

Minutes of the Regional Direction and Delivery Committee Meeting held in Mauao Rooms, Bay of Plenty Regional Council Building, 87 First Avenue, Tauranga on Thursday, 18 May 2017 commencing at 9.30 am.

Present:

Chairperson: P Thompson

Deputy Chairperson: A von Dadelszen

Councillors: J Cronin, T Marr, 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), D Phizacklea (Acting General Manager Strategy and Science), E Grogan (General Manager Regulatory Services), G Moleta (Policy Analyst), G Kroon (Senior Policy Analyst), J Low (Senior Planner), K Parcell (Senior Policy Analyst), L Mason (Integrated Catchments Programme Manager), L Goldsmith (Rotorua Catchments Manager), M Butler (Regional Planner), N Poutasi (Water Policy Manager), N Zaman (Regulatory Compliance Manager), N Moore (Committee Advisor), P Buell (BOP Harbourmaster/Manager), R Irving (Senior Project Implementation Officer), R Donald (Science Manager), R Cross (Team Leader Land Resources), S Weiss (Senior Project Implementation Officer), S Omundsen (Acting General Manager, Integrated Catchments), S Lamb (Natural Resource Policy Manager), S Pickles (Pollution Prevention Team Leader), S Craig (Communications Manager)

Apologies: Councillor L Thurston (leave of absence), Councillor A Tahana (for lateness)

1 **General Business**

There were no matters raised for general business.

2 **Public forum**

There were no matters raised for public forum.

3 **Declaration of conflicts of interest**

There were no conflicts of interest declared.

4 **Regional Direction and Delivery Committee minutes - 29 March 2017**

Resolved

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

- 1 Confirms the minutes of the Regional Direction and Delivery Committee meeting held on 29 March 2017 as a true and correct record.**

**Nees/Clark
CARRIED**

5 Regional Coastal Environment Plan Appeals Subcommittee minutes - 27 February 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 on 27 February 2017.**

**Thompson/Nees
CARRIED**

6 Regional Coastal Environment Plan Appeals Subcommittee minutes - 9 December 2016

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 on 9 December 2016.**

**Nees/Cronin
CARRIED**

7 Presentations

7.1 2016-2017 Ballance Farm Environment Award programme annual report

Refer PowerPoint Presentation Objective ID A2612279

Messrs Jim Hitchcock and John Mackintosh (Ballance Farm Environment Awards Management Committee) provided a presentation and annual report on the 2017 Bay of Plenty Balance Farm Environment Awards. All farming sectors (pastoral, horticulture, forestry) were involved and the Awards highlighted farm management practices and sustainable farming solutions in the Bay of Plenty.

The presenters acknowledged the value and contribution from regional sponsors and partners such as the Bay of Plenty Regional Council. The presentation was well received and appreciated by the Chairperson and committee members.

Resolved

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

- 1 Receives the presentation, 2016-2017 Ballance Farm Environment Award programme annual report.**

**Winters/Love
CARRIED**

7.2 Operating Environment

7.2.1 NZ Planning Institute Conference

Refer PowerPoint Presentation Objective ID A2613231

Acting General Manager Strategy and Science, David Phizacklea and Acting Regional Integrated Planning Manager, Nassah Steed jointly presented on the NZPI conference held on 4-7 April 2017. The conference theme 'Changing Places' reflected on the changing planning landscape, RMA reforms and how 'built and natural' environments were being integrated as multi-purpose spaces.

Regional Planner, Martin Butler and the Regional Integrated Planning Team received special recognition winning an award for the Natural Hazard Risk in the Bay of Plenty Regional Policy Statement.

The Chair requested that a presentation be provided during the Long Term Plan Council Workshop, and congratulated the recipients for their success.

Resolved

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

- 1 Receives the presentation, Changing Places, NZPI Conference, April 2017.**

**Thompson/Winters
CARRIED**

Attendance

Councillor A Tahana entered the meeting at 10:10 am.

7.2.2 Report on Havelock North Water Inquiry, Stage 1

Refer PowerPoint Presentation Objective ID A2612477, A2612644

Water Policy Manager Namouta Poutasi, Regulatory Compliance Manager Nick Zaman and Science Manager Rob Donald jointly presented an overview of report findings for the Havelock North Water Inquiry, Stage 1 and learnings for the Bay of Plenty Regional Council. It was highlighted that a collaborative risk assessment for the Bay of Plenty would include our knowledge, understanding and management of groundwater aquifers, any uncapped or discussed groundwater bores supported by robust and comprehensive science, and consent processing and compliance areas with a focus on security of aquifers.

