

Council Agenda - 20 September 2023



Meeting will be held in the Council Chamber at Level 2, Philip Laing House, 144 Rattray Street, Dunedin.
and live streamed to the [ORC YouTube](#)

Members:

Cr Cr Gretchen Robertson, Chairperson	Cr Tim Mepham
Cr Lloyd McCall, Deputy Chairperson	Cr Andrew Noone
Cr Alexa Forbes	Cr Bryan Scott
Cr Gary Kelliher	Cr Alan Somerville
Cr Michael Laws	Cr Elliot Weir
Cr Kevin Malcolm	Cr Kate Wilson

Senior Officer: Richard Saunders, Chief Executive

Meeting Support: Kylie Darragh, Governance Support Officer

20 September 2023 10:00 AM

Agenda Topic	Page
1. WELCOME	
2. APOLOGIES	
3. PUBLIC FORUM	
Liz Angelo has requested to speak on city rise bus services.	
4. CONFIRMATION OF AGENDA	
Note: Any additions to the agenda must be approved by resolution with an explanation as to why they cannot be delayed until a future meeting.	
5. DECLARATIONS 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. The Register of Pecuniary Interests can be found on the ORC Website	
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	To present for adoption by Council, the eighth progress report to the Minister for the Environment, in accordance with section 27 of the Resource Management Act 1991 in relation to the recommendations made under section 24A of the Resource Management Act.	
10.1.1	September 2023 Report to the Minister	45
10.2	Otago Regional Council Appointments to the Dunedin City Future Development Strategy Joint Hearings Panel	60
	The purpose of this report is to appoint two Otago Regional Council Councillors to the Joint Hearings Panel to hear the Future Development Strategy (FDS) for Dunedin.	
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That the public be excluded from the following parts of the proceedings of this meeting, namely:

Confidential Minutes of 23 August 2023
Integrated Catchment Management Group
Community Connect Concession for Queenstown Ferry Service
Procurement of Fleet Tracking System

13.	CLOSURE	
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Council MINUTES

Minutes of an ordinary meeting of the Otago Regional Council held in the Council Chamber, Level 2 Philip Laing House, 144 Rattray Street, Dunedin on Wednesday 23 August 2023, commencing at 1:00 PM.

PRESENT

Cr Gretchen Robertson *(Chairperson)*
Cr Lloyd McCall *(Deputy Chairperson)*
Cr Alexa Forbes
Cr Gary Kelliher
Cr Michael Laws
Cr Kevin Malcolm
Cr Tim Mepham
Cr Andrew Noone
Cr Bryan Scott
Cr Alan Somerville
Cr Elliot Weir
Cr Kate Wilson

1. WELCOME

Chairperson Robertson welcomed Councillors, members of the public and staff to the meeting at 1:00pm. Staff present included Richard Saunders (Chief Executive), Pim Borren (Interim GM Transport) (online), Anita Dawe (GM Policy and Science), Nick Donnelly (GM Corporate Services), Gavin Palmer (GM Operations) Amanda Vercoe (GM Governance, Culture and Customer), and Trudi McLaren (Governance Support).

2. APOLOGIES

Resolution: Cr Robertson Moved, Cr Forbes Seconded:

That the apologies for Cr Andrew Noone for early departure, be accepted.

MOTION CARRIED

3. PUBLIC FORUM

Raewynne Pedofski and neighbor Hazel spoke on Cruise Ship emissions quantified against car emissions and answered questions from Councillors.

Pierre Marasti spoke on Extinction Rebellion and was available to answer questions.

Cr Laws left the meeting at 1:15pm and returned 1:18pm

4. CONFIRMATION OF AGENDA

As per a written request from Hon David Parker, Minister for the Environment, for an urgent response, Cr Robertson moved acceptance of a late confidential paper: *Consideration of Letter from Minister Parker related to the Upper Taieri Scroll Plain*, citing maintenance of legal professional privilege section 7(2)(g) of 48(1)(a) as the reason for considering in Confidence. Cr Kelliher seconded the motion.

Resolution: Cr Robertson Moved, Cr Kelliher Seconded:

That the Council:

1. **Adds** the late item 2.1 Letter from Hon Parker related to the Upper Taieri Scroll Plain to the confidential agenda.

MOTION CARRIED

5. DECLARATIONS OF INTERESTS

No changes to Councillor Declarations of Interests were noted.

6. CONFIRMATION OF MINUTES

Resolution: Cr Noone Moved, Cr Somerville Seconded

That the minutes of the (public portion of the) Council meeting held on 26 July 2023 be received and confirmed as a true and accurate record.

MOTION CARRIED

7. ACTIONS (STATUS OF COUNCIL RESOLUTIONS)

Open actions from resolutions of the Committee were reviewed. No changes were noted. Closed off items will be marked as 'complete' prior to the next meeting.

8. CHAIRPERSON AND CHIEF EXECUTIVE REPORTS

8.1. Chairperson's Report

Chair Robertson noted that three additional pieces of correspondence had been added to the website, which were late attachments to the Chair’s Report. These could be found alongside the agenda.

Resolution: Cr Wilson Moved, Cr Forbes Seconded

That the report be noted.

MOTION CARRIED

8.2. Chief Executive's Report

Resolution: Cr Noone Moved, Cr Kelliher Seconded

That the report be noted.

MOTION CARRIED

9. MATTERS FOR CONSIDERATION

9.1. Electoral System for 2025 and 2028 Local Body Elections

This report sought Council consideration of the electoral systems for the 2025 (and possibly 2028) local body elections. Amanda Vercoe, General Manager Governance, Culture and Customer was available to respond to questions.

At 1:46pm Cr Robertson moved that the meeting adjourn for a break to find the legislative reference to consultation with local authorities. Cr Scott Seconded and the motion passed. At 1:50pm Cr Robertson resumed the Council Meeting.

Richard Saunders, Chief Executive, confirmed that there is no formal consultation obligation in the legislation.

Resolution CM23-200: Cr Somerville Moved, Cr Weir Seconded

That the Council

- 1. Receives** this report.
- 2. Agrees** to:
 - b) Change electoral system to Single Transferable Vote for the 2025 and 2028 local body elections*
- 3. Notes** a public notice will be made prior to 19 September advising of the right of electors to demand a poll on the electoral system for the 2025 and 2028 elections.
- 4. Notes** that should a decision be made to change electoral systems to Single Transferable Vote, options for a public education campaign will be brought back to Council for consideration as part of Long-Term Plan considerations.

A Division was called:

Vote

For:	Cr Forbes, Cr Mepham, Cr Scott, Cr Somerville, Cr Weir, Cr Wilson, and Cr Robertson
Against:	Cr Kelliher, Cr Laws, and Cr Malcolm
Abstained:	Cr McCall

MOTION CARRIED

Cr Noone left the meeting at 1:51pm

9.2. Climate Change Strategy Scoping

This report provided a high-level overview of the process and outputs for the development of the Regional Climate Strategy which is a service level measure for the 2023-2024 Annual Report. Amanda Vercoe (GM Governance, Culture and Customer), Andrea Howard (Manager Executive Advice), Jean Luc Payan (Manager Natural Hazards) and Francisco Hernandez (Principal Advisor Climate Change) were present to provide background on the paper and answer questions.

There was a small change to the wording of the resolution, number 3 "Consider whether" to "Request".

Resolution CM23-201: Cr Weir Moved, Cr Forbes Seconded

That the Council:

1. **Notes** this report.
2. **Approves** the proposed approach for the development of a Regional Climate Strategy.
3. **Request** staff create Terms of Reference for a Working Group to provide advice during the development of the Strategy.

MOTION CARRIED

Cr Noone returned to the meeting at 2:10pm

9.3. Governance Options for Stage Two of the Dunedin City Future Development Strategy: Submissions and Hearing Process

This report sought approval for the governance arrangements for Stage Two of the joint Otago Regional Council and Dunedin City Council Future Development Strategy (FDS), which is being developed in partnership with mana whenua. Stage Two comprises decisions on public submissions and adopting the final FDS in mid-2024. Anita Dawe (GM Policy and Science) and Patricia McLean (Senior Policy Analyst) were present to speak to answer questions. Patricia McLean advised that Option 1 was recommended as more streamlined and less onerous on Councillors. This process will require both Councils (DCC and ORC) to agree on the options. The Chair noted a change of wording for recommendation no 4. from 'mana whenua' to 'iwi appointed commissioners' as advised, for clarity, by the Executive Steering Group.

Resolution CM23-203: Cr Wilson Moved, Cr Weir Seconded

That the Council:

1. **Notes** this report.

A Division was called:

Vote

For:	Cr Forbes, Cr Kelliher, Cr Laws, Cr Malcolm, Cr McCall, Cr Mephram, Cr Noone, Cr Scott, Cr Somerville, Cr Weir, Cr Wilson and Cr Robertson
Against:	Nil
Abstained:	Nil

MOTION CARRIED

Resolution CM23-204: Cr Wilson Moved, Cr Weir Seconded

That the Council:

- 2. Approves** the governance arrangements as outlined in Option One, Stage Two of the joint ORC/DCC Future Development Strategy;

A Division was called:

Vote

For:	Cr Forbes, Cr McCall, Cr Noone, Cr Scott, Cr Somerville, Cr Weir, Cr Wilson, and Cr Robertson
Against:	Cr Kelliher, Cr Laws, Cr Malcolm, and Cr Mepham
Abstained:	Nil

MOTION CARRIED

Resolution CM23-205 Cr Wilson Moved, Cr Weir Seconded

That the Council:

- 3. Notes** that decisions on the membership of any Joint Hearings Panel and Chair appointment will be sought at the next meeting of Council.

MOTION CARRIED

Resolution CM23-206 Cr Wilson Moved, Cr Weir Seconded

That the Council:

- 4. Supports** the inclusion of two iwi appointed commissioners

A Division was called:

Vote

For:	Cr Forbes, Cr McCall, Cr Mepham, Cr Noone, Cr Scott, Cr Somerville, Cr Weir, Cr Wilson and Cr Robertson
Against:	Cr Kelliher, Cr Laws and Cr Malcolm
Abstained:	Nil

MOTION CARRIED

9.4. Requirements of NPS for Greenhouse Gas Emissions from Industrial Process Heat 2023

This report was to inform Council of changes to the Air Plan required to give effect to the National Policy Statement for Greenhouse Gas Emissions from Industrial Process Heat.

Resolution CM23-207: Cr Scott Moved, Cr Wilson Seconded

That the Council:

- 1. Notes** this report.
- 2. Approves** the change to the Air Plan and public notification of the change.

MOTION CARRIED

9.5. Policy for considering requests for ORC support for external funding bids by third parties

The report sought to approve a policy for considering requests for ORC support for external funding applications. Richard Saunders, Chief Executive outlined that this seeks to streamline the process of supporting requests, when they are aligned with ORC strategy and policy.

Resolution CM23-208: Cr Noone Moved, Cr Wilson Seconded

That the Council:

1. **Notes** this report.
2. **Approves** the policy position as set out below.
3. **Notes** that any letters of support will be reported back to Council through the Chairs report.

MOTION CARRIED

Cr Laws requested his vote against the motion be recorded in the minutes.

9.6. Documents Signed Under Council Seal

Resolution CM23-209: Cr Weir Moved, Cr Wilson Seconded

That the Council:

1. **Notes** this report.

MOTION CARRIED

10. RESOLUTION TO EXCLUDE THE PUBLIC

I move that the public be excluded from the following parts of this meeting, namely:

- Confidential Minutes of the 28 June 2023 Council Meeting
- 2.1 Letter from Hon Parker related to the Upper Taieri Scroll Plain

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
<i>Confidential Minutes of: 28 June 2023</i>	Section 7(2)(a) To protect the privacy of natural persons,	Section 48(1)(a); Subject to subsection (3), a local authority may by resolution exclude the public from the whole or any part of the

	including that of deceased natural persons	proceedings of any meeting only on 1 or more of the following grounds: (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.
<i>Letter from Hon David Parker related to the Upper Taieri Scroll Plain</i>	Section 7(2)(g): To maintain legal professional privilege	Section 48(1)(a); Section 7(2)(g) Subject to subsection (3), a local authority may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on 1 or more of the following grounds: (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

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.

11. CLOSURE

There was no further business and Chairperson Robertson declared the public part of meeting closed at 3:32pm

Chairperson

Date

Action Register

Search Criteria

Showing Completed Items: Yes

Include Items Completed From: 13/08/2023

Applied Filters

Start Meeting Date: 1st Oct 2022

Meeting Types: Council Meeting

Generated By: Kylie Darragh

Generated On: 13/09/2023 at 2:30pm

Council Agenda - 20 September 2023 - ACTIONS (Status of Council Resolutions)

Meeting Date	Document	Item	Status	Action Required	Assignees	Action Taken	Due Date
22/02/2023	Council Meeting 2023.02.22	CS2304 Annual Plan 2023/24	Assigned	Have an independent efficiency review performed in FY 2023/24 to inform the Long-Term Plan process. CM23-111	Chief Executive, General Manager Transport	13/09/2023 Governance Support Officer Underway. Workshop to be scheduled for October 2023.	31/12/2023
22/03/2023	Council Meeting 2023.03.22	GOV2306 Proposal to participate in CouncilMARK programme	Assigned	The Chief Executive will execute an agreement with CouncilMARK to undertake an independent assessment in 2023. Res CM23-130	Chief Executive	13/09/2023 Governance Support Officer Underway. Assessment likely to take place February 2023	06/12/2023
22/03/2023	Council Meeting 2023.03.22	Recommendations of the Finance Committee	Assigned	Chief Executive directs staff to undertake further work towards development of an annual awards programme including detailed costs AND provide a report to Council for consideration during the upcoming LTP process (Res FIN23-103). Res CM23-136	Chief Executive	13/09/2023 Governance Support Officer Underway.	31/12/2023
26/04/2023	Council Meeting 2023.04.26	GOV2314 Notice of Motion - Request for ORC to join the Free Fare Campaign	In Progress	The Chief Executive to sign onto the Free Fares Campaign as a coalition member and release information to public following completion. Res. CM23-146	General Manager Transport		30/06/2023
26/04/2023	Council Meeting 2023.04.26	GOV2313 Notice of Motion - Request for report on feasibility of free off-peak travel	Assigned	Provide a report to the PATC on feasibility of free off-peak public transport and the potential costs (e.g. lost revenue) and benefits (e.g. reduced pressure at peak times, reduced delays at peak times, equity impacts, reputation impacts) to help inform relevant LTP decisions. Res. CM23-147	General Manager Transport, Manager Transport		06/12/2023

Council Agenda - 20 September 2023 - ACTIONS (Status of Council Resolutions)

Meeting Date	Document	Item	Status	Action Required	Assignees	Action Taken	Due Date
28/06/2023	Council Meeting 2023.06.28	STG2305 Otago Wellbeing Baseline Report	Assigned	The Wellbeing Baseline report is to be presented to the Mayoral Forum for further consideration. CM23-179	General Manager Governance, Culture and Customer	13/07/2023 General Manager Governance, Culture and Customer Next Mayoral Forum scheduled for 22 September 2023	22/09/2023
23/08/2023	Council Meeting 2023.08.23	GOV2324 Electoral System for 2025 and 2028 Local Body Elections	In Progress	Public notice to be made prior to 19 September advising the right of electors to demand a poll on the electoral system for 2025 and 2028 elections.	General Manager Governance, Culture and Customer		19/09/2023
23/08/2023	Council Meeting 2023.08.23	GOV2329 Climate Change Strategy Scoping	Assigned	Requests staff create a Terms of Reference for a Working Group to provide advice during the development of the Strategy.	General Manager Governance, Culture and Customer, Manager Executive Advice		30/09/2023
				Completed			
26/04/2023	Council Meeting 2023.04.26	Chairperson's Report	Completed	Chief Executive to provide a draft policy to Council for the endorsement of external funding applications as per the requirements recorded in the motion. CM23-150	Chief Executive, General Manager Governance, Culture and Customer	13/07/2023 General Manager Governance, Culture and Customer To be presented at the August 2023 Council Meeting Completed	30/06/2023
24/05/2023	Council Meeting 2023.05.24	Recommendations of the Public and Active Transport Committee	Completed	Staff to progress a staged approach to the development of a regional public and active transport connectivity and that further work is undertaken on scoping a strategy by 20 August 2023. (PAT23-110) Res CM23-170	General Manager Transport, Manager Transport		20/08/2023

Council Agenda - 20 September 2023 - ACTIONS (Status of Council Resolutions)

Meeting Date	Document	Item	Status	Action Required	Assignees	Action Taken	Due Date
28/06/2023	Council Meeting 2023.06.28	SPS2313 Recommendations on Land and Water Regional Plan Governance through to notification	Completed	Staff to amend the Terms of Reference for the Land and Water Regional Plan Governance Group as per the report SP2313 CM23-177	General Manager Policy and Science	13/09/2023 Governance Support Officer Updated Terms of Reference brought to Council 26 July 2023. Completed	21/07/2023

8.1. Chairperson's Report

Prepared for: Council
Activity: Governance Report
Author: Cr Gretchen Robertson, Chairperson
Date: 13 September 2023

This Council meeting comes 1 day into our phase 3 and final, Land and Water Regional Plan community consultation sessions (before formal notification in June 2024). I would like to recognise the huge amount of work that has gone into preparing for this. Thank you to Iwi partners for your input at every stage of this huge project and to staff and Councillors for the huge personal investment you are making into ensuring everyone can have a say ahead of final drafting of the proposed Plan. Mostly though I want to thank the community for your patience, commitment and considered views as we chart the future of water management together.

