

# Strategy and Planning Committee Agenda

## 24 August 2022



Meeting will be held in the Council Chamber at Level 2, Philip Laing House  
144 Rattray Street, Dunedin - Councillors

[ORC YouTube Livestream - Members of the Public](#)

### Members:

Cr Gretchen Robertson, Co-Chair	Cr Carmen Hope
Cr Kate Wilson, Co-Chair	Cr Gary Kelliher
Cr Hilary Calvert	Cr Michael Laws
Dr Lyn Carter	Cr Kevin Malcolm
Cr Michael Deaker	Cr Andrew Noone
Mr Edward Ellison	Cr Bryan Scott
Cr Alexa Forbes	

Senior Officer: Pim Borren, Interim Chief Executive

Meeting Support: Dianne Railton, Governance Support Officer

24 August 2022 09:00 AM

<b>Agenda Topic</b>	<b>Page</b>
1. APOLOGIES No apologies were received prior to publication of the agenda.	
2. PUBLIC FORUM No requests to address the Committee under Public Forum were received prior to publication of the agenda.	
3. CONFIRMATION OF AGENDA Note: Any additions must be approved by resolution with an explanation as to why they cannot be delayed until a future meeting.	
4. CONFLICT OF INTEREST Members are reminded of the need to stand aside from decision-making when a conflict arises between their role as an elected representative and any private or other external interest they might have.	
5. CONFIRMATION OF MINUTES The Committee will consider minutes of meetings a true and accurate record, with or without corrections.	3
5.1 <a href="#">Minutes of the 10 August 2022 Strategy and Planning Committee</a>	3
6. <a href="#">OPEN ACTIONS FROM RESOLUTIONS OF THE STRATEGY AND PLANNING COMMITTEE AT 24 AUGUST 2022</a> The Committee will review open actions of resolutions of the Strategy and Planning Committee.	8
7. MATTERS FOR CONSIDERATION	9

7.1	<b>LWRP GOVERNANCE GROUP REPORT UPDATE</b>	9
	The report provides written project updates from the Land and Water Regional Plan (LWRP) Governance Group on the LWRP project to the Strategy and Planning Committee.	
	7.1.1 <b>Attachment 1: Governance Level Project Status Update August 2022</b>	11
7.2	<b>OVERVIEW OF APPROACH AND TIMING FOR FUTURE CONSULTATION STAGES FOR THE DEVELOPMENT OF THE LWRP</b>	13
	The report outlines the ongoing consultation for the proposed Land and Water Regional Plan (pLWRP) and the steps, including proposed refinements, to ensure communities and key stakeholders are consulted on, and informed about, this work	
	7.2.1 <b>Attachment 1: LWRP Governance Group for Future LWRP Consultation Stages</b>	21
7.3	<b>LWRP TIMELINES</b>	26
	The report provides an updated timeline for delivering the proposed Land and Water Regional Plan (pLWRP) through to notification, following an update on timelines to the LWRP Governance Group on 14 July 2022. The timeline presented today considers new information since the July Governance Group meeting, including the communication from the Minister for the Environment on the timeframe for notifying the pLWRP.	
8.	<b>CLOSURE</b>	



Minutes of a meeting of the Strategy and Planning  
Committee held in the Council Chamber  
on Wednesday 10 August 2022 at 11:00am

**Membership**

Cr Gretchen Robertson (Co-Chair)

Cr Kate Wilson (Co-Chair)

Cr Hilary Calvert

Dr Lyn Carter

Cr Michael Deaker

Mr Edward Ellison

Cr Alexa Forbes

Cr Carmen Hope

Cr Gary Kelliher

Cr Michael Laws

Cr Kevin Malcolm

Cr Andrew Noone

Cr Bryan Scott

**Welcome**

Chairperson Wilson welcomed Councillors, members of the public and staff to the meeting at 11:01am. Staff present included Pim Borren, (interim Chief Executive), Anita Dawe (GM Policy and Science), Gavin Palmer (GM Operations), Amanda Vercoe (GM Governance, Culture and Customer), Dianne Railton (Governance Support Officer), Anne Duncan (Manager Strategy), Francisco Hernandez (Principle Advisor Climate Change), Libby Caldwell (Acting Manager Environmental Implementation), Anna Ferguson (Principle Advisor Environmental Implementation), Tom de Pelsemaeker (Manager Policy) and Sam Walton, and present electronically were Nick Donnelly (GM Corporate Services), Richard Saunders (GM Regulatory and Communications), Ann Yang (Senior Economist) and Jean-Luc Payan (Manager Natural Hazards).

## 1. APOLOGIES

No apologies were received.

## 2. PUBLIC FORUM

No public forum was held.

## 3. CONFIRMATION OF AGENDA

The agenda was confirmed as published.

## 4. CONFLICT OF INTEREST

No conflicts of interest were advised.

## 5. CONFIRMATION OF MINUTES

**Resolution: Cr Hope Moved, Cr Robertson Seconded**

*That the minutes of the meetings held on 13 July 2022 and 27 July 2022 be received and confirmed as true and accurate records.*

**MOTION CARRIED**

## 6. ACTIONS

The open actions on the resolutions of the Strategy and Planning Committee were reviewed.

## 7. MATTERS FOR CONSIDERATION

### 7.1. Climate Change Briefing and Update

The report outlined the Otago Regional Council's (ORC) existing climate change programs and initiatives, and compared the ORC's climate change programme to other regional/unitary local governments. The report also outlined a high-level climate roadmap for the Otago Regional Council. Anne Duncan (Manager Strategy), Francisco Hernandez (Principal Advisor Climate Change), Ann Yang (Senior Economist) and Jean-Luc Payan (Manager Natural Hazards) were present to speak to the report and respond to questions.

Mr Hernandez advised the climate change programs and initiatives have been built on work previously done by the Natural Hazards team with the Otago Climate Change Risk Assessment, and the Strategy team's work on Greenhouse Gas Inventory. During discussion on the ORC Climate Change Related Project Stocktake, Mr Ellison said it would be useful to add a category for reclamation to the list, including lakes and coastal reclamation.

*Cr Laws left the meeting at 11:20am and returned at 11:41am*

Following further discussion Cr Hope moved:

**Resolution SP22-122: Cr Hope Moved, Cr Wilson Seconded**

*That the Strategy and Planning Committee:*

- 1) **Notes** this briefing titled *Climate Change Briefing and Update*.
- 2) **Notes** the high-level direction of the *Climate Change Roadmap*.
- 3) **Notes** that further work will be developed and presented to the Council early in 2023.

**MOTION CARRIED**

## 7.2. Integrated Catchment Management Programme - Path Forward

The report was provided to seek an agreed pathway forward for designing and implementing an Otago Integrated Catchment Management (ICM) programme including the design and development of an initial pilot Catchment Action Plan (CAP). Gavin Palmer (GM Operations), Libby Caldwell (Acting Manager Environmental Implementation) and Anna Ferguson (Principal Advisor Environmental Implementation) were present to speak to the report and respond to questions.

