Minutes of the Regional Direction and Delivery Committee Meeting held in Mauao Rooms, Bay of Plenty Regional Council Building, 87 First Avenue, Tauranga on Tuesday, 19 February 2019 commencing at 9.35 a.m.

**Present:**

**Chairman:** P Thompson

**Deputy Chairman:** A von Dadelszen

**Councillors:** Chairman D Leeder, T Marr, D Love, N Bruning, J Nees, W Clark, S Crosby, K Winters, M McDonald

**In Attendance:** BOPRC: C Ingle (General Manager, Integrated Catchments); F McTavish (Chief Executive); S Omundsen (General Manager, Regulatory Services); E Grogan (Principal Advisor, Regulatory Services); D Phizacklea (Regional Integrated Planning Manager); S Lamb (Natural Resources Policy Manager); A Miller (Compliance Manager – Primary Industry & Enforcement); S Mellor (Compliance Manager – Urban, Industry, and Response); G Corbett (Biosecurity Manager); A Bruere (Lakes Operations Manager); Y Tatton (Governance Manager); J Low (Water Policy Team Leader); N Steed (Programme Leader, Statutory Policy); K Parcell (Senior Policy Analyst, Natural Resources Policy); G Kroon (Senior Policy Analyst, Water Policy); R Irving (Senior Regulatory Project Officer); S Bermeo (Senior Planner); M Ivamy (Natural Hazards Advisor); J Newlands (Senior Regulatory Compliance Officer); J Durham (Committee Advisor)

 External: C Battershill (Chair in Coastal Science, Waikato University); T Baisden (Chair in Lake and Freshwater Science, Waikato University); B Clarkson (Deputy Vice-Chancellor Research, Waikato University); K Summerhays (Consultant, People and Place)

**Apologies:** A Tahana, L Thurston, J Cronin

# Apologies

Resolved

That the Regional Direction and Delivery Committee:

1. Accepts the apologies from Cr McDonald for lateness, and Crs A Tahana, L Thurston, and J Cronin tendered at the meeting.

Thompson/von Dadelszen

CARRIED

# Public Forum

Nil.

# Acceptance of Late Items

Nil.

# General Business

Nil.

# Confidential Business to be transferred into the Open

Nil.

# Declaration of Conflicts of Interest

Nil.

# Previous Minutes

## Regional Direction and Delivery Committee Minutes - 11 December 2018

Resolved

That the Regional Direction and Delivery Committee:

1. Confirms the Regional Direction and Delivery Committee Minutes - 11 December 2018 as a true and correct record.

Thompson/von Dadelszen

**CARRIED**

# Reports

## Annual Reports from the University of Waikato Science Chairs

*Presentation: Objective IDs A3137589 and A3138726.*

Chris Battershill (Chair in Coastal Science), Troy Baisden (Chair in Lake and Freshwater Science) and Bruce Clarkson (Deputy Vice-Chancellor Research) of Waikato University provided a presentation, summarised the background to their research and outlined steps going forward.

**9.46am – Cr McDonald joined the meeting.**

**Key points included:**

* Mapping of research across the country was undertaken in order to identify gaps and avoid duplication.
* The Intercoast Programme had been successful and similar international programmes were under investigation.
* The Oranga Taiao Oranga Tangata: Integrated Spatial Planning Tool would be available from 2020. It was a fully integrated tool which would overlay various ecological, economical, and cultural values to then be interrogated for different effects and outcomes in order to inform Council planning.

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the report, Annual Reports from the University of Waikato Science Chairs.

Thompson/Love

**CARRIED**

# Chair’s Announcement

Agenda Item 8.4, Plan Change 10 Science Review would be considered next.

**10.54am – the meeting adjourned.**

**11.18am – the meeting reconvened.**

## Plan Change 10 Science Review

*Presentation: Objective IDs A3134378, zA244358 and zA244359.*

*Tabled Document 1, Summary Report*

Andy Bruere (Lakes Operations Manager) sought approval for the release of the Plan Change 10 (PC10) Science Review (Review) to the public.