Otago is blessed with many diverse waterways. Deep inland lakes feed the mighty Clutha River, the Taieri a snaking scroll plain taking a U-turn and journeying through the rocky Strath Taieri toward fertile flood plains, a bush clad gorge before meeting Taieri Island (Motu Rata) at the sea. Further north, our eastern rivers travel from tussock to estuary past a diversity of land uses, soil types and at the moment whitebaiters. We have magnificent estuaries, wetlands, lakes, rivers and streams. It's worth taking a moment to recognise the fact that Otago does have some really high-quality waterways. We also have some that require our attention. Sometimes it feels like everything is broken. We're fortunate that it is not. A water plan is about recognising the good we have and enhancing health where needed. Rules are just part of the toolbox. It's often said that 99% of change is not from rules but from voluntary goodwill. This under the radar effort is so very important and valued by our council. We recognise the very good work that is already going on and how much we all gain from the experiences we have with freshwater in Otago, there are so many cherished locations we can all personally name.

As we head through LTP planning we will carefully consider how best to support Communities to sustain their local environments. Plan making is a part of a much bigger journey we take together with our communities.

Attendance at events

22 August, Mana to Mana

25 August, Port Otago Liaison Meeting

25 August Clutha Walk/Cycle-way completion (Waihola)

25 August Balclutha War Memorial and Community Centre Opening Ceremony

30 August, Otago Deep Lakes Management Working Group

1 Sept – Pomahaka Watercare Group End of Corridor Planting Celebration Event (Tapanui)

5 – 6 September, Central Visits with CE Richard Saunders

- Lake Dunstan Charitable Trust
- Guardians of Lake Wanaka
- Wai Wanaka
- Southern Lakes Sanctuary
- Mana Tāhuna
- Mayor Tim Cadogan
- 5 ORC Depots
- Rabbit Inspections Queensberry

11 Sept, LTP Governance Group Meeting

11 Sept, South Island Regional Leaders Online Meeting

12 September, Site-Led Community Hui Invitation: Ōtakōu Marae

12 Sept, Taieri Trails Group Public Meeting

12 Sept: South Dunedin Future Programme: The Science of South Dunedin Meet the Scientists Night

14 Sept: Te Uru Kahika Leaders Plenary - 'Te Uru Kahika: United in Purpose and Action' & Regional Sector Meeting (Wellington)

15 Sept: Te Ropu Taiao hui (Invercargill)

18 Sept: Opening Ceremony and Conservation Planting Day Lake Hayes Wetland - Mana Tāhuna & Whakatipu Reforestation Trust (Queenstown)

18 Sept Friends of Lake Hayes Visit

LWRP Drop-in sessions commenced on 18 Sept.

Letters Sent/Received

Minister for the Environment Hon David Parker and Min Agriculture Hon Damien O'Connor Upper Taieri Scroll Plain Stock Exclusion Regulations. Letters both from and to ORC were released with the agreement of relevant Ministries 12 Sept.

RECOMMENDATION

That the Council:

- 1) **Notes this report.**

ATTACHMENTS

1. Letter to the Chair of Otago Regional Council [**8.1.1** - 3 pages]
2. Response letter from Otago Regional Council [**8.1.2** - 2 pages]
3. Letter of Support - Southern Alliance bid [**8.1.3** - 1 page]

Hon David Parker
Minister for the Environment

Hon Damien O'Connor
Minister of Agriculture



COR5167

Cr Gretchen Robertson
Chair, Otago Regional Council
gretchen.robertson@orc.govt.nz

CC:
Richard Saunders
Chief Executive, Otago Regional Council
richard.saunders@orc.govt.nz

Dear Gretchen,

Stock exclusion in the Upper Taieri Scroll Plain

We thank you and your officers from the Otago Regional Council (the Council) for your feedback on the recent consultation regarding the Resource Management (Stock Exclusion) Regulations 2020 and lower intensity farming.

The consultation sought feedback on developing solutions for lower intensity farming, where we expect the marginal environmental benefits of excluding stock from accessing water bodies will be lower, for significantly higher cost.

We also asked for feedback on any circumstances where it might be desirable to apply an exception to requirements to exclude stock from natural wetlands. We accept that there is a case to provide such an exception for the geographic area known as the Upper Taieri Scroll Plain.

We are now writing to seek your agreement to manage stock access to freshwater in the Upper Taieri Scroll Plain using a suitable management plan, before we progress an exception to regulatory requirements.

The case for an exception in the Upper Taieri Scroll Plain

Feedback from the local community, and the memo provided by the Council in February 2023 (attached for reference), have been key to understanding the Upper Taieri Scroll Plain.

We acknowledge the size and complexity of the wetlands mean they are both unique and particularly challenging for excluding stock. We also understand that the threat of pest species to the health of the wetlands has historically been effectively managed through controlled grazing of cattle.

We consider improved freshwater outcomes for the Upper Taieri Scroll Plain is better achieved through an alternative approach that allows for carefully managed grazing, and note that this is not possible without accommodation in the Stock Exclusion Regulations.

Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand
+64 4 817 8710 | d.parker@ministers.govt.nz | beehive.govt.nz

Notwithstanding the above, we note grazing can suppress regenerative native species in wetlands and poses other risks to their health. We also note that some members of the local community are concerned that an alternative approach may not lead to improved outcomes. This includes Aukaha, as represented by Korako Edwards and Sandra McIntyre at the community meeting (on behalf of Kāti Huirapa Rūnaka ki Puketeraki and Te Rūnanga o Ōtākou). That is why our agreement to progress an exception is conditional on your agreement to implement a robust plan for managing stock access to the wetlands, following standard council processes.

The scope of an exception in the Upper Taieri Scroll Plain

Subject to agreement from both you and Cabinet, we propose that stock access within the Upper Taieri Scroll Plain area be regulated through regional plan provisions.

In practice, this would mean the Stock Exclusion Regulations identify the geographic area known as the Upper Taieri Scroll Plain (ie, according to a map incorporated by reference), and specify that the following provisions do not apply:

- regulation 14, excluding beef cattle from lakes and wide rivers on low slope land
- regulation 15, excluding deer from lakes and wide rivers on low slope land
- regulation 16, excluding all stock from natural wetlands identified in regional or district plan
- regulation 17, excluding all stock from natural wetlands that support threatened species described in the National Policy Statement for Freshwater Management 2020, and
- regulation 18, excluding all stock from natural wetlands on low slope land.

Our proposed exception relies on the Council implementing a robust plan to manage stock access to achieve improved environmental outcomes. There is limited scope to consider alternatives; we are advised that an exception cannot be based on your regional plan.

Our expectations for managing stock access to the Upper Taieri Scroll Plain

We are requesting your council to indicate a willingness to develop and implement a management plan for stock access to the Upper Taieri Scroll Plain. We expect that such a management plan will:

1. *Be developed in consultation with the local community and tangata whenua, with opportunities for input from the Ministry for the Environment and Ministry for Primary Industries.*
2. *Be implemented as soon as reasonably practical through your regional plan, no later than 1 July 2025 when remaining requirements to exclude stock from natural inland wetlands come into force.*
3. *Give effect to the National Policy Statement for Freshwater Management 2020, particularly its direction to give effect to Te Mana o te Wai, actively involve tangata whenua, protect the values of natural inland wetlands, and map and monitor natural inland wetlands.*
4. *Be designed for the purpose of achieving improved outcomes for the wetlands. That is, the exception cannot permit the status quo to continue without change.*

5. *Include a monitoring and evaluation plan*, to ensure that the impacts of grazing in the Upper Taieri Scroll Plain are understood and actively managed, with adequate oversight from the Council to ensure that improved outcomes are achieved.

We ask that you reply by letter to confirm your intention to meet the above expectations. Subject to Cabinet agreement, we will progress an exception to the Upper Taieri Scroll Plains as described above. We will reconsider whether an exception is appropriate if it becomes clear that our expectations have not been met.

We ask that you provide officials with spatial data identifying the geographic area known as the Upper Taieri Scroll Plain at the earliest opportunity, to enable drafting of amended regulations to proceed in a timely manner. To enable drafting, we require those data to be sent to officials prior to 24 August 2023.

Please note that we are also advising Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou, Aukaha, Te Rūnanga o Ngāi Tahu and Te Ao Mārama of this proposed approach to manage stock exclusion in the Upper Taieri Scroll Plain.

Your sincerely,



Hon David Parker

Minister for the Environment



Hon Damien O'Connor

Minister of Agriculture

Ref: A1821914

From the Office of the Chairperson



24 August 2023

Hon David Parker & Hon Damien O'Connor
Ministers for the Environment and Agriculture
Parliament Buildings
Wellington

via **EMAIL:** david.parker@parliament.govt.nz
damien.o'connor@parliament.govt.nz

*Noted
DOP*

Dear Ministers Parker and O'Connor

Stock Exclusion in the Upper Taieri Scroll Plain

Thank you for your letter dated 22 August in relation to the Upper Taieri Scroll Plain. We acknowledge and appreciate the time you have both taken to understand the unique environment of the scroll plain, and some of the complexities associated with managing such a taonga.

ORC remains committed to implementing the suite of legislation aimed to improve freshwater management in New Zealand, including the stock exclusion regulations. However, as your letter outlines, application of those regulations in the Upper Taieri may not result in the best outcomes for the wetlands and its values.

As a Council, we discussed your proposal for an alternative pathway to manage the scroll plain and are pleased to advise you that we support the alternative approach of a management plan for the Upper Taieri. We are cognisant that there are still legislative requirements for you to work through in order that this option might be realised and we look forward to updates on the progress through Cabinet of the exception pathway.

Specifically, subject to Cabinet approval, the ORC commits to the development and implementation of a management plan for the Upper Taieri Scroll Plain that :

- Is developed in consultation with the local community and tangata whenua, and makes opportunities available for input from both MfE and MPI; and
- Is implemented as soon as reasonably practical through our Land and Water Regional Plan that is currently under development. We acknowledge the Upper Taieri implementation plan is to be implemented by 1 July 2025; and

For our future

70 Stafford St, Private Bag 1954, Dunedin 9054 | ph (03) 474 0827 or 0800 474 082 | www.orc.govt.nz


- Gives effect to the NPFM 2020, including by giving effect to Te Mana o te Wai, actively involving tangata whenua, protecting the values of natural inland wetlands, and mapping and monitoring natural inland wetlands; and
- Is designed for the purpose of achieving improved outcomes for the wetlands; and
- Includes a monitoring and evaluation plan to ensure the impacts of grazing in the scroll plain are understood and actively managed, and that ORC has appropriate oversight to ensure wetland values are maintained and enhanced.

We have also had discussions with MfE staff and confirmed that the data we hold that delineates the Upper Taieri Scroll Plain is suitable. We will send that through to staff today.

If you would like to discuss any matters raised in this letter, or if any point would benefit from further clarification, please contact Richard Saunders, Chief Executive (richard.saunders@orc.govt.nz).

Again, thank you for this opportunity to provide an alternative framework to protect the scroll plain.

Yours sincerely,



Cr Gretchen Robertson
Chairperson



From the Office of the Chairperson

29 August 2023

Greg Foran
Air New Zealand
185 Fanshawe Street
Auckland
New Zealand

Tēnā koe Mr Foran,

I am writing this letter in support of the joint Otago and Southland expression of interest (The "Southern Alliance Bid") between Dunedin, Queenstown and Invercargill Airports to host low/no carbon flights.

Otago has a strategic imperative to *'lead a regional approach to climate change to enable climate change mitigation and meeting New Zealand's emissions targets.'* Supporting the decarbonisation of our aviation industry is entirely consistent with that objective.

Our most recent regional greenhouse gas inventory highlighted that emissions from aviation in the region were 139,308 tonnes of carbon dioxide equivalent. This amounts to 10% of transport emissions within the region and represents an opportunity whereby a portion of emissions could be mitigated with low/no carbon flights.

The Southern Region is ideally positioned to explore decarbonisation opportunities in aviation due to its appeal to both domestic and international tourists. The southern airports all service a wide variety of flights – both private and commercial, and Queenstown is a very popular destination for the international market.

In summary, Otago Regional Council strongly supports the "Southern Alliance Bid" and would welcome collective action with Air New Zealand to further explore decarbonisation opportunities in aviation.

Kā mihi nui,

Gretchen Robertson
Chair, Otago Regional Council

For our future

70 Stafford St, Private Bag 1954, Dunedin 9054 | ph (03) 474 0827 or 0800 474 082 | www.orc.govt.nz

8.2. Chief Executive's Report

Prepared for: Council
Activity: Governance Report
Author: Richard Saunders, Chief Executive
Date: 20 September 2023

PURPOSE

- [1] This report provides an update to Council on key project delivery, reform progress, financial performance and levels of service.

EXECUTIVE SUMMARY

- [2] The delivery of the Land and Water Regional Plan and Long Term Plan remain on track.
- [3] Tracking of financial performance for the 2023/24 year is underway with the completion of the end of August accounts. It is considered too early in the year to identify risks.
- [4] Levels of service remain largely on track at this early stage of the year.

RECOMMENDATION

That the Council:

- 1) *Notes this report.*

DISCUSSION

Land and Water Plan

- [5] The delivery of the Land and Water plan remains on track. A report to note the policy direction for the Manuherekia consultation is being considered today. Another key milestone is the delivery of the first two community consultation sessions in North Otago and Dunedin City. Further engagement events are confirmed around the region throughout September and October.
- [6] Staff will report back to Council on the results of the engagement sessions in early December before completing work on the draft plan. This report back will include both the public sessions and the key stakeholder sessions.
- [7] The most recent project milestone report is included as Attachment 1.

