

Strategy and Policy Committee

Open Minutes

Commencing:	Tuesday 3 May 2022, 9.30 am
Venue:	Council Chambers, Ground Floor, Regional House, 1 Elizabeth Street, Tauranga, and 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 Bill Clark Cr Stacey Rose Cr Andrew von Dadelszen

In Attendance:	<u>Staff:</u> Fiona McTavish – Chief Executive; Namouta Poutasi – General Manager Strategy and Science; Chris Ingle – General Manager Integrated Catchments; Kataraina O’Brien – Director Strategic Engagement; Julie Bevan – Policy and Planning Manager; Nicola Green – Principal Advisor Policy and Planning; Reuben Fraser – Consents Manager; Lorraine Cheyne – Team Leader, Transport and Urban Strategy; Nassah Rolleston-Steed – Principal Advisor, Policy & Planning; Ruth Feist – Senior Urban Planner; Jenny Teeuwen – Committee Advisor; Claudia Cameron – Committee Advisor
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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 and Policy Committee Meeting Video Recording - 3 May 2022 - YouTube](#).

Apologies:	Cr Norm Bruning (for absence), Cr Stacey Rose (for early departure from the meeting)
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1. Apologies

Resolved

That the Strategy and Policy Committee:

- 1 Accepts the apologies from Cr Norm Bruning for absence, and from Cr Stacey Rose for early departure from the meeting.

Thompson/Thurston
CARRIED

2. Order of Business

Due to staff availability, the order of business was amended as follows:

- Item 5.3 - Essential Freshwater Policy Programme Update, to be taken first.
- Item 5.2 - Draft RPS Change 6 (NPS-UD), no change.
- Item 5.1 - Operating Environment, to be taken third.

3. Declaration of Conflicts of Interest

There were no conflicts of interest declared.

4. Minutes

Minutes to be Confirmed

4.1 Strategy and Policy Committee Minutes - 15 February 2022

Resolved

That the Strategy and Policy Committee:

Confirms the Strategy and Policy Committee Minutes - 15 February 2022 as a true and correct record.

Thompson/Nees
CARRIED

5. Reports

Regulatory Policy

5.1 Essential Freshwater Policy Programme Update

Presentation: Essential Freshwater Policy Programme Update: Objective ID A4089786

Presented by: Nicola Green - Principal Advisor Policy and Planning
Reuben Fraser - Consents Manager

9.35 am – Cr McDonald **entered** the meeting.

9.43 am – Chairman Leader **entered** the meeting.

Key Points

- The online engagement tool Participate Bay of Plenty for the long term vision setting for freshwater went live on Monday and was now open to the public to provide feedback.
- There continued to be challenges with continued engagement and delays with national regulations and staff were working hard to keep to timeframes for the programme.
- 2026 consents renewals:
 - There were a range of consents issued prior to the Resource Management Act (RMA) coming into force in 1991 and these were set to expire on 1 October 2026.
 - Slightly over half (531) were water take consents. The large majority of remaining consents were for discharge to water (108).
 - Staff were already looking to the next Long Term Plan (LTP) and how the consents renewal process would be resourced.
 - There were real opportunities for Bay of Plenty Regional Council (Regional Council) to make the consents renewal process as simple as possible.
- Amendments to the intensive winter grazing regulations were released in April 2022 and would come into effect in November 2022.

In Response to Questions

- Following the independent review of Overseer, a risk based tool was being developed that could be used instead of Overseer. The review's recommended improvements to Overseer were also being made and a new updated version was expected to be available later in the year. The updated version would include a statement on how it should be used for farm planning catchment based modelling and regulation. There was no alternative being developed that would have the same measurability.
- There had been some challenges with calibrating the Tauranga Moana groundwater MODFLOW model. A review of most recent improvements still raised fundamental concerns that needed to be addressed. Staff were looking in to options to progress with urgency in order to inform allocation decisions.
- Through Te Hononga (Regional Māori Engagement Plan) framework, the responsibility or duty to build tangata whenua capacity and involvement for freshwater management would go beyond the notification date of the Regional Plan in 2024. Staff would continue to do all they could to engage and be responsive and invite participation.
- There was a requirement to have applications for consent renewals lodged six months prior to the consent expiry. An influx of applications was expected late 2025 - early 2026.
- A new rules framework for the Regional Natural Resources Plan (RNRP) would come into effect when the plan was notified in 2024. The plan would have legal effect as soon as it was notified.
- There would be the ability to allocate water to an activity or use e.g. allocate water to develop underdeveloped multi-owned Māori land. Work was currently underway to explore options for both nutrient and water quantity and assessing those for cultural allocation.
- Every time a water consent was renewed or a new one issued, the consent would only be issued for what was considered an efficient use of that water.

The usual outcome was that the new consent would allocate less water than the original consent if over allocation had been identified.

- The current focus was to start consent renewal discussions with Territorial Authorities (TA) early, particularly around wastewater discharges. In relation to future transition of infrastructure to water services providers, TAs had generally advised that they would be carrying on future infrastructure and consents planning as business as usual for now. It was unclear who would hold the consents long-term but it was assumed that the proposed new water entities would take over consents.
- In relation to Intensive Winter Grazing regulations, critical source areas would pick up those water flows that very clearly carried contaminants that could enter water bodies.

