



COUNCIL MEETING PUBLIC AGENDA

Wednesday 12 December 2018

1:00pm, Council Chambers
Level 2 Philip Laing House, 144 Rattray Street, Dunedin

Members of the public are welcome to attend.

Meeting documents and attachments are available online at: www.orc.govt.nz

Membership

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

Attending

Sarah Gardner	<i>(Chief Executive)</i>
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Disclaimer

Please note that there is an embargo on agenda items until 48 hours prior to the meeting. Reports and recommendations contained in this agenda are not to be considered as Council policy until adopted.

For our future

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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 (public portion of the) Council meeting held on 31 October 2018 be received and confirmed as a true and accurate record.

Attachments

1. Council Minutes - 31 October 2018 [8.1.1]

9. ACTIONS (STATUS OF COUNCIL RESOLUTIONS)

Report	Action	Status
Delegations – Resource Management Act (Council 27/6/18)	<i>An independent review of the Council's consenting functions be undertaken</i> <i>That the Chief Executive prepares a brief on the requirements of the review for Council consideration.</i>	In progress
Zero Carbon Emission Bill – discussion document (Council 27/6/18)	<i>That the submission is brought back to the next Policy Committee meeting</i>	OPEN
Representation Review 2018 (Council 15/8/18)	<i>That Council hear submissions on the recommended representation proposal. (on a date yet to be determined, but likely to coincide with the October 2018 committee round)</i>	In progress
Progressive Implementation Program (P.I.P.) for the NPSFM (Council 31/10/18)	<i>That the Progressive Implementation Programme be publicly notified.</i>	

<p>Queenstown Transport Collaboration</p> <p>(Council 31/10/18)</p>	<p><i>That subject to the approval of Crs Lawton, Kempton and Woodhead as members of the Governance Group, Council authorises the Chief Executive to enter into an MOU to advance that collaboration and progress further development of a Collaborative Alliance agreement together with NZTA and QLDC</i></p>	
<p>Pest Management Plan and Biosecurity Strategy</p> <p>(Council 31/10/18)</p>	<p><i>That further consultation on the proposed pest management plan is undertaken by formally notifying the proposed pest management plan, to be publicly notified on 1 November 2018 for a period of six weeks, followed by a hearing of submissions received</i></p>	

10. CHAIRPERSON'S AND CHIEF EXECUTIVE'S REPORTS

10.3. Chairperson's Report - December 2018

Prepared for: Council
Report No. GOV1816
Activity: Governance Report
Prepared by: Cr Stephen Woodhead, Chairperson
Date: 6 December 2018

1. Queenstown Council Visit

I note a constructive tour of the Wakatipu Basin following our Council meeting in Queenstown at the end of October. On-site conversations discussing opportunities with Friends Lake Hayes and Arrowtown Community Association were constructive. The high point was visiting and hearing in detail the operation of Project Shotover. It was good to see the wastewater plant including the soon to be commissioned land disposal field. This project has been a long time in development, is designed to handle growth, and the discharge is of a high standard. Crucially, combined with the recent upgrade at Central Otago District Council's Cromwell wastewater plant, the reduction in contaminants being delivered into the Kawarau is dramatic. For example, discharge e-coli levels at both plants are very close to swimming standard, Central Otago District has included the upgrade of Clyde from septic tanks to a treatment system in its current LTP, and the three upgrades combined expenditure is circa \$60m. This is significant progress for our region at a time of rapid population growth.

2. The NZ River Awards

Run by the Cawthron Foundation, the New Zealand River Awards were established to draw attention to the state of our rivers, but more importantly, to recognise where communities, councils, farmers and industry were achieving significant improvement in water quality in one or more of their local rivers. The Te Kāhano Aotearoa Trust was one of three finalists in the river story section. Over the past ten years Te Kāhano Aotearoa Trust, a Wanaka community-based native plant nursery, has planted upwards of 35,000 trees in the Upper Clutha area and has received funding to expand its riparian planting programme with another 24,000 trees. The 2018 Supreme Award for Most Improved River winner went to Canterbury: Ōtukaikino River. Further information can be found at foundation@Cawthron.org.nz.

3. Mayoral Forum

The Mayoral Forum has over the last two trienniums circulated its meetings around the region with the host Mayor/Chair chairing the meeting. Discussion has occurred at the last two meetings about how effective this is in practice and it has been agreed there is a need to have an elected Chair and increased and dedicated resourcing held within ORC. As a result, Mayor Tim Cadogan was elected as chair of the Otago Mayoral Forum and CE's are looking at the resourcing. The meeting roster will see Dunedin host three meetings per year with one visit per year to another part of the region.

Drug use and the criminal behaviour surrounding it has been identified by several Mayors as an issue for our communities. Superintendent Paul Basham, Commander Southern District, gave a presentation on this issue and the importance of early intervention, family support, and social cohesion to decrease the demand for methamphetamine.

Vice Chancellor Dr Royden Somerville, Professor Tony Ballantyne and Shelagh Murray, Director of Development and Alumni Relations, gave a presentation on the plans for the University of Otago's 150th celebrations.

Mayor Kircher and Mr Power from the Waitaki District Council updated the forum on the UNESCO Global Waitaki Whitestone Geopark application. The application will be considered during 2019.

https://www.waitaki.govt.nz/our-district/waitakiwhitestonegeopark/ourunescojourney/Documents/DOSSIER_WWG_UNESCO-F.pdf

Mrs Gardner will update on the Regional Economic Development labour workforce project and the economic development framework.

4. Emergency Management Otago

The Crown response to the Ministerial Review Technical Advisory Group report was released in August. The Government's decisions are generally consistent with regionally led and locally delivered emergency management. There is likely to be legislative changes over the next year to implement aspects such as strengthening the national leadership, (possibly with a new organisation) setting standards, and monitoring, clarification of Government and lead agencies responsibilities, and building the capability and capacity of emergency management workforce with, for example, mandatory standards and certification for controllers.

Updated community response plan development recently reported to ORC was received.

The South Island Alpine Fault Earthquake Framework (SAFER) planning for an alpine fault event has been launched; it is one of the outputs of the AF8 project. Two further plans are being developed as part of this work – they are an integrated air operations plan and a Southland led fuel plan.

As a result of a change in legislation in 2015, the Group is responsible for the coordination of welfare services during an emergency event. As a result, an Otago Group Welfare Plan has been developed and was approved.

5. Flood

A flood in the middle of the productive season such as we just witnessed, has a significant impact on productivity, with water lying on ground at warmer temperatures having an impact on pasture far more quickly than a winter event. One issue during this flood that has been repeated several times over recent years is the amount of baleage that is being caught in flood waters; bales float and can end up either in waterways, caught by infrastructure such as bridges, or sitting in drains. This is particularly an issue in areas such as the Henley floodway and ponding areas. We need to meet landowners to clarify protocols around the storage and management of this feed to ensure this issue does not repeat at the scale that occurred this year.

6. Other Events Attended

- I laid a wreath on behalf of Council at the Dunedin Armistice Day service.
- Gordon Road spillway update meeting.

7. Recommendation

- a) *That this report is noted.*

Endorsed by: Cr Stephen Woodhead
Chairperson

Attachments

Nil

10.4. Chief Executive's Report - December 2018

Prepared for: Council
Report No. CEO1809
Activity: Governance Report
Prepared by: Sarah Gardner, Chief Executive
Date: 7 December 2018

1. Key Meetings Attended

- 2 November – CEG meeting; interview with Lewis Weatherall re Otago regional economic development
- 6 November – Regional CEO's meeting in Wellington; Chief Executive's Environment and Economic Forum in Wellington
- 7 November – MCDEM CEG Chairs' meeting in Wellington
- 8 November – Decipher Group NZ visit to Dunedin (Christchurch-based group that specialises in Management, Executive and Director level recruitment across the South Island)
- 9 November – Meeting with Mike Manning and Mark Fitzpatrick from Ravensdown; Meeting with James Caygill from Fonterra
- 12 November – Site visit to Smith Sports Shoes, a business affected by the Bus Hub project
- 14 November – Leader Workshop #8
- 15 November – Otago CDEM Joint Committee
- 16 November – Otago Mayoral Forum
- 19 November – Connecting Dunedin Governance Group
- 22 November – Stakeholder breakfast function CouncilMARK
- 26 November – Leader Workshop feedback session #8; meet and greet with Phil Murray and Graeme Sydney from the Central Otago Wilding Conifer Control Group
- 4 December – met with Tahu Potiki and others re a targeted community hui; met with Bruce Jefferies re Predator Control proposal; ORC HQ Project Control Group
- 5 December – Cr Kempton and I met in Alexandra with Randall Aspinall (Pomahaka), Lloyd McCall (Lower Clutha Watercare Group), Geoff Crutchley (Maniototo), Callum Kingan (North Otago) re their 6A concerns and discussion re 6A implementation plan; meeting in Alexandra with Mayor/CEO of QLDC
- 6 December – joint Executive Leadership Team meeting with Waitaki District Council in Oamaru.
- 7 December – site visit to Ad Bekkers' property on Outram-Mosgiel Road
- 11 December – interview re ORC resource consents function review.

2. Background

Wilding Conifers

I met with the Central Otago Wilding Control Group (Trust) to gain a better understanding of their work. It was encouraging to hear that they consider Central Otago can eradicate Wilding Conifers and that the Trust model works very well. The Trust members enthusiasm for their work is fantastic and their success to date very important.

We discussed the role of the Regional Council and how our Pest Plan is an important tool for underpinning the work on Wilding Conifers across the region. Having a regulatory instrument was seen as an important component of the efforts to eradicate these pests. We also discussed the need for a Wilding Conifer education programme.

I also met with three senior officials from MPI and our own team who works on Wilding Conifers through our funding role. MPI are considering how the work on Wildings might expand substantially to more land across the region and are asking us and other stakeholders to think about how that might best be managed. In addition, it was important to understand the role we play in relation to health and safety on the programme as the funding administrator.

Predator Control Across the Lake Wakatipu and Wanaka Catchments

I met with representatives of 18 groups working across the catchments of Lake Wakatipu, Wanaka and their islands, the valleys of the Shotover, Arrow and Cardrona Rivers and peri-urban Wanaka and Queenstown on predator control.

Presently they are preparing to lodge a bid for funding with Predator Free 2050, just as Predator Free Dunedin have. As part of that, they are looking to prepare a scoping study that will advise on the feasibility of developing a landscape scale predator control programme across the Lake catchments. The study will inform a shared vision and plan for this programme.

The Department of Conservation and Queenstown Lakes District Council have already confirmed that they will support this work by each funding a third of the total cost. The meeting I had was to request that ORC be the third funding partner. Our cost is \$13,000.

As this is within my delegation, and funding is available through our budgets for biodiversity and biosecurity, I have determined that this is a worthy initiative we can support. It aligns with our enable, connect and protect pillars and is consistent with the investment we have already committed to in other predator free work e.g. Predator Free Dunedin.

6A Catchment Leaders Meeting

I met in Alexandra with four key leaders of catchment groups across the region to discuss their recent letter to us regarding concern about our Water Plan Review and the future of 6A. It was a valuable meeting and opportunity for some good information sharing, and for me to gain further perspective of the great work catchment groups are doing across the region.

We need to work closely with catchment groups because their influence is a key to compliance with 6A. They know their catchments well, understand their issues, and can and do often act on compliance issues before we are aware of them.

What was clear to me was that they would like to work more closely with us, to inform some of our decision-making moving forward, to share their knowledge and expertise, and to coordinate with us on key work programmes and efforts. Also, it was evident that they are looking for our guidance and our support, but they also understand that this doesn't necessarily mean funding. Clarity about 6A and its implementation is a key desire, as is that we understand they haven't been waiting for us to do that and have been acting to improve their environment alongside our initiatives and regulation.

In respect of the Water Plan Review they were looking to understand the process and to have opportunities for early engagement before we get too far into the process and broader discussion.

We also discussed how we might tell the stories of how best practice in farming is making a difference to get some perspective about the good work that is being done in rural environments.

Waitaki District Council Executive Meeting

The Executive and I visited the Executive team at Waitaki District Council in early December. It was a very collegial discussion and we canvassed several areas where we have work and interests in common.