Long Term Plan

- [8] The delivery of the Long Term Plan remains on track. Key sessions with Council have been held to give appropriate direction to staff. This will ensure that the appropriate level of information is made available to Councillors at the time formal decisions are required.
- [9] Papers on the engagement approach and supporting communications plan have been delayed due to the time commitments of the team who are involved in the delivery of

the Land and Water Plan consultation programme. It is now expected to be reported to the October Council meeting. This does not impact the critical path for the project.

- [10] The most recent project milestone report is included as Attachment 2.

Financial Reporting

- [11] Financial reports for the end of August are included as Attachments 3 and 4. There are no significant issues to note at this early stage of the year. Forecasts will be completed at the end of Q1 which will start to identify any risks or opportunities.

Levels of Service Measures

- [12] Level of service measures are included as part of Otago Regional Council Annual Plan. They are reported on throughout the year and are included in our Annual Report.
- [13] At the end of August Level of Service measures remain largely on track. Three service levels are marked as orange including the regional coastal monitoring programme, the scoping of an air strategy and the punctuality of public transport services. All of these measures could still be achieved by year end. An exceptions report and a full report are included as Attachments 5 and 6.

Reform Update

- [14] A summary of the current Central Government Reform activity is included as Attachment 7.
- [15] The Natural and Built Environment Act (NBA) and the Spatial Planning Act (SPA) passed into law on 23 August 2023. Staff have worked on day one requirements which involve consenting, compliance and enforcement.
- [16] The Water Services Entities Amendment Act was passed into law on 22 August and enables the establishment of 10 water services entities. Otago and Southland together make up Entity J.

OPTIONS

- [17] There are no options associated with this report.

ATTACHMENTS

1. 1. ORC LWRP monthly report - August 2023 [**8.2.1** - 4 pages]
2. 2. ORC LTP project report 050923 FINAL [**8.2.2** - 4 pages]
3. 3. Statement of Financial Position August 2023 [**8.2.3** - 1 page]
4. 4. Statement of Comprehensive Revenue and Expense August 2023 [**8.2.4** - 1 page]
5. 5. Summary LOSM Report August 2023 [**8.2.5** - 1 page]
6. 6. Summary LOSM Report All August 2023 [**8.2.6** - 3 pages]
7. 7. Reform overview September 2023 [8.2.7 - 2 pages]

ORC REPORT ON PROGRESS AGAINST CRITICAL MILESTONES AND TASKS

Project Name	Project Start Date	Project Sponsor	Project Owner	Report date
Land and Water Regional Plan for Otago	1-Jul-21	Anita Dawe	Fleur Matthews	31-Aug-23

Progress summary and focus for next month
<p>This past month: The month focused on refinement of the plan and briefing Councillors ahead of community engagement. The engagement strategy and communications plan has progressed significantly; dates, venues, and attendees have been confirmed and advertising and collateral produced.</p> <p>Next month: Major deliverables include: 1. Face to face and online feedback and engagement with the public and stakeholder groups 2. Legal Reviews of draft provisions 3. Turning attention to Section 32 report preparation</p>

RESOURCE MANAGEMENT ACT PROCESS AND CRITICAL TASKS	KEYS	STATUS
CP1. Environmental Outcomes, Objectives, Provisions, Rules developed (July 2023)	RMA CRITICAL PATH Milestone is on the critical path	1. Not due to start
CP2. Community consultation prior to formal Schedule 1 process (August - October 2023)	HEALTH Meets or exceeds project expectations	2. Not started
CP3. Pre-notification consultation (February - April 2024)	Issues are being managed within the team and not expected to impact final deadline	3. Ready to start
CP4. Public Notification (June 2024)	issues impacting project and overall timeline and need escalation and action	4. Start delayed
	Milestone / task finished	5. On hold
		6. In progress
		7. Complete
		8. Withdrawn

Milestone	RMA Critical Path	Baseline		Forecast	End date variance	Actual End Date	Previous Status	Current Health & Status	Commentary
		Start date	End date	Revised End date					
Preparatory and plan writing work to get to community consultation 3									
1 Initial consultations with communities and key region-wide stakeholders complete. This is required by NPS-FM prior to plan drafting	CP1		20-Dec-22	20-Dec-22		20-Dec-22	Complete	Complete	
2 Community and mana whenua values identified with community and mana whenua. This is required by NPS-FM prior to plan drafting	CP1		31-Dec-22	31-Dec-22		20-Dec-22	Complete	Complete	
3 Analysis of feedback from community and key stakeholder consultation complete	CP1		31-Jan-23	31-Jan-23		31-Jan-23	Complete	Complete	
4 Catchment Stories Summary Report complete			30-Jan-23	30-Jan-23		30-Jan-23	Complete	Complete	
5 Region-wide topics plan drafting started (Milestone)		1-Feb-23	1-Feb-23	1-Feb-23		1-Feb-23	Complete	Complete	
6 Further direction from Land and Water Regional Plan governance group on water quantity management sought. This directly informs plan drafting	CP1		6-Apr-23	6-Apr-23		6-Apr-23	Complete	Complete	Policy direction confirmed by Council at its meeting on 28 June 2023.
7 Region-wide hydrological modelling complete. This informs plan drafting.	CP1		30-Apr-23	31-Jul-23	+2 Months	18-Aug	Complete	Complete	Scope revised and completed mid-August.

Council Agenda - 20 September 2023 - CHAIRPERSON AND CHIEF EXECUTIVE REPORTS

Milestone	RMA Critical Path	Baseline		Forecast	End date variance	Actual End Date	Previous Status	Current Health & Status	Commentary	
		Start date	End date	Revised End date						
10	Water quality scenario modelling complete. This directly informs plan drafting	CP1		31-May-23	<u>31-Jul-23</u>	<u>+2 Weeks</u>	31-Jul	Complete	Complete	While there have been delays in finalising the report, the final draft of the report was sent for external peer review in July. As Science and Policy work closely together sharing information iteratively so the plan drafting deadline of 31 July was met.
11	Outstanding water bodies identified			31-May-23	18-Aug-23	<u>+2.5 Months</u>	18-Aug-23	Complete	Complete	This work was initially completed in April. A partial revision of the draft reports and a re-assessment of the outstanding water bodies is required following the RPS process as a change to the identification criteria stated in the pORPS has been recommended. The re-assessment was completed in August and the results of that are being considered in the Plan.
12	Manuherekia ecological flow recommendation provided by Technical Advisory Group			31-May-23	<u>16-Aug-23</u>	<u>+2.5 Months</u>	23-Aug	In progress	Complete	Issues being managed in line with GG recommendations. A report summarising all of the relevant technical work available for flow setting in the Manuherekia was presented at a briefing on 22 August.
13	Further direction from Land and Water Regional Plan governance group on drinking water protection requirements sought.	CP1		6-Jun-23	6-Jun-23		26-Jul	Complete	Complete	A paper on this topic has been prepared and was presented and discussed at the 8 June governance group meeting and the 29 June ESP Committee. Policy direction was confirmed by Council at its meeting on 26 July 2023.
14	Regionally significant wetlands mapped and ground truthed			30-Jun-23	30-Jun-23		30-Jun-23	Complete	Complete	Groundtruthing completed.
15	Land and Water Economic Profile of Otago complete (Milestone)			30-Jun-23	30-Jun-23		30-Jun-23	Complete	Complete	The Profile has been drafted and reviewed by external parties and key ORC staff. Following feedback via this review process the Profile is being finalised now and on track to be delivered by 30 June.
16	Farmers and Growers Phase 2 report on testing the impact of actions complete (Milestone)			30-Jun-23	3-Jul-23		3-Jul-23	Complete	Complete	The draft report has been received and has been reviewed by external reviewers from Waikato Regional Council. It is now finalised and was delivered on 31 July. It will be released in early August.
17	Threatened species identified (via independent expert panel)			30-Jun-23	31-Jul-23	<u>+2 Weeks</u>	31-Jul-23	Complete	Complete	Schedule of the threatened species of Otago has been compiled. In addition to this the following work has also been completed: Environmental objective; identification of attributes, and baseline states for these attributes (where known). Drafting of provisions is complete.
18	Environmental outcomes, current states and target attribute states determined for all FMUs	CP1		30-Jun-23	<u>30-Sep-23</u>	<u>+ 2 Months</u>		In progress	In progress	Draft Target Attribute States for rivers and lakes were finalised by 16 August 2023. Final reports are due late September with consistency reviews by Incite immediately afterwards.
19	Māori economy report completed by ORC and Iwi			31-Jul-23	<u>31-Aug-23</u>	<u>+1 Month</u>		In progress	In progress	Work underway but resource constraints adding risk to delivery.
20	Higher allocation catchment assessments complete (excluding Taieri)			31-Jul-23	31-Aug-23	<u>+1 Month</u>		In progress	In progress	This was not delivered by 31 July. A significant number of assessments for higher allocation catchments have been completed. Waivera, Pomahaka, Clutha and Waikouaiti are the outstanding reports. Waivera and Pomahaka will be finalised the end of August. Clutha principles and key information handed to policy - Report to follow. Waikouaiti will be delivered the first week in September.
21	All draft region-wide objectives, policies, provisions, rules complete	CP2		31-Jul-23	18-Aug-23	<u>+2 Weeks</u>		Complete	Complete	All chapters drafted and potential gaps identified. Refinement of all drafted chapters and consistency reviews Complete.

Council Agenda - 20 September 2023 - CHAIRPERSON AND CHIEF EXECUTIVE REPORTS

Milestone	RMA Critical Path	Baseline		Forecast	End date variance	Actual End Date	Previous Status	Current Health & Status	Commentary
		Start date	End date	Revised End date					
22	Draft Catlins FMU Chapter complete		31-Jul-23	18-Aug-23	+4 Weeks		In progress	In progress	Delayed start. Placeholders included in plan but content and science input still required.
23	Draft Clutha/Mata-Au Chapter complete		31-Jul-23	18-Aug-23	+4 Weeks		In progress	In progress	Delayed start. Placeholders included in plan but content and science input still required.
24	Draft Dunedin and Coast Chapter complete		31-Jul-23	18-Aug-23	+4 Weeks		In progress	In progress	Delayed start. Placeholders included in plan but content and science input still required.
25	Draft North Otago Chapter complete		31-Jul-23	18-Aug-23	+4 Weeks		In progress	In progress	Delayed start. Placeholders included in plan but content and science input still required.
26	All draft FMU chapters complete (except Taieri and Manuhereka Rohe)	CP2	31-Jul-23	31-Jul-23	+4 Weeks		In progress	In progress	Delayed start. Placeholders included in plan but content and science input still required.
27	Draft introduction, how the plan works, interpretation chapters complete		30-Sep-23	30-Sep-23			In progress	In progress	Early drafting has begun on this chapter which is ahead of schedule.
28	Draft national direction chapter and regional context content complete		30-Sep-23	30-Sep-23			In progress	In progress	Early drafting has begun on this chapter which is ahead of schedule.
29	Draft mana whenua chapter complete		30-Sep-23	30-Sep-23			In progress	In progress	ORC and Iwi are working on the integration of mana whenua values, objectives, and outcomes into the plan document and what will be contained in a mana whenua chapter at present. The mana whenua chapter will only contain what is legally required for that chapter following integration throughout the plan.
30	Draft schedules and appendices complete		30-Sep-23	30-Sep-23			In progress	In progress	A list of schedules and appendices has been compiled. The next step is to determine what changes and new schedules are required following the development of region-wide and FMU specific provisions. The internal approach to developing maps is being determined in May so that maps can then be updated or commissioned and delivered by end Sep 23.
31	Draft Taieri Chapter complete		30-Oct-23	30-Oct-23			Not due to start	Not due to start	
32	Manuhereka Rohe chapter complete	CP2	31-Oct-23	31-Oct-23			Not due to start	Not due to start	
Community consultation prior to formal Schedule 1 process									
33	3rd and final community and key stakeholder consultation planning initiated		1-Jun-23	1-Sep-23	+ 3 Months		In progress	In progress	Planning complete and Engagement Strategy provided to Council by HarrisShea consultants. Work underway to implement Engagement Strategy.
34	Community consultation 3 meetings complete	CP2	30-Sep-23	31-Oct-23	+ 1 Month		Not due to start	Not due to start	Dates have been revised. Planning largely complete and venues/attendees/collateral all confirmed and ready.
35	Key stakeholder report backs on region-wide topics complete		30-Sep-23	30-Sep-23			Not due to start	Not due to start	
36	Report back to Manuhereka Rohe community on provisions and	CP2	15-Oct-23	15-Oct-23			Not due to start	Not due to start	
38	Full draft plan reviews by Planning Lead, affected ORC teams, Iwi, Legal complete		30-Nov-23	30-Nov-23			Not due to start	Not due to start	
39	Draft Proposed Land and Water Regional Plan and draft Section 32 report complete. These are required in order for Clause 3 & 4A pre-notification and notification	CP3	30-Nov-23	20-Dec-23	+ 1 Month		In progress	In progress	Plan authors are collating supporting evidence as they develop plan chapters throughout. The Section 32 Report involves a significant amount of work which is being worked on iteratively as the plan is developed. The project is monitoring any additional resources required here.
40	Draft Land and Water Regional Plan complete and ready for pre-notification consultation	CP3	30-Nov-23	30-Nov-23			Not due to start	Not due to start	
Pre-notification consultation and public notification									
41	Draft Proposed Land and Water Regional Plan pre-notification consultation with Iwi and statutory parties (under RMA Sch 1, clause	CP4	28-Feb-24	28-Feb-24			Not due to start	Not due to start	
42	Draft Proposed Land and Water Regional Plan pre-notification consultation with Iwi and statutory parties (under RMA Sch 1, clause	CP4	30-Apr-24	30-Apr-24			Not due to start	Not due to start	
43	Updates to Draft Proposed Land and Water Regional Plan complete		31-May-24	31-May-24			Not due to start	Not due to start	

Council Agenda - 20 September 2023 - CHAIRPERSON AND CHIEF EXECUTIVE REPORTS

Milestone	RMA Critical Path	Baseline		Forecast	End date variance	Actual End Date	Previous Status	Current Health & Status	Commentary
		Start date	End date	Revised End date					
44	Section 32 report complete		31-May-24	31-May-24			Not due to start	Not due to start	
45	Otago Regional Council resolution to notify Proposed Land and Water Regional Plan for Otago	CP4	14-Jun-24	14-Jun-24			Not due to start	Not due to start	
46	Proposed Land and Water Regional Plan for Otago publicly notified	CP4	28-Jun-24	28-Jun-24			Not due to start	Not due to start	

ORC report on Long Term Plan project progress against critical milestones and tasks

