

Strategy and Policy Committee

Open Minutes

Commencing: Tuesday 15 February 2022, 9.30 am

Venue: Via Zoom (Audio Visual Meeting)

Chairperson: Cr Paula Thompson

Deputy Chairperson: Cr Stuart Crosby

Members: Chairman Doug Leeder
Cr Jane Nees
Cr Matemoana McDonald
Cr Toi Kai Rākau Iti
Cr Te Taru White
Cr Kevin Winters
Cr Lyall Thurston
Cr David Love
Cr Norm Bruning
Cr Bill Clark
Cr Stacey Rose
Cr Andrew von Dadelszen

In Attendance: Staff: Namouta Poutasi, General Manager Strategy and Science, Julie Bevan, Policy and Planning Manager, Sarah Omundsen, General Manager Regulatory Services, and Kataraina O'Brien, Director Strategic Engagement, Nicola Green, Principal Advisor Policy and Planning, Karen Parcell, Team Leader Kaiwhakatinana, Jenny Teeuwen, Committee Advisor
External: Rachael Zame, Legal Counsel Cooney Lees Morgan

Please note that the open session of the meeting was livestreamed and the recording is available on the Council YouTube channel via this link [Strategy & Policy Committee - 15 February 2022 - YouTube](#).

1. Apologies

There were no apologies.

2. Declaration of Conflicts of Interest

There were no conflicts of interest declared.

3. Minutes

Minutes to be Confirmed

3.1 Strategy and Policy Committee Minutes - 27 October 2021

Resolved

That the Strategy and Policy Committee:

- 1 Confirms the Strategy and Policy Committee Minutes - 27 October 2021 as a true and correct record.

**Nees/Winters
CARRIED**

4. Reports

Strategy

4.1 Operating Environment

Presented by: Namouta Poutasi, General Manager Strategy and Science, and Julie Bevan, Policy and Planning Manager

Key Points:

- The report covered updates on climate change, Government reforms, upcoming legislative and Government policy changes, and the Strategy and Policy Committee tentative work programme for 2022.
- A three person panel for Regional Policy Statement (RPS) Proposed Change 5 - Kaituna River Hearing, had been confirmed by the Freshwater Commissioner including Councillor von Dadelszen.

In Response to Questions

- Staff were working with the Territorial Authorities that were implementing the Enabling Housing Supply and Other Matters Act to ensure aligning the approach to qualifying matters and the application of the RPS natural hazards provisions in the development of the Medium Density Residential Standards plan changes.
- There was currently no Three Waters legislation in the House but it had been proposed that the first step of the legislation to create governance entities be presented in the House around May 2022.

Key Points - Members:

- When speaking directly with the Future for Local Government Review Panel, it was important that Bay of Plenty Regional Council (Regional Council) made the point that any recommended changes to Local Government would also require changes to central government roles.
- Councillors were encouraged to attend the upcoming Zoom meetings on Resource Management (RM) reform - "Enabling the local voice in the

future RM system”, and the Future for Local Government – “Responsive local leadership”.

- Trade waste was becoming an issue for the region and there was a need for a Regional Trade Waste Strategy that outlined where accountability would sit.

The following verbal updates were provided:

Modernising the Emergency Management Framework (Trifecta)

Presented by: Sarah Omundsen, General Manager Regulatory Services

Key Points:

- Central Government had requested feedback on Trifecta. The document was released on 14 January 2022 and feedback was due on 11 February 2022.
- Regional Council had provided feedback via a submission which included concerns regarding the lack of detail in the proposal, and that the proposal fell short in developing a framework that ensured mana whenua were involved in emergency management.
- Regional Council supported the Local Government New Zealand (LGNZ) letter to the Minister which emphasised concerns regarding timing around engagement and the shift to a nationally controlled approach.

He Puapua

Presented by: Kataraina O’Brien, Director Strategic Engagement

Key Points:

- He Puapua had been commissioned by Te Puni Kōkiri (TPK) in support of the 2007 United Nations (UN) declaration on the rights of indigenous peoples.
- He Puapua was not currently Government policy.
- An independent working group had been set up to create a draft Declaration Plan.
- The draft Declaration Plan was scheduled to go before Cabinet in June 2022. If approved, the draft would then go out for public consultation. The final Declaration Plan was scheduled for approval in December 2022.

