

# POLICY COMMITTEE AGENDA

## WEDNESDAY 2 MAY 2018

8:30 am Auditorium, Toitū Museum,  
31 Queens Gardens, Dunedin

### Membership

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

### Disclaimer

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

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## 1. APOLOGIES

## 2. LEAVE OF ABSENCE

Cr Graeme Bell

## 3. ATTENDANCE

## 4. CONFIRMATION OF AGENDA

Note: Any additions must be approved by resolution with an explanation as to why they cannot be delayed until a future meeting.

## 5. CONFLICT OF INTEREST

Members are reminded of the need to stand aside from decision-making when a conflict arises between their role as an elected representative and any private or other external interest they might have.

## 6. PUBLIC FORUM

## 7. PRESENTATIONS

## 8. CONFIRMATION OF MINUTES

### Recommendation

*That the minutes of the meeting of 21 March 2018 be received and confirmed as a true and accurate record.*

### Attachments

1. Minutes of the Policy Committee - 21 March 2018 [8.1.1]

## 9. ACTIONS

Status report on the resolutions of the Policy Committee.

Report No.	Meeting	Resolution	Status
11.3 Managing the use of coal for domestic heating in Otago and New Zealand (Technical Committee)	31/1/2018	<i>Refer a paper to the Policy Committee for consideration for inclusion of Milton in Air Zone 1.</i>	In progress.

## 10. MATTERS FOR COUNCIL DECISION

## 11. MATTERS FOR NOTING

<b>Prepared for:</b>	<b>Policy Committee</b>
<b>Activity:</b>	Governance Report
<b>Prepared by:</b>	Tanya Winter, Director Policy, Planning and Resource Management
<b>Date:</b>	2 May 2018

### 1. Précis

This directorate report contributes toward the following Strategic Plan Goals:

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

### 2. Policy Responses

#### 2.1 National Policies, Strategies and Plans

The following were received over the period to 17 April 2018:

<b>Agency</b>	<b>Number</b>	<b>Document</b>
None		

The following responses were made over the period to 17 April 2018:

<b>Proposal</b>	<b>Response Type</b>	<b>Issues</b>
<b>Draft best practice guidelines for compliance monitoring and enforcement under the RMA</b>	Feedback	ORC's comments supported the document as being a well-rounded guideline document that ORC would make use of in its operations.

#### 2.2 Territorial Authority District Plan Changes and Reviews

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

<b>District or City</b>	<b>Change or review</b>	<b>Current situation</b>
<b>DCC</b>	2GP: District Plan Review	Notified: 2015 Hearings completed: Nov 17 Decisions due: mid 2018
<b>CODC</b>	Review pending	Proposed to notify review late 2018
<b>QLDC</b>	District Plan Review	Stage 1 of 4: Notified: 12 Feb 2016 Stage 1 hearings: adjourned, decision due to be released May 2018. Stage 2 notified 23 November 2017. Submissions closed 23 February 2018
<b>WDC</b>	Review pending	Stage 1: Initial consultation underway Proposed Notification: 2018

<b>CDC</b>	Plan changes 39 – 41 Residential and Industrial Zoning areas for Balclutha, Stirling and Milton. Further review pending	No further details available
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### 2.3 Territorial Authority and Regional Council Resource Consent Applications

The following were received over the period to 17 April 2018:

<b>Agency</b>	<b>Number</b>	<b>Document</b>
<b>QLDC</b>	1	Resource Consent
<b>DCC</b>	1	Resource Consent
<b>CODC</b>	2	Resource Consent
<b>WDC</b>	1	Draft Management and Minimisation Plan 2018-24

The following responses were made over the period to 17 April 2018:

<b>Proposal</b>	<b>Response Type</b>	<b>Issues</b>
<b>DCC – HWH Properties Ltd land use consent (earthworks)</b>	Feedback	Land Use Consent for earthworks on a sub-division on Dukes Road North, Taieri. ORC relayed to DCC it was disappointed it was not involved during the subdivision process as there are flooding issues for this site (and the wider area) that do not appear to have been addressed fully. ORC has confirmed that the applicant will need to discuss with ORC which of the activities may, or will, require approval under the ORC's plans/by-law/designations.