Project Name	Project Lead	Current Reporting Period	Previous Reporting Period
Long Term Plan	Mike Roesler	19 August – 1 September	3 August – 18 August
Progress summary and focus for next reporting period		Areas for discussion and decision	
<p>Achievements this reporting period</p> <ul style="list-style-type: none"> • Council Presentation held: Framework, assessment of funding needs and analysis • Next steps ahead of Council workshops communicated to managers • Workshops held to facilitate manager input into potential Focus Area initiatives templates, managers further progressed Focus Area initiative templates following workshop • Cover paper and detailed agenda for ELT LTP moderation day drafted • New Infrastructure Strategy (IS) workshop date agreed with project team and work with Governance underway to schedule • LTP overview session held with Amanda’s team • IS team progressed delivery of key issues paper for Council, currently at manager review stage 		<p>Current project focus has been on:</p> <ul style="list-style-type: none"> • Preparing for 4 September ELT session to discuss and refine potential Focus Area initiatives • Preparing managers for 13 September Council workshop on potential Focus Area initiatives <p><i>Update on engagement plan</i> In addition, on 29 August, the project sponsor agreed to defer the planned LTP engagement plan update to October/November (exact date tbc) so that the council can consider the engagement and communications plans together.</p>	
<p>Next reporting period (01 September – 15 September)</p> <ul style="list-style-type: none"> • Begin drafting engagement plan (TBC) • ELT to hold half day session to discuss potential Focus Area initiatives (4 September) • IS sign out for identification of key issues paper ahead of Council workshop (7 September) • Preparing material for 13 September Council workshop on potential Focus Area initiatives (8 September) • Next manager hui held (08 September) • LTP Governance meeting held (11 September) • Workshop with Council to discuss potential Focus Area initiatives (13 September) • Workshop with Council on identification of key issues in Infrastructure Strategy (13 September) • Manager hui held to update on next steps following 13 September Council workshop (15 September) 			
<p>On the horizon (September)</p> <ul style="list-style-type: none"> • Incorporating Council feedback into potential Focus Area initiatives • Preparing template and materials for manager LTP Activity Build (18 September) • Managers begin LTP Activity Build (18 September) • Council Financial and Funding workshop - high level options modelling (21 September) 			

Council Agenda - 20 September 2023 - CHAIRPERSON AND CHIEF EXECUTIVE REPORTS

Risks and Issues	
RISKS	MITIGATIONS
Project management and governance needs to be tightly managed to avoid quality and time issues.	Project manager has been appointed, governance group set up and regular governance cycle has started. Review in 3 months. Continuing to identify linkages and cross overs and scoping these into our detailed scheduling as appropriate.
Timeframes are tight for both Council and staff and the need for timely input is ongoing.	To mitigate this risk, the project team will ensure that the purpose of sessions is clear and that the link to outcomes is shown. Project team will also use the annual plan template as a guide and reinforce timeframes for Council on when things need to be done by.
Amount of time and commitment management are spending on the LTP process.	To mitigate this risk, the project team will seek clear direction from Council on priorities and resources and will support managers with tools and templates to help them manage their time efficiently.
Resourcing issues in the Engagement team could delay engagement processes.	To mitigate this risk, a decision was made by the CE to approve scoping of outside consultants to fill any resourcing gaps, and to allow the project to deliver this work on schedule.

Key		
STATUS	HEALTH	Colour
Not due to start	Work not yet due to start	
Start delayed	Issues are being managed within the team and not expected to impact final deadline	
On hold	Issues impacting project and overall timeline and need escalation and action	
In progress	Meets or exceeds project expectations	
Complete	Milestone / task finished	

Milestone	Start date	End date	Health and Status	Commentary
COUNCILLOR WORKSHOPS AND DECISION MAKING				
Council and Mana Whenua workshop. <i>Implications of future work programme possibilities</i>	07/08/2023	13/09/2023	In progress	Key dependency on focus areas confirmed at 2 August meeting.
Council workshop. <i>Identification of key issues in Infrastructure Strategy (paper)</i>	14/08/2023	13/09/2023	In progress	Key issues draft paper to be circulated to Council ahead of workshop on 7 Sep.
Council meeting. <i>Draft Communications plan for LTP (paper)</i>	03/08/2023	01/10/2023	Start delayed	Engagement and Communications teams will now provide a joint report back in October/November.
Council update on LTP detailed planning, budgeting and other supporting information	16/10/2023	09/11/2023	Not due to start	Update item only.
Draft Infrastructure Strategy submitted to Safety & Resilience Committee for approval	24/10/2023	09/11/2023	Not due to start	Alignment between this area and LTP process is an area of focus for the project.
Council endorsement for key LTP content and Supporting Information for consultation	06/10/2023	07/12/2023	Not due to start	Confirmed that this scope covers supporting information for consultation.
FINANCIAL AND RATES				
Council Presentation – Financial/funding: high level options modelling	04/09/2023	21/09/2023	Not due to start	Not due yet.
Draft Financial Strategy and Revenue & Financing Policy submitted to Council for approval	02/10/2023	25/10/2023	Not due to start	Had previous indicated this would go to Council as a paper but will now take form of workshop here and paper later.

Council Agenda - 20 September 2023 - CHAIRPERSON AND CHIEF EXECUTIVE REPORTS

Council Presentation – Financial/funding: Financial Models	24/10/2023	07/11/2023	Not due to start	Consolidated estimates and funding impact here. Will look to include detailed rates analysis of preferred rating options for this workshop.
Council Presentation – Council Finance Committee: Final Financial Estimates	06/11/2023	23/11/2023	Not due to start	Not due yet.
ENGAGEMENT AND COMMUNICATIONS				
Engagement with strategic stakeholders on Focus Areas	04/09/2023	21/09/2023	Not due to start	An early engagement plan with ORC's key stakeholders has been developed to support the 2024-2034 LTP process. Early engagement plans will be implemented ahead of the formal LTP consultation process. The time-period for early engagement plan implementation is September 2023 – December 2023.
Approach to communicating key topics to the community (for Special Consultative Procedure) agreed internally	04/09/2023	21/09/2023	Not due to start	Note this is a separate communications plan. Some detailed planning has occurred for this and is in the LTP detailed schedule/Gantt chart. Existing policies must be taken into account and given effect to.
Engagement plan reviewed at Council Meeting	03/08/2023	01/10/2023	Start delayed	Engagement and Communications teams will now provide a joint report back in October/November, with the Engagement plan to be developed before the report back.
PROJECT MANAGEMENT				
Support 4 September ELT moderation session as required for 13 September Council Workshop	21/06/2023	04/09/2023	In progress	Nick now confirmed as facilitator.
Support managers ahead of 13 September Council Workshop	04/09/2023	13/09/2023	Not due to start	Subject to project sponsor decision, providing support to managers as needed. Noting that this process is intended to be manager-led and project supported.

Completed Milestones	Start date	End date	Health and Status	Commentary
Council presentation - Financial/funding: Introduction	11/05/2023	11/05/2023	Complete	Completed on 11/05/2023.
Council Briefing held: Current State presentation	14/06/2023	15/06/2023	Complete	Completed on 15/06/2023.
Council presentation - Financial/funding: Financial strategy	14/06/2023	29/06/2023	Complete	Completed on 29/06/2023.
Current State updated following Council feedback	16/06/2023	07/07/2023	Complete	Completed on 08/08/2023.
Lessons from OAG report documented and discussed with workstream lead and project sponsor	21/06/2023	20/07/2023	Completed	Have now been discussed with LTP governance sub-committee and incorporated into project plan. Completed on 02/08/2023.
Detailed planning of Infrastructure Strategy milestones and set up of regular meeting	17/07/2023	25/07/2023	Complete	Project lead has now met with IS team to confirm detailed planning and has invited IS team to regular project team meetings. Completed on 14/08/2023.
Clarity on process for Growth models, uncertainties, and assumptions document	04/07/2023	28/07/2023	Complete	Completed on 28/07/2023.
Council and Mana Whenua workshop. <i>Confirming our Strategic Directions</i>	03/07/2023	02/08/2023	Complete	Completed on 02/08/2023.
Council presentation - Financial/funding: Rating specifics	17/07/2023	02/08/2023	Complete	Completed on 02/08/2023.
First LTP governance sub-committee meeting	18/07/2023	02/08/2023	Complete	Completed on 02/08/2023.
Council and Mana Whenua workshop. <i>Future work programme possibilities</i>	03/07/2023	08/08/2023	Complete	Completed on 08/08/2023.
Regional Leadership Committee Paper. <i>Engagement Approach to LTP</i>	03/07/2023	10/08/2023	Complete	Completed on 10/08/2023.
Engagement approach for LTP consultation drafted	03/07/2023	10/08/2023	Complete	LTP content drafted into paper, next step is to confirm strategic stakeholders with ELT. Draft completed 10/08/2023.
Council Presentation – Framework, assessment of funding needs and analysis [Morrison & Low]	7/07/2023	24/08/2023	Complete	Completed on 24/08/2023.

Manager input schedule	Manager time commitment	Comment
CURRENT		
Focus on communicating Strategic Directions to managers and providing dates and details for upcoming peaks in work or milestones	Light (0-2 hours/week)	Current focus is making sure managers are across the Strategic Directions work to date and have the context they need for upcoming discussions with Council and mana whenua.
Preparation of material for 13 September session with Council and participation at 13 September session as required. This is a high workload for some managers and a light workload for others (line of sight only). Managers who are heavily involved are likely to need 10/hrs a week for next 2 weeks.	Medium (some managers) (2-5 hours/week)	Workload has increased from 8 August and expected to continue through 13 September as managers work through the implications of possible changes raised by Council and mana whenua on 8 August.
UPCOMING		
Managers who have been heavily involved in shaping up implications of future work programme possibilities will need to support ELT and Council discussions as required	Medium (some managers)	Support required will be on 4 and 13 September. Holds will go in managers diaries for this time
From 14 September to 10 October all managers will need to lead work programme and detailed budgeting work for their respective teams	Medium (all managers)	This is likely to have a significant collective impact on organisational capacity. GM's and managers need to plan for this. Will also be high impact on capacity of finance team in supporting this process.

LTP Project Workstreams GANTT Chart overview				
LTP WORKSTREAMS	Sep-23	Oct-23	Nov-23	Dec-23
Long Term Plan				
Engagement and Communications	Comms Plan		Marketing and comms	LTP draft content approved
Partnering with Mana Whenua				Implementation of plan

Statement of Financial Position

As at 31 August 2023

Notes	YTD Actual Aug-2023 2 months	Prior Year Actual Jun-2023*	Variance 2 months	Budget Full Year Jun-2024
CURRENT ASSETS				
Cash and cash equivalents	6,780	14,830	(8,050)	6,040
Trade receivables	18,038	14,802	3,236	12,126
Property held for sale	3,350	3,350	-	-
Other financial assets	25,381	25,262	119	25,426
Other current assets	1,172	1,433	(261)	883
TOTAL CURRENT ASSETS	54,722	59,677	(4,955)	44,475
NON-CURRENT ASSETS				
Property, plant and equipment	93,583	93,994	(411)	110,287
Investment property	16,495	16,495	-	17,131
Shares in subsidiary	723,890	723,890	-	753,013
Borrower notes	500	500	-	-
Deferred tax asset	-	-	-	98
Related party loan – Port Otago	126,425	125,088	1,337	99,960
Intangible asset	1,180	820	360	1,881
TOTAL NON-CURRENT ASSETS	962,073	960,787	1,286	982,370
TOTAL ASSETS	1,016,795	1,020,464	(3,669)	1,026,845
CURRENT LIABILITIES				
Trade and other payables	13,240	19,204	5,964	18,996
Borrowings	60,380	58,878	(1,430)	-
Provision	-	-	-	-
Employee entitlement	3,030	2,716	(314)	2,608
TOTAL CURRENT LIABILITIES	76,579	80,798	4,219	21,604
NON-CURRENT LIABILITIES				
Borrowings	91,438	91,438	-	37,200
Other financial instruments	-	-	-	87,956
TOTAL NON-CURRENT LIABILITIES	91,438	91,438	-	125,156
TOTAL LIABILITIES	168,017	172,236	4,219	146,760
NET ASSETS	848,778	848,228	550	880,085
EQUITY				
Reserves	747,694	747,694	-	771,427
Public Equity	101,084	100,534	550	108,658
TOTAL EQUITY AND RESERVES	848,778	848,228	550	880,085

Notes

* Draft / unaudited Year End 30 June 2023.

Statement of Comprehensive Revenue and Expense For the 2-months ended 31 August 2023

	Notes	YTD Actual Aug-2023 2 months	YTD Budget Aug-2023 2 months	Variance 2 months	Forecast Full Year 23/24 12 months	Budget Full Year AP 23/24 12 months	Variance 12 months
REVENUE							
Rates revenue		9,263	9,263	-	55,778	55,778	-
Subsidies and grant revenue		3,358	2,720	638	20,497	20,497	-
Other income		2,090	2,369	(279)	19,519	19,519	-
Dividends		2,532	2,500	32	15,000	15,000	-
Interest and investment income	1	1,399	1,708	(309)	10,250	10,250	-
TOTAL REVENUE		18,642	18,560	82	121,043	121,043	-
EXPENDITURE							
Employee benefits expense		(5,438)	(5,970)	532	(35,823)	(35,823)	-
Depreciation and amortisation		(696)	(702)	6	(4,211)	(4,211)	-
Finance costs	1	(1,542)	(1,584)	42	(9,500)	(9,500)	-
Other expenses		(10,483)	(9,765)	(718)	(71,789)	(71,789)	-
TOTAL OPERATING EXPENDITURE		(18,159)	(18,021)	(137)	(121,323)	(121,323)	-
OPERATING SURPLUS/(DEFICIT)		484	539	(55)	(281)	(281)	-
Other gains/(losses)	2	66	211	(144)	1,265	1,265	-
SURPLUS/(DEFICIT) BEFORE TAX		550	750	(199)	984	984	-
Income tax benefit/(expense)		-	-	-	-	-	-
SURPLUS/(DEFICIT) FOR THE YEAR		550	750	(199)	984	984	-
Revaluation gain/(loss) – shares in subsidiary	3	-	-	-	28,193	28,193	-
TOTAL COMPREHENSIVE REVENUE AND EXPENSE		550	750	(199)	29,177	29,177	-

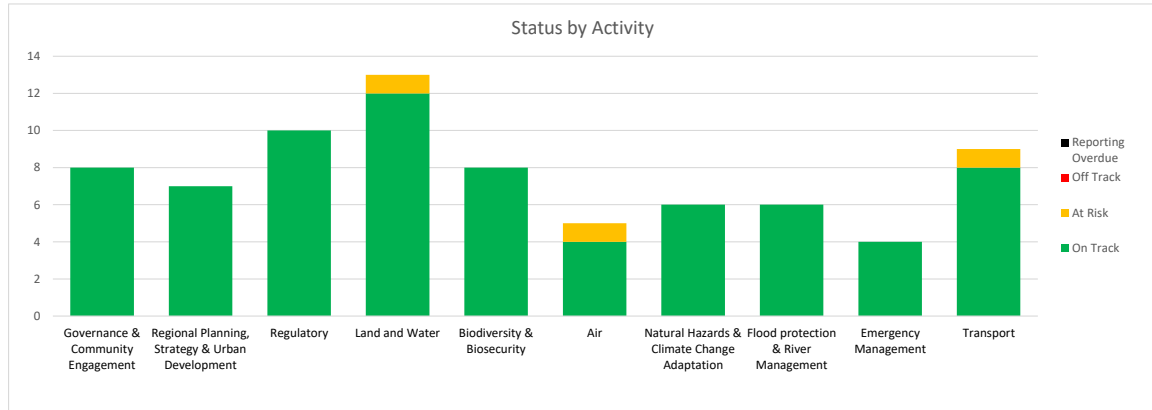
Notes

1. Interest income and expense includes interest on LGFA lending on-lent to Port Otago Limited.
2. Includes gains on long term managed fund (updated monthly) and revaluation of investment property (updated at year-end).
3. Revaluation shareholding in Port Otago Limited (updated at year-end).