*Cr Kelliher left the meeting at 12:01pm.*

Ms Ferguson advised that further information was received from Aukaha relating to criteria for selecting a CAP Pilot catchment after the report was finalised, which brought both Upper Clutha rohe and Catlins FMU to the fore. Ms Ferguson said with this change the staff view was Catlins FMU being the preferred catchment for the pilot.

### Resolution SP22-123: Cr Scott Moved, Cr Hope Seconded

*That the Strategy and Planning Committee:*

- 1) **Endorses** the Catlins FMU as the preferred catchment in which to pilot the community collaboration plan and CAP development process.
- 2) **Requests** staff seek iwi, catchment and community group views on the suitability of the Catlins FMU in which to pilot the community collaboration plan and CAP development process.
- 3) **Approves** the establishment of an ICM working group to:
  - a. Stocktake current and planned iwi, catchment and community group and ORC initiatives within the pilot catchment.
  - b. Develop a community collaboration plan for ICM and CAP co-design, using the "Recommendations for a Collaborative Framework for Integrated Catchment Management and Catchment Action Plans" (Ahika Consulting, 2022) as a starting point.
  - c. As part of the community collaboration plan, develop detail around the community reference group concept (if appropriate) including a terms of reference, appointment process and resourcing.
  - d. Develop a process for CAP development including consideration of:
    - i. at what point community collaboration (co-design) should begin (as informed by the community collaboration framework),
    - ii. how to collate and incorporate relevant knowledge, data, activities, plans and strategies including citizen science,
    - iii. a revised programme logic (if appropriate) as a conceptual basis and communication tool for CAP development,
    - iv. a multi-criteria analysis framework for prioritising key actions within CAPs which can be tailored by each CAP collaboration group as required,
  - e. Develop a communications plan for ICM and CAPs based on the community collaboration plan and the CAP development process
  - f. Begin implementation of the community collaboration plan and CAP development process where actions do not require further approval of Council.
- 4) **Adopts** option 1 as the preferred membership of an ICM working group (if recommendation 3 above is approved).

- 5) **Nominates** the Chair and Deputy Chair as interim representatives for the ICM working group (if recommendations 3 and 4 are approved).
- 6) **Requests** staff seek catchment and community group interest in being members of the ICM Working Group for the Catlins FMU.
- 7) **Requests** staff report back to Council no later than 30 September 2022 with an update on progress with implementing these recommendations, and a proposed terms of reference for the ICM Working Group.
- 8) **Notes** the proposed timeframe for continued work on the ICM programme during 2022/23.

**MOTION CARRIED**

*Cr Kelliher returned to the meeting.*

**7.3. Recommended Policy Guidance on Outstanding Regionwide Issues**

The report was provided to provide the Otago Regional Council's (ORC) Strategy and Planning Committee with proposed policy guidance as recommended by ORC staff on outstanding regionwide issues to inform the development of the proposed Land and Water Regional Plan (LWRP), and to seek endorsement from the Strategy and Planning Committee on the proposed policy guidance recommended for these outstanding regionwide issues. Anita Dawe (GM Policy and Science), Tom de Pelsemaeker (Manager Policy) and Sam Walton (Policy Analyst, Land and Freshwater) were present to speak to the report and respond to questions.

Mr Walton spoke to the outstanding regionwide issues and staff responded to questions relating to consents and consent timeframes.

**Resolution SP22-124: Cr Scott Moved, Cr Robertson Seconded**

*That the Strategy and Planning Committee:*

- 1) **Notes** this report.

**MOTION CARRIED**

**Resolution SP22-125: Cr Scott Moved, Cr Robertson Seconded**

*That the Strategy and Planning Committee:*

- 1) **Adopts** the recommended policy guidance for:
  - a. Management of industrial discharges in the proposed Land and Water Regional Plan.
  - b. Providing for water storage for the purpose of Renewable Energy Generation in the proposed Land and Water Regional Plan.

**MOTION CARRIED**

**Resolution SP22-126: Cr Scott Moved, Cr Robertson Seconded**

*That the Strategy and Planning Committee:*

- 1) **Adopts** the recommended policy guidance for the approach with respect to the use of short-term consents and consent review processes in the proposed Land and Water Regional Plan.

A division was called:

**Vote**

For:	Lyn Carter, Cr Deaker, Edward Ellison, Cr Forbes, Cr Malcolm, Cr Noone, Cr Robertson, Cr Scott and Cr Wilson
Against:	Cr Calvert, Cr Hope, Cr Kelliher and Cr Laws

**MOTION CARRIED (9 to 4)**

**8. CLOSURE**

There was no further business and Chairperson Wilson declared the meeting closed at 1:19pm.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Date

DRAFT MINUTES

## OPEN ACTIONS FROM RESOLUTIONS OF THE STRATEGY AND PLANNING COMMITTEE AT 24 AUGUST 2022

Meeting Date	Item	Status	Action Required	Assignee/s	Action Taken	Due Date
10/11/2021	SPS2162 Otago Lakes Strategic Plan – Scope	Completed	Procure the services of a consultant to carry out the scoping study – Stage 1. <b>RES SP21-122</b>	General Manager Governance, Culture and Customer, Manager Strategy	<b>05/04/2022</b> Project scope due to go out to tender soon. This has been delayed by other work priorities. Scope review expected to be underway by end of financial year, with probable completion by September 2022.  <b>02/08/2022 General Manager Governance, Culture and Customer</b> The contract was awarded to Landpro who are underway with the project. Landpro's report is due at the end of September. Will be reported to Council in the new triennium.	30/09/2022
13/04/2022	HAZ2201 Otago Active Faults: Planning Options	In Progress	Provide a report to the relevant Council Committee by January 2023 on a recommended option and implementation plan, developed in collaboration with Territorial Authorities, for incorporating a tiered approach into planning frameworks across Otago. <b>Res SP22-104</b>	General Manager Operations, Manager Natural Hazards	<b>14/06/2022</b> In preparation.	31/01/2023



### 7.1. LWRP Governance Group Report Update

<b>Prepared for:</b>	Strategy and Planning Committee
<b>Report No.</b>	SPS2245
<b>Activity:</b>	Governance Report
<b>Author:</b>	Rachel Currie, Project Manager, Land and Water Regional Plan
<b>Endorsed by:</b>	Anita Dawe, General Manager Policy and Science
<b>Date:</b>	24 August 2022

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#### PURPOSE

- [1] The purpose of this report is to provide written project updates from the Land and Water Regional Plan (LWRP) Governance Group on the LWRP project to the Strategy and Planning Committee.

#### RECOMMENDATION

*That the Strategy and Planning Committee:*

- 1) **Notes** the 15 August 2022 project update report from LWRP Governance Group.

