



POLICY COMMITTEE AGENDA

WEDNESDAY 1 AUGUST 2018

11:00am ORC Council Chamber
Level 2, Phillip Laing House, 144 Rattray 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 30 July 2018. Reports and recommendations contained in this agenda are not to be considered as Council policy until adopted.

For our future

TABLE OF CONTENTS

1. Apologies.....	3
2. Leave of Absence.....	3
3. Attendance	3
4. Confirmation of Agenda	3
5. Conflict of Interest.....	3
6. Public Forum	3
7. Presentations.....	3
8. Confirmation of Minutes	3
9. Actions.....	4
10. Matters for Council Decision	Error! Bookmark not defined.
11. Matters for Noting	5
11.1. Director's Report on Progress.....	5
11.2. National Planning Standards	12
11.3. Minimum Flow Plan Change Update	15
12. Notices of Motion.....	20
13. Closure	20

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 21 September 2017 be received and confirmed as a true and accurate record.

Attachments

1. Policy Committee minutes - 13 June 2018 **[8.1.1]**

9. ACTIONS

Status report on the resolutions of the Policy Committee.

Report No.	Meeting	Resolution	Status
Amendment 2 (National Environmental Standards for Plantation Forestry) to the Regional Plan: Water for Otago	13/06/2018	<p>b) <i>Make Amendment 2 (NES Plantation Forestry) operative from 1 July 2018.</i></p> <p>c) <i>Publicly notify Amendment 2 (NES Plantation Forestry) on Saturday 30 June 2018</i></p>	
Air Quality Strategy	13/06/2018	c) <i>That a paper on implementation be brought to the Policy Committee in the next 2-3 months</i>	
Draft Biodiversity Strategy - Feedback	13/6/2018	c) <i>That a paper on implementation be brought to the Policy Committee in the next 2-3 months</i>	
<p>Director's Report on Progress to 13 June 2018</p> <p>Minimum Flow Plan Change Manuherikia, Arrow and Upper Cardrona catchments</p>	13/6/2018	a) <i>That 31 August is confirmed for notification subject to Minimum Flow figures and missing section 32 components being completed and brought to the Council and brought to the communities.</i>	

Attachments

Nil

10. MATTERS FOR COUNCIL DECISION

11. MATTERS FOR NOTING

11.1. Director's Report on Progress

Prepared for: Policy Committee
Report No. PPRM1818
Activity: Governance Report
Prepared by: Ian McCabe, Acting Director Policy Planning and Resource Management
Date: 27 July 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 20 July 2018:

Agency	Number	Document
Ministry for the Environment	1	Zero Carbon Bill discussion document:
Ministry for the Environment	1	National Planning Standards: see appended paper
Environmental Protection Agency	1	Application for biological control of Horehound

The following responses were made over the period to 20 July 2018:

Proposal	Response Type	Issues
NZ Productivity Commission	Submission	Low Emissions Economy draft report: ORC submission noted that achieving lower emissions should be done in a positive effect on the economy and our communities' well-being. It also noted that planning of large developments and transport can play a significant role in reducing emissions, and that the proposed Regional Policy Statement has a number of objectives and policies which support transition to a low emissions economy.
Environmental Protection Agency	Submission	ORC submissions supported application for control of Horehound plant as it may have a benefit given its significant presence in Otago.

Minister for the Environment	Feedback	The Minister requested feedback from Councils on accounting for seasonal variances in water quality and monitoring of <i>E.coli</i> at primary contact sites and thoughts on possible better alternatives. ORC views monitoring needs to be robust, but allow reviewing monitoring frequency such as where there is less merit during winter conditions.
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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
DCC	2GP: District Plan Review	Notified: 2015 Hearings completed: Nov 17 Decisions due: late 2018
CODC	Review pending	Proposed to notify review late 2018
QLDC	District Plan Review	Stage 1 of 4: Notified: 12 February 2016 Stage 1 decisions released 7 May 2018. Stage 2 notified 23 November 2017. Submissions closed 23 February 2018 ORC has also appealed the Stage 1 decision, specifically the Subdivision and Development and Natural Hazards chapters, as the decision appears not to give effect to the proposed Regional Policy Statement. ORC has also joined several appeals as a s274 party where the decisions requested are of interest/concern to ORC.
WDC	Review pending	Stage 1: Initial consultation underway Proposed Notification: 2018
CDC	Plan changes 39 – 41 Residential and Industrial Zoning areas for Balclutha, Stirling and Milton. Further review pending of PC41 (Milton)	ORC has had pre-(re)notification discussion with Calder Stewart of its plans and how these may be relevant to ORC. Awaiting CDC re-notification of PC41.

