

Monitoring and Operations Committee

Open Minutes

- Commencing:** Tuesday 3 September 2024, 9.30 am
- Venue:** Mataatua Room, Bay of Plenty Regional Council, , 5 Quay Street, Whakatāne and via Zoom (Audio Visual Meeting)
- Chairperson:** Deputy Chairperson Cr Ron Scott - Chair for the duration of this meeting.
- Members:**
Cr Kevin Winters (Chairperson)
Cr Stuart Crosby (via Zoom)
Chairman Doug Leeder
Cr Jane Nees (via Zoom)
Cr Paula Thompson (via Zoom)
Cr Lyall Thurston (via Zoom)
Cr Andrew von Dadelszen (via Zoom)
Cr Te Taru White (via Zoom)
Cr Kat Macmillan
Cr Malcolm Campbell
Cr Ken Shirley
- In Attendance:** Fiona McTavish - Chief Executive (via Zoom), Chris Ingle - General Manager, Integrated Catchments, Namouta Poutasi - General Manager, Strategy and Science, Staff Presenters - as listed in the minutes, Amanda Namana - Committee Advisor
- External: Ross Edwards - Operations, Trapping and Work Days (Ōtanewainuku Kiwi Trust), Carl Lucca - Team Leader, Urban Communities, Sarah Omundsen - General Manager, Regulatory and Compliance and Janine Speedy - Team Leader, City Planning (Tauranga City Council), Dr Emily Wilton - Owner (EnviroNet Ltd), Graham MacLean - Deputy Chief Executive - Response, Security and Safety Services and Michael-Paul Abbott - General Manager, Regulatory Operations (Maritime NZ)
- Apologies:** Cr Matemoana McDonald, Cr Toi Kai Rākau Iti

Please note: This meeting was livestreamed and recorded and can be accessed on Council's YouTube channel: [Monitoring and Operations Committee - 3 September 2024](#)

Chair's Statement

The Chair advised that the meeting was being livestreamed and recorded and that the recording would be made available on Bay of Plenty Regional Council's website following

the meeting. He also advised that as per Standing Order 14.3, the Chairperson **vacated** the chair and Deputy Chairperson, Cr Scott **assumed** the chair for the remainder of the meeting.

1. Apologies

Resolved

That the Monitoring and Operations Committee:

- 1 **Accepts the apologies from Cr McDonald and Cr Iti tendered at the meeting.**

**Campbell/Macmillan
CARRIED**

2. Declaration of Conflicts of Interest

None declared.

3. Minutes

Minutes to be Confirmed

3.1 Monitoring and Operations Committee Minutes - 11 June 2024

Resolved

That the Monitoring and Operations Committee:

- 1 **Confirms the Monitoring and Operations Committee Minutes - 11 June 2024 as a true and correct record, subject to the following amendments:**
 - ***Minute Item 5.3 Climate Change Quarterly Report, correct Bullet Point 3 'global risk assessments' to read 'local risk assessments'.***

**Shirley/Thurston
CARRIED**

4. Presentations

4.1 Ōtanewainuku Kiwi Trust – pest animal control work

Presentation: Ōtanewainuku Kiwi Trust: Objective ID A4763432 [⇒](#)

Presented by: Ross Edwards - Operations, Trapping and Work Days

Key Points:

- Ōtanewainuku Kiwi Trust (OKT) and Toi Moana vision statements both had similar purposes
- OKT managed 1200 hectares of public conservation reserve land, primarily associated with pest control projects and approximately 90 volunteers
- Work focused on Kōkako and Kiwi, resulting in increasing numbers of these endangered birds and also benefits to other species and growth of the native bush itself. Successful ferret and rat control was key to the success of growing Kōkako and Kiwi populations

- An elevated level of compliance and governance was being required of OKT and whilst they were motivated to achieve this, it was challenging to find the level of resource required given people were volunteering their time above other commitments
- Possum control was achieved through a non-toxin driven programme - stoat control remained a challenge with trapping efforts not being effective. Feral cats were a growing concern and were noted to kill up to three times a day, predominantly for recreation
- Highlighted a challenge around achieving necessary iwi connections to support this mahi - the ability to connect with the appropriate people was an issue as well as iwi resourcing and capacity
- Noted the current funding agreement with Toi Moana was due for renewal in 2024/2025 and sought information of any further work underway that could be of mutual benefit.