**Key points included:**

* The Review was scientifically robust and peer reviewed.
* The public might want to discuss the Review’s recommendations.
* There were no apparent inconsistencies between the Review and PC10.
* In-lake remediation methods referred to aeration and stratification, not alum dosing.

**Staff follow-up:**

* A report linking the Review to PC10 and considering if any aspects of PC10 should be reviewed accordingly to be presented at a further meeting.

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the report, Plan Change 10 Science Review.

Thompson/Nees

**CARRIED**

## The Regional Waste and Resource Efficiency Strategy. An Independent Review of Strategy Implementation and Effectiveness.

*Presentation: Objective ID A3137604.*

Reece Irving (Senior Regulatory Project Officer), Sarah Omundsen (General Manager, Regulatory Services), and Karen Summerhays (Consultant, People and Place) set out the background of the review.

**Key points included:**

* Council did not have legislative mandate for waste management.
* The Waste Resources Advisory Group (WRAG) felt it was best used to advise strategic direction, and that needed reviewing.
* WRAG sought to broaden their membership and encourage collaboration.
* WRAG advocated regional and cross-regional solutions.
* The $50,000 competitive fund was too small for a regional scale, but provided effective results for the cost.
* Suggested the fund be administered through the Environment Enhancement Fund, with more support to increase application quality.

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the report, The Regional Waste and Resource Efficiency Strategy. An Independent Review of Strategy Implementation and Effectiveness.
2. Staff to report back on the current strategy and implementation of the strategy, including consideration of budget implications. This will involve a collaborative way of working including Territorial Authorities and other stakeholders.

Thompson/Love

**CARRIED**

## Overview of Wastewater in the Bay of Plenty Region in 2018

Jess Newlands (Senior Regulatory Compliance Officer), Alex Miller (Compliance Manager – Primary Industry & Enforcement), and Sarah Omundsen (General Manager, Regulatory Services) responded to questions.

**Key points included:**

* Concern that Territorial Local Authorities (TLAs) were not budgeting to meet the cost of infrastructure requirements when their consents lapsed in 2026.
* The government’s Three Waters Review would be released in tranches, with drinking water the focus for August 2019 and others to follow in 2020.
* Staff needed support to drive conversations with TLAs regarding necessary infrastructure and its inclusion in current Long Term Plan (LTP) budgets.

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the report, Overview of Wastewater in the Bay of Plenty Region in 2018.

Leeder/Thompson

**CARRIED**

## Update on Appeals to Region-wide Water Quantity Proposed Plan Change 9

Glenys Kroon (Senior Policy Analyst, Water Policy) and James Low (Water Policy Team Leader) sought a decision on whether a Plan Change 9 Appeals Subcommittee should be established.

**Points Raised by Members:**

* Delegation to staff was unclear.
* Establishing a Plan Change 9 Appeals Subcommittee would be appropriate in order to decide major appeal points, provide political oversight and mitigate the pressure on staff.

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the report, Update on Appeals to Region-wide Water Quantity Proposed Plan Change 9.
2. Establish a Region-wide Water Quantity Proposed Plan Change 9 Appeals Subcommittee comprising Cr Nees, Cr Thompson, Cr McDonald and Cr von Dadelszen and be given delegated authority to mediate and resolve the Environment Court appeals on Proposed Plan Change 9.

Thompson/Crosby

**CARRIED**

# Chair’s Announcement

Agenda Items 8.6, Proposed Plan Change 13 (Air Quality) - Hearing Panel Recommendations, and 8.7, Mount Maunganui Industrial Area Update to follow Agenda Item 8.11, Freshwater Futures Update.

## Inter-Regional Marine Pest Pathway Management Plan Discussion Document and Engagement Plan

Greg Corbett (Biosecurity Manager) confirmed the Inter-Regional Marine Pest Pathway Management Plan related only to sea water and noted the amendment to address additional costs for some councils.

