

POLICY COMMITTEE AGENDA

WEDNESDAY 31 JANUARY 2018

10:30 am, Cargill Room, Scenic Hotel
Southern Cross, Princes Street, Dunedin

Membership

Cr Gretchen Robertson *(Chairperson)*
Cr Michael Laws *(Deputy Chairperson)*
Cr Graeme Bell
Cr Doug Brown
Cr Michael Deaker
Cr Carmen Hope
Cr Trevor Kempton
Cr Ella Lawton
Cr Sam Neill
Cr Andrew Noone
Cr Bryan Scott
Cr Stephen Woodhead

Disclaimer

Please note that there is an embargo on agenda items until 8:30 am on Monday 29 January 2018. Reports and recommendations contained in this agenda are not to be considered as Council policy until adopted.

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1. APOLOGIES

2. LEAVE OF ABSENCE

3. ATTENDANCE

4. 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.

5. 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.

6. PUBLIC FORUM

7. PRESENTATIONS

8. CONFIRMATION OF MINUTES

Recommendation

That the minutes of the meeting held on 29 November 2017 be received and confirmed as a true and accurate record.

Attachments

1. Policy Committee Minutes - 29 November 2017 **[8.1.1]**

9. ACTIONS

(Status report on the resolutions of the Policy Committee)

Attachments

Nil

10. MATTERS FOR COUNCIL DECISION

10.1. Wilding Conifers – Amendment to the Pest Management Strategy

Prepared for: Policy Committee
Activity: Environmental - Wilding Pines
Prepared by: Dolina Lee, Resource Management Technical Officer
Date: 19 December 2017

1. Précis

This report requests amendment of the area mapped in the Pest Management Plan for Otago for control of wilding conifers in Central Otago.

2. Background

The Pest Management Plan for Otago 2009 was amended by Council in February 2017 (Report 2017/0627) to provide for the management of wilding trees, in accordance with the Wilding Conifer Eradication Project. This project is being undertaken in conjunction with the Central Otago Wilding Conifer Group.

3. Proposal

Since early 2017, the area where work is being undertaken to contain, control and eradicate wilding conifers in the Lammermoor Management Unit has changed from that shown for Map 6.1 Central Otago Management Units.

It is proposed to amend the Lammermoor Management Unit mapped in the Pest Management Plan accordingly.

Participation in the conifer eradication project is voluntary and dependent on funding, therefore the inclusion in the Management Unit Area will not have a significant effect on landowner rights and obligations. Under s100G of the Biosecurity Act 1993 Council may amend its regional pest management plan by resolution, without the necessity of undertaking a review under S100D of that Act.

4. Recommendation

Amend Map 6.1 Central Otago Management Units, Pest Management Plan for Otago, to show the Lammermoor Management Unit, as identified in Attachment 1.

Endorsed by: Tanya Winter
Director Policy, Planning & Resource Management

Attachments

Attachment 1: Map 6.1 Central Otago Management Units

11. MATTERS FOR NOTING

11.1. Director's Report on Progress

Prepared for:	Policy Committee
Activity:	Governance Report
Prepared by:	Tanya Winter, Director Policy, Planning and Resource Management
Date:	12 January 2018

1. Précis

This directorate report contributes toward the following Strategic Plan Goals:

- Active resource stewardship
- Active regional partnerships
- Realisation of new opportunities

2. Policy Responses

2.1 National Policies, Strategies and Plans

The following were received over the period to 12 January 2018:

Agency	Number	Document
None		

The following responses were made over the period to 12 January 2018:

Proposal	Response Type	Issues
None		

2.2 Territorial Authority District Plan Changes and Reviews

The following summarises the current situation regarding changes and reviews of District Plans.

District or City	Change or review	Current situation
Central Otago	Review pending	Date of review notification has not been confirmed
Clutha	Plan changes 39 – 41 Residential and Industrial Zoning areas for Balclutha, Stirling and Milton. Further review pending	See response below No further details at this time
Dunedin	2GP: District Plan review	Notified: 2015 Hearings completed: Nov 17 Decisions due: early 2018
Queenstown Lakes	District Plan Review	Stage 1 of 4: Notified: 12 Feb 2016 Stage 1 hearings: adjourned
Waitaki	Review pending	Stage 1: Initial consultation underway Proposed Notification: 2018

2.3 Territorial Authority and Regional Council Resource Consent Applications

The following were received over the period to 12 January 2018:

Agency	Number	Document
QLDC	2	Resource Consent application
DCC	1	Resource Consent application
CODC	1	Resource Consent application
WDC	1	Resource Consent application

The following responses were made over the period to 12 January 2018:

Proposal	Response Type	Issues
Plan change 39 – 41 Residential and Industrial Zoning areas for Balclutha, Stirling and Milton	Submission	Due to the proximity of some ORC flood protection assets, ORC advocated that the zoning changes incorporate where appropriate, references to ORC's plans and the Flood Protection Management Bylaw 2012 which may be triggered by activities in these zones.
Edward Burn Development Limited application for subdivision	Submission	Opposed application as no assessment was made of natural hazards that are identified on ORC's natural hazards database.

