

Minutes of the Regional Direction and Delivery Committee Meeting held in Baycrest Room, Sudima Hotel, 1000 Eruera Street, Rotorua on Wednesday, 2 August 2017 commencing at 9.30 a.m.

Present:

Chairman: P Thompson

Deputy Chairman: A von Dadelszen

Councillors: J Cronin, T Marr, L Thurston, D Love, N Bruning, A Tahana, J Nees, Chairman D Leeder, W Clark, S Crosby, K Winters, M McDonald

In Attendance: M Macleod (Chief Executive), C Ingle (General Manager Integrated Catchments), F McTavish (Group Manager Strategy & Science), D Phizacklea (Regional Integrated Planning Manager), S Lamb (Natural Resources Policy Manager), A Bruere (Lakes Operations Manager), G Corbett (Biosecurity Manager), I Morton (Strategy & Science Manager), N Zaman (Pollution Prevention Manager), N Poutasi (Water Policy Manager), S Omundsen (Tauranga Catchments Manager), Y Tatton (Interim Governance Manager), R Burton (Senior Planner (Water Policy)), K Parcell (Senior Policy Analyst), S Bermeo (Senior Planner), K Knill (Communications Partner), G Moleta (Policy Analyst), H Ngatai (Marketing and Communications Advisor), R Garrett, J Durham, M Stensness (Committee Advisors).

Apologies: Nil

1 **Opening Karakia**

Councillor Tahana.

2 **General Business**

The following item was raised for discussion under General Business:

1. Lake Ōkāreka water levels

3 **Declaration of conflicts of interest**

The following conflicts of interest were declared:

1. In regard to agenda item 6.7 *Regulatory Approach for the Mount Maunganui Industrial Area*, conflicts of interest were recorded for Councillors Nees and Thompson as directors of Quayside Board; and for Chairman Leeder as a director of the Port of Tauranga.

2. In regard to agenda item 6.8 *Update on Air Quality Matters at the Port of Tauranga and surrounding areas*, a conflict of interest was recorded for Chairman Leeder as a director of the Port of Tauranga.
3. In regard to agenda item 6.4 *Proposed Plan Change 10: Lake Rotorua Nutrient Management – Recommendations received from the Independent Hearing Panel*, conflicts of interest were recorded for Councillors Bruning and Winters as members of the Lake Rotorua Incentives Committee. Both councillors noted their disagreement that a conflict existed but acknowledged that there could be a perception of conflict and therefore would not take part in the debate or decision on that agenda item.

4 Previous minutes

4.1 Regional Direction and Delivery Committee minutes 22 June 2017

Resolved

That the Regional Direction and Delivery Committee under its delegated authority:

- 1 Notes that the minutes of the Regional Direction and Delivery Committee meeting on 22 June 2017 incorrectly record Councillor von Dadelszen as both present and as an apology;
- 2 Agrees that the minutes should be corrected to record Councillor von Dadelszen's apology;
- 3 Confirms, with the above correction, the minutes of the Regional Direction and Delivery Committee meeting held 22 June 2017.

Cronin/Thurston
CARRIED

4.2 Regional Coastal Environment Plan Appeals Subcommittee minutes 27 June 2017

Resolved

That the Regional Direction and Delivery Committee under its delegated authority:

- 1 Receives the minutes of the Regional Coastal Environment Plan Appeals Subcommittee meeting held 27 June 2017.

Nees/Cronin
CARRIED

5 Reports

5.1 Presentation – Operating Environment

- a) Councillor Crosby provided a presentation on water that he had recently delivered to Local Government New Zealand, which outlined developments in management of the three waters (drinking, waste and storm) over the last 20 years from both a regional and territorial local authority perspective and gave examples from Tauranga and the Bay of Plenty. Current issues and key challenges moving forward were identified. Councillor Crosby also outlined the five work streams included in Water 2050, being water quantity, water quality, infrastructure, cost/funding and institutional framework.