2.3 Territorial Authority and Regional Council Resource Consent Applications

The following were received over the period to 20 July 2018:

Agency	Number	Document
DCC	2	Resource Consent

The following responses were made over the period to 20 July 2018:

Proposal	Response Type	Issues
CODC – Plan Change 13 (River Terrace Developments Ltd)	Submission	<p>ORC submitted and provided information on three issues for awareness; Reverse Sensitivity, Air Quality and Transport. ORC's submission on these matters was in relation to ORC's interests via a number of planning documents.</p> <p>ORC also partially opposed the plan change in relation to water services provisions, as the information is not clear in relation to the increased demand for water and alignment with consents held by CODC.</p>

2.4 Other Proposals

Proposal	Response Type	Issues
None		

2.5 Other Responses

Proposal	Response Type	Issues
QLDC Hawea (Universal Developments) Special Housing Area	Feedback	<p>ORC noted its interest around 3 waters services, particularly around stormwater management that is required to protect local aquifer. ORC has requested more detail if/when available to assist with more input.</p>

2.6 Emerging matters

2.6.1 Balmoral Developments (Outram) Limited v Dunedin City Council

As agreed during mediation, the application has been provided to ORC for comment on an update of its stormwater management plan for both the consented subdivision, and the plan change proposal, which was appealed by ORC. ORC staff are reviewing that information.

2.6.2 Skyline Enterprises Limited

ORC has presented evidence in the Environment Court. Proceedings have adjourned to allow time for Skyline's experts to provide further information around risk in relation to rockfall and alluvial fan activity. ORC's experts have reviewed this further information. Planning experts for ORC and QLDC are expecting to sign a joint witness statement for the Environment Court agreeing to several proposed consent conditions later this month.

3. ORC: Policy, Plans and Strategies

3.1 Review of Regional Policy Statement

13 Consent Orders have now been signed off by the Environment Court, with five consent orders still outstanding.

Two of the outstanding orders are already with the court relating to infrastructure and adverse effects of using and enjoying Otago natural and physical resources. Another two related to mining activities in rural areas have been resolved. The documents have been recirculated for signature.

A final "mop-up" memorandum covering various matters has been reviewed by the parties and circulated for signature.

The Environment Court has provided no indication as to when it will release decisions on the Mining and Port issues it hear in February 2018. There is the potential that these matters could be appealed to the High Court on points of law only.

An implementation plan for the RPS can then be prepared, noting that a number of projects are nearing completion, have been completed (such as the Biodiversity Strategy), or are included in the Long Term Plan 2018-2028.

An internal report has been prepared regarding identifying indicators for measuring progress in implementing the RPS and aligning information collection with national environmental information. This report has identified some issues around identifying appropriate indicators and further work will be required to resolve them. As a result, the indicators may not be presented to Council in August 2018.

3.2 Amendment 2 (NES Plantation Forestry) to the Water Plan

Council approved an amendment to the Regional Plan: Water for Otago that identifies when more stringent provisions in the Water Plan prevail over the National Environmental Standards for Plantation Forestry on 27 June 2018. The amendment was operative from 1 July 2018 and is now on ORC's website, along with the updated Water Plan.

3.3 Stormwater and wastewater

A stakeholder workshop held on 8 June 2018 allowed robust discussions on issues and expectations for managing stormwater and wastewater in the region. Stakeholders highlighted the need for better co-ordination between the ORC and local authorities, and the importance of taking a long-term holistic view to managing urban catchments.

Those discussions along with the outcomes of Government's review of 3 waters management and regulation will inform the review of the Water Plans' stormwater and wastewater discharge provisions. The outcomes of that review will be integrated into a full review of the Water Plan.

3.4 Lower Waitaki Plains Aquifer

Council considered a paper at its meeting on 27 June 2018 recommending that a plan change for the Lower Waitaki Plains Aquifer not be carried out at this time. Council deferred making a decision on whether the plan change should proceed until its August 2018 meeting to allow the Lower Waitaki Irrigation Company (LWIC) and Waitaki Irrigators' Collective (WIC) sufficient time to respond to Council on this matter.

A science report on the aquifer will be considered by the Technical Committee on 1 August 2018 and then released to LWIC and WIC for their review. Some information contained in the report has been shared with LWIC and WIC at meetings between 2016 and 2018. It is now publicly available with the release of the agenda for the Technical Committee.

ORC, LWIC and WIC signed a Memorandum of Understanding during Plan Change 6A mediation to, among other things, consider an appropriate consenting regime for the Lower Waitaki Plains. LWIC and WIC have expressed concern that recent action on this issue has not met the standard of collaboration agreed to in the Memorandum of Understanding.

4. Water Quantity Plan Changes

4.1 Development of the Proposed Plan Change for the Clutha River/Mata-Au minimum flow

This plan change seeks to set minimum flows for the Clutha river/Mata-Au, Hawea and Kawarau Rivers and lake levels for the Lakes Wanaka, Wakatipu, Hawea, Roxburgh and Dunstan. The Plan Change was initiated at the end of 2017, with a first round of public consultation which taking place between December 2017 and February 2018.

As part of the preparatory stages, ORC has also commissioned a number of consultants to prepare specialist reports, including:

- an ecological study on bio-energetics for the Upper Clutha (Cawthron Institute);
- a land/riverscape study that seeks to identify the significance of the natural character values supported by these water bodies (Boffa Miskell); and
- a recreational assessment that seeks to identify the diverse recreational values supported by these water bodies and the impact on flow or lake level changes on these values (R&R Consulting).

The bio-energetics study was completed in June 2018 while the draft of the natural character assessment report by Boffa Miskell, was provided to ORC in July 2018. The recreational values assessment by R&R Consulting is expected to be completed by early August 2018.

