

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, 11 December 2018 commencing at 9.32a.m.

Present:

Chairman: P Thompson

Deputy Chairman: A von Dadelszen

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

In Attendance: F McTavish (Chief Executive); N Poutasi (General Manager, Strategy & Science); C Ingle (General Manager, Integrated Catchments); S Omundsen (General Manager, Regulatory Services); D Phizacklea (Regional Integrated Planning Manager); H Creagh (Rotorua Catchments Manager); R Donald (Science Manager); S Lamb (Natural Resources Policy Manager); A Miller (Compliance Manager – Primary Industry & Enforcement); S Mellor (Compliance Manager – Urban, Industry, and Response); G Corbett (Biosecurity Manager); R Burton (Freshwater Team Leader); J Low (Water Policy Team Leader); C Brewer (Team Leader, Urban, Industry, and Response); S Macdonald (Community Engagement Team Leader); N Newman (Principal Advisor); N Green (Senior Planner, Water Policy); G Kroon (Senior Policy Analyst, Water Policy); R Irving (Senior Regulatory Project Officer); S Pickles (Regulatory Compliance Specialist); J Durham (Committee Advisor)

Apologies: Chairman D Leeder and Cr A Tahana (both for lateness)

1 Apologies

Resolved

That the Regional Direction and Delivery Committee:

- 1 Accepts the apologies for lateness from Chairman D Leeder and Cr A Tahana tendered at the meeting.

Thompson/von Dadelszen
CARRIED

2 Public Forum

Nil.

3 **Acceptance of Late Items**

Nil.

4 **General Business**

Nil.

5 **Confidential Business to be transferred into the Open**

Nil.

6 **Declaration of Conflicts of Interest**

Cr von Dadelszen and Cr McDonald declared an interest in relation to the Plan Change 13 update within Agenda Item 12.2 (Mount Maunganui Industrial Area Regulatory Compliance Update).

Cr Thompson and Cr Nees declared an interest in relation to the Plan Change 9 update within Agenda Item 12.3 (Freshwater Futures Update report).

7 **Previous Minutes**

7.1 **Regional Direction and Delivery Committee Minutes - 30 October 2018**

Resolved

That the Regional Direction and Delivery Committee:

- 1 Confirms the Regional Direction and Delivery Committee Minutes - 30 October 2018 as a true and correct record.**

**Von Dadelszen/Thompson
CARRIED**

8 **Reports**

8.1 **Final Regional Targets for Swimmable Rivers and Lakes**

PowerPoint presentation (Objective ID A3089589)

David Phizacklea (Regional Integrated Planning Manager) outlined requirements under the National Policy Statement for Freshwater Management for swimmability targets to be finalised by 31 December 2018. The targets were the same as the interim targets approved in March 2018.

Points of clarification included:

- Water quality monitoring for swimming was carried out from November to March each year.
- Lake Rotoehu would have ongoing issues due to naturally occurring phosphate.

Resolved

That the Regional Direction and Delivery Committee:

- 1 Receives the report, Final Regional Targets for Swimmable Rivers and Lakes.
- 2 Approves the final Regional Targets of 95.7% for specified rivers and 85% for specified lakes to be swimmable by 2030 as required by the National Policy Statement for Freshwater Management.
- 3 Directs staff to make the final Regional Targets publicly available by 31 December 2018, provide the final targets to the Ministry for the Environment in the required format, and work with the Ministry for the Environment should any further work be required.

Thompson/Crosby
CARRIED

8.2 National Policy Statement for Freshwater Management Implementation Programme

PowerPoint presentation (Objective ID A3089589)

James Low (Water Policy Team Leader) and David Phizacklea (Regional Integrated Planning Manager) outlined the need to defer timelines for the National Policy Statement for Freshwater Management (NPS-FM) Implementation Programme.

9.45am – Cr Tahana joined the meeting.

Key points included:

- Central Government continued to develop freshwater policy.
- Several councils had deferred their timelines to allow time for Central Government to reach certainty on freshwater requirements and consider proposed changes and implications.
- Council's annual plan review would provide another opportunity to review progress and commence implementation once certainty was available.

Resolved

That the Regional Direction and Delivery Committee:

- 1 Receives the report, National Policy Statement for Freshwater Management Implementation Programme.
- 2 Unanimously rescinds its 30 November 2017 implementation timetable.
- 3 Adopts and publicly notifies an amended schedule for implementing the National Policy Statement for Freshwater Management as set out in this report, signalling completion by 31 December 2030.
- 4 Notes the ability to deliver the National Policy Statement for Freshwater Management Implementation Programme quicker through the annual plan and long term plan processes.

