the three well attended seminars organised by the Council to raise awareness and provide information to landowners about opportunities for carbon farming;
2. recognises the significant contribution Council can make to assist landowners take advantage of these opportunities through preparing free property plans using GIS mapping technology; and
3. notes that the financial incentives being offered to landowners to retire or plant marginal hill country will also assist the Council to promote sustainable land management in the hill country.

Approved:

RA Phillips
Director – Operations

B G Chamberlain
Chief Executive

ITEM FOUR

13 March 2008

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**Memorandum to
Chairperson and Members
Policy and Planning Committee**

**Proposed Regional Policy Statement for Taranaki: Report on
Submissions**

Purpose

1. To introduce a report on submissions to the Proposed Regional Policy Statement for Taranaki (Proposed RPS) and to recommend that the report be circulated to submitters as a basis for pre-hearing meetings. It is hoped this process will resolve or clarify those issues in submissions that will require to be heard at a Council Hearing.
2. The Regional Policy Statement (RPS) is a key legal resource management policy document for the Council and requires careful drafting. District Council Plans must 'give effect to' the RPS giving the RPS a pivotal role in determining integrated resource management in the region.
3. A copy of the report on submissions is attached separate to the Agenda.
4. A presentation of the key issues raised in submissions and how officers have addressed these will be made at the meeting to assist Members and encourage discussion.

Key points for Members' information in the item are

- The Council's current operative Regional Policy Statement was made operative in 1994. The RMA requires a review of the statement after it has been operative for 10 years. A revised Proposed Regional Policy Statement was publicly notified for submissions on 23 September 2006.
- 35 submissions and 21 further submissions supporting or opposing the initial submissions have been received on the Proposed Regional Policy Statement for Taranaki. A total of 585 separate submission points have been made.
- The attached Officers' report deals with each initial submission in numerical order from 1 – 35. It contains a response to each submission point and a recommendation to either grant the relief sought, grant the relief sought in part, decline the relief sought or decline the relief sought but make another change to give effect to the submission.
- The main issues raised in submissions and addressed in the report are:

- A new section in the RPS on minerals;
 - Issues concerning energy including energy supply; additional information on and provisions for renewable energy and calls for the Council to identify areas within the region suitable for renewable energy;
 - Landscape issues – calls for greater clarification of landscapes of importance; a greater distinction to be made between outstanding and other landscapes of importance and guidance on appropriate use and development in the context of landscape protection;
 - Biodiversity – redrafting, clarification or further explanation of biodiversity provisions;
 - Water allocation – particularly issues concerning priority access to water and rights of existing consent holders;
 - Water quality – particularly issues concerning cumulative effects and the objective to ‘maintain and enhance’ water quality;
 - Infrastructure and landuse planning – particularly seeking policies to achieve better coordination between landuse planning and infrastructure provision and funding;
 - Other issues concerning coastal management, soil erosion, use and development of resources, adverse effects and directions to territorial authorities.
- It is proposed that the report be used as a basis for pre-hearing meetings with submitters over the next two months. This step should reduce the number of issues that submitters wish to present at a hearing of submissions.
 - A hearing of submissions could take place in July or July 2008.

Background

5. The Resource Management Act 1991 (the Act) requires every regional council to have in place a Regional Policy Statement for its region. The Act also requires regional councils to undertake a full review of its regional policy statement not later than 10 years after the statement became operative.
6. The current Regional Policy Statement for Taranaki (RPS) was made operative in 1994 following a similar process as is being promoted this time. The number of submissions was the same and the pre-hearing process resulted in only a three hour Hearing and no appeal to the Environment Court. The RPS was the first to be approved in New Zealand.
7. A review of the RPS began in late 2003. Consideration was given to changes in legislation and case law over the previous 10 years that might change the purpose, content etc of the Proposed RPS. A review of the Council’s biodiversity functions and responsibilities was undertaken for the RPS review following changes to the Act in 2003 that gave additional responsibilities to local government in this area. A major consultation exercise was carried out in 2005/06 with the release of the discussion document ‘*Ten years on – A review of the Regional Policy Statement for Taranaki*’. This

document built on (among other things) the findings of the Council's state of the environment report released in 2003.

