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, 17 September 2019 commencing at 9.30 am

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**Present:**

**Chairman:** Paula Thompson

**Deputy Chairman:** Andrew von Dadelszen

**Councillors:** John Cronin, Tīpene Marr, Lyall Thurston, Bill Clark, Arapeta Tahana, Norm Bruning, Jane Nees, Chairman Doug Leeder, Stuart Crosby, Kevin Winters

**In Attendance:** Sarah Omundsen - General Manager Regulatory Services, Namouta Poutasi – General Manager Strategy and Science, Chris Ingle - General Manager Integrated Catchments, Fiona McTavish – Chief Executive, Julie Bevan – Policy & Planning Manager, James Low – Team Leader (Freshwater), Stephen Lamb – Environmental Strategy Manager, Gemma Moleta - Policy Analyst (Water Policy), Andy Bruere - Lakes Operations Manager, Reuben Fraser - Consents Manager, Greg Corbett – Biosecurity Manager, Shane Grayling – Biosecurity Team Leader, Nassah Steed – Principal Advisor, Policy & Planning, Stephanie Macdonald – Community Engagement Team Leader, Eddie Sykes – Community Engagement EEF Coordinator/Māori Policy Advisor, Alex Miller – Compliance Manager – Primary Industry & Enforcement, Ryan Standen – Regulatory Compliance Team Leader, Heidi Fraser –Programme Coordinator, Paul Greenshields – Land Management Officer, Laverne Mason – Rotorua Catchments Manager, David Phizacklea – Regional Development Manager, Shari Kameta – Committee Advisor

**Apologies:** David Love, Matemoana McDonald

# Apologies

Resolved

That the Regional Direction and Delivery Committee:

1. Accepts the apologies from Councillors David Love and Matemoana McDonald and Cr Bruning for lateness tendered at the meeting.

Thompson/Crosby

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 - 06 August 2019

Resolved

That the Regional Direction and Delivery Committee:

1. Confirms the Regional Direction and Delivery Committee Minutes - 06 August 2019 are a true and correct record.

**von Dadelszen/Winters**

**CARRIED**

## Region-wide Water Quantity - Proposed Plan Change 9 Appeals Subcommittee Minutes - 04 March 2019

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the Region-wide Water Quantity - Proposed Plan Change 9 Appeals Subcommittee Minutes - 04 March 2019.

**Nees/von Dadelszen**

**CARRIED**

## Regional Coastal Environment Plan Appeals Subcommittee Minutes - 12 August 2019

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the Regional Coastal Environment Plan Appeals Subcommittee Minutes - 12 August 2019.

**Thompson/Cronin**

**CARRIED**

# Operating Environment: Verbal Update

Reference was made to the complexity of the current operating environment in relation to the recent release of the Government’s freshwater proposals, which a verbal update would be provided under the Freshwater Futures update report.

# Reports

## Key Highlights from the 2016-2019 Triennium

General Manager Strategy and Science Namouta Poutasi summarised key highlights for the Regional Direction and Delivery Committee over the 2016-2019 Triennium.

Members Comments:

* The Chair acknowledged the substantial work achieved by the Committee and commended staff who had worked incredibly hard.

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the report, Key Highlights from the 2016-2019 Triennium.

**Winters/Thompson**

**CARRIED**

## Freshwater Futures Update

General Manager Strategy and Science Namouta Poutasi, Team Leader Freshwater James Low and Policy & Planning Manager Julie Bevan presented the report. A verbal update was provided on the recent release of the Government’s national direction for freshwater discussion document, ‘Action for healthy waterways’.

Key points

* Ministry for the Environment (MfE) were holding engagement hui in the region and during the week for Council and the public, of which two hui had been held on 16 September in Tauranga.
* A wide range of questions were raised at the public meeting in relation to implications for farming, social and economic impacts, cost implications and the time constraints for people to consider the implications and make submissions.
* The submission period had been extended to 31 October 2019.
* Staff would be holding three information sharing sessions for stakeholders and the public to provide an overview and understanding of the proposal. Proposed dates for these sessions were: 30 September (Rotorua), 1 October (Whakatāne) and 2 October 2019 (Te Puke).

