



Minutes of the fourteenth meeting, seventh triennium, of the Environment Committee of Horizons Regional Council held in the Tararua Room, Regional House, 11-15 Victoria Avenue, Palmerston North, at 10.01 am on Wednesday, 12 May 2010.

PRESENT

Crs AK Main (Chair, to 2.35pm), JJ White (Chair from 2.36pm), L Bailey, LR Burnell, VJF Chettleburgh QSM ED, MW Plowman, and GP Murfitt MNZM JP (ex officio).

IN ATTENDANCE

Cr MC Guy and Cr DB Meads (from 1.00pm)
Group Manager Regional Planning & Regulatory
Chief Executive
Committee Secretary

Mr G Carlyon
Mr M McCartney (from 1.32pm to 1.56pm)
Ms K Booth

ALSO PRESENT

Mr G Shirley (Group Manager Regional Services & Information, from 10.10am to 10.50am, from 1.00pm) Ms F Maseyk (Senior Scientist – Ecology, to 2.10pm), Ms A Russell (Manager Environmental Protection, from 11.33am), Mr P Taylor (Plan Implementation Coordinator, to 10.53am), Mr R Munneke (Policy and Consents Manager, from 1.45pm to 3.50pm), Mr G Bevin (Senior Investigator, to 10.20am), Mr E Duggan (Strategic Financial Planner, from 10.18am to 12.10pm), Mr A Beveridge (Manager – Biodiversity and Water Quality, to 1.55pm), Mr C Grant (Group Manager Corporate & Governance, from 1.52pm to 2.04pm, Mr P Hindrup (Senior Consents Planner, from 1.45pm to 3.50pm), Mr I Lowe (District Liaison, from 2.34pm to 3.36pm), Mr C Davey (Environmental Coordinator – Plant Biosecurity, to 12.10pm), Mr A Innes and Mr T Hynes (Animal Health Board from 1.00pm to 2.28pm), Mr B Judd and Mr and Mrs Schroeder and Wendy Schroeder.

The Chairperson welcomed Mr Bert Judd to the meeting.

The Chairperson explained that Item No. 10 (*Presentation and update on an application by Trevor Schroeder to extract native logs from a bush remnant*) would be taken at 1.00pm. She also advised that the Rural Advisory Team report (pgs 21-23) would be discussed following Mr Judd's Request for Public Speaking Rights.

APOLOGIES

Apologies from Cr Gordon and Cr Meads (for the morning) were noted.

PUBLIC SPEAKING RIGHTS

There were two formal requests for public speaking rights, from Mr Bert Judd and from Mr Trevor Schroeder. Mr Judd would be heard at the beginning of the meeting, and Mr Schroeder would be heard at 1.00pm, prior to Report No. 10-61 '*Logging of Indigenous Forest on Private Land*'.

Public Speaking Right – Mr Bert Judd

Mr Bert Judd spoke to the Members about the history of the Awapuni Landfill, Palmerston North and Palmerston North City Council's (PNCC) permit to discharge refuse and recirculated leachate to the landfill. He referred to the non compliance by Palmerston North City Council (PNCC) (pg

112 of the Agenda) and said he was pleased to see Horizons was taking some action. He said there was a history of PNCC's non-compliance with its resource consent from 1995-96. He was concerned about the leachate being recirculated through the PNCC public sewerage outfall into the Manawatu River, including its 'rock structure', and the effect on the water. Mr Judd believed there needed to be a major, independent, investigation. The Chairperson thanked Mr Judd for raising his concerns with Members. The Group Manager Planning and Regulatory said a paper would be brought to the next Environment Committee meeting explaining about the PNCC consents and their compliance history.

ENV 10-93

Moved

Chettleburgh/Bailey

*that the Committee **receives** the submission and **requests** a staff report back to the Environment Committee and asks for a Palmerston North City Council representative to attend that meeting.*

CARRIED

LATE ITEMS

There were no late items.

MEMBERS' CONFLICT OF INTEREST

There were no conflicts of interest noted by Members.

CONFIRMATION OF MINUTES

ENV 10-94

Moved

White/Bailey

that the minutes of the Environment Committee meeting held on 8 March 2010, as circulated, be received and confirmed as a correct record.

CARRIED

The Group Manager Regional Planning and Regulatory (GMRPR) clarified Cr Plowman's question in regard to fish barriers.