8. This work led to the preparation of a draft version of the Proposed RPS which was subject to wide ranging stakeholder review and legal audit. A Proposed RPS was then prepared and presented to the Council and was subsequently publicly notified for submissions on 23 September 2006. The proposed RPS was accompanied by a report required by section 32 of the Act (the section 32 report) which contained an evaluation of the costs and benefits of adopting the objectives and policies in the Proposed RPS, consideration of alternatives and of the appropriateness of the provisions of the document for achieving the purpose of the Act. Members should note that the obligations under section 32 to consider alternatives and benefits and costs etc of the provisions of the Proposed RPS will also apply at the time the Council makes decisions on submissions to the Proposed RPS.
9. A total of 35 submissions were received on the Proposed RPS by the time submissions closed on 24 November 2006. The Council was then required to summarise the submission and give public notice calling for further submissions in support or opposition to the initial submissions. A total of 21 further submissions were received by the closing date of 13 April 2007.

Purpose of the RPS

10. The purpose of the RPS as set out by section 59 of the Act is:

'... to achieve the purpose of the Act by providing an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region.'

11. The RPS plays a pivotal role in resource management in the region because it must identify the significant resource management issues of the region and the policies and methods for addressing those issues and because regional and district plans must *'give effect to'* the provisions of the RPS. Prior to 2005 the requirement was that such plans be *'not inconsistent with'* the RPS. This strengthening of the status and influence of the RPS means that care and clarity is required in its drafting.
12. Members should note that a RPS cannot contain rules in the sense of rules that are included in plans to allow, regulate or control activities. However the RPS may contain policies that can be flexible or inflexible or broad or narrow and specific in the actions set out within it. The choice of language in the RPS and in any changes proposed by way of submissions is therefore an important consideration for the Council.

Contents of the RPS

13. Section 62 of the Act contains a 'recipe' for the contents of regional policy statements. All regional policy statements must state:
 - The significant resource management issues for the region including resource management issues of significance to iwi authorities within the region;
 - The objectives sought to be achieved by the statement;
 - The policies for those issues and objectives and an explanation of the policies;
 - The methods (excluding rules) to be used to implement the policies;

- The principal reasons for adopting the objectives, policies and methods;
 - The environmental results anticipated from implementation of the policies and methods;
 - The processes to be used to deal with issues that cross local authority boundaries and issues between territorial authorities or between regions;
 - The local authority responsible for specifying the objectives, policies and methods for the control of the use of land to avoid or mitigate natural hazards, to prevent or mitigate the adverse effects of the storage, use, disposal or transportation of hazardous substances and to maintain indigenous biodiversity;
 - The procedure used to monitor the efficiency and effectiveness of the policies and methods; and
 - Any other information required for the purpose of the regional council's functions, powers and duties under the Act.
14. The requirements as to the contents of the RPS must also be borne in mind when considering submissions made on the Proposed RPS. Fundamentally though the RPS is to achieve the purpose of the Act itself and the contents of the RPS will need to reflect this purpose. Important considerations regarding content will therefore revolve around such things as the meaning of sustainable management (including use and development as well as protection of resources), the extent to which adverse effects are to be avoided, remedied or mitigated, the weight to be given to matters under section 6 (matters of national importance), section 7 (other matters) and section 8 (Treaty of Waitangi), the balancing within these sections and between these sections and the purpose of the Act itself.

The submissions

15. As noted above, 35 initial submissions and 21 further submissions were received on the Proposed RPS. Submissions have come mainly from industry or industry groups, government department and agencies, environmental organisations and district councils. A number of submissions have come from agencies based outside the region but who have operations here or who otherwise have interests within the region. Some 14 of the 35 initial submitters and 6 of the 21 further submitters are based within the Taranaki region.
16. The 35 initial submissions have raised in total, 585 separate submission points. The further submitters have supported or opposed in whole or in part the submissions made by the initial submitters. Further submitters are not legally able to raise new submission points in their further submissions but are simply to support or oppose the submissions already made.
17. Many submissions indicate support for the overall content and management approach contained within the Proposed RPS with a number of submissions requesting that certain provisions be retained. However, there have also been many requests for change, some of which are to clarify the meaning of current provisions or to add further context and background information and others which seek deletions from or additions to specific provisions of the Proposed RPS.