Members Comments

* The comprehensive discussion document outlined an impact statement on a range of effects, which was not being covered at the public engagement meeting.
* The Regional Sector water subgroup had released a high level economic impact assessment report on the Essential Freshwater proposal, which was available on the LGNZ website.

9:54 am – Cr Bruning **entered** the meeting.

* Information sharing sessions would provide Council the opportunity to interact with the community on the implications of the Government’s freshwater proposals.
* Council’s position on the Government’s freshwater proposal at the regional sector level shared the high level aspirations of the Government and Māori community to improve freshwater quality, but would need to consider the issues and implications of its local communities which needed to be further addressed.
* Councillors needed to ensure they had a sound understanding of the freshwater proposal in terms of Council’s position and implications for the region.

Staff - In Response to Questions

* Stakeholder and public information sharing sessions to be facilitated by staff would provide an overview of the potential implications of what was being proposed from a local context and to receive feedback on key issues identified, which would be provided to MfE and the Committee’s workshop on 3 October 2019.
* A Council submission outlining Council’s position on the freshwater proposals would be prepared following the Committee workshop on 3 October 2019.
* An Independent Freshwater Advisory Group had been established comprising Judge Shepherd (Chair), Andrew Fenemor, Antoine Coffin, Tracey Brown and Maree Baker-Galloway.
* Provided clarification that the memorandum filed with the Environment Court in relation to Plan Change 9 was a procedural matter to seek further time to respond.

Actions for Staff Follow-Up

* Requested appropriate briefing information for councillors prior to the stakeholder information sharing sessions.

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the report, Freshwater Futures Update;
2. Revokes resolution 2 of its resolutions of 19 February 2019, relating to the composition of the Plan Change 9 Appeals Subcommittee.
3. Establish a Region-wide Water Quantity Proposed Plan Change 9 Appeals Subcommittee given delegated authority to guide the resolution of the Environment Court appeals on Proposed Plan Change 9 comprising in total three members being Accredited Hearing Commissioners Jane Nees, Paula Thompson and Matemoana McDonald.

**Nees/Crosby**

**CARRIED**

## Expiring Pre-Resource Management Act consents

Consents Manager Reuben Fraser presented the report.

In Response to Questions

* Regarding cultural flows:
  + Key aspects related to the portion of flow that needed to remain in the waterbody to maintain cultural values and for tangata whenua resource utilisation in whichever way they decided.
  + Cultural flows was one aspect of Council providing for Te Mana o Te Wai.
  + Cultural flows frameworks would need to be informed by tangata whenua and established at the regional level by Council. Any cultural flows framework could vary by area and by iwi/hapū.
  + Overall rights and interests of water would need to be addressed at the national level.
* Addressing expiring consents by sub-catchment could be explored where allocation issues existed.
* Current resource consent information was available for over-allocated catchments under the current allocation frameworks. However, what the allocation framework would be in 2026 was unknown.
* Plan Change 9 provided preference for consent renewals in over-allocated catchments to ensure efficiency and reduce over-allocation issues.
* Plan Change 9 provisions did not currently conflict with current provisions of the Regional Natural Resources Plan in terms of the current resource consent process.

Members Comments

* Considered the new Pūtaiao Mātauranga role could assist with development of a cultural flow framework.

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the report, Expiring Pre-Resource Management Act consents.

**Thompson/Winters**

**CARRIED**

## Plan Change 10: Policy Response to Science Review

Environmental Strategy Manager Stephen Lamb, Policy Analyst (Water Policy) Gemma Moleta and Lakes Operations Manager Andy Bruere provided the report.

