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, 28 May 2019 commencing at 9.30 am

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**Present:**

**Chairman:** Paula Thompson

**Deputy Chairman:** Andrew von Dadelszen

**Councillors:** David Love, Norm Bruning, Bill Clark, Matemoana McDonald, Stuart Crosby, John Cronin, Lyall Thurston, Jane Nees, Arapeta Tahana

**In Attendance:** Fiona McTavish – Chief Executive, Chris Ingle – General Manager Integrated Catchments, Sarah Omundsen – General Manager Regulatory Services, Namouta Poutasi – General Manager Strategy & Science, Nicola Green - Principal Advisor Policy & Planning, Mark Townsend – Engineering Manager, Alex Miller – Compliance Manager – Primary Industry & Enforcement, Reece Irving – Senior Regulatory Project Officer, Stephen Mellor – Compliance Manager – Urban, Industry & Response, Shane Iremonger – Team Leader Science, Karen Parcell – Team Leader Kaiwhakatinana, Stephen Lamb – Environmental Strategy Manager, Toni Briggs – Project Manager, Jane Palmer – Senior Planner Climate Change, David Phizacklea – Regional Development Manager, Julie Bevan – Policy & Planning Manager, Nassah Steed – Team Leader Policy (Environmental), Pim de Monchy – Coastal Catchments Manager, Shane Grayling – Biosecurity Manager, James Low – Team Leader Policy (Freshwater), Kataraina O’Brien – Strategic Engagement Manager, Ryan Standen – Regulatory Compliance Team Leader, Shari Kameta – Committee Advisor

 External Presenter: Dan Kneebone - Property & Infrastructure Manager, Port of Tauranga

**Apologies:** Chairman Doug Leeder, Kevin Winters, Tīpene Marr, Arapeta Tahana (for lateness)

# Apologies

Resolved

That the Regional Direction and Delivery Committee:

1. Accepts the apologies of Chairman Leeder and Councillors: Tiipene Marr, Kevin Winters and Arapeta Tahana (for lateness) tendered at the meeting.

Thompson/Bruning

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

Cr Crosby and Cr Thompson declared a conflict of interest in relation to agenda item 8 ‘Presentation: Port of Tauranga’ and agenda item 9.1 ‘Mount Maunganui Industrial Area Update’.

# Previous Minutes

## Regional Direction and Delivery Committee Minutes - 10 April 2019

Resolved

That the Regional Direction and Delivery Committee:

1. Confirms the Regional Direction and Delivery Committee Minutes - 10 April 2019 are a true and correct record, subject to the following amendment:
	1. Agenda page 13, under Councillors heading, amend ‘Jan’ to ‘Jane’.

**Von Dadelszen/Cronin**

**CARRIED**

## Regional Coastal Environment Plan Appeals Subcommittee Minutes - 18 April 2019

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the Regional Coastal Environment Plan Appeals Subcommittee Minutes - 18 April 2019.

**Thompson/Nees**

**CARRIED**

# Presentation: Port of Tauranga

*Refer PowerPoint Presentation: Objective ID A3249980.*

It is noted that Cr Thompson and Cr Crosby declared a conflict of interest with this item.

Port of Tauranga Property & Infrastructure Manager Dan Kneebone provided a presentation on Port of Tauranga activity and environmental and compliance initiatives being put in place to maintain the Port’s licence to operate in the community.

Key Points:

* Screen fences, bark removal and increased use of sweeper trucks had been initiated to mitigate dust from log stacks to improve air quality.
* Introduction of wharf fender plates and stormwater screen chambers would improve stormwater management controls.
* Timberlands Limited and Kaingaroa Timberlands had installed a debarking plant at Murupara (an investment in excess of $10M), which would reduce the amount of bark on roads and at Port and assist to reduce methyl bromide fumigation.
* Enviro-Mark Solutions had been engaged to develop an emissions management structure plan to maintain the Port’s CEMARS (Certified Emissions Measurement and Reduction Scheme) certification.
* The purchase of two electric vehicles and efforts to look at more fuel efficient handling equipment would assist in reducing the Port’s carbon footprint.
* An Environmental Manager had been appointed to the Environmental Team to increase the Port’s responsiveness in environmental management.
* A community involvement initiative had been carried out with the Port’s beach replenishment programme at Pilot Bay and Whareroa Marae.
* A vehicle booking system had been introduced to incentivise night time truck arrivals as a way of reducing daytime truck movements.