The meeting included a presentation on the Geopark proposal for the District and discussion on how Otago Regional Council might contribute to, or partner in some of that work. We also discussed the Lower Waitaki Aquifer's e-coli issue, the review of the Water Plan, our climate change and hazard work, and public transport.

We have agreed to meet in the future more regularly.

3. Regional Economic Development Strategy

Work is underway on developing a regional strategy for economic development, under the umbrella of the Mayoral Forum. To date the work has included interviews with key stakeholders, including Chief Executives of the Region's Councils to look at the issues, challenges and opportunities Otago has and presents for economic growth, particularly considering the potential to achieve support from the likes of the provincial growth fund. While the work is in early stages it seems to be developing a beneficial picture of what Otago has to offer and how it might be further explored.

4. Recommendation

- a) *That this report is noted.*

Endorsed by: Sarah Gardner
Chief Executive

Attachments

Nil

11. MATTERS FOR COUNCIL DECISION

11.1. Making the proposed Regional Policy Statement Partially Operative

Prepared for: Council
Report No. PPRM1855
Activity: Governance Report
Author: James Adams, Senior Policy Analyst
Authoriser: Tanya Winter, Director Policy Planning and Resource Management
Date: 12 December 2018

PURPOSE

- [1] This paper recommends making the proposed Otago Regional Policy Statement (pORPS) partially operative, by approving:
 - a. pORPS sections that have been granted consent orders; and,
 - b. pORPS provisions that are not under challenge.
- [2] Draft copies of the pORPS showing tracked changes from the decisions version (attachment 1) and as it will look if approved (attachment 2) are attached.

EXECUTIVE SUMMARY

- [3] Appeals on the proposed Otago Regional Policy Statement (pORPS) have progressed to the point where the Environment Court has made several consent orders.
- [4] However, some pORPS provisions have not yet been finalised, either because:
 - a. The Court has not yet granted a consent order for provisions agreed through mediation and negotiations; or,
 - b. The provisions have had an Environment Court hearing but have not had decisions released; or,
 - c. The provisions are addressed by an Environment Court decision that has been appealed to the High Court.
- [5] Due to the status of the Queenstown Lakes District Plan (currently in the decisions appealed phase) and the Dunedin City 2GP (currently decisions released), it would be advantageous to make as much of the pORPS operative as possible. This would assist with moving both those plans through their respective appeals processes.
- [6] Staff recommend making the pORPS partially operative by ratifying the provisions that the Environment Court has approved by consent order, and those not appealed, and revoking corresponding sections of the operative Regional Policy Statement for Otago (operative RPS).
- [7] This approach will create clarity for current TA plan review processes, and ORC's consenting and plan-making processes.
- [8] The key risks are:

- a. The uncertainty and unintended interactions that may result from having provisions from both the operative RPS and pORPS in force; and,
- b. The effect the National Planning Standards may have on the pORPS.

[9] Staff consider these risks do not outweigh the benefits of making substantial parts of the pORPS operative and exist in any event.

STAFF RECOMMENDATION

That the Council:

- 1) ***Makes the amendments to pORPS set out in Appendix 1***
- 2) ***Approves*** under clause 17(2) of the 1st Schedule to the Resource Management Act 1991 the amended pORPS attached as Appendix 1
- 3) ***Approves*** public notice being given on 19 December 2018 of part of the pORPS set out in Appendix 1 being approved and becoming operative on 14 January 2019.
- 4) ***Revokes*** sections of the operative RPS that are replaced by approved pORPS sections as set in Appendix 4.

BACKGROUND

- [10] The Resource Management Act 1991 (RMA) requires regional councils to have an operative regional policy statement at all times,¹ and to commence a review of the provisions within 10 years.²
- [11] The operative RPS became operative on 14 September 1998. A full review commenced in 2013,³ outside statutory timelines. Development included consultation and collaboration with territorial authorities, iwi, stakeholders, key government agencies, and the public.
- [12] The pORPS was publicly notified on 23 May 2015, garnering 156 submissions and 42 further submissions. The hearing panel heard or received evidence from 88 submitters in November 2015.
- [13] The panel deliberated from December 2015 to September 2016. The council released its decisions on 1 October 2016, and 26 parties lodged appeals, with an additional 14 parties joining the proceedings as s274 parties.⁴ Mediation and negotiations took place in 2017, resolving all but two appeal points.
- [14] Matters resolved became the subject of 19 separate memoranda and associated court orders, lodged with the Environment Court through the first half of 2018. The Court has granted 17 of these consent orders.
- [15] The remaining two consent orders address implementation (being the bulk of the methods and anticipated environmental results), and Chapter 3. The latter is a

¹ Resource Management Act 1991, section 60(1)

² Resource Management Act 1991, section 79(1)

³ Report to council No: 2012/1281

⁴ Resource Management Act 1991, section 274, allows certain persons to become a party to any proceedings before the Environment Court.

substantial section addressing environmental bottom lines for natural resources and management approaches for outstanding and significant natural resources.¹ The Court has not indicated when these two consent orders may be granted.

- [16] The two appeal points that were not resolved out of court concerned ports, and mining and indigenous biodiversity offsetting. These appeals were heard by the Environment Court in February 2018.
- [17] There has been no indication of when the Mining and indigenous biodiversity offsetting decision will be released.
- [18] An interim decision on the Ports topic was released on 28 September 2018. The Environmental Defence Society has appealed the decision to the High Court, and a hearing has been set down for 5 and 6 June 2019.

ISSUE

- [19] The pORPS review process has occurred at the same time as QLDC and DCC have been undertaking review processes on their District Plans. Both councils have been involved in the appeals on the pORPS.
- [20] As a result, these two councils have been developing their District Plans with an eye to what the pORPS will require, once operative because they must give effect to any RPS.
- [21] Although consent orders have been granted, pORPS provisions do not take full legal effect until a decision is made to make those provisions operative, and that decision is notified. This leaves the territorial authorities, and ORC's consents team, managing an awkward relationship between the operative RPS and provisions of the pORPS that are clearly agreed to, but not yet in force.
- [22] Given the outstanding consent orders and pending court processes, the pORPS is not able to be made fully operative.

¹ This section largely gives effect to Resource Management Act 1991 sections 6 and 7, as well as significant parts of the New Zealand Coastal Policy Statement and National Policy Statement for Freshwater Management.

OPTIONS

Option 1 – Make the pORPS operative when all sections of the pORPS have been resolved

- [23] Waiting creates a clear transition from the existing RPS to the pORPS. The documents' respective structures are distinct. Managing under both documents at one time may be complicated.
- [24] In the meantime, this approach creates uncertainty for both ORC's and Territorial Authorities' (TAs') consent and planning processes. It makes sense for TAs to develop their plans in the knowledge that some provisions of the pORPS are a *fait accompli*, but currently the RMA obliges them to give effect to the existing RPS but only have regard to any proposed RPS.
- [25] Because at least one of the outstanding matters has been appealed to the High Court, it is likely to be some months before a final decision is available. There is also no guarantee that a High Court decision will resolve the existing differences.

Option 2 – Make some of the approved pORPS sections operative

- [26] Council could approve some selection of the pORPS provisions approved by the Environment Court.
- [27] There is not a clear framework for preferring some selection of approved provisions over others. Staff do not see any benefit of this approach over the others suggested.

Option 3 – Preferred – Make all provisions not appealed and all resolved provisions operative

- [28] Council can approve agreed pORPS provisions without waiting for the remaining sections to be finalised. This will mean that some provisions of the existing RPS will still be in effect.
- [29] This approach provides certainty on agreed pORPS sections for ORC and TA processes.

DISCUSSION

- [30] It is not clear when the remaining sections of the pORPS will be finalised. It could be some time before all sections of the pORPS are ready to be made operative – potentially well into 2019 or further.
- [31] Staff expect that the Court's decision on the mining and biodiversity offsetting topic could also be appealed.
- [32] The pORPS will set direction for the whole region. With QLDC and DCC district plan reviews both entering the later stages of their Schedule 1 processes, staff prefer making the pORPS partially operative because it creates clarity for those processes, and ORC's consenting and plan-making processes.

- [33] Delaying implementation may also increase costs to TAs: If decisions are made under the operative RPS, district plans may need to be updated when the pORPS is made operative.

Risks with preferred option

- [34] The operative RPS and pORPS have significantly different structures, and express policies differently. This could create doubt about which operative RPS policies are superseded, either in whole or in part.
- [35] The pORPS provisions that are not yet finalised include substantial parts of the document's framework: managing natural resources and parts of the implementation section. The existing RPS and pORPS may not coexist easily, and it may not be clear which one should apply in some circumstances.
- [36] To mitigate the above risks, staff analysis has been reviewed by legal counsel. To further mitigate some of this risk, staff have adopted a precautionary approach when analysing which provisions in the pORPS are to supersede the operative RPS.

Summary of Proposed Changes¹

- [37] The consent orders including the pORPS provisions recommended for approval cover:
- a. Integration
 - b. Energy
 - c. Historic Heritage
 - d. Natural Hazards
 - e. Infrastructure
 - f. Climate change
 - g. Commercial activities
 - h. Dry catchments
 - i. Hazardous substances
 - j. Industrial activities
 - k. Kāi Tahu
 - l. Public Access
 - m. Rural Activities
 - n. Tourism and outdoor recreation
 - o. Urban growth and development
 - p. Adverse effects of enjoying Otago's natural and physical resources
 - q. Waitaha concerns (introductory material)
- [38] Some pORPS sections and provisions were not appealed and are also intended to be made operative. The attached post-mediation versions of the pORPS decisions document are shaded to show which provisions will become operative (Attachment 1 shows the document with tracked changes, Attachment 2 shows the document with the tracked changes incorporated).

¹ For simplicity's sake, the following sections are written with the assumption that Council will agree to make the PORPS partially operative.

- [39] Various minor editing and cross reference changes are also suggested, in the attached List of Minor Corrections (Attachment 3). Council can make these changes without further consultation.¹

Changes to the Operative RPS

- [40] Also included is the operative RPS with shading showing provisions that will be revoked (Attachment 4).
- [41] Substantive provisions of the operative RPS will remain in force, so the general explanatory material will be left intact:
- a. Chapter 1: Introduction, and the pages preceding it;
 - b. Chapter 14: Monitoring and Review;
 - c. appendices, figures and tables.
- [42] Chapter 3: Description is deleted because pages 1-3 of the mediation version are intended as a substitute, and there are no appeals on those provisions.
- [43] The following chapters are replaced entirely, and will be revoked:
- a. Chapter 2: Treaty of Waitangi;
 - b. Chapter 4: Manawhenua perspective;
 - c. Chapter 7: Air;
 - d. Chapter 11: Natural Hazards;
 - e. Chapter 12: Energy;
 - f. Chapter 13: Wastes and Hazardous Substances; and
 - g. Chapter 15: Cross Boundary issues.
- [44] Because the Court has not approved pORPS Chapter 3, the following operative RPS Chapters will generally continue to have effect:
- a. Chapter 5: Land;
 - b. Chapter 6: Water;
 - c. Chapter 8: Coast; and
 - d. Chapter 10: Biota.
- [45] Various provisions in Chapters 5, 6, 8, and 10 include reference to either Kāi Tahu concerns or public access (topics covered by approved consent orders), alongside other aspects. The references to Kāi Tahu concerns or public access are revoked, and the rest of the provision remains operative unless otherwise indicated.
- [46] Several provisions in Chapters 5, 6, 8, and 10 have some overlap with pORPS provisions that are approved by consent order, but are not direct, like-for-like replacements. Until Chapter 3 of the pORPS can be made operative, these elements of Chapters 5, 6, 8 and 10 are retained to preserve the operative RPS's coherence and integrity.
- [47] Provisions in Chapter 8 relating to coastal hazards, noise, and sea level rise are revoked.