### 2.4 Other Proposals

<b>Proposal</b>	<b>Response Type</b>	<b>Issues</b>
<b>Hawea proposed development (QLDC - Special Housing Area)</b>		A developer approached ORC for comment on a proposed 200 residential housing development that may be put to QLDC to consider for processing under the Housing Accord and Special Housing Areas Act. This would be part of a longer-term development (over some 20 year span) of 800 - 1000 houses). The proposal is on land at the back of the existing Hawea

		township. ORC's feedback was around ensuring that drinking water, stormwater and wastewater services provision are assessed carefully in any application.
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## 2.5 Other Responses

Proposal	Response Type	Issues
None.		

## 2.6 Decisions

Proposal	ORC role	Issues
<b>Proposed Canterbury Pest Management Plan 2017 - 2037</b>	Submitter	Environment Canterbury has released its decision. ORC staff have received the decision report for review. In addition to this plan process, ORC has other communication channels with Environment Canterbury to discuss pest related issues of mutual interest.

## 2.7 Emerging matters:

### **Balmoral developments (Outram) Limited vs Dunedin City Council**

The applicant is finalising its revised proposal that came out of the mediation process. Potentially, this will sufficiently resolve a number of issues the Dunedin City Council (as the consenting authority) and ORC (as submitter) held relating to stormwater management, localised flooding and loss of high value soil. ORC remains concerned about an increase in residual risk with any further development on this property.

All parties are due to report to the Court toward the end of April via a joint memorandum advising if an agreement has been reached.

### **Skyline Enterprises Limited**

This application to QLDC has been directly referred to the Environment Court, and a hearing date has been scheduled for June.

ORC's independent hazard expert advice is that the applicant's hazard assessment is still insufficient for the Court to grant consent. ORC will discuss this with the applicant, who may provide the outstanding information prior to the June hearing.

ORC may join the process as a section 274 party in order to present its position to Court, if necessary.

### **3. ORC: Policy, Plans and Strategies**

#### **3.1 Review of Regional Policy Statement**

All Consent Orders resolving most appeal issues on the Proposed Regional Policy Statement for Otago are being signed now and should be presented to the Environment Court for approval on 13 April. The Court will then approve the Consent Orders and release its decision on the two appeal matters that were heard in February. Once released, appellants may appeal to the High Court on points of law only. If there are no such appeals, then ORC may approve the Regional Policy Statement.

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

An amendment to the Regional Plan: Water for Otago, which will identify when more stringent provisions in the Water Plan prevail over the plantation forestry national environmental standards, is being prepared and will be presented to the next Policy meeting in June.

#### **3.3 Stormwater and wastewater**

A Stakeholder Forum has been set for Friday 8 June to discuss issues, options and risks. There will also be opportunity to discuss the draft swimming targets for Otago.

A preparatory workshop on the water quality risk management methodology will be arranged for Council in advance of the stakeholder workshop.

#### **3.4 Lower Waitaki Aquifer water quality**

Work on this proposed plan change has been put on hold, pending a workshop with Council, which is planned for mid-May, to discuss the issues and options for addressing aquifer water quality.

The purpose of any new plan change is to ensure effective management of water quality in a way that reflects community values and enables its use, including for those dependent on groundwater for drinking.

#### **3.5 Overview of Policy Plan Development Programme 2017-18**

Refer to Attachment 1.

#### **3.6 Giving effect to the National Policy Statement - Freshwater Management (NPS-FM)**

Refer to Attachment 2. The draft swimming targets have now been publicised, as required by the Ministry for the Environment. Over the next few months, a community consultation programme to discuss those targets and how they will be achieved will get underway, in order for Council to be in a position to adopt the final targets by year end.

### **4. Overview of Water Quantity Plan Change Development**

The table in Attachment 3 provides an overview of progress for each of the Water Quantity Plan Changes. Plan changes progress at different rates at times depending on the information available, complexity and size of the catchment, water use and the numbers in the community. Current stages are still underway, hence there are no changes to the table.