2.4 Other Proposals

Proposal	Response Type	Issues
Draft Waitaki District Council Waste Assessment	Feedback	WDC has completed a waste assessment and is asking key stakeholders to review this and provide feedback before WDC's new Waste Management and Minimisation Plan is drafted.

2.5 Other Responses

Proposal	Response Type	Issues
Environment Canterbury - Application for approval of use of Rabbit Haemorrhagic Virus Disease RHDV1-K5	Submission	ORC supports this application for a controlled release of a new strain of virus to control rabbits. The Director of Environmental Monitoring and Operations will cover this further in his report to the Regulatory Committee.
Proposed Special Housing Area - SHA (QLDC) - Bullendale	Feedback to QLDC for their recommendation to Minister	ORC advocated for good connectivity within and between any developments and to give effect to the ORC/Southland Joint Regional Land Transport Plans. Advice was also given on some natural hazard characteristics for the area proposed to be developed.

2.6 Direct referral to Environment Court: Skyline Enterprises Limited

The proposed redevelopment of the gondola operation at Queenstown by Skyline Enterprise Limited's has been referred directly to the Environment Court and is now on hold. The Court adjourned the initial hearing until the applicant addresses carparking requirements with Queenstown Lakes District Council and gains the necessary stormwater discharge consent from ORC. These applications have now been lodged with the respective councils and are being processed.

2.7 Appeal: Balmoral Developments (Outram) Ltd vs Dunedin City Council

Balmoral Developments (Outram) Limited has appealed the decision of Dunedin City Council to decline their proposed subdivision. The subdivision proposal relates to approximately 2ha of land zoned Rural in Dunedin's operative District Plan.

ORC submitted on the proposal, including in relation to effects of the proposal on the risk from flooding on the integrity of the adjoining floodbank. ORC is now joining the appeal as a Section 274 party.

2.8 Emerging matters: Plantation forestry

A cross council team have assessed the implications for Otago of implementing the National Environmental Standard for Plantation Forestry, which comes into force in May 2018. In general, more stringent provisions within the Water Plan prevail where there is inconsistency between the two documents. The Water Plan will be amended to clarify when regional rules prevail.

On a related matter, Ngai Tahu Forest Estates have applied to Waitaki District Council for consent to establish a plantation forest within the Shag River catchment. The application has been notified, and the applicant indicates that it is part of a wider forestry development. Staff are meeting with representatives from Ngai Tahu Forest Estates and the Ministry for Primary Industries to discuss their longer term plans for plantation forestry. Of particular interest, is the potential impact of large scale afforestation in water short catchments such as the Shag.

3. ORC: Policy, Plans and Strategies

3.1 Review of Regional Policy Statement

Most issues raised in appeals have been resolved by agreement between parties. Consent orders are being prepared on agreed content.

Appeals relating to mining and port infrastructure are likely to proceed to an Environment Court hearing in mid-February 2018. Evidence-in-chief has been exchanged on both topics, evidence from s274 parties was required by 22 December 2017. Rebuttal evidence from the ORC is due with the Court on 29 January 2018.

Staff are continuing to work with the parties involved to seek resolution rather than proceeding to Court.

3.2 Preparation for review of Regional Plan: Water for Otago

Staff are currently adjusting the programme for proposed changes to the Water Plan (excluding those relating to water quantity management), to enable us to progress this work effectively and efficiently.

Those matters that warrant immediate resolution will continue as separate plan changes. This includes proposed changes for:

- Giving clear effect to national directions, including aligning terminology with the National Policy Statement for Freshwater Management (reporting to March 2018 Policy Committee);
- Water quality for the Lower Waitaki Aquifer, where a groundwater study is currently being undertaken (reporting to March 2018 Policy Committee);
- Any change to the version number of OVERSEER, modelling nitrogen leaching (dependent on timing of release of any version change).