Report on submissions

18. The report on submissions attached separate to the Agenda analyses every submission point raised in each submission and provides a recommendation in relation to each submission point for consideration by the Council.
19. The report is divided into two parts. Part One introduces the report by outlining the purpose and format of the report, the Council's duties under section 32 of the Act and the approach taken to reporting on the submissions.
20. Part Two contains the main body of the report. It presents each of the 35 initial submissions in numerical order. For each submission point within the submission it sets out:
 - The decision sought by the submitter;
 - The name of further submitters (if any) who have either supported or opposed the submission;
 - The response to the decision sought; and
 - A recommendation on the decision sought.
21. Recommendations in the report are either that the relief sought by the submitter is granted, granted in part or declined. Where recommendations contain wording from the Proposed RPS this is shown in italics with proposed word changes or additions underlined and proposed deletions shown by a line through the word or words to be deleted.
22. Where a matter has been dealt with in one part of a submission and the same matter is raised in a subsequent part of the same submission, cross reference is made to that part of the submission in which the matter was first raised. However, when the same matter is raised in another submission, the matter is dealt with fully in that submission. This approach has reduced repetition when dealing with individual submissions but ensures that each submitter receives a specific response to each of the points they have raised.
23. Some submitters have not stated clearly the decision they wish the Council to make or the reason behind the submission. In such cases the intent of the submission has been inferred from the submission and a response made accordingly. Submitters will have a further opportunity to clarify their submissions in responding to the report and in pre-hearing meetings or at a Council hearing.

Main issues for consideration

24. The main issues raised in submissions are set out below. The submitters who have raised the issue are listed together with the page number in the report where that issue is dealt with. Feedback from Members is sought on the officer responses and recommendations in relation to these issues in particular. Feedback on any of the submissions, responses and recommendations in the report would be welcomed.

New section on Minerals

25. Several submitters – Crown Minerals, Ministry of Economic Development (page 16), Winstone Aggregates (page 38) and the Aggregate and Quarry Association (page 174) –

have sought that a new section be inserted in the RPS to provide for appropriate use and development of mineral resources.

26. The report notes that minerals are specifically identified as natural and physical resources under the Act whose sustainable management is to be promoted and that Taranaki has significant mineral resources for which clear policy should be developed. While mineral development is able to occur within the framework provided in the Proposed RPS, a new section is proposed to be included in the RPS to provide further clarity and certainty on this issue. The new section would deal with three related issues: recognising and providing for appropriate use and development of the region's mineral resources; managing reverse sensitivity effects that may compromise mineral extraction activities; and avoiding, remedying or mitigating the adverse effects on the environment of mineral development.

Issues concerning Energy

27. A number of submissions deal with energy issues. These range from requests to: recognise an adequate supply of energy as a significant issue for Taranaki (Contact Energy Ltd, page 127); include objectives and policies for non-renewable energy as well as renewable energy (Gasbridge Ltd, page 112); include a stand alone section in the RPS for renewable energy (Meridian Energy Ltd, page 214); identify areas within the region suitable for renewable energy development (Energy Efficiency and Conservation Authority, page 189) and include additional information throughout the RPS on energy efficiency, energy conservation and renewable energy resources and opportunities (Energy Efficiency and Conservation Authority, pages 190– 198).
28. Again, energy is specifically mentioned in the Act as a natural and physical resource whose sustainable management is to be promoted. The report acknowledges that promoting an adequate and secure supply of energy is a significant resource management issue for the region (even though the tools available to local government to implement policy on this issue are limited). However, the Proposed RPS already includes methods to promote and facilitate energy supply and it is proposed for reasons of clarity that this be added to the RPS as a separate issue.
29. The Proposed RPS already identifies the promotion of renewable energy as an issue, however it is proposed to include additional information in the RPS on renewable energy given the requirements of the Act that Councils are to have particular regard to the benefits of renewable energy; the Government's emphasis on renewable energy as set out in the New Zealand Energy Strategy to 2050 and the assessment of renewable energy resources in Taranaki carried out by EECA in 2006. It is not proposed however that the RPS identify areas of the region suitable for development of renewable energy.