In Response to Questions

- He Puapua had a clear alignment to Regional Council’s Māori Engagement Policy.
- Regional Council would have a better understanding of the expectations of regional councils once the feedback from the targeted engagement with iwi entities was released in March 2022.
- Regional Council’s action plan for the Māori Partnerships Programme would be discussed at a Komiti Māori Workshop scheduled for 23 February 2022. The draft Declaration Plan and what it would mean in terms of cost and capability within iwi and hapū could be considered as part of that discussion.

Items for Staff Follow Up

- Attachment Two - Summary of upcoming legislative and Government policy changes, to be updated to include information on Marine Protection Rules.
- Timeline for when Climate Change impacts on consents from the National Emissions Reduction Plan will occur to be provided to Councillors.
- Hard copies of Attachments Two and Three to be provided to those Councillors that had requested them.

Resolved

That the Strategy and Policy Committee:

- 1. Receives the report, Operating Environment.**

**Thompson/von Dadelszen
CARRIED**

Regulatory Policy

4.2 Essential Freshwater Policy Programme: 2022 deliverables and update on proposed national regulations

Presented by: Julie Bevan, Policy and Planning Manager, and Nicola Green, Principal Advisor Policy and Planning

Presentation: Essential Freshwater Policy Programme - 2022 Deliverables and Update on Proposed National Regulations: Objective ID A4034892 [⇒](#)

Key Points:

- The main focus of the Essential Freshwater Policy Programme (EFPP) for 2022 would be setting the vision and the development of outcomes, targets and limits, and the rule framework for the methods to achieve them.
- Some online engagement as well as some targeted stakeholder and community engagement would occur this year. Key community engagement would take place in 2023.
- Key risks for the delivery of the programme included national delays and uncertainties, and capacity and capability issues.
- Amendments to the National Environmental Standards for Sources of Human Drinking Water (NES-DW) was currently out for public consultation. Staff were preparing a submission. Submissions closed on 6 March 2022. The draft submission would be shared with Councillors for comment.

In Response to Questions

- The approach of co-governance bodies for each freshwater management unit could potentially develop out of the draft long term visions for freshwater process; however, this might be difficult to achieve within the current timeframes.

- Regional Council had some resourcing to assist iwi with their involvement in vision setting. Progress was being made but it was at differing levels for different iwi and hapū.
- Whilst the main community engagement would not occur until 2023, Regional Council aimed to start to get the issues out to the public this year as technical research work became available.
- Unregistered water suppliers would be required to register with Taumata Arowai.
- The implications for what was being proposed for freshwater was common across all regional councils and staff were currently in discussion with the Ministry for the Environment regarding this.

Key Points - Members:

- The capacity and capability issues for tangata whenua were real and risked the ability for quality input. A focussed effort was required to get them to a place where there was a sense of a level playing field.

Resolved

That the Strategy and Policy Committee:

- 1 Receives the report, Essential Freshwater Policy Programme: 2022 deliverables and update on proposed national regulations .**

**Thompson/Winters
CARRIED**

5. Public Excluded Section

Resolved

Resolution to exclude the public

- 1 Excludes the public from the following parts of the proceedings of this meeting as set out below:**

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:

Item No.	Subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Grounds under Section 48(1) for the passing of this resolution	When the item can be released into the public
1.1	Plan Change 13 Update	Withholding the information is necessary to maintain legal professional privilege.	48(1)(a)(i) Section 7 (2)(g).	the Environment Court releases its final decision on Plan Change 13.

- 2 That Rachael Zame, Legal Counsel Cooney Lees Morgan, be permitted to stay in the public excluded section of the meeting due to their knowledge of the matter under discussion, being item 9.1 - Plan Change 13 Update.

Thompson/Thurston
CARRIED

6. Public Excluded Business Transferred into the Open

6.1 Resolution transferred into Open section - Item 1.1 Plan Change 13 Update

Following discussion of Item 1.1 Plan Change 13 Update in the Public Excluded section of the meeting, the Strategy and Policy Committee resolved that resolution two for that item be moved into the Open section of the meeting:

Resolved

That the Strategy and Policy Committee:

- 1 Transfers resolution 2 of item 1.1 - Plan Change 13 Update, into the Open section of the meeting:

That the Strategy and Policy Committee:

2. *Instructs legal counsel acting for the Regional Council in the matter of Plan Change 13 to support the Environment Court's use of s293 RMA.*

Thompson/McDonald
CARRIED

11.30 am - the meeting closed.

CONFIRMED 3 MAY 2022

Cr Paula Thompson
Chairperson, Strategy and Policy Committee