

# **Minutes of the Strategy, Policy and Planning Committee Meeting held in Council Meeting Room One, Bay of Plenty Regional Council, 5 Quay Street, Whakatane on Thursday, 20 October 2011 commencing at 9.38 a.m.**

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## **Present:**

**Chairman:** R Bennett

**Deputy Chairman:** P Sherry

**Councillors:** T Eru, T Marr, J Nees, I Noble, N Oppatt, M Whitaker

**In Attendance:** Presenter: M Underhill (Chief Executive, EECA), G Maloney (Acting Group Manager Strategic Development), S Lamb (Principal Advisor/Executive Officer), K Maki (Sustainable Development Manager), D Phizacklea (Planning Frameworks Manager), M Henton (Planner), S Omundsen (Senior Policy Analyst), J Owen (Planning Administration Officer), K Parcell (Senior Policy Analyst), L Power (Planner), N Zaman (Pollution Prevention Manager), S Kameta (Committee Administration Officer)

**Apologies:** Council Chairman J Cronin, Councillors P Thompson and L Thurston.

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## **1 Reports**

### **1.1 Council's Position Statement on Land Management Change in the Lake Rotorua Catchment**

Sarah Omundsen (Senior Policy Analyst) and Kataraina Maki (Sustainable Development Manager) presented the report seeking approval of policy principles for Council's position on land management change in the Lake Rotorua catchment. Staff noted that the position statement was high level and signalled Council's intent following key discussions at the August council workshops and Council report in September.

Councillors asked questions of clarification and raised the issue of predetermination of outcomes. Staff advised that legal advice had been sought and that extensive consultation would take place with the community on the implementation of methods and actions.

### **Resolved**

**That the Strategy, Policy and Planning Committee under its delegated authority:**

- 1 Receive the report, 'Council's Position Statement on Land Management Change in the Lake Rotorua Catchment'.**

- 2 Approve the Bay of Plenty Regional Council's position statement on land management change in the Lake Rotorua catchment as set out in section 4.1 of this report. The policy positions are summarised as follows:**
  - **Recognise that land management change alone will not achieve the nitrogen load reductions required to reach the sustainable nitrogen load of 435 tN/yr in Lake Rotorua**
  - **Prioritise Bay of Plenty Regional Council resource towards affecting land use change in the Lake Rotorua catchment over actions to affect land management change**
  - **Support and encourage the efforts of landowners in the Lake Rotorua catchment to change their land management practices**
  - **Actively affect land management change in the Lake Rotorua catchment through Bay of Plenty Regional Council's primary role as a regulator.**
- 3 Notes that this report will be sent to the Rotorua Te Arawa Lakes Strategy Group for their involvement.**
- 4 Confirms that the decision is within the Bay of Plenty Regional Council's strategic planning framework (Council's Ten Year Plan, and planning documents and processes under the Resource Management Act 1991, Biosecurity Act 1993, Land Transport Act 2003, Civil Defence and Emergency Act 2002, and Local Government Act 1974 and 2002).**

**Bennett/Sherry  
CARRIED**

## **1.2 Council's Position Statement on Land Use Change in the Lake Rotorua Catchment**

The report sought the Committee's approval on Council's position statement on land use change in the Lake Rotorua catchment.

Members asked for clarification on statutory involvement and questioned the inclusion of nitrogen load figures in the position statement. Staff advised that legal advice had been provided and would continue to be sought at each step. Furthermore, staff noted that this was an informal process whereby if issues arose that it would be possible to call a halt to the process until those issues were resolved. Staff also noted that the National Policy Statement on Freshwater was pushing councils in this direction.

### **Resolved**

**That the Strategy, Policy and Planning Committee under its delegated authority:**

- 1 Receives the report, Council's Position Statement on Land Use Change in the Lake Rotorua Catchment.**
- 2 Approves the Bay of Plenty Regional Council's position statement on land use change in the Lake Rotorua catchment as set out in section 4.1 of this report. The policy positions are summarised as follows:**
  - **Accept that Bay of Plenty Regional Council has an obligation to consider land use change in order to achieve the sustainable nitrogen load of 435 tN/yr in Lake Rotorua**

- **Prioritise Bay of Plenty Regional Council resource towards land use change as a key tool for achieving the sustainable nitrogen load of 435 tN/yr in Lake Rotorua**
  - **Recognise that there is a local, regional and national willingness to pay for water quality outcomes**
  - **Take action on land use change quickly in the Lake Rotorua catchment to ensure that opportunities are not lost.**
- 3 Notes that this report will be sent to the Rotorua Te Arawa Lakes Strategy Group for their involvement.**
- 4 Confirms that the decision is within the Bay of Plenty Regional Council's strategic planning framework (Council's Ten Year Plan, and planning documents and processes under the Resource Management Act 1991, Biosecurity Act 1993, Land Transport Act 2003, Civil Defence and Emergency Act 2002, and Local Government Act 1974 and 2002).**

**Bennett/Sherry  
CARRIED**

An **ABSTENTION** from voting was recorded for Councillors Nees and Oppatt.