Members acknowledged a decline in investment of infrastructure and how sectors were dealing with the issues.

The Chair requested that a workshop be held on water quality management before the Stage 2 report is released.

Resolved

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

- 1 Receives the presentation, Changing Places, NZPI Conference, April 2017.**

**Thompson/Nees
CARRIED**

8 Reports

8.1 Towards Objectives for the Rangitaiki and Kaituna/Maketu, Pongakawa/Waitahanui Water Management Areas

Refer PowerPoint Presentation Objective ID A2613286

The report was taken as read and questions of clarification were asked by members on progress. Ms Poutasi and Senior Planner James Low advised that further values and attributes would be captured during the community group process to enable the development of draft objectives. Analysis and more refined objectives would be reported upon as work progresses.

It was clarified that an update on Water Management Areas would be provided to the next meeting of the Regional Direction and Delivery Committee. Ms Poutasi advised that a presentation would be provided to the Te Awanui Tauranga Harbour Advisory Group on 26 May 2017 to ascertain timeframes for developing the WMA framework for the Tauranga Harbour catchment.

Resolved

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

- 1 Receives the report, Towards Objectives for the Rangitaiki and Kaituna/Maketu, Pongakawa/Waitahanui Water Management Areas;**
- 2 Approves in principle the pairing of values and attributes detailed in Section 5 of this report as the basis for objective setting under the National Policy Statement Freshwater Management.**

**Leeder/Nees
CARRIED**

8.2 Region - wide Water Quantity Proposed Plan Change 9 Progress Update

Ms Poutasi and Senior Policy Analyst Glenys Kroon provided an update on Proposed Plan Change 9 following notification and closing of submissions. Key themes from

submissions were highlighted and hearings are anticipated to be held in October/November 2017.

Resolved

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

- 1 Receives the report, Region - wide Water Quantity Proposed Plan Change 9 Progress Update.**

**Leeder/Winters
CARRIED**

8.3 Freshwater Futures Update

Refer PowerPoint Presentation Objective ID zA179340

Ms Poutasi and Natural Resource Policy Manager Stephen Lamb presented on the implementation of the National Policy Statement for Freshwater Management.

Members acknowledged complexities and the impact on key activities both at a national and regional level for NPS-FM Implementation summary, Clean Water 2017, Land and Water Forums and Freshwater 2017 reports.

A regional sector working group has been established regarding swimmability and planning is underway to support delivery of swimmability targets. However, Chief Executive Mary-Anne McLeod advised that the swimmability standards should be discussed with Central Government following the substantial submissions made by the sector.

Mr Lamb provided clarification on Proposed Plan Change 10 and the further evidence provided on matters raised during the hearing process. A mechanism to account for urbanisation of rural land that was developed and reported to the Rotorua Te Arawa Lakes Strategy Group would be formalised as a Memorandum of Understanding and this matter is being progressed with the partners under the Rotorua Te Arawa Lakes Programme.

The Proposed Kaituna River Document was approved by Te Maru o Kaituna forum members and notified publicly.

Resolved

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

- 1 Receives the report, Freshwater Futures Update.**

**Crosby/Leeder
CARRIED**

Adjournment

The meeting adjourned at 10.55 am and reconvened at 11.15 am.

8.4 **Special Management Areas for addressing localised water quality issues**

The report was taken as read and General Manager Integrated Catchments Chris Ingle, Acting General Manager Integrated Catchments Sarah Omundsen and Rotorua Catchments Manager Linda Goldsmith answered questions of clarification.

Members endorsed the use of Special Management Areas for the Kaiate Stream watershed and the Ngongotaha catchment to address localised water quality problems acknowledging that water quality remained a focus for Council. The SMAs would enable resources to be deployed to two high value areas to mitigate the urgent work identified and where, in some cases, may sit outside the scope of existing Standard Operating Procedures.