Refer PowerPoint Objective ID A2656224

- b) Councillor Nees updated members on the recent LGNZ conference and her roles on the policy committee and the climate change working group. Councillor Nees noted that the two big issues being considered were water and climate change, and advised members that she had circulated a full conference report for their information.
- c) Chairman Leeder reported to members on recent activities from the Regional Sector Group and Land and Water Forum and summarised discussion held on the NPS – FM and the MfE Clean Water document amendments. The Chairman advised members that a concern raised was perceived slowness of progress by regional councils on rehabilitation of water bodies and implementation of swimmability targets and the risk that actions would be imposed by central government.
- d) Councillor Thompson updated members on recent activities by the Tauranga City Council Environment Committee and noted that the draft Environmental Strategy was now available for public input.

5.2 Presentation – Kiwifruit Vine Health

Refer PowerPoint Objective ID A2664439

Mr Barry O'Neil from Kiwifruit Vine Health (KVH) outlined the background, aims and mandate of KVH and the current status of the Bay of Plenty kiwifruit industry. Mr O'Neil explained the collaborative wild kiwifruit control programme developed in partnership with Council, KVH and landowners and acknowledged the funding for the programme provided by Council. Mr O'Neil then alerted members to the biosecurity threat posed to the kiwifruit industry by fruit flies and the brown marmorated stink bug, and noted lessons learnt by the industry from the Psa incursion.

Members queried the use of copper sprays in the kiwifruit industry; Mr O'Neil advised that projects were underway examining accumulation of copper in soil and any impact on biodiversity in soil.

Change to Order of Business

The Chairperson advised that Agenda Item 6.4 would be moved forward and considered as the next item of business.

5.3 **Proposed Plan Change 10: Lake Rotorua Nutrient Management - Recommendations received from the Independent Hearing Panel**

Refer PowerPoint Objective ID A2666651

Councillors Bruning and Winters vacated their chairs and moved to the public gallery due to declared conflicts of interest with this agenda item.

Chairperson Thompson outlined to members the process to be followed for consideration of this report and the recommendations of the Independent Hearing Panel (IHP). Chair Thompson emphasised that the recommendations were interrelated and had to be treated as a package, with the package as a whole either accepted or rejected; and reminded members to bring open minds to the consideration of the report. Members could only consider the evidence in front of them as presented to the IHP. Chair Thompson also noted that Council staff could only provide technical or factual clarification to members and not provide opinions or recommendations.

Natural Resources Policy Manager Stephen Lamb and Senior Water Policy Planner Rebecca Burton presented the report to members. Mr Lamb summarised the history and development of Proposed Plan Change 10 (PPC10) and explained the submissions and hearing process. Ms Burton outlined the five key changes to PPC10 recommended by the IHP, these being: a simplified approach for lifestyle properties; a new policy and rule for undeveloped Te Ture Whenua Māori Act land; a change in nitrogen allocation for non-benchmarked properties; a change of the 5ha lot threshold and the provision of methodology to update reference files.

Members asked questions of clarification regarding the recommendation on undeveloped Māori land. Staff explained that the rule proposed by the IHP allowed for 800 hectares of Te Ture Whenua Māori land to be converted into low density drystock, with applications for conversion to be assessed against specified criteria through resource consent on a case-by-case basis. Resource consent applications could be made as soon as PPC10 was publicly notified; those granted would be reviewed following the resolution of any appeal if relevant.

Members discussed the merits of the report and the IHP recommendations. The long and onerous process involved and the significance of the decision for Council was noted, and divergent community views and the impact on the rural community were recognised. The work and effort of the local community and Council staff to reach this point was acknowledged and appreciated, with the contribution of previous councillors Oppatt and Eru mentioned. The thoroughness and quality of the IHP's process and report was noted. Members agreed that the adoption of the recommendations and the notification of PPC10 was the most appropriate way to address lake water quality issues and achieve the desired environmental outcomes and was the right decision to make both for the lake and for future generations.