4.2 Development of Proposed Plan Change 5A Lindis Integrated water management

The Environment Court has agreed that the parties proceed to a combined hearing for both the minimum flow plan change and the Lindis Catchment Group resource consent application to replace existing Deemed Permits. The application, the section 87F recommending report, all submissions received on the application and all evidence-in-chief prepared by the ORC (respondent) and the Lindis Catchment Group (appellant) were filed with the Environment Court in June 2018.

The Environment Court has set the following timetable:

- 14 September 2018: Any evidence-in-chief for the s274 parties on both proceedings (Plan Change 5A appeal and resource consent application) must be lodged and served;
- 5 October 2018: Any rebuttal evidence must be lodged and served;
- 26 October 2018: Any expert conferencing and joint witness statements to be completed; and
- 5 – 12 November 2018: hearing in Cromwell. (If further time is required the Environment Court will tentatively set aside 19 – 21 November 2018.)

4.3 Minimum Flow Plan Change Manuherikia, Arrow and Upper Cardrona, and residual flows

The project team is continuing to work on filling the gaps in the supporting information required to finalise a proposed plan change ready for notification.

The drafting of the section 32 report and the plan change proper is underway. As per Council's resolution of 27 June 2018, the plan change will be notified only after all hydrology, water surety, economic, social, cultural, and ecological studies/assessments have been completed and the section 32 Evaluation Report has been finalised.

Following the initial information sessions with Schedule 1 parties, key stakeholders and the community held in early June 2018, further technical meetings have commenced. The purpose of these sessions is to:

- further explain the technical science that informs the proposed minimum flow numbers promoted for individual catchments;
- discuss catchment specific questions and gaps in ORC understanding; and,
- provide stakeholders with an opportunity to discuss the hydrology and ecology of the respective catchments, and to share their local knowledge and available data with ORC.

Staff have prepared a summary of the outcomes and findings of the sessions held so far and is reported as a separate agenda item.

Engagement continues with Iwi stakeholders. Staff expect to receive input from Iwi by the middle of August 2018.

5. Recommendation

a) *That this report be noted.*

Endorsed by: Ian McCabe
Acting Director Policy, Planning and Resource Management

Attachments

Nil

11.2. National Planning Standards

Prepared for: Policy Committee
Report No. PPRM1819
Prepared by: Sylvie Leduc, Senior Policy Analyst
Date: 27 July 2018

1. Précis

The Minister for the Environment is consulting on draft National Planning Standards, which have the aim of achieving greater consistency in the format, structure and definitions of regional policy statements, regional plans and district plans. To implement the draft standards within the compulsory timeframes, ORC will have to, as a minimum, review all of its Resource Management Act plans to understand the implications of the draft Standards, notify full reviews of its Regional Plan: Water and Regional Plan: Coast Plan, potentially make significant amendments to other plans, and notify significant changes to the Regional Policy Statement, all by 2024. The impact on the Regional Policy Statement will be particularly significant. The standards will also require investment into new information systems, to transition to “ePlans”¹.

2. Background

Under the 2017 amendments to the Resource Management Act 1991 (RMA), the Minister for the Environment is required to develop National Planning Standards to be gazetted by April 2019.

National Planning Standards must ensure national consistency where required and support the implementation of National Policy Statements and other central government regulations. They may include content or formatting requirements as necessary, and must include as a minimum:

- a) *“a structure and form for policy statements and plans, including references to relevant national policy statements, national environmental standards, and regulations made under this Act;*
- b) *definitions; and*
- c) *requirements for the electronic functionality and accessibility of policy statements and plans” (RMA s58G).*

Unless otherwise specified in the National Planning Standards, local authorities must implement mandatory requirements within a year, and “discretionary” requirements within five years.

The Ministry for the Environment is currently seeking written submissions on draft National Planning Standards. Submissions close on 17 August 2018. No further consultation is planned before the standards are gazetted.

¹ “An ePlan is a fully interactive, hyperlinked electronic plan located on a website with an embedded GIS system” (Ministry for the Environment. 2018. Draft National Planning Standards Consultation Document. Wellington: Ministry for the Environment.)

3. Summary of the draft national planning standards

More information on the national planning standards is available on [MfE's website](#).

The key benefits the Minister for the Environment seeks to realise from greater consistency across plans are:

1. More efficient planning processes;
2. User-friendly plans and policy statements (through easier access, navigation and interpretation); and
3. Better implementation of national directions.

The draft National Planning Standards mostly focus on the structure and formatting of plans and regional policy statements, their online accessibility, and on standard definitions. They require regional plans to be combined into one comprehensive regional plan and seek to drive the transition towards “ePlans”.

Under the proposed draft, local authorities must implement most of the standards by April 2024, except for standards on the electronic accessibility of plans, which must be implemented by April 2020. A two-year extension is being provided for specified plans and policy statements that have recently been reviewed. As proposed, this two-year extension would not apply to the Regional Policy Statement.

4. Impact on ORC's plans and work programme

Under the proposed draft, the National Planning Standards can be implemented without having to go through a plan change process, unless the substance of the plans' provisions is changed.

Under ORC's current 10-year work programme, the National Planning Standards requirements will be incorporated to the full review of the Regional Plan: Coast and Regional Plan: Water. The provisions of the Regional Plan: Air and Regional Plan: Waste will not be substantively changed, so they can be amended to fit into the new structure and format without progressing through a formal plan change process.