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the report, Inter-Regional Marine Pest Pathway Management Plan Discussion Document and Engagement Plan.
2. Approves ‘Better ways to stop marine pests?’, a discussion document on inter-regional marine pests pathway management, to be released for consultation.
3. Delegates Top of North Marine Biosecurity Partnership Chair the authority to approve any minor changes, including grammatical and formatting, to the Discussion Document prior to its release for consultation.

Nees/Love

**CARRIED**

## Proposed Trial for Contract Wallaby Control

**12.54pm - Cr Thompson vacated the Chair and left the meeting.**

**12.54pm – Cr von Dadelszen assumed the Chair.**

Greg Corbett (Biosecurity Manager) confirmed there would be no increase in administrative costs in order to implement the proposal and funds within the current budget would be used for contractors.

**1.02pm - Cr Thompson joined the meeting.**

**1.02pm – Cr von Dadelszen vacated the Chair and Cr Thompson resumed the Chair.**

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the report, Proposed Trial for Contract Wallaby Control.
2. Notes that an initial trial for contract wallaby control can be funded through the Integrated Catchments Activity.
3. Approves an initial trial for controlling wallabies.
4. Directs staff to report back on the trial with recommendations for any future application of the approach.

Nees/Leeder

**CARRIED**

**1.02pm – the meeting adjourned.**

**1.33pm – the meeting reconvened.**

## Resource Management Act Plan Changes: Work Programme

David Phizacklea (Regional Integrated Planning Manager) confirmed staff sought to align plan change processes.

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the report, Resource Management Act Plan Changes: Work Programme.
2. Notes that the attached schedule ‘Regional Plan Changes Schedule’ is a living schedule and will be regularly updated to reflect the progress of a plan change or Council decisions as a result of changes in policy direction, national direction or resource availability.

Thompson/Nees

**CARRIED**

## Freshwater Futures Update

*Presentation: Objective ID A3134755.*

Santiago Bermeo (Senior Planner), James Low (Water Policy Team Leader) and David Phizacklea (Regional Integrated Planning Manager) provided an update on freshwater work underway.

**Key points included:**

* It was a staff priority to improve the robustness of freshwater data to inform planning and consenting processes.
* A recent study showed growth in freshwater demand would generally be able to be provided for within limits established under Plan Change 9 without large scale irrigation infrastructure (provided growth was primarily from horticulture development and consents were based on reasonable use). The study also highlighted opportunities for small scale/local infrastructure and more flexible allocation practices.

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the report, Freshwater Futures Update.
2. Notes Appendix One which, as requested, provides an update on the various Rotorua lakeside community meetings over the 2018-2019 summer.

Thompson/von Dadelszen

**CARRIED**

## Proposed Plan Change 13 (Air Quality) - Hearing Panel Recommendations

*Presentation: Objective ID A3137044.*

Karen Parcell (Senior Policy Analyst, Natural Resources Policy), Stephen Lamb (Natural Resources Policy Manager), and Andrew von Dadelszen (Chair, Plan Change 13 Hearing Panel) outlined the Panel’s recommendations.

**Key points included:**

* Council’s science was more current and robust than the Environment Protection Authority’s (EPA) when the rates were set in 2010.
* Staff were confident the EPA’s reassessment process would reach the same conclusion.
* Ministry for the Environment (MFE) had approached Council, Port of Tauranga Limited, and Genera Limited to compile advice for the EPA regarding recapture rates.

**Points raised by Members:**

* Concern with effectively communicating to the public what the methyl bromide recapture rates meant and why 100% recapture was impossible.