#### DISCUSSION

- [2] The LWRP Governance Group receives project updates in its meetings as part of its role of monitoring the progress of the Land and Water Regional Plan project ('the project'). One of the key roles and responsibilities of the LWRP Governance Group is to report to the Strategy and Planning Committee on the LWRP programme, including on progress of workstreams, issues and risks.
- [3] In May 2022 it was agreed to replace the LWRP Governance Group's verbal project updates to the Strategy and Planning Committee with written reports to provide greater transparency for the community and Councillors.
- [4] Attached for your information is the 15 August 2022 report as presented to LWRP Governance Group on 16 August 2022.

#### OPTIONS

- [5] There are no options that require assessment.

#### CONSIDERATIONS

##### Strategic Framework and Policy Considerations

- [6] There are no strategic framework and policy considerations associated with this report.

**Financial Considerations**

[7] There are no financial considerations associated with this report.

**Significance and Engagement Considerations**

[8] This report does not trigger ORC's He mahi rau rika: ORC Significance, Engagement and Māori Participation Policy.

**Legislative and Risk Considerations**

[9] There are no legislative and risk considerations associated with this report.

**Climate Change Considerations**

[10] There are no climate change considerations associated with this report.

**Communications Considerations**

[11] The production of this template and further monthly dashboard reports will provide an efficient and effective way to communicate progress with all governance level parties and the wider public throughout the remainder of the LWRP project.

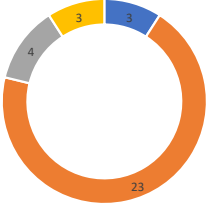
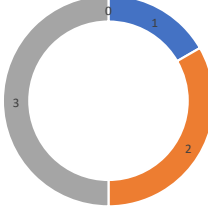
**NEXT STEPS**

[12] Staff will continue to provide the LWRP Governance Group with these monthly progress reports and once submitted to the Governance Group, present these to the Strategy and Planning Committee or its successor as directed.

**ATTACHMENTS**

1. Governance level project status update August 2022 [7.1.1 - 2 pages]

Land and Water Regional Plan Project Dashboard																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																									
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<table border="1"> <tr> <th colspan="2">Health Check</th> </tr> <tr> <td style="background-color: #008000; color: white;">Scope</td> <td></td> </tr> <tr> <td style="background-color: #FFD700;">Schedule</td> <td></td> </tr> <tr> <td style="background-color: #008000; color: white;">Budget</td> <td></td> </tr> </table> <p><small>Green = On track Amber = Variability detected, no effect on outcome Red = At risk, escalation and action required</small></p>	Health Check		Scope		Schedule		Budget		<p><b>Project commentary:</b> Work is continuing at pace. The national periphyton model will now be used in the technical work, rather than a local calibration of the model, therefore the project team are continuing to work to the current project timelines and a notification date of 31 December 2023, rather than seeking approval to a delayed notification date due to the impact of the periphyton guidelines. We hope to begin FMU consultation 2 in October. Work preparing background papers considering the issues and options for region-wide topics continues, as does the economic work programme. We received direction from S&amp;P Committee on the three remaining region-wide topics on 10 August.</p> <p><b>Health Check comments:</b> <b>Scope:</b> The scope of the project remains as initially agreed. <b>Schedule:</b> The schedule is at risk. Consultation timeframes and subsequent plan writing timeframes were based refinements to the consultation approach of a final round of FMU consultation in early 2023 and region-wide consultation with key stakeholders being agreed so that consultation planning can be completed. <b>Budget:</b> Budgets are on track.</p>																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																
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Risks	Issues	Decisions/Actions Required
 <p>■ Low ■ Moderate ■ High ■ Extreme</p>	 <p>■ Low ■ Med ■ High ■ Extreme</p>	<ol style="list-style-type: none"> <li>1. Decision required in August from S&amp;P Committee on refinements to consultation approach. Current consultation timelines are dependent on this.</li> <li>2. S&amp;P Committee required to note that the project is continuing to work to 31 December 2023 deadline.</li> <li>3. Discussion at LWRP GG, and decision at S&amp;P Committee on continuing function of the LWRP GG over the local government election period and while a new Council Committee structure is being developed.</li> <li>4. Approval of updated LWRP Governance Group Terms of Reference (to be actioned at July meeting)</li> </ol>
<p><b>High and extreme risks being managed:</b></p> <ol style="list-style-type: none"> <li>1. Delays to refinements to consultation approach being adopted (Extreme)</li> <li>2. Continued delays to RPS hearing process (Extreme)</li> <li>3. Changes to RPS through hearing process (Extreme)</li> <li>4. Affected stakeholders aren't satisfied with level of engagement and outcomes</li> <li>5. Ongoing staff turnover</li> <li>6. Workforce shortages mean staff are extremely difficult to recruit - highly competitive market, shortage of experienced and suitably qualified professionals</li> <li>7. Proposed LWRP does not get approved for notification in time to meet deadline</li> </ol>	<p><b>High level issues being managed:</b></p> <ol style="list-style-type: none"> <li>1. Impact of work undertaken to develop an Otago calibration of the periphyton model means that timeframes to keep to current timelines are tight</li> <li>2. Communications around the activities of the Outstanding Water Bodies work and how data is being collected</li> <li>3. Competing deadlines for ORC teams required to input into project, and for iwi staff who are heavily involved in ongoing RPS work</li> </ol>	

## 7.2. Overview of Approach for Future LWRP Consultation Stages

<b>Prepared for:</b>	Strategy and Planning Committee
<b>Report No.</b>	SPS2244
<b>Activity:</b>	Governance Report
<b>Author:</b>	Rachel Currie, Project Manager, Land and Water Regional Plan Tom De Pelsemaeker, Acting Manager Policy
<b>Endorsed by:</b>	Anita Dawe, General Manager Policy and Science
<b>Date:</b>	24 August 2022

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### PURPOSE

- [1] This paper outlines the ongoing consultation for the proposed Land and Water Regional Plan (pLWRP) and the steps, including proposed refinements, to ensure communities and key stakeholders are consulted on, and informed about, this work.

### EXECUTIVE SUMMARY

- [2] In a report adopted by the Strategy and Planning Committee on 13 May 2020, ORC staff outlined a proposed consultation approach to inform the development of the pLWRP. This approach provided for two external based consultation stages for each FMU or rohe.
- [3] As the work for the development of the pLWRP has been progressing staff have identified the need to undertake further consultation, beyond the originally agreed two rounds of FMU based consultation. These refinements are:
- An additional, final round of **FMU consultation** to present a preferred option and discuss with the community issues around implementation and transition. Support from Councillors in designing the consultation and in attending meetings will be critical to ensure success.
  - For **region-wide provisions**, topic-based discussions with key stakeholders and sector representatives to inform the development of the region-wide provisions, with nominated Councillors invited to sponsor groups of topics.
- [4] A review of this consultation approach by our external legal provider confirms that the ORC is well on track to meet the community engagement requirements<sup>1</sup> of the National Policy Statement for Freshwater Management 2020 (NPS-FM), if the Council continues to progress its consultation process in the manner proposed.
- [5] A paper outlining this approach, with refinements, was presented to the Strategy and Planning Committee on 13 July 2022 and was referred to the LWRP Governance Group to workshop the approach and communications methods on 27 July 2022. At an extraordinary meeting of the Strategy and Planning Committee immediately after this workshop on 27 July 2022, it was agreed that the discussion from the workshop would be written up and presented with a further paper to the Strategy and Planning Committee meeting of 24 August 2022.