The draft National Planning Standards also introduce a compulsory timeframe for the notifying the reviews of the Regional Plan: Coast and Regional Plan: Water. Both will have to be notified before April 2024.

Significant changes will also have to be made to the structure and content of the Regional Policy Statement, which will also have to be completed by April 2024. This was not previously being factored in ORC's work programme.

ORC has already provided for transitioning to “ePlans” in its work programme and budgets.

5. ORC's submission to the draft national planning standards

The Policy team is co-ordinating ORC's submission to the draft standards, and will consider any opportunity to participate in joint submissions with other local authorities so that:

- The benefits from greater consistency across plans are realised;
- Regional councils maintain the flexibility required to address regional specific issues and

- The time and effort ORC and the community invested to review the regional policy statement are adequately recognised by requesting ORC receive a 2-year extension (2026) for its implementation under the standards.

6. Recommendation

- a) *That this report be received and noted.*

Endorsed by: Ian McCabe
Acting Director Policy Planning and Resource Management

Attachments

Nil

11.3. Minimum Flow Plan Change Update

Prepared for: Policy Committee
Report No. PPRM1820
Activity: Environmental – Priority Catchments Minimum Flows and Residual Flows Plan Change
Prepared by: Lisa Hawkins, Senior Policy Analyst
Ian McCabe, Acting Director Policy Planning and Resource Management
Date: 27 July 2018

1. Précis

This report provides a summary of the progress made on the Priority Catchments Minimum Flow Plan Change in recent weeks including an update on community sessions and expert input.

2. Background

The purpose of this Plan Change is to set a minimum flow for the three catchments Manuherikia, Cardrona and Arrow, and to update the residual flows policies currently operative in the Water Plan. The work required to set a minimum flow for each catchment is at different stages of completion, and some pieces of work such as a water reliability models, economic, social and cultural assessments are still underway.

To explain the work that has informed the draft minimum flow proposals, as presented to the community and stakeholders in early June, a series follow-up sessions have been held. These sessions also provided an opportunity to hear from the community and stakeholders existing data and information that may be useful to progressing the plan change.

Set out below is the session schedule and summary of the engagement that occurred at each session:

Stakeholder session – held in Dunedin 29 June 2018

- 12 attendees from various agencies attended the discussion on the three catchments.
- *Arrow catchment* – Questions were raised around how the QLDC community water supply would be affected by the minimum flow. Staff confirmed that it will be exempt from restrictions.

Commentary was provided around long fin eel habitat and a desire to see that habitat modelling included in the assessment.

- *Cardrona catchment* – Concern was expressed as to why the catchment has been split into two areas. In particular, concern related to clarifying how the takes below the Mount Barker flow recorder might have other restrictions such as residual flows apply. The work on the lower reach should be a priority for Council to continue work.

As the Cardrona catchment is considered locally significant fishery, the importance of ensuring habitat is protected in the context of the drying reach was raised. Attendees also expressed a desire to understand how long (length) the drying reach of the river would be. It was explained by staff that this is difficult to

determine the length of the drying reach is dependant how the river braids, which varies year to year.

- *Manuherikia* – Clear desire to see the water reliability, economic and social assessments completed to inform future inputs. Concern expressed around validity of some data sets. There were also questions around the minimum flow options being set lower than achieving a high level of habitat against naturalised flows.

Arrow Catchment – held in Arrowtown 2 July 2018

- Two sessions – one with Arrow Irrigation Company and one with broader community stakeholders and consent holders.
- 11 attendees across the two sessions.
- Participants requested the explanation about how the habitat curves to avoid nuisance algae are interpreted. This included an explanation of habitat benefits between the various options presented in December 2017 (i.e. 800l/s, 900l/s, 1000l/s).
- The proposed 800l/s appeared to be well received by those who attended.
- Concern expressed that the more complex catchments of the Manuherikia and the Cardrona may hold up the progression of this catchment. Staff advised that there are options for ORC to consider as the plan change progresses to avoid unnecessary delays to parts of the plan change that are accepted.

Manuherikia Catchment – held in Omakau 18 and 9 July 2018

- Five sessions were held in the catchment across two days. They were focussed on the waters users in the catchment and those who attended the sessions in June 2018. These sessions focussed on key tributaries in the catchment, as well as the science and technical work supporting the approach across the whole catchment.
- In addition to the sessions with the community, science staff and the Council's NIWA consultant carried out a series of site visits to observe key elements of the "plumbing" of the water taking in the catchment. Representatives of the community were present at these site visits to provide to input. The site visits provide key inputs into the building of the water reliability model.
- The sessions were well attended across the two days.
- Concern expressed from the community that the science data and analysis presented did not reflect their understanding and data collection across the catchment, and questions around the robustness of the data was also raised.
- Key analysis has taken too long to complete and there is concern that this will put too much pressure on the community to respond.
- Concern expressed that the environmental aspects are being weighted more highly than those of economics and social.
- Request made for ORC to interpret an Otago centric approach to implementing the National Policy Statement Freshwater Management, and to include allocation into this plan change. There was also concerns that short-term consents could result if allocation was not addressed.