Resolved

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

- 1 Receives the report, Special Management Areas for addressing localised water quality issues;**
- 2 Approves the Special Management Area concept as a matter of operational policy;**
- 3 Notes that the purpose of Special Management Areas is to allow the focus of operational effort on mitigating localised water quality problems, where action may be outside the scope of current Standard Operating Procedures;**
- 4 Approves the general criteria for considering a Special Water Management Area as described in Section 3 of this report;**
- 5 Approves the Kaiate Stream watershed and the Ngongotaha sub-catchment as Special Management Areas;**
- 6 Requests regular updates reports to RDD on progress and potential implications to other areas (resourcing, financial, Standard Operating Procedures);**
- 7 Notes that all operational work undertaken in each Special Management Area will have regard to existing policies and regulations.**

**Bruning/Winters
CARRIED**

8.5 **Air Discharges in the Mount industrial area; Dust, Methyl Bromide, Hydrogen Sulphide and Sulphur Dioxide**

Refer PowerPoint Presentation Objective ID A2621660

General Manager Regulatory Services Eddie Grogan was supported by staff from the Pollution Prevention Team in presenting on air quality discharges and monitoring in the Mount industrial area.

Pollution Prevention Manager Nick Zaman and Senior Project Implementation Officer Reece Irving provided a presentation highlighting where industrial activity growth has impacted on air quality. An associated increase in public complaints regarding negative human health and environmental effects was being responded to through increased levels of monitoring and compliance with consent conditions.

Senior Policy Analyst Karen Parcell provided an overview for the Proposed Air Plan Review (October 2017) to address air quality issues across the region. The review will address industrial discharges and specific directed monitoring.

Members provided comments in support of compliance and enforcement work undertaken for the control of discharges of contaminants, and increased levels of monitoring being implemented.

The Chair acknowledged the high public interest and suggested that an update report be provided to community groups when the Long Term Plan was disseminated, and thanked staff for responding to the concerns raised by the community.

Order of business

The Chairperson advised, with the leave of the Committee, that the item Update on Rotorua Air quality Control Bylaw be considered next in order to provide continuity with reporting matters.

8.6 Update on Rotorua Air Quality Control Bylaw

Ms Parcell gave a progress report on the Rotorua Air Quality Control Bylaw. An amendment to the Bylaw would provide consistency with the intended direction of the next generation regional air rules and provide for improved implementation.

Resolved

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

- 1 Receives the report, Update on Rotorua Air Quality Control Bylaw;**
- 2 Endorses the new Rotorua Air Quality Control Bylaw;**
- 3 Approves the 2017 contracting agreement for enforcement and administration of the new Rotorua Air Quality Control Bylaw by the Bay of Plenty Regional Council for signing by the Chief Executive.**

**Thompson/Winters
CARRIED**

8.7 Resource Legislation Amendment Act 2017

An overview of the Resource Legislation Amendment Act 2017 was provided Mr Phizacklea and Acting Regional Integrated Planning Manager Nassah Steed on the amendments to the Resource Management Act 1991, key submission points from the Bay of Plenty Regional Council and the extent to which the Council's submissions were reflected in the Act.

It was acknowledged that the Amendment Act was complex and technical. Many of the provisions would require more detailed analysis to determine implications as changes are bedded into planning and consenting processes under the RMA.

A workshop for members was planned for June 2017 and members would consider future implications and resource requirements during the Long Term Plan process.

Resolved

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

- 1 Receives the report, Resource Legislation Amendment Act 2017.**

**Thompson/Crosby
CARRIED**

- 2 Notes that the Resource Legislation Amendment Act's financial implications will be considered during the Long Term Plan Council Workshop.**

**Leeder/Thompson
CARRIED**

8.8 Te Mana Whakahono a Rohe/Iwi Participation Agreements

Messrs Phizacklea and Steed provided a summary of Te Mana Whakahono a Rohe/Iwi Participation Agreements under the Resource Management Amendment Act 2017.

From preliminary analysis there were no direct impacts on other legislation where Council has a statutory responsibility. The new provisions formalise how iwi will participate in the decision making processes of Council pertaining to resource management. Both positive and challenging implications are anticipated particularly around the complexity of developing multiple agreements, overlapping iwi interests, costs and resourcing.

Future implications and resource requirements would be considered during the Long Term Plan process.

Resolved

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

- 1 Receives the report, Te Mana Whakahono a Rohe/Iwi Participation Agreements;**
- 2 Notes that Te Mana Whakahono a Rohe resource implications will be considered during the Long Term Plan Council Workshop.**

**Thompson/Leeder
CARRIED**

8.9 Marine and Coastal Area (Takutai Moana) Act applications in the Bay of Plenty region

Mr Steed gave an overview of the applications made under the Marine and Coastal Area Act for customary recognitions in the Bay of Plenty region, and potential implications for Council. It was noted that there were 26 applications received for the Bay of Plenty region which is substantially more than any other region in New Zealand.