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<sup>1</sup> Clause 3.7 of the NPSFM 2020

- [6] This paper is presented to the Strategy and Planning Committee and includes the results of the LWRP Governance Group workshop. It also includes recommendations to adopt these refinements to ensure acceptable consultation is undertaken to develop the pLWRP.

#### **RECOMMENDATION**

*That the Strategy and Planning Committee:*

- 1) **Notes** this report.
- 2) **Adopts** the refinement to the FMU consultation which includes a third (final) round of consultation which will be designed to present a preferred option and to discuss implementation and transition.
- 3) **Adopts** a proposal for 3 nominated Councillors to work together with ORC staff to develop the consultation material and tools for the remaining stages of FMU community consultation.
- 4) **Adopts** the approach to consulting with key stakeholders on topics to develop region-wide provisions, including appointing a Councillor to each topic as sponsor and to attend key stakeholder discussions.

#### **BACKGROUND**

- [7] In 2019, the ORC committed to the Minister for the Environment to developing and notifying a new LWRP by 31 December 2023. The pLWRP will give effect to relevant National Policy Statements and other higher order planning instruments.
- [8] In a report presented and adopted by the Strategy and Planning Committee on 13 May 2020, ORC staff outlined a proposed consultation approach to inform the development of the LWRP.<sup>2</sup> This approach provided for two FMU consultation stages and was silent on consultation on region-wide topics or provisions.
- [9] As this work progressed, it became obvious that additional steps were required for FMU consultation and to provide for region-wide topics and provisions.
- [10] A paper detailing the currently adopted approach and proposed refinements was presented to the Strategy and Planning Committee on 13 July 2022. It was then referred by the Committee to the LWRP Governance Group for the approach and methods to be workshopped and report back at an extraordinary meeting of Strategy and Planning Committee on 27 July 2022.
- [11] The workshop took place on 27 July 2022 however there was not sufficient time to collate workshop feedback and rather than consider the workshop feedback at S&P on 27 July, the paper was held over to ensure the workshop feedback could be collated. The results of the workshop are now attached to this paper.

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<sup>2</sup> <https://orc.govt.nz/media/8451/strategy-and-planning-agenda-20200513.pdf>

**DISCUSSION**

**FMU CONSULTATION**

- [12] As detailed in full in the 13 July 2022 Strategy and Planning Committee Paper<sup>3</sup>, the technical and planning work for the development of the proposed LWRP has been progressing and staff have identified the need to undertake a further round of consultation in addition to what was originally adopted in 2020.
- [13] This additional round of consultation will be designed to:
  - a. Present the preferred option for each FMU,
  - b. Share how relevant management actions and controls (to achieve desired environmental outcomes) may be expressed as region-wide or FMU specific policies and rules of the LWRP, and
  - c. Discuss the implementation of the preferred options, including transition and timeframes.
- [14] While the first consultation stage was largely confined to an online format due to Covid-19 settings that applied at the time, all future pLWRP consultation are designed to have in-person community meetings (future Covid-19 government settings permitting) and be supported by online tools for communities to participate in the consultation and provide input.
- [15] Staff would establish a working group of relevant pLWRP project staff and 3 nominated Councillors to work together on the design and delivery of the future FMU consultations.

**REGION-WIDE TOPICS CONSULTATION**

- [16] For the development of the region-wide provisions for the pLWRP, topic-based discussions are proposed with key stakeholders and sector and/or catchment group representatives. The topic-based discussions follow on from a number of workshops with the Strategy and Planning Committee over late 2021 and early 2022 to receive policy direction. These stakeholder discussions will focus on identifying and confirming issues and options for developing management approaches and planning responses for different categories of activities.
- [17] The topics, activities within each topic, and a high-level identification of stakeholders to be involved is listed below for your information. <sup>4</sup>

Categories of topics & activities	Topics and activities	Key stakeholders, Sector groups
Environmental flows/levels	<ul style="list-style-type: none"> <li>• Minimum flows</li> <li>• Residual flows</li> <li>• Lake/aquifer levels</li> </ul>	Rural sector, Environmental groups, Territorial authorities

<sup>3</sup> Report SPS2228: *Overview of approach and timing for future consultation stages for the development of the LWRP.*

<sup>4</sup> This table differs from the table included in the report SPS228 that was presented to Strategy and Planning Committee on 13 July 2022 as follows:

- Removal of the category *Group Water Management*. Topics and activities under this category will be addressed through work undertaken on other topics and activities in the listed table, e.g. take and use of water, agricultural discharges.
- Removal of the topic *Mining*. Activities related to mining will be addressed through the work undertaken on other topics and activities in the listed table, e.g. take and use of water, damming and diversion, discharges, earthworks and erosion control.

Taking and use of water	<ul style="list-style-type: none"> <li>• Allocation framework (includes phasing out overallocation)</li> <li>• Consumptive water takes (e.g. domestic, community supplies, stock water, irrigation)</li> <li>• Non-consumptive water takes (e.g. hydro-electricity)</li> <li>• Efficiency in allocation/water use (technical efficiency)</li> <li>• Dewatering, drainage</li> <li>• Retakes, flow augmentation</li> <li>• Transfers (of point of take)</li> </ul>	Rural sector, Environmental groups, Territorial authorities
Damming and diversion	<ul style="list-style-type: none"> <li>• Damming of water</li> <li>• Diversion of water</li> <li>• Establishment, maintenance and operation of damming structures</li> </ul>	Rural sector, Energy, Mining, Environmental groups
Agricultural discharges	<ul style="list-style-type: none"> <li>• Effluent (liquid and solid)</li> <li>• Pesticides &amp; Herbicides</li> <li>• Fertiliser use</li> <li>• Nutrient discharges</li> </ul>	Rural sector, Environmental groups
Activities on the beds or margins of lakes, wetlands or rivers	<ul style="list-style-type: none"> <li>• Loss of river bed values &amp; extent</li> <li>• Construction, maintenance, upgrade, removal, use of structures</li> <li>• Disturbance of and deposition on the beds of lakes and rivers</li> <li>• Debris clearance, flood protection works, alluvium extraction</li> <li>• Vegetation removal</li> </ul>	Rural sector, Territorial authorities, Energy, Mining, Environmental groups
Other discharges	<ul style="list-style-type: none"> <li>• Discharges of hazardous substances</li> <li>• Discharges from contaminated land</li> <li>• Swimming pools/spas, greywater</li> <li>• Discharge of water (e.g. dams, races)</li> <li>• Mixing of waters</li> </ul>	Rural sector, Territorial authorities, Fuel companies, Energy, Mining
Landfills and cemeteries	<ul style="list-style-type: none"> <li>• Landfills, greenfills, cleanfills</li> <li>• Farm landfills</li> <li>• Silage &amp; composting</li> <li>• Cemeteries</li> </ul>	Rural sector, Territorial authorities, Environmental groups
Stormwater & wastewater discharges	<ul style="list-style-type: none"> <li>• Reticulated/unreticulated stormwater</li> <li>• Reticulated and on-site wastewater</li> <li>• Long drops, composting toilets</li> <li>• Industrial / trade wastes</li> </ul>	Rural sector, Territorial authorities, Environmental groups
Land use	<ul style="list-style-type: none"> <li>• Development (including forestry) &amp; intensification</li> <li>• Earthworks &amp; erosion control</li> <li>• Stock access</li> <li>• Intensive winter grazing</li> </ul>	Rural sector, Territorial authorities, Environmental groups, Land developers,