Comments

- Year to date surplus is \$199k below budget for the 2-month period.
- Revenue is \$82k up on budget and expenditure \$137k is also up on budget.
- Variances to date are largely timing and will be assessed further when the first forecast is undertaken together with the Q1 reporting.

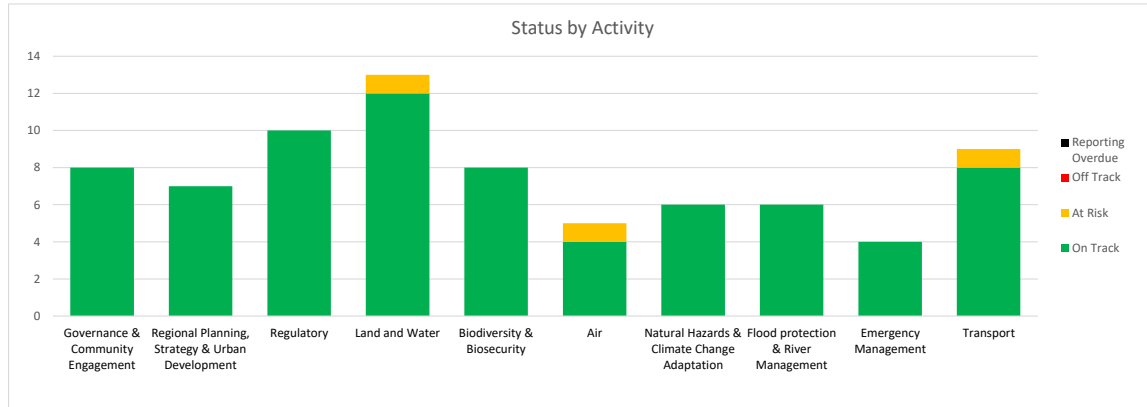
AUGUST PERFORMANCE REPORTING - EXCEPTIONS TO JULY



Service Measure and Target			
ENVIRONMENT			
Land and Water	JULY	NOW	COMMENT
Implement a regional coastal monitoring programme. Target: Annual report on monitoring programme completed and reported to Council	On Track	At Risk	Ground truthing RFP was held up internally so can't progress until this is complete
Air	JULY	NOW	COMMENT
Air implementation strategy is scoped - Target: Reported to Council by 30 June	On Track	At Risk	Not yet started, dependant on Regional Air Plan development.
TRANSPORT			
Transport	JULY	NOW	COMMENT
Percentage of scheduled services on-time (punctuality) - Target: 95%	On Track	At Risk	Services are affected in Dunedin by extensive roadworks, will improve with the completion of the roadworks.



AUGUST PERFORMANCE REPORTING



Service Measure and Target			
REGIONAL LEADERSHIP			
Governance & Community Engagement	JULY	NOW	COMMENT
Percentage of official information requests responded to within statutory timeframes - Target: 100%			
Deliver our statutory requirements with acceptable process and deliverables to decision-makers and the community - Target: Unmodified audit reports received			
Percentage of council agendas are publicly available two working days or more before a meeting - Target: 100%			
Work done in partnership with iwi - Target: Maintain or increase the number of outputs and/or projects (from 2021-22 baseline result: 19)			
Build the bicultural competency of ORC staff and councillors - Target: ≥50 participants in programme			Reporting not available - Assumed Green
Annual survey is conducted to understand and improve community awareness, perceptions and expectations of ORC - Target: Improved satisfaction levels with how ORC services the region			
Customers express high levels of satisfaction with customer service provision - Target: Conduct benchmarking of customer satisfaction			
Develop a Regional Climate Strategy - Target: Strategy finalised and reported to Council by 30 June			Reporting not available - Assumed Green
Regional Planning, Strategy & Urban Development	JULY	NOW	COMMENT
Develop an integrated planning framework that enables well managed urban growth across Otago - Target: Joint ORC and DCC/QLDC HBA updated and joint FDS completed by 30 June			
Complete review of existing Regional Policy Statement (RPS) - Target: Make RPS operative			
Catchment Action Plans (CAP) are developed in collaboration with iwi and community. Target: Drafting of pilot CAP completed and drafting of second CAP commenced by 30 June			
Report on community wellbeing indicators - Target: Complete baseline report on wellbeing indicators and issues			
Information on climate change in Otago is shared with the community and stakeholders. Target: Coordinate the development and delivery of a regional sequestration study by December 2023			Reporting not available - Assumed Green
Report on regional stakeholder engagement and collaboration on climate change. Target: Complete an annual report on regional climate change collaboration and report to Council			Reporting not available - Assumed Green
Develop an integrated planning framework that enables well managed urban growth across Otago - Target: Mapping of highly productive land completed by 30 June			Reporting not available - Assumed Green
Regulatory	JULY	NOW	COMMENT
Maintain 24-hour/7 day a week response for environmental incidents - Target: Pollution hotline staff available/on call 24/7			
Maintain 20 appropriately trained responders for maritime oil pollution incidents - Target: 20 responders attend 3 exercises per year			
Percentage of resource consent applications processed in accordance with Resource Management Act 1991 legislative timeframes - Target: ≥98%			
Percentage of performance monitoring returns completed each year, as per the Compliance Audit and Performance Monitoring Schedule targets - Target: ≥90%			
Percentage of significant non-compliance identified where action is taken in accordance with Compliance Policy - Target: 100%			
Major incidents on Otago's Harbours and waterways will be responded to. Target: Major incidents and ORC's response are reported to Council quarterly			
Percentage of programmed inspections/audits completed each year, as per the Compliance Audit and Performance Monitoring Schedule targets - Target: ≥90%			
Maintain compliance with Port and Harbour Marine Safety Code - Target: External review is completed and deemed to be code consistent.			
On-water engagement, education of recreational users and safety campaigns are documented and reported annually - Target: Report to council by 30 June			
Percentage of public enquiries for consent information completed within 7 working days - Target: Maintain or increase (from 2021-22 baseline of 99%)			
ENVIRONMENT			
Land and Water	JULY	NOW	COMMENT
Complete the Land and Water Regional Plan(LWRP) - Target: Notify LWRP by 30 June 2024			Reporting not available - Assumed Green

Otago Catchment Communities is supported to meet deliverables and targets of funding agreement - Target: Report to Council on deliverables and targets achieved by 30 June			
Implement freshwater monitoring programme - Target: Annual report on monitoring programme completed and reported to Council			
Implement a regional coastal monitoring programme. Target: Annual report on monitoring programme completed and reported to Council			Ground truthing RFP was held up internally so can't progress until this is complete
Percentage of data from the water monitoring network that is captured quarterly - Target: ≥95% data capture achieved			
Develop and implement a regional land use monitoring programme. Target: Annual report on monitoring programme completed and reported to Council			Reporting not available - Assumed Green
Otago Catchment Communities funding is administered as per agreement. Target: 100%			
Land owner/community led projects promoting best practice land management for soil conservation, water quality and the efficient use of water are identified and supported - Target: Three or more projects supported per year			
Identify: At least three site specific management plans for selected degraded waterbodies are developed, prioritised, and implemented - Target: Projects confirmed and actions identified by 30 September			
Undertake: At least three site specific management plans for selected degraded waterbodies are developed, prioritised, and implemented - Target: 90% of actions undertaken within specified timeframes			
Percentage of data from the land-use monitoring network that is captured quarterly - Target: 95% data capture achieved			
Implement estuarine monitoring programme - Target: Annual report on monitoring programme completed and reported to Council			Reporting not available - Assumed Green
Complete a review of the Regional Plan Coast - Target: Issues and options papers developed and reported to Council by 30 June			
Biodiversity & Biosecurity	JULY	NOW	COMMENT
Actions listed in the Biodiversity Action Plan (BAP) are prioritised and progressed - Target: 90% of current year actions achieved within timeframes specified			
Actions within the Biosecurity Operational Plan (BOP) are identified and progressed - Target: 90% of actions achieved within timeframes specified.			
(Funding of selected initiatives- includes EcoFund) Percentage of funding administered as per agreements - Target: 100%			
Complete a report on the initiatives and organisations supported and the key deliverables achieved (Funding of selected initiatives- includes EcoFund) - Target: Report to Council by 30 June.			
Engagement Activities: Biodiversity partnerships established and joint projects developed and progressed - Target: Maintain or increase number of partnership engagement activities and events and report to Council.			
Projects: Biodiversity partnerships established and joint projects developed and progressed - Target: Projects and progress against milestones reported to Council			
Develop and implement a regional indigenous biodiversity ecosystems monitoring programme. Target: Annual report on monitoring programme completed and reported to Council			Reporting not available - Assumed Green
Percentage of data from the biodiversity monitoring network that is captured quarterly - Target: ≥95% data capture achieved			Reporting not available - Assumed Green
Air	JULY	NOW	COMMENT
Implement a regional air monitoring programme - Target: Annual report on monitoring programme completed and reported to Council			Reporting not available - Assumed Green
Percentage of data from the air monitoring network that is captured quarterly - Target: ≥95% data capture achieved			
Complete review of the Regional Plan Air - Target: Issues and options papers developed by 31 December 2023			
Complete review of the Regional Plan Air - Target: Community engagement for development of Regional Plan Air completed by 30 June			
Air implementation strategy is scoped - Target: Reported to Council by 30 June			Not yet started, dependant on Regional Air Plan development.
SAFETY AND RESILIENCE			
Natural Hazards & Climate Change Adaptation	JULY	NOW	COMMENT
Relevant and up to date natural hazards information is available via the web-based Otago Natural Hazards Database - Target: Database information is checked and updated monthly			
Percentage of flood warnings that are issued in accordance with the flood warning manual - Target: 100%			
Develop a regional natural hazards risk assessment and a regional approach for prioritising adaptation - Target: Complete natural hazard risk assessment and prioritization approach.			
Priority Works: Develop and implement prioritised natural hazard risks adaptation works - Target: Work in priority areas is delivered as per plan by 30 June			
Lake Wakatipu: Develop and implement prioritised natural hazard risks adaptation works - Target: The Head of Lake Wakatipu natural hazards adaptation strategy progresses as per annual work plan			
South Dunedin and Harbourside: Develop and implement prioritised natural hazard risks adaptation works - Target: ORC contribution to the South Dunedin Future programme progresses as per annual work plan.			
Flood protection & River Management	JULY	NOW	COMMENT
Scheme Performance: Major flood protection and control works are maintained, repaired, and renewed to the key standards defined in relevant planning documents - Target: Schemes function to their constructed design standards			
Scheme renewals programme: Major flood protection and control works are maintained, repaired, and renewed to the key standards defined in relevant planning documents - Target: ≥90% of renewals programme completed			
Scheme maintenance programme: Major flood protection and control works are maintained, repaired, and renewed to the key standards defined in relevant planning documents - Target: ≥90% of planned maintenance programme completed			
Rivers: Percentage of identified and reported issues that have been investigated and appropriate action determined and communicated to affected landholders within 20 working days - Target: 100%			
Rivers: Percentage of planned maintenance actions achieved each year - Target: ≥90%			
Flood repair programme: Damage identified, prioritised and a repair programme communicated with affected communities in a timely manner - Target: Programme developed and communicated within 3 months of the event.			
Emergency Management	JULY	NOW	COMMENT
Staffing: An adequate Emergency Coordination Centre (ECC) facility and staffing are available - Target: Adequate staff who are trained and available for any activation of the ECC.			Reporting not available - Assumed Green
Facility: An adequate Emergency Coordination Centre (ECC) facility and staffing are available - Target: An appropriate facility is available for activation at all times.			Reporting not available - Assumed Green
Support is provided to the Otago CDEM Group as per the CDEM Act and Otago CDEM Partnership Agreement - Target: Fulfill all requirements as the administering authority.			Reporting not available - Assumed Green
Maintain response functionality to enable operational situational awareness when ECC activated - Target: Response solutions are checked as scheduled and any issues remedied.			Reporting not available - Assumed Green

TRANSPORT			
Transport	JULY	NOW	COMMENT
Percentage of scheduled services on-time (punctuality) - Target: 95%			Services are affected in Dunedin by extensive roadworks, will improve with the completion of the roadworks.
Overall passenger satisfaction with Dunedin Public Transport system at annual survey - Target 97%			
The Regional Land Transport Plan (RLTP) is prepared and submitted in line with the Land Transport Management Act 2003 and any guidance issued by the New Zealand Transport Agency (NZTA) - Target: RLTP review completed and adopted by Council by 30 June Transport Committee.			
Annual public transport boardings in Queenstown per capita - Target: increase			
Annual public transport boardings in Dunedin per capita - Target: increase			
Percentage of scheduled services delivered (reliability) - Target: 95%			
Overall passenger satisfaction with Wakatipu Public Transport system at annual survey - Target 97%			
Percentage of users who are satisfied with the provision of timetable and services information - Target: Maintain or increase (from 2022 baselines - DN: 70%, QWTN: 88%)			
Percentage of users who are satisfied with the overall service of the Total Mobility scheme- Target: maintain or increase (from 2022 baseline:87%)			

On Track	At Risk	Off Track	Not Measured	Reporting Overdue
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Local Government Reform Overview – September 2023

Resource Management Reform Programme

The Natural and Built Environment Act (NBA) and the Spatial Planning Act (SPA) passed into law on 23 August 2023. MfE has since released a suite of documents to support their implementation, including an [overview booklet](#) and six factsheets. More information is promised over the coming weeks.

Work continues on the National Planning Framework (NPF), which promises to consolidate national environment policy statements, planning standards and regulations into one coherent planning framework. On 11 September, the Ministry for the Environment (MfE) [released an engagement draft](#) of the “transitional NPF”, which the NBA specifically requires be prepared based on existing RMA national direction. The Ministry is seeking feedback on the transitional NPF from local government and iwi by 13 December, ahead of formal public notification and a Board of Inquiry process in 2024.

A third component of the new system, the Climate Change Adaptation Bill, is still in development. On 25 August, the Environment Committee initiated an Inquiry into Climate Adaptation. [The Inquiry’s webpage](#) includes a list of areas of interest, which form the Inquiry’s terms of reference. [Supporting documents for the inquiry](#) include the report of the Expert Working Group on Managed Retreat and MfE’s issues paper ‘Community-led retreat and adaptation funding’. Submissions are due 1 November so will be heard post-election.

ORC internal

The full impact of the reform will be seen when Otago transitions to the new system, but there are a handful of specific provisions that take effect immediately. For ORC, ‘day 1’ impacts relate to consenting, and compliance and enforcement. These include shorter timeframes for some freshwater-related resource consents, more options to recover costs from those who contaminate land, and new compliance powers and tools.

Staff report that the public enquiry line has received some calls relating to freshwater consent durations. The consents team are updating the website and have communicated with stakeholders and consultants. In October, a paper will come to Council to update ORC’s delegations manual to determine who can make decisions with the new enforcement tools.

Regional sector

Te Uru Kāhika (TUK) released a ‘Day One Communications Pack’ for regional councils, the product of joint effort to interpret and understand the reforms’ impact on the regional sector. The communications pack opens with the following message: “This is not a farewell to the Resource Management Act (RMA) just yet. Rather, we find ourselves in a transitional phase – one where we’re tasked with building bridges from our current model to a future of operating differently. [...] The new Acts require true partnership with iwi/Māori, with the aspiration of delivering better and more integrated outcomes for our te Tiriti partners and communities. There is a lot to do to realise the ambitions behind the legislation.”