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

The first stage of consultation to inform the development of a plan change to manage water quantity in the Clutha River/Mata-Au and associated lakes and rivers was undertaken from 22 November 2017 to 19 February 2018. More than 120 people attended the public consultation sessions and 83 submissions were received.

All written and verbal feedback on key values, uses and concerns identified by people and organisations during the first stage of consultation has been collated and summarised and once finalised, the feedback summary, will be provided to those who gave feedback and will be made available on the ORC website.

In March 2018, ORC sent out Requests for Proposals (RFP) for undertaking a natural character and land/riverscape assessment and a recreational values assessment. These assessments must inform the development of management options for the Clutha River/Mata-Au and associated lakes and rivers. Two proposals were received in response to each RFP. ORC is currently evaluating these proposals and expects the successful tenderers to be able to commence these studies late April 2018. Both studies are expected to be completed by the end of June 2018.

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

The Environment Court has agreed that the parties proceed to a combined hearing for both the minimum flow plan change and the Lindis Catchment Group resource consent application to replace the existing mining privileges. A hearing date has yet to be set. The briefs of evidence prepared by expert witnesses are being finalised, and the Section 87F report on the resource consent application is expected to be completed in the second half of May 2018. The application, the Section 87F report, all submissions received on the application and all further information and reports (including briefs of evidence in chief) relevant to this process are expected to be filed with the Environment Court in the first half of June 2018.

#### **4.3 Development of Proposed Plan Change 5C: Manuherikia Catchment: Integrated water management**

A presentation was given to Council on 21 March 2018, outlining the future engagement processes and on-line platform which will be used to re-engage with the Manuherikia community on the progress of the plan change.

Aukaha, has not been able to undertake their fortnightly visits to the catchment for their cultural effects assessment as the river has been experiencing higher flows since mid-February. This may affect the delivery of the cultural values assessment report, which is due in the third quarter of this year

NIWA are undertaking a review of the existing water surety model which is being used by Manuherikia River Ltd (MRL), to determine the suitability for the plan change process. This review will feed into the assessment of all water surety options to determine the most appropriate way forward. Work will then begin on the water surety work, which is a key input into the economic assessment.

We are continuing to work with key stakeholders, including MRL, key irrigation companies and consultants, in the catchment as we progress the water surety, irrigation mapping and economic assessment.



The completion of the above work, along with a social assessment, are key inputs into the development of a draft plan change for pre-notification consultation, which will be workshopped with Councillors prior to seeking feedback from the community and key stakeholders.

#### **4.4 Development of Proposed Plan Change 5D: Cardrona Integrated water management**

Studies into the surface water hydrology and ecology of the Cardrona River have been finalised by ORC, and Pattle Delamore Partners (PDP) has completed an update of the groundwater hydrology model for the Wanaka Basin-Cardrona Gravel Aquifer. To firm up the validity of this model, PDP is now testing the model against data sourced from recently installed flow and groundwater level recorders in Bullock Creek and the aquifer.

Studies that remain to be finalised before ORC can proceed with the next stage of consultation are:

- An Economic Impact Assessment (EIA) of different minimum flow options undertaken by Business and Economic Research Ltd (BERL)
- A Social Impact Assessment (SIA) undertaken by Nick Taylor and Associates
- A Cultural Flow Monitoring Study (CFM) by Aukaha

A report on the Cultural Flow Monitoring Study is expected to be completed by Aukaha by mid-July. The EIA and SIA reports were anticipated to be completed by April 2018 and May 2018 respectively. However, the completion of these studies has been delayed for several weeks as the consultants undertaking these studies are involved as expert witnesses in the Lindis minimum flow plan change and have been tasked to prepare briefs of evidence for the Environment Court.

The next stage of consultation, during which we will present revised management options to the community, is now likely to take place in late July or August 2018.

#### **4.5 Development of Proposed Plan Change 1D: Flow Requirements for Water Takes**

We have been working with Science, Policy, Consents and Stakeholder Engagement to develop a preferred option for the plan change. It was hoped that we would be able to workshop this approach with Council in May, however, we are still working on details of the plan change including working with Aukaha to receive their input. We will be working towards providing Council with a briefing in June.