	<ul style="list-style-type: none"> <li>• Vegetation burning/clearance</li> <li>• Bore construction, maintenance</li> </ul>	Forestry
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- [18] The discussions with key stakeholders and sector representatives for the development of regionwide provisions will take the form of focus group workshops, similar to the Regional Policy Statement Reference Group meetings. These sessions will be convened over the second half of 2022, with attendees able to choose to attend in person or via Zoom.
- [19] Ahead of each region wide topic discussion with external stakeholders, an Issues and Options paper will be brought to the LWRP GG for discussion. And like the RPS Reference Groups, a Councillor will be sought to be ‘sponsor’ of each topic and sit in on the external stakeholder group discussions. The role of Councillors will be to support the discussions and provide feedback to fellow Councillors on discussions.

**MEETING THE REQUIREMENTS OF THE NPS-FM.**

- [20] Under Clause 3.7(2) of the National Objectives Framework (NOF) in the NPS-FM, regional councils are required to undertake the following steps:
  - a. Identify FMUs in the region;
  - b. Identify values for each FMU;
  - c. Set environmental outcomes for each value and include them as objectives in regional plans;
  - d. Identify attributes for each value and set baseline states for those attributes;
  - e. Set target attribute states, environmental flows and levels, and other criteria to support the achievement of environmental outcomes; and
  - f. Set limits as rules and prepare action plans to achieve environmental outcomes.
- [21] Under Clause 3.7(1) of NPS-FM, ORC must engage with communities and tangata whenua at each step of the NOF process.<sup>5</sup>
- [22] The table below shows how the FMU consultation process has been developed to address matters (b) to (f) in paragraph 8.

Description	NOF framework	Status
<b>Stage 1</b> <b>(1<sup>st</sup> round of consultation)</b> Confirm/Identify and discuss: <ul style="list-style-type: none"> <li>• values</li> <li>• characteristics (to inform the setting environmental outcomes and selecting attributes for values)</li> </ul>	b) identify values for each FMU	Complete
<b>Stage 2a</b> <b>(2<sup>nd</sup> round of consultation)</b> Present and discuss: <ul style="list-style-type: none"> <li>• baseline state for selected</li> </ul>	c) set environmental outcomes for each value and include them as objectives in regional plans; d) identify attributes for each value	Planning in progress

<sup>5</sup> Engagement with communities on FMU boundaries and on the long-term visions for these FMUs and rohe occurred in the period October – November 2020. The FMUs and rohe, and their long-term visions were included in the proposed Regional Policy Statement (pRPS) for Otago that was notified in June 2021.

attributes <ul style="list-style-type: none"> <li>• environmental outcomes and target attribute states</li> <li>• management options (including limits and rules to achieve these outcomes)</li> </ul>	and set baseline states for those attributes; e) set target attribute states, environmental flows and levels, and other criteria to support the achievement of environmental outcomes;	
<b>Stage 2b (3rd round of consultation)</b> Present preferred management option	f) set limits as rules and prepare action plans to achieve environmental outcomes.	Planning in progress

**TIMING OF FUTURE CONSULTATION AND ENGAGEMENT**

[23] An update to the timelines for future consultation is included in the report *SPS2240 LWRP timelines* presented to the Strategy and Planning Committee at its meeting on 24 August 2022.

**ALTERNATIVE CONSULTATION APPROACH**

[24] Alternative approaches to consultation and engagement for the development of the pLWRP have been suggested by some key stakeholders, including the North Otago FMU rural stakeholder group.<sup>6</sup> The alternative engagement processes that have been proposed by external groups are useful approaches to consultation and engagement that ORC is keen to implement however due to time and resourcing constraints, at this time and for this process, they will not enable the delivery of the proposed LWRP by December 2023.

[25] Staff acknowledge the benefits of engagement models as proposed by external parties and consider opportunities to utilise such approaches should be considered going forward. The upcoming Air Plan review could be one such opportunity.

[26] The process as set out in paragraph 13 for the FMU consultation, and paragraph 16 for the region wide consultation, which encompasses topic based discussions around the region, and specific FMU targeted discussions around likely on ground actions, has been designed to work within the timelines we currently have.

[27] In addition, work programmes such as the Integrated Catchment Management work being led by the Environmental Implementation team, are ideal opportunities to work alongside communities, to learn from the work they have already done, understand their practices, and work together to deliver good environmental outcomes.

**LWRP GOVERNANCE GROUP WORKSHOP 27 JULY 2022**

[28] The Governance Group along with members of Strategy and Planning had a workshop on methods and approach to the remaining consultation on 27 July 2022. The results of that workshop have been collated and are attached as Attachment 1.

[29] The Governance Group members generally considered that the proposed refinement to the FMU consultation and the proposed approach for consultation for region-wide

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<sup>6</sup> On 11 April 2022, Cr Andrew Noone, the Chair of the Otago Regional Council (ORC) received a letter from the North Otago FMU rural stakeholder group proposing an alternative engagement process.

topics and provisions were adequate. They highlighted complex FMUs like the Manuherekiia and Taieri which may need further consideration or work, which staff will pick up on.

- [30] With respect to the North Otago FMU, there appeared to a general level of comfort that the combination of FMU and region-wide consultation approaches that included North Otago key stakeholders and catchment groups would be workable, with the priority to communicate the approach to the group that had proposed an alternative as soon as possible.
- [31] Through the feedback Councillors provided on communications approaches, understanding audiences, and the use of a range of methods staff received confirmation and useful additional direction for the future consultations.

## **CONSIDERATIONS**

### **Strategic Framework and Policy Considerations**

- [32] The ORC is responsible for implementing the new national direction and regulations and notifying new or updated regional policy statements and regional plans that set out how the region will implement the new NPS-FM.
- [33] The topic-based consultation with key stakeholders for the development of regionwide provisions in the pLWRP and Stages 2 and 3 of the FMU community consultation are vital components of ORC's consultation process, undertaken to inform the development of the pLWRP that gives effect to the NPS-FM.
- [34] In addition, the pLWRP and the consultation process that informs its development will contribute to fulfilling Council's objectives of leading environmental management in Otago, in partnership with mana whenua; promoting collaboration with territorial authorities and others to achieve resilient and sustainable communities; and promoting a healthy and resilient environment whose capacity for sustaining life and ecosystem health is enhanced and sustained.