TUK is working towards two webinars on RM reform and its implications for the regional sector, one session for Councillors and the other for staff/practitioners. Dates are yet to be confirmed.

Otago collaboration

The Otago CE Forum has initiated a project to explore how Otago’s councils can prepare for the new system as a region. The group’s overall direction is towards increased collaboration, with a particular focus on spatial approaches. In the first instance, the group will undertake work to better understand the current state of planning functions and planning issues across the region.

Water Services Reform Programme

The Water Services Entities Amendment Act was passed into law on 22 August and enables the establishment of 10 water services entities. Otago and Southland together make up Entity J.

The Minister for Local Government has shared with councils a preliminary schedule of go-live dates for the new entities. The schedule recommends that Entity J go live on 1 October 2025. This has disappointed some in the region who had called for a date at the start of a financial year. Much rides on the outcome of the upcoming election as it is opposition policy to repeal the water services legislation.

Regional sector

TUK has a Three Waters workstream under the Resource Managers Group (RMG) to support the sector to be an effective regulator for the new water entities. For Entity D (now Entities I and J), a Tier 2/3 steering group is leading work to prepare for the transition, test practical steps for regulatory alignment, and provide a connected Takiwā view. This group is facilitated by ECAN and supported by working groups.

A recent meeting of this group and NTU representatives confirmed that detailed work involving regional councils is largely in hiatus at present. As an outcome of this meeting, NTU has undertaken to provide advice on:

- opportunities for regional councils to engage with the new entities (if/when established) to set expectations and agree working approaches; and
- the potential for regional council to review consents and compliance data to identify risk priorities for entities.

The way ahead will be clearer following the general election.

Otago/Southland collaboration

ORC compliance is actively engaged with district/city council three waters management teams, including facilitating connection between district and city councils; and holds regular meetings with Environment Southland to support a consistent approach to the delivery of CME activities.

Review into the Future for Local Government

The Future for Local Government review panel released its final report, [He piki tūranqa, hi piki kōtuku](#) on Wednesday 21 June. By design, the review has concluded immediately prior to a general election; it will be up to the incoming government to respond to its findings on behalf of central government.

The review makes repeated calls for the local government sector, through LGNZ and Taituarā in conjunction with DIA, to lead and champion the change. At its AGM on 26 July, LGNZ voted to develop “a consensus position or consensus positions” on the Future for Local Government report by the end of 2023. There is an advisory panel to support this work which includes Mayor Tim Cadogan (CODC) and CE Alex Parmley (WDC) from Otago councils.

LGNZ has since announced two in-person meetings to work towards a consensus position on the report. The first of these is on 18 September in Wellington, with Councillor Tim Mephram attending for ORC. Outcomes from the two meetings and associated discussions will be taken to the new Government in 2024.

10.1. Six Monthly Report to the Minister on Recommendations to Develop a Fit For Purpose Planning Framework for Otago

Prepared for: Council
Report No. SPS2322
Activity: Governance Report
Author: Fleur Matthews, Manager Policy and Planning
Endorsed by: Anita Dawe, General Manager Policy and Science
Date: 20 September 2023

PURPOSE

[1] To present for adoption by Council, the eighth progress report to the Minister for the Environment, in accordance with section 27 of the Resource Management Act 1991 in relation to the recommendations made under section 24A of the Resource Management Act.

EXECUTIVE SUMMARY

- [2] The Minister for the Environment wrote to the Otago Regional Council on 18 November 2019, setting out several recommendations regarding the development of a fit for purpose planning framework for Otago. One of the requirements outlined in the letter was a formal report, every six months, on progress against three measures. The reports have been provided every six months since that time, with the most recent in March 2023.
- [3] The report, as attached, updates the Minister on both capacity and capability, and work programmes, in accordance with the requirements set out in the initial 2019 correspondence.

RECOMMENDATION

That the Council:

- 1) **Notes** this report.
- 2) **Approves** the eighth report to the Minister for the Environment, that reports on progress against the recommendations made in his letter dated 19 November 2019.
- 3) **Notes** that the next report will be brought to Council in March 2024, and subject to notification of the proposed Land and Water Regional Plan by June 2024, will be the last of these reports.

BACKGROUND

[4] In December 2019, ORC agreed to the work programme as set out by the Minister, in response to the investigation led by Professor Skelton under Section 24A of the Resource Management Act. Part of that work programme requires 6-monthly progress reports.

- [5] The progress reports have been provided in April and October 2020, in March and September 2021, in March and August 2022, and in March 2023. The reports address the recommendations of the Minister, which are to:
- *Take all necessary steps to develop a fit for purpose freshwater management planning regime that gives effect to the relevant national instruments and sets a coherent framework for assessing all water consent applications, including those that are to replace any deemed permits;*
 - *Develop and adopt a programme of work to achieve the following:*
 - *By November 2020, a complete review of the current Regional Policy Statement (RPS) that is publicly notified, with the intention that it is made operative before the review of its Land Water Regional Plan (LWRP) is notified;*
 - *By 31 December 2023, a new LWRP for Otago that includes region wide objectives, strategic policies, region-wide activity policies, and provisions for each of the Freshwater Management Units (FMUs), covering all catchments within the region.*
 - *Prepare a Plan Change by 31 March 2020 that will provide an adequate interim planning and consenting framework to manage freshwater up until the time that new discharge and allocation limits are set, in line with the requirements in the National Policy Statement for Freshwater Management (NPS-FM).*

- [6] In addition, the following matters were to be included as part of the 6-monthly updates:

- *Progress made in developing science, planning, consenting, monitoring and enforcement, and land management organisational capability and capacity;*
- *Progress in achieving the [above] recommendations 1, 2 and 3; and*
- *A summary of freshwater resource consenting activity for the reporting period.*

- [7] The eighth report is due around September 2023.

DISCUSSION

- [8] Since December 2019, staff have continued to work to implement the agreed work programme.
- [9] A full report is appended, but in summary, against the formal request above, the following has been undertaken:
- Progress has been made across the organisation to develop and improve organisational capacity and capability across planning, science, environmental monitoring, consents and compliance monitoring. While there is still difficulty recruiting in the current labour market, a number of vacancies have been filled since the last report. Where possible, consultants are being used to assist.
 - ECOFund and incentive funding of \$536,470 was provided to 32 groups to deliver environmental projects across the region.
 - Preparation has begun for the rollout of freshwater farm plans. Otago will go live in February 2024, and work on an implementation plan is well underway.
 - Hearing of submissions for both the Freshwater and Non-Freshwater parts of the proposed Regional Policy Statement (pRPS) have been completed, and the two Panels are currently deliberating. The Panels will work to ensure that their recommendations result in as integrated a document as possible.

- The Land and Water Regional Plan (LWRP) work programme has continued, with a significant amount of technical (scientific and economic) work being completed, as well as a full first draft of the Plan. In September and October, the final stage of community engagement on the draft Plan will occur.
- The Consents Team has processed the majority of the Deemed Permit replacements. There are eight applications remaining, and they are being processed in line with the agreed staging plan.
- A summary of freshwater consenting has been prepared and is included in the attached report.

OPTIONS

- [10] The options for Council are to accept the report, and update the Minister, in accordance with his recommendations. The report simply outlines the progress on work programmes, and improvements in capacity and capability.
- [11] Councillors could choose not to update the Minister and be in breach of their commitment to the Minister to do so.

CONSIDERATIONS

Strategic Framework and Policy Considerations

- [12] The outcome of the Minister's review was to ensure ORC developed a fit for purpose framework for managing Otago's land and freshwater. This most closely aligns with *Healthy Water, Soil and Coast* but also touches on a number of other parts of the Strategic Directions.
- [13] There are no particular policy considerations as a result of this paper. The policy considerations relate to the planning work programme and will be considered on a case-by-case basis, as the work programme is implemented.

Financial Considerations

- [14] There are no particular financial considerations in relation to this paper. The report to the Minister can be accommodated within existing budgets and/or approved budget variations.

Significance and Engagement Considerations

- [15] This paper does not trigger any requirements of He Mahi Rau Rika: Significance, Engagement and Māori Participation Policy 2021.

Legislative and Risk Considerations

- [16] The Minister has requested a formal response under section 27 of the Resource Management Act 1991. Section 27 *Minister May Require Local Authorities to Provide Certain Information* outlines the circumstances under which the Minister may request information and the criteria for local authorities to provide it.

Climate Change Considerations

- [17] There are no climate change considerations from this paper or the report to the Minister.

Communications Considerations

- [18] There are no specific communications considerations as a result of the report.

NEXT STEPS

[19] The next steps are to submit the report to the Minister, continue to implement the work programme and prepare for the final report due in April 2024.

ATTACHMENTS

1. September 2023 Report to the Minister [9.1.1 - 14 pages]

22 September 2023

Minister for the
Environment
Private Bag 18041
Parliament Buildings
Wellington 6160

BY EMAIL

Dear Minister

Report under section 27 of the Resource Management Act 1991

In accordance with your letter of 18 November 2019 and following on from the previous seven reports from 2020 until now, the following comprises the Otago Regional Council's eighth report, in accordance with section 27 of the Resource Management Act 1991 (the Act) and the recommendations pursuant to section 24 of the Act.

This report will address the following:

- *Progress made in developing science, planning, consenting, monitoring and enforcement, and land management organisational capability and capacity; and*
- *Progress in achieving the [above] recommendations 1, 2 and 3 (copied below for ease of reference):*
 1. *Take all necessary steps to develop a fit for purpose freshwater management planning regime that gives effect to the relevant national instruments and sets a coherent framework for assessing all water consent applications, including those that are to replace any deemed permits;*
 2. *Develop and adopt a programme of work to achieve the following*
 - i. *By November 2020¹, a complete review of the current RPS that is publicly notified, with the intention that it is made operative before the review of its LWRP is notified;*
 - ii. *By 31 December 2023², a new LWRP for Otago that includes region wide objectives, strategic policies, region-wide activity policies, and provisions for each of the Freshwater Management Units, covering all catchments within the region.*
 3. *Prepare a Plan Change by 31 March 2020 that will provide an adequate interim planning and consenting framework to manage*

Council Meeting 2023.09.20

freshwater up until the time that new discharge and allocation limits are set, in line with the requirements in the National Policy Statement for Freshwater Management; and;

- *A summary of freshwater resource consenting activity for the reporting period.*

1 Please note an extension of this date to 30 June 2021 as per your letter to ORC of 11 September 2020.

2 Please note an extension of this date to 30 June 2024 as per your letter to ORC of 14 March 2023.

1

Progress Made in Developing Science, Planning, Consenting, Monitoring and Enforcement, and Land Management Organisational Capability and Capacity

The following table outlines the particular improvements in each of the areas specifically identified in your report.

Area	What we advised in March 2023	Latest Update
Science	<p>The Science Team is continuing to produce material to support the LWRP development.</p> <p>There is a new vacancy in the soil science space, with one of the team moving to MfE. Recruitment is underway for that role.</p> <p>Some of the hydrology staff have had a slight adjustment in focus across early 2023 to support the work required as Otago neared drought. With recent rain, the pressure on rivers is easing and staff are now redirecting back to the LWRP.</p> <p>Significant contracts have been let including for habitat modelling, and threatened species work, as well as work on identifying Outstanding Water Bodies.</p> <p>One of the ecologists has been seconded to the Policy team to support the LWRP, with their role backfilled with consultant support.</p> <p>In the next few months, significant science team time will be spent on review and feedback on LWRP drafting.</p> <p>Development of the Long term plan 2024/25 is now underway in the Science Team.</p> <p>The EM team are in the process of recruiting the additional two Technical roles for the 2022/23 financial year.</p>	<p>The Science Team has largely concluded production of science work to support the draft LWRP. The focus has now shifted to finalising reports and outputs, including finalising peer review, communications material, and gap analysis.</p> <p>Development of the Long term plan 2024/25 is now underway in the Science Team and Environmental Monitoring (EM) Teams.</p> <p>In the next few months, significant science team time will be spent on review of LWRP drafting and beginning to look at plan effectiveness monitoring programmes.</p> <p>A restructure of the EM team is underway to better support the increased monitoring requirements that have resulted from the NPS-FM2020I and to provide opportunities for internal promotion. Additional staff recruitment is also underway to start to assist with the increased monitoring requirements following the implementation of NPSFM.</p>

Area	What we advised in March 2023	Latest Update
	<p>Following recruitment of the Manager Environmental Monitoring, secondment positions for Acting Team Leader – Central Otago and Environmental Monitoring Lead – Coastal Otago have been put in place for a period of 6 months.</p> <p>A restructure of the EM team and additional staff recruitment will be undertaken in 2023/24 to start to move towards meeting the increased monitoring requirements following the implementation of NPSFM.</p>	
<p>Planning</p>	<p>The Land and Water Regional Plan Governance Group has continued to meet, including mana whenua representatives and a wider group of ORC Councillors attending as observers.</p> <p>There remains a critical shortage of staff in the Policy team, although some roles have been filled. This includes a Manager Policy and Planning for a three-year period, a Team Leader – RPS, Air and Coast, and two Senior Policy Analysts. Secondments from the Science and Consents teams are also assisting with drafting the Land and Water Regional Plan. Recruitment remains challenging, but we will continue to advertise and recruit as we can.</p> <p>Gaps in the team are being filled by the use of consultants. In particular, the RPS work is being driven by consultants.</p> <p>Updates on the proposed RPS and Land and Water Regional Plan are provided further down in the report.</p>	<p>The Land and Water Regional Plan Governance Group, which includes mana whenua representatives, has continued to meet. On 28 June 2023, the Otago Regional Council decided that:</p> <ul style="list-style-type: none"> • the membership of the Land and Water Regional Plan Governance Group should be amended to include three ORC councillors and up to three mana whenua representatives; and • the Land and Water Regional Plan Governance Group should refocus its role and function to project management (including risk oversight) and ensuring that policy direction provided to staff is consistent with and implements Te Mana o te Wai. <p>This has resulted in a more streamlined process, with input on the strategic direction and content of the draft Land and Water Regional Plan going straight to the Environmental Science and Policy Committee before Council, rather than going to the Governance Group, then Committee then Council.</p> <p>Under-resourcing in terms of staffing remains a critical issue in the Policy team, with the LWRP Project Manager and a Policy Analyst leaving the team in the last six months. To fill the gaps, the Policy team is continuing to rely on planning and project management consultants and has extended the secondments from the Science and Consents teams. Efforts to recruit new staff have been ongoing, resulting in the recent hiring of two new</p>

Area	What we advised in March 2023	Latest Update
		<p>policy analysts, a hearings administrator, and a project coordinator. Attempts to recruit a new project manager and senior policy analysts have so far been unsuccessful.</p> <p>Updates on the proposed RPS and Land and Water Regional Plan are provided further down in the report.</p>
<p>Consenting</p>	<p>Staffing levels remain generally in line with those indicated in the previous report. We have recruited internally for two Senior Consent Planners. There is one FTE vacant in the team, which is due to internal movements within the team. Support is continuing to be provided by contractors for over-flow processing. However, the bulk of the workload is handled by internal staff.</p> <p>Stakeholders and consultants have been kept regularly up to date on processing and resources available. This is through regular email updates and meetings.</p> <p>An update on consent processing is provided further down in the report. The number of applications remaining in the system relating to deemed permits processing has reduced greatly, with the team making excellent progress.</p>	<p>Staffing levels remain generally in line with those indicated in the previous report. There is one FTE vacant in the team. Support is continuing to be provided by contractors for over-flow processing. However, the bulk of the workload is handled by internal staff with only 6% of workload processed externally.</p> <p>Stakeholders and consultants have been kept regularly up to date on processing and resources available. This is through regular email updates and meetings.</p> <p>An update on consent processing is provided further down in the report. The number of applications remaining in the system relating to deemed permits processing has reduced greatly, with the team making excellent progress.</p>
<p>Monitoring & Enforcement</p>	<p>The Compliance Monitoring Team is fully staffed.</p> <p>Business process, training and system improvements documented in previous reports are reflected in increased desktop compliance reviews, and on-site compliance audits and inspections.</p> <p>Appropriate formal enforcement action is being taken, as well as an increase in compliance education and engagement activities</p>	<p>The Compliance Monitoring Team currently recruiting for one Environmental Officer.</p> <p>Business process, training and system improvements documented in previous reports are reflected in increased desktop compliance reviews, and on-site compliance audits and inspections.</p> <p>Appropriate formal enforcement action is being taken, as well as an increase in compliance monitoring and engagement/education activities</p>