- Community requested further opportunity to input into the data that is informing the hydrology and water reliability model. They also expressed their desire to be able to review technical reports as they are finalised.
- It was agreed that further meetings would be held with the community to provide the opportunity for the community to share data for consideration into the hydrology model.
- In addition to the meetings mentioned above, the community also requested an opportunity to meet with the Chief Executive, Chairman and Councillors. The Chief Executive has made a commitment to go back to the area to sit down with their representatives to discuss their understanding and science for the catchment to assist us in forming a data set that provides the best possible flow information for our surety model and minimum flow calculations. This is scheduled for Thursday 9 August 2018.

Cardrona Catchment – rescheduled for early August 2018

- This was rescheduled at the request of the Cardrona Water Users Group.

3. Next steps

Set out below is a summary of the key next steps:

- Further meetings with the Community. As an outcome of the Manuherikia sessions on the 18 and 19 July 2018, a further opportunity to discuss potential for data from the community that may be useful in the development of the NIWA CHES Water Reliability Model have been arranged for 9 August 2018.
- Consultation with Iwi. The input of Iwi has been sought throughout the plan change process to date. Input is continuing and in consultation with Aukaha on behalf of Iwi, we expect key inputs, including flow assessments to be completed by the middle of August.
- Manuherikia CHES Water Reliability Model. NIWA has been appointed to prepare and deliver the water reliability model. NIWA has begun this consultancy with site visits during the week beginning 16 July 2018. Following the sessions with the community, staff agreed that the community would have an opportunity to identify data that may inform the model build and analysis. This approach is currently being considered as is any impact this will have on the timing of delivery for this piece of work.
- Economic and social assessments. These components have been completed for the Arrow catchment and are partially completed for the Cardrona, with further work required. More substantial work is needed for the Manuherikia catchment. Finalising this work depends on completing the water reliability work.
- Preparation of the s32 report. Preparation of this report is underway, with the initial focus being on those elements of the plan change where information is completed to a necessary standard.

4. Revised timeframes

In accordance with Council's most recent resolution, staff have re-evaluated the likely timeline for completing the technical reports and supporting information through to notifying the plan change.

Target dates for key upcoming stages are as follows:

- August 2018 – Community meetings complete.

- December 2018 – All technical reports complete.
- December 2018 – Draft s32 Report 80% complete.
- Mid-December 2018 – ‘Special’ council workshop (to provide supporting information, overview of the plan change and direction, and seek input).
- January 2018 – Draft s32 Report 100% complete.
- February/March 2018 – Iwi pre-notification.
- March/April 2018 – Final s32 Report complete.
- March 2018 – May 2018 – Council resolution to notify (target notification date within this range is dependent on outcomes from steps above).

5. Providing technical reports to the community

Recent discussions with the community have been around the technical work needed to inform the plan change, acknowledging that there is still work to be carried out before Council will be in a position to notify a plan change. These discussions have also provided an opportunity for the community to identify data and information which it believes may be useful in informing the plan change. At the completion of the next round of discussions (scheduled for 9 August 2018) the project team will work on receiving consultant inputs and finalising the necessary assessments for completing the s.32 report. This will include preparing ecological and hydrology assessments for each catchment in the plan change.

When these pieces of work are finalised, they can be made available on Council's website for the community to view and review. The community will be informed via email and also more broadly via press release when these documents are available. Once all the documentation for the plan change is finalised and the plan change is notified, any interested person will have the opportunity to provide a submission and participate in the hearing process.

The timeframes provided above reflect this approach, and as such do not provide for further consultation sessions with the community prior to notification.

6. Communications Plan

Please see appended to this report the communications strategy for this plan change for your information. The document is a working document and is subject to change as the plan change activity progresses and evolves.

7. Recommendation

That Council:

- 1) **Receive** this report.
- 2) **Note** this report.
- 3) **Note** the revised timeframes for completing the necessary technical inputs and supporting information required to notify the plan change.

Endorsed by: Ian McCabe
Acting Director Policy Planning and Resource Management

Attachments

NIL

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Minimum Flows Plan Change Communications Plan



Working document drafted in May 2018

Introduction

The proposed plan change is required by the National Policy Statement on Freshwater Management (the NPSFM). The NPSFM requires Council to set environmental flows for all freshwater management units within its region. The purpose of this plan change is to set minimum flows in priority catchments to enable the replacement of deemed water permits.

The priority catchments identified are:

- Arrow
- Upper Cardrona
- Manuherikia

In addition, an aim of this plan change is to provide greater certainty around the values considered when setting a residual flow, the method used and where and how a residual flow may be set or measured.

Timeframe for notification on this plan change is 31 August 2018.

Background

Otago Regional Council (ORC) has been consulting with the community on these plan changes on an individual catchment basis. The new approach will see ORC bring this work together to notify a single plan change.

Prior consultations

Manuherikia

Consultation 1 – August 2016

Consultation 2 – March 2017

Arrow

Consultation 1 – June 2017

Consultation 2 – December 2017

Cardrona

Consultation 1 – June 2010

Consultation 2 – February 2012

Consultation 3 – June 2013

Residuals

Consultation 1 – August 2017

Engagement objectives

Due to short timeframes for this plan change, the focus will be on informing the community. Active consultation has taken place for a number of years with all catchments having been through previous consultation rounds.

Promote the context of this plan change and why we're doing this:

- Part of NPSFM and a central government objective;
- Benefits to the community;

- Ecological and sustainability message.