Resolved

That the Strategy and Policy Committee:

- 1 Receives the report, Essential Freshwater Policy Programme Update.**

**Thompson/Nees
CARRIED**

5.2 Draft Regional Policy Statement (RPS) Change 6 - National Policy Standards-Urban Development (NPS-UD)

Tabled Document 1: Draft Section 32 Analysis - RPS Proposed Plan Change 6: Objective ID A4081444

Tabled Document 2: Proposed Plan Change 6 (NPS-UD) to the RPS - Version 1.14: Objective ID A4075322

Presented by: Nassah Rolleston-Steed – Principal Advisor, Policy & Planning
Ruth Feist – Senior Urban Planner
Lorraine Cheyne - Team Leader, Transport and Urban Strategy

Key Points:

- It was acknowledged that the documentation, in particular the Section 32 Analysis report and the plan change text, still required minor proof-reading amendments. Also, Policy UG 14B of the plan change document had been omitted and this would be rectified.

In Response to Questions

- Any change to the process used would be communicated with all stakeholders including iwi/hapū that had been involved or contacted regarding the process.
- The Section 32 Analysis document would be updated to reflect the decisions of today's meeting.
- Key risks for the Streamlined Planning Process (SPP) included Regional Council's relationships with iwi/hapū, and the timing of notification.
- Ministry for the Environment (MfE) staff had advised that they had no preference for either the SPP or the Schedule 1 options and accepted that whatever process was chosen should be fit for purpose for the local situation.
- Consideration had been given to the cost for the whole of the process and on balance, the costs were comparable either way.

- The RPS plan change using Schedule 1 could be notified in late August of this year whereas using the SPP option would take until early to mid-2023 before the RPS plan change could be notified.

Key Points - Members:

- There was concern that if the plan change continued using SPP, the plan change would not be notified before the required date.
- There was also concern regarding iwi/hapū being able to keep abreast of what was happening in the required timeframes.
- If the Schedule 1 option was used, the plan change would be in a position to be notified by the required August 2022 date and the plan would have legal weight moving forward.
- Support was indicated for changing to the Schedule 1 process.

Resolved

That the Strategy and Policy Committee:

- 1. Receives the report, Draft RPS Change 6 (NPS-UD) .**
- 2. Rescinds the resolutions of the Strategy and Policy Committee meetings of 16 February 2021 and 27 October 2021 on the use of the Streamlined Planning Process for Change 6 (NPS-Urban Development) to the Bay of Plenty Regional Policy Statement.**
- 3. Agrees that Change 6 (NPS-Urban Development) to the Bay of Plenty Regional Policy Statement will use the Schedule 1 process under the Resource Management Act for the following reasons:**
 - **Ensures notification of RPS Change 6 to meet NPS-UD requirements**
 - **Acknowledges further information received from the Ministry for the Environment (MfE)**
 - **Reflects feedback received from tangata whenua**
- 4. Delegates to the Group Manager Strategy and Science to make minor corrections to Change 6 (NPS-Urban Development) and the Section 32 report in response to feedback from Committee members and any consequential changes if required.**
- 5. Directs staff to bring Proposed Change 6 (NPS-Urban Development) to the Bay of Plenty Regional Policy Statement and the Section 32 report to a Council meeting in June to adopt for public notification.**

**Thompson/Crosby
CARRIED**

Cr Love **abstained** from voting.

10.48 am - the meeting **adjourned**.

10.48 am - Cr Rose **withdrew** from the meeting.

11.04 am - the meeting **resumed**.

Strategy

5.3 Operating Environment

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

Key Points

- Noted the recent announcements from central government regarding Three Waters and Climate Change Adaptation.
- The new National Freight Studies had just come out.
- The engagement feedback report for He Puapua was now also available.
- Councillor Stuart Crosby, in his role as President of Local Government New Zealand (LGNZ), provided the following verbal update:
 - Encouraged Councillors to look at the recently released New Zealand Adaptation Strategy for climate resilience. The Ministry for the Environment were seeking feedback with a closing date of 3 June 2022.
 - The Infrastructure Commission's long term strategy had also recently been released.
 - The New Zealand Sea Level Rise report had been released yesterday.
 - The government had accepted 44 of the 47 Three Waters Working Group's recommendations with three that needed to be worked on further. The co-governance provisions remained and where they would sit in the structure had been clarified. The first bill was expected in the house in a matter of weeks.
 - There was concern about how all these proposals would integrate and LGNZ had offered to work with the government to ensure they do integrate.

Resolved

That the Strategy and Policy Committee:

- 1 Receives the report, Operating Environment.**

**Thompson/Love
CARRIED**

6. 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
6.1	Public Excluded Strategy and Policy Committee Minutes - 15 February 2022	As noted in the relevant Minutes.	As noted in the relevant Minutes.	To remain in public excluded.
6.2	Sustainable Homes Scheme loans: compliance with the Credit Contracts and Consumer Finance Act 2003	Withholding the information is necessary to maintain legal professional privilege.	48(1)(a)(i) Section 7 (2)(g).	To remain in public excluded.

**Thompson/von Dadelszen
CARRIED**

11.49 am - the meeting closed.

CONFIRMED

Cr Paula Thompson
Chairperson, Strategy and Policy Committee