Landscape

30. A number of submitters have raised concerns about the landscape section of the Proposed RPS (see Winstone Aggregates Ltd, pages 42–45, Meridian Energy Ltd, pages 207-210, and TrustPower Ltd, page 272). Concerns are that the landscape section is overly protective of all natural features and landscapes; does not recognise the balancing requirements of the Act; that the policies are too broad; there is no guidance on what might be appropriate use and development within important landscape areas and that protection should only be given to outstanding natural features and landscapes

as required by section 6 of the Act. Winstone Aggregates and the New Plymouth District Council (page 98) have sought that the Taranaki Regional Council identifies outstanding natural features and landscapes in the RPS or in a regional plan.

31. The report on submissions acknowledges that the wording of parts of the Proposed RPS is broad and should be tightened up to provide greater clarity on landscapes and landscape values in Taranaki. The report does not accept however that landscape protection policies should be limited to those natural feature and landscapes that are deemed to be outstanding. There are other natural features and landscapes that while not outstanding are nevertheless still important at a local or district level and therefore worthy of some level or degree of protection. It is therefore proposed that the RPS provide a clearer distinction between the degree of protection afforded to outstanding natural features and landscapes and that for other natural features and landscapes.
32. It is also proposed to include a new issue and policy that addresses the need to identify what is appropriate use and development in the context of protecting our outstanding and other natural features and landscapes. It is not proposed that the Council identify outstanding natural features and landscapes in the RPS or a regional plan as this matter is more closely aligned to the land use planning and control functions of district councils.

Biodiversity

33. TrustPower Ltd, (pages 267-271) has sought that the entire biodiversity section be withdrawn and redrafted or that amendments be made to policy to balance biodiversity values with other values and community benefits. Concerns are that the Proposed RPS does not define 'significant indigenous biodiversity values', does not provide means by which biodiversity values can be distinguished from other values referred to in other sections of the RPS and that there is no reference in the policies relating to the need for a balance between biodiversity values and community benefits including social and economic benefits.
34. Federated Farmers (pages 233-238) considers that the policies on biodiversity are too restrictive and do not recognise the stewardship role of the landowner and suggests that the Council take the time to research best practice in promoting the protection of indigenous vegetation.
35. Many of the concerns of these submitters may be able to be overcome by the addition of relevant words in policies that recognise the need to balance use, development and protection (particularly given that many of our biodiversity issues arise on privately owned land in productive agricultural environments) and the need to work with landowners and others on these issues. These matters have been taken into account in the drafting of the section but some additional wording and further description and explanation of the policies and methods will clarify the Council's intentions and approach to biodiversity protection.

Water allocation

36. Some submitters consider that the Proposed RPS does not give sufficient priority access to existing users of water or to private uses of water that make a significant economic contribution to the community (refer Contact Energy Ltd, page 119, Fonterra Ltd, page 141 and TrustPower Ltd, page 253). Contact Energy Ltd (page 116-118) and the Energy

Efficiency and Conservation Authority (page 188), seek greater clarity and recognition of hydroelectric power generation in policies on water availability and use.

37. It is proposed to amend the current policy on water allocation priorities to reflect the High Court case *Aoraki Water Trust vs Meridian Energy Ltd* which confirmed that existing resource consent holders have an entitlement to water that cannot be diminished by granting resource consents to other parties to use the same resource. It is also proposed to clarify that where there is competition for the use of water, water users that provide a high degree of community or regional benefit, even if privately owned, could be expected to have priority over a use of water whose benefits are more of an individual nature.
38. It is also proposed to amend the policy on water availability for consumptive uses of water be amended to deal with water availability generally (including non-consumptive uses such as hydroelectric power generation).