Key points:

* Method 3 of Proposed Plan Change 10 (PPC10) required Council to respond to the science review undertaken under Method 2, in a formal process.
* No issues had been raised through the science review that would change the basis for PPC10 decisions.
* The science review recommendations were workshopped with science staff and advisors and prioritised where benefit could be achieved and working in with available budget and the timeframe for the next science review in 2022.

In Response to Questions:

* Science projects spreadsheet within Appendix 2 that were highlighted yellow indicated where timeframes and budget had yet to be confirmed.
* Water conservation impacts on lake water quality was primarily a matter for Rotorua Lakes Council to consider in terms of their wastewater treatment strategy.
* Parties to the Memorandum of Understanding (MoU) on the Lake Rotorua Science and Policy Reviews arose as part of the PPC10 notification and submissions process. It was noted that the Te Arawa Lakes Trust and Rotorua Lakes Council were kept informed of matters as key partners of the lakes programme and Rotorua Te Arawa Lakes Strategy Group.

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the report, *Plan Change 10: Policy Response to Science Review*.
2. Accepts the recommended policy response to the science review and confirms no changes are required to PPC10, the Regional Policy Statement or approved resource consents as a result of the science review.

**Thompson/Winters**

**CARRIED**

## Proposed Plan Change 10 (Lake Rotorua Nutrient Management): Update and Establishment of an Appeals Subcommittee

Environmental Strategy Manager Stephen Lamb, Policy Analyst (Water Policy) Gemma Moleta provided the report.

In Response to Questions:

* Explanation was provided on the Environment Court’s interim decision on the allocation method, which would not limit the scope of Stage 2 appeals.

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the report, Proposed Plan Change 10 (Lake Rotorua Nutrient Management): Update and Establishment of an Appeals Subcommittee;
2. Establishes a Proposed Plan Change 10 (Lake Rotorua Nutrient Management) Appeals Subcommittee for the purpose of guiding the resolution of Environment Court appeals for the duration of the Environment Court Appeals process.
3. Approves the terms of reference for the Proposed Plan Change 10 (Lake Rotorua Nutrient Management) Appeals Subcommittee (attached) and appoints Councillor Thompson and Chairman Leeder to the Subcommittee.

That the Regional Direction and Delivery Committee recommend that the Regional Council:

1. Agree to not discharge the Proposed Plan Change 10 (Lake Rotorua Nutrient Management) Appeals Subcommittee following the 2019 triennial local authority election of members.

**von Dadelszen/Thurston**

**CARRIED**

## 2018/19 Annual Report and 2019/20 Operational Plan for the Regional Pest Management Plan

Biosecurity Manager Greg Corbett and Biosecurity Team Leader Shane Grayling presented the report.

Key Points:

* The Annual Report 2018/19 was mostly on track however, noted woolly nightshade and catfish was still problematic.

In Response to Questions:

* Council’s Long Term Plan Biosecurity budget had been increased in Years 1 and 2 to support community initiatives of pest control, particularly for woolly nightshade and other well established pests.
* Block 1 of the wallaby trial had been completed and was awaiting monitoring results, which an update would be provided once available.
* Staff were waiting for approval from the Ministry of Primary Industries (MPI) for an experimental permit to use pindone for wallaby control in the second block.
* Council was still operating under the current Regional Pest Management Plan 2011 – 2016 (RPMP) while the review was underway.

10:45am – Cr Cronin **withdrew** from the meeting.

* Council did not have sufficient operating budget to extend the catfish net operation over the whole year, therefore operations were prioritised in the summer months.
* MPI were working on preparing controls to mitigate against the Brown Marmorated Stink Bug (BMSB) incursions. At the local level, the Tauranga Moana Biosecurity Capital were commencing a local campaign in the coming week to raise awareness of the BMSB.
* A workshop would be held with councillors in the new triennium to receive guidance on submissions received on the RPMP to inform next steps.
* Confirmed there was no imminent threat of wallaby within the Kaimai ranges however noted that small populations existed within the southern Mamaku region and near Okere within the Kaituna catchment which was undergoing management control.