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the report, Proposed Plan Change 13 (Air Quality) - Hearing Panel Recommendations.
2. Receives the report and recommendations of the Hearing Panel on Proposed Plan Change 13 (Air Quality) to the Bay of Plenty Regional Natural Resources Plan as set out in the attached document “Report and Recommendations of the Hearing Panel” and its appendices A to C.
3. Accepts the recommendations of the Hearing Panel on Proposed Plan Change 13 (Air Quality) to the Bay of Plenty Regional Natural Resources Plan as set out in the supporting document “Report and Recommendations of the Hearing Committee” and its appendices A to C as Council’s decisions on submissions on Proposed Plan Change 13 (Air Quality) under clause 10(1) of Schedule 1 to the Resource Management Act 1991.
4. Approves public notification of its decisions on submissions on Proposed Plan Change 13 (Air Quality) to the Bay of Plenty Regional Natural Resources Plan in accordance with clauses 10 and 11 of Schedule 1 to the Resource Management Act 1991.
5. Notes that the requirements of 32AA(1)(d)(ii) of the Resource Management Act 1991 are fulfilled by Appendix C of the Hearing Panel report.
6. Notes that on and from the date the decisions are publicly notified, Proposed Plan Change 13 (Air Quality) to the Bay of Plenty Regional Natural Resources Plan is amended in accordance with the decisions.
7. Approve the additional amendments to the supporting document “Plan Change 13 (Air Quality) Report and Recommendations of the Hearing Committee” and its appendices A to C as outlined in Attachment 1.

Love/Bruning

**CARRIED**

1. Staff address the communication issues discussed at the meeting with advice to follow as to how best it be managed.

Thompson/Crosby

**CARRIED**

**2.54pm – Cr Clark left the meeting.**

## Mount Maunganui Industrial Area Update

*Presentation: Objective ID zA244736.*

Reece Irving (Senior Regulatory Project Officer), Stephen Mellor (Compliance Manager – Urban, Industry, and Response), Eddie Grogan (Principle Advisor, Regulatory Services), and Sarah Omundsen (General Manager, Regulatory Services) highlighted key points from the report.

**Key points included:**

* Staff were working with several agencies regarding Aerodrome Road.
* Toi Te Ora’s and WorkSafe’s responsibilities and accountability regarding Aerodrome Road needed clarifying.
* Sources of non-compliance could be unclear due to several factors such as; wind direction, varying particles from a number of sites, and a qualitative as well as quantitative analysis being needed.
* When a cause of breach was clear, enforcement action was undertaken.

**3.07pm – Cr Clark joined the meeting.**

**Staff follow-up:**

* Staff to present a Communication and Engagement Plan on the issue at a further meeting.

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the report, Mount Maunganui Industrial Area Update.

Thompson/Bruning

**CARRIED**

# Public Excluded Section

Resolved

**THAT the public be excluded from the following parts of the proceedings of this meeting.**

**The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:**

|  |  |  |
| --- | --- | --- |
| **General Subject of Matter to be Considered** | **Reason for passing this resolution in relation to this matter** | **Grounds under Section 48(1) LGOIMA 1987 for passing this resolution** |
| **9.1 Public Excluded Regional Direction and Delivery Committee Minutes - 11 December 2018** | **Good reason for withholding exists under Section 48(1)(a)** | **Refer to the relevant section of the open meeting minutes** |
| **9.2 Tauranga Harbour Coastal Hazards Study** | **Good reason for withholding exists under Section 48(1)(a)** | **To protect this information so it doesn’t damage public interest** |

Thompson/Nees

**CARRIED**

# Consideration of General Business

Nil.

# Confidential Business to be Transferred into the Open

## Tauranga Harbour Coastal Hazards Study[[1]](#footnote-1)

Resolved

That the Regional Direction and Delivery Committee:

1. Agrees to release the Tauranga Harbour Coastal Hazards Study report into the open following public release of the Coastal Hazards Study by Western Bay of Plenty District Council and Tauranga City Council.

**Thompson/Bruning**

**CARRIED**

**The meeting closed at 3.26pm.**

Confirmed 10 April 2019 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Councillor Paula Thompson

Chairperson – Regional Direction and Delivery Committee

1. *Refer amendment, Regional Direction and Delivery Committee 10 April 2019, Public Excluded Minute Item 4.1.* [↑](#footnote-ref-1)