

Informal Workshop Notes

Strategy and Policy Committee Workshop

- Held:** 9.30 am, Tuesday 6 August 2024
- Venue** Council Chambers, Regional House, 1 Elizabeth Street, Tauranga, and via Zoom (Audio Visual Meeting)
- Chairperson:** Cr Paula Thompson
- Deputy Chairperson:** Cr Kat Macmillan
- Present:**
- Cr Malcolm Campbell
 - Cr Stuart Crosby
 - Cr Toi Kai Rākau Iti
 - Cr Matemoana McDonald (via Zoom)
 - Cr Jane Nees (via Zoom)
 - Cr Ken Shirley
 - Cr Lyall Thurston (via Zoom)
 - Cr Te Taru White (via Zoom)
 - Cr Kevin Winters (via Zoom)
- In Attendance:**
- Staff: Fiona McTavish - Chief Executive; Namouta Poutasi - General Manager, Strategy and Science; Chris Ingle - General Manager, Integrated Catchments; Kataraina O'Brien - General Manager, Strategic Engagement; Stephen Lamb - Natural Resources Policy Manager; Pim De Monchy - Coastal Catchments Manager; Nicki Green - Principal Advisor, Policy and Planning; Adam Fort - Principal Adviser Strategic Planning; Santiago Bermeo - Economist; Charles Harley - Team Leader, Coastal Catchments; Penny Doorman - Programme Leader Geothermal; Freya Camburn - Senior Policy Analyst; Elsa Weir - Senior Planner; Jenny Teeuwen - Committee Advisor
- External: Vaughan Payne - Independent Chair of Project Leadership Group and Project Governance Group; consultant, Kahu Manawa; Robert Brodnax - Project Director, consultant, Beca; Ben Petch - Project Manager, InPlace Consulting; Danielle Caudwell - Economic Development Manager, Whakatāne District Council; Ella Jonker - Planner, Ōpōtiki District Council (via Zoom); Micheala Glaspey - General Manager Planning, Kawerau District Council (via Zoom)

Apologies: Chairman Doug Leeder, Cr Ron Scott, Cr Andrew von Dadelszen

1. Introduction

Chairperson, Cr Paula Thompson, welcomed those present and noted that this workshop had both an Open and Public Excluded session. The workshop would not be livestreamed or recorded.

2. Opening Karakia

A karakia was provided by Kataraina O'Brien.

3. Presentation

3.1 Presentation - Update for Eastern Bay Spatial Plan

Presentation: [Our Places - Eastern Bay of Plenty Spatial Plan: Objective ID A4736614](#)
[⇒](#)

Presented by: Adam Fort - Principal Adviser Strategic Planning, Bay of Plenty Regional Council Toi Moana (BOPRC)
Vaughan Payne - Independent Chair of Project Leadership Group and Project Governance Group, consultant, Kahu Manawa
Robert Brodnax - Project Director, consultant, Beca
Ben Petch - Project Manager, InPlace Consulting
Danielle Caudwell - Economic Development Manager, Whakatāne District Council
Ella Jonker - Planner, Ōpōtiki District Council (via Zoom)
Micheala Glaspey - General Manager Planning, Kawerau District Council (via Zoom)

Key Points - Staff

- The purpose of the item was to provide an update on progress of the Eastern Bay of Plenty Spatial Plan. Similar presentations had been made recently to each of the three partner territorial local authorities (TLAs) - Kawerau District Council (KDC), Whakatāne District Council (WDC), and Ōpōtiki District Council (ODC).
- The project team was seeking feedback on the draft recommendations for the future settlement pattern/scenarios, and the collective approach to engagement which was proposed to be led on the ground by the TLAs.
- Provided background for the Eastern Bay of Plenty (EBOP) Spatial Plan.
- The Our Places - Eastern Bay Spatial Plan would inform future settlement patterns, placemaking, economic development and resiliency.
- Provided list of the partners to the spatial plan.
- Governance structure and membership - outlined how the proposed structure would be simplified whilst strengthening mayoral engagement.
- Outlined high level influences that were informing the project.
- Provided overview of EBOP population and employment projections, which included the projected demand for additional capacity for residential, commercial and business services, and industrial land.
- Key constraints to economic development identified in the draft EBOP Economic Development Framework (EDF) were workforce, housing, and transport and connectivity.