Key Points - Members:

- Acknowledged the important work of OKT and all the volunteers involved.

In Response to Questions:

- Young kiwi wandering past the managed area was a concern due to lower pest control and higher risks to them
- Supported the use of 1080 where appropriate to achieve long term outcomes
- OKT used the Toi Moana pest management portal to log findings and had a project underway to transfer data from those that preferred a manual method
- Building the volunteer base was ongoing, with two strands encompassing those who volunteered every second Sunday and trappers which required a higher time commitment
- Contact points for communicating with relevant iwi would be beneficial and would assist with engagement and shared decision making.

4.2 Tauranga City Council work in response to the Health Risk Assessment

*Presentation: Mount to Arataki Spatial Plan and Mount Industrial Planning Study:
Objective ID A4763434 [⇒](#)*

Presented by: Sarah Omundsen - General Manager, Regulatory and Compliance,
Carl Lucca - Team Leader, Urban Communities, Janine Speedy -
Team Leader, City Planning

Key Points:

- Outlined work Tauranga City Council (TCC) had underway in Mt Maunganui and the Mount Industrial Area which had been ongoing for a number of years. Te Whatu Ora health risk assessment had helped inform this work and would continue to do so
- Spatial planning and strategic work also informed investment in infrastructure to support growth
- Issues within the Mount Industrial Area raised by the community were a specific sub-workstream within the Mount to Arataki Spatial Plan, including

acknowledging mana whenua concerns regarding the Whareroa Marae and local businesses' desire to improve environmental outcomes

- Plan Change 38 - Business Land Framework was in progress and would comprehensively review the industrial and commercial zones in the Tauranga City Plan. One of the drivers of the plan change was conflict between land uses so there was work underway to create a hierarchy of commercial and industrial zones and how to spatially apply these
- Aiming for 2026 to have a draft set of provisions for Plan Change 38
- Key areas of investigation considered appropriate buffers between the residential and industry areas.

Key Points - Members:

- Important to emphasise the long term view when considering and addressing the various challenges.

In Response to Questions:

- If a plan change was to alter what was enabled within industrial zones, an industrial business located within current zoning would be able to continue their operations. However if they wanted to change the scale or intensity of the activity beyond what the current consent allowed, or change the type of operation significantly, then they would need to consider other options. A new occupant would have to adhere to the new rules, however if they bought the business and retained the same operation they could remain within the existing land use rules and relevant consents
- Supporting actions for the industrial area included a landscape plan in progress which also comprised buffer zones to enhance amenity and biodiversity
- Acknowledged the long term nature of the plans and that there was no single solution, but land use planning was an important part of solution, collectively seeing improvements over time
- Whareroa Marae had significant concerns which were not limited to air quality matters, additional to other considerations such as natural hazard risks, amenity and noise
- Through SmartGrowth there had been a number of areas identified for ongoing investigation into industrial use, but these areas faced similar issues and challenges. The impacts that came from heavy industry required discussions with community and key stakeholders - industry needed to address environmental challenges through innovation.