Connecting the relevance of this plan change to the community:

- Explain complex technical terms and what they mean in easy to understand language:
 - For example minimum flow, allocation limits, residual flow;
 - The process;
 - Easy to follow timeframes;
- Explain the multiple uses and purposes for lakes, rivers, tribs. All are important.

Provide important technical information to key stakeholders so that they are reliably informed:

- Establish an agreed protocol for ORC presentations whenever we have a public engagement session on any Min flow plan change – to ensure that the bigger picture is provided to communities:
 - A detailed scope for future work provided by Policy will help with this;
- To inform, engage and educate the community so they can make an informed decision around minimum flow options for the catchments that are of interest to them;
- To communicate openly and honestly with the community, even when conveying a message they are not receptive to;
- The plan change will affect individuals in the community directly, as such, we need to place people at the heart of our engagement, whilst championing the benefits to the community where possible.

EngagementHQ as the primary online portal for information:

- Set-up Minimum Flows portal on EngagementHQ. This is seen as the platform for ongoing engagement on this plan change and future minimum flow and water allocation plan changes.

Audiences

The campaign focus will be on Central Otago and a rural community. However, with freshwater quality and volume becoming an ever-growing part of a wider political conscious, it's predicted that the campaign and messages could end up filtering throughout Otago as a whole. Particularly if this project can leverage off a sophisticated evergreen communications package geared around Water Quality and Quantity in general Minimum Flow programme in general.

External stakeholders and channels

Stakeholder	Face to Face meetings with groups/individuals	Reconnect letter	Engagement HQ	Email & YourSay Updates	Stakeholder sessions	Community sessions	Community event presence e.g. – Irrigation Conference	On-Stream newsletter	Site visits	Social media updates
Iwi*										
Owners/Occupiers & consent holders										
Community boards/Interest Groups										
Irrigation bodies										
Consultants										
TAs – CODC and QLDC										
Visitors/Tourists & recreational users										

*Identified as treaty partner

Internal Stakeholders and channels

Stakeholder	Director Reports	Committee Meetings/workshops	Direct communication	Engagement HQ	Stakeholder sessions	Community sessions	Key messages promoted	Jostle updates
Councillors								
Staff								

Iwi – RMA requirement to consult with iwi:

- Iwi as a partner in this plan change, rather than a stakeholder. They are to be engaged with separately and in advance of stakeholder workshops for their own separate meetings with ORC;
- Re-connect with iwi with an initial invitation to a face-to-face meeting with iwi to inform them of our progress to date, and while they haven't heard from us in a while, we have been busy in the background;
- Direct communication and face to face catch-ups;
- EngagementHQ promoted as a way to stay informed;
- Tom De Pelsemaeker is iwi relationship manager for this project;
- Offer of representation in any reference group that is set-up.

Owners and Occupiers within the Manuherikia catchment

Consent, deemed permit holders and permitted water takers:

- A re-connection letter/email – which outlines while they haven't heard from Council in a while – here is our progress update. Profiling the new EngagementHQ platform as the primary online platform that they can utilise to stay informed. Also, that they can register to receive regular email updates;
- Public consultation/Drop-in sessions to take place later in the year;
- EngagementHQ and regular email newsletter;
- Presence at appropriate community events – Agricultural & Pastoral (A&P) shows, Irrigation Conference;
- Site visits where appropriate;
- Representation in any reference group that is set-up;
- Stakeholder workshops.

Community boards

Interest groups: Recreational interest groups – for example fishing and kayaking:

- Re-connect email/letter;
- Public consultation/Drop-in sessions to take place later in the year;
- EngagementHQ;
- Representation in any reference group that is set-up;
- Stakeholder workshops.

Irrigation bodies:

- Re-connect email/letter;
- Direct communication and face to face meetings;
- Site visits where appropriate;
- Stakeholder workshops;
- EngagementHQ;
- Representation in any reference group that is set-up.

Recreational users, tourists:

- EngagementHQ – the ability for public to choose how they want to engage with us online;
- Drop-in sessions;
- Reference group representation;
- Maps, info-graphics that explain the minimum flow programme of work;
- Development of key messaging and branding for Min Flow programme identified as a future opportunity.

Consultants:

- Direct communication and face to face meetings;
- EngagementHQ;
- Re-connection email;
- Stakeholder workshops;
- Representation in community reference group;
- Site visits.

Internal ORC staff:

- Key messages for how we engage on Manuherikia and minimum flow programme;
- Objective setting for overall Minimum Flow programme of work – what does Council want to achieve? If everyone is clear on this objective, it will set the tone for how we engage.

Councillors:

- Utilising Cr Robertson as sounding board for communications;
- Regular briefings from the project team on progress on Manuherikia and presentations at committee workshop sessions;
- Updates provided to councillors, and in particular prior to each stage of consultation
- Director reports;
- Join staff on site visits where appropriate.

Central Otago District Council (CODC):

- Direct engagement has begun;
- Face to face catch-ups;
- Stakeholder workshops;
- Targeted re-connection with CODC and ongoing direct communication.