¹ Resource Management Act 1991 Schedule 1, clause 16(2)

- [48] Chapter 9: Built Environment is largely revoked because the pORPS provisions regarding urban development, growth and infrastructure are subject to a consent order. The exceptions are:
- a. Objective 9.4.3 “to avoid, remedy or mitigate the adverse effect for Otago’s built environment on Otago’s natural and physical resources” has close attachments to pORPS Chapter 3, and remains operative.
 - b. As a result, operative RPS policy 9.5.4 (a), (c), (d)iii, iv, vi, vii and viii all remain operative

CONSIDERATIONS

Policy Considerations

- [49] The operative RPS is now 20 years old, and is the basis for current regional plans. There may be some inconsistency between regional plans and the pORPS. This is an expected aspect of plan development.
- [50] A future consideration is the impending implementation of the National Planning Standards. As proposed, the National Planning Standards will require the pORPS to be substantially restructured, likely requiring a further Schedule 1 process.
- [51] The National Planning Standards are expected to require most plans, including regional policy statements, to have a consistent structure, within 5 years of the standards coming in to force. Some regional councils are likely to have a further 2 years (so 7 years in total) to achieve this. Currently, the ORC will be required to have a consistent RPS within 5 years (based on draft NPS provisions) however staff have requested the longer time frames.

Financial Considerations

- [52] The RPS review was originally included in the 12/22 Long Term Council Community Plan as a 3-year project with Council’s decision due for release June 2015 and an original budget of \$835k. To date ORC has spent over \$4.2m.
- [53] The three options presented are unlikely to have significant additional financial implications. There is a benefit to waiting to make the pORPS operative and going through a process for making the pORPS partially operative now means repeating the process one or more times later to make the remaining provisions operative.
- [54] Compared to the overall cost of the review process, this cost is likely minor, and waiting will create increased costs for TAs. In the unlikely event that waiting to make changes results in TAs having to make significant adaptations to district plans, the cost to TAs could be significant.

Significance and Engagement

- [55] Under the ORC’s Significance and Engagement Policy, the decision to make the pORPS partially operative is very significant, because it impacts on both ORC’s and TAs’ plan making and consenting processes and sets high-level direction for resource management in Otago for the next several years. This decision affects the entire community of Otago, though the level of impact will vary widely.

- [56] The pORPS is addressed under ORC's Annual plan. It has been well canvassed through iwi, public and stakeholder consultation, and the RMA 1991 Schedule 1 process, including public submissions, hearings, and mediation.
- [57] Accordingly, it does not require further consideration under the Significance and Engagement Policy.

Communications

- [58] If approved, public notices will be posted in the Otago Daily Times announcing the date on which new PRPS provisions will become operative (at least 5 working days' notice must be given¹), and the operative RPS provisions will be revoked.
- [59] Staff propose issuing the public notice on 19 December 2018, and making the pORPS partially operative from 14 January 2019. This allows adequate time to prepare and distribute the documentation described below, and allows for the closedown period under the RMA 1991.²
- [60] Versions of the document will be available on the ORC website, at ORC and Territorial Authority offices around Otago, and at public libraries.
- [61] Submitters will be directly advised about the process by letter.
- [62] The documents that will be available are attached:
- a. Track changes version showing changes from the decisions version and approved sections (Attachment 1);
 - b. A clean updated version of the partially operative RPS showing approved sections (Attachment 2);
 - c. A list of minor changes (attachment 3);
 - d. A version of the Operative RPS showing revoked sections (Attachment 4).

Legislative Considerations

- [63] Regional policy statements:
- “achieve the purpose of the Act by providing an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region”.³
- [64] Regional policy statements must give effect to National Policy Statements, the New Zealand Coastal Policy Statement and National Planning Standards.⁴ In turn, regional plans and district plans must give effect to regional policy statements.⁵

¹ Resource Management Act 1991, Schedule 1, clause 20(2)

² Resource Management Act 1991, section 2, “working day” definition

³ Resource Management Act 1991, section 59

⁴ Resource Management Act 1991, section 62(3)

⁵ Resource Management Act 1991, sections 67(3) and 75(3) respectively

NEXT STEPS

- [65] Once new pORPS provisions are operative, ORC will be obliged to give effect to them through our work programme. An implementation programme will be developed once the pORPS is fully operative, which will determine costs, and impacts on existing workplans.
- [66] We note that some actions contemplated in the pORPS are already underway or complete, such as developing a Biodiversity Strategy. As the consent order for the implementation section is not yet granted, initial impact is likely minimal.

ATTACHMENTS

- Attachment 1: pORPS (titled Partially Operative Otago Regional Policy Statement 2019: changes as a result of appeals), showing mediation changes to decisions version, and provisions approved by court order.
- Attachment 2: pORPS (titled Partially Operative Otago Regional Policy Statement 2019), showing approved provisions, clean version for Council approval.
- Attachment 3: List of Minor Changes
- Attachment 4: Operative RPS showing provisions remaining in force.

11.2. New Zealand King Salmon Ltd Resource Consent applications for monitoring equipment

Prepared for: Council
Report No. PPRM1860
Activity: New Zealand King Salmon Company Limited resource consent applications for marine monitoring
Prepared by: Tanya Winter, Director Policy Planning and Resource Management
Endorsed by: Sarah Gardner, Chief Executive
Date: 6 December 2018

PURPOSE

- [1] To assist the Council in determining whether a request should be made to the Minister of Conservation (the Minister) to call in two Coastal Permit applications, in accordance with Section 142 of the Resource Management Act 1991 (the Act).

EXECUTIVE SUMMARY

- [2] The Otago Regional Council (Council) has received two Coastal Permit applications from New Zealand King Salmon Company Limited (King Salmon) for marine monitoring at two sites, each having an area of 3,600 hectares (7,200 ha in total).
- [3] The applications may involve a matter of national significance and therefore may necessitate a request that may be called in and considered by the Minister.

STAFF RECOMMENDATION

That the Council:

- 1) ***Receives*** this report; and
- 2) ***Accepts*** the recommendation that the Council do not request that the Minister of Conservation call in the two Coastal Permit applications from New Zealand King Salmon Company Limited.

BACKGROUND

- [4] Council have received from King Salmon two Coastal Permit applications for marine monitoring at two sites. Monitoring will inform potential future decisions by the company in relation to establishing marine farms in these locations. It is proposed that each monitoring site would contain 5-6 monitoring devices. If granted the coastal permits would affect the ability of other users to construct structures or conduct other activities requiring permanent or semi-permanent occupation. The applications do not seek to restrict access within the site to vessels and fishers. The activities are classified as discretionary activities under the Regional Plan: Coast for Otago. A term of 10 years has been sought for this activity.
- [5] Appendices 1 and 2 show the locations of these monitoring sites.
- [6] Similar applications have been lodged at Marlborough District Council, Environment Canterbury and Environment Southland. The applications lodged with the other regional councils are of similar scale, however the proposed occupation for Otago is larger than what has been proposed for the other regions. It is understood that the monitoring sites

are located within each tidal current along the northern, eastern and southern coasts of the South Island.

- [7] Marlborough District Council and Environment Southland have both requested that their similar applications received by them be called in by the Minister, under Section 142 of the Act, because they consider they involve matters of national significance. This decision likely informed by the Proposal of National Significance that was heard by a Board of Inquiry for marine farming by King Salmon in Marlborough around 2012. A copy of the request to the Minister from Marlborough District Council and Environment Southland is attached.
- [8] The application that was lodged with Environment Canterbury has been returned to the applicant as an incomplete application under Section 88 of the Act.
- [9] The applications lodged with Council have been accepted under Section 88 of the Act and are currently being considered for whether further information will be required to process the application.

CALL IN

- [10] Section 142 of the Act states that the Minister may call in a matter that is or is part of a proposal of national significance.
- [11] The call in by the Minister can either be on their own initiative, or on receipt of a request from the local authority or an applicant¹.
- [12] Deciding whether a proposal is a matter of national significance, the Minister may have regard to the following factors in accordance with Section 142(3)(a) of the Act:
 - a. has aroused widespread public concern or interest regarding its actual or likely effect on the environment (including the global environment); or
 - b. involves or is likely to involve significant use of natural and physical resources; or
 - c. affects or is likely to affect a structure, feature, place, or area of national significance; or
 - d. gives effect to a national policy statement and is one that is specified in any of paragraphs (c) to (f) of the definition of matter in section 141; or
 - e. affects or is likely to affect or is relevant to New Zealand's international obligations to the global environment; or
 - f. results or is likely to result in or contribute to significant or irreversible changes to the environment (including the global environment); or
 - g. involves or is likely to involve technology, processes, or methods that are new to New Zealand and that may affect its environment; or
 - h. is or is likely to be significant in terms of section 8; or
 - i. will assist the Crown in fulfilling its public health, welfare, security, or safety obligations or functions; or
 - j. affects or is likely to affect more than 1 region or district; or
 - k. relates to a network utility operation that extends or is proposed to extend to more than 1 district or region.

¹ Section 142(1) of the Resource Management Act 1991

- [13] To date, the threshold of national significance has been relatively low and may require only one clause of Section 12 to apply.
- [14] The Minister must also have regard to the following in accordance with Section 142(4):
- a. The views of the applicant and the local authority; and
 - b. The capacity of the local authority to process the matter; and
 - c. The recommendations of the Environmental Protection Authority (EPA).

OPTIONS

- [15] With regard to the applications that have been lodged, Council has two options:
 Option 1: A request can be made to the Minister that the applications be called in under Section 142 to be considered at a national level; or
 Option 2: Council continue to process the Coastal Permits without the request for a call in.
- [16] Irrespective of Council's position on either of the above options, the Minister of Conservation may initiate the call in herself, in any event, if she considers that the other applications to other councils should be called in.
- [17] King Salmon claims that the Council should not request a call in, because the applications do not raise matters of national significance. See attached King Salmon's response to Marlborough District Council and Environment Southland's request to the Minister.
- [18] A discussion of each of these options is provided below.

Option 1 – Council request a call in

- [19] In determining whether an activity is a matter of national significance, regard may be given to the factors outlined in Section 142(3)(a) of the Act. Comment to each of the factors in relation to the coastal permit applications is provided in the table below.

Factor	Response
has aroused widespread public concern or interest regarding its actual or likely effect on the environment (including the global environment); or	The application itself is not for aquaculture, however it is indicative of what could be to come. Aquaculture has aroused public concern at a national level in situations where strategic planning has not occurred to indicate where aquaculture could occur. The application will also look to restrict other users from utilising a significant resource for the next ten years. This is likely to arouse widespread public interest about those potential future effects on the environment.

Factor	Response
involves or is likely to involve significant use of natural and physical resources; or	The application has sought preferential occupation of in total 7,200 hectares of the coastal marine area for 10 years. If granted, this is a significant portion of a natural resource and will restrict any other structures or other semi permeant activities (including trawling) from utilising the sites.
affects or is likely to affect a structure, feature, place, or area of national significance; or	The coastal environment, particularly such a large space, could be considered an area of national significance, particularly the cumulative effects of several of these sites in the South Island.
gives effect to a national policy statement and is one that is specified in any of paragraphs (c) to (f) of the definition of matter in section 141; or	Not applicable.
affects or is likely to affect or is relevant to New Zealand's international obligations to the global environment; or	Not applicable.
results or is likely to result in or contribute to significant or irreversible changes to the environment (including the global environment); or	The application itself is unlikely to result to an irreversible change to the environment, however the granting of the consent is indicative of what could be to come. Otago currently has no aquaculture occurring within its coastal marine area. A consequential application for aquaculture at the two sites may lead to irreversible changes to the environment.
involves or is likely to involve technology, processes, or methods that are new to New Zealand and that may affect its environment; or	Possible given offshore marine farming has not historically occurred.
is or is likely to be significant in terms of section 8; or	Section 8 of the Act is the Treaty of Waitangi and one of the key principles of the Act. Section 8 states that the principles of the Treaty of Waitangi need to be taken into account. One of the principles is the active protection of Maori rights and interest which includes the coastal marine area. With such a large space of proposed occupation, there may be a significant effect on this principle of the Treaty of Waitangi.
will assist the Crown in fulfilling its public health, welfare, security, or safety obligations or functions; or	Not applicable.