In response to Cr Plowman's question (page 5, 3rd paragraph) of whether a report was presented to the Catchment Operations Committee explaining changes as a river gets back to its natural state, Cr Guy clarified that an explanatory diagram was presented to that Committee.

The GMRPR advised that the next Dairy Forum was on 18 May.

ENVIRONMENTAL MANAGEMENT PROGRESS REPORT

Report No: 10-57

The purpose of this item was to inform the Environment Committee of progress made towards outputs listed in the following activity areas of the 2009-19 Long-term Council Community Plan. The Chairperson asked Members to consider the report from the Rural Advisory Team (RAT) in the first instance as Mr Taylor had to leave the meeting shortly.

Water Quantity and Quality Management Activity

Mr Taylor advised of several corrections to the report: 4.1.1 – change 2011/12 to 2010/11; 4.2.3 – change 2011/12 to 2010/11. He explained that Dairy Link (4.3.2) comprised representatives from interested organisations, including Fonterra, Federated Farmers, and Horizons. He and the Group Manager Regional Services and Information (GMRSI) responded to a question in regard to future planning for the RAT should it become more in demand. They

clarified that not enough information was yet available to support more staff resourcing on the Team, but it was being monitored. There was considerable discussion around planning for possible times of increased demand. Mr Taylor advised that an upcoming project was to audit the advice given by the RAT, identify whether it was of use and whether it had been taken up. Some Members passed on positive comments from their constituents about advice that had been given. The meeting then returned to discuss the report from the beginning.

Catchment Management Activity

Mr Beveridge (Manager, Biodiversity and Water Quality) introduced the report and clarified there was ongoing discussion on the membership of the Poplar and Willow Research Trust. He clarified there was investigation into whether it was possible to raise rust-resistant trees. Mr Beveridge explained that if nurseries did not have irrigation, the growth slowed down in dry conditions.

In response to a question on survey work on the Rangitikei River, Mr Beveridge advised that since 1998, there had been a large number of surveys on reaches of the Rangitikei River.

Comment was made on the good news in para. 5.3.1 about environmental grants and whether or not Horizons was considering putting out a press release. The GMRPR undertook to discuss with the Communications Manager.

There was discussion on the Mowhanau Catchment Study and Ms Maseyk (Senior Scientist – Ecology) undertook to distribute to Members once finalised. Mr Beveridge elaborated on solutions to enable native fish to negotiate weirs and other obstacles. The GMRPR provided further explanation on the Gaugings project, and the WaterMatters website. Ms Maseyk said a report on the water balance for the Horowhenua area would be brought to the next Environment Committee meeting.

Living Heritage Protection

The GMRPR referred to 10.2.2 and advised Members that the Kia Wharite project was into the Finals of the IPANZ (Institute of Public Administrators New Zealand) Awards. He clarified that a report on the Foxton Loop proposal would be brought to the next Council meeting to keep Members fully updated. Clarification was provided in regard to the Linklater Block, and that an Horizons' submission would be made to Manawatu District Council in regard to Totara Reserve.

Environmental Reporting and Education

The GMRPR updated Members on air monitoring. He advised a contract had recently been signed for a consultant to develop a straight line path in relation to the airsheds in Taihape and Taumarunui. It was a project that involved both technical assessment and community consultation. Horizons could then manage consents against that 'line'.

Members discussed the Enviroschools programme, and in particular the St John's Hill School Green Gold celebration.

Biosecurity Activity

Mr Davey (Environmental Coordinator – Plant Biosecurity) updated Members on pest plant management on road corridors. He advised that agreed work was planned between territorial authorities and Horizons. He said they were continuing to work on the ongoing problem of weed control on state highways and Kiwirail. In response to a question about why they continued to be a problem, Ms Maseyk mentioned that the Biosecurity Act stated that regional councils could not enforce rules on Crown agencies. Mr Davey provided an update on Tutsan. Although an application for funding to the Sustainable Farming Fund had not been successful, advice had been received on why it failed, and consideration was being given to the next step.

Mr Davey also updated Members on biological control, and in particular the Ragwort Plume Moth.

Mr Beveridge updated Members on Purple loosestrife and clarified that spraying was constrained to the Horowhenua Lake margin. Once that was under control, then work could be carried out down the stream. He clarified Members' questions.