Key Stakeholders

Clause 3 parties:

- CODC;
- NZTA;
- DOC;
- MFE;
- Iwi:
 - KTKO, Aukaha, TRONT, Waitaha, Ted Palmer, Edward Ellison;
- Ministers – who may be affected:
 - Hon Kelvin Davis – Minister for Crown/Maori relations, Tourism;
 - Hon Philip Twyford – Minister of Transport;
 - Hon Dr David Clark – Minister of Health;
 - Hon David Parker – Minister for the Environment, Economic Development;
 - Hon Nanaia Mahuta – Minister of Local Government;
 - Hon Damien O'Connor – Minister of Agriculture, Rural Communities;
 - Hon Shane Jones – Minister of Forestry, Regional Economic Development;
 - Hon James Shaw – Minister for Climate Change;
 - Hon Eugenie Sage – Minister of Conservation.

Other key stakeholders:

- Public Health South;
- Otago Fish and Game Council;
- Upper Clutha Angling Club – (check with Pete);
- Upper Clutha Fisheries Club?;
- Environmental Defence Society;
- Pioneer Energy;
- Manuherikia Water Strategy Group;
- Water Co (formerly Manuherikia River Limited);
- Forest and Bird;
- Central Otago Environmental Society;
- Central Otago Ecological Society;
- Otago Water-Resource Users Group;
- Consent holders;
- The Six irrigation companies;
- Owners and occupiers;
- Federated Farmers.

Other stakeholders identified:

- Rural Women New Zealand;
- NZ Federation of Women's Institutes;
- Any other stakeholders identified through the consultation process;
- Beef and Lamb;
- Dairy NZ;
- Deer NZ;
- Irrigation NZ;
- Hort NZ;
- Horticultural and viticulture groups.

Messages

Focusing on why ORC is doing this is key, along with outlining the key benefits of this work to the community:

- We have been consulting with the community for some time about developing a number of water quantity plan changes for individual catchments and a residual flows plan change;
- Our new approach brings this work together to notify a single plan change;
- The objective of the plan change is to set minimum flows on priority catchments to assist in evaluating the replacement of deemed water permits within the Clutha/Mata-au catchment;
- The priority catchments identified are: Arrow catchment, Cardrona catchment (Upper only, above Mt Barker), Manuherikia catchment;
- The plan change will also include minor or technical changes, for example clarifying how residual flows are set and measured.

What is not included:

- Some catchments within the Clutha/Mata-au have not been included because the objective of the plan change relates to the setting of minimum flows for priority catchments;
- We also need more time to complete work on setting allocation limits (and phasing-out of over allocation) to ensure we get this right. Allocation will be part of scoping a broader work programme to give effect to the National Policy Statement for Freshwater Management;
- Feedback from the community on the development of individual plan changes remains valuable and will be considered as part of this plan change.

Why?

By setting minimum flows at a catchment level this provides consistency across the catchment for the replacement deemed permits that will occur before 2021. This provides clarity for deemed permit holders on one of the variables that will be a consideration of the deemed permit replacement process.

What are minimum flows

Minimum flows are set to provide a management regime that will look after the values of a river during periods of low flow. Low flow periods pose a “crunch time” for aquatic ecosystems as habitat and food availability for many aquatic organisms tends to decrease.

Values that a minimum flow will support, using Manuherikia as an example are:

- Recreation, for example, swimming particularly in the lower reaches;
- Trout habitat, the Manuherikia catchment is a regionally significant fishery;
- Long fin eel, this is a specific cultural value;
- Water use for irrigation;
- Maintaining the natural character and safeguarding the health of waterways.

Re-connection communications:

- Detail which part of the consultation process we are up to;
- Focus on activity that has been occurring in the background since March 2017;
- Profiling EngagementHQ as a primary online platform;
- Detail how to sign-up for regular email updates;
- ORC commits to ongoing communication to the community.

Risks	Mitigations
The community haven't received any communication or progress updates since March 2017	Initial re-connect email/letter that explains what is coming up and what work has occurred during that time
<ul style="list-style-type: none"> • Negative perception of ORC from community and view that plan change is not informed by community feedback or a sound understanding of the catchments. • General opposition to the plan change from community, particularly the irrigation stakeholders 	<ul style="list-style-type: none"> • Set-up of email distribution group for key stakeholders, with a regular monthly email. • Potentially set-up community champions that understand the changes and are empathetic to the perspectives of various stakeholders • EngagementHQ as main platform
A lack of background information on the entire Minimum Flow programme of work. For example, why is it happening? What are the benefits for the community? The lack of an accessible online overview of minimum flows, risks fuelling a negative perception of ORC and the programme of work.	<ul style="list-style-type: none"> • Set-up of email distribution group for key stakeholders, with a regular monthly email. • EngagementHQ as main platform
Field staff approached about issues from public, possible H&S risk	Key messages for staff shared on intranet, along with regular updates and media releases posted online
Going to the community without all of the technical reports completed	<ul style="list-style-type: none"> • Approach that we're bringing the community in on this discussion so that they have an idea and some level of certainty of the direction we're heading with flow limits • Creation of water drop info-graphic puzzle pieces to clearly indicate what reports we're still waiting on to inform the plan change. A visual to create transparency on this approach.

Imagery/branding

Current imagery, branding exists – in our consultation notifications – this isn't strong. To be revitalised as part of drafting wider engagement package for water quality and quantity programmes. Aim of package is to raise awareness, foster brand recognition and leverage off previous communications for wider recognition of both water quality and quantity plan changes.