Work as proposed in the Annual Plan for those matters that are important, but not urgent, will continue, but they will be notified as part of the review of the Water Plan (in mid 2021), rather than as individual plan changes. This will include stormwater and wastewater management.

For some matters, such as stormwater, wastewater, and discharges of hazardous substances and industrial and trade waste, parallel changes will be made to the relevant provisions in the Coast, Waste and Air Plans, to ensure that there is a consistent and co-ordinated approach to discharge management.

We anticipate that the new regulations for drafting regional plans, known as the National Planning Standard regulations, will be released within the next year.

3.3 Urban water quality strategy

Over the last two months, staff have met with all district councils to discuss how to work together more effectively on urban water quality matters and how implementation of the strategy might work. A meeting with Dunedin City Council will be arranged early 2018.

The Draft Long Term Plan will include the proposed programme for implementing the strategy. The Water Plan changes being developed now for stormwater and wastewater are the first regulatory actions being undertaken.

3.4 Plan review: stormwater and wastewater

A risk assessment method for assessing risk of contamination for urban areas is now being developed. This will involve all councils, and it will help prioritise our plan review focus for wastewater and stormwater provisions.

We intend to bring together key stakeholders, including iwi and city and district councils, in April 2018 to further develop this risk management method.

3.5 Biodiversity Strategy

The Biodiversity Strategy is being prepared now, in association with the Biodiversity Reference Group. It draws on the Wildland Consultants Ltd report, 'Strategic Analysis of Options to Improve Management of Ecosystems and Biodiversity for Otago Region'.

A draft strategy was presented to a Council Workshop in October, prior to a stakeholder forum on 31 October 2017. Following the forum, feedback on community values and views of potential ORC priorities was sought through an online survey. This drew 55 responses, including 13 from community groups. Key findings included a particular appreciation of the intrinsic values, ecosystem services, and amenity associated with biodiversity. Most respondents preferred a focus on indigenous species and felt that ORC should focus on a wide range of actions and aspects of biodiversity (e.g. threatened species, iconic species, special areas).

The draft strategy has been revised in response to feedback received, and the draft is now being designed by a consultant. We anticipate that the strategy will be workshopped with Councillors at the end of January, with consultation on the provisions for implementation included in the Draft Long Term Plan 2018-28. This process should ensure clear alignment between desired outcomes and Council's response.

We anticipate final adoption of the strategy document will occur in June 2018, as the Long Term Plan process concludes.

3.6 Air Quality Strategy

Staff have met with district councils, the District Health Board, and Otago Cosy Home Trust, to get feedback on the draft Air Quality Strategy as approved by the Policy Committee on 29 November 2017.

The principles highlighted in the strategy are generally supported. Most concerns related to the control of dust from roads, and how that might impact on district councils' operating and capital expenditure budgets. The TA's asked for more details with regard to the methods to implement the strategy.

Public Health South and Otago Cosy Home Trust have expressed interest in working with Council to implement the strategy.

The proposed plan for implementation will be included in the Draft Long Term Plan 2018-28, for consultation in April 2018. As with the Biodiversity Strategy, this process should ensure clear alignment between desired outcomes and Council's response.

3.7 National Policy Statement - Freshwater Management (NPS-FM)

The following table summarises actions that are being taken to complete giving effect to the NPS-FM, as updated to end of 2017.

Staff are proposing to extend the proposed plan change to align NPS-FM terminology, being undertaken this year, to include any urgent changes recommended from the Havelock North Stage 2 Drinking Water Inquiry Report. This could include prohibiting the construction of new below-ground bore-heads, because of the unnecessarily high risk of aquifer contamination arising from such structures.

NPSFM Matter	Action to be taken by ORC	Time	Current situation Dec 2017
Proposed Plan Change (NPS-FM alignment)			
a) Policy CA1 Freshwater management units (FMUs)	Plan change to align terminology used in managing water.	2017-18 year	Work on plan change has commenced. A report will be presented to March 2018 Policy Committee.
b) Policy CA2 Freshwater objectives for all FMUs	Re-present current Water Plan to more transparently show how the national values and uses for fresh water apply in Otago.		
c) Policy CA3 Bottom lines for FMUs	Re-present operative Water Plan to more transparently show how the national value bottom lines for fresh water apply in Otago.		