Resolved

That the Regional Direction and Delivery Committee under its delegated authority:

- 1 Receives the report, *Proposed Plan Change 10: Lake Rotorua Nutrient Management - Recommendations received from the Independent Hearing Panel.***
- 2 Receives the report and recommendations of the Independent Hearing Panel on Proposed Plan Change 10 to the Bay of Plenty Regional Water and Land**

Plan as set out in the document “Report and Recommendations of the Hearing Commissioners” and Appendices 1 to 7.

- 3 Accepts the recommendations of the Independent Hearing Panel on Proposed Plan Change 10 to the Bay of Plenty Regional Water and Land Plan as set out in the document “Report and Recommendations of the Hearing Commissioners” and Appendices 1 to 7 as Council’s decisions on submissions on Proposed Plan Change 10 Lake Rotorua Nutrient Management 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 10 Lake Rotorua Nutrient Management to the Bay of Plenty Regional Water and Land 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 the Hearing Panel report and that no separate 32AA report is therefore required.**
- 6 Notes that on and from the date the decisions are publicly notified, Proposed Plan Change 10 is amended in accordance with the decisions.**
- 7 Delegates to the Group Manager Strategy and Science to make any required minor corrections and formatting under clause 16(2) Schedule 1 of the Resource Management Act 1991.**

**Tahana/Thurston
CARRIED**

Adjournment

The meeting adjourned at 11.00am and reconvened at 11.50am.

5.4 Release of Regional Natural Resources Plan

Members agreed to defer consideration of this report to allow minor errors in the Regional Natural Resources Plan to be corrected where possible.

Resolved

That the Regional Direction and Delivery Committee under its delegated authority:

- 1 Defers consideration of the report, Release of Regional Natural Resources Plan.**

**Thompson/Nees
CARRIED**

5.5 Streamlined Planning Process for Proposed Change 4 to the Regional Policy Statement

Regional Integrated Planning Manager David Phizacklea sought approval from members to apply the streamlined planning process under the recent amendments to the Resource Management Act 1991 for Proposed Change 4 to the Bay of Plenty Regional Policy Statement. Mr Phizacklea explained that Proposed Change 4 seeks to amend the urban limits to enable development of land at Tauriko West. In response to questions regarding the new process, Mr Phizacklea assured members that the streamlined process still provided a fair process with opportunity for input from interested parties, and that the Minister could only make a decision within the scope of evidence and submissions provided. Members noted that use of the streamlined planning process includes a loss of appeal rights.

Resolved

That the Regional Direction and Delivery Committee under its delegated authority:

- 1 Receives the report, **Streamlined Planning Process for Proposed Change 4 to the Regional Policy Statement**;
- 2 Agrees to the use of the streamlined planning process provided for in the Resource Management Act 1991 for Proposed Change 4 to the Regional Policy Statement;
- 3 Notes that the use of the streamlined planning process must be agreed to by the Minister for the Environment.

Crosby/von Dadelszen
CARRIED

5.6 Extension of Timeframe for Regional Pest Management Plan

Natural Resources Policy Manager Stephen Lamb sought approval for an extension of the Regional Pest Management Plan. Mr Lamb noted that discussions had been held with the Ministry for Primary Industries regarding the extension, and assured members that this length of extension would be sufficient.

Resolved

That the Regional Direction and Delivery Committee under its delegated authority:

- 1 Receives the report, *Extension of Timeframe for Regional Pest Management Plan*.
- 2 Approves the extension of the Regional Pest Management Plan for the Bay of Plenty 2011-2017 until 30 September 2018.

Leeder/Winters
CARRIED

5.7 **Regulatory Approach for the Mount Maunganui Industrial Area**

Councillors Thompson and Nees vacated their chairs and moved to the public gallery and Chairman Leeder left the room (12.15pm) due to declared conflicts of interest with this agenda item. Councillor von Dadelszen assumed the Chair.

Natural Resources Policy Manager Stephen Lamb, Pollution Prevention Manager Nick Zaman and Senior Policy Analyst Karen Parcell updated members on the development of the Regional Air Plan (Plan Change 13) and sought direction on the recommended approach for regulatory provisions to manage discharges to air in the Mount Maunganui Industrial Area. Ms Parcell outlined options for consideration by members and noted the need to gather further evidence to ensure rules drafted were robust.