Thompson/Nees
CARRIED

8.3 **Reducing Contaminant Loads to Waihi and Maketu Estuaries: Estimated Limits and next steps**

PowerPoint presentation (Objective ID A3089590)

Nicki Green (Senior Planner, Water Policy), Rob Donald (Science Manager), and David Phizacklea (Regional Integrated Planning Manager) summarised the history and next steps for reducing the contaminant loads to Waihi and Maketu Estuaries.

Key points included:

- The estuaries' current health was declining and action was needed in the short term.
- Additional modelling would reduce uncertainty in the estimated contaminant loadings.
- Kaimoana was generally safe to consume from the Maketu Estuary, provided there had not been heavy rainfall in the 5-7 days prior to collection. It was Toi Te Ora's responsibility to provide warnings in such circumstances.

Staff follow-up:

- Provide further information on nutrient loads from Lake Rotorua and how it related to nutrient loads in the Lower-Kaituna.

Resolved

That the Regional Direction and Delivery Committee:

- 1 Receives the report, Reducing Contaminant Loads to Waihi and Maketu Estuaries: Estimated Limits.**
- 2 Gives approval for staff to discuss the estimated contaminant load limits and potential pathways to achieving them over time with the community during planned engagement for Plan Change 12. This will include discussion about:**
 - a. timeframes and shorter term targets towards achieving limits;**
 - b. review periods for limits, targets and methods;**
 - c. benefits and risks for estuary values;**
 - d. ability to make improvements (e.g. confidence about methods and their effectiveness);**
 - e. the costs and benefits (social, economic and environmental); and**
 - f. affordability.**

Von Dadelszen/Love
CARRIED

8.4 **Lowland Drainage Scheme Water Quality and Ecology - Implications and Actions**

Nicki Green (Senior Planner, Water Policy), Nic Newman (Principal Advisor), Alex Miller (Compliance Manager – Primary Industry & Enforcement), and Rob Donald (Science Manager) outlined key actions and considerations undertaken as part of the integrated approach, and endeavours undertaken to implement best practice.

Resolved

That the Regional Direction and Delivery Committee:

- 1 **Receives the report, Lowland Drainage Scheme Water Quality and Ecology - Implications and Actions.**
- 2 **Approves the way ahead expressed in this report, that is:**
 - a. **land management offices will work with landowners to address hot spots;**
 - b. **to address drain and canal water quality issues and integrated management solutions primarily through the Plan Change 12 process; and**
 - c. **to support immediate actions that are in progress, such as, enabling fish passage at some sites, supporting drain management trials, and progressing drain discharge monitoring.**
- 3 **Approves discussion of the matters covered in this report during planned engagement for the Plan Change 12 process (Rangitaiki and Kaituna-Pongakawa Waitahanui Water Management Areas).**
- 4 **A further report be prepared on the regulatory implications arising from this report.**

Thompson/von Dadelszen
CARRIED

Change to Order of Business

To ensure Chairman Leeder would be available to consider Agenda Item 9.2 (Lake Rotorua Integrated Framework Update), Agenda Item 8.5 (Update on the Proposed Regional Pest Management Plan) would be considered next.

8.5 **Update on the Proposed Regional Pest Management Plan**

PowerPoint presentation (Objective ID A3079221)

10.30am – Cr Marr left the meeting.

10.30am – Cr Thompson left the meeting and vacated the Chair, Cr von Dadelszen assumed the Chair.

Stephen Lamb (Natural Resources Policy Manager) and Greg Corbett (Biosecurity Manager) outlined consultation undertaken on the Proposed Regional Pest Management Plan and the late submissions received from iwi. Concern was raised over tāngata whenua's capacity to engage on issues.

10.34am – Cr Thompson joined the meeting and resumed the Chair.

10.35am – Chairman Leeder joined the meeting.

10.37am – Cr Marr joined the meeting.

Councillors requested consideration be given to including Land Trusts within Council's iwi/hapū database to ensure tāngata whenua were aware of relevant matters.

Resolved

That the Regional Direction and Delivery Committee:

- 1 Receives the report, Update on the Proposed Regional Pest Management Plan.
- 2 Is satisfied that consultation undertaken for the Proposed Regional Pest Management Plan meets the requirements of section 72 of the Biosecurity Act.

Bruning/Thurston
CARRIED

Chair's Announcement

Greg Corbett (Biosecurity Manager) was congratulated on receiving the Minister's Biosecurity Award following 35 years of dedicated work in the field.

Change to Order of Business

Agenda Item 9.2 (Lake Rotorua Integrated Framework Update) would be considered following the adjournment.

10.49am – the meeting adjourned.

11.09am – the meeting reconvened.