4.3 Review of the Toi Te Ora Health Risk Assessment

Presentation: Health Risks of Exposure to Air Pollution in the Mount Maunganui Airshed - A Technical Review: Objective ID A4763437 [⇒](#)

Presented by: Dr Emily Wilton - Owner, EnviroNet Limited (via Zoom)

Key Points:

- Outlined the review process and the identification of key issues within the health literature

- The nature of the Mt Maunganui airshed (MMA) was different in nature to other airshed locations around New Zealand, including the composition of the industrial airshed and how localised the problem may be. It was also complex in terms of air quality, the contaminants and their sources
- The fine particles were typically and predominately caused by combustion processes or chemical reactions in the atmosphere, whereas the coarse particles had many sources and were typically caused by erosive mechanisms e.g. crushing/grinding processes
- Concluded that the approach used in the review was generally robust and internationally accepted
- Considered the two changes made to the Health and Air Pollution in New Zealand (HAPINZ) method and agreed that each was appropriate
- With these types of risk assessment there were uncertainties in both directions (not set up to over-estimate nor under-estimate)
- Points noted for the baseline health data were minor
- It was inherent in risk assessments that exposure would be extrapolated from monitoring sites to populations of people living some distance from the sites. For the Mt Maunganui area, there was a high number of monitoring sites and the extrapolation distances to the residential area were small from a technical viewpoint - this was inherent in the methodology used
- The model for NO² was generally from motor vehicles and shipping had not been included
- Outlined some potential differences in exposure assumptions, however the impact was small in the context of the applied methodology
- Suggested the Ōtūmoetai comparison rely on PM¹⁰ data only, as the PM^{2.5} and NO² data was not considered sufficiently robust for this site. Differences in the demographic needed to be accounted for e.g. age adjusting the baseline health data
- Noted that the approach did not consider the impact on workers and children in childcare in the MMA
- The MMA was the most comprehensively monitored airshed for its size in New Zealand and differed from other industrial airsheds due to the complex mix of contaminants, the residential proximity and the lack of a buffer between these.

In Response to Questions:

- The differences that were quantified were not deemed to be significant, but highlighted that this was also indicative of the scale of the health impacts and the inexact nature of the study
- The exceedances had been by assessed by experts and the source of each identified to a range of industrial activities. Noted also that the air quality issues were not a localised problem, rather were attributed to many sources within the airshed.

10.57 am - The meeting **adjourned.**

11.17 am - The meeting **reconvened.**

4.4 Maritime New Zealand - Oil Spill Response

Presentation: Oil Spill Readiness - Maritime NZ's Strategic Approach: Objective ID A4763444 [⇒](#)

Presented by: Graham MacLean - Deputy Chief Executive – Response, Security and Safety Services and Michael-Paul Abbott - General Manager, Regulatory Operations

Key Points:

- Outlined Maritime NZ's enhanced capabilities for managing complex incidents which came out of a comprehensive programme launched following the 2013 Simon Murdoch review into the Rena response
- The Rena legacy's core developments included ensuring a layered response fit for purpose for New Zealand's needs, involving iwi and community in response work and enhanced specialist support both nationally and internationally
- Noted the new and unique hazards and hazardous substances which posed additional risks for future incidents
- For planning work focus was on national and regional training packages
- Tauranga held the largest stockpile of response equipment in the country based upon highest risk (Port of Tauranga having the highest volume of activity)
- The national dispersant stockpiles located at Linton and Whenuapai were placed to be more easily distributed across the country by the NZ Air Force
- International agreements and arrangements were in place since the Rena incident, including being part of the Oil Spill Response Ltd (OSRL), which provided access to a wider capability set than that available in New Zealand
- The role of Emergency Management was critical in Maritime response and operating together
- The Oil Spill Readiness and Response Strategy was continually enhanced with lessons learned
- Capability development was a core role, as was support arrangements including a new oiled wildlife response unit
- Maritime NZ maintained 23 oil spill equipment stockpiles in total across the country, with equipment types and quantities determined by local and national risk profiles
- Toi Moana's Regional Oil Spill Plan also ensured a coordinated response to oil spills through local arrangements
- Every response provided unique insights and lessons for improvement
- Oiled Wildlife Response Unit – mobile and helped with cleaning wildlife
- There was a dedicated and critical function for public information management (PIM)
- Improved mechanisms for funding were implemented following the Rena incident
- Maritime NZ now had a dedicated team focused on international sized ships with a view to prevention.