Members queried whether the ill-health attributed to contaminants discharged from the industrial area had been quantified and recorded. Staff advised that Toi Te Ora had received complaints relating to odour and respiratory difficulties but that no studies specifically related to the Port were available, and noted that staff were working with Toi Te Ora and Worksafe to gather that data. Members emphasised the importance of having a record of complaints of ill-health and requested that information be provided in future reports. Members also requested that the boundaries of the "Mount Maunganui Industrial Area" be clearly defined.

Staff clarified that the underlying principle was that site-specific exceedances are targeted with rules while the general provisions of the Plan apply to the whole region. Staff also noted that no further complaints regarding sulphur dioxide had been received since the Ballance plant upgrade.

Resolved

That the Regional Direction and Delivery Committee under its delegated authority:

- 1 Receives the report, Regulatory Approach for the Mount Maunganui Industrial Area;**
- 2 Approves Option 1 as the regulatory approach for the Mount Maunganui Industrial Area for Plan Change 13 (Air Quality) to the Regional Natural Resources Plan (formerly the Regional Water and Land Plan).**
- 3 Approves that staff progress the development of specific provisions (Option 2) that are consistent with an evidence basis and air management framework for the Mount Maunganui Industrial Area for potential inclusion within the Regional Natural Resources Plan.**

von Dadelszen/Winters
CARRIED

5.8 **Update on Air Quality Matters at the Port of Tauranga and surrounding areas**

Councillor Thompson resumed the Chair.

Chairman Leeder remained out of the room due to a declared conflict of interest with this agenda item.

Pollution Prevention Manager Nick Zaman informed members of measures planned and undertaken to mitigate dust discharges from activities at the Port of Tauranga, and on actions around methyl bromide fumigation.

Resolved

That the Regional Direction and Delivery Committee under its delegated authority:

- 1 Receives the report, Update on Air Quality Matters at the Port of Tauranga and surrounding areas;**

**Thurston/Cronin
CARRIED**

5.9 Presentation – Operating and Monitoring News

Refer PowerPoint Objective ID A2665929

Lakes Operations Manager Andy Bruere updated members regarding the current situation of high lake levels at Lake Ōkāreka. Mr Bruere outlined the lake level operating range and its historic highs and lows, and advised that the lake was currently at its highest levels since 1967. Mr Bruere noted that the lake had no natural overflow outlet as its outlet was entirely controlled by pipe and valve, and informed members that an additional pump was being installed to help manage the current high levels which would begin operations once advice on downstream erosion protection had been received. Fish and Game had also been consulted regarding possible impacts on trout of an increased lake discharge.

Members noted the anxiety and concern in the local community regarding the lake levels, and that a longer term solution would need to be investigated.

Attendance

Chairman Leeder returned to the meeting at 12.45pm.

Adjournment

The meeting adjourned at 1pm and reconvened at 1.35pm.

5.10 Rangitaiki Catchment Programme: Annual Work Plan 2017/2018

General Manager Integrated Catchments Chris Ingle and Tauranga Catchments Manager Sarah Omundsen informed members of the Rangitaiki Catchment Annual Work Programme for 2017/2018.

Resolved

That the Regional Direction and Delivery Committee under its delegated authority:

- 1 Receives the report, Rangitaiki Catchment Programme: Annual Work Plan 2017/2018;**

**Clark/Leeder
CARRIED**

5.11 Tauranga Moana Programme: Annual Work Plan 2017/18

General Manager Integrated Catchments Chris Ingle and Tauranga Catchments Manager Sarah Omundsen updated members regarding the 2017/18 Annual Work Plan for the Tauranga Moana Programme. Ms Omundsen noted that, although the Work Plan aligned with the Tauranga Moana Iwi Management Plan, there was no intent to exclude other stakeholders but to use the Iwi Management Plan as an indication of the anticipated co-governance document.