Factor	Response
affects or is likely to affect more than 1 region or district; or	Similar applications have been lodged in three other Regions. Without the applications being considered together, the cumulative effect of these cannot be considered. There is currently very little in the way of national direction in relation to this nature of application or a potential aquaculture application. This results in difficulties to ensure a consistent approach across regions. By considering the applications at a national level would enable a consistent approach and for the cumulative effects to be considered.
relates to a network utility operation that extends or is proposed to extend to more than 1 district or region.	Not applicable.

- [20] The applications to Marlborough District Council and Environment Southland are for activities in an area of 10,192 hectares across the two regions. It is noted that by comparison, the King Salmon application for Otago is for an area of 7,200 hectares.
- [21] Restricted Coastal Activities (RCA) were once rules within the Regional Plan: Coast for Otago (RPC). The rules specified a certain scale of activity that would automatically trigger public notification and the requirement that the decision for the application be made by the Minister for Conservation. These rules were repealed with the introduction of the New Zealand Coastal Policy Statement 2010, however they remain useful as an indication of scale. The RCA for occupation applied for areas greater than 10 hectares of coastal marine area. The proposed applications would result in the occupation of an area 720 times greater than the RCA threshold. It is noted that the occupation sought differs from typical occupation in that it is not exclusive only preferential.
- [22] If a request is to be made for the applications to be called in, the Minister must first accept the request before the applications are transferred. Until such time, the application will continue to be processed by Council. As noted, the application has been accepted for processing, however further information is likely to be requested. Depending on the timeframe for a response from the Minister, Council may also need to proceed to a notification determination. If adverse effects on the environment are more than minor, or there are special circumstances, the application will be publicly notified. If the Minister is to accept a request for call in, the processing of the application will cease by the Council and the application will be transferred to the Minister. If the request is refused, processing of the application will continue by the Council.

Option 2 – Council do not request call in

- [23] If it is considered that the proposal does not involve a matter of national significance, the processing of the application can continue to be considered by Council.
- [24] Given a request has been made by Marlborough District Council and Environment Southland, it is noted that if the Minister elects to accept those requests the Minister might elect to call in Council' applications.

WHAT DOES A CALL IN MEAN FOR COUNCIL?

- [25] If the Minister is to call in the applications, Council would lose its right to make decisions on the applications. Our role would be one of advisor to the decision maker, we may also choose to make a submission on the applications. Any decision of a Board of Inquiry or Environment Court on a matter of national significance can only be appealed to the High Court.

RECOMMENDATION

- [26] After considering the factors that would justify a matter of national significance, it is unlikely that the applications that have been sought do meet the majority of the criteria.
- [27] Given there have been applications sought for this activity in a number of regions, the main factor that would justify national significance and a call in would be to enable a consistent approach to considering applications across regions and to consider cumulative effects. A call in would enable this.
- [28] However, a consistent approach can also be achieved by regional council's working collaboratively during the consent process. Further to this, appointing the same independent commissioner on the hearing/decision panel for each of the application will enable further consistency and for cumulative effect to be taken into account.
- [29] The cost associated with a call in is significant for the applicant and would restrict input that Council may have in the decision making.
- [30] The applications are large in scale and will likely be publicly notified, however it is not considered necessary that Council request the applications be called in by the Minister.

REQUEST OF COUNCIL

- [31] *It is requested that Council accept the recommendation that a request is not made to the Minister of Conservation to call in the two Coastal Permit applications from New Zealand King Salmon Company Limited.*

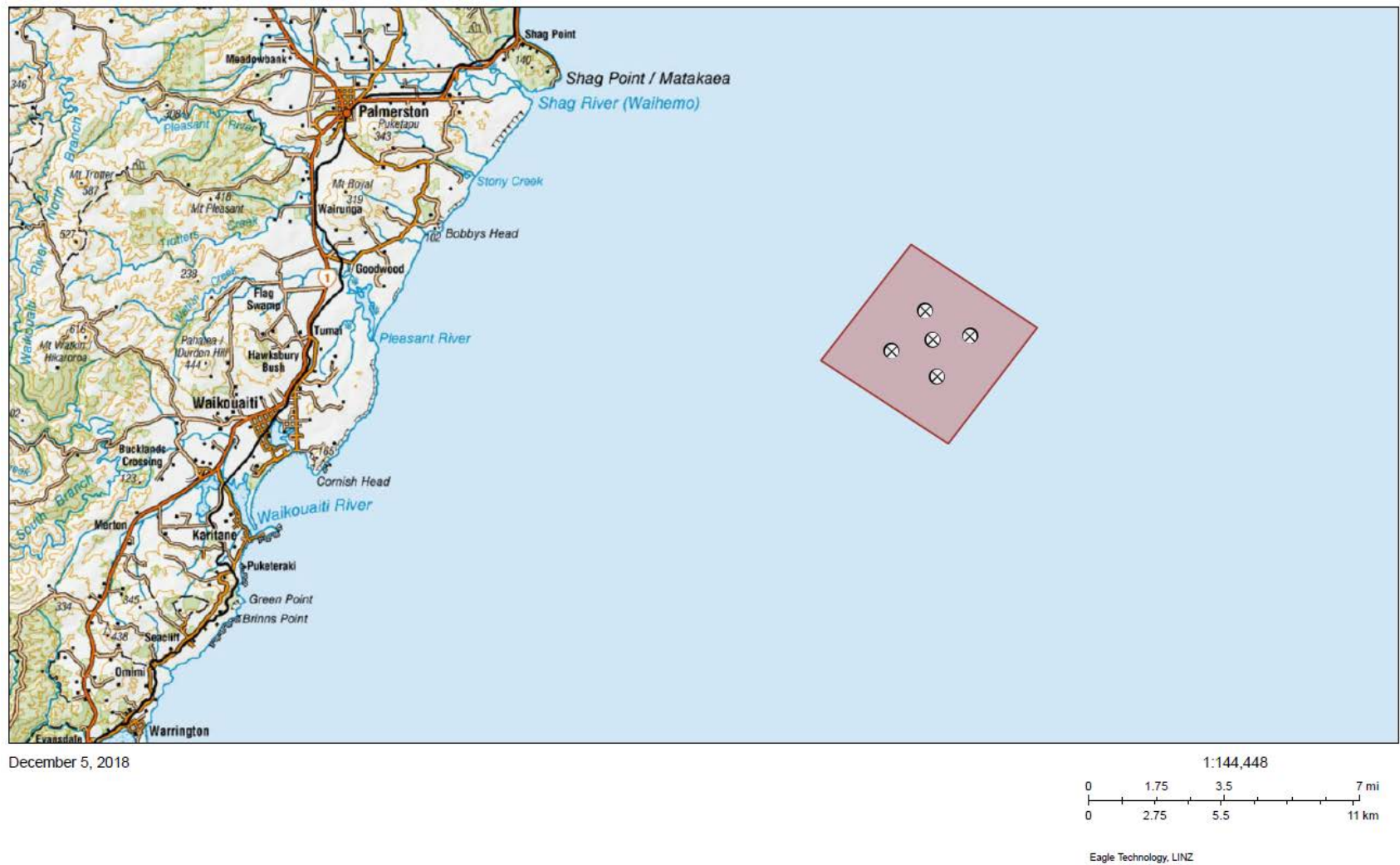
APPENDICES

- [32] Appendices 1 and 2 provide an indication of the areas of proposed occupation.

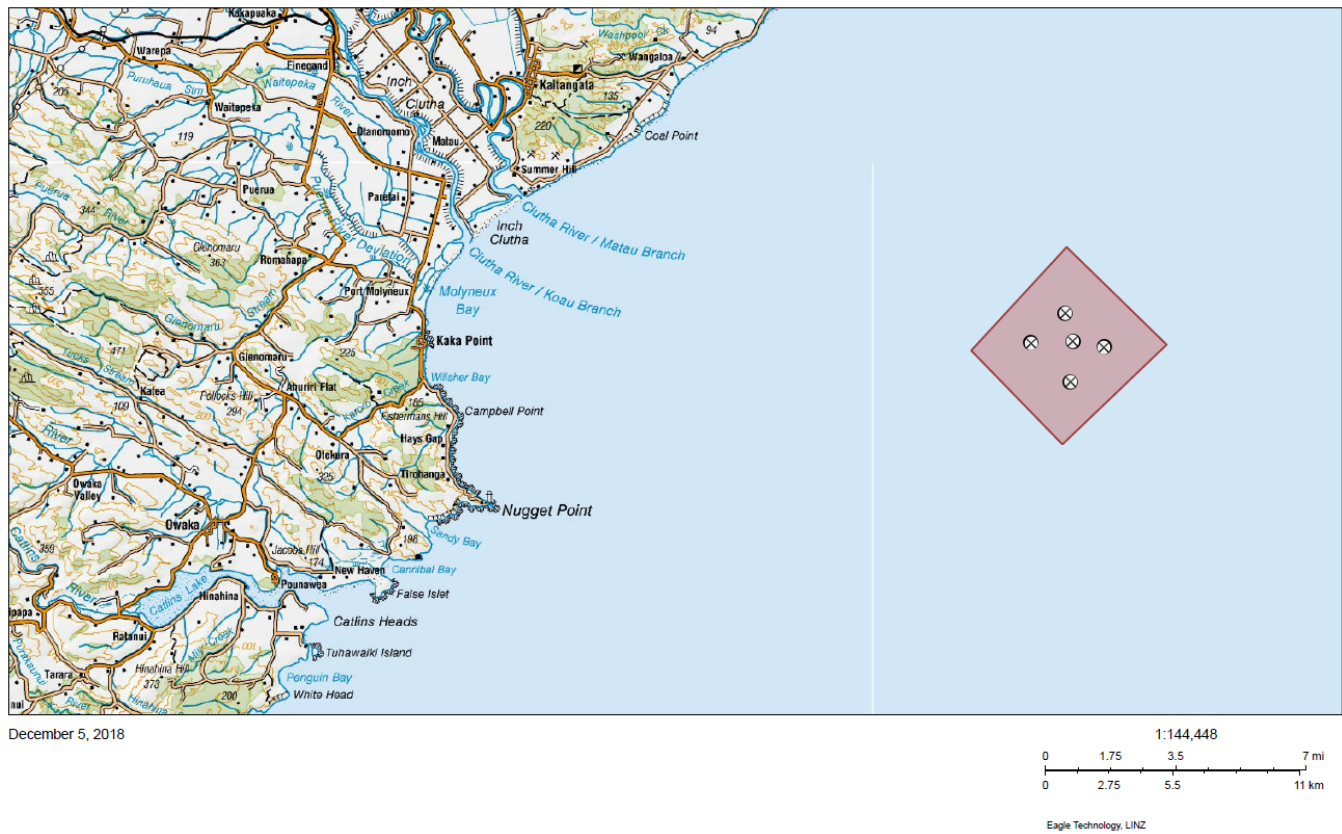
ATTACHMENTS

- Attachment 1 – Joint Request by Local Authorities for Direction to Call In from Marlborough District Council and Environment Southland
- Attachment 2 – Letter from King Salmon to the Minister in response to the request made by Marlborough District Council and Environment Southland

Appendix 1 (site 1): Topographical map showing area of proposed occupation within indicated by the red square and locations of the monitoring devices indicated by the scope icons.



Appendix 2 (site 2): Topographical map showing area of proposed occupation within indicated by the red square and locations of the monitoring devices indicated by the scope icons.



11.3. Environmental Enhancement Fund (ECO Fund) - Shotover Wetland Committee

Prepared for: Council
Report No. SHE1822
Activity: Governance Report
Prepared by: Lisa Gloag, Manager Community Engagement
Endorsed by: Sarah Gardner, Chief Executive
Date: 7 December 2018

PURPOSE

- [1] To consider request for funding to restore, enhance and protect the Shotover River Confluence Swamp to improve its amenity and ecological values in the face of increasing development in the Shotover Country residential development.

BACKGROUND

- [2] In June 2017, an application was made to the Environmental Enhancement Fund from the Shotover Wetland Committee on behalf of the Shotover Country community and Shotover Primary School.
- [3] The Shotover Country community has embarked on a decades-long project with the goal of enhancing and preserving the degraded regionally significant wetland. This project provides the children in the community a leadership role and provides cross-curricular learning opportunities for the local preschool and primary school.
- [4] To achieve this goal planning for integration of wetland-related projects in the school, a planting program and the development of a boardwalk system through the wetland with opportunities for observation and engagement with the wetland ecology.