Key Points - Members:

- Acknowledged the amount of progress made by Maritime NZ in strategy planning and risk assessment following the Rena incident.

In Response to Questions:

- Significant learnings had been achieved from the financial situation that occurred with the Rena and the time it took the operator to work through with the insurer in getting funds released for response and recovery work

- The inland stockpile locations also considered needs for freshwater responses e.g. Horotiu and Te Anau, which were particularly challenging logistically
- A key part of legislative reform underway was an intervention to enable Maritime NZ to prevent ships entering our waters that did not meet certain standards. Increased inspections were growing New Zealand's international reputation
- Some actions out of the Navigational Safety Bylaw Review may have implications which could be worked through with Maritime NZ e.g. risk training and education. There was a partnership model that could be considered in delivering the best outcomes
- Open to conversations on national levels of regulation regarding bylaws but these were best controlled locally - policy teams from Maritime NZ and Toi Moana would further discuss this.

12:12 pm - Cr Crosby **withdrew** from the meeting.

5. Reports

5.1 Chairperson's Report

Tabled Document 1 - Black Dust Sampling Report: Objective ID A4763448 [⇒](#)

Presented by: Chris Ingle – General Manager, Integrated Catchments, supported by Stephen Mellor – Compliance Manager, Ella Tennant – Consents Manager, Karen Parcell – Team Leader Kaiwhakatinana, Shane Iremonger – Team Leader, Science and Glenn Ellery – Environmental Information Manager

In Response to Questions:

- The timeframe for the Genera appeals had been further extended and staff were hoping for an update by the end of the week
- The new monitoring site on Ranch Road, Mt Maunganui was requested by the residential community in the area. Rearranging the monitoring schedule was an opportunity to more intensively monitor residential areas
- Changes to the NZ Coastal Policy Statement had not yet been formed but would consider enabling infrastructure for marine farms
- There were additional environmental issues related to the Taheke Geothermal proposal including the potential for connecting with the Tikitere geothermal system and the significant features in that field. The applicant had been working on ways to address this risk and a decision on the application was expected to be made by 8 November 2024.

Items for Staff Follow Up:

- Bring a report to a future meeting outlining upcoming pre-RMA consents and how they would be managed by the organisation, including resourcing requirements
- There had been air quality monitoring in Ngongotahā in the past and staff were to update the report to clarify information provided, as well as building public transport services and ride sharing into solutions for air quality issues.

Resolved

That the Monitoring and Operations Committee:

- 1 Receives the report, Chairperson's Report.**

**Winters/Macmillan
CARRIED**

Decisions Required

5.2 2023/2024 Compliance Activity Report

Presented by: Matt Harrex – Compliance Manager, Land and Water and Stephen Mellor – Compliance Manager, Air, Industry and Response

Key Points - Members:

- Considered one particular sentencing report on prosecution to be manifestly inadequate relevant to the historical issues, and encouraged submissions to the Judge to seek harsher consequences where there were successive failures at prosecution.

Resolved

That the Monitoring and Operations Committee:

- 1 Receives the report, 2023/2024 Compliance Activity Report.**

**Macmillan/Campbell
CARRIED**

5.3 Regional Pest Management Plan (RPMP) Annual Report for 2023/24 and amended Operational Plan for 2024/25

Presentation: Regional Pest Management Plan 2023/24 Annual Report: Objective ID A4763454

Presented by: Romany Prevette-Stanaway – Biosecurity Offer II and Greg Corbett – Biosecurity Manager

Key Points:

- 90% of programmes were on track, and one exclusion pest fish (Rudd) had been detected through eDNA sampling in Matatā lagoon
- The high level of compliance at boat ramps indicated that boat owners were motivated to protect the lakes and freshwater systems from the spread of known pests
- Increased visitors to the website indicated more public interest
- Baseline surveillance for wallaby outside the containment area was almost complete
- Improved compliance with RPMP Rules was attributed to strong engagement with landowners, advocacy and education campaigns
- Challenges remained with some programmes, including the Asian Paddle Crab which were increasing in number despite eradication efforts

- Significant progress with wilding pines had been made through the progressive containment programme
- Although not yet detected in the Bay of Plenty, the closest known infestation of exotic *Caulerpa* was only 45 nautical miles from Tūhua (Mayor Island) Marine Reserve.