d) Objective A3 Primary contact sites Policy A5 Primary contact sites	Plan change to identify specified rivers, lakes and primary contact sites; any programme for improvements to those sites; and how those sites will be maintained once regional targets are achieved.		
e) Policy A6 Regional targets	Develop regional targets to improve the quality of freshwater to meet the national target for water quality improvement as part of the above plan change process.		
Any change proposed to Water Plan			
f) Policy CA2 Freshwater objectives for all FMUs	Assess national values transparently, as part of each new relevant plan change. Alter operative plan provisions as necessary using the plan change and review process.	Ongoing	These assessments are being undertaken as part of each plan change process.
g) Objectives A4, B5 Economic wellbeing Policies A7, B8 Economic wellbeing	Ensure that economic wellbeing is transparently considered when giving effect to the NPS-FM through plan change consultation and Section 32 evaluation processes.		
Monitoring, freshwater accounting & reporting			
h) Policy CB1 Monitoring plan	Review State of Environment (SoE) monitoring activity to include required attribute analysis.	2016-17 year	Review is underway. Some monitoring practices have already been changed to become more compliant.
i) Policy CC1 Freshwater accounting systems for quality and quantity management	Review monitoring and reporting systems to ensure that national reporting requirements are met, and best use can be made of data collected to inform decision making regionally.	2016-2018 years	Review is underway
j) Objective CB1 Monitoring Policies CB1, CB2, CB3, CB4 Monitoring values	Complete review of SoE network and associated data collection systems to give effect to the monitoring requirements prescribed. Monitoring and reporting that information, as prescribed.	2018-19 [proposed] then ongoing	To commence in 2018

k) NPS Appendix 2 Attribute tables	Modify monitoring regime in accordance with attribute monitoring specifications of Appendix 2.	2019-20 [proposed] then ongoing	To commence in 2019
l) Policy E1g) Progressive implementation programme	Report at least every 5 years on primary contact site improvements made to the rivers specified in Policy A5.	2023-24 [proposed] then 5- yearly	To commence in 2023

3.8 Overview of Water Quantity Plan Change Development

The table in *Appendix 1* provides an overview of progress for each of the Water Quantity Plan Changes. Plan changes progress at different rates at times depending on the information available, complexity and size of the catchment and water use and the numbers in the community.

3.9 Proposed Plan Change Clutha Minimum Flow

ORC is progressing the development of a change to Otago's Regional Water Plan to manage the amount of water in the Clutha/Mata-au, its lakes and main upper catchment tributaries. This involves setting minimum flows and water allocation limits for the main stems of the Clutha/Mata-au, Kawarau and Hawea rivers and levels and allocation limits for lakes Wakatipu, Wanaka, Hawea, Dunstan and Roxburgh.

Before ORC notifies the proposed plan change to the Water Plan, ORC is holding three stages of community consultation. The feedback received during each stage of consultation will assist with the development of the plan change.

ORC has just completed the first stage of consultation. This consultation stage focused on getting an understanding from the community on what they value and what is important to them.

Between 22 November and 11 December 2017, 10 public consultation sessions were held in 6 different locations throughout the Clutha River/Matau-Au catchment. The sessions were attended by 88 people.

Feedback on this stage of the plan change closes on 19 January 2018.

3.10 Proposed Plan Change 5A Lindis: Integrated water management

Council received 1 appeal on Proposed Plan Change 5A Lindis: integrated water management, while a further 15 Section 274 parties to the proceedings notices have been lodged.

Environment Court assisted mediation was held on 8 and 9 December 2016, with some 25 people attending. Further hydrological, cultural, and ecological investigations and a social impact assessment have been undertaken as a result of this mediation.

The parties reported back to the Court on 28 April 2017, on progress and potential dates for reconvened mediation. The appeal was referred back to mediation and Court facilitated expert conferencing. Court facilitated expert conferencing was held on 6 June 2017, and mediation continued on 4 July 2017. The parties reported back to the Court by the end of July 2017.

The Court has agreed that the parties proceed to a combined hearing for both the minimum flow plan change and the replacement of the mining privileges. A hearing date has yet to be set.

3.11 Development of Proposed Plan Change 5D Cardrona: Integrated water management

Preliminary work is being undertaken to resume the development of a water quantity plan change for managing the water resources of the Cardrona River, Cardrona Alluvial Ribbon Aquifer and Wanaka-Cardrona Aquifer.

In the last year ORC commissioned the following studies to inform the development of potential management options, including:

- Update of scientific information for the Cardrona catchment: 2011-2017 (ORC);
- Prefeasibility study on water storage in the Cardrona catchment (GEOSOLVE & David Hamilton);
- Study on identification of Kai Tahu Values in the Cardrona catchment (KTKO Ltd);
- Review of hydrology of the Wanaka Basin-Cardrona Gravel Aquifer and update of the groundwater model (Pattle Delamore Partners Ltd).