Area	What we advised in March 2023	Latest Update
	<p>in IWG, animal effluent, forestry, septic and wastewater discharges, and other discharges to water.</p> <p>The Environmental Data Portal which provides information on water quality and water quantity was launched on 22 February 2023. This portal enables users to access full historical records for all sites held by the ORC as well as providing up to date flood and low flow information. The new portal can be found here: https://envdata.orc.govt.nz/AQWebPortal</p> <p>Year on year desktop compliance inspections have increased by 37%. This follows a full year increase of 25.5% for the year ending 30 June 2022.</p> <p>Several sites in Otago are currently or have recently been in low flow. ORC is actively monitoring consent holders with low flow conditions, including daily checks of telemetered water meter data.</p>	<p>in Intensive Winter Grazing (IWG), animal effluent, forestry, septic and wastewater discharges, residential earthworks, and other discharges to water.</p> <p>In the 2022/23 year, the most common RMA breaches that led to formal enforcement action related to contaminant discharges into water (28% enforcement actions), discharges to land that could enter water (21% enforcement actions), breaches of abatement notices (11% enforcement actions), and alteration or disturbance of waterways (11% enforcement actions).</p> <p>In the 2022/23 year, ORC compliance staff completed 1,009 on-site consent audits, 293 dairy inspections and 37 forestry inspections.</p> <p>The Environmental Data Portal which provides information on water quality and water quantity was launched on 22 February 2023. This portal enables users to access full historical records for all sites held by the ORC as well as providing up to date flood and low flow information. The new portal can be found here: https://envdata.orc.govt.nz/AQWebPortal</p> <p>For the year ending 30 June 2023, desktop compliance inspections have increased by 28%. This follows a full year increase of 25.5% for the year ending 30 June 2022.</p>
Land Management	<p>Since August 2022 the Environmental Implementation team has increased FTE across the region. There are currently two vacancies (one is a fixed term maternity leave cover) in the catchment advisor space but recruitment for these roles is underway and there are a good number of applicants for both roles.</p>	<p>Since February 2023 the Environmental Implementation team has increased FTE across the region. There is currently one vacancy in the catchment advisor team due to a resignation. Recruitment for this role is underway and there are a good number of applicants. Recruitment is also underway for two roles in the integrated catchment management space with a Catchment Action Analyst and Catchment Action Planner role.</p>

Area	What we advised in March 2023	Latest Update
	<p>The Manager, Environmental Implementation role has also been filled.</p> <p>Recruitment pressures have eased over the last six months. The vacant biosecurity roles have been filled as well as a project delivery and support roles.</p> <p>The team has continued to build on core biosecurity work through further development of strategic decision making and through continuing and building on face-to-face community led pest management approaches.</p> <p>On the ground community facing work continues to build with catchment advisors making new networks and developing projects. In addition, the project delivery specialists are managing large scale projects involving the community and mana whenua partners.</p> <p>Our ECO Fund has reopened for 2023/2024 where funding is available to community groups across the region who are delivering environmental projects. Further incentive funding has also been provided to support replanting after pest plant removal, rabbit management and, supporting private landowners who have biodiversity values that are protected in perpetuity and for improving water quality.</p> <p>The Integrated Catchment Management framework is being developed further. The working group has been formed and meetings are underway with community members and our</p>	<p>available. A Catchment Group Planner has also been employed with funding provided by MfE until June 2025.</p> <p>The team has continued to build on core biosecurity work through further development of strategic decision making and through continuing and building on face-to-face community led pest management approaches.</p> <p>On the ground community facing work continues to build with catchment advisors making new networks and developing projects. In addition, the project delivery specialists are managing large scale projects involving the community and mana whenua partners.</p> <p>Our ECOFund and incentive funding round has concluded for 2023/2024 with funding provided to 32 groups across the region with a total value of \$536,470 allocated. This funding will deliver environmental projects across the region.</p> <p>The Integrated Catchment Management framework is being developed further. A working group has been formed and meetings are underway with community members and our mana whenua partners for collaborative development of integrated catchment action plans. The catchment action plans will align to the FMUs and will integrate action plans required under the NPSFM 2020. The pilot area for this work is in the Catlins and a hui was held in July 2023 to seek interest from the Catlins community to commence work on the catchment action plan for this area.</p> <p>Ongoing business process and system improvements continue to enable staff to better undertake their work to ensure that data is accurate and relevant.</p>

Area	<i>What we advised in March 2023</i>	<i>Latest Update</i>
	<p>mana whenua partners for collaborative development of integrated catchment action plans. The catchment action plans will align to the FMUs and will integrate action plans required in the NPSFM 2020 with the requirements of Freshwater Farm Plans.</p> <p>Ongoing business process and system improvements continue to enable staff to better undertake their work to ensure that data is accurate and relevant.</p> <p>Funding has been offered to ORC from MfE for two roles over the next 3 years which we are looking to finalise. These roles are for Catchment Group Planner and Senior Advisor Iwi Partnerships and Engagement.</p>	<p>A key work programme for this group is in the engagement and support for the rollout of freshwater farm plans. Otago will go live in February 2024 and work has commenced on an implementation plan to support the rollout for Otago.</p>

Progress in achieving the specified recommendations

Updates against the particular recommendations as outlined in the original letter is detailed below:

Action	What we advised in March 2023	Latest Update
<p><i>By November 2020, a complete review of the current RPS that is publicly notified, with the intention that it be made operative before the review of the LWRP is notified</i></p>	<p>The High Court decision on 22 July 2022 has required Council to re-notify those parts of the PORPS it considers to be a freshwater planning instrument, and to continue with the process for the remainder (the 'non-freshwater' parts) of the PORPS through the Resource Management Act 1991, Schedule 1 hearing process.</p> <p>Council approved re-notification of the parts of the PORPS that are freshwater and appointed a panel to hear the non-freshwater parts of the PORPS in September 2022. Hearings on the non-freshwater part of the PORPS commenced on 23 January 2023, and will continue until early June 2023, with time for the Hearing Panel to deliberate and prepare its report in June and July.</p> <p>Council wrote to the Chief Freshwater Commissioner in February 2023 with the nominees for the Freshwater hearing panel from Council and tangata whenua. The nominees are the same as those appointed to the original Freshwater Hearing Panel, and are members of the current non-freshwater Hearing Panel.</p> <p>The Freshwater Hearing has not yet been scheduled, however it could be completed as early as the end of September 2023.</p>	<p>The High Court decision on 22 July 2022 required Council to re-notify those parts of the PORPS it considers to be a freshwater planning instrument, and to continue with the process for the remainder (the 'non-freshwater' parts) of the PORPS through the Resource Management Act 1991, Schedule 1 hearing process.</p> <p>Council approved re-notification of the parts of the PORPS that are freshwater and appointed a panel to hear the non-freshwater parts of the PORPS in September 2022. Hearings on the non-freshwater parts of the PORPS commenced on 23 January 2023 and concluded on 30 May 2023. The recommendations report on the non-freshwater parts will be completed after the Freshwater Hearing has been completed.</p> <p>The Chief Freshwater Commissioner appointed the same panel to the Freshwater parts of the pRPS as were on the non freshwater pRPS hearings. The Freshwater Hearing commenced on 28 August 2023 and is scheduled to be completed later in September 2023.</p> <p>As the members of both Panels are the same, there is good understanding of all relevant issues and the Panel are considering how they can make recommendations for changes to the RPS that are consistent and integrated.</p>

Action	What we advised in March 2023	Latest Update
	<p>The non-Freshwater Hearing Panel and Council are keen to ensure that the two Panels do not recommend changes to the RPS that result in inconsistencies or lack of integration however the Panel is aware there is a lack of legal mechanisms to fully accommodate this.</p>	
<p><i>By 31 December 2023, a new LW RP for Otago that includes objectives, strategic policies, region-wide activity policies, & provisions for each of the FMU's, covering all catchments within the region</i></p>	<p>The second round of consultation across all FMUs commenced in October 2022 and was completed at the start of December 2022. This round of FMU community consultation was focussed on seeking feedback on:</p> <ul style="list-style-type: none"> • possible environmental outcomes for identified values for FMUs and rohe in the Otago region; and • possible actions (regulatory and non-regulatory) for achieving the environmental outcomes. <p>Consultation with key stakeholders on the region wide provisions was completed in November and December 2022. These stakeholder discussions were focused on identifying and confirming issues and options for developing management approaches and planning responses for different categories of activities.</p> <p>Policy staff have commenced drafting provisions for the LW RP, incorporating the feedback received during the second round of FMU community consultation and the key stakeholder workshops.</p> <p>However, Council and our iwi partners consider that achieving notification of the pLWRP by December 2023 would be extremely difficult, and sought a 6-month extension. This is due primarily to the challenges and delays associated with the High</p>	<p>Due to the challenges and delays associated with the High Court declaration on how s80A applies and its implications for the timing of the hearings process for the proposed Regional Policy Statement, a request was made to you to extend the timeframe for notification of the proposed Land and Water Regional Plan from December 2023 to June 2024. In March 2023 we received your approval to this extension request. As part of that request we committed to monthly updates on progress against key milestones which we will continue to send through to you. The last milestone report sent was at the start of September and demonstrates good progress against key milestones, with the project on track for notification decision requests to Council by June 2024.</p> <p>Since the start of 2023, the drafting team have been working, in partnership with Iwi, on the development of draft provisions for the Land and Water Regional Plan. Further policy direction has been sought when required on key topics via the Environmental Science and Policy Committee and then Council. A first draft of the provisions that will form the Land and Water Regional Plan, based on the policy direction provided by the Environmental Science and Policy Committee and incorporating the feedback received during the FMU community consultation and key stakeholder workshops, was completed at the end of July 2023.</p> <p>The Policy team is now preparing for a third and final round of community engagement on the draft Land and Water Regional Plan, which will commence in September 2023. This engagement will focus on seeking</p>

Action	What we advised in March 2023	Latest Update
	<p>Court declaration on how s80A applies including:</p> <ul style="list-style-type: none"> • the Hearing process for the freshwater visions in the pORPS will not be starting until August 2023 (subject to the appointment of a Hearing Panel by the Chief Freshwater Commissioner), meaning there is greater uncertainty with respect to the visions, making it more challenging to give effect to through the pLWRP; • having to determine for every single provision whether it is a freshwater instrument according to the Court’s determination (and the associated legal risks either way); and • the lack of a legal mechanism to align freshwater and non-freshwater provisions within a single plan to allow for an integrated document. <p>The science programme to support the LWRP is progressing well. As advised in the last update, the programme includes quality modelling to undertake analysis of future mitigation scenarios for nitrogen and phosphorus (periphyton), and sediment. This work draws on and refines work published by the Our Land and Water programme as a part of the National Science Challenge.</p> <p>Modelling work is now substantially complete, with final reports pending. Future policy decisions may necessitate further modelling.</p> <p>Work on wetlands protection provisions and delineation are well underway. Conversations with stakeholders and landowners in the Upper Taieri Catchment have commenced</p>	<p>feedback on:</p> <ul style="list-style-type: none"> • The latest draft of the environmental outcomes for identified values in each FMU; and • Target attributes states, environmental flows and levels and other criteria that support achievement of the draft environmental outcomes; and • Limits (including limits set as rules). <p>The third round of community engagement will involve a mix of in person drop-in sessions (at least one in each FMU or rohe) and on-line engagement (information sessions, written information materials and feedback forms). In addition, a small number of sessions are being planned for industry and interest groups (primary industry, environmental agencies and interest groups, territorial authorities) to occur over the same time period.</p> <p>The science programme to support the development of the draft Land and Water Regional Plan is now nearing completion.</p> <p>The water quality modelling to undertake analysis of future mitigation scenarios for nitrogen and phosphorus (periphyton), and sediment has been completed as well as the work on setting target attribute states. A final report on the identification of baseline attribute states is scheduled for completion in September.</p> <p>The nationwide water quantity modelling has been completed, resulting in technical recommendations for environmental flow and take limit setting for the majority of the region’s water bodies.</p> <p>Bespoke modelling in 15 catchments that are highly modified by water</p>

Action	What we advised in March 2023	Latest Update
	<p>and are developing positively.</p> <p>The water quantity modelling commissioned to date includes bespoke modelling in 15 catchments where detailed analysis is required. All other catchments will be covered by a region wide model. This modelling is also supported by ecological habitat model development in some catchments, although this work was not completed in the summer of 2021/22 as planned as river flows persisted at unseasonably high levels. As at February 2023, several models are now complete in catchments such as the Shag and Waianakarua, with further work on track in other catchments such as the Kakanui.</p> <p>The economics programme has continued with completion of two significant reports from two workstreams and good progress on the other two workstreams.</p> <p>The Phase 2 report is expected to be complete by May, however more emphasis is currently being placed on communication of its findings in real time to policy team as they develop the Plan and ultimately the LWRP Governance Group.</p> <p>The Economic Profile of Land and Water workstream has made good progress and is providing useful insights into the Otago economy and its use of land and water. A draft report has been developed and is currently under peer review. It will also be reviewed by the Industry Advisory Group once they have completed the Phase 2 modelling work.</p> <p>Aukaha has made significant progress on the Māori economy</p>	<p>taking and/or damming is well underway, with further work on track to be completed before the start of the community engagement.</p> <p>Work on wetlands delineation has been progressing well, but recent changes to the wetlands definition in the NPS-FM have resulted in need to adjust the management approach developed for the draft Plan and increased resourcing needs for the wetlands delineation work.</p> <p>Otago Regional Council's Economic Work Programme has continued with completion of two reports in June 2023 and their public release in early August:</p> <ol style="list-style-type: none"> 1. Otago Regional Economic Profile for Land and Water and 2. Otago's rural businesses and environmental actions for fresh water. <p>The second report was the main output from Phase 2 of the Farmer Grower Workstream, which was undertaken with an Industry Advisory Group.</p> <p>The final workstream in the Economic Work Programme is the Māori Economy. Aukaha has made considerable progress on this as co-authors, but there are ongoing delays as a result of their close involvement in the proposed Regional Policy Statement hearings and the draft Land and Water Regional Plan. A report is currently being drafted, informed by interviews with mana whenua representatives that are now almost completed.</p> <p>The draft report will describe the evolution of the Kāi Tahu economy, from its early development through to its more recent contraction and transition. It will also include four case studies, which are currently being prepared. These case studies illustrate the economic impacts of both environmental degradation on whānau and their restoration efforts.</p>

Action	What we advised in March 2023	Latest Update
	<p>project. The Kai Tahu Economy has now been characterised pre-settlement from cultural narratives, providing a baseline for considering the present context and which will then be used to then understand the policy impacts. Case studies and interviews are underway in relation to characterising the modern Kai Tahu economy and its relationship alongside the Otago capitalist economy.</p> <p>The Catchment Stories workstream has been completed. An overview of the findings was presented to the LWRP Governance Group in November 2022. The report has since been finalised and will be released soon. Findings from this study were also used to inform the Farmers and Growers Phase 1 report and the development of actions for modelling in Phase 2 (see below).</p> <p>As part of the Farmers and Growers workstream, the Industry Advisory Group (IAG) has continued to meet every three weeks. It made a significant contribution to an important new baseline report on the primary industries in Otago "Farmers and Growers in Otago" (Farmers and Growers Phase 1 Report), which was completed in early December. The IAG is continuing its work to feed into a Phase 2 report which will describe the impact of environmental actions on case study farm businesses in each industry, compared with the baseline. The modelling has been completed and an initial internal presentation of that work has been made to ORC. A copy of the Phase 1 report was provided to your office in late 2022.</p>	<p>Disconnections and reconnections run through all of them to varying degrees with each one highlighting different aspects of this theme. They are:</p> <ol style="list-style-type: none"> 1. Waiwhakaata (Lake Hayes), 2. Whiria te Waitaki (Waitaki River), 3. He Pātaka Wairoa (Waikōuaiti River), and 4. Te Nohoaka o Takiauau (Sinclair Wetlands).