EngagementHQ – online platform

Using EngagementHQ website as a platform for engagement. This tool will raise profile of the Minimum Flow programme as a whole by:

- Allowing users to access high-level information or drill-down into detailed specialist information and application forms. It will provide an overview of the programme as a whole and an overview for each catchment: Manuherikia, Cardrona, Arrow;
- Potential to allow moderated opinion-sharing which will humanise the impacts for individuals in differing scenarios, facing differing impacts from the setting of environmental flows;
- Content is key! To avoid the 'vacuum of silence' we have to ensure that we are keeping the online flow of information alive. Whether this is by providing engaging content or profiling opinions, concerns from the community;
- Provides people with the option of how they want to engage with us on their terms:
 - Tell your story, Map your ideas, Take a survey;
- Content management tool;
- Allows for overview information to have more prominence:
 - Filter to specific Min flow work – e.g. Manuherikia;
 - Filter further into Deemed Permit info and 417 certificate;
- Allow for comment moderation on threads, and profiling of particular ideas, suggestions from the community as we work through this;
- Measure what values the community endorses through comments and response. How many people share the same opinion and what aspects of this work are particularly contentious or supported;
- Highlights timeframes for each piece of work, and a live reflection on which stage we're at;
- Will help to educate public different between feedback and submission;
- FAQs;
- Monthly email/newsletter can be published online and distributed to users who register;
- Excellent tool for phase one – value setting. Provides efficiency by removing the need for face-to-face consultation at the early stages;
- Regular summaries, updates, and media releases published;
- Info graphics to be published online to highlight modelling scenarios and what each level protects or allows for, particularly for Manuherikia.

Communication channels/tools

Below is a list of recommended communication methods:

- Media releases;
- EngagementHQ as primary engagement platform;
- Waterlines;
- On-stream;
- Present whole min flow work programme at events like Field Days, A&P shows;
- Incentivise engagement – draw/promotions for completing surveys;
- Community reference groups;
- Public meetings/community events/workshops:
 - Seems to be value in Collaboration: e.g. – Ettrick Fruitgrowers Association combined with ORC present... Utilising local networks to draw the crowd;
 - This can also include industry events/meetings, field days, other ORC meetings/events;
 - Start doing a Roadshow for various ORC activities;
- Social media;
- Print media (Otago Daily Times, community newspapers, etc.);

- Radio advertising;
- Flyer drop;
- Linking with the work that the liaison team are doing in the catchment.

Annual events to target, for all stages. Creation of large map that indicates activity and progress across the region would be ideal:

- A&P shows;
- Field Days;
- Irrigation conference – April 2018.

Media releases:

- Pre-emptive MRs to coincide with public sessions;
- MRs promote new information and stages of plan change;
- Potential editorial piece from Sarah which explains Min flows 101;
- Technical reports – implications for minimum flows as they are completed.

MR approval chain:

1. Drafted by Ben;
2. Check from Lisa H (Amy/Glen if required);
3. Copy to Gretchen (to approve the quote – if there is one from her);
4. Send to Tanya for Approval to be released;
5. Inform key internal stakeholders;
6. Send to Emma to send to media and councillors.

Group emails letters to stakeholders:

1. Drafted by Ben;
2. Check from Lisa H (Amy/Glen if required);
3. Advise Tanya of mail out (determine if she needs to see it and under whose signature block it is to be sent out under);
4. Send to Anita for Approval;
5. If required signed off by Tanya;
6. Dolina to send out.

Feedback channels and measurement

Community engagement can be measured by:

- Media hits;
- Feedback from the community (both formal and informal);
- Participation in consultation sessions;
- Website analytics.

Standard reporting to council will also provide an opportunity to report on progress and this can also be communicated to the Otago public.

Key organisations/people to involve:

- Relevant ORC staff;
- Councillors.

Where to start:

- Create a mock-up of Minimum Flows site on EngagementHQ to present to Council in March;
- Key messages;
- Re-connect with CODC;
- Draft re-connect email/letter;
- Plan for Irrigation conference in Alexandra in April.

Future opportunities:

- A video campaign should help raise the profile of Environmental Flows. We need to aim to intrigue and promote ecological benefits if we are to engage a wide spectrum of the population so they have a general understanding of minimum flows. Collaborating with other regional councils should be explored as an option for sharing high-level communications. This may help reduce the negative perceptions of ORC by promoting a shared national approach, while also reducing cost;
- Evergreen communications package as a basis for future minimum flow work;
- The end-goal of an engagement package that sits alongside water quality plan changes is vital to get a broader spectrum of the population engaging.

Appendix

Minimum flows plan change – significant communications activity

23 May – EngagementHQ website published

23 May – MR – New approach to minimum flows

7, 11 June – **Community Information Sessions held in Dunedin and Cromwell**

18 June – MR – ORC commits to community meeting on minimum flows

22 June – Updates from community information sessions published on EngagementHQ – video clips of presentation, presentation pdf and meeting summary

3 July – Arrow Science Session

5 July – Media advisory – outlining updates to EngagementHQ website

5 July – All stakeholders emailed to promote website updates

18 July – Manuherikia Science Session

19 July – MR – ORC staff hold science discussions with Manuherikia catchment

25 July – Upper Cardrona Science Session

9-10 Aug – Manuherikia minimum flows ‘CE Appointment’ sessions

12. NOTICES OF MOTION

13. CLOSURE