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
9.2 Lake Rotorua Integrated Framework Update	Good reason for withholding exists under Section 48(1)(a)	To carry out commercial activities

Thompson/von Dadelszen
CARRIED

10 Reports Continued

10.1 Mount Maunganui Industrial Area Regulatory Compliance Update

Reece Irving (Senior Regulatory Project Officer), Steve Pickles (Regulatory Compliance Specialist), and Sarah Omundsen (General Manager, Regulatory Services) outlined the state of the Mount Maunganui Industrial Area.

Key points included:

- The national standard defined PM10 exceedances as averaged over a 24 hour period, so a single spike would not create a notifiable exceedance.
- The PM10 national standard was based on World Health Organisation advice.
- There was no known safe limit of PM10.
- One more PM10 exceedance within the region would breach the national standard and trigger notification to the Minister and an investigation.
- All PM10 monitoring data was public. Staff noted spikes could be caused by false positives, and verification was necessary.

Staff follow-up:

- Staff to investigate if Port of Tauranga was undertaking private monitoring.
- The Ministry of Transport's Shipping Emissions Policy Paper was due 11 February 2019 and would be circulated to Councillors by email.

Resolved

That the Regional Direction and Delivery Committee:

- 1 Receives the report, Mount Maunganui Industrial Area Regulatory Compliance update.**

Thompson/Love
CARRIED

Change to Order of Business

To accommodate presenters, Agenda Item 12.4 (Regulatory Compliance: 2017/2018 Annual Report) was considered next.

10.2 Regulatory Compliance: 2017/2018 Annual Report

Stephen Mellor (Compliance Manager – Urban, Industry, and Response), Chris Brewer (Team Leader, Urban, Industry, and Response), Alex Miller (Compliance Manager – Primary Industry & Enforcement), and Sarah Omundsen (General Manager, Regulatory Services) answered questions in relation to the Annual Report and summarised Council's enforcement procedures when a property was non-compliant.

Resolved

That the Regional Direction and Delivery Committee:

- 1 Receives the report, Regulatory Compliance: 2017/2018 Annual Report.
- 2 Compliments staff on the report.

Love/Cronin
CARRIED

10.3 Freshwater Futures Update

PowerPoint presentation (Objective ID A3083650)

Rebecca Burton (Freshwater Team Leader), Glenys Kroon (Senior Policy Analyst, Water Policy), and David Phizacklea (Regional Integrated Planning Manager) outlined freshwater work underway.

As Cr Thompson and Cr Nees had declared an interest in relation to the Plan Change 9 update in the report, they abstained from discussion.

12.48pm – Cr Thompson vacated the Chair, and Cr von Dadelszen assumed the Chair.

Key points included:

- An update was provided on Plan Change 9 appeals, including deadlines and the appeal process. Councillors would continue to be updated on progress.

12.51pm – Cr von Dadelszen vacated the Chair, and Cr Thompson resumed the Chair.

- The list of 1,196 At Risk Catchments identified nationally had been reduced to 28 catchments, with the Ministry for the Environment (MfE) seeking to further refine that to 20.
- Staff would advise Councillors of work underway on urban waterways against MfE principles.

Resolved

That the Regional Direction and Delivery Committee:

- 1 Receives the report, Freshwater Futures Update.

Thompson/Winters
CARRIED

11 Information Only Reports

11.1 Integrated Catchment Management Update

The report was taken as read.

Resolved

That the Regional Direction and Delivery Committee:

- 1 Receives the report, Integrated Catchment Management Update.

Cronin/Thurston
CARRIED

11.2 Housing Capacity Targets and Urban Growth Update

The report was taken as read.

Resolved

That the Regional Direction and Delivery Committee:

- 1 Receives the report, Housing Capacity Targets and Urban Growth Update.
- 2 Notes that the Bay of Plenty Regional Policy Statement will be changed prior to 31 December 2018 to insert a new Policy UG 25B with targets for housing development capacity for the western bay sub-region, as contained in Appendix 1 to this report.

Nees/McDonald
CARRIED

11.3 Update - Community Funding Requests 2015-2018

Stephanie Macdonald (Community Engagement Team Leader) updated Councillors on Community Funding Requests and projects underway.

Key points included:

- Councillors requested funding focus on achieving action.
- Staff would continue to provide updates on Environmental Enhancement Fund projects, particularly Envirohub.

Resolved

That the Regional Direction and Delivery Committee:

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

Thompson/Leeder
CARRIED

12 Consideration of General Business

Nil.

13 Public Excluded Section

Resolved

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 - 30 October 2018	Good reason for withholding exists under Section 48(1)(a)	Refer to the relevant clause of the open meeting minutes

**Thompson/Thurston
CARRIED**

The meeting closed at 1.13pm

CONFIRMED 19 FEBRUARY 2019:

Chairperson