### **Financial Considerations**

- [35] The Policy Team administers existing budgets for the development of the LWRP. Any expenditures associated with the roll-out of the staff proposed consultation process with tangata whenua and communities are funded from these budgets. Any changes to this process, such as rolling out an alternative consultation process for the development of the LWRP as the one outlined above in paragraph 26 of this report would require additional funding.

### **Significance and Engagement Considerations**

- [36] The consultation process that is being undertaken to inform the development of the LWRP will trigger ORC's *He mahi rau rika: ORC Significance, Engagement and Māori Participation Policy*, as this project is likely to have potentially significant impacts on many people.
- [37] Each stage and aspect of this community consultation process is designed to be consistent with *He mahi rau rika: ORC Significance, Engagement and Māori Participation Policy*.

**Legislative and Risk Considerations**

- [38] The consultation process that ORC is undertaking to inform the development of the pLWRP has been designed and planned to give effect to the relevant requirements of the NPS-FM and will be undertaken in accordance with the First Schedule of the Resource Management Act 1991 (RMA) and the principles of consultation set out in section 82 of the Local Government Act 2002 (LGA).
- [39] As discussed above, an interim progress review of the community consultation approach involving ORC's legal support team confirmed that the ORC is well on track to meet the process requirements of the NPS-FM in terms of community engagement if it continues with the proposed consultation process.

**Climate Change Considerations**

- [40] Recognition of climate change and its effects on the health and wellbeing of the people and environment is one of the matters to which the LWRP needs to respond to give effect to the NPS-FM, in particular Policy 4 of the NPS-FM: *Freshwater is managed as part of New Zealand's integrated response to climate change*.
- [41] The foreseeable impacts of climate change will be considered in relation to the setting of limits on resource use in the LWRP under Clause 3.14(2)(a)(ii) of the NPS-FM.

**Communications Considerations**

- [42] Policy and Communications staff will ensure that the community is aware of the process, timelines and how to participate in the future stages of the consultation process, through the various media channels normally used by ORC.

**NEXT STEPS**

- [43] If the recommendations are adopted, ORC staff will, using the feedback from the LWRP Governance Group workshop of 27 July 2022:
- a. Develop the schedule of FMU consultations for the 2 future rounds of consultations,
  - b. Establish a group of 3 nominated Councillors and relevant LWRP project staff to work on the design and delivery of the future FMU consultations, and
  - c. Schedule topic-based consultation with key stakeholders for the development of region-wide provisions.

**ATTACHMENTS**

1. LWRP Governance Group Workshop Outcomes [7.2.1 - 5 pages]

**ATTACHMENT 1: 27 JULY 2022 LWRP GOVERNANCE GROUP WORKSHOP OUTCOMES**

As requested at the Strategy and Planning Committee meeting, on 27 July 2022 the Land and Water Governance Group with Otago Regional Councillors in attendance workshopped the proposed revisions to the overarching LWRP engagement and consultation approach and the methods for doing this.

The table below records the questions posed, the proposed approach presented where relevant, and the outcomes of workshop.

WORKSHOP QUESTION 1: What does the <u>community need</u> from this process?	
ONLINE GROUP FEEDBACK	IN PERSON GROUP FEEDBACK
<ul style="list-style-type: none"> <li>• To be fully informed and have clarity around the work and the processes being followed</li> <li>• Informative, plain language, easy to understand, accurate, up to date information that shows where in the process things are up to</li> <li>• Information makes senses and works for the audiences</li> <li>• They want to know how this impacts them, what their role is, what changes will there be, e.g there ARE water quality regulations that mean they are going to have to make changes so how are they going to do that</li> <li>• Opening section in all communications and consultations is an update on the RPS, where in the process are we and how does that fit in with where in the process the LWRP is</li> <li>• Processes that are simple, easy to understand, easy to engage in</li> <li>• It needs to be clear how the LWRP processes work alongside other, related processes, e.g. RPS, and clear differentiation of processes where that's the case</li> <li>• Framing of the LWRP is really important – this is an opportunity, not a constraint</li> <li>• Questions needing answers need to be clear</li> <li>• Make it well understood that this is a work in progress, things will change over time, and that this is the start of an up to date, fit for purpose regional plan and approach</li> </ul>	<ul style="list-style-type: none"> <li>• Certainty</li> <li>• Meaningful and genuine engagement</li> <li>• ORC to consider whether it's possible coordinate our submission processes for LWRP and RPS (to ensure efficient processes)</li> </ul>

<ul style="list-style-type: none"> <li>• Great visuals to help with their understanding, such as roach map of process, diagrams/infographics, geographical information, maps....</li> <li>• Better information on the whole national planning framework, incl what the LWRP must do and have in it and what can be set with communities</li> <li>• Spell out what Te Mana o Te Wai is for people and help them to understand it</li> <li>• Make the feedback loop a natural part all the way though developing the plan, have a rolling system where we're regularly reflecting back what we've heard and what next</li> </ul>	
<p><b>WORKSHOP QUESTION 2: Is the proposed revised FMU approach adequate?</b></p>	
<p>As outlined in the presentation:</p> <ul style="list-style-type: none"> <li>➤ Stage 1 consultation – reflecting back visions, confirming values, identify attributes and get direction on outcomes</li> <li>➤ Stage 2a consultation – provide context (process, bigger regulatory framework picture, present current state and other known science and information, seek direction on outcomes and preferences, share information on region-wide topics work</li> <li>➤ Stage 2b consultation – report back to communities on what we heard, present preferred outcomes and actions, begin to discuss implementation, transition</li> </ul>	
<p><b>ONLINE GROUP FEEDBACK</b></p>	<p><b>IN PERSON GROUP FEEDBACK</b></p>
<ul style="list-style-type: none"> <li>• Yep, although need to make sure it's all framed up in the broader context so it's easy to see how it all fits together with the ongoing RPS work</li> <li>• Not everyone in each FMU will be interested in this so be far more targeted in terms of getting the right information to the people who are interested and affected, incl where we're advertising, what engagement methods we're using</li> <li>• Identify and use existing networks to reach key interested communities</li> </ul>	<ul style="list-style-type: none"> <li>• Would like to look at Kevin's process or a version which satisfies the process requirements</li> <li>• Is this approach able to work in the Manuherekia, or how are we doing this? Same question for any other areas with organised catchment groups</li> <li>• What about the Taieri? Can we do that FMU later, after the science work?</li> </ul>
<p><b>WORKSHOP QUESTION 3: Is the proposed <u>region-wide</u> provisions approach adequate?</b></p>	
<p>As outlined in the presentation:</p> <ul style="list-style-type: none"> <li>➤ Stage 1: Workshop issues and options, identify specific regulatory &amp; non-regulatory actions with key stakeholders</li> <li>➤ Stage 2a: Discuss drafting solutions with key stakeholders</li> </ul>	

