

Strategy and Planning Committee Agenda

10 November 2021



Meeting is held in the Council Chamber, Level 2, Philip Laing House
144 Rattray Street, Dunedin - Councillors
ORC YouTube Livestream - Members of the Public

Members:

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

Senior Officer: Sarah Gardner, Chief Executive

Meeting Support: Dianne Railton, Governance Support

10 November 2021 01:00 PM

Agenda Topic	Page
1. APOLOGIES An apology was received from Dr Lyn Carter.	
2. PUBLIC FORUM No requests to address the Committee under Public Forum were received prior to publication of the agenda.	
3. CONFIRMATION OF AGENDA Note: Any additions must be approved by resolution with an explanation as to why they cannot be delayed until a future meeting.	
4. CONFLICT OF INTEREST Members are reminded of the need to stand aside from decision-making when a conflict arises between their role as an elected representative and any private or other external interest they might have.	
5. CONFIRMATION OF MINUTES The Committee will consider minutes of meetings a true and accurate record, with or without corrections.	3
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6. OUTSTANDING ACTIONS FROM RESOLUTIONS OF THE COMMITTEE The Committee will review outstanding actions from resolutions.	7
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7.3	7.3 HOUSING BOTTOM LINES	20
	To amend the Partially Operative Regional Policy Statement (RPS) by inserting 'Housing Bottom Lines' for Dunedin and Queenstown, in accordance with the National Policy Statement for Urban Development 2020 (NPSUD).	
7.4	RPS SUMMARY OF SUBMISSIONS	27
	To note the release of the Summary of Decisions Requested (SoDR) in relation to the proposed Otago Regional Policy Statement 2021 (pRPS) for further submissions.	
7.5	TAG REPORT	30
	For TAG to report to Strategy and Planning Committee on progress towards finalising the required science for the Manuherehia catchment.	
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8.	CLOSURE	



Minutes of a meeting of the Strategy
and Planning Committee held in the
Council Chamber on
Wednesday 13 October 2021 at 11:00 AM

Membership

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

Welcome

Chairperson Robertson welcomed Councillors, members of the public and staff to the meeting at 10:32 am. Staff present included Sarah Gardner (Chief Executive), Nick Donnelly (GM Corporate Services), Gwyneth Elsum (GM Strategy, Policy and Science), Gavin Palmer (GM Operations), Richard Saunders (GM Regulatory and Communications), Amanda Vercoe (GM Governance, Culture and Customer), Dianne Railton (Governance Support), Ryan Tippet (Media Communications Lead), Anne Duncan (Manager Strategy), Ann Yang (Senior Economist) and Sylvie Leduc (Senior Strategic Analyst).

1. APOLOGIES

No apologies were received. Cr Laws joined the meeting at 10:38am, via electronic link.

2. PUBLIC FORUM

No public forum was held.

3. CONFIRMATION OF AGENDA

The agenda was confirmed as published.

4. CONFLICT OF INTEREST

No conflicts of interest were advised.

5. CONFIRMATION OF MINUTES

Resolution: Cr Wilson Moved, Cr Noone Seconded

That the minutes of the meeting held on 8 September 2021 be received and confirmed as a true and accurate record.

MOTION CARRIED

6. ACTIONS

The status report on the resolutions of the Strategy and Planning Committee was reviewed.

7. MATTERS FOR CONSIDERATION

7.1. TAG Report

Cr Kelliher sat back from the table for this item.

The report was provided for TAG to report to Strategy & Planning Committee on the progress towards finalising the required science for the Manuherekia catchment. Gwyneth Elsum (GM Strategy, Policy & Science) was present to speak to the paper and respond to questions. Ms Elsum advised that the TAG minutes from the meeting held on 23 September 2021 have not been formally approved by TAG, and if there were any changes the minutes would need to be brought back to the Strategy and Planning Committee. There was lengthy discussion regarding TAG and the science that is being reviewed. Ms Elsum said that some members of the group have only committed to TAG short term. Sarah Gardner advised there is no budget for TAG, so if further work was required TAG would advise ORC. Following further discussion, Cr Malcolm moved:

Resolution SP21-112: Cr Malcolm Moved, Cr Noone Seconded

That the Committee:

1) **Notes** this report.

MOTION CARRIED

Cr Kelliher returned to the table.

Cr Scott left the meeting at 11:20 am and returned at 11.21am.

7.2. Strategic Directions - Approval

The report was provided to adopt ORC's Strategic Directions. Gwyneth Elsum (GM Strategy, Policy & Science), Anne Duncan (Manager Strategy) and Sylvie Leduc (Senior Strategic Analyst) were present to speak to the report and respond to questions. There was lengthy discussion about the Strategic Directions document.

Resolution SP21-113: Cr Calvert Moved, Cr Forbes Seconded

That the Committee:

- 1) **Adopts** the following amendment to the Strategy Directions document:
 - a) Addition of reference to mitigation and reduction under climate change.

MOTION CARRIED

Resolution SP21-114: Cr Calvert Moved, Cr Forbes Seconded

That the Committee:

- 1) **Adopts** the following amendment to the Strategy Directions document:
 - a) Customer needs to be moved up the list of commitments.

MOTION CARRIED

Resolution: Cr Laws Moved, Cr Calvert Seconded

That the Committee:

- 1) **Adopts** the following amendment to the Strategic Directions document:
 - a) Change the wording to cleaner rather than clean in the reference to good air quality

A division was called:

Vote

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

There were 7 votes for and 7 votes against. Cr Robertson used the Chairperson's casting vote:

MOTION LOST (7 votes for and 8 votes against)

Resolution SP21-115: Cr Calvert Moved, Cr Forbes Seconded

That the Committee:

- 1) *Adopts* ORC's Strategic Directions in Appendix 1.

MOTION CARRIED

Cr Laws voted against and requested his vote be recorded.

7.3. Cosy Homes Trust Annual Report 2021

The annual programme activity report was submitted to fulfil article 6.1.6 of the Memorandum of Understanding (MoU) between ORC and the Cosy Homes Trust (CHT). Jeremy Baker and Sarah Harrison joined the meeting via zoom to speak to the report and respond to questions. Cr Robertson acknowledged the work that has been done, particularly with a relatively small budget, and the strategic direction.

Resolution SP21-116: Cr Malcolm Moved, Cr Noone Seconded

That the Committee:

- 1) **Notes** this report.

MOTION CARRIED

The meeting adjourned for a break at 12.30pm and reconvened 1.00pm.

Cr Hope and Cr Deaker left the meeting at 12.30pm

7.4. Otago Greenhouse Gas (GHG) Profile Update

The report was provided to address resolution DAIC21-101 made by the Data and Information Committee on 9 June 2021, referring this report to the 13 October Strategy and Planning Committee meeting to review the five-metre tree rule and other methods of capturing carbon sequestering of tussocks, soil, and other horticultural activity. The paper addressed the resolution by providing further information on the Land Use, Land-Use Change and Forestry (LULUCF) sector and how this is treated in greenhouse gas (GHG) accounting approaches. Gwyneth Elsum (GM Strategy, Policy & Science), Anne Duncan (Manager Strategy) and Ann Yang (Senior Economist) were present to speak to the report and respond to questions.

Resolution SP21-117: Cr Wilson Moved, Cr Calvert Seconded

That the Committee:

- 1) *Notes this report.*

MOTION CARRIED

Resolution SP21-118: Cr Wilson Moved, Cr Calvert Seconded

That the Committee:

- 1) **Delegate** to the Chair, writing a letter to appropriate Ministers to seek clarification and consideration of issues based on the Otago Greenhouse Gas paper October 2021 that are presenting to Otago; And invite representatives to meet with Council.

MOTION CARRIED

7.5. LWRP Governance Group Update - October 2021

The report is to provide an update from the LWRP Governance Group. Cr Noone spoke to the report, and advised that Rachel Currie now working as the LWRP Project Manager. He noted that the Land and Water Plan was launched on 1 October 2021. Cr Scott asked about having ongoing evidence to show how it is tracking and Gwyneth Elsum (GM Strategy, Policy and Science) advised that the ORC website has public facing information, which also includes timelines for consultation.

Resolution SP21-119: Cr Calvert Moved, Cr Wilson Seconded

That the Committee:

- 1) *Notes this report.*

MOTION CARRIED

9. CLOSURE

There was no further business and Chairperson Robertson declared the meeting closed at 2:00pm.

Chairperson

Date

OUTSTANDING ACTIONS FROM THE RESOLUTIONS OF THE STRATEGY AND PLANNING COMMITTEE AT 10 NOVEMBER 2021

Meeting Date	Item	Status	Action Required	Assignee/s	Action Taken	Due Date
01/12/2020	P&S1885 ORC Role in South Dunedin/Harbourside Adaptation collaboration with DCC	In Progress	Progress collaboration with DCC to deliver the South Dunedin/Harbourside natural hazards adaptation programme as in Option 3 and report back to Council.	Chairperson	<p>26/01/2021</p> <p>Date to be set for initial meeting between Chair Noone, Mayor Hawkins and staff.</p> <p>6/05/2021</p> <p>Chair Noone advised he had spoken with DCC Mayor Hawkins who is waiting on a formal position from Councillors</p> <p>12/07/2021</p> <p>That Chair Noone formally write to DCC requesting a discussion held on the action point South Dunedin Harbourside Adaptation Programme</p> <p>4/08/2021</p> <p>Chair Noone wrote to the DCC and a meeting has been scheduled in the Mayor's office on Tuesday 31 August, which Cr Noone, Sarah Gardner and Gavin Palmer will attend.</p>	28/02/2021
13/10/2021	SPS2159 Otago Greenhouse Gas (GHG) Profile Update	Assigned	Delegate to the Chair, writing a letter to appropriate Ministers to seek clarification and consideration of issues based on the Otago Greenhouse Gas paper October 2021 that is being presenting to Otago; and invite representatives to meet with Council. RES SP21-118	Chairperson		30/11/2021

7.1. Otago Lakes Strategic Plan – Scope

Prepared for:	Strategy and Planning Committee
Report No.	SPS2162
Activity:	Governance Report
Author:	Sylvie Leduc, Senior Strategic Analyst
Endorsed by:	Gwyneth Elsum, General Manager Strategy, Policy and Science
Date:	10 November 2021

PURPOSE

- [1] To agree on the brief and scope of the study relating to an Otago Lakes Strategic Plan, as requested by Council on 26 May 2021.

EXECUTIVE SUMMARY

- [2] On 26 May 2021, Council requested that a scoping study for an Otago Lakes Strategic Plan be carried out.
- [3] This request was made in the context of an overhaul of freshwater and catchment management at ORC with:
- The review of the Land and Water Regional Plan and
 - The development of new integrated catchment plans (as set out in the Long-Term Plan 2021-2031).
- [4] Given the new planning context, and the risk of overlap between documents; and in view of the complex roles and responsibilities on lake management, it is proposed to divide the scoping study into two separate stages:
- Stage 1 – which will focus on confirming the case for the development of an Otago Lakes Strategic Plan; and
 - Stage 2 – which will focus on clarifying the purpose, scope and function of said strategic plan.
- [5] Both stages will be carried out in partnership with mana whenua, and in consultation with key stakeholders.

RECOMMENDATION

That the Strategy and Planning Committee:

- 1) **Approves** the proposed brief and scope of the project associated to the Council's resolution made on 26 May 2021, requesting a scoping study for an Otago Lakes Strategic Plan.

BACKGROUND

- [6] On 26 May 2021, Council adopted the following resolution:
- “Requests establishment and funding of a scoping study for an Otago Lakes Strategic Plan, in association with relevant stakeholders, that creates lake management plans aimed at improving the environmental and amenity value of these water bodies, and acquire the science, partnerships and information for these purposes with an initial budget of \$100,000 in each of years one and two of the LTP 2021-31.”*
-

- [7] An Otago Lakes Strategic Plan will be in addition to, and complement, other ORC projects associated to lake management, including:
- a. The development of a new Land and Water Regional Plan.
 - b. The development of Integrated Catchment Plans, as decided under the Long-Term Plan 2021-2031.
 - c. The implementation of the Regional Pest Management Plan.
 - d. Navigation safety programmes.

DISCUSSION

Lakes in Otago

- [8] Otago's lakes are important to the region's identity, economy and its community's overall wellbeing. Whether natural or artificial, they are often highly valued by the local and regional communities, for the recreational opportunities they provide, either on the water or on their edges, be it swimming, boating, fishing, camping or picnicking, and for their scenic value.
- [9] Their contribution to the region's economy is significant:
- a. The large highland lakes (Whakatipu, Wānaka and Hāwea) attract visitors, and fuel tourism industry in their surroundings. Their water also accounts for most of the water flowing through the Clutha catchment (approx. 70%).
 - b. "Hydro-lakes" contribute to New Zealand's security of electricity supply, and to achieving the country's greenhouse gas emissions targets.
 - c. Irrigation reservoirs support Otago's agricultural sector, and its resilience, including to the effects of climate change.
- [10] Many lakes in Otago are valuable ecosystems:
- a. Alpine lakes (such as tarns) often support rare and endemic species.
 - b. Tarns and lake margins have been classified as naturally uncommon ecosystems¹.
 - c. The Sutton Salt Lake is New Zealand's only salt lake, which is an example of a naturally uncommon ecosystem type classified as Threatened – Critically Endangered².
- [11] Whatever their size, lakes are particularly vulnerable to degradation. Sediment and nutrients from upper catchments settle in lakes, and have the ability to destabilise ecosystems, and create algal bloom risks in the long-term. Once degraded, lakes are difficult to restore. Invasive species can also put their values at risk. Lake snow in Lake Wānaka and lagarosiphon in Lake Dunstan are two notable examples of the risks of invasive species in lakes.
- [12] The state of Otago lakes is very varied: lowland and coastal lakes tend to have a higher eutrophic state while highland and alpine lakes usually have good to excellent water quality.

¹ <https://www.envirolink.govt.nz/assets/R7-2-Standardised-terrestrial-biodiversity-indicators-for-use-by-regional-councils-LC2109-report.pdf>

² Wildlands (2017) *Strategic analysis of options to improve management of ecosystems and biodiversity for Otago region* – Contract Report 4262, Prepared for ORC

Lakes Management Framework

- [13] As the regions leading organisation on freshwater management, biosecurity and navigation safety, ORC has an important role in lakes management. In particular:
- a. It controls disturbances of lake beds, and any water take or discharge that may affect lake values.
 - b. It sets expectations on invasive species controls in lakes and rivers.
 - c. It carries out harbourmaster functions in the region.
- [14] ORC has been strengthening these different functions over time. This will be achieved in part through the development, or re-development, of plans, including:
- a. The Land and Water Regional Plan, which will capture and formalise the values of Otago's lakes (and other water bodies), and associated environmental outcomes. The Land and Water Regional Plan will also strengthen the policy and rule framework to achieve the desired environmental outcomes.
 - b. Integrated Catchment Plans, which will outline ORC's approach and programme of work across its water management, biodiversity, biosecurity and river management functions, in ORC's catchments. The environmental outcomes defined in the Land and Water Regional Plan will be direct drivers of integrated catchment planning, along with other objectives and outcomes which have not been covered by the plan.
- [15] Other organisations have active roles in lakes management. These include:
- a. Toitū te Whenua (LINZ), which manages most major lakes in the South Island, as well as the beds of navigable rivers. As such, they carry out pest management activities in these lakes and rivers, and give permission to activities involving lake or riverbeds (e.g. building a jetty, boat mooring, or extracting gravel)
 - b. City and district councils, which control land use, including in lake margins, as well as activities on the surface of lakes, under the Resource Management Act (1991). They can also own and manage reserves and facilities on lake margins. In addition, Queenstown Lakes District Council currently carries out the Harbourmaster function and processes consent applications for bed disturbances in its district (under delegation by ORC). Similarly, CODC process consent applications for bed disturbances in Lake Dunstan.
 - c. The Guardians of Lake Wanaka, which were established in the Lake Wanaka Preservation Act (1973) to advise the Minister of Conservation on matters affecting the lake.
 - d. The Department of Conservation (DOC), which has interest in lake management as adjoining landowner, and for conservation purposes.
 - e. Power generation companies, which, as dam owner and operators, play an important role in the management of hydro lakes, and have an interest in the management of the catchments feeding these lakes.

Proposed brief and scope to the Otago Lakes Strategic Plan scoping study

- [16] In view of the diversity of lakes in Otago, and the complexity of the lakes management framework, the scoping of Otago Lakes Strategic Plan must ensure that:
- a. A strategic plan will be fit-for-purpose for all lakes in Otago.
 - b. It will complement and add value to any existing strategy or plan guiding decisions on lake management.
- [17] The Otago Lakes Strategic Plan's scoping study will be contracted out. The consultant will be asked to carry out this study in stages:
- a. Stage 1 - Confirming the case for an Otago Lakes Strategic Plan.

- b. Stage 2 - Making recommendations on the scope of an Otago Lakes Strategic Plan.
- [18] Stage 1 will confirm whether there is value in developing an Otago Lakes Strategic Plan, or whether lake management is adequately covered in existing strategies and plans. This stage will include:
- a. Reviewing the state of knowledge on the lakes, their values, states, and pressures.
 - b. Reviewing the lake management framework, including key planning or strategic documents across all relevant parties; roles and responsibilities; and coordination mechanisms.
 - c. Assessing gaps in lake management, and opportunities to enhance lakes management, in consultation with key stakeholders.
- [19] The Stage 1 report will extend its recommendations to additional methods to address identified gaps and opportunities, beyond the development of an Otago Lakes Strategic Plan.
- [20] Stage 2 will be dependent on Stage 1's outcome. The scoping of the Otago Lakes Strategic Plan will clarify:
- a. Whether an Otago Lakes Strategic Plan should cover all lakes in Otago, or whether it should cover specific lakes only; and which ones.
 - b. Its purpose and function, and how it integrates with existing lakes strategies and plans, including the Land and Water Regional Plan and integrated catchment plans.
 - c. Whether an Otago Lakes Strategic Plan will be jointly developed and owned with key stakeholders; or whether it will be an ORC-owned document.
 - d. The governance arrangements to oversee the delivery and review of an Otago Lakes Strategic Plan.
- [21] Stage 2 may also result in recommendations on:
- a. Community consultation on lakes management and an Otago Lakes Strategic Plan.
 - b. How to coordinate the development of the Strategic Plan with other associated projects (e.g. the Land and Water Regional Plan and Integrated Catchment Plans).
 - c. How to stage the development of an Otago Lakes Strategic Plan, should the report recommend separate plans by type of lakes, FMUs or any other criteria.
- [22] Through both stages, ORC (and its consultant) will:
- a. Engage with mana whenua and key stakeholders through both stages.
 - b. Take into consideration the best available information on the values and states of Otago's lakes, and identified trends.
- [23] The procurement process for Stages 1 and 2 will be separate to ensure that Stage 1 recommendations are as unbiased as possible.

CONSIDERATIONS

Strategic Framework and Policy Considerations

- [24] An Otago Lakes Strategic Plan will likely contribute to the following two community outcomes: "Communities that connect with, and care for, Otago's environment" and "An environment that supports healthy people and ecosystems". Its development will likely fulfil a need for effective community engagement, collaboration, and integrated environmental management. The Otago Lakes Strategic Plan scoping study is therefore consistent with ORC's strategic directions.

Financial Considerations

- [25] A budget of \$200,000 over 2 years has been allocated to the scoping of an Otago Lakes Strategic Plan over the next 2 years, under the Long-Term Plan.

Significance and Engagement Considerations

- [26] The scoping of the Otago Lakes Strategic Plan will be done in partnership with mana whenua.
- [27] ORC will require the scoping study to be carried out in consultation with key stakeholders, including Toitū te Whenua (LINZ), relevant city and district councils, DOC, the Guardians of Lake Wanaka and other key interest groups.
- [28] Toitū te Whenua (LINZ), relevant city and district councils, DOC, Wai Wānaka, the Guardians of Lake Wanaka, and Aukaha and Te Ao Marama Inc. have all been contacted for a preliminary conversation on an Otago Lakes Strategic Plan. Their views were mixed, but all confirmed their willingness to participate to the scoping study as required. Aukaha had not provided feedback by the time this report was written.
- [29] No public consultation will be carried out as part of the scoping study. It is expected that the Strategic Plan, if developed, will be developed in consultation with the community.

Legislative and Risk Considerations

- [30] The development of an Otago Lakes Strategic Plan, in addition to existing lakes management documents, may create confusion and increase uncertainty over lake management. The scoping study will ensure that this risk is minimised, by ensuring that the purpose and function of an Otago Lakes Strategic Plan fills a gap and complements the existing management framework.

Climate Change Considerations

- [31] The impact of climate change on lakes and their values will be taken into account in the assessment of the existing lakes management framework and its suitability.

Communications Considerations

- [32] N/A.

NEXT STEPS

- [33] The immediate next steps will be to procure the services of a consultant to carry out the scoping study – Stage 1.
- [34] The output of Stage 1 will be presented to the Strategy and Planning Committee at its completion, for a decision on the recommendations made in the report. Stage 2 will be initiated afterwards, if required.

ATTACHMENTS

Nil

7.2. Air Quality Knowledge Gaps

Prepared for:	Strategy and Planning Committee
Report No.	SPS2161
Activity:	Environmental - Air Management Planning
Author:	Sarah Harrison – Air Quality Scientist
Endorsed by:	Gwyneth Elsum, General Manager Strategy, Policy and Science
Date:	10 November 2021

PURPOSE

- [1] The following resolution was passed at the Data and Information Committee on 8 September 2021 during the presentation of the Air Quality State of the Environment (SoE) report:

That the Committee: Requests a report on areas of concern regarding potential knowledge gaps regarding Otago's air quality be brought to an upcoming Strategy and Planning Committee meeting.

- [2] This report addresses the resolution.

EXECUTIVE SUMMARY

- [3] The Air Quality State and Trends 2010 – 2019 report included a section on current knowledge gaps for air quality information in Otago. These are:
- Knowledge gaps in monitoring
 - a. PM_{2.5}
 - b. Other pollutants: NO₂, SO₂, Benzo-a-pyrene and black carbon
 - c. Spatial studies and airshed categories
 - Knowledge gaps for potential investigations
 - a. ULEB emission factors
 - b. Outdoor burning
 - c. Port study
- [4] These knowledge gaps have either: (1) become part of the current network upgrade or (2) been provided for in LTP as part of the Air Plan review. The Air Plan review process will determine the priority for investigating these knowledge gaps. This paper provides further detail about each knowledge gap.

RECOMMENDATION

That the Strategy and Planning Committee:

- 1) **Notes** this report.

Monitoring: PM_{2.5}

- [5] In 2018 ORC began a network upgrade to include PM_{2.5} monitoring. The upgrade plan included three new equivalent method¹ monitors for the three key indicator airsheds, Arrowtown, Central Dunedin and Mosgiel, which will monitor both PM₁₀ and PM_{2.5} simultaneously. The upgrade plan also included new monitors for the existing survey sites at Clyde, Cromwell and Milton, as well as two new survey sites in Wanaka and Queenstown to monitor PM_{2.5} only using less expensive, non-standard instruments.
- [6] There is LTP budget provided for the purchase of a further two of these cheaper instruments to use as mobile monitors where needed. For instance, in towns identified in the airshed study (see paragraph 18) as likely to exceed the National Environmental Standards for Air Quality (NESAQ), we might deploy a temporary monitor for one or two winters to investigate further.
- [7] Currently two of the key indicator sites are in the process of being upgraded – Arrowtown and Central Dunedin. Arrowtown will need at least another year of monitoring data from both the old and new instruments to establish a good understanding of the relationship between the two. The Dunedin site has undergone this process and telemetry will be set up for the new instrument this financial year. Table 1 lists the current progress of the network upgrade.

Table 1 Current status of network upgrade for each site

Site	Instrument	Pollutant(s)	Status
Site upgrades completed, some work still required prior to reporting			
Central Dunedin	T640x	PM ₁₀ and PM _{2.5}	Data transfer to begin within this financial year
Arrowtown	T640x	PM ₁₀ and PM _{2.5}	Instrument co-location underway
Clyde	ES642	PM _{2.5}	New instrument installed and data transfer to begin this financial year
Cromwell	ES642	PM _{2.5}	New instrument installed and data transfer to begin this financial year
Milton	ES642	PM _{2.5}	Further analysis required before data transfer to begin, still monitoring PM ₁₀ with previous instrument
Site upgrades underway for current financial year			
Mosgiel	T640x	PM ₁₀ and PM _{2.5}	Site infrastructure upgrade under contract and to be completed within this financial year; instrument purchased
Wanaka	ES642	PM _{2.5}	Permission to occupy site in progress and instrument purchased
Site upgrade planned for next financial year			
Queenstown	ES642	PM _{2.5}	Site still to be selected via spatial study during 2022

Monitoring: other pollutants

- [8] New Zealand has standards and guidelines for two groups of air pollutants, common pollutants (deemed “classical”), and less common hazardous air pollutants (HAPs). In

¹ The NESAQ requires that PM₁₀ is monitored in accordance with the relevant ASNZS standard. These standards also specify that the US EPA designation of instruments is appropriate for monitoring in New Zealand. The Teledyne T640x was deemed by the US EPA as an equivalent method, rather than a reference method instrument, and is therefore compliant with the ASNZS standards.

2004 the NESAQ superseded the Ambient Air Quality Guidelines (AAQG, 2002), and both set out limits for the protection of human health. Table 2 below shows the current standards and guidelines for the common air pollutants.

Table 2 Classical air quality pollutants and their standards and guidelines according to the NESAQ and AAQG

Pollutant	Averaging period	Standard (NESAQ)	Guideline (AAQG)	Allowable exceedances
CO	8 hours	10 µg/m ³		1
	1 hour		130 µg/m ³	
NO ₂	1 hour	200 µg/m ³		9
	24 hours		100 µg/m ³	
Ozone	1 hour	150 µg/m ³		0
	8 hours		100 µg/m ³	
SO ₂	1 hour	350 µg/m ³		9
	1 hour	570 µg/m ³		0
	24 hours		120 µg/m ³	
PM ₁₀	24 hours	50 µg/m ³		1
	Annual		20 µg/m ³	
PM _{2.5} (proposed)	24 hours	25 µg/m ³		3
	Annual	10 µg/m ³		

- [9] The NESAQ requires that regional councils monitor these pollutants in airsheds where the standards are likely to be exceeded. Between 1997 and 2004, NO₂ (nitrogen dioxide) and SO₂ (sulphur dioxide) were monitored using non-standard monitoring techniques at various towns around Otago, with monitoring focusing on Central Dunedin and Northeast Valley. The results provided monthly averages, which cannot be compared to the NESAQ or the AAQG. The highest monthly concentration of NO₂ was recorded at both Central Dunedin and Green Island (29 µg/m³); the highest monthly SO₂ concentration was recorded at Central Dunedin, 45 µg/m³ (ORC, 2005). CO (carbon monoxide) was monitored in Central Dunedin and Mosgiel during 1997 and 1998. CO is no longer monitored in most parts of the country as concentrations are now very low.
- [10] The AAQG lists the following hazardous air pollutants (HAPs) in Table 3, which were chosen by prioritising those of greatest concern in New Zealand.

Table 3 Hazardous air quality pollutants and their guidelines according to the AAQG

Pollutant	Averaging period	Guideline (AAQG)
Benzene	Annual	3.6 µg/m ³
Benzo(a)pyrene	Annual	0.3 µg/m ³
Formaldehyde	30 minute	100 µg/m ³
Acetaldehyde	Annual	30 µg/m ³
Mercury (inorganic)	Annual	0.33 µg/m ³
Mercury (organic)	Annual	0.13 µg/m ³
Chromium VI	Annual	0.0011 µg/m ³
Chromium metal and chromium III	Annual	0.11 µg/m ³
Arsenic (inorganic)	Annual	0.0055 µg/m ³
Arsine	Annual	0.055 µg/m ³
Lead	3 month	0.2 µg/m ³

- [11] It was identified that a minor knowledge gap for ORC is benzo(a)pyrene (Wilton, 2020), a pollutant associated with incomplete combustion from home heating emissions. The reason monitoring this would be beneficial is that Otago has very high home heating emissions compared to the rest of the country. Monitoring results from Christchurch during 1999 suggested concentrations ten times higher than the AAQG (Environet Ltd, 2003), and studies show that it is strongly linked to the presence of PM₁₀, of which Otago towns have high winter concentrations. Benzo(a)pyrene is a carcinogen with no known safety threshold.
- [12] Black carbon is a pollutant of importance to both human health and climate change, and while understanding of this pollutant has developed in recent years, monitoring it is still relatively uncommon. Black carbon is a short-lived climate pollutant, a type of particulate matter emitted by incomplete combustion. Because it is black, it absorbs light and heat, contributing to warming the atmosphere. It also has the ability to increase ice and snow melt when it settles on these surfaces. These properties make it a potential threat to Otago's winter recreation and tourism activities. New Zealand research shows that black carbon concentrations are likely to be highest in areas of either high traffic or high use of residential burning for home heating (Davy and Trompetter, 2018).
- [13] There is budget in year 2 (\$80,000) of the LTP for screening for other pollutants. The costs for monitoring will vary depending on pollutant monitored, method used, and length of time monitored. The priority will go towards which pollutants will be most useful to monitor for the upcoming Air Plan review. Options will be considered for:
- Monitoring NO₂ and SO₂ in Central Dunedin using gas analysers (standard method) for real time data monitoring for the winter months. This method is expensive and provides high quality data.
 - Monitoring NO₂ and SO₂ in Central Dunedin using passive samplers (same method as previously to provide the monthly averages), for several months. This method is inexpensive and would provide lower resolution, but long-term data.

- c. Methods of monitoring benzo(a)pyrene and black carbon in Otago will need to be investigated, but both have been monitored in New Zealand. Benzo(a)pyrene monitoring in particular is infrequent due to the difficulty and cost of monitoring accurately for such a low guideline threshold. The highest priority location for both these pollutants would be Arrowtown, which is Otago's key indicator site for Air Zone 1, and experiences the highest PM₁₀ concentrations from home heating in winter.

Monitoring: Spatial studies and airshed categories

- [14] Spatial studies within airsheds are important to verify the most appropriate monitoring site. This has been carried out in all of our monitored towns, and in all cases except one, Alexandra, the locations are suitable. The Alexandra site became unavailable in 2017 and the closest appropriate site was 700m to the southeast. The SoE report noted the concentrations measured at the new site were significantly lower than those at the previous site. Further work is required to understand this relationship, and this will be undertaken when we have a spare instrument to place temporarily near the previous location.
- [15] The variation between airsheds in Otago is currently being addressed by the winter 2021 monitoring of 15 airsheds using low-cost sensors called Outdoor Dust Information Nodes (ODINs), which monitor PM_{2.5}. This will serve as a baseline study to identify sites with poor air quality that may require further monitoring. It should also provide some confirmation of the original airshed categories for Otago.

Investigations: Ultra-low emission burners

- [16] Emissions inventories rely on accurate estimations of emission factors. A knowledge gap in Otago is the emission factors of ultra-low emission burners (ULEB) in a real-life setting (Wilton, 2020). With a large proportion of these burners now being installed in Otago's Air Zone 1 towns, it will be important to have an accurate emission factor for future emission inventories. A potential piece of work for Otago and other regions (combined or separately) will be to engage a consultant to undertake emissions testing on different makes and models of ULEB inside the homes of volunteers. Secondary outcomes to this work may include the influence of fuel type, burn method, and type of ULEB technology on subsequent emissions.
- [17] There is budget (\$80,000) in year 2 of the LTP to study low emission technologies. The potential project outlined above could fall within this scope, but there may be other options, including investigating electrostatic filter devices for post emission particle removal, or investigating community heating schemes. Again, this work may be prioritised by the requirements for the Air Plan review, and the options have not yet been fully scoped out.

Investigations: Outdoor burning

- [18] Outdoor burning is a common practice in Otago, and we have little information about this behaviour beyond a record of complaints. Given outdoor burning is sporadic and can occur anywhere across a large area it is difficult to quantify or monitor the effects of the practice on air quality. Options for researching outdoor burning include:
- a. Undertaking an emissions inventory to understand more about the practice – requires agreement of land users. Could be regionwide or in certain area(s).

- b. Undertaking modelling in common burning locations – requires estimates of a typical outdoor fire and information from an emissions inventory.
- c. Undertaking monitoring in an area of frequent complaints to understand the impact on a nearby airshed.
- d. Undertaking community engagement to get feedback from rural communities regarding what is being burnt, how often, why, what are the barriers preventing them from using other waste disposal methods.

[19] A key decision for this work will be what geographical location to focus on, and/or what land use sector to focus on. There is budget in year 2 of the LTP (\$50,000) to conduct an investigation for outdoor burning. The complaints record will be analysed to help narrow down the location and land use practice to focus on, and the investigation will be guided by requirements for the Air Plan review.

Investigations: Port Otago

[20] Ports in New Zealand are often monitored for PM_{2.5} and/or SO₂. Port Otago is located within the Port Chalmers airshed and it would be beneficial to investigate the effects of the port on the airshed. Port Otago receives cargo and cruise ships on a weekly basis, however due to the COVID-19 pandemic, cruise ships are not currently operating. There is very little fumigation undertaken at Port Otago (reported to the EPA in 2010: 1 container per month on average).

[21] Community concerns about the emissions of cruise ships while in port were raised in 2019, as there were over 100 cruise ship visits to Dunedin that season. The International Convention for the Prevention of Pollution from Ships (MARPOL) Annex VI seeks to limit air pollution from ships while in port. From 1 January 2020, international ships coming to New Zealand and New Zealand ships travelling internationally were required to comply with Annex VI (Ministry of Transport, 2020). Annex VI requires that the sulphur limit is reduced from 3.5% to 0.5%, either by using scrubbers to reduce emissions or by using higher grade fuel. This means that currently, only New Zealand ships in New Zealand ports are not yet complying with Annex VI. However, New Zealand signed up to Annex VI in 2021 and will implement it in the first quarter of 2022.

[22] The international adoption of Annex VI and the hiatus on cruising has meant that concerns regarding air pollution at Port Chalmers have quieted at least temporarily. Other air quality studies at New Zealand ports have indicated that the impact is not just from ship emissions, but also the emissions of other vehicles such as trucks that transport cargo.

[23] There is no budget in the LTP for port monitoring. During 2021 ODINs were placed within the Port Chalmers airshed to monitor winter concentrations of PM_{2.5} from home heating emissions, as part of the winter 2021 airshed study. The results from this may indicate whether further work in Port Chalmers should be conducted to increase understanding of air quality issues within the airshed.

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CONSIDERATIONS

Strategic Framework and Policy Considerations

[24] Undertaking monitoring and investigation of air quality is consistent with ORC's Strategic Direction. Specifically it contributes to:

1. Monitor air quality in the region and investigate pollution sources.
2. Provide best available information on Otago's air quality.

[25] The Air Plan review will commence in 2022-2023 for notification by 2025.

Financial Considerations

[26] N/A.

Significance and Engagement Considerations

[27] N/A.

Legislative and Risk Considerations

[28] N/A.

Climate Change Considerations

[29] N/A.

Communications Considerations

[30] N/A.

NEXT STEPS

[31] Science and Policy teams will work together during 2021/2022 to identify the priority knowledge gaps for the Air Plan review. Monitoring and further investigation of these knowledge gaps can then take place during the winters of 2022 and 2023.

ATTACHMENTS

Nil

7.3. Housing Bottom Lines

Prepared for:	Strategy and Planning Committee
Report No.	SPS2150
Activity:	Governance Report
Author:	Kyle Balderston, Team Leader Urban Growth and Development
Endorsed by:	Gwyneth Elsum, General Manager Strategy, Policy and Science
Date:	10 November 2021

PURPOSE

- [1] To amend the Partially Operative Regional Policy Statement (RPS) by inserting 'Housing Bottom Lines' for Dunedin and Queenstown, in accordance with the National Policy Statement for Urban Development 2020 (NPSUD).
- [2] The NPSUD¹ requires the insertion of Housing Bottom Lines, which are to be based on figures in the recently published 2021 Housing and Business Assessments (Housing Only) into a regional policy statement² as soon as practicable. This amendment must be undertaken without using the RMA Schedule 1 (no public notification and submissions) process.

EXECUTIVE SUMMARY

- [3] A table of 'Housing Bottom Lines' must be included in the partially operative RPS for each Tier 2 urban environment in the region, based on the latest available Housing and Business Assessment (HBA). These figures are based on expected total demand for housing over time in the urban environment, with an additional 'competitive margin', and are the amount of development potential that "*at least*" must be available under the required conditions for each time period in each urban area.
- [4] The ORC and the relevant territorial authorities' have 'joint responsibility' for the production of the HBA and ensuring that *at least* the amount of housing indicated in the table is enabled by relevant planning documents and infrastructure strategies, and available. This is in addition to the functions of councils under ss30 and 31 of the Resource Management Act 1991.
- [5] The respective HBAs for Dunedin and Queenstown have been completed, and Dunedin City Council and Queenstown-Lakes District Council have received those reports. The reports and the 'housing bottom lines' are now considered to be 'published' meaning the partially operative RPS, and then the District Plans can be amended to include them.

¹ Clause 3.6(2)(a) of the NPSUD 2020 requires for each tier 1 or tier 2 urban environment, as soon as practicable after an HBA is made publicly available (see clause 3.19(1)): the relevant regional council must insert into its regional policy statement: (i) a housing bottom line for the short-medium term; and (ii) a housing bottom line for the long term;

² S43AA of the RMA defines a regional policy statement as an operative regional policy statement approved by the Council under Schedule 1. Importantly, s43AA differentiates between a regional policy statement and a proposed regional policy statement.

- [6] The combined Housing Bottom Line figures that are to be inserted into Schedule 6 of the RPS are set out below:

Tier 2 Urban Environment	Short-Medium Term (0-10 years)	Long Term (11-30 years)
Queenstown	6,400	13,380
Dunedin	5,820	5,510

- [7] Section 55 of the RMA requires these amendments to be undertaken as soon as practicable, without using the Schedule 1 process. The RPS can be amended immediately by inserting the figures into *Schedule 6: Housing Capacity*. Public notice of the amendment must be given within 5 working days of the amendment.
- [8] Dunedin City Council and Queenstown-Lakes District Council will make amendments to insert their respective figures in their District Plan(s) to 'give effect' to the RPS following the notification of the amendment to the RPS.
- [9] The inclusion of the housing bottom line figures is not subject to public submission through the Schedule 1 process however if any changes are required to the RPS, Regional Plans or District Plans to enable delivery of them, they would be subject to a Schedule 1 process.
- [10] Because the NPSUD requires the insertion of the figures into an RPS, and not a proposed RPS, the housing bottom lines will not be included in the proposed RPS until it is operative. It may be that the housing bottom lines can be accommodated during the consideration of the proposed RPS process by the hearing panel. If not, a similar paper will be brought to Council for noting, once the proposed RPS is operative.
- [11] Attention is also drawn to the now published Housing and Business Assessments for Dunedin and Queenstown urban areas which provides an evidence base and information that is intended to guide decision makers, applicants and submitters in relation to decisions that may affect urban development outcomes, either directly or indirectly.

RECOMMENDATION

That the Strategy and Planning Committee:

- 1) **Notes** the report.
- 2) **Notes** amendments to the Partially Operative RPS 2019 (modification to Schedule 6: Housing Capacity) by the insertion of the Housing Bottom Lines for Dunedin and Queenstown urban environments that can occur immediately.
- 3) **Notes** that the relevant District Plan's will also be amended subsequently without a Schedule 1 Process.

BACKGROUND

- [12] The National Policy Statement on Urban Development 2020 (NPSUD) requires the development of Housing Bottom lines that are required to be inserted into Regional Policy Statements and District Plans, based on Housing and Business Assessments (HBA).

[13] The figures generally reflect the amount of net additional dwellings required to accommodate reasonably expected population growth and change over the short – medium term (the next 10 years, or years 1-10 inclusive) and the long term (the 20 years after that or years 11-30 inclusive), plus a specified percentage margin. In effect these figures represent reasonably expected housing demand, with a 15 - 20% buffer. The figures then become the minimum amount (i.e. a ‘bottom line’) of housing capacity required to be *enabled* by planning documents, supported by infrastructure and ‘developable’ within each time frame.

[14] Clause 3.6 of the NPSUD states:

3.6 Housing bottom lines for tier 1 and 2 urban environments

(1) The purpose of the housing bottom lines required by this clause is to clearly state the amount of development capacity that is sufficient to meet expected housing demand plus the appropriate competitiveness margin in the region and each constituent district of a tier 1 or tier 2 urban environment.

(2) For each tier 1 or tier 2 urban environment, as soon as practicable after an HBA is made publicly available (see clause 3.19(1)):

(a) the relevant regional council must insert into its regional policy statement:

(i) a housing bottom line for the short-medium term; and

(ii) a housing bottom line for the long term; and

(b) every relevant territorial authority must insert into its district plan:

(i) a housing bottom line for the short-medium term that is the proportion of the housing bottom line for the short-medium term (as set out in the relevant regional policy statement) that is attributable to the district of the territorial authority; and

(ii) a housing bottom line for the long term that is the proportion of the housing bottom line for the long term (as set out in the relevant regional policy statement) that is attributable to the district of the territorial authority.

(3) The housing bottom lines must be based on information in the most recent publicly available HBA for the urban environment and are:

(a) for the short-medium term, the sum of:

(i) the amount of feasible, reasonably expected to be realised development capacity that must be enabled to meet demand, along with the competitiveness margin, for the short term; and the amount of feasible, reasonably expected to be realised development capacity that must be enabled to meet demand, along with the competitiveness margin, for the medium term; and

(ii) for the long term, the amount of feasible, reasonably expected to be realised development capacity that must be enabled to meet demand, along with the competitiveness margin, for the long term.

(4) The insertion of bottom lines must be done without using a process in Schedule 1 of the Act, but any changes to RMA planning documents required to give effect to the bottom lines must be made using a Schedule 1 process.

DISCUSSION

- [15] The intent is that the housing bottom lines provide a measurable target for assessing planning and investment decision making, for all of the plan making (i.e. Regional Policy Statement, Regional Plans, District Plans), consenting, and financial (i.e. LTP, annual plans and Infrastructure Strategies) decision making processes undertaken by all of the local authorities with joint responsibility for the urban environment, as well as providing guidance to other partners, parties and stakeholders (such as iwi, central government departments, non-council infrastructure providers, developers landowners and the public) about what to expect over the next 30 years.
- [16] The Future Development Strategy (FDS) then explores and provides an agreed vision of how to achieve that. In effect, the FDS shows how the short, medium and long-term demand can 'best' be met by supply that is or will be serviced with infrastructure and is feasible, and likely, be built. Implementation still occurs by way of changes to district and regional plans strategies and investments, and of course largely private decisions to take the risk to develop, within the enabling frameworks provided, reflecting others' decisions to move house, rent or buy.
- [17] ORC made provision to contribute up to \$50,000 towards the costs of the Queenstown-Lakes HBA, which was undertaken by external consultants. This direct financial contribution was supported by significant staff time to contribute to the HBA development. The QLDC HBA was taken to their committee on the 28 October 2021 and is to be 'published'.
- [18] Agreement has also been reached with QLDC in terms of governance membership of a future partnership on the 2024 Future Development Strategy, that will develop on the foundations of the recently completed Whaiora/Grow Well Spatial Plan developed under the Urban Growth Partnerships approach with central government.
- [19] Dunedin City Council (DCC) in contrast has undertaken the HBA largely in house, so a direct financial contribution was not sought or provided however in-kind staff support from ORC was provided. The HBA 2021 is now published and available on the DCC website³.

³ https://www.dunedin.govt.nz/_data/assets/pdf_file/0009/831744/Housing-capacity-assessment-for-Dunedin-City-2021.pdf

- [20] For DCC there remains an expectation of a similar financial contribution towards meeting some of the other NPSUD requirements that will be clarified as the Future Development Strategy partnership develops further. Dunedin has concentrated on its 2GP process including Variation 2 which was largely developed in response to an earlier HBA which identified short, medium and longer term shortfalls. The '[Dunedin Towards 2050 - a Spatial Plan for Dunedin](#)' provides a solid strategic framework and principles for developing a new FDS but will require considerable spatial and assumption updates to reflect both the time past and new context since it was last updated in 2012.
- [21] Business land demand and supply assessments are still to be undertaken in both urban areas to inform planning for this key component of land supply and demand. Some resolution between business and housing demand and supply may be required, and potential updates to key population growth assumptions may also result in amendments to underlying assumptions, including possible updates to the housing bottom line figures, as the process continues and is continually monitored and reviewed.
- [22] Both QLDC and DCC are in the process of moving onto the FDS stage of the process, which are required to be completed in time to inform the 2024 Long Term Plans. ORC has joint responsibility for the production of the HBAs (including the business capacity component) and the FDS with the TA's, and will be invited to partner to both of these processes. Further direction and advice on the will be forthcoming shortly.
- [23] The insertion of the Housing Bottom Lines is largely an administrative step and does not directly affect any current process or proceedings. The development of the FDS and the implementation of their respective visions through changes to regional or district plans will continue in response to or even in advance of FDS (e.g. Variation 2), will in practice be more informed by the more detailed analysis to be found within the HBA itself, and other matters than these 'headline' figures, though the existence of a target in and of itself can drive behaviours.

OPTIONS

- [24] There are limited options available given the directive nature of the NPSUD to amend the RPS 'as soon as practicable' after the publication of the HBA's.
- [25] ORC could choose not to amend the RPS however this would be in conflict with the direction in the NPSUD.

CONSIDERATIONS

Strategic Framework and Policy Considerations

- [26] The proposed plan amendment is technical and administrative but represents a further step in the ongoing development of partnerships between ORC and the Tier 2 local authorities, and others, to deliver on our joint responsibilities under the NPSUD. These relationships provide a key means by which to enhance all of the interconnected matters at the heart of the Strategic Framework. While there will be a particular focus on Sustainable and Quality Urban Development and Sustainable, Safe and Inclusive Public Transport, achieving these two can only be done if the other environment, social and economic aims are also achieved, and will directly influence outcomes for a majority of the regions current and future population.

- [27] Informal and more formal partnerships with the two largest urban areas also provides a key means to further enhance the Otago regions preparedness for future legislative change across many interrelated aspects of local governance and planning, including Regional Spatial Plans under the Strategic Planning Act currently under development.

Financial Considerations

- [28] There are limited financial considerations beyond staff time, and costs associated with public notice of the proposed changes.
- [29] More significant impacts will be in responding appropriately and in line with positions and agreements developed through the partnerships on the Future Development Strategy that will be completed in time to be used to inform the 2024 LTP of all three organisations.
- [30] Provision has been made for policy input to the partnership process over the next 3 years.

Significance and Engagement

- [31] The proposed change to the RPS does not trigger any relevant aspects of the Significance and Engagement Policy.

Legislative and Risk Considerations

- [32] Amending the RPS is required by the NPSUD, which have the status of regulations under the RMA.
- [33] There are no risk considerations.

Climate Change Considerations

- [34] There are no climate change considerations

Communications Considerations

- [35] Direct communication about the amendment is specifically precluded by legislation, but a public notice informing of the change is required after the fact.
- [36] Any changes required to implement these provisions is required to follow the usual RMA Schedule 1 process. Any financial implications of such changes would be subject to the usual LTP consultation. Both regulatory and financial planning processes would also be informed by the Future Development Strategy process which are expected to be highly participatory in their own right.

NEXT STEPS

- [37] Staff will undertake to amend the Partially Operative RPS as indicated above and issue the required public notice within 5 working days of doing so.
- [38] Respective local authorities can then undertake equivalent amendments to their district plans to 'give effect' to the RPS and meet their own requirements under the NPSUD.
- [39] Further advice will be forthcoming in relation to delivering on existing agreements for joining the established Whaiora/Grow Well partnership with QLDC, Kai Tahu and Central Government for preparation and delivery of the Queenstown FDS 2024.

- [40] Further advice will be forthcoming on potential agreements, including funding and governance arrangements, for partnership with DCC and others on the preparation and delivery of the Dunedin FDS 2024.

ATTACHMENTS

Nil

7.4. RPS Summary of Decisions Requested

Prepared for:	Strategy and Planning Committee
Report No.	SPS2155
Activity:	Governance Report
Author:	Anita Dawe, Manager Policy & Planning
Endorsed by:	Gwyneth Elsum, General Manager Strategy, Policy and Science
Date:	10 November 2021

PURPOSE

- [1] To note the release of the Summary of Decisions Requested (SoDR) in relation to the proposed Otago Regional Policy Statement 2021 (pRPS) for further submissions.

EXECUTIVE SUMMARY

- [2] Submissions on the proposed Otago Regional Policy Statement 2021 (pRPS) closed on 3 September 2021, after a submissions period of 50 working days. Clause 7 of Part 1 of the First Schedule to the Resource Management Act 1991 (RMA), requires that a local authority must give public notice of the availability of a summary of decisions requested (SoDR), and provide a period of no more than 10 working days for parties to make a further submission(s) either supporting or in opposition to the submissions.
- [3] The public notice required under clause 7(1)(a) was in the Otago Daily Times on Saturday 30 October 2021, and the period for further submissions commenced on Monday 1 November 2021.

RECOMMENDATION

That the Strategy and Planning Committee:

- 1) **Notes** this report.

BACKGROUND

- [4] The pRPS was publicly notified on 26 June 2021 for a period of 50 working days, with submissions closing on 3 September 2021.
- [5] At its 29 September 2021 meeting Council decided on ORC's nominees to the Freshwater Hearings Panel. Staff are waiting for the iwi recommended commissioner before advising the Chief Freshwater Commissioner of the ORC's nominees.
- [6] Separately, the joint ORC and Forest & Bird High Court application for a declaration on whether the RPS as a whole is a freshwater instrument, is continuing. Application to join proceedings have now closed.

DISCUSSION

- [7] In total, 1463 submissions were received on the pRPS, with 1423 submissions received by the closing date, and an additional 40 submissions received after the closing date. Of the parties who submitted, 128 have indicated they wish to be heard¹.
- [8] The Summary of Decisions Requested (SoDR) has classified submissions as *support* - if no changes were requested; *oppose* - if the submitter sought it to be deleted in its entirety with no alternative; and *amend* - if the submitter either supported the provision but sought refinements and/or additions, or opposed it but proposed alternative relief.
- [9] There were submissions received on most aspects of the pRPS, with a number of submissions in support of provisions, and as anticipated, submissions seeking amendments to provisions.
- [10] Most major industries have been represented in submissions, including the territorial authorities, the oil companies, mining companies, Port Otago, environmental groups, infrastructure providers, as well as a number of individual submitters.
- [11] On Saturday 30 November 2021 a public notice was published in the Otago Daily Times highlighting that the SoDR report, alongside copies of original submissions are available for inspection, and that the period for Further Submissions is now open. Original submitters were also served notice directly.
- [12] The SoDR can be found on the ORC website (www.orc.govt.nz/rps).
- [13] The SoDR is available for inspection now and further submissions are able to be lodged for 10 working days, with the period for further submissions closing on Friday 12 November.

OPTIONS

- [14] The process of summarising submissions to articulate the decisions sought by submitters is a statutory process prescribed in the RMA legislation. The notification of the SoDR is the next step towards achieving an operative RPS.
- [15] The alternative would have been not to summarise the submissions or not to notify the Summary of Decisions Requested, which would effectively suspend the process towards an operative RPS.

CONSIDERATIONS

Strategic Framework and Policy Considerations

- [16] This pRPS sets the overall policy direction for resource management for the region and in doing so contributes to implementing ORC's Strategic Direction.
- [17] The processing of submissions and preparation of the SoDR progresses the pRPS towards a fully operative regional policy statement.

¹ The SoDR and full copies of submissions can be viewed at [Proposed Otago Regional Policy Statement 2021 \(orc.govt.nz\)](http://Proposed Otago Regional Policy Statement 2021 (orc.govt.nz))

Financial Considerations

- [18] The processing of submissions and preparation of the SoDR is provided for within existing budgets. The number of submitters wishing to be heard will impact the cost of hearing the RPS.

Significance and Engagement Considerations

- [19] The notification of the SoDR will potentially affect a considerable spectrum of the community and trigger the Significance and Engagement Policy. The notification however satisfies the requirements of the Significance and Engagement Policy and enables public participation, within the limits set out in the RMA.

Legislative and Risk Considerations

- [20] The process of summarising submissions to collate the SoDR is a statutory process set out in the First Schedule of the RMA. The SoDR complies with the requirements of the RMA.
- [21] There is inherent risk when summarising a large number of submissions, that a decision requested is inadvertently omitted from the SoDR. Should that happen, then an erratum would be prepared and notified.

Climate Change Considerations

- [22] This is not relevant for this process step.

Communications Considerations

- [23] Communications around the notification of the SoDR has occurred, including the public notice.

NEXT STEPS

- [24] Once the further submission period has ended, staff will update the SoDR with the further submissions received.
- [25] ORC is scheduled to provide the required documentation to the Chief Freshwater Commissioner in December 2021.
- [26] Once all documentation is provided to the Chief Freshwater Commissioner, they will assemble a panel and issue directions.

ATTACHMENTS

Nil

7.5. TAG Report

Prepared for:	Strategy and Planning Committee
Report No.	SPS2163
Activity:	Governance Report
Author:	Gwyneth Elsum, General Manager Strategy, Policy and Science
Endorsed by:	Gwyneth Elsum, General Manager Strategy, Policy and Science
Date:	10 November 2021

PURPOSE

- [1] For TAG to report to Strategy and Planning Committee on progress towards finalising the required science for the Manuherekia catchment.

EXECUTIVE SUMMARY

- [2] At the meeting on 25 August 2021, Council resolved to “that the Technical Advisory Group (TAG) be requested to provide regular reports to the Strategy and Planning Committee on progress towards finalising the required science for the Manuherekia catchment”.
- [3] Attached to this paper (Attachment 1) is the second report to the Strategy and Planning Committee from TAG.

RECOMMENDATION

That the Strategy and Planning Committee:

- 1) **Notes** this report.

BACKGROUND

- [4] TAG was established in early 2019 with the purpose of the TAG is to support the Otago Regional Council and Manuherekia Reference Group (“MRG”) with science and technical advice for the Manuherekia Catchment.
- [5] TAG is made up of the following members:
- Aukaha
 - Department of Conservation
 - Fish & Game
 - Omakau Area Irrigation Company
 - Otago Water Resource Users Group; and
 - Otago Regional Council
- [6] All members can nominate one representative except for ORC which can nominate two. ORC also provides the Chair and secretariat services.
- [7] Subsequent to Council resolving the above (paragraph 2), TAG met in September and October 2021. The minutes of October meeting have not been finalised and will be distributed to councillors once they have.
-

CONSIDERATIONS

Strategic Framework and Policy Considerations

- [8] The activities of TAG are consistent with the following ORC roles as articulated in the Strategic Directions:
- Monitor and investigate the health of Otago's ecosystems
 - Provide the best available information on Otago's ecosystems
 - Monitor and investigate the health of Otago's fresh and coastal water, and the region's soil resources
 - Provide the best available information on Otago's water, land and coastal resources
- [9] The NPSFM requires regional councils to set limits for resources use. Rules for restrictions on allowed takes (minimum flows) and discharges to achieve environmental flows are required to be set as rules in the new Land and Water Plan. The limits need to be consistent with the NPSFM 2020 framework and Te Mana o te Wai hierarchy of obligations.
- [10] ORC has committed to the Minister for the Environment to notify a new fit-for-purpose Land and Water Plan by December 2023.

Financial Considerations

- [11] Funding of TAG's activities or any further work the Group may advise ORC to undertake have not been budgeted for this financial year.

Significance and Engagement Considerations

- [12] Not applicable.

Legislative and Risk Considerations

- [13] Not applicable.

Climate Change Considerations

- [14] Not applicable.

Communications Considerations

- [15] Not applicable.

NEXT STEPS

- [16] TAG is planning to meet again in November and will report back to the Strategy and Planning Committee accordingly.

ATTACHMENTS

1. TAG Report October 21 FINAL [7.5.1 - 3 pages]

TAG Report to ORC Council

Strategy & Planning Committee November 2021



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Strategy and Planning Committee 2021.11.10

Overview

- On 25 August 2021 Council resolved to:
 - *“that the Technical Advisory Group (TAG) be requested to provide regular reports to the Strategy and Planning Committee on progress towards finalising the required science for the Manuherehia catchment”.*
- This constitutes TAG’s second report to Council.
- This report contains an update as of the end of October 2021 on progress against the agreed work programme.
- All timeframes in this report are subject to no further work, other than that currently underway, needing to be commissioned.