Water quality

39. Fish and Game Taranaki considers that the RPS needs to provide greater recognition of the cumulative effects of point source discharges on water quality (refer pages 54-55). This issue is addressed in the Proposed RPS but additional background description and a new issue statement on cumulative effects is proposed.
40. The New Plymouth District Council (page 92) requests that special attention and value be placed on source waters and their catchments which are used for domestic and community water supplies. Again this matter is recognized in the Proposed RPS but it is proposed to make this clearer and more explicit by including additional policies and methods in the RPS.
41. Fonterra (page 143) seeks that in relation to surface water quality, policies refer to 'maintain or enhance' rather than 'maintain and enhance' water quality because it will not always be possible to enhance water quality. It is proposed to retain the objective to maintain and enhance water quality as this has been the goal of the Council for some time now. However, it is proposed to add further explanation of the Council's policy on this matter that at a region-wide level the policy is to maintain and enhance water quality.

Coastal issues

42. The Department of Conservation (page 154) seeks clarification and change to the apparent hierarchy of protection of the natural character of the coast which has protection of areas of outstanding coastal value in the coastal marine area ahead of protection of other areas of value in the coastal environment. Changes are proposed to recognise that areas of coastal value or of regional significance may occur throughout the coastal environment and not just in the coastal marine area.
43. It is proposed to include additional information in the RPS on the potential for marine electricity generation in the coastal environment (Energy Efficiency and Conservation Authority, page 190); to clarify provisions regarding use and development in the coastal environment (Contact Energy Ltd, page 124), and to give greater recognition to the value of Port Taranaki to the region (Genesis Power Ltd, page 32).
44. More explicit recognition is proposed to be given to Taranaki's surf breaks as natural features (refer New Plymouth Surfrider's Club, page 3).

Controls on land use for soil erosion purposes

45. New Zealand Forest Managers (page 35) has submitted that there is an inconsistency in the methods adopted for different land uses (forestry verses pastoral farming) to address the issue of accelerated soil erosion and seeks that regional rules are applied in a fair and equitable manner. Further explanation of the Council's approach to this issue is proposed to be included in the RPS.
46. Federated Farmers (page 221) opposes methods which require the Council to apply regional rules to regulate soil and vegetation disturbance activities that cause erosion. The relevant method is proposed to be amended to enable but not require the Council to apply such rules.

Infrastructure and land use planning

47. Transit New Zealand (pages 202-205) has sought that a new issue, policies and methods be included in the RPS dealing specifically with integrating infrastructure with land use to facilitate sustainable infrastructure provision and funding. Methods include provisions in district plans and LTCCPs that require location, staging etc of new land use to be coordinated with provision and funding of infrastructure. The methods also propose that district plans include provisions requiring structure or concept plans for large scale urban land use changes. It is proposed to include an additional issues and associated objectives, policies and methods on this issue to more explicitly recognise this issue and the Council's function under section 30 (1) (gb) of the Act, namely the strategic integration of infrastructure with land use through objectives, policies and methods.

Use and development of resources

48. Some submitters eg, Genesis Power Ltd (page 33) and TrustPower Ltd (page 248) consider that the RPS should contain additional provisions to recognise the role of resource use in Taranaki and its contribution to economic and social wellbeing.
49. The report notes that the Proposed RPS as a whole has been prepared to recognise the role of resource use in Taranaki and its contribution to enabling people and communities to provide for their economic and social wellbeing. This is reflected for example in the issue statements, background to the issues, and in the objectives, policies and methods and in the various explanations of the policies etc.
50. To assist in providing further clarification on this issue it is proposed to include a statement at the beginning of Part B of the Proposed RPS which refers to the social and economic benefits of resource use.