### **1.3 Process Options to Deliver Rules to Manage Nutrient Discharges to the Rotorua Te Arawa Lakes**

Lisa Power (Planner) provided an overview of the process options that could be taken to deliver rules to manage nutrient discharges to the Rotorua Te Arawa Lakes. Members discussed and were provided with clarification on research assumptions and litigation matters.

#### **Resolved**

**That the Strategy, Policy and Planning Committee under its delegated authority:**

- 1 Receives the report, '*Process Options to Deliver Rules to Manage Nutrient Discharges to the Rotorua Te Arawa Lakes*'.**
- 2 Note that this report will be sent to the Rotorua Te Arawa Lakes Strategy Group for their involvement.**
- 3 Notes that staff recommend Option Two as the preferred process to deliver rules to manage nutrient discharges to the Rotorua Te Arawa Lakes.**
- 4 Confirms its preferred process as Option Two: Streamlined (Statutory Minimum).**
- 5 Confirms that the significance of the decision has been assessed as LOW, and does not require further identification and assessment of different options, community views and written records.**

**Noble/Bennett  
CARRIED**

An **ABSTENTION** from voting was recorded for Councillor Nees.

## 1.4 Promoting Healthy Homes throughout the Bay of Plenty Region

*Refer PowerPoint presentation A962112.*

Marion Henton (Planner) introduced the report seeking a decision on options to establish a loan scheme to support an insulation and clean heat service to the region. Mike Underhill (Chief Executive, EECA) was in attendance and provided a presentation on EECA's Warm Up New Zealand: Clean Heat scheme, highlighting the benefits of the scheme and how voluntary targeted rates can work. Committee members discussed and were provided with clarification on funding and rating options, additional grants available, and debt and recovery costs.

### Attendance

Councillor Whitaker excused himself from the meeting at 10.40 a.m.

### Resolved

**That the Strategy, Policy and Planning Committee under its delegated authority:**

- 1 Receives the report, '*Progressing Healthy Homes throughout the Bay of Plenty Region*'.**
- 2 Agrees to establishing a loan scheme for insulation and/or clean heat with the following elements:**
  - (a) A Healthy Homes Voluntary Targeted Rate that will be available to ratepayers who qualify for the Energy Efficiency Conservation Authority insulation and/or clean heat grants throughout the Bay of Plenty region.**
  - (b) The term of the loan will be ten years.**
  - (c) A maximum amount per ratepayer of \$5,000 inclusive GST per loan.**
  - (d) A total dollar cap per annum of five million dollars.**
  - (e) The targeted rate will only be made available until the Energy Efficiency Conservation Authority's funding ends, currently 30 June 2013.**
  - (f) Under a region wide insulation and clean heat programme, the vendor (seller) on sale of the property, must pay back any remaining loan balance in full.**
- 3 Agrees in principle to Funding Assistance Option One – offer a loan for insulation/clean heat that once accepted by the ratepayer becomes an interest-bearing (+ administration fees) targeted rate that can be paid back over ten years.**
- 4 Notes that additional resources to implement Council's preferred option can be considered and publicly consulted as part of Council decision-making during the development of the Ten Year Plan 2012-2022.**
- 5 Confirms that the decision is within the Bay of Plenty Regional Council's strategic planning framework (Council's Ten Year Plan, and planning documents and processes under the Resource Management Act 1991, Biosecurity Act 1993, Land Transport Act 2003, Civil Defence and Emergency Act 2002, and Local Government Act 1974 and 2002).**

**Noble/Oppatt  
CARRIED**

## Adjournment

The meeting adjourned at 10.55 a.m. and reconvened at 11.10 a.m.