➤ Stage 2b: Present draft to key stakeholders	
➤ FMU Stage 2a: Present and discuss information on region-wide topics work	
<b>ONLINE GROUP FEEDBACK</b>	<b>IN PERSON GROUP FEEDBACK</b>
<ul style="list-style-type: none"> <li>• Recognition that this process uses learnings from RPS which is good</li> <li>• Use the methods and methods feedback in delivering the region-wide engagement too, e.g. multiple channels, good quality information available to people, regular communciations</li> </ul>	<ul style="list-style-type: none"> <li>• Include climate change</li> </ul>
<b>WORKSHOP QUESTION 4: What consultation and engagement methods should we use?</b>	
FMU community meetings, key stakeholder meetings, stakeholder forum, zoom meetings, good quality website information and other online resources, newsletters, emails, LWRP presentations at stakeholder meetings as able, media coverage, media and social media marketing, reports, Councillor champions, lwi champions, print materials	
<b>ONLINE GROUP FEEDBACK</b>	<b>IN PERSON GROUP FEEDBACK</b>
<ul style="list-style-type: none"> <li>• Many people are not as keen as they used to be on ‘town hall type community meetings’, many are staying at home more and want other ways to be involved</li> <li>• Mandatory inclusion of online consultation and engagement activities for those prefer not to go to public events</li> <li>• Make use of community libraries – have hard copy information available at libraries, brief librarians so they can talk about the LWRP to the public</li> <li>• Use existing communities networks to reach communities, help advertise, and report back to communities, e.g. Greypower for older community members, Catchment groups for landholders actively working on water care</li> <li>• Use a range of methods so that there’s something that works for all the different community members</li> <li>• Make sure that there’s non-online methods too, e.g. newspaper articles, profiles, advertising, ability to request hard copy information, hard copy monthly newsletters to public</li> </ul>	<ul style="list-style-type: none"> <li>• Given advance notice and information, documents etc in advance to present before workshops to hear people’s views so that they can be well informed and well prepared to discuss things</li> <li>• Define and be clear what we mean when we say consultation (important in managing people’s expectations)</li> <li>• Explain where we will use their feedback, and likewise say when we are advising the community and possibly giving them feedback</li> <li>• Stop using the word ‘engagement’</li> <li>• Engagement when we have community led processes – be clear about which/when/why</li> </ul>

WORKSHOP QUESTION 5: What do you want from us to keep you informed and engaged as governance?	
<p>Outlined in presentation:</p> <ul style="list-style-type: none"> <li>➤ <b>At governance level</b> - LWRP GG, Monthly project updates to S&amp;P, Regular workshops with S&amp;P, Information available on Diligent and OneDrive, Good quality content on ORC website (fyi and to refer public to), LWRP engagement and communications forward planner, ORC governance forward planner, Conversations with CE, GM</li> <li>➤ <b>Engagement and consultation work</b> – Consultation design working party with Councillor representation, then attendance at FMU meetings, attendance at region-wide topic key stakeholder workshops, FMU &amp; region-wide topic champions, involvement in any debriefs and reviews of activities along the way</li> </ul>	
ONLINE GROUP FEEDBACK	IN PERSON GROUP FEEDBACK
<ul style="list-style-type: none"> <li>• Yes to above</li> <li>• Good visual information</li> <li>• Diagrams showing whole LWRP development and how things all fit together</li> <li>• Maps</li> <li>• Geographical information</li> </ul>	<ul style="list-style-type: none"> <li>• To be kept informed when things aren't as expected (no surprises environment, early heads up)</li> <li>• Let Councillors offer help about what should be asked of communities, with specific reference to community surveys and engagement</li> <li>• Be in the room as a partner when Iwi is in the room</li> </ul>
ADDITIONAL COMMENTS	
ONLINE GROUP FEEDBACK	IN PERSON GROUP FEEDBACK
<ul style="list-style-type: none"> <li>• Recognise that the process will have issues but we need to commit to its progress, keep moving forward, and address issues in a constructive way so that we keep moving forward</li> <li>• Need to be realistic in the project, e.g. agreed deadline and resulting tight timelines will mean decisions need to be made about how to deliver the LWRP and the quality</li> <li>• The public transport meetings worked well, the LWRP project should learn from that as well and use what worked well</li> <li>• Really important to get a clear understanding and picture of how this all fits in with the process for the RPS now we have a High Court ruling and be able to explain this to public and stakeholders</li> <li>• One of the benefits of consultation is people sharing their ideas and views and other people hearing those. Seeing and hearing the diversity</li> </ul>	



<p>of views is important for the community as is connecting with people with different views and learning from each other</p> <ul style="list-style-type: none"> <li>• Cr Malcolm considers that the combination of the FMU process and the region-wide process would be adequate for the North Otago group who have approached the Council requesting a process that allows them meaningful involvement. His main concerns now are 1, that we can detail and share the approach and outline where those stakeholders can be involved and go and talk to them about this as they've been waiting months to hear back, and 2, that we have an approach that allows for the diversity and involvement of different stakeholders in the different FMUs, e.g. Taieri stakeholders can see the approach and where they too can be involved and share their specific catchment experience and expertise</li> </ul>	
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### 7.3. LWRP Timelines

<b>Prepared for:</b>	Strategy and Planning Committee
<b>Report No.</b>	SPS2240
<b>Activity:</b>	Governance Report
<b>Author:</b>	Rachel Currie, Project Manager Land and Water Regional Plan
<b>Endorsed by:</b>	Anita Dawe, General Manager Policy and Science
<b>Date:</b>	24 August 2022

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#### PURPOSE

- [1] The purpose of this paper is to provide an updated timeline for delivering the proposed Land and Water Regional Plan (pLWRP) through to notification, following an update on timelines to the LWRP Governance Group on 14 July 2022. The timeline presented today considers new information since the July Governance Group meeting, including the communication from the Minister for the Environment on the timeframe for notifying the pLWRP.

#### EXECUTIVE SUMMARY

- [2] The current timeline for notifying a pLWRP is 31 December 2023, as agreed by Council in 2019.
- [3] Staff had presented timelines in July 2022 to Governance Group that provided time to work through new guidelines for periphyton however due to a number of factors, a timeline to achieve the original December 2023 deadline is now presented for the Strategy and Planning Committee.

#### RECOMMENDATION

*That the Strategy and Planning Committee:*

- 1) **Notes** this report.
- 2) **Confirms** the current timeline for developing the proposed Land and Water Regional Plan for Otago, to achieve public notification by 31 December 2023.

#### BACKGROUND

- [4] In 2019, the ORC made a commitment to the Minister for the Environment to develop and notify the pLWRP, giving effect to relevant National Policy Statements and other higher order planning instruments by 31 December 2023.
- [5] In a report adopted by the Strategy and Planning Committee on 13 May 2020, ORC staff outlined their approach to developing the pLWRP and consulting with communities along the way. This approach has been refined over time, including the most recent refinements to the consultation approach for developing region-wide and Freshwater Management Unit (FMU)-specific provisions (Paper *SPS2244 Overview of approach for future LWRP consultation stage*, Strategy and Planning Committee meeting, 24 August 2022).