- Linkages to SmartGrowth and the Rotorua Future Development Strategy were being considered.
- Areas of natural hazards/climate change risk where change could not be managed by adaptation were being identified.
- Flood prone areas were the most influential land use constraint.
- Provided scenarios for resilient greenfield areas, un-serviced rural residential areas, and growth spillover outside the sub-region, that tested changes to the future settlement pattern (30 years), and enabled evaluation and community feedback for each of the scenarios.
- The engagement approach would have two phases:
 - Phase one (October/November 2024) - engagement;
 - Phase two (approximately May 2025) - consultation to receive final feedback on the draft plan.

In Response to Questions

- The amount of land supply for industrial and manufacturing in the Ōpōtiki district was okay for now; however, having an additional five hectare supply available would enable business competition and growth in the future. It was noted that the Ōpōtiki District Plan was quite enabling so it would be reasonably easy to consent new activities as the market demanded.
- Wanted to build on existing communities and facilities in the first instance, and care would need to be taken to best achieve this.
- Noted the particular interest in proposals to accommodate the impact of climate change and potential use of managed retreat as a response for low lying, flood prone land. How this would be managed was being considered. Space for managed retreat in practical, realistic locations needed to be created to enable options for retreat over the long term; however, specific solutions in terms of responses was not the priority for this Spatial Plan, rather that was something that needed to be worked through sensitively with affected communities at the local level.
- Current and projected contributions to Gross Domestic Product (GDP) for the EBOP would be provided in a future update.
- The area of interest for further industrial/business development around Te Kaha related to aquaculture, horticulture, and other economic activities happening in the area.
- The demographic profile projection was ageing overall; however, there was also a growing youthful Māori demographic; net migration was a large contributor to growth in the area.
- Papakainga was strongly supported through the spatial plan. Needed to be mindful of the growth of ad hoc Papakāinga throughout the EBOP.
- Access to the port was critically important for the economic prospects of the EBOP.
- Engagement with Tuhoi had been ongoing throughout the process but they had indicated that they would be “sitting outside, looking in”. They had been clear with WDC around growth aspirations in Tāneatua and this had been reflected in the Plan.
- Murupara/Galatea areas associating more closely with the service areas of Rotorua rather than the east had been identified in feedback and noted. It was also noted that areas on the boundaries did tend to ‘play both ways’ when it suited.
- There was currently insufficient expertise within the project team to say definitively if coastal shipping was feasible or not. Initial planning research

- indicated that the area was probably not suited for large scale coastal shipping. This was an area of work that would need further consideration.
- Attracting the private sector to deliver health, education, and social services in the EBOP was critical and this had been identified through stakeholder interviews undertaken for the EDF.
 - New Zealand Transport Agency Waka Kotahi (NZTA) had been deeply involved in the project at the Project Leadership Group level. In the State Highway (SH) investment programme there was a resilience study for SH35 that had identified links to work in the spatial plan.
 - It was important to keep the spatial plan alive and flexible to demand and changes in the market, and also to keep the engagement with the development community active.

Feedback Provided

- Needed to consider the learnings from SmartGrowth.
- Suggested that Willie Te Aho had a seat on the governance group.
- It was important to get the Mayors of KDC, WDC, and ODC on board.
- There appeared to be a gap in terms of infrastructure, in particular water storage, renewable energy, and connectivity along the east coast communities east of Ōpōtiki. Needed a better understanding of the infrastructure planning.
- Needed to shift the emphasis from growth to sustainable development. SmartGrowth Strategy 2024-74 had done this quite well.
- Marine spatial planning was important and needed.
- Needed to cover renewable energy sector opportunities and connectivity issues along the east coast.

10.43am – the workshop **adjourned**.

11.03am – the workshop **reconvened**.

4. Workshop Papers

4.1 Freshwater Policy Programme Timeline - What is best for the Bay of Plenty?

Presentation: *Freshwater Policy Programme Timeline - What is best for the Bay of Plenty: Objective ID A4738242* [↗](#)

Presented by: Fiona McTavish – Chief Executive
Stephen Lamb - Natural Resources Policy Manager
Nicki Green - Principal Advisor, Policy and Planning
Ella Tennant – Consents Manager
Chris Ingle – General Manager, Integrated Catchments
Pim De Monchy – Coastal Catchments Manager
Rachel Boyte – Legal Counsel
Kataraina O'Brien – General manager, Strategic Engagement

Opening Comments - Chair

- Acknowledged the general frustration of those involved with the current environment and not being able to get the desired traction. Needed to keep going, be pragmatic in decision making going forward, and take a cautionary, adaptive approach so as things came up or changed, BOPRC

was ready to pivot. Thanked staff for preparing today's report, which represented best advice on what was considered the best way forward.