Policies to avoid etc any adverse effects

51. Fonterra (page 134) and TrustPower Ltd (page 248) oppose the wording of objectives and policies in the Proposed RPS to avoid etc any adverse effects. They seek changes so that the objectives and policies refer to avoiding etc adverse effects that are more than minor. The Report notes that the current wording of such objectives and policies reflects the wording of the Act. However it is proposed to include a statement at the beginning of Part B of the Proposed RPS which clarifies the way in which adverse effects will be addressed.

Directions to territorial authorities

52. The Department of Conservation (page 162) has requested that the RPS be more directive to territorial authorities in the methods of implementation by stating that 'territorial authorities will consider...' rather than the current wording of 'territorial authorities may wish to consider...' It is not proposed that the RPS be changed to alter the way in which territorial authorities are referred to in the methods of implementation sections of the RPS. The report notes that the wording of objectives and policies are quite directive and these are required to be given effect to. Territorial authorities will consider what methods are most appropriate to give effect to the policies when exercising their duties under section 32 of the Act.
53. It is proposed to include a statement at the beginning of Part B of the Proposed RPS which provides further clarification on this matter.

Otaraua Hapu Trust submission

54. The Council has received legal advice that this submission (page 88) is not a valid submission and as a consequence there is no legal basis for the Council to grant relief. The Council has advised the Trust of this fact. The Council has further advised the Trust that it may speak to its submission at a Council hearing of submissions but that no relief can be granted.

Next steps

55. Following consideration of the attached Officers' report on submissions, it is proposed that the report be circulated to all submitters. Submitters would be invited to consider the response and recommendations in the report in relation to their submissions and indicate whether:
 - They are satisfied with the response and recommendations in the report and do not wish to appear at a hearing of submissions;
 - They wish to engage in a pre-hearing meeting to discuss the response and recommendations in the report with a view to narrowing down the issues to be presented at a hearing of submissions or deciding subsequent to the pre-hearing meeting that they do not wish to appear at a hearing of submissions; and
 - They do not wish to engage in a pre-hearing meeting but wish to appear at a hearing of submissions.
56. Members should note that at this stage the Council is not formally adopting the report or its recommendations. The report has been prepared as part of the consultation process prior to a formal hearing of submissions. Formal decisions on submissions will be made and changes to the Proposed RPS will be adopted following the hearing of submissions.
57. Depending on the number and availability of submitters who wish to engage in pre-hearing meetings, such meetings would take place over the next one to two months. A further report will then be presented to the Council on the outcome of the pre-hearing meetings. That report will then be circulated to all submitters with notice of a date and time for the hearing of submissions. Submitters would be asked to consider the report on submissions subsequent to pre-hearing meetings and indicate whether or not they now wish to appear at the hearing of submissions.

58. Previous experience with pre-hearing meetings is that they have been very useful in developing a mutual understanding of issues and in reducing the number of submitters who wish to appear at a hearing or narrowing down the number of issues to be presented at the hearing. All going well a hearing of submissions could take place in June or July 2008.

Decision-making obligations

59. Part 6 (Planning, decision-making and accountability) of the Local Government Act 2002 has been considered and documented in the preparation of this agenda item. The recommendations made in this item comply with the decision-making obligations of the Act.

Policy considerations

60. This memorandum and the associated recommendations are consistent with the policy documents and positions adopted by this Council under various legislative frameworks including, but not restricted to, the Local Government Act 2002, the Resource Management Act 1991 and the Biosecurity Act 1993.

Financial considerations

61. This memorandum and the associated recommendations are consistent with the Council's adopted Long-Term Council Community Plan and estimates. Any financial information included in this memorandum has been prepared in accordance with generally accepted accounting practice.

Legal considerations

62. This memorandum and the associated recommendations comply with the appropriate statutory requirements imposed upon the Council.

Recommendations

THAT the Taranaki Regional Council:

1. receives the memorandum on the Proposed Regional Policy Statement: Report on submissions; and
2. agrees to distribute the report to submitters as a basis for pre-hearing meetings.

Approved:

AD McLay
Director-Resource Management

B G Chamberlain
Chief Executive