STAFF RECOMMENDATION

That the Council:

- 1) **Receives** this report.
- 2) **Approves** Option 2: Use the remaining \$42,000 from the EEF to partially fund the project.

FUNDING REQUEST

- [5] The applicant has applied for the following:

Materials and labour to construct a boardwalk and gravel paths	\$90,000
Install 3 benches	\$3,000
Cover sleeves for new plantings	\$1,000
Tools and implements	\$1,500
TOTAL:	\$95,500

- [6] The wetland was owned privately but was vested with QLDC in May 2018. They come under QLDC's maintenance on the 22 May 2023.
-

ASSESSMENT OF THE APPLICATION

- [7] The application was assessed by Ian McCabe (see attached report, dated 4 May 2018). This includes additional information that was provided as requested, such as a maintenance plan, location of boardwalks and paths, public access, and governance structure of the Shotover Wetland Committee.
- [8] Sian Sutton wrote to them on 29 May 2018 (see attached letter) to ask for confirmation that QLDC would maintain the boardwalk and gravel path and manage the wetland. We also asked if QLDC would cover any resource or building consent costs.
- [9] They have replied to this letter (see attached letter of support – summarised below):

Queenstown Lakes District Council supports the application to the Otago Regional Council Environment Enhancement Fund for funding a raised boardwalk in the Shotover Wetlands.

The Shotover wetlands were vested with QLDC in May 2018, they come under QLDC's maintenance on the 22nd May 2023. QLDC will cover the cost of the application fee for any required resource consents.

... The installation of the boardwalk will allow better access into the wetland for planting, weed control, monitoring and education.

ADDITIONAL INFORMATION

- [10] While we advised their application would be reviewed under the ECO Fund, the criteria for this fund differs from the Environmental Enhancement Fund (EEF), and as such would be fair to evaluate them against the criteria they applied under, i.e. the EEF. There is currently an unallocated balance remaining in the EEF of \$42,000, which has since been transferred to the ECO Fund.

OPTIONS

Option 1 – Fund the full project to the value of \$95,500.

- [11] Option 1 involves using the \$42,000 currently unallocated from the EEF (now transferred to the ECO Fund) and providing the remaining \$53,500 from elsewhere (additional funding source to be confirmed)

Option 2 – Use the remaining \$42,000 from the EEF to partially fund the project.

- [12] Option 2 involves adding the condition that we release the funds as soon as they confirm funding for the remaining amount of the project.

Option 3 – Add their application to the ECO Fund's January 2019 funding round.

- [13] Option 3 means their application, which was written for the previous program – EEF, will not comply with the new funding guidelines and will potentially miss out on funding.

Option 4 – Fund \$2500 from the EEF for the plant sleeves and tools/implements only.

- [14] Option 4 involves funding a small portion of this project for cover sleeves and tools to help with new plantings.

Appendix A – Application to the Environment Enhancement Fund

Janice Coldicott

From: Shayne Galloway <shaynegalloway@shotover.school.nz> Thursday, 20 July 2017 7:05 a.m.

Sent: Shayne Galloway <shaynegalloway@shotover.school.nz> Thursday, 20 July 2017 7:05 a.m.

To: Enhancement

Cc: Sarah Jones; Richard Heyward

Subject: Attachments:

Application to ORC Environment Enhancement Fund.pdf; ORC letter of support for Environmental Enhancement Funding- June 2017.pdf; Shotover Country Ltd.pdf; Shotover Primary School.pdf; Shotover Wetland Squad.pdf; Wakatipu Reforestation Trust.pdf

Hello!

We are very excited to submit our application for the Environment Enhancement Fund. The students at Shotover Primary have been hard at work over the past couple of years planning and planting and learning all about wetlands. We feel fortunate to have such an amazing classroom near to our school, but very much look forward to taking it to another level with your help.

Please find attached our application and several letters of support from those involved in the project. Can you tell us a bit about the review process and timeline?

Cheers,

Dr Shayne Galloway Board of Trustees 021471472
s hayne galloway@shotover.school.nz

Application to ORC Environment

Enhancement Fund

Project description

The Shotover Country community has begun a decades-long project with the goals of enhancing and preserving the significantly degraded regionally significant wetland, giving our children a leadership role in the community, and providing authentic, cross-curricular learning opportunities for the local preschool and primary school.

To achieve these goals, we began planning for integration of wetland-related projects in the school, a planting program and the development of a boardwalk system through the wetland with opportunities for observation and engagement with the wetland ecology.

To date, we have held three community planting days (planting approximately 1,200 natives) and enjoyed a visit and presentation from Ruud Kleinpaste, the patron of the National Wetland Trust, as well as talks from the team at Wakatipu Reforestation Trust. A leadership group of children (the Shotover Wetland Squad) has participated in a range of activities including producing a brochure for local residents and builders about caring for the wetland, setting up a nursery on the school grounds, preparing interpretation signage, and a blog to document wetland activities (wetsquad.blogspot.co.nz).

How the project protects existing natural resources or improves a degrading environment

- **What the project is seeking to achieve**
- **Why the project achievement is necessary for managing Otago resources**

Significant development now borders this regionally significant wetland. We wish to restore, enhance and protect the wetland to improve the amenity and ecological values of our local environment. Over the coming years, and with considerable involvement of the Shotover Primary School, we have mapped out a program that we believe achieves these goals. This involves regular planting and maintenance sessions, collecting photographic evidence of the wetland's development, monitoring predators, bird and insect life, and water quality and flow to improve the ecology of the area and encourage greater biodiversity.

We wish to create boardwalks and viewing areas to make the area easier to access for planting, monitoring and enjoying the wetland, without impeding the natural flow of water through the wetland. These walkways would invite residents and trail users to engage with the wetland and experience interpretative information provided along the way. By providing raised walkways over ephemeral waterways and embedding raised trail in other areas, traffic can be channeled through the wetland allowing for engagement and minimising impact to the wetland ecology over time.

In the past year, the school and community embraced the wetland as the site of project-based learning for children during their preschool and primary years, engaging them and their families in investigating meaningful research questions, building relationships between the children and local scientists and related agencies, and advancing the children's preparation for and interest in science education in later years.

Wetlands now represent less than two percent of the total New Zealand land area, and they are a key part of our

environment and biodiversity. This project represents an excellent opportunity to restore a regionally significant wetland with the support of a highly motivated community. We feel this project serves as an exemplar of positive community engagement with and development of wetland environments in developing areas
- as opposed to historically predominant wetland loss.

Who is involved in the project (project lead, supporting partners)

The Shotover Wetland Committee consists of volunteers from the community working in partnership with Shotover Primary School, Gem's Educational Childcare, Wakatipu Reforestation Trust, Shotover Country Development, Galloway Recreation Research and the QLDC (all represented on the committee). Our focus is supporting the community (particularly the children) to lead the project, building relationships and fundraising for the wetland enhancement project. We have a Memorandum of Understanding with the Wakatipu Reforestation Trust for the supply of plants and ecological expertise. Shotover Country Development, owners of the land before it was vested in the QLDC, has assisted with planning advice and weed removal and control, as well as commissioning an ecological management and restoration plans for the wetland.

Funding amount sought and for what

We are seeking funds for construction of raised boardwalks and compacted gravel paths to enhance public enjoyment and interaction with the wetland. In addition, we seek funds that enable our replanting efforts. We developed our request based on cost estimates from council suppliers and our onsite assessment of accessway needs. Note: Our estimates are GST exclusive.

Item	Description	Cost Estimate
Material & Labour		
	150m of Boardwalk \$600 per linear meter (Council estimates range from \$400-\$800 based on footing requirements. Our estimate takes the average assuming a range of requirements and the inclusion of graveled pathways where possible.)	\$90,000
	3 Benches at \$1000 each	\$3,000
Plantings & Equipment		
	Cover sleeves for new plantings (As our plants are donated by the Wakatipu Reforestation Trust, the cover sleeves represent a cost that we would offset with our own supply.)	\$1000
	Tools and implements (Shovels, trowels, rakes, etc.)	\$1500
Resource Consents	Resource consent application costs from ORC (\$2000) and QLDC (\$2000)	\$4000
Total Budget		\$99,500

Timeframe for delivery

We anticipate final design and construction of pathways and benches to occur in the 2017-2018 period. Purchase of cover sleeves and implements would proceed immediately in preparation for our next planting in the spring of 2017.

How will this project improve the ecological, social or economic values of Otago

Rarely do wetlands in New Zealand receive such encompassing social support. Yet situated in the heart of a rapidly developing area, the shotover wetland benefits from a committed primary and pre-school with their vision for inclusion of the wetland and all of its lessons in the curriculum and development of the children and their engagement with their natural environment. Natural science education receives limited attention in the primary years, and students from across Otago will experience and learn from the shotover wetland project either directly onsite or via the online resources developed by Shotover Primary students. For current and future students, the wetland project provides enduring social improvements for Otago with the flow on effect of engaging parents, community groups and government bodies in the project.

The guidance and support of the expertise available through Wakatipu Reforestation Trust in the physical development and plantings in the wetland greatly improves the ecological validity of the project. Already, removal of invasive willows and the planting of indigenous *carrex* improve the ecology. Our recent effort saw the reintroduction of rare and endangered species such as *Olearia Hectoris* (<http://www.doc.govt.nz/nature/native-plants/olearia-hectorii-hectors-tree-daisy/>). The boardwalk and educational resources promote engagement with and appreciation of Otago's native ecology.

Economically, the residents of Shotover Country primarily with extension to the larger Wakatipu Basin benefit from a healthier natural environment with both tangible and intangible benefits. As an amenity asset adjacent to both the residential areas and recreation amenities such as the Queenstown Trails, the Shotover wetland increases the potential for interpretation and contemplation of wetland resources and enhances the viewsapes and wildlife experience of adjacent and nearby properties. Enhancement of recreation amenities and engagement with native environments directly impact and improve the economic values of the area.

Letters of support

Please find attached letters of support from the following:

Shotover Wetland Squad
SPS Board of Trustees
Wakatipu Reforestation Trust
Shotover Country Development
Otago Regional Council

29th June 2017

Shotover Wetland Committee
Shotover Country Estate
Queenstown.

Letter of support for ORC Environmental Enhancement Funding

The proposed restoration of a listed regionally significantly wetland by the Shotover Wetland Committee is an excellent example of a community taking ownership of an ecologically important area. Their intent of enhancing its environmental wellbeing, while at the same time both providing an educational opportunity and an asset for the local and wider community is to be applauded.

I have had the opportunity to attend a Shotover Wetland committee meeting and also a planting day with the supporters of the project. I can confirm that the committee are both well organised and have excellent community support for the restoration project.

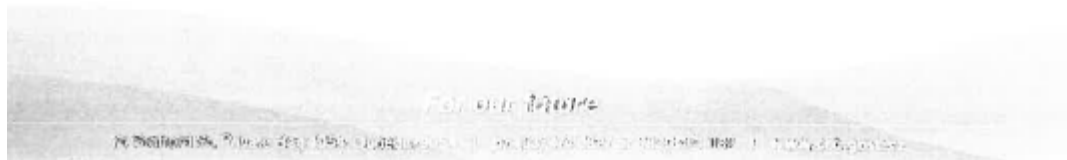
I believe their proposal easily meets the objectives and eligibility criteria set by the fund holders.

Yours Sincerely



Richard Heyward

Environmental Officer
Otago Regional Council
14 Rogers St
Cromwell
0800 474 082
0275 304 582





PO BOX 387
Queenstown

Email office@shotovercountry.com

20th June 2017

To Whom It May Concern

I am writing on behalf of Shotover Country Ltd to support an application to the ORC Environment Enhancement Fund, for funds to construct raised boardwalks and gravel paths to the Shotover Wetlands.

Shotover Country is a residential neighbourhood offering families the opportunity to purchase affordable sections for entry level housing close to Queenstown. When complete Shotover Country will have approximately 950 residential houses.