Members Comments:

* Highlighted the lack of progress indicator data available within the 2018/19 Annual Report and gaps in information regarding woolly nightshade within the Western Bay of Plenty area.

Actions for Staff Follow-Up:

* Provide information to councillors on the number of catfish nets in operation.
* Follow-up with the respective local authorities regarding woolly nightshade spread along Kennedy and Cambridge Roads in Tauranga.

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the report, 2018/19 Annual Report and 2019/20 Operational Plan for the Regional Pest Management Plan;
2. Approves the 2019/2020 Operational Plan for the Regional Pest Management Plan for the Bay of Plenty 2011 – 2016.

**Bruning/Nees**

**CARRIED**

10:53am – The meeting **adjourned**.

11:09am – The meeting **reconvened**.

## District Consent Applications Annual Report 2018/19

Policy & Planning Manager Julie Bevan and Principal Advisor Policy & Planning Nassah Steed presented the report.

In Response to Questions:

* The low percentage of applications from Tauranga City Council could likely be attributed to fewer Greenfield developments than the previous year. Staff acknowledged there would be some concern if the trend recurred in 2020.
* Agreed protocols between the district and city councils were working well.

11:11am – Cr Marr **entered** the meeting.

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the report, District Consent Applications Annual Report 2018/19.

**Thompson/Thurston**

**CARRIED**

## Update - Community Funding Requests 2018-2019

Community Engagement Team Leader Stephanie Macdonald and Community Engagement EEF Coordinator/Māori Policy Advisor Eddie Sykes presented the report.

**Conflict of Interest Declared**

Cr von Dadelszen declared an interest in the item as the Chairman of the Kopurererua Valley Rotary Centennial Trust.

In Response to Questions:

* EEF Projects had planted approximately 11,000 plants during the 2018/19 year. On average 10,000-20,000 were planted annually through EEF.
* Projects by region averaged out over time, but staff were promoting the EEF in the central Bay of Plenty where application numbers were low in 2018.
* EEF was regularly fully allocated without being largely oversubscribed. More pressure had been placed on the Community Initiatives Fund in 2017-2019.

Members Comments:

* Commended the report and emphasis placed on the programmes and volunteer capital.

Actions for Staff Follow-Up:

* Requested information on total number of plants that Council planted per annum.

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the report, Update - Community Funding Requests 2018-2019.

**Thompson/Thurston**

**CARRIED**

## 2018/19 Regulatory Compliance Snapshot Report

Compliance Manager – Primary Industry & Enforcement Alex Miller and Regulatory Compliance Team Leader Ryan Standen presented the report and showed four short video clips (general overview, dairy discharges, air quality and sedimentation of water) that had been produced for public communication to complement Council’s annual compliance report and to improve public engagement and understanding of what regulatory compliance was seeking to achieve.

11:26 am – Chairman Leeder **entered** the meeting.

In Response to Questions:

* Follow-up phone calls provided feedback to all substantiated complaints as a requirement of Council’s key performance indicators.
* Reduction in OSET discharge non-compliance was due to increased inspections with the majority technical issues and a small number failing.
* Lower levels of stormwater compliance could be attributed to a dedicated officer undertaking more detailed inspections.

Members Comments:

* Queried the absence of follow-up calls made to unsubstantiated complaints.
* Questioned the absence of air monitoring stations within the Judea and Tauriko industrial areas.

11:31 am – Cr Cronin **entered** the meeting.

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the report, 2018/19 Regulatory Compliance Snapshot Report.

**Thompson/Winters**

**CARRIED**

## 2018/19 Earthworks Compliance Snapshot Report

Compliance Manager – Primary Industry & Enforcement Alex Miller provided the report.