Opening Comments - Chief Executive

- Appreciated the opportunity to bring this matter back to Councillors; it was staff's best advice given the uncertainty in the environment. Did not see as much momentum happening with central government as might be ideal within the preferred timeframe. Needed to make progress as a region given that there may be uncertainty for some time yet. Sought guidance today on a way forward that would be brought back to the Strategy and Policy Committee in September 2024 for a clear decision.

Key Points - Staff

- Recapped and provided an overview of the plan change 'why', and the decisions made on the journey to date.
- Highlighted the concerns raised by Councillors - central government uncertainty, Te Mana o Te Wai, farming, and the Beef and Lamb report on attributes.
- Key considerations included significant environmental issues, enabling economic benefits, 600 plus consent renewals in 2026, best use of investment to date, more efficient allocation, more data/science to use, tangata whenua/community engagement, High Court Plan Change 9 (PC9) commitment, and uncertainty about timing and content of national policy and regulation changes. Councillors would need to decide what was best for the Bay of Plenty.
- Explained the Freshwater re-set diagram.
- Outlined proposed options:
 - Option 1: Carve out farming land use provisions and progress them separately, either:
 - (a) Release a discussion document of options for farming land use provisions for feedback alongside the draft Regional Natural Resources Plan (RNRP) Change through November and December 2024. Retain the option to notify a proposed plan change in September 2025, leaving the decision about that until next year; or
 - (b) Hold back release of draft farming land use provisions until February 2025, after Freshwater Farm Plan (FWFP) regulations content were known, and place notification date decision on hold until next year.
 - Option 2: Defer the release of the whole draft plan change, aiming to release a draft in September 2025. Also noting a plan change needed to be notified prior to December 2027.
- Provided assessments for all options.
- Staff recommendation was for Option 1(a). In particular, releasing the draft and discussion document would provide the detailed feedback Councillors needed to inform their decisions.
- Recognised that every region within New Zealand was different and what other regions were doing in this space may not be what was required or best for the Bay of Plenty. Needed to consider what was best for this region.

In Response to Questions

- Case law indicated that there would not be enough justification to roll over, put on hold, or renew for a shorter term e.g. two years, the approximately 600 resource consents due to expire in 2026. A statutory framework

applied to consents and ignoring that could potentially result in a heightened risk, a lengthening of the process, and involving the Court unnecessarily.

- Otago Regional Council (ORC) had agreed to proceed, noting the Council decision had been split.
- Releasing a discussion document for feedback would be helpful for the community to know what was approaching so that they could make decisions, and potentially this might alleviate some concerns.
- No decision would be made at today's workshop - would go to the Strategy and Policy Committee in September for debate and decision.
- Te Mana o Te Wai (TMOTW) - reasonably confident that the government would revisit the hierarchy of obligations and return to something more towards Section 5 of the Resource Management Act 1991 (RMA). Did not expect that would change where we needed to get to in this region.
- There was now increased advocacy from a number of groups. What worked well was having champions in the community who stood with BOPRC on the facts, particularly in the farming community.

Key Points - Members

- Noted that the freshwater issues had been known for some time and they did need to be addressed.
- Support for a reasonable and precautionary approach to the discussion document.
- Needed to ensure the focus was not solely on water quality, but also on the efficient allocation of water.
- Needed to proceed with caution, in terms of the first steps. A significant amount of work still needed to be done.
- Needed to have a clear understanding of the implications/ramifications of the rules. Wanted water quality, but not at the expense of businesses.
- Farmers were very critical of BOPRC proceeding. Needed to have the community with us; in particular farmers, especially those who had been slow to get on board.
- There was risk to pigeonholing and polarising. Suggested there could be potential backlash/loss of goodwill built over many years, if the mark was overstepped.
- Suggested a meeting with the dairy women's sector.
- BOPRC's role was to leave the environment in a better position for future generations.
- Needed to make progress and pivot as required.
- Acknowledged the dynamic situation.

Guidance Provided

- Eight Councillors supported Option 1(a); one supported Option 1(b), and two supported Option 2.