Key Points - Members:

- Expressed concern over the emerging threats and the need to prioritise the eradication of pests already identified in the RPMP
- Expressed strong concern over the spreading infestations of pest plants around the Tauranga and Western Bay roading corridors
- Noted the negative implications pest plants had to the economy.

In Response to Questions:

- Discussions were underway with other key partners around working together on emerging risks.

Resolved

That the Monitoring and Operations Committee:

- 1 Receives the report, Regional Pest Management Plan Annual Report for 2023/24 and amended Operational Plan for 2024/25.**
- 2 Approves the 2024/25 Operational Plan for the Bay of Plenty Regional Pest Management Plan;**
- 3 Writes to NZTA, noting they have a statutory requirement to control Regional Pest Management Plan pest plants on the roading corridor.**

**Winters/Nees
CARRIED**

5.4 Implementation of the Flood Protection and Drainage Bylaws 2020

Presentation: Implementation of the Flood Protection and Drainage Bylaws 2020
Update: Objective ID A4763466 [⇒](#)

Presented by: Kirsty Brown – Rivers and Drainage Assets Manager and Hemi Barsdell – Asset Management Specialist

Key Points:

- Bylaws awareness and education had been a key focus, with a number of initiatives implemented in conjunction with the Communications team
- The Kokohinau Urupa was the primary focus of concern and required a sensitive approach in working with Te Pahipoto hapū to understand and manage seepage risk
- The urupa pre-dated the stopbank and flood protection scheme.
- Staff had worked closely with the hapū to quantify the risk, including undertaking geotechnical analysis.
- The purpose of the proposed overlay is to protect the urupa and the land given the height differential.

Key Points - Members:

- Recognised the need for exceptions to especially strict rules and that ultimately, the Rivers and Drainage team needed to determine what was appropriate in each circumstance, based on technical advice.

Key Points - Staff:

- The term 'ploughing' also covered tilling and other cultivation techniques
- External Geotech experts had been engaged to provide a technical and indepth analysis, with this work then being peer reviewed
- A literary review had been undertaken, based upon 14 research questions, to inform decision making regarding ploughing adjacent to rivers and flood protection assets.

Resolved**That the Monitoring and Operations Committee:**

- 1 **Receives the report, Implementation of the Flood Protection and Drainage Bylaws 2020;**
- 2 **Approves the recommended timeline for the development of the ploughing (cultivation) rules under Part II of the Bylaws.**

**Winters/Macmillan
CARRIED**

Information Only**5.5 Environmental Code of Practice for Rivers & Drainage Maintenance Activities - 2023-2024 Annual Review**

Presented by: Chris Ingle – General Manager, Integrated Catchments

In Response to Questions:

- Staff would consider options and report to a future meeting on how to measure/report on habitat improvement works – this may be by way of a guide or intent, noting the desire from members to measure how nature-based solutions were being achieved in a progressive way.

Resolved**That the Monitoring and Operations Committee:**

- 1 **Receives the report, Environmental Code of Practice for Rivers & Drainage Maintenance Activities - 2023-2024 Annual Review.**

**Leeder/Shirley
CARRIED**

5.6 District Consent Applications Annual Report 2023/24

Presented by: Sharlene Pardy – Strategy and Planning Manager and Pam Crabbe – District Applications Coordinator

Resolved

That the Monitoring and Operations Committee:

- 1 Receives the report, District Consent Applications Annual Report 2023/24.**

**Shirley/Macmillan
CARRIED**

1:40 pm - Cr von Dadelszen withdrew from the meeting.

1.42 pm - the meeting closed.

CONFIRMED

Cr Kevin Winters
Chairperson, Monitoring and Operations
Committee