In Response to Questions:

* Staff were aware of anecdotal observations regarding earthworks in the Western Bay of Plenty, which may need further attention around monitoring and education.

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the report, 2018/19 Earthworks Compliance Snapshot Report.

Thompson/Winters

CARRIED

## Integrated Catchment Management Update

*Refer PowerPoint Presentation: Objective ID A3365679*

General Manager Integrated Catchment Chris Ingle presented the report and was accompanied by Land Management Officer Paul Greenshields who provided a presentation on the Kopurererua Focus catchment.

Key points:

* The Kopurererua catchment had been identified as a focus catchment due to being a high contributor of sediment to the harbour, its importance to tangata whenua and the community and as a future growth area.
* A 12-month monitoring programme was being undertaken over 12 sites across the catchment in collaboration with Tauranga City Council and Western Bay of Plenty District Council to understand spatial variation, seasonality of water quality and to identify the source of sediment contamination at specific sites.
* Specific priority actions had been identified for the upper, mid and lower catchment.
* Acknowledged the large community focus with Ngāi Tamarawaho and the Tauranga Rotary Centennial Trust on enhancement initiatives being undertaken in the lower catchment.

In Response to Questions:

* Monitoring in the upper catchment started at the top end of Taumata Road.
* Realignment in the lower catchment would reinstate meanders back into the Kopurererua Stream.

Members Comments:

* Congratulated staff on their work and collaboration with Tauranga City Council, tangata whenua and strategic partners.

Actions for Staff Follow-Up:

* Requested further information and clarity on sedimentation load variances.

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the report, Integrated Catchment Management Update.

**Thompson/Bruning**

**CARRIED**

## Tauranga Moana Programme: 2018/19 Annual Report and 2019/20 Annual Work Plan

General Manager Integrated Catchments Chris Ingle and Programme Coordinator Heidi Fraser presented the report.

In Response to Questions:

* 2018/19 programme financials for Tauranga City Council referenced on page 200 of the agenda related primarily to the southern pipeline.

Actions for Staff Follow-Up:

* Provide advice to councillors on the Kauri Point groundwater quality.
* Check that the financial information reported for Tauranga City Council is correct.

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the report, Tauranga Moana Programme: 2018/19 Annual Report and 2019/20 Annual Work Plan.

**Thompson/Marr**

**CARRIED**

## Rangitaiki Integrated Catchment Programme: Annual Report 2018-2019

General Manager Integrated Catchment Chris Ingle presented the report.

In Response to Questions:

* Rangitaiki Wetland Restoration Project – two environmental programme agreements were currently underway with the third awaiting confirmation. A fourth agreement would not be proceeding.
* Confirmed that the upper Rangitaiki catchment had been prioritised as one of the eleven focus catchments.

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the report, Rangitaiki Integrated Catchment Programme: Annual Report 2018-2019.

**Thompson/Thurston**

**CARRIED**

## 2018/19 Annual Report: Rotorua Te Arawa Lakes Programme

*Refer PowerPoint Presentation: Objective ID A3368938*

General Manager Integrated Catchment Chris Ingle and Rotorua Lakes Catchment Manager Laverne Mason presented the report and were accompanied by Lakes Operations Manager Andy Bruere who gave a presentation on the Trophic Level Index (TLI) results for the twelve Rotorua lakes.

Key points:

* None of the lakes had met their TLIs for the 2018/19 year:
  + Ōkaro was supertrophic where improvement would require a change in land use. Regular alum dosing was currently maintaining water quality.
  + Lake Rotorua 3-year rolling average achieved the TLI, but the annual result did not. Generally the lake was showing stable TLI results, with alum dosing still ongoing.
  + Rotoehu was supertrophic which could be attributed to higher rainfall and changes in climatic conditions. Alum dosing within the Waitangi stream had not been effective and so had ceased. The science team had investigated options and were consulting with the community and iwi to alum dose directly into the lake. Preparation was underway to apply for resource consent later this year.
  + Rotomahana was in moderate condition where there was some uncertainty around contributing factors.
  + Rotokakahi was in moderate condition. Surrounded by forestry, it was considered that there were no solutions available to improve water quality.
  + Rotoiti was in good condition with wastewater reticulation in progress.
  + Rerewhakaaitu was in moderate condition and impacted by climatic conditions and lake stratification.
  + Okareka was in reasonable condition where land use agreements were being undertaken.
  + Okataina was in moderate condition, but affected by forestry harvesting.
  + Tarawera was showing in poor condition however, the TLI was expected to reduce with adjustments required following previous laboratory analysis issues.
  + Lake Tikitapu was in moderate condition with no significant land use in the catchment.
  + Lake Rotoma was sitting slightly above its TLI.
* TLI was not the only factor. The Regional Natural Resources Plan required actions to reduce the occurrence of cyanobacterial algal blooms in the Rotorua Lakes.
* It was also highlighted that lakes needed time to recover from nutrient and climatic cycles and consideration given to geology and groundwater time delays.
* Actions were identified and planned for eutrophic lakes.
* TLI data had been initially set based on data from the 1990s. It was suggested that a review of the science to look at TLI changes and consider what level of annual variation from the target TLI might be acceptable.
* Climate had significant effect on erosion runoff, lake temperature, biochemistry and recycling of nutrients. The Science Technical Advisory Group were currently preparing a statement on the impact of climate change on lake processes and the Rotorua Lakes programme.

In Response to Questions:

* Community feedback on the Lake Rotoehu alum dosing was varied.
* Science reviews considered the use of alum dosing was conservative with positive results expected however also noted the potential risk remained due to unforeseen climatic conditions, which needed to be kept in mind.
* Farm environment plans and actions undertaken by Rerewhakaaitu farmers potentially had more significant impact on Lake Rotomahana as opposed to Lake Rerewhakaaitu.
* Groundwater correlations between Lake Rotoehu and Pongakawa/Little Waihī estuary had not been established, but seemed likely to be connected to the Waitahanui Stream.

Members Comments:

* Considered clarity and a fundamental reset around the science was needed.
* Questioned Council’s ability to deliver on the swimmability targets and lake water quality targets.
* The timeframes for Lake Rotoiti sewerage reticulation had been delayed, which was contrary to what was reported. It was further noted that tenders for on-site systems and Māori land agreements were still ongoing.
* While Lake TLI results had not met their targets, the work that had been undertaken had made a difference to lake water quality and the community.

Actions for Staff Follow-Up:

* Requested a councillor workshop on Lake TLIs and science in the new triennium as a matter of priority.

Resolved

That the Regional Direction and Delivery Committee:

1. Receives the report, 2018/19 Annual Report: Rotorua Te Arawa Lakes Programme.

**Cronin/Winters**

**CARRIED**

# Closing Remarks

Prior to moving into public excluded, the Chair thanked staff for their exemplar effort and professionalism of their reports and to councillors for their substantial commitment and participation.

# Public Excluded Section

Resolved

**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** |
| **9.1 Public Excluded**  **Regional Direction and**  **Delivery Committee Minutes**  **- 06 August 2019** | **To protect this information which is subject to an obligation of confidence, so that it doesn’t prejudice similar information.** | **Good reason for withholding exists under Section 48(1)(a).** |
| **9.2 Public Excluded**  **Regional Coastal**  **Environment Plan Appeals**  **Subcommittee Minutes - 12**  **August 2019** | **To maintain legal professional privilege.** | **Good reason for withholding exists under Section 48(1)(a).** |

**Thompson/Thurston**

**CARRIED**

**The meeting closed at 12:49 pm.**

CONFIRMED 3 October 2019 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

                                                                   Councillor Paula Thompson

Chairperson – Regional Direction and Delivery Committee

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        Fiona McTavish

Chief Executive