4.2 Possible new approaches for improved water quality and mitigation options for Ōhiwa Harbour

Presentation: *Improving water quality and mitigation options for Ōhiwa Harbour: Objective ID A4738246* [↗](#)

Presented by: Stephen Lamb - Natural Resources Policy Manager
Santiago Bermeo - Economist

Charles Harley - Team Leader, Coastal Catchments
Pim de Monchy – Coastal Catchments Manager
Chris Ingle – General Manager, Integrated Catchments

Key Points - Staff

- This item was in response to a 5 March 2024 Monitoring & Operations Committee resolution requesting additional “information on the health of the Ōhiwa Harbour and viable options for mitigation measures”. It also introduced two new possible approaches for improved water quality: collective investments in catchment infrastructure, and Council loans for land management interventions.
- A “collective investment” referred to a catchment community agreeing to invest in catchment infrastructure to improve water quality.
- Feedback and direction sought included:
 - The level of comfort with collective investments in catchment infrastructure, and Council loans for land management interventions;
 - What catchment infrastructure and/or Council financial support/incentive options to pursue further, either for the Ōhiwa Harbour FMU, or across the region; and
 - How to distribute costs for water quality solutions including consideration of Council financial support for compliance costs.
- Credible and effective solutions for water quality tended to rely on a combination of methods i.e. rules, incentives, and catchment infrastructure.
- Additional rules/regulation would be essential to achieve change, particularly in highly degraded catchments e.g. Ōhiwa.
- Incentives such as Environmental Programme (EP) grants would continue to contribute to water quality objectives but were unlikely to be sufficient on their own (particularly in their current form), and were dependent on landowners who were often reluctant.
- Catchment “hard” infrastructure e.g. detainment bunds, leaky weirs, sediment traps etc, and “nature-based” infrastructure e.g. treatment wetlands or forests, could have a large impact in terms of contaminant reduction but came with large costs and complexity for individual landowners.
- Without effective regulation, gains achieved through EP agreements, could be lost if there was intensification or poor practices elsewhere in the catchment.
- How do we pay? - outlined funding methods and possible funding source options.
- Ōhiwa Harbour – provided overview of the contaminant issue in the freshwater management unit (FMU) and possible mitigation options.

In Response to Questions

- The voluntary targeted rates mechanism had been used successfully in the Rotorua Airshed where homeowners were offered loans to install clean heating technology. This type of mechanism could be used for land management interventions e.g. provide loan to landowner for riparian fencing. The loan would be “voluntary”, offered as an opt-in option, and then repaid as a rate over a set period of time.
- In terms of loans, it was expected that the majority of landowners would repay their loans via their rates. Suspensory loans could also be considered.

- This item was a think piece, mainly around collective investment, using the Ōhiwa Harbour as a case study, and would need further philosophical discussion. What was being proposed was new and had some potential.
- A report by Roger Waugh, BOPRC Contractor, on streambank erosion of the Nukuhou River was expected in the coming weeks. Funding had already been put aside to begin work/research based on the report findings with a view to developing a more robust plan for the Ōhiwa Harbour.
- Progress would occur by using incentives but robust regulatory framework provisions would be required to shift the dial significantly.

Feedback Provided

- Would like to see thinking on how/if costs for water quality could be spread through the proposed three waters/regional Local Water Done Well organisation once established.
- It was not just farmers using the Ōhiwa harbour – it was a busy harbour and would want to see the cost spread across all users.
- Would like to see more information on where/how extensively a targeted rate would be introduced and what that might actually look like.
- Learnings from the lake/catchment incentive programme e.g. Lake Rotorua, could be valuable and a good way forward.
- Suggested that buy out/retirement of land options should be considered – may be expensive at the time but could be better in the long run.
- Needed to be mindful of unintended consequences/risks e.g. landowner thinking that investment in a wetland meant that the farm could be further intensified, or propping up something in the short term that would not be viable long term.
- Would like to see intervention opportunities and options weighted towards resilience/mitigation/biodiversity.
- A further think piece (part two) was needed.

12.56pm – the workshop **adjourned**.

12.56pm – Cr Iti **withdrew** from the workshop.

1.33pm – the workshop **reconvened** in Public Excluded.

The table below sets out the general subject of each paper to be considered while the public is excluded from the proceedings of this workshop, the reason for excluding the public, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for excluding the public:

Item No.	Subject of each paper to be considered	Reason for excluding the public in relation to each paper	Grounds under Section 48(1) for excluding the public	When the paper can be released into the public
4	Update on draft PC11 Geothermal Plan Change provisions and Tauranga System Management Plan draft	Withholding the information is necessary to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to members or officers or employees of any local authority, or any persons to whom section 2(5) applies, in the course of their duty.	48(1)(a)(i) Section 7 (2)(f)(i).	On the Chief Executive's approval.

2.33pm - the workshop closed.