The wetlands are a unique ecological benefit to the Shotover Country Community and are easily assessable from the adjacent residential areas and reserves. Already, with the help of Shotover Primary School, the community are embracing the wetlands and have taken part in three planting days.

As the custodian of the wetlands prior to the area being vested with Council, Shotover Country Ltd are now actively part of 'The Shotover Wetland Committee' and are committed to the project.

Shotover Country Ltd whole heartedly supports the work of 'the Shotover Wetland Committee' and their application to the ORC Environment Enhancement Fund.

Yours sincerely

Grant Stalker
Director
Tel 027 221 6128



13th June 2017

Stalker Road, Shotover Country

PO Box 2689, Wakatipu,
Queenstown 9349

To the Otago Regional Council,

☎ 03 409 0005

✉ office@shotover.school.nz

🌐 shotover.school.nz

The Board of Trustees at Shotover Primary School supports the application to the Environmental Enhancement Fund for funding for a boardwalk at the wetland in Shotover Country.

The wetland regeneration project has been part of the school's curriculum since the school opened two years ago. The project is engaging children and their families in authentic learning about our natural environment, as well as promoting good environmental outcomes for the area.

All the children at the school have been involved in planting over 1000 native plants to date, as well as raising several hundred seedlings in the school's nursery.

The children have developed four goals for the project:

1. Get our hands muddy - be involved in improving our environment
2. Help the native plants (flora) and animals (fauna) flourish
3. Share our project with others in our community
4. Monitor the area for a long time.

Installing a boardwalk in the wetland will help the children achieve these goals. It will allow us to extend our regeneration work to less accessible parts of the wetland. It will also give the children and community improved access to observe and engage with the wetland ecology, including activities such as monitoring predators, bird and insect life, and water quality and flow.

We hope you'll look favourably on the wetland committee's application.

Yours sincerely

Sarah Jones
Chair, Board of Trustees
Shotover Primary School



Shotover Primary School
54 Stalker Road
Shotover Country
Queenstown

Dear Sir/Madam

We are the Shotover Wetland Squad (SWS) and we are the lead students in learning about the Wetland area at Shotover Primary School. We are writing this letter in support of the Wetland Committee's request for funding to help the enhancement and development of our local Wetland area in Shotover Country.

As part of our learning we have planted flax seeds so that flax plants can be replanted in the wetlands to help the environment be better for birds and insects. The whole school has taken part in planting out 400 carex already and they/we are keen to do more as the area frees up from construction development.

By you allowing the Committee to have some money will mean that we can get some major development work done sooner rather than having to fundraise ourselves for a long time. We have fundraised this year by selling plums and apples to our local community. We will continue to this in the future but it will take us far too long to get the required funds to do major earthworks.

We feel that being able to have boardwalks will benefit the community so that they can discover the nature of the wetlands, walk easily around the area without damaging the ground or plants. It will also help us by making it easier for us to access the area.

At the moment we are busy making up information pamphlets to give to the contractors and households in the area re what we are doing and how they can help us. As well as looking at temporary signage. In time it will be great to have interactive educational panels so that the public will be able to learn about the wetland nature, the history of the area and how important the wetlands are to our area and to New Zealand. We are very excited about being involved with this project.

Yours sincerely

The Shotover Wetland Squad

Alex, Ollie, Tom, Erryn, Nicole, Luana, Nikau, Tahila, Audrey, Libby, Emyson.

Monday 19th June, 2017

Otago Regional Council
70 Stafford Street
Dunedin
9054

Dear Otago Regional Council

Re: Shotover Country Community Application to the ORC Environment Enhancement Fund

It is with great pleasure to write a letter of support for the Shotover Country Community's application for funding from the ORC Environment Enhancement Fund.

The Wakatipu Reforestation Trust has had the opportunity to work closely with Shotover Primary School and community as they have begun the bold project of enhancing and preserving the significantly degraded and regionally significant wetland adjacent to the newly developed Shotover Country suburb. The strategic, long term approach they are taking on this project, with strong collaboration from many parts of the community, makes this project a really exciting prospect for the Wakatipu Basin which currently has very few wetlands in good health.

Funding towards raised boardwalks and compacted gravel paths, will not only allow this project be far more efficient (access to difficult areas of the wetland for planting, weed control and monitoring) but will also allow for the community to experience and value to wetland and associated biodiversity by interacting directly with the wetland without disturbing any of the flora and fauna.

We look forward to continuing to support the great work that the Shotover Country Community are doing and seeing how this project develops into the future.

Yours sincerely,

Nita Smith

Conservation Coordinator
Wakatipu Reforestation Trust

WAKATIPU
REFORESTATION TRUST



Appendix B – Memo: Environmental Enhancement Fund – Shotover Wetland Committee



MEMO

Doc Id:

To: Executive Leadership Team

From: Ian McCabe, Executive Officer; Nicole Foote, Liaison Specialist

Date: 4 May 2018

Subject: Environmental Enhancement Fund – Shotover Wetland Committee

Applicant

Shotover Wetland Committee – on behalf of the Shotover Country community and Shotover Primary School (Dr Shayne Galloway – Board of Trustees)

Activity

The applicant proposes carrying out the following activities on the Shotover River Confluence Swamp.

The aim of the activities is to restore, enhance and protect the wetland to improve its amenity and ecological values in the face of increasing development in the Shotover Country residential development. The project will also provide significant cross-curricular learning opportunities for the local preschool and primary school, both of which are located in the Shotover Country residential development.

The proposed activity is to be carried out entirely within the Shotover River Confluence Swamp, a regionally significant wetland located on the true left bank of the Shotover River at its confluence with the Kawarau River (refer below).



Reference: Map F8 – Regionally Significant Wetlands – Otago Regional Plan: Water

Final design and construction of the gravel paths and raised boardwalks is proposed for this financial year (2017-18). Cover sleeves and the tools and implements would be purchased immediately in preparation for the next planting in spring 2017.

Funding Requested

Materials and Labour

Constructing compacted gravelled paths and raised boardwalks (to enhance public enjoyment and interaction with the wetland)	\$90,000
Installing 3 Benches	\$3,000

Plantings and Equipment

Purchasing cover sleeves for new plantings ¹	\$1,000
Purchasing tools and implements (shovels, trowels, rakes etc)	\$1,500

Consents

Resource Consents/Building Consents(?) ²	\$4,000
---	---------

Total	\$99,500
--------------	-----------------

ORC Comment

The wetland is currently in private ownership, but has been vested as reserve land as part of a development contribution to the Queenstown Lakes District Council (QLDC). It will shift to QLDC ownership in due course.

The applicant states that the wetland is significantly degraded. While the wetland is degraded, the significance or otherwise of that degradation is not detailed in our records, and the applicant has not provided any supporting evidence.

The proposed activity appears to be discrete standalone components of a much larger environmental initiative by the Shotover Country community that the applicant suggests is a decades-long project.

In terms of the activities for which funding is being sought:

- Gravelled paths and raised boardwalk – this activity will provide greater accessibility and enable observation and engagement with the wetland ecology. While it will not address the immediate needs of reversing any degradation of the wetland, it will assist in avoiding one of the ongoing causes of further degradation.

¹ There does not appear to be any suggestion that the Council contribute anything towards plants

² Building consents are not mentioned in the application, but I suspect may be required for the raised boardwalk.

- Cover sleeves and equipment – materials that will assist the community to make improvements to the wetland.
- Resource Consent/Building Consent(s) – this is an administrative cost for the capital works promoted and is not a direct input into improving the condition of the wetland. In my view therefore, the cost of consents would be marginal in terms of its eligibility for funding under the Environmental Enhancement Fund, if not actually ineligible.

It should be noted that the erection of a raised boardwalk within a regionally significant wetland is a permitted activity under Rule 13.2.1.7A of the Regional Plan: Water subject to ensuring the structure does not contribute to any flooding or erosion. There may still be requirements to obtain resource consents and/or building consents from the Queenstown Lakes District Council.

The wetland can be described as a “Palustrine” hydro-system in that it is fed by rain, groundwater and/or surface water, but isn’t directly connected with the Shotover River. It is also defined as a ‘Swamp’ in the Regional Plan Water. Swamps generally have open surface water areas that are primarily sourced from surface flows.

There are four hydrological primary drivers that influence wetland types: water source, water movement, fluctuation and permanence of the water. Anything that potentially influences this water regime can affect the whole dynamics of a wetland.

Some care will need to be taken around the effects of this proposal on the water regime; the location of the boardwalk and particularly the compacted pathways can affect the hydrology (water movement) of the wetland. This can either be addressed as part of any subsequent resource consenting process, or Council could impose conditions that enable it to endorse or approve the location and design of the walkway and raised boardwalks before it releases the funds.

ORC requested, and the applicant has provided, additional information. This is summarised in the table below:

Additional Information Requested by ORC	Additional Information supplied by applicant
Ownership status of the land. Privately owned by Shotover Country Limited.	Intention to transfer ownership to QLDC. Currently has QLDC reserve status.
Maintenance of compacted gravel paths and boardwalks – QLDC prepared to maintain.	QLDC generally supportive of project.
Long Term plan outlining management and maintenance.	Wetland managed under QLDC reserves management plan.
Location of compacted gravel paths and boardwalks.	Take advice from Neil Simpson – Wetland Ecologist and Director of the Wakatipu Reforestation Trust.
Public access – roads and carparking.	Access by foot. No additional plans for roads or car parking.
Outline of the governance structure of the Shotover Wetland Committee. If successful, who would receive and hold the funds?	The applicant is a representative group from the Shotover Community. Any funds received will be held in trust by Anderson Lloyd lawyers until they are required.

Recommendation

The proposed activity is a discrete standalone component of a much larger environmental initiative by the Shotover Country community. It generally meets the necessary criteria for potential funding – see attached – and therefore may at least be partially funded.

There are sufficient funds currently available in the Environment Enhancement Fund to contribute to this activity.

The requested amount for consents should not be funded as it is not eligible.

Recommendation Option 1: fund up to \$95,500, being the requested amount to cover the gravelled paths and raised boardwalks, cover sleeves, tools and implements. Funding for the gravelled paths and raised boardwalks should be subject to condition requiring the applicant to gain Council's approval over their location and design to avoid any adverse effects on the water regime of the wetland.

Recommendation Option 2: Fund a portion of the \$93,000 requested for materials and labour and \$2,500 for the plant cover sleeves and equipment.

Please note that if Recommendation Option 1 is supported, the application will need to be reported to ORC Council for a final decision. The amount potentially being funded exceeds the Chief Executive's delegation.

Environmental Enhancement Fund – Assessment Checklist

Information

Application/request includes:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Project description | <input checked="" type="checkbox"/> Funding amount sought and for what |
| <input checked="" type="checkbox"/> How the project protects existing natural resources or improves a degrading environment | <input checked="" type="checkbox"/> Total project budget |
| <ul style="list-style-type: none"> – What the project is seeking to achieve – Why achieving the project is necessary for managing Otago's resources | <input checked="" type="checkbox"/> Timeframe for delivery |
| <input checked="" type="checkbox"/> Who is involved in the project (project lead, supporting partners) | <input checked="" type="checkbox"/> How will this project improve the ecological, social or economic values of Otago |
| | <input checked="" type="checkbox"/> Letter of support (desirable) |

Objectives

Activity will (*any one or more of the following*):

- | | |
|---|---|
| <input checked="" type="checkbox"/> Promote community support for activities that complement regulation relating to resource management | <input checked="" type="checkbox"/> Increase social, cultural and economic opportunity |
| <input checked="" type="checkbox"/> Respond to community concerns about the condition of local resources | <input checked="" type="checkbox"/> Manage resource use to remedy legacy and/or recent unacceptable conditions |
| <input checked="" type="checkbox"/> Make investment that improves the environment and ecosystems for the regional community | <input type="checkbox"/> Produce an inventory of activities carried out for the wellbeing of the regional community |

Eligibility

Activity must:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Promote public involvement in good environmental/resource management | <input checked="" type="checkbox"/> Does not commit to future stages of project(s) |
| <input checked="" type="checkbox"/> Link to resolving a cause of unacceptable conditions and avoids cause continuing – i.e. is not a temporary solution | <input checked="" type="checkbox"/> Fits with other activities – i.e. integral and/or complementary to other environmental enhancement activities |
| <input type="checkbox"/> Not be for administrative support | <input type="checkbox"/> Contain defined outcomes that can be measured and evaluated for reporting purposes |

Activity should (*any one or more of the following*):

- | | |
|--|---|
| <input type="checkbox"/> Enhance regional relationships and set environmental precedent | <input type="checkbox"/> Supports single stand-alone project/activity rather than multi-stage project |
| <input checked="" type="checkbox"/> Reduce stress on ecological systems | <input checked="" type="checkbox"/> Supports a stand-alone project in full or is part that supports alternative funding source(s) |
| <input checked="" type="checkbox"/> Establish good environmental solution | |
| <input checked="" type="checkbox"/> Addresses a public resource matter(s) rather than a private property matter(s) | |

Appendix C – Correspondence requesting further information

Our Reference: A1118682

29 May 2018

Dr Shayne Galloway
Shotover Wetland Enhancement
Email: shaynegalloway@shotover.school.nz

Dear Mr Galloway

Environmental Enhancement Fund Application

Thank you for your application for funding through the Otago Regional Council (ORC) Environmental Enhancement Fund for the Shotover Wetland Enhancement, which you applied to in July 2017. Please accept our apologies for the delay in getting back to you.