In Response to Questions:

* The Port was aware of the Urban Form and Transport Initiative (UFTI) programme, and the Port was looking to develop carbon reduction measures through the engagement of Enviro-Mark Solutions.
* Practicalities of ships accessing power supply at the Port was complicated and not feasible.
* Ship bunker oil was not a direct responsibility of the Port, however the Port insisted on ship scrubbing and was looking at initiatives to take on low-salt fuel to reduce sulphur oxide emissions.
* Dust and stormwater monitoring had been increased and was shared with Council and the Port was proactive to ensure compliance of on-site contractors.
* Acknowledged the benefit of sharing the Port’s environmental initiatives with the community.

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the Port of Tauranga presentation.

von Dadelszen/Cronin

CARRIED

# Reports

## Mount Maunganui Industrial Area Update

It is noted that Cr Thompson and Cr Crosby declared a conflict of interest with this item.

General Manager Regulatory Services Sarah Omundsen, Senior Regulatory Project Officer Reece Irving, Compliance Manager – Urban, Industry & Response Stephen Mellor and Team Leader Science Shane Iremonger were in attendance to present the report.

Key Points:

* No air exceedances had been detected since the last update.
* Tauranga Air Emission Inventory 2018 had been released.
* The majority of complaints received had related to odour from a single source.
* Noted that the scheduled meeting with Whareroa Marae had not taken place due to the unavailability of hapū representatives.

In Response to Questions:

* The Tauranga Air Emission Inventory 2018 used modelling calculations to estimate a range of contaminants and emission rates to provide context of order and magnitude of emission sources and quantities.
* No issues were anticipated with information requested by Ministers, all of which had been received by the Committee and would include feedback from Whareroa Marae.
* Genera’s fumigation management plan was a requirement of their resource consent and included assessment measures for methyl bromide fumigation under tarpaulins. The addition of an odour agent was raised during the consent hearing and could be readdressed as part of the consent renewal process.

Items for Staff Follow-up:

* The Committee requested clarification regarding rail CO2 inventory emissions.

Resolved

That the Regional Direction and Delivery Committee:

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

**von Dadelszen/Nees**

**CARRIED**

10:28 am – Cr Tahana **entered** the meeting.

## Summary of Appeals to Plan Change 13 (Air Quality)

Team Leader Kaiwhakatinana Karen Parcell and Policy & Planning Manager Julie Bevan presented the report.

Key Points:

* The majority of the plan change could now be treated as operative.
* Staff had prepared a draft appeals version of the plan change, but were seeking a legal opinion of it prior its release.to

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the report, Summary of Appeals to Plan Change 13 (Air Quality).

**Nees/Thompson**

**CARRIED**

## Presentation: Forestry and Risk

*Refer PowerPoint Presentation: Objective ID A3250063.*

Regulatory Compliance Team Leader Ryan Standen and Compliance Manager – Primary Industry & Enforcement Alex Miller provided a presentation on the National Environmental Standard for Plantation Forestry (NES-PF).

Key Points:

* Council had implemented the NES-PF via a plan change to the Regional Natural Resources Plan.
* Outlined activities where the regulations applied, including new regulations introduced for: afforestation, replanting, pruning and thinning to waste and mechanical land preparation.
* Highlighted damage to the environment and infrastructure from the April 2017 forestry slash debris slide in Gisborne.
* Potential risk of forest debris mobilisation existed in the Bay of Plenty region due to similar geography, high intensity rain events and debris.
* Compliance was focused on engineering, stormwater, debris management and education.
* Council was working with the national stakeholder group and Boffa Miskell to implement the NES-PF and support other regional councils.