The Chairperson commented how helpful the photos in the Report were to both Councillors and to the public. She was also grateful for the feedback that was provided.

Cr Bailey asked her Member's Question while Mr Davey was at the meeting. She asked about the recent trial at Waiterere Beach of spraying Coastal wattle. She advised that the Group that represented the community was interested in talking to an Horizons' staff member about planning for the future control of this plant. She was interested in the bigger picture of the impact on the dunes if the Coastal wattle was eradicated. Mr Davey said that a very good resource in New Zealand was the Coastal Dune Vegetation Network.

ENV 10-95 **Moved** **Bailey/Chettleburgh**

that the Committee recommends that Council:

a. **receives** the information in Report No. 10-57 and annexes.

CARRIED

*The meeting adjourned at 12.10pm.
The meeting resumed at 1.00pm.*

The Chairperson welcomed Mr and Mrs Schroeder and Ms Schroeder to the meeting. She advised that Report No. 10-61 '*Logging of Indigenous Forest on Private Land*' would follow the Public Speaking Right by the Schroeder family.

Public Speaking Right – Mr and Mrs Trevor Schroeder and Ms Wendy Schroeder

Mr Schroeder spoke about his wish to selectively fell some native trees on his property (10% of 330 acres), and his problems in being able to carry that out. He explained how he had looked after his land for 40 years, and had put in his own fencing. He had a logging permit from MAF (Ministry of Agriculture and Forestry), a Certificate of Compliance from Ruapehu District Council (RDC), but when he sought a resource consent from Horizons, he received a letter stating what the cost was likely to be for the resource consent. ~~Mr Schroeder suggested that Horizons purchase the property instead~~ **Mr Schroeder offered to sell 300 acres of his property.** Mr Schroeder said the protest march in Taumarunui was because of their issues, and he thanked the Chair of Council, Cr Murfitt, for his time on that day.

The Chairperson asked for Report No. 10-61 to be presented.

LOGGING OF INDIGENOUS FOREST ON PRIVATE LAND

Report No. 10-61

The purpose of this report was to inform the Committee of the legislative requirements to undertake indigenous logging on private land, provide some background context as to the degree of indigenous logging within the Ruapehu District, and to provide detail on the process by which applications of resource consent to log indigenous vegetation are assessed under the One Plan..

Ms Maseyk (Senior Scientist – Ecology) spoke to the report and provided a powerpoint presentation entitled '*Indigenous logging – using a bush remnant in Ruapehu District as a case study*'. The presentation outlined the legislative requirements, explained how applications for indigenous logging were assessed, and then used the Schroeder's property as the case study in

the Ruapehu district. Explanation was given on what the site visits and technical assessments included, why large trees are important, graphs of indigenous logging in the Ruapehu district from 1997 to 2009, maps of the Schroeder's property and of the block in question, and why a resource consent was required. She also clarified that information was being given, in the field, about possible costs that applicants might face, prior to them making resource consent applications.

The Chairperson asked if there were any questions relating to the presentation and report. In response to a question about what was the actual issue, Mrs Schroeder explained it was property rights. There was discussion around whether the RDC Certificate of Compliance was current or not. The GMRPR clarified that the existing Land and Water Plans did not have Rules that covered the protection of biodiversity in the same way as in the Proposed One Plan (POP), but this was covered in other ways in the Plans. In regard to the legal status of the POP, he had received legal advice which stated that the Rule that provided for the highest level of protection would prevail, except for the Water chapter.

The Chairperson advised that Horizons had initiated discussions between the parties, and commented on the need to clarify whether there was an existing consent from RDC. Mr and Mrs Schroeder said they were intending to seek clarification from RDC, and the Chairperson said it would be helpful if they were able to obtain that in writing and let Horizons know.

The GMRPR clarified that in this transitional time between the existing suite of Plans and the POP, that the independent decisionmakers, when undertaking planning assessments, would consider both the existing suite of Plans and the POP. He also suggested making an opportunity to talk with Mr and Mrs Schroeder about the non-regulatory support that Horizons could provide.

The Chairperson summarised that Mr and Mrs Schroeder could clearly see that Horizons was interested in their predicament, and Members could clearly see that people were very concerned about the environment. Mr and Mrs Schroeder said they were willing to discuss further with Horizons, as suggested by the GMRPR. The Chairperson thanked Mr, Mrs and Ms Schroeder for attending the meeting, and Mr Schroeder thanked the Council for listening.