#### **4.6 Proposed Plan Change 3E: Arrow catchment and Wakatipu Basin Aquifer**

Following the conclusion of the consultation at the end of January we have summarised the feedback received. This summary document has been provided to all who attended the consultation and has been provided on the website for all interested persons.

We received the Aukaha report at the end of March. We are now working through all the feedback received, and key consultant reports with Resource Science to identify a preferred option and any further investigations which may be needed. We expect to bring a preferred option to Council in May.

## **5. Regional Land Transport Planning**

### **5.1 South Island collaboration on regional transport**

The South Island Regional Transport Chairs met on 28 March, and endorsed the undertaking of two projects planned collaboratively by regional transport staff from the seven South Island regional/unitary councils:

- Investigation of the opportunities for freight mode shift from road to rail or coastal shipping (to be jointly funded by the seven councils including ORC, with the usual NZTA co-funding).
- A desktop stocktake of the state of knowledge concerning current and projected visitor flows to/in/from the South Island (to be undertaken and funded as a NZTA research project with a funding contribution from Ministry of Transport).

Both projects are now proceeding.

The seven regional/unitary councils have developed a cost-sharing approach for future South Island projects.

### **5.2 Government Policy Statement on Land Transport**

On 3 April 2018, the Ministry of Transport released an engagement draft of the new Government Policy Statement on Land Transport 2018/19 - 2027/28. As expected, the four strategic priorities are:

- Safety
- Access (which encompasses mode choice and resilience)
- Environment (which also covers public health)
- Value for money

Submissions close 2 May. ORC is joining with Environment Southland in preparing a joint submission, with input from the Otago and Southland Regional Transport Committees members and their technical advisory group members (i.e. transport staff from territorial authorities). Additionally, ORC is providing input to a submission from LGNZ and one from the South Island Regional Transport Committees Chairs Group, and also one from the Transport Signature Group (the latter comprised of regional and unitary council transport managers).

We are supporting the strategic direction the new GPS is taking, and the focus on these four objectives. We agree with the reprioritisation of funding across activity classes and the funding increases for individual activity classes. (When compared to the current GPS, only the state highway improvement class funding declines).

We also support the Government's desire to better integrate rail into the transport planning and management system. Road and rail should be brought into a common

administrative model that applies common principles. We support investigation of making KiwiRail an Approved Organisation under the Land Transport Management Act.

We are pointing out that the presumption in GPS 2018 that today's funding system (based on hypothecation and pay as you go) should generally address today's problems' is detrimentally affecting our ability to address long-term options e.g. those facing Queenstown and Wanaka. The concept in GPS 2018 of funding 'lead infrastructure' does not provide a full answer. Unless the GPS makes further direction on this matter, and a suitable device for addressing it, then Wanaka – the fastest growing urban area in the South Island – risks suffering from the problems that Queenstown has been experiencing: severe congestion, highly variable travel times, disgruntled residents and a very real risk to the area's reputation as a top quality visitor destination. At the moment, we simply do not have a mechanism to start addressing the issues that Wanaka is predicted to face, before they become real problems as they did in Queenstown. Wanaka transport issues could be resolved relatively simply if there was a mechanism that we could take the opportunity to use to start addressing these but will become more difficult to resolve as the town develops.

We are also requesting that GPS 2018 provide more clarity about how Government is going to add incentives and flexibility into the transport system where these are needed, particularly in those circumstances where local government finds it difficult to raise a local share under the current transport funding system. The draft GPS is unclear on this point.

### **5.3 Road Safety Summit**

On 9 April, Cr Kempton and Dr Turnbull, Manager Strategic and Transport Planning, attended the national road safety summit, called by the Associate Minister for Transport, Hon Julie Anne Genter. Cr Kempton provided an update on this summit at the Council meeting on 11 April.

#### **Recommendation**

a) *That this report be noted.*

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

#### **Attachments**

1. Attachment 1 COMMITTEE REPORT 2018 Policy Plan Development Programme [11.1.2]
2. Attachment 2 ORC actions to reflect amendments to the NP S- FM [11.1.1]
3. Attachment 3 - Policy - Water Quantity Plan Change Reporting [11.1.3]

**12. NOTICES OF MOTION**

**13. CLOSURE**