In Response to Questions:

* NES-PF required notification of forestry harvesting.
* Debris management was an ongoing issue for the forestry industry to manage.
* Council’s compliance team used a combination of regulatory enforcement and education to get foresters to manage debris during and post-harvest.
* Provisions provided for compliance management however, noted there were risks in all forests for debris movement regardless of scale.
* Staff were providing advice to landowners who wished to apply to the One Billion Trees Programme (1BT) and were preparing a partnership application to gain accreditation to assess 1BT grant funding criteria on behalf of the Ministry for Primary Industries (MPI) to then allocate those funds through co-funding of Environmental Programmes to make it easier for landowners. If successful, this approach would mean regular reconciliations between Council and MPI, but would provide landowners and groups with a one-stop-shop.

Action for Staff Follow-up:

* Dr Warren Parker to present to a future Committee meeting on Forestry Development in New Zealand.

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the Forestry and Risk presentation.

Von Dadelszen/Clark

CARRIED

10:50 am – The meeting **adjourned**.

11.12 am - The meeting **reconvened**.

Order of Business

The Committee was advised that Agenda item 13.4 ‘River Scheme Sustainability – Update for Rangitāiki Catchment’ would be received after Public Excluded Agenda item 11.1 ‘Operating Environment: Verbal Update on Ministry for the Environment’s Essential Freshwater Programme’.

It was further noted that a presentation associated with Agenda item 13.4 contained sensitive information, requiring it to be received in the Public Excluded section of the meeting.

# Public Excluded Section

**Resolution to exclude the public**

**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** |
| **11.1 Operating Environment: Verbal Update on Ministry for the Environment’s Essential Freshwater Programme** | **To protect this information so it doesn’t prejudice similar information.** | **Good reason for withholding exists under Section 48(1)(a).** |
| **13.4 River Scheme Sustainability Update for Rangitāiki Catchment – (Presentation Only)** | **To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.** | **Good reason for withholding exists under Section 48(1)(a).** |

**Thompson/Thurston**

**CARRIED**

# Reports

## River Scheme Sustainability - Update for Rangitaiki Catchment

Engineering Manager Mark Townsend presented the report.

In Response to Questions:

* The Engineering and Freshwater teams were working together on land use control aspects of the project.

Action for Staff Follow-up:

* Further information to be provided at a future meeting on the River Scheme Sustainability options and budget considerations for the Rangitāiki Catchment.

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the report, River Scheme Sustainability - Update for Rangitaiki Catchment.

**Thompson/Nees**

**CARRIED**

## Freshwater Futures Update

*Refer PowerPoint Presentation: Objective ID A3250532.*

Team Leader Policy (Freshwater) James Low presented the report and a presentation was provided by Strategic Engagement Manager Kataraina O’Brien on the He Korowai Mātauranga Māori (HKM) Framework.

Key Points:

* The Plan Change 9 Appeals Subcommittee Workshop of 30 May, referred to in the report, had been deferred. A date was being sought for mid-late June 2019.
* Good management practice, modelling results and water quality outcomes, had been presented and discussed at the Rangitaiki Freshwater Futures Community Group meeting on 27 May.
* The HKM Framework was an internal document to inform substantive science and policy planning work, which would be delivered in three stages.
	+ Stage 1: Develop a framework to outline and describe the way mātauranga can enhance Council’s work and nurture relationships with tangata whenua had been completed.
	+ Stage 2: Develop the implementation plan to guide staff on ways to incorporate Mātauranga Māori into Council work.
	+ Stage 3: Implement tools, resources and actions of the framework.
	+ Extensive investigation would be undertaken on repository options to recognise and protect Mātauranga Māori received through Council.
	+ Staff had attended a recent Mātauranga Māori Stocktake conference, which would support Council’s work and collaboration with other councils locally and nationally.