ENV 10-96

Moved

Bailey/White

that the Committee recommends that Council:

- a. **acknowledges** the powerpoint presentation on Indigenous Logging;
and
- b. **receives** the information in Report No. 10-61.

CARRIED

ANIMAL HEALTH BOARD, VECTOR MANAGEMENT AND TB FREE COMMITTEE REPORT

Report No. 10-56

This report informed the Environment Committee of the Vector Management, Animal Health Board (AHB), and Tb Free Committee activity for the Region, for the period March to April 2010. Mr Innes and Mr Hynes (AHB) spoke to their report.

Mr Hynes updated Members on Tb management nationally and locally. Nationally there were now 91 Infected cattle herds and 7 Infected deer herds. Approximately one third of the cattle herds were in the North Island. They were investigating breakdowns in Taranaki and Northland. In the Manawatu-Wanganui region there were currently two Infected herds with hope they would be clear by the end of the year. He compared that result with 289 Infected herds in the Manawatu-Wanganui region in 1994, and 71 in 1999. Mr Hynes advised the Pest Management Strategy Review was still being reviewed by MAF, with implementation probably not until 1 July 2011. In

the interim the existing Strategy would be rolled over. He provided examples of how the \$2.5million research funding had been used, for instance: registration of a new toxin through ERMA; the development of a new Tb-strain typing method; and vaccination for Tb trials currently underway in the South Island.

Mr Innes spoke about the Vector Control programme, the management highlights, progress on the operational programme and referred Members to the data contained in the report. He and Mr Hynes responded to Members' questions about the Strategy, and the impact of possible objections to the use of 1080 by groups and districts.

ENV 10-97

Moved

White/Chettleburgh

that the Committee recommends that Council:

- a. **receives** the information contained in Report No. 10-56 and Annexes.

CARRIED

The Chairperson advised she would shortly vacate the chair and leave the meeting as she had to travel to Wanganui on other Council business. Cr White would then assume the Chair.

REGULATORY MANAGEMENT ACTIVITY REPORTS

Report No. 10-54

This report presented two items for the information of Members:

- a. Environmental Protection Team Report – 1 March 2010 to 30 April 2010
- b. Resource Consent Activities for March and April 2010

Environmental Protection Team

Ms Russell (Environmental Protection Manager) provided Members with a short presentation of pending enforcement activities, Environmental Protection Team activities, and Dairy Sheds – including photos of 'good' sheds. She clarified Members' questions during the presentation. The GMRPR advised a paper would be taken to the next Council meeting to consider proper acknowledgement of good performance.

Ms Russell referred Members to the PNCC non-compliances, the subject of Mr Judd's Public Speaking Right at the beginning of the meeting. She elaborated on the comments in the report. When concern was expressed over the significant non-compliances, the GMRPR advised that Horizons was working closely with PNCC staff on these issues.

Ms Russell also commented that through the work of the Rural Advisory Team, the dairy farmers they work with are no longer likely to have a non-compliance issued against them.

Cr Main vacated the Chair and left the meeting at 2.35pm. She handed control of the meeting to the Deputy Chairperson, Cr White.

As Members went through the report, they commented on the highlights, and asked questions of clarification. These included questions about the cases before the Courts, complaints about smoke crossing boundaries and blocking visibility across a main road, and encouragement given to consent holders to comply. An update was provided on New Zealand Pharmaceuticals' progress with addressing chromium issues, and on the Tararua District Council non-compliance.

Resource Consent Activities

Mr Munneke (Policy and Consents Manager) advised the Team had undertaken three trials on consents in the field in relation to effluent disposal on farms. There was still one trial to be completed, and the results of those trials would be brought to the next Environment Committee meeting. He advised the Team was progressing well and meeting all its time frames.

Cr Chettleburgh expressed concern about trials and 'monitoring its effect on groundwater'. He said it was too late if the monitoring found contamination in the groundwater. He asked if the trials had been tested around the world. The GMRPR explained that the trials, such as irrigation to land, and discharge to water etc had been tried elsewhere, and he advised that the results of the trials had to go past an independent decisionmaker. Cr White acknowledged Cr Chettleburgh's question was a fair question, but that there was a consents process to be gone through.