Our executive leadership team met on Tuesday 22 May 2018, where your application for funding was discussed.

We are interested in potentially funding part of this project, however before committing to a funding level would like more information please.

Your application states ownership of the wetland will be handed over to Queenstown Lakes District Council (QLDC). Can you please provide written confirmation from QLDC that they will commit to managing the wetland, and will maintain both the proposed gravel path and raised boardwalks.

We would also like to know if QLDC is prepared to cover any potential resource consent or building consent costs, should consent be required for building the path or boardwalk.

We look forward to hearing back from you so we can give further consideration to your application.

Please note that the Environmental Enhancement Fund is soon to be re-launched as the ECO Fund, and we will carry over your application so it will become an application under the new fund.

Yours sincerely



Sian Sutton
Director Stakeholder Engagement

For our future

70 Stafford St, Private Bag 1954, Dunedin 9054 | ph (03) 474 0827 or 0800 474 052 | www.orc.govt.nz

29th August 2018

Otago Regional Council

To Otago Regional Council,

Re: Letter of Support for application to the ORC Environment Enhancement Fund

Queenstown Lakes District Council supports the application to the Otago Regional Council Environment Enhancement Fund for funding a raised boardwalk in the Shotover Wetlands.

The Shotover wetlands were vested with QLDC in May 2018, they come under QLDC's maintenance on the 22nd May 2023. QLDC will cover the cost of the application fee for any required resource consents.

Globally, wetlands have a vital role in maintaining healthy ecosystems. They improve water quality, control floods, regulate global carbon levels and provide habitat for plants and animals uniquely adapted to living in wet conditions.

Wetlands are the most threatened ecosystems in NZ and many have been reduced significantly from their former extent. The successful survival of the Shotover wetland, like others, requires the ongoing management. The installation of the boardwalk will allow better access into the wetland for planting, weed control, monitoring and education.

The Shotover Wetlands project engages the local community and Shotover Primary School. It's great to see the success to date with Shotover Primary planting over 1,000 natives.

Yours sincerely



Jeannie Galavazi
Park and Reserves Planning Manager
Community Services
Queenstown Lakes District Council

12. MATTERS FOR NOTING

12.1. Documents signed under Council's Seal March 2018 to December 2018

Prepared for: Council
Activity: Governance Report
Prepared by: Nick Donnelly, Director Corporate Services
Date: 7 December 2018

1. Précis

To inform the Council of delegations which have been exercised during the period 3 February to 3 December 2018

2. Documents signed under the Council's Seal

- Pest Management Plan for Otago (pursuant to the resolution of the Council passed on 21 February 2018)
- Deed of Extension of Transfer of Building Act Functions – Otago Regional Council and West Coast Regional Council
- Deed of Extension of Transfer of Building Act Functions – Otago Regional Council and Southland Regional Council

Inspection Warrants:

- Appointment as enforcement officer under S174 Local Government Act 2002 for the purposes of exercising the functions, powers and duties pursuant to the Local Government Act 2002 and the Building Act 2004:
Ian Davidson (DAMWATCH)
- Appointment as enforcement officer under S174 Local Government Act 2002 for the purposes of exercising the functions, powers and duties pursuant to the Local Government Act 2002 and the Building Act 2004:
Ian Gordon Walsh (WSP OPUS)

3. Recommendation

That the report be noted.

Endorsed by: Nick Donnelly
Director Corporate Services

12.2. Work Plan for NPSFM process and Water Plan Review

Prepared for:	Council
Report No.	PPRM1859
Activity:	Governance Report
Author:	Anita Dawe, Acting Manager Policy and Planning
Authoriser:	Tanya Winter, Director Policy, Planning & Resource Management
Date:	12 December 2018

PURPOSE

- [1] The purpose of this report is to give Council a high-level overview of the work required in the next six months to commence an NPSFM process, including commencing a full review of the Regional Plan: Water. The report is accompanied by a Comms plan to outline the strategy for communicating how we will progress over the first six months of 2019.

EXECUTIVE SUMMARY

- [2] The report aims to identify the significant pieces of work required to commence the work programme, as well as key decision points for Council, including potential workshops and formal decision-making timeframes.
- [3] This is an opportunity for Councillors to provide feedback on the proposed programme of work. This is attached as **Appendix 1**.
- [4] A more detailed project plan will be brought to Council in early 2019.
- [5] A comms plan is attached as **Appendix 2**, and feedback is also sought on this.

STAFF RECOMMENDATION

That the Council:

- 1) **Endorses** the programme of work for the commencement of the NPSFM process, which incorporates a full review of the Regional Plan: Water attached as **Appendix 1**.
- 2) **Notes** that any substantive changes to the programme will be brought back to Council.
- 3) **Notes that** a workshop on modes of engagement will be organised for early 2019.

BACKGROUND

- [6] On 31 October 2018 Council adopted a Progressive Improvement Programme (PIP) and resolved to progress a review of the Regional Plan: Water (RPW) that fully complies with the National Policy Statement for Freshwater Management (NPSFM). They also resolved that tangata whenua partners assist with the development of Freshwater Management Units (FMUs).
- [7] In the PIP a high-level work programme was outlined that would see the RPW be compliant with the NPSFM by 2025 (or 2030 at the latest).

- [8] At the Policy Committee meeting on 29 November 2018, the Director Policy, Planning and Resource Management undertook to bring a report to Council on 12 December 2018 that outlines the pieces of work and decision-making required until the end of the 2018-19 financial year. This is so that Council are aware of the decisions that will need to be made, the approach staff are taking to reviewing the RPW and implementing the PIP. This report provides Councillors the opportunity for early input.

ISSUE

- [9] **Appendix 1** outlines a high-level work programme for the first six months of 2019. The following aspects are drawn to Council's attention:
- The plan highlights workshops and decision points
 - The plan assumes Kai Tahu partnership at every point
 - There are particular work streams that are not dependent on how the catchments will be progressed, and these will, as far as possible, be commenced at the earliest possible opportunity.

DISCUSSION

- [10] The work programme attached as **Appendix 1** includes some elements from the PIP as adopted by Council on 31 October 2018.

OPTIONS

- [11] Council has the options to endorse the programme of work outlined in **Appendix 1**, add to it, or make other changes. The only word of caution would be around those elements identified in the PIP, which has already been adopted by Council and is being publicly notified on 15 December 2018.
- [12] The comms plan forms a critical part of this process, and it will be a living document, and updated as the process moves. It will retain sufficient flexibility to adapt to each new issue.

CONSIDERATIONS

Policy Considerations

- [13] The focus of the work programme in **Appendix 1** is on the commencing the review of the RPW, whilst starting some work required to give effect to the NPSFM. At this stage there are no policy considerations, however, Council might want to comment on the approach being recommended to achieve a policy outcome.

Financial Considerations

- [14] There is budget in 2018-19 Annual Plan for minimum flow and other freshwater plan changes. These budgets will be combined for this new work programme. Currently the minimum flows plan change cost centre (W6) is showing an overspend against YTD budget of \$550,000. The Regional Plan Water cost centre (W1) is showing an underspend against YTD budget of \$225,000. Staff have predicted that funds remaining in these two budgets combined (approximately \$1.75m) will be sufficient for the work programme proposed for the remainder of the 2018-19 year.

Significance and Engagement

- [15] The decision Council is being asked to make today is to endorse a high-level work programme. This decision is assessed as having a low level of significance in accordance with Council's Significance and Engagement Policy.
- [16] Little engagement is required at this stage, however discussions with Aukaha on behalf of Kai Tahu have commenced to determine what a partnership approach might look like for this work programme.

Legislative Considerations

- [17] There are no legal considerations.

NEXT STEPS

- [18] The next steps are identified in the work programme attached as **Appendix 1**.
- [19] In addition, staff are currently liaising with Manaaki Whenua on a workshop to discuss the different modes of engagement available. Manaaki Whenua are leaders in this space, having already worked with or for Central Government and regional councils, and developed policy briefs on engagement, forming stakeholder engagement groups and understanding values.

APPENDICES

Appendix 1: Proposed Work Programme December 2018 – July 2019 for Implementing the Progressive Implementation Programme and Review of Regional Plan: Water.

Appendix 2: Communication Plan - PIP

APPENDIX 1
PROPOSED WORK PROGRAMME DECEMBER 2018 – JULY 2019
IMPLEMENTING PROGRESSIVE IMPLEMENTATION PROGRAMME, INCLUDING REVIEW OF
REGIONAL PLAN: WATER

TIMEFRAME	ACTION	COMMENTS
19 Dec 2018	Policy and Planning Team meet – work planning session	-Past work -Current work -Future work -Environmental scan -Resourcing
End 2018/early 2019	FMU ORC team/Kai Tahu group established	-Aim to have 1 st meeting before Christmas or early New Year
30/31 Jan 2019 Committee meetings	Council workshop	-Opportunity for elected members to check that Freshwater work programmes that were in the LTP are captured in the Review of Regional Plan Water -Reflect back outcomes from staff planning session on 19 Dec
Feb 2019	Engage Project Manager	-Likely to be external consultant -Key task: work with staff to develop a detailed project plan, incorporating existing work streams
Feb 2019	Request for proposal for assessment of Outstanding Freshwater Bodies	Seek consultants to undertake an assessment to determine Outstanding Freshwater Bodies. This work is not time dependent or bound by setting FMU's.
Feb 2019	S.79 review commences (in PIP)	Formal approval was granted on 31 October 2018 as part of the P.I.P S35 RMA review on effectiveness and efficiency of the Plan
Feb 2019	Request for proposal to assess RSW against NSPFM	NPSFM requires protection of significant values of wetlands and we need to determine a methodology to assess whether the RSW in the Regional Plan: Water satisfy the NPSFM for significance.

TIMEFRAME	ACTION	COMMENTS
Feb 2019	Develop Workforce Development Plan	-Led by People and Safety -All departments impacted to be involved -Identify current resourcing and skill gaps
20/21 March 2019 Committee meetings	Report for decision	-Bring draft Project Plan to Committee for adoption
3/4 April 2019 Council meeting	Council Workshop	-First cut of FMUs to discuss with Council
End April 2019	Stocktake and gap analysis complete (in PIP)	-Against the NPSFM, NES Drinking Water, alignment with Rural Water Quality Strategy where practical, etc
1/2 May 2019 Committee meetings	Report for decision (in PIP)	-FMUs to Policy Committee for adoption
End July 2019	Land use gaps identified (in PIP)	Workshops with Councillors Assess other RC's plans to identify controls Science input into potential land use gaps as they relate to water quality issues

Appendix 2

Communications and Engagement Plan - Progressive Implementation Plan for National Policy Statement on Freshwater Management

Introduction

The National Policy Statement for Freshwater Management (NPSFM) identifies that fresh water in New Zealand is under threat. This relates to the quality, health, availability and economic value of both surface water and ground water.

The NPSFM requires ORC to manage water in an integrated and sustainable way. We need to tailor our approach to suit different catchments. We also need to consider land use and development, so economic growth can be achieved without harming the environment.

ORC needs to implement the NPSFM by 31 December 2025.

Communication and engagement objectives

- To publicly notify the Progressive Implementation Plan (PIP)
- To promote the PIP – what it is, what it means for Otago, how it may impact on the community, how our Regional Plan: Water will operate alongside the NPSFM
- To provide timely updates to the community as the PIP progresses
- The stakeholder engagement team will collaborate with the policy team on the proposed work programme to implement the NPSFM, for community engagement and communications

Stakeholders/audiences

- Iwi partners
- The Otago community
- Rural landowners and users
- Industry groups
- Catchment groups
- City/District councils
- Ministry for the Environment and other relevant government departments

Key messages

- What is the NPSFM and what does it mean for Otago?
- How we will implement the NPSFM (actions and timeframe)
- How the Regional Plan: Water will operate alongside the NPSFM

We will provide regular, timely messages to the community so they are informed of and understand the process, and how it relates to them.

Communication channels/methods

- Public notice – notification of the P.I.P on ODT on Saturday 15 December
- Media release – December 2018
- ORC social media channels

- ORC website
- Waterlines/On-Stream
- Direct communications with industry groups/catchment groups
- One-on-one conversations with the community at industry events and field days, supported by printed materials (the first of which will be ready in February 2019 and updated as the PIP progresses)

Schedule

Communications will be developed to complement each stage of the PIP and as decisions are made. These will include the communication channels/methods outlined above. As each stage of the schedule approaches, we will develop the communications plan to include the appropriate method and provide more detail.

Completed by	Stage	Process
April 2019	Establish Freshwater Management Units(FMU's)	Objective CA 1 and Policy CA1 outline the process for setting Freshwater Management Units. This would be confirmed by Council resolution.
April 2020, comprising the following: S79 review commencing February 2019; Land use gaps identified by July 2019; Stocktake and gap analysis completed by April 2019 Analysis of Rural Water Quality Strategy	Develop framework for Water Management in Otago	S 79 review of Water Plan, including three waters, land use gaps Stocktake and gap analysis of water plan against the NPSFM, NES Drinking Water, & other relevant National Direction Consolidation of existing work programmes Alignment with Rural Water Quality Strategy, where practical
August 2019	Technical and specialist work Programme to understand baseline knowledge	Stocktake of baseline information for each FMU's
Commencing October 2019, and progressively moving through each FMU	Values Conversation	Policy CA2 outlines the value setting process
Commencing August 2019	Technical and specialist Work Programme to support Limit setting	Using the values to understand the technical work programme required to set objectives
Notified December 2025	Plan Review	

13. REPORT BACK FROM COUNCILLORS

14. NOTICES OF MOTION

15. RECOMMENDATIONS ADOPTED AT COMMITTEE MEETINGS HELD ON 28 AND 29 NOVEMBER 2018

15.1. Recommendations of the Policy Committee

10.1 Air Quality Strategy Implementation

Resolution

- a) *That the Policy Committee approves an early implementation of the Air Quality Strategy focusing on non-regulatory methods (Option 2 of this report)*
- b) *That the Policy Committee approves the proposed work programme attached in Appendix 1*
- c) *That the Policy Committee notes that a review of the proposed work programme in upcoming annual and long-term plan processes will be required*

Moved: Cr Lawton
Seconded: Cr Kempton
CARRIED

10.2 Deemed Permits Process

Resolution

That the Council:

- a) *Receives this report.*

Moved: Cr Woodhead
Seconded: Cr Scott
CARRIED

10.3 Final regional swimming targets

Resolution

That the Council:

- a) *Publish the following final regional swimming targets for Otago on the Council website by 31 December 2018:*
 - *90 percent of rivers and 98 percent of lakes are swimmable by 2030; and*
 - *95 percent of rivers and 100 percent of lakes are swimmable by 2040.*

Moved: Cr Kempton
Seconded: Cr Neill
CARRIED

10.4 Options for Resolution on Priority Catchments Minimum Flow

Resolution

That Council:

1. *Note the report*
2. *Undertake a targeted community consultation meeting regarding the 3 options listed in the report.*

Moved: Cr Scott
Seconded: Cr Deaker
CARRIED

11.1 Director's Report on Progress

Resolution

a) *That this report be noted.*

Moved: Cr Noone
Seconded: Cr Hope
CARRIED

11.2 Summary of Reports – Regions Implementing NPSFM

Resolution

That the Committee:

a) *Notes this report.*

Moved: Cr Bell
Seconded: Cr Noone
CARRIED

11.3 Implications of NPSFM Announcement

Resolution

That the Committee:

a) *Notes the report.*

b) *Adopt the staff recommendation to continue with the Proposed Implementation Programme, and where any inconsistencies of government direction or announcements, for report back to the Policy Committee*

Moved: Cr Laws
Seconded: Cr Deaker
CARRIED

11. 4 Clutha Natural Character and Recreation

Resolution

a) *That this report is noted.*

b) *That the following reports are made publicly available:*

- *Clutha River/Mata-au Catchment Recreation Values Assessment (RG&A)*
- *Natural Character, Riverscape & Visual Amenity Assessment (BM Ltd).*

Moved: Cr Bell
Seconded: Cr Hope
CARRIED

Attachments

Nil

15.2. Recommendations of the Regulatory Committee

11.1 Director's Report on Progress

Resolution

a) *That this report is received and noted.*

Moved: Cr Bell
Seconded: Cr Deaker
CARRIED

Resolution

That a report on policy in progression of wrapping of water metering telemetry be provided

Moved: Cr Hope
Seconded: Cr Laws
CARRIED

Resolution

That the Rabbit Night Count routes be updated to include previous years for rabbit night counts for Otago and dates for the purpose of effective evaluation.

Moved: Cr Laws
Seconded: Cr Bell
CARRIED

11.2 Consents and Building Control

Resolution

a) *That this report is noted.*

Moved: Cr Deaker
Seconded: Cr Hope
CARRIED

**11.3 Resource Management Act 1991 Biosecurity Act 1993 and Building Act 2004
Enforcement activities from 23 September 2018**

Resolution

That this report be noted.

Moved: Cr Lawton
Seconded: Cr Deaker
CARRIED

15.3. Recommendations of the Communications Committee

10.1 ECO Fund: 1-20 January 2019 Funding Round

Resolution

- 1) *That the panel for Round 2 -January 2019 be made up of Crs Lawton, Hope and Brown;*
- 2) *That the selected Councillors get in contact with Lisa Gloag, Manager Community Engagement, to start the process for Round 2*

Moved: Cr Deaker

Seconded: Cr Neill

CARRIED

11.1 Directors Report on Progress

Resolution

That the Council:

- 1) ***Receives*** this report.

Moved: Cr Hope

Seconded: Cr Brown

CARRIED

15.4. Recommendations of the Technical Committee

11.1 Director's Report on Progress

Resolution

That this report be received and noted.

Moved: Cr Noone

Seconded: Cr Lawton

CARRIED

15.5. Recommendations of the Public Portion of the Finance and Corporate Committee

10.1 Director's Report

Resolution

- a) *That this report is received.*
- b) *That the September 2018 and October 2018 payments summarised and detailed in the payments schedule, totalling \$15,646,139.99, is endorsed.*

Moved: Cr Brown

Seconded: Cr Noone

CARRIED

11.1 Public Transport – Update

Resolution

a) *That this report be received.*

Moved: Cr Robertson
Seconded: Cr Hope
CARRIED

11.2 Financial Report for the three months to 30 September 2018

Resolution

a) *That this report is received.*

Moved: Cr Noone
Seconded: Cr Bell
CARRIED

11.3 Q1 Activity Review, 1 July to 30 September 2018

Resolution

a) *That the 'Activity Review Q1' report be received.*

Moved: Cr Robertson
Seconded: Cr Neill
CARRIED

16. RESOLUTION TO EXCLUDE THE PUBLIC

Nil

That the public be excluded from the following parts of the proceedings of this meeting, namely:

2.1 Provincial Growth Fund Application - Letter of Support

2.2 Provincial Growth Fund - Letter of Support by ORC

2.3 Council Corporate Designations

2.4 ORC Head Office Building

2.5 Port Otago Limited Annual Shareholders' Meeting - December 2018

2.6 Dunedin Flood Protection Management Scheme Designations

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under [section 48\(1\)](#) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
<p>Items:</p> <p><i>2.1 Provincial Growth Fund Application - Letter of Support</i></p> <p><i>2.2 Provincial Growth Fund - Letter of Support by ORC</i></p> <p><i>2.3 Council Corporate Designations</i></p> <p><i>2.4 ORC Head Office Building</i></p> <p><i>2.5 Port Otago Limited Annual Shareholders' Meeting - December 2018</i></p> <p><i>2.6 Dunedin Flood Protection</i></p>	<p>Section 48(1)(a) that the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist,</p> <p>48(1)(d) that the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in any proceedings to which this paragraph applies.</p> <p>Section 48(2)(a)(i) Any proceedings before a local authority where - (I) a right of appeal lies to any court or tribunal against the final decision of the local authority in those proceedings;</p> <p>To protect information where the making available of the information—would disclose a trade secret – Section 7(2)(b)(i)</p> <p>To protect information where the making available of the information—would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information – Section 7(2)(b)(ii)</p> <p>To protect information which is subject to an obligation of confidence or which any person has been or could be compelled</p>	<p>Section 48(1)(a); 48(1)(d); 48(2)(a)(i); Section 7: 7(2)(b)(i) 7(2)(b)(ii) 7(2)(c)(i) 7(2)(c)(ii) 7(2)(h) 7(2)(i)</p>

<p><i>Management Scheme Designations</i></p>	<p>to provide under the authority of any enactment, where the making available of the information—would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied – Section 7(2)(c)(i)</p> <p>To protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information—would be likely otherwise to damage the public interest – Section 7(2)(c)(ii)</p> <p>To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities – Section 7(2)(h)</p> <p>To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) – Section 7(2)(i)</p> <p>To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities – Section 7(2)(h)</p>	
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This resolution is made in reliance on [section 48\(1\)\(a\)](#) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by [section 6](#) or [section 7](#) of that Act or [section 6](#) or [section 7](#) or [section 9](#) of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows:

2.1 Provincial Growth Fund Application - Letter of Support

To protect information where the making available of the information—would disclose a trade secret – Section 7(2)(b)(i)

To protect information where the making available of the information—would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information – Section 7(2)(b)(ii)

To protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information—would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied – Section 7(2)(c)(i)

To protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information—would be likely otherwise to damage the public interest – Section 7(2)(c)(ii)

2.2 Provincial Growth Fund - Letter of Support by ORC

That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist - Section 48(1)(a)

To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities – Section 7(2)(h)

To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) – Section 7(2)(i)

2.3 Council Corporate Designations

48(1)(d) that the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in any proceedings to which this paragraph applies.

Section 48(2)(a)(i) Any proceedings before a local authority where - (I) a right of appeal lies to any court or tribunal against the final decision of the local authority in those proceedings;

2.4 ORC Head Office Building

That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist - Section 48(1)(a)

To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities – Section 7(2)(h)

To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) – Section 7(2)(i)

2.5 Port Otago Limited Annual Shareholders' Meeting - December 2018

That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist Section 48(1)(a)

To protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information—would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied – Section 7(2)(c)(i)

2.6 Dunedin Flood Protection Management Scheme Designations

That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist - Section 48(1)(a)

48(1)(d) that the exclusion of the public from the whole or the relevant part of the proceedings

Section 48(2)(a)(i)

Any proceedings before a local authority where - (I) a right of appeal lies to any court or tribunal against the final decision of the local authority in those proceedings;

To protect information where the making available of the information—would disclose a trade secret – Section 7(2)(b)(i)

To protect information where the making available of the information—would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information – Section 7(2)(b)(ii)

To protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information—would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied – Section 7(2)(c)(i)

To protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information— would be likely otherwise to damage the public interest – Section 7(2)(c)(ii)

To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities – Section 7(2)(h)

To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) – Section 7(2)(i)

17. CLOSURE