In Response to Questions:

* The appointment of a full-time equivalent Mātauranga Māori Science Specialist that had been approved via the Long Term Plan process was imminent and would assist in translating Mātauranga Māori into policy and science work.
* Ideas were being investigated on ways to support the capacity of Maori whose intellectual property would be received by Council.
* Confirmed Komiti Māori had received and endorsed the HKM Framework at its meeting on 4 December 2018.
* Staff’s intent was to bring the HKM implementation plan to the Committee for feedback and then to Komiti Māori for endorsement.

Members’ Comments:

* Requested consideration to raise councillors’ awareness and knowledge of Mātauranga Māori.
* The Komiti Māori Chair considered it would be valuable for the HKM implementation plan to be reported to this Committee for endorsement.

Action for Staff Follow-up:

* Provide clarification on the delegation and approval process for the HKM implementation plan.

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the report, Freshwater Futures Update.

**Thompson/Tahana**

**CARRIED**

## Integrated Catchment Management Update

*Refer PowerPoint Presentation: Objective ID A3250735.*

Coastal Catchments Manager Pim de Monchy and Biosecurity Manager Shane Grayling presented the report on operational activities of the Integrated Catchments teams across the region, and provided a presentation on Farm Environment Plans, which had been requested at the previous Committee meeting..

Key Points:

* Focus Catchments project was a new approach to engagement and incentives:
	+ Targeted 11 small at-risk catchments ahead of the NPS for Freshwater Management plan changes.
	+ Was focused on outcomes and aligned with MfE’s Essential Freshwater programme and Council’s 2018-28 swimmability targets and linked to policy, science, land management and industry.
	+ Would not affect biodiversity programmes, care group support, coast and estuary care or land management advisory services.
	+ The selection process had involved collaboration from across the organisation.
	+ The change in approach was partially underway, focusing on places, attributes and reduction.

In Response to Questions:

* The Focus Catchments project would be covered within existing budgets and funded by general funds and investment income.
* Council’s operational grants policy would be updated and brought back to the Committee for endorsement.
* The wallaby control trial had been awarded to two tenderers trialling different approaches using dogs, live capture and pesticides. The project was underway and would be completed by the end of the financial year.

Members’ Comments:

* Raised concern regarding the governance of the Kaimai Catchment Forum and the need for attention of co-funding conditions of catchment care groups through the Annual Plan process.
* Considered the hovercraft should be added to Council’s risk register to examine any future issues.

Staff Follow-up:

* Provide councillors with the Farm Environment Plan examples in Stellar Library.

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the report, Integrated Catchment Management Update.

**Thompson/Crosby**

**CARRIED**

1.05 pm – The meeting **adjourned**.

1:32 pm – The meeting **reconvened**.

## Climate Change Update (May 2019)

Environmental Strategy Manager Stephen Lamb, Project Manager Toni Briggs and Senior Planner Climate Change Jane Palmer presented the report.

Key Points:

* Climate Change Amendment Bill had been released for public submissions by 16 July 2019. A report would be brought to the Committee on 25 June 2019 seeking direction.
* The Committee’s direction was sought on a potential Regional Forum.
* Development of Council’s Draft Climate Change Action Plan would be reported to the Committee on 25 June 2019.
* Work was underway on a Climate Change Strategy for Engineering, which would be brought to the Committee in due course.

Members’ Comments:

* Key discussion points for Local Government NZ were: ministerial powers to call for reporting information from councils, councils declaring a climate change emergency was a symbolic signal of awareness; and the national adaptation plan and legal framework plan.
* The Climate Change Action Plan needed to be science-based, practical and action-based.
* Provided the following feedback on the potential of a Regional Forum:
	+ Considered a regional forum and a separate advisory group was needed for Council to consider proposals.
	+ Defining Council’s role in facilitating sector and industry (mitigation and adaptation) responses could be done through the Bay of Connections, Economic Development Agencies (EDAs) with priorities for Council considered through the Regional Forum.
	+ General consensus supported a regional forum to ensure an integrated approach on how Council’s work linked in.
* Considered Council’s travel budget needed further investigation.