### 1.5 Review of Sewerage Scheme Assistance Policy

The report was presented by Stephen Lamb (Principal Advisor/Executive Officer) and provided results from the review of the Sewerage Scheme Assistance Policy. Three options were identified for consideration to support targeted ratepayers and affected households. Mr Lamb noted that option three required a substantial rewrite of the policy and that further discussion on the second work stream was needed.

Councillors discussed the options and implications of disestablishing the current policy. A question was raised as to the certainty of the Infrastructure fund, in particular that the fund had yet to be tested along with competing demands to support any new maintenance zones should they arise. As a result of these issues, members agreed to support Option 2 to retain the current policy.

### Resolved

**That the Strategy, Policy and Planning Committee under its delegated authority:**

- 1 Receives the report, *Review of Sewerage Scheme Assistance Policy*.**
- 2 Notes the findings of the review of the Regional Assistance for Small-scale Sewerage Schemes Policy 2003.**
- 3 Agrees to Option 2: Retain current policy to address OSET Plan maintenance zones that are added in the future.**
- 4 Confirms that the decision is within the Bay of Plenty Regional Council's strategic planning framework (Council's Ten Year Plan, and planning documents and processes under the Resource Management Act 1991, Biosecurity Act 1993, Land Transport Act 2003, Civil Defence and Emergency Act 2002, and Local Government Act 1974 and 2002).**

**Nees/Noble  
CARRIED**

### 1.6 Variation to the Proposed Regional Policy Statement to give effect to the New Zealand Coastal Policy Statement 2010

David Phizacklea (Planning Frameworks Manager) presented the report advising of the process and scope of amendments to the Proposed Regional Policy Statement required to give effect to the New Zealand Coastal Policy Statement 2010.

Members were provided with clarification on NZCPS direction for coastal occupation charges and port operations.

### Resolved

**That the Strategy, Policy and Planning Committee under its delegated authority:**

- 1 Receives the report, *Variation to the Proposed Regional Policy Statement to give effect to the New Zealand Coastal Policy Statement 2010*.**

- 2 **Notes preparation will commence on a variation to the Proposed Bay of Plenty Regional Policy Statement under Schedule 1 of the Resource Management Act 1991 to give effect to the New Zealand Coastal Policy Statement 2010.**
- 3 **Confirms that the decision is within the Bay of Plenty Regional Council's strategic planning framework (Council's Ten Year Plan, and planning documents and processes under the Resource Management Act 1991, Biosecurity Act 1993, Land Transport Act 2003, Civil Defence and Emergency Act 2002, and Local Government Act 1974 and 2002).**

**Bennett/Sherry  
CARRIED**

## 1.7 **District Consent Applications Annual Report**

The Planning Frameworks Manager provided an updated of the district resource consent applications for the year ended 30 June 2011 noting current and upcoming appeals to the Environment Court.

Councillors discussed and were provided with clarification on several matters including information pertaining to the Blakely Pacific appeal, the geographical spread of applications across the region and where staff time was being spent.

### **Resolved**

**That the Strategy, Policy and Planning Committee under its delegated authority:**

- 1 **Receives the report, District Consent Applications Annual Report.**

**Bennett/Noble  
CARRIED**

## 1.8 **Regional Air Plan Spray Rules Review**

Karen Parcell (Senior Policy Analyst) and Kataraina Maki (Sustainable Development Manager) provided an update on the review of the spray rules in the operative Regional Air Plan. Ms Maki noted that the review had narrowed specifically to address horticultural issues as a result of anecdotal complaints received from this industry and that advice received from a forestry representative prior to the meeting had highlighted that this had not been made clear in the review. Further to this, Ms Maki advised that wider consultation would take place as part of the plan change process.

Members noted that some provisions outlined within the review were impractical for some private property owners, such as railway and roading access providers. As such, staff noted that this would be taken into consideration during the consultation and plan change process.

### **Resolved**

**That the Strategy, Policy and Planning Committee under its delegated authority:**

- 1 **Receives the report, "*Regional Air Plan Spray Rules Review*".**

- 2 Notes that an independent report “Review of the Agrichemical Spray Rules” has been completed (refer Appendix 1).**
- 3 Notes that a change to the Regional Air Plan is recommended as a long-term solution to issues identified in the review and that this change will be included with upcoming changes to the Regional Air Plan.**
- 4 Notes that staff will provide a report to the Operations, Monitoring and Regulations Committee on improved implementation of the spray rules of the Regional Air Plan.**

**Bennett/Nees  
CARRIED**

**The meeting closed at 11.55 a.m.**