

Policy Committee 20190501 Attachments

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Minutes of a meeting of the Policy Committee held in the
Council Chamber at Philip Laing House,
144 Rattray Street, Dunedin on
Wednesday 20 March 2019, commencing at 1:00 p.m.

Membership

Cr Gretchen Robertson	<i>(Chairperson)</i>
Cr Michael Laws	<i>(Deputy Chairperson)</i>
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	

Welcome

Cr Robertson welcomed Councillors, members of the public and staff to the meeting.

1. APOLOGIES

Resolution

That the apologies for Councillor Noone be accepted.

Moved: Cr Hope

Seconded: Cr Scott

CARRIED

2. LEAVE OF ABSENCE

No leaves of absence were noted.

3. ATTENDANCE

Sarah Gardner *(Chief Executive)*

Gavin Palmer *(General Manager Operations)*

Sally Giddens *(General Manager People, Culture and Communications)*

Andrew Newman *(General Manager Policy Science and Strategy)*

Liz Spector *(Committee Secretary)*

4. CONFIRMATION OF AGENDA

Agenda was confirmed as tabled.

5. CONFLICT OF INTEREST

No conflicts of interest were advised.

6. PUBLIC FORUM

No public forum was held.

7. PRESENTATIONS

No presentations were held.

8. CONFIRMATION OF MINUTES

Resolution

That the minutes of the meeting held on 30 January 2019 be received and confirmed as a true and accurate record.

Moved: Cr Hope

Seconded: Cr Robertson

CARRIED

9. ACTIONS

Status report on the resolutions of the Policy Committee

Draft Biodiversity Strategy Feedback	13/06/18	<i>That a paper on implementation be brought to the Policy</i>	ON HOLD. Strategy out. Reference group meeting to be held
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		<i>Committee in the next 2-3 months</i>	before end of year and bring the next stage to Policy Committee in 2019
Minimum Flow Plan Change Update	01/08/18	<i>That the CEO engage an appropriately qualified facilitator to help consultation associated with Priority Catchments Minimum Flows and Residual Flow Plan Change. (Mrs Gardner advised this action was in process, with a facilitator to be appointed.)</i>	In process. Facilitator has been arranged for community engagement. Further discussion to be held in item 10.4 of the agenda.
Biodiversity Action Plan	17/10/18	Approve the draft Biodiversity Action Plan in Attachment 2 for consultation with iwi and key stakeholders before a final draft is brought back to this committee for approval on 28 November 2018.	ON HOLD.
Options for resolution on Priority Catchments Minimum Flow	29/11/18	<i>That Council undertake a targeted community consultation meeting regarding the three options listed in the report</i>	IN PROGRESS

10. MATTERS FOR COUNCIL DECISION

10.1. New Approach for managing water in the Priority Catchments

General Manager Policy, Science and Strategy Andrew Newman addressed the committee members. He stated a fair amount of work had been done in last month on the proposed new approach to development of water management plans in the Arrow, Cardrona and Manuherikia catchments. He mentioned that presentation of the proposed regional water plan had been presented at a community meeting in Cromwell as well. Senior Policy Analyst Tom De Pelselmaecker also addressed the councillors. He said there is a need for overarching principles for resource management across the region and felt it prudent to develop a separate work stream for priority catchment principles to ensure integrity across management of other FMUs. Mr Pelselmaecker suggested ORC set up internal teams, comprised of policy and science staff, supported by monitoring and compliance teams as well. He stated there will be a need for additional resources to manage the workstream, and also to develop the partnership with iwi.

Chairperson Robertson asked Cr Woodhead to provide a summary of the Mana to Mana meeting with Rūnanga conducted the previous week to discuss the policy. Cr Woodhead said concerns were raised during that meeting about the policy. He said iwi would prefer there to be a framework and set of key principles used to work through the different water stages of the water plan review. He then said he would make an amendment to staff recommendation 2) to add the word framework as follows: adopts the proposal to simultaneously develop a set of principles **and framework** for the review of the regional water plan consistent with the values and intent of the partnership with iwi.

Cr Robertson suggested a progress report on the project plan be written and brought to the next Council Meeting for review. Cr Scott stated while there is no perfect solution, this is a pragmatic outcome to achieve as well as possible what needs be done. After further discussion, Cr Robertson asked for a motion.

Resolution

That the Council:

- 1) **Notes** the feedback received from our iwi partners, consultants and stakeholders on the proposed new approach for progressing the development of water management plans for the Arrow, Cardrona and Manuherikia (Manuherekia) catchments.
- 2) **Adopts** the proposal to: simultaneously develop a set of principles and **framework** for the overarching regional water plan consistent with the values and intent of the partnership with iwi.
- 3) **Note** that many but possibly not all of these principles will already be developed within existing ORC policies and plans i.e., the regional Policy Statement
- 4) **Agree** the relationship agreement with Aukaha be further developed with a view to formalising it between ORC and Ngai Tahu thereby enabling a systematic approach to be undertaken on the plan development process at a staff level.
- 5) **Initiate** the development of two plan changes to set freshwater objectives and comprehensive planning framework for managing water in the Arrow, Cardrona and Manuherikia (Manuherekia) catchments in accordance with the process outlined in policies CA1-CA4 of the National Policy Statement for Freshwater Management 2014 (amended 2017)
- 6) **Notify** before 1 January 2021 the plan changes for **partially** managing water in the Arrow, Cardrona and Manuherikia (Manuherekia) catchments as for Stage 1 of the full Water Plan review
- 7) **Establish** a Technical Advisory Group (TAG) and Community Reference Group (CRG), with formalised terms of reference, to provide ongoing technical and strategic advice and input to the ORC that supports the delivery of the plan change for managing water in the Manuherikia (Manuherekia) catchment **and provide a progress report at the next council meeting.**

Moved: Cr Woodhead
Seconded: Cr Robertson
CARRIED

11. MATTERS FOR NOTING

11.1. Director's Report on Progress

Anita Dawe, Acting Manager Policy and Planning provided the Director's Report on Progress to the Councillors. After a general discussion, Cr Robertson made a motion.