ORC will continue flow monitoring work over the summer of 2017-18 to better confirm the relationship between hydrology and groundwater.

Work on an Economic Impact Assessment (EIA) of different minimum flow options by Business and Economic Research Ltd (BERL) is currently underway, with the final EIA report expected to be delivered in February 2018. This EIA will also feed into a Social Impact Assessment (SIA) undertaken by Nick Taylor and Associates, which is expected to be completed by April 2018.

A cultural assessment on the options by Aukaha (formerly KTKO Ltd) is also expected in April 2018.

The next stage of consultation is scheduled to occur in May 2018 and the plan change is on track for notification in November 2018.

3.12 Development of Proposed Plan Change 5C: Manuherikia Catchment: Integrated water management

The second round of consultation on options has been undertaken and a summary of feedback prepared.

A cultural effects assessment is underway by Aukaha. Economic consultants (BERL) have been contracted to undertake an assessment of the availability of hydrological information they need in order to complete an economic impact assessment. Once that is complete, any hydrological modelling that is needed can be commissioned, and then economic and social impact assessments can be completed.

A meeting with technical experts from the key stakeholder groups is being held on 25 January 2018, independently facilitated, to identify the hydrological information that is held across the parties and agree where the gaps are. This will feed into the process that BERL are undertaking as outlined above.

We will be going back to the community, but only after the hydrological effects simulation, economic and social reports are available for the community to consider.

A consultation draft will then be developed, using all technical and scientific investigation to date, all consultation feedback, and the hydrological, economic, cultural, and social reports. The consultation draft will then be workshopped with Councillors and consulted with the community for feedback, before a proposed plan change is formally notified. It is still too early to confirm a date for this.

3.13 Development of Proposed Plan Change 1D: Flow Requirements for Water Takes

Following the second series of community consultation, held in the first week of August 2017, a review of the feedback received has been completed. Feedback has been summarised and provided to all who attended the sessions and is available on the ORC website. The notes taken from the facilitated discussion tables at the consultation have also been typed up and the relevant session sent to those who registered attendance.

The feedback received is being reviewed and policy options are being developed and analysed. Inputs across science, consents and policy are underway to progress to a preferred option. The preferred option will be workshopped with Council and then presented to the community in early 2018 at the third series of community consultation.

3.14 Proposed Plan Change 3E: Arrow catchment and Wakatipu Basin Aquifer

Following the first stage of consultation held at the end of June 2017 on values, options for the plan change have now been developed with input from both science and policy and are currently being consulted on with the community.

Consultation sessions were held on the 7 and 8 December 2017 in Arrowtown and Frankton. Over 40 people attended across three sessions and a variety of feedback was collected. We are continuing to seek feedback from the community until 26 January 2018.

The options have been assessed by economic (BERL) and social (Rob Greenaway & Associates) consultants, and have been made available on the website for consideration by the community during the feedback period.

A cultural assessment on the options is currently underway by Aukaha (formerly KTKO Ltd) and is expected in the first quarter of 2018.

4. Regional land transport planning

The Otago and Southland Regional Transport Committees publicly notified proposed variations to their Regional Land Transport Plans (RLTPs) on 13 and 16 December 2017. Consultation is open until the end of January 2018. Updates to the RLTPs in this mid-term review include:

- Strategy focusing on a safe and sustainable transport network that supports and enhances regional development, with timely investment and adequate future-proofing;

- Many new projects for 2018-2021, most of which will deliver the Queenstown integrated transport business case, and the Dunedin integrated walking, cycling and public transport programme (these include several ORC projects);
- A proposal from NZTA to suspend, abandon or delay several Otago state highway projects scheduled in the current RLTP for delivery in 2015-21.

We are expecting the Ministry of Transport to release an engagement draft of a new Government Policy Statement (GPS) on Land Transport in early 2018. Meanwhile, the Minister of Transport has provided some early signals of likely revisions to the current draft GPS. As at December 2017 the variations proposed by the committees to the RLTPs appear consistent with the signals from the Minister.

5. Recommendation

- a) *That this report be noted.*

Endorsed by:	Tanya Winter Director Policy, Planning & Resource Management
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Attachments

1. Appendix 1 - Water Quantity Plan Change Reporting (Jan 18) [11.1.1]

12. NOTICES OF MOTION

13. CLOSURE