Members discussed the implications for the Tauranga Moana Programme of the recent interest expressed by Hauraki iwi. Ms Omundsen explained that the Terms of Reference of the programme allowed for the possibility of iwi membership changes through Treaty settlements and provided some flexibility, and noted that latecomers joining a co-governance process was not unusual or without precedent.

Staff advised that Council had received a letter from the Office of Treaty Settlements requesting that Council engage with Hauraki iwi and explained that this was the formal first step taken following a Waitangi Tribunal decision. Council had an obligation to meet with those particular iwi.

Members emphasised the need for sensitivity with engagement to ensure relationships with existing iwi partners were not endangered or hostility created, and requested an update be provided to members on the current iwi situation and any implications for the Tauranga Moana Programme.

Resolved

That the Regional Direction and Delivery Committee under its delegated authority:

- 1 Receives the report, Tauranga Moana Programme: Annual Work Plan 2017/18;**
- 2 Directs staff to prepare a report for the next Regional Direction & Delivery meeting on the interests of Hauraki iwi in Tauranga Moana.**

**von Dadelszen/Nees
CARRIED**

5.12 Freshwater Futures Update

Strategy & Science Manager Ian Morton updated members on key work being undertaken by the Freshwater Futures programme, including work underway to support the implementation of the NPS-FM and hearings progress for Plan Change 9, the Kaituna River Document and proposed Change 3 to the Regional Policy Statement. Mr Morton noted that Council had responded to the Minister's request for data in relation to swimmable lakes and rivers.

Members discussed the need for community engagement around swimmability targets for the region, noted the need to clarify funding and to engage with other councils and the Ministry regarding equalising standards nationwide to achieve the 90% swimmability target.

Resolved

That the Regional Direction and Delivery Committee under its delegated authority:

- 1 Receives the report, Freshwater Futures Update;

Thompson/Crosby
CARRIED

5.13 Catchment modelling and scenarios for the Kaituna-Pongakawa-Waitahanui and Rangitaiki Water Management Areas

Refer PowerPoint Objective ID A2662473

Water Policy Manager Namouta Poutasi and Senior Planner Santiago Bermeo informed members about the bio-physical catchment modelling project currently underway to support implementation of the National Policy Statement for Freshwater Management (NPS-FM) in the Kaituna-Pongakawa-Waitahanui and Rangitaiki Water Management Areas (Plan Change 12); Ms Poutasi provided background information around the modelling and noted that it was designed to be a decision support tool for determining objectives and values; and sought members' approval of the proposed approach for developing scenarios for catchment modelling.

Members queried the usefulness of the "naturalised state" scenario and expressed concern that it might create unrealistic expectations. Staff clarified that having the "naturalised state" scenario was important for modelling flow without abstractions and would be used as a test scenario for the rest of the model. Staff sought members' agreement to start engagement with iwi, community groups and other stakeholders on development of alternative future scenarios for the catchment model. Members highlighted the need for realistic modelling around aspirations of iwi for future development of Māori land and warned against over-reliance on industry growth projections.

Resolved

That the Regional Direction and Delivery Committee under its delegated authority:

- 1 Receives and notes the contents of the report *Catchment modelling and scenarios for the Kaituna-Pongakawa-Waitahanui and Rangitaiki Water Management Areas*;
- 2 Agrees to the proposed approach for developing scenarios for catchment modelling, which is to:
 - a. base development scenarios on existing growth projections and engagement with iwi, community and industry stakeholders;
 - b. base mitigation scenarios on nationally defined good management practices, adjusted to the local context, and informed by engagement with iwi, community and industry stakeholders.

- 3 Notes that staff will keep Councillors informed of progress with scenario specification development, will hold a Council workshop on scenarios on 29 August 2017 and will seek the Committee's approval of detailed scenario specifications prior to the solution-building stage of catchment modelling.

Thompson/Nees
CARRIED

6 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
Public excluded Regional Coastal Environment Plan Appeals Subcommittee minutes – 27 June 2017	Please refer to the relevant clause in the meeting minutes.	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

Thompson/Thurston
CARRIED

The meeting closed at 2.35pm.