Resolution

That the Council:

- 1) **Receives** this report.

Moved: Cr Robertson
Seconded: Cr Hope
CARRIED

11.2. Overseer update

Julia Briggs, Policy Analyst spoke to the Councillors and provide an update on the Overseer program. She mentioned review of the program was underway at Parliament. Cr Kempton stated Overseer was a blunt instrument, but if consistently applied it did provide a benchmark to review nutrient leeching. Cr Laws enquired whether anyone had been prosecuted based on results of Overseer. CE Gardner answered no. Cr Robertson noted that Overseer is a useful tool for tracking problem areas or catchments in respect to nutrient leeching into groundwater. Cr Woodhead said the program will help to inform policy and compliance activity on catchment and subcatchment scale on water quality issues. No further discussion was held and Cr Robertson asked for a motion.

Resolution

That the Council:

- 1) **Receives** this report.

Moved: Cr Woodhead
Seconded: Cr Kempton
CARRIED

12. NOTICES OF MOTION

No Notices of Motion were advised.

13. CLOSURE

The meeting was declared closed at 02:26 pm.

Chairperson

This table sets out a summary of the assessment undertaken by the FMU setting team in reaching the recommended FMUs/rohe (which are listed in the left column in the table). The criteria ‘ki uta ki tai’ and ‘natural catchment hydrology’ were the two most important, the remainder are key criteria, but not essential to the recommendation and are not ranked in any particular order.

	Meets criteria
	Criteria not met, explanation of how to manage this is provided
	Criteria not relevant

Criteria / Proposed FMUs	Mata-au	Mata-au FMU					Taieri	North Otago	Dunedin Coast	Catlins
		Upper Lakes	Dunstan	Manuherehia	Roxburgh	Lower Clutha				
Ki uta ki tai (mountains to the sea) Required	This high level FMU provides for this	Does not in itself provide for ki uta ki tai – provided at high level by Mata-au FMU	Does not in itself provide for ki uta ki tai – provided at high level by Mata-au FMU	Does not in itself provide for ki uta ki tai – provided at high level by Mata-au FMU	Does not in itself provide for ki uta ki tai – provided at high level by Mata-au FMU	Does not in itself provide for ki uta ki tai – provided at high level by Mata-au FMU	Whole catchment - provides for ki uta ki tai	Grouping of catchments provide for this	Grouping of catchments provide for this	Grouping of catchments provide for this
Natural catchment hydrology Required	Follows the natural catchment boundary of the Clutha / Mata-au	Encompasses all catchments that flow into the 3 upper lakes – meets criteria	Encompasses the Clutha / Mata-au from the Wanaka and Hawea outlets and the Kawarau from the Lake Wakatipu outlet, and all catchments that feed into these rivers down to the bottom of the rohe, at Clyde dam.	A defined sub-catchment of the Clutha / Mata-au.	Captures the stretch of the Clutha / Mata-au between the Clyde and Roxburgh dams and all sub-catchments that flow in to this stretch.	Encompasses the Clutha / Mata-au from the outlet of Roxburgh dam to the sea – captures the current altered hydrology.	Follows natural catchment hydrology	Follows catchment boundaries – a natural collection of small catchments north of Waitati/Warrington	Follows catchment boundaries – a natural collection of small catchments	Follows catchment boundaries – a natural collection of small catchments
Community groups	No community groups present at the catchment scale, however does allow community groups that span multiple rohe to be part of the high-level	Separates some community groups, Upper Lakes Trust covers both upper lakes and Dunstan rohe. Some bordering communities may identify with a	Separates some community groups, Upper Lakes Trust covers both upper lakes and Dunstan rohe. Some bordering communities may identify with a	Manuherehia community group is fairly well defined from the remainder of the Mata-au FMU – so it meets this criterion well.	Recognises wider community around Alexandra – Clyde. Alexandra community will be part of Manuherehia rohe discussions too.	Recognises lower Clutha area.	Current water quantity limits exist at this catchment level – some sense of community.	Does not cut through any known community groups, loosely follows the Waitaki TA boundary	Distinct middle coast area	Distinct Catlins community

	discussion i.e. Upper Clutha Trust	neighbouring rohe.	neighbouring rohe.							
Scale to allow meaningful objectives	Allows integrated management of the whole Mata-au catchment, high level objectives will need to be set at this level – objectives to drive limits and rules requires further delineation.	Captures areas of high value, with pristine waters and high growth pressure – likely to require similar management objectives	Catchments in this rohe are dry, some quality issues – allows for meaningful objectives at this level	