Mr Munneke updated Members on the Waitarere Sewage Treatment Plan pre-hearing meeting.

Discussion on the Regulatory Management Activity (Consents) report adjourned to allow Report No. 10-55 '*Plan Change and Subdivision Submissions*' to be presented.

PLAN CHANGE AND SUBDIVISION SUBMISSIONS

Report No. 10-55

This report informed Members of the submissions that Horizons Regional Council had made as part of the District Liaison output over the period 1 December 2009 – 30 April 2010. Mr Lowe (Coordinator District Liaison) spoke to the report. He said he had collated the report by district. He referred Members to para. 7 and the installation of domestic fire fighting systems for any new dwelling in the proposed subdivision, which was pleasing. He then spoke to the rest of the report and invited questions of clarification. He noted that the flood information in para. 13 was scheduled to be delivered in July 2010. Mr Lowe referred to para 15 and said the Foodstuffs hearing was held the previous week.

ENV 10-98

Moved

Burnell/Murfitt

that the Committee recommends that Council:

- a. **receives** the information in Report No. 10-55 and annexes.

CARRIED

REGULATORY MANAGEMENT ACTIVITY (Consents) REPORT cont.

Cr White resumed discussion on the Resource Consents activities. Cr Chettleburgh referred to the Contact Energy appeal and commented that it would be good training for Councillor Commissioners to hear about progress after they had been a Commissioner on a hearing.

ENV 10-99

Moved

Murfitt/Bailey

that the Committee recommends that Council:

- a. **receives** the information contained in Report No. 10-54 and Annexes.

CARRIED

MEMBERS' QUESTIONS

Cr Chettleburgh commented that the end of the meeting was rushed and asked how he could progress the concept of the Environment Committee meeting more frequently. Cr White said it was a matter for Council to decide, and suggested that Cr Chettleburgh write a notice of motion for the next Council meeting to discuss. Cr Burnell believed that some items could be left two-monthly.

ENV 10-100

Moved

Bailey/Murfitt

*That the public is to be excluded from the ~~Audit, Risk and Investment~~ **Environment** Committee meeting as disclosure would not be in the public interest because of the greater need to enable Council to carry on without prejudice or disadvantage commercial negotiations in accordance with section 48(1) of the Local Government Official Information and Meetings Act 1987.*

General subject of each matter to be considered	Reason for passing this resolution	Grounds under section 48 (1) for passing this resolution
PX1 Confirmation of Minutes of 8 March 2010	As disclosure would not be in the public interest because of the greater need to enable Council to carry on without prejudice or disadvantage commercial negotiations.	That the exclusion of the public from that part of the meeting is necessary to prevent the disclosure of information for which good reasons for withholding exist.
PX2 Committee to consider whether any item in the Public Excluded minutes can be moved into the public domain and define the extent of the releases.		

The meeting moved into public excluded at 3.52pm and resumed at 3.57pm.

An apology for Cr Main (on other Council business) was noted in the public part of the meeting.

PX ENV 10-07

Moved

Bailey/Chettleburgh

that the minutes of the public excluded part of the Environment Committee meeting held on 8 March 2010 be confirmed as a correct record.

CARRIED

PX ENV 10-08

Moved

Murfitt/White

that the Resolutions of the Environment Committee meeting held on 8 March be moved into the public domain..

CARRIED

**As per Resolution PX ENV 10-08 above, please find Resolutions of the Environment
Committee meeting held on 8 March 2010**

CONFIRMATION OF MINUTES

PX ENV 10-04 **Moved** **Chettleburgh/Murfitt**

That the minutes of the public excluded part of the Environment Committee meeting held on 9 December 2009 be confirmed as a correct record.

CARRIED

PX ENV 10-05 **Moved** **Murfitt/Plowman**

that the Public Excluded minutes of 9 December 2009 be moved to the public part of the meeting.

CARRIED

PX ENV 10-06 **Moved** **Main/Bailey**

That the Committee moves out of Public Excluded.

CARRIED

PX ENV 10-09 **Moved** **Burnell/Bailey**

that the Committee moves out of Public Excluded.

CARRIED

The meeting closed at 3.58pm.

Confirmed

GROUP MANAGER REGIONAL PLANNING
AND REGULATORY

CHAIRPERSON