Staff Follow-up:

* Further background on the Climate Change Bill was requested and would be circulated to councillors for information.

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the report, Climate Change Update (May 2019);
2. Supports the concept of a working group or forum to support Council’s climate change activities.

**Thompson/Thurston**

**CARRIED**

## Release of National Planning Standards

*Refer PowerPoint Presentation: Objective ID A3249315.*

Team Leader Policy (Environmental) Nassah Steed and Policy & Planning Manager Julie Bevan presented the report.

Key Points:

* NPSs intent was to provide a consistent framework for RMA policy statements and plans nation-wide.
* Outlined implementation timeframes. Staff were working towards implementing timeframes for electronic accessibility and functionality by April 2020.
* Council may need to consider bringing forward the ten-yearly formal review of the Regional Policy Statement ahead of district plan reviews.
* Noted implementation challenges relating to plan alignment and topic format and definitions.

In Response to Questions:

* Implications for Council’s policy statement and plans were wide ranging and staff would be looking at the most pragmatic way to meet the NPSs requirements as part of its existing plan change programme.

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the report, Release of National Planning Standards.

**Thompson/Nees**

**CARRIED**

## Urban Form and Transport Initiative Update

Regional Development Manager David Phizacklea provided the report on progress of the UFTI Project for the Western Bay of Plenty sub-region.

Key Points:

* Noted the two key phases of work with completion of phase one and appointment of project delivery roles: Robert Brodnax (Project Director), Janeane Joyce (Project Manager) and Ben Peacey (Technical Coordinator).
* Phase two: finalisation of the project plan and completion of the draft Foundation report would be reported to the SmartGrowth Leadership Group meeting on 17 June 2019.

In Response to Questions:

* Noted the need to brief all councils on the Foundation report, with timing likely to be at the end of June 2019.
* Key proposals could be reported to the joint councils for approval.

Members’ Comments:

* Questioned due process for adoption of the Foundation Report.
* Noted the high level of integration and need for alignment.
* Considered it essential for UFTI to be reported to Council and the other respective councils, as well as the joint forum where appropriate.

Staff Follow-up:

* Requested a regular briefing from the UFTI Project Director be provided to Council.

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the report, Urban Form and Transport Initiative Update.

**Thompson/Love**

**CARRIED**

# Public Excluded Section

Resolved

**Resolution to exclude the public**

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

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| --- | --- | --- |
| **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 – 10 April 2019** | **Please refer to the relevant clause in the open meeting minutes.** | **Good reason for withholding exists under Section 48(1)(a).** |
| **9.2 Public Excluded Regional Coastal Environment Plan Minutes – 18 April 2019** | **To maintain legal professional privilege.** | **Good reason for withholding exists under Section 48(1)(a).** |
| **9.3 2017/18 Compliance Monitoring and Enforcement Metrics for the Regional Sector** | **To protect this information so it doesn’t prejudice similar information.** | **Good reason for withholding exists under Section 48(1)(a).** |

**von Dadelszen/Thurston**

**CARRIED**

# Confidential Business to be Transferred into the Open

## Public Excluded Agenda Item 9.3: 2017/18 Compliance, Monitoring and Enforcement Metrics for the Regional Sector

Resolved

That the Regional Direction and Delivery Committee:

1. Agrees to transfer the report into the open section of the meeting following the public release of the Independent Analysis Report by the Regional Sector.

Thompson/von Dadelszen

CARRIED

**The meeting closed at 2.11 pm.**

Confirmed 25 June 2019 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

                                                                        Councillor Paula Thompson

Chairperson – Regional Direction and Delivery Committee