Decisions on the applications are unlikely for another two to three years, and if customary rights applications were granted in our region, the resource implications arising from Council's statutory responsibilities are unknown at this stage.

Resolved

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

- 1 Receives the report, Marine and Coastal Area (Takutai Moana) Act applications in the Bay of Plenty region.**

**Thompson/Love
CARRIED**

8.10 Urban Development Authorities Discussion Document Submission

Approval was sought on Regional Council's submission to the Urban Development Authorities Discussion Document. The context and explanation of the draft submission was approved by members.

Resolved

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

- 1 Receives the report, Urban Development Authorities Discussion Document Submission;**
- 2 Provides feedback and direction on the draft submission included as Appendix 1 to this report;**
- 3 Approves the submission to be finalised, in accordance with the Committee's direction, and lodged with the Ministry of Business, Innovation and Employment by Friday 19 May 2017.**

**Crosby/Nees
CARRIED**

8.11 Climate change information update

Refer PowerPoint Presentation Objective ID A2606853

Mr Lamb gave an update on climate change, and Council's role in climate change into the future. New information was available for preparing climate change implications in Bay of Plenty communities. Projections would be used with caution, due to modelling assumptions and limitations. The Kaituna lowland case study report will be promoted by Council and made accessible to the public through our website.

Further information and implications would be considered during the Long Term Plan process.

Resolved

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

- 1 Receives the report, Climate Change Information Update;**
- 2 Notes Council will be considering its strategy and actions for climate change as part of the Long-Term Plan process.**

**Thompson/Nees
CARRIED**

8.12 Environment Court Decision on Implementation of the Horizons One Plan

An update on the Environment Court Decision on Implementation of the Horizons One Plan was provided by Ms Poutasi and Policy Analyst Gemma Moleta. The decision is relevant to Rotorua Lakes provisions (Rule 11) in the Regional Water and Land Plan and Proposed Plan Change 10, which set property based nitrogen leaching limits.

A key issue with the Horizons One Plan provisions was a lack of Overseer version management within the provisions resulting in numbering being locked into a plan that became outdated with updates to Overseer.

It was clarified that for Proposed Plan change 10 reference files will be used (not a number) together the latest version of Overseer. This provides for the use of subsequent versions to determine nitrogen loss from land. Reference files enable the latest version of Overseer to be used and take advantage of the best science available.

Members congratulated staff for including provisions to manage Overseer in the Proposed Plan Change 10.

Resolved

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

- 1 Receives the report, Environment Court Decision on Implementation of the Horizons One Plan.**

**Thompson/Love
CARRIED**

8.13 Maritime Update

Refer Objective ID A2607100

Mr Grogan and BOP Harbourmaster/Manager Peter Buell summarised maritime activities and upcoming initiatives in the maritime area. Navigation conditions and challenges were highlighted in a video presentation of a ship entering the Tauranga harbour during a yacht racing event.

A member requested a report on the Hunters Creek barge, arising from a public request to have the barge removed as a navigational hazard.

Mr Grogan advised that a collaboration programme with Ngāi Te Rangi was proposed, and a further report would be provided at the next meeting.

Resolved

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

- 1 Receives the report, Maritime Update.

Thompson/Nees
CARRIED

8.14 Operations and Monitoring News

Refer Video: <http://seacleaners.com/#videos>

Mr Grogan highlighted collaborative efforts between staff and the public during the cleanup of the Kurt Brehmer walkway.

Mr Phizacklea advised that an update on two High Court appeals would be provided at the next meeting following a report to the Regional Coastal Environment Appeals Subcommittee.

8.15 Regional Direction and Delivery Work Programme 2017

Resolved

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

- 1 Receives the report, Regional Direction and Delivery Work Programme 2017.

Love/Thompson
CARRIED

9 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 – 29 March 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 meetings would be likely to result in the disclosure of information for which good reason for withholding would exist.
9.2 – Public Excluded Regional Coastal Environment Plan Appeals Subcommittee minutes – 27 February 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 meetings would be likely to result in the disclosure of information for which good reason for withholding would exist.
9.3 – Public Excluded Regional Coastal Environment Plan Appeals Subcommittee minutes – 9 December 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 meetings would be likely to result in the disclosure of information for which good reason for withholding would exist.

**Thompson/Crosby
CARRIED**

The meeting closed at 1:20 pm.

Confirmed

Chairperson
Regional Direction and Delivery Committee

Date