- [6] In June 2022 the Ministry for the Environment (MfE) released new national periphyton guidelines which needed to be understood in an Otago context. At the 14 July 2022 LWRP GG meeting staff advised that, based on its testing of the guidelines, it appeared they would under protect Otago's stream and rivers and that an Otago specific calibration of the guidance model would need to be pursued. The anticipated flow-on effect of this was that the technical work to support the development of options for consultation 2 would not be ready in the timeframes as initially planned. Options for revised consultation timelines and over project timelines were presented to LWRP Governance Group for discussion and referral to Strategy and Planning Committee as appropriate.

## **DISCUSSION**

### **IMPACT OF PERIPHYTON GUIDELINES**

- [7] The 14 July 2022 paper to LWRP Governance Group set out current timing for the second round of FMU community consultation, which was planned to occur from August through to the end of October 2022, and the third round of FMU community consultation (pending approval from Council) scheduled to commence at the beginning of 2023 and conclude by the end of March 2023.
- [8] To accommodate the additional calibration for periphyton, staff presented 3 alternative, indicative timelines to allow for the Otago specific calibration of the national periphyton guidelines, with the following implications:
- Option A – retained December 2023 notification  
Option B (1) – delayed notification until February 2024  
Option B (2) – delayed notification until June 2024
- [9] The options assumed that an Otago specific calibration of the periphyton guidance model would be more accurate and better protect Otago's streams and rivers. If this was not the case, then the current timelines would need to be adhered to, with minor changes to the starting time of the 2<sup>nd</sup> round of FMU consultation, recognising the staff time had been diverted from the FMU technical work to the periphyton modelling work.
- [10] An Otago specific calibration has now been developed, and the work resulted in marginally better model fit for some river types in Otago, but not all. After analysis it has been determined that working with the national periphyton model is now the best course of action, and staff better understand its limitations. Other enhancements to the national model are still being pursued, however this work will now occur in parallel to other critical workstreams. This means that the original timeline, that achieves the Ministers' recommendations is achievable, with minor changes to the dates for starting the 2<sup>nd</sup> round of consultation.

### **TAIERI AND NORTH OTAGO TECHNICAL INFORMATION**

- [11] Work to advise on minimum flow setting in rivers includes the generation of hydrological statistics or models and the development of habitat models. The flow work describes the river in different states and enables comparisons to abstraction rates. Habitat models predict the presence of habitat available to support aquatic life under different flow scenarios.

- [12] Developing reliable habitat models requires extensive field work, particularly when river flows are low. In the 2021/22 summer season rivers in North Otago and the Taieri River did not reach low enough levels for long enough to enable the field work to be completed, and therefore the habitat models were not able to be advanced.
- [13] The Science team are intending to undertake field work as soon as the rivers are at suitable flows this summer season, which will enable habitat models for the Taieri River and some rivers in North Otago to be developed in time to inform the pLWRP. This work is however weather dependant, and it is possible that flow conditions will not be suitable to enable habitat models to be developed to inform a 2023 plan notification. This is a risk that is being actively managed by staff, and will be reported on to the LWRP GG, and if necessary, escalated up. It may be that staff report back with options to mitigate this risk, if summer flow conditions look unlikely to occur.

### OPTIONS

- [14] The table below sets out the current timeline (accommodating changes to the start of the 2<sup>nd</sup> round of FMU consultation) to achieve notification by December 2023. This timeline was discussed at the LWRP GG meeting on 16 August and was supported unanimously by members.

	Current timeline - December 2023 Notification
Science modelling complete and scenarios developed	End June 2022
Consultation 2 design, planning, and advertising (8-week lead time required)	August-September 2022 <b>NB: Notification of PRPS sections as freshwater planning instruments end September</b>
Consultation 2	October-December 2022
Policy work (including plan writing)	November 2022 – end January 2023
Consultation 3 design, planning, and advertising (8-week lead time required)	December 2022 – January 2023
Consultation 3	Start February – start April 2023
Policy work and reviews	April-start May 2023
Council workshops ahead of pre-notification process	May-June 2023
Pre-notification period	July – September 2023
Policy work and Council workshops	October – November 2023
Notification resolution by Council	End November – start December 2023
Notification	<b>December 2023</b>

- [15] The current timeline has been designed to ensure ORC meets its commitment to notify the pLWRP by 31 December 2023. As advised on previous occasions, the timeframes are tight, require a pragmatic approach to consultation (while still meeting the requirements of the NPSFM and the Local Government Act 2002) and efficient processes for the development and approval of the pLWRP document and supporting Section 32 Evaluation report. The timeline will put pressure on our iwi partners, and the community and stakeholders. It also assumes relevant field work in the North Otago and Taieri FMU can occur over this summer season. If the technical field work is unable to be undertaken due to adverse flow conditions, ORC staff will discuss options with the LWRP Governance Group, and the relevant Council Committee early in 2023.

- [16] ORC has committed to the Minister for the Environment to notify the proposed LWRP by 31 December 2023. The current timeline can deliver on this commitment, based on the information staff have at this point in time.

## **CONSIDERATIONS**

### **Strategic Framework and Policy Considerations**

- [17] The ORC is responsible for implementing the new national direction and regulations and notifying new or updated regional policy statements and regional plans that set out how the region will implement the new NPS-FM. The pLWRP delivers on a number of the Strategic Directions.

### **Financial Considerations**

- [18] The development of a proposed LWRP will be funded from the existing Water Plan budgets across the organisation, in particular the Science, Environmental Monitoring, and Policy teams but with input from many other teams.

### **Significance and Engagement**

- [19] The development of the pLWRP triggers *He mahi rau rika: ORC Significance, Engagement and Māori Participation Policy*, as this project is likely to have potentially significant impacts on many people. Iwi are involved in governance and operational levels through memberships on the LWRP Governance Group level and on the project team.

### **Legislative and Risk Considerations**

- [20] The timeline in this report is designed to give effect to the relevant requirements of the NPS-FM and deliver a consultation approach that meets the requirements of the NPS-FM in terms of community engagement.
- [21] The timelines require a pragmatic approach to consultation when it will occur over the last quarter of 2022 and first quarter of 2023, which is sub-optimal for some of the farming community. To mitigate this effect, there will be detailed information online for those who cannot attend face to face consultation meetings and a user-friendly online survey that allows the public to have their feedback and preferences taken into consideration.

### **Climate Change Considerations**

- [22] There are no climate change considerations associated with this report.

### **Communications Considerations**

- [23] Communicating timelines is an ongoing part of the pLWRP work. Policy and Communications staff will ensure that the internal and external parties, community and key stakeholders are all aware of the timelines and processes for engaging in the development of the pLWRP through the various media channels normally used by ORC.

## **NEXT STEPS**

- [24] ORC staff are continuing to work to the current timelines outlined in this paper to notify the pLWRP by the 31 December 2023. Staff are able to adjust the timelines and work to an alternative pLWRP notification date if directed by Council.

## **ATTACHMENTS**

Nil