Action	What we advised in March 2023	Latest Update
<p><i>Prepare a Plan Change by 31 March 2020 that will provide an adequate interim planning & consenting framework to manage freshwater up until the time that new discharge and allocation limits are set, in line with requirements in the NPSFM.</i></p>	<p>Plan Change 7 is fully operative and is part of the Regional Plan Water. This provides the interim consenting framework referred to in the 2019 recommendations.</p> <p>The Consents Team has processed the majority of the Deemed Permit replacements. There are 22 applications remaining and they are being processed in line with the agreed staging plan. Processing in line with the staging plan has allowed for the applications in similar areas to be processed at the same time and to ensure consistency.</p> <p>The Consents Team continues to actively process the remaining applications. Of these applications to be progressed, six are in the Taieri and 16 in the Manuherekia. This is also in line with the staging plan mentioned above. Most applicants are using the controlled activity pathway provided by the rules, with some using the restricted discretionary pathway.</p>	<p>Plan Change 7 is fully operative and is part of the Regional Plan Water. This provides the interim consenting framework referred to in the 2019 recommendations.</p> <p>The Consents Team has processed the majority of the Deemed Permit replacements. There are eight applications remaining and they are being processed in line with the agreed staging plan. Processing in line with the staging plan has allowed for the applications in similar areas to be processed at the same time and to ensure consistency.</p> <p>The Consents Team continues to actively process the remaining applications. Of these applications to be progressed, two are in the Taieri and six in the Manuherekia. This is also in line with the staging plan mentioned above. Most applicants are using the controlled activity pathway provided by the rules, with some using the restricted discretionary pathway.</p>

Summary of Freshwater Resource Consenting Activity for 1 March 2023 – 31 August 2023

The following is a summary of the freshwater resource consenting activity for the reporting period:

- Between 1 March 2023 and 31 August 2023, the Otago Regional Council received 44 applications for water take consents. These applications are being processed as 47 separate resource consents, with 16 for taking groundwater and 31 for taking surface water. Of the 44 applications, none relate to the replacement of a Deemed Permit.
- From the 44 applications lodged between 1 March 2023 and 31 August 2023, Council issued 23 resource consents, seven for taking groundwater and 16 for taking surface water. Of the remaining 24 resource consents, 20 are currently being processed and four have been rejected, withdrawn or were not required.
- The Council also issued a further 60 resource consents relating to applications lodged before 1 March 2023. These include 10 resource consent for taking groundwater and 50 for taking surface water. Of the 60 resource consents issued, 28 related to the replacement of 32 Deemed Permits.
- In total, the Council is currently processing 45 applications for water take consents. These applications are being processed as 89 resource consents, with 16 for taking groundwater and 73 for taking surface water. Of the 44 applications, six relate to the replacement of Deemed Permits.
- Between 1 March 2023 and 31 August 2023, one application relating to taking water was publicly notified, and none were limited notified.
- There are currently no active Deemed Permits in the Otago Region, excluding those operating under s124.
- No new appeals relating to decisions on an application for new water permits relating to deemed permit, have been lodged with the Environment Court.

Conclusion

ORC, along with our iwi partners, is committed to achieve its new planning framework, namely a notified proposed Land and Water Regional Plan. The next six monthly report will be due to you in March 2024, and subject to notification in June 2024, will be the final report to you.

In the interim, if you have any questions or need further clarification, please do not hesitate to get in touch with Fleur Matthews (fleur.matthews@orc.govt.nz; or 027 257 0813).

Yours sincerely

10.2. Otago Regional Council appointments to the Dunedin City Future Development Strategy Joint Hearings Panel

Prepared for:	Council
Report No.	POL2309
Activity:	Governance Report
Author:	Patricia McLean, Senior Policy Analyst – Urban Growth and Development
Endorsed by:	Anita Dawe, General Manager Policy and Science
Date:	20 September 2023

PURPOSE

- [1] The purpose of this report is to appoint two Otago Regional Council Councillors to the Joint Hearings Panel to hear the Future Development Strategy (FDS) for Dunedin.

EXECUTIVE SUMMARY

- [2] The Otago Regional Council (ORC) and Dunedin City Council (DCC) are jointly preparing a draft Future Development Strategy for notification in accordance with the National Policy Statement on Urban Development (NPD-UD).
- [3] In August, both Councils agreed that they would jointly appoint a Hearings Panel to consider submissions, hear evidence and make decisions on the FDS.
- [4] The first part of appointing a Hearings Panel is to nominate two ORC Councillors, who will sit alongside two DCC Councillors, up to two iwi approved Commissioners, and an independent Chair. According to Standing Orders, once nominated, councillors should not be involved in the appointment process, nor in the process to approve the independent chair and iwi appointment/s.

RECOMMENDATION

That the Council:

- 1) **Notes** this report.
- 2) **Appoints** Councillor 1 and Councillor 2 to the Joint Hearings Panel that will consider submissions, hear evidence and make decisions on the Future Development Strategy for Dunedin.
- 3) **Notes** that the appointed Otago Regional Council Councillors should not take part in the decision that appoints the independent chair and iwi appointment/s.
- 4) **Notes** that the costs associated with the independent chair and iwi appointment/s will be shared equally with Dunedin City Council.

BACKGROUND

- [5] On 23 August 2023, Council agreed governance options for Stage Two of preparing the joint Dunedin City Future Development Strategy. Stage two includes public consultation, submissions and hearings on the draft Future Development Strategy, which is due to be notified in January 2024 and adopted by each Council by July 2024.
- [6] The agreed governance arrangements were for both Councils to appoint a Joint Hearings Panel /jointly appoint a Hearings Panel, who will have the delegated authority to consider submissions and make decisions on all elements of the Future Development Strategy.
- [7] The composition of the Panel agreed at the 23 August Council meeting is:
- Two Otago Regional Council Councillors; and
 - Two Dunedin City Council Councillors; and
 - One to two iwi appointments and
 - An independent chair, with the iwi appointments and Chair to be mutually agreed, appointed and funded by both Councils.

DISCUSSION

- [8] Staff are now seeking two ORC Councillors to sit on the Hearings Panel. The FDS is a document prepared under the RMA (as the National Policy Statement on Urban Development, however, it is not one of the types of decisions listed under Section 39B that requires RMA Hearings accreditation. Nonetheless it may be appropriate to have ORC appointments that have accreditation, and it is also important that appointees have the time required to read all the submissions and officer’s report, hear evidence, and take part in decision making discussions with the Panel and help prepare the decision report.
- [9] Following the hearings, the JHP will make a recommendation to each Council on any aspects that overlap with LTP content (level of service or infrastructure funding decisions) ahead of and to inform each Council’s deliberations on their respective LTPs. The JHP will then consider the Councils’ LTP deliberations on level of service or infrastructure funding decisions before approving the final Future Development Strategy content.
- [10] The JHP will convene prior to hearings starting in late March 2024. The proposed timeline following public notification and the consultation period is:

Early to mid-April 2024 (TBC)	Joint ORC/DCC hearings on the draft Future Development Strategy
22 April – 17 May 2024	Joint Hearings Panel prepares and submits a report to inform the ORC and DCC Long Term Plans
6 – 31 May 2024	<i>ORC and DCC LTP hearings, deliberations,</i>

	<i>and decisions</i>
24 – 28 June 2024	Joint Hearings Panel decides final Future Development Strategy following consideration of final LTPs and Infrastructure strategies.
July 2024	Council adopts the joint Dunedin City Future Development Strategy

CONSIDERATIONS

Strategic Framework and Policy Considerations

- [11] The recommendations align to the ORC’s key activities and strategic outcomes: environment, safety and resilience, transport, and regional leadership.

Financial Considerations

- [12] The costs associated with establishing the Dunedin City Future Development Strategy Joint Hearings Panel, including the appointment of an independent Chair and iwi appointment, will be shared between Otago Regional Council and Dunedin City Council.

- [13] It is unclear at this stage how much that cost may be as it is dependent on the number of submissions, the number of submitters who wish to be heard, how the decision is written, and who the Independent Chair and Iwi approved Commissioners are.

Significance and Engagement Considerations

- [14] The recommendations in this report give effect to the special consultative procedure under section 83 of the Local Government Act 2002, requiring notification of a draft FDS, call for submissions, public hearings, and final decisions on the FDS content.

Legislative and Risk Considerations

- [15] The NPS-UD requires the ORC and DCC to jointly develop and adopt a joint Future Development Strategy in time to inform their respective long-term plans. While the NPS-UD is issued under the Resource Management Act, the procedure for consulting on the draft Future Development Strategy comes under the Local Government Act.

Climate Change Considerations

- [16] There are no climate change considerations associated with the decisions on establishing a Joint Hearings Panel.

Communications Considerations

- [17] Communications considerations are included in the wider joint ORC/DCC Future Development Strategy process.

NEXT STEPS

- [18] A paper on the JHP’s full membership will be submitted to the October Council meeting. Approval will be sought for the independent chair and iwi appointments. If there are any differences between the two Councils regarding the independent chair and iwi appointment/s, this will be resolved via a joint meeting with both Councils for

the purposes of reaching agreement. The October paper will also set out the specific delegations that the Panel will hold, in order to make decisions.

[19] The draft Future Development Strategy will be submitted to the Council meeting on 6 December 2023 seeking approval to publicity notify the draft Strategy in January 2024.

[20] Dunedin City Council will consider the Draft Future Development Strategy for notification on 5 December 2023.

ATTACHMENTS

Nil

**10.1. Recommendations of the Audit and Risk Subcommittee
Resolution**

That the Council adopts the recommendations of the [22 June 2023 Audit and Risk Subcommittee](#).

Report	Resolution	Res#	Mover/ Seconder
CS2322 Corporate Policy Overview Report	Endorses a change to the Audit and Risk work programme where this Policy Overview update is only required on an annual basis (noting significant Policy changes may be reported as and when required).	AR23-115	Cr Malcolm Moved, Cr Wilson Seconded

**10.2. Recommendations of Environmental Implementation Committee
Resolution**

That the Council adopts the resolutions of the [9 August 2023 Environmental Implementation Committee](#).

Report	Resolution	Resolution #	Mover/Seconder
Integrated Catchment Management Programme	1) Recommends that Council approves the proposed Catchment programme, with Option 2	EIC23-108	Cr McCall Moved, Cr Mepham Seconded:

10.3. Recommendations of the Environmental Science and Policy Committee Resolution

That the Council adopts the recommendations of the [29 June Environmental Science and Policy Committee](#).

Report	Resolution	Res#	Mover/ Seconder
Otago Lakes Management Approach	<p>4) Directs staff to focus on the pRPS, pLWRP and ICM work programmes and continue rolling out the NOF for each FMU/rohe rather than developing a separate Otago Lakes Strategic Plan.</p> <p>5) Recommends that the previously established Lakes Management Working Group focus their attention specifically on Lakes Hāwea, Wānaka, and Whakatipu Wai Māori/Wakatipu and that Council, through this group, seek to establish a joint work programme with the Ministry of the Environment (and other experts) to improve understanding of these inland deep lakes</p>	ESP23-113	Cr Robertson Moved, Cr Malcolm Seconded
Otago Lakes Management Approach	1) Invites Edward Ellison and one other mana whenua representative to be included in the Otago Lakes Management working group.	ESP23-114	Cr Wilson Moved, Cr Forbes Seconded

10.4. Recommendations of the Public and Active Transport Committee Resolution

That the Council adopts the recommendations of the [9 August 2023 Public and Active Transport Committee](#).

Report	Resolution	Res#	Mover/ Seconder
8.2 Joint Public & Active Transport Advisory Group	2. Requests the Otago Regional Council Chairperson advise the PATG group of members and advocate all of the major political parties to examine the decision to define Queenstown Lakes District Council be made a tier 1 centre for Waka Kotahi public transport involvement.	PAT23 -112	Cr Noone Moved, Cr Weir Seconded
8.6 Public & Active Transport Connectivity Strategy	2. Endorses the proposed approach to developing the Public and Active Travel Connectivity Strategy outlined in this report and the attached project plan. 5. Agrees to receive regular update reports and to participate in workshop sessions during strategy development	PAT23 -116	Cr Somerville Moved, Cr Weir Seconded

Resolution

That the Council resolves to adopt the recommendations of the [4 August Otago Regional Transport Committee](#).

Report	Resolution	Res#	Mover/ Seconder
Staff Report 23/RTC/63 Regional Land Transport Plan Mid Term Review – Strategic section	Provide any further feedback or direction on the strategic section of the draft 2021-2027 Otago Southland Regional Land Transport Plan, as presented		Moved Cr McPhail, seconded Cr O’Malley
2021-2024 Regional Land Transport Plan Project Update	Provide any further feedback or direction on the strategic section of the draft 2021- 2027 Otago Southland Regional Land Transport Plan, as presented		Moved Cr Wilson, seconded Cr O’Malley
Waka Kotahi NZ Transport Agency General Update	Provide any feedback to Waka Kotahi (the NZ Transport Agency) on the topics included in the presentation.		Moved Cr Forbes, seconded Cr Percival
Rural School Bus Safety Concerns	Write to the Ministry of Transport to express their concerns regarding safety regulations for rural school buses be reviewed		Moved Cr Smith seconded Cr Menzies

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
<i>Confidential Minutes of 23 August 2023</i>	Section 7(2)(g): To maintain legal professional privilege.	Section 48(1)(a); Subject to subsection (3), a local authority may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on 1 or more of the following grounds: (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.
<i>Integrated Catchment Management Group</i>	s7(2)(a): To protect the privacy of natural persons, including that of deceased natural persons.	Section 48(1)(a) Subject to subsection (3), a local authority may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on 1 or more of the following grounds: (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.
<i>Community Connect Concession for Queenstown Ferry Service</i>	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	Section 48(1)(a) Subject to subsection (3), a local authority may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on 1 or more of the following grounds: (a) that the public conduct of the

	negotiations) – Section 7(2)(i)	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.
<i>Procurement of Fleet tracking system</i>	<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>	Section 48(1)(a) Subject to subsection (3), a local authority may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on 1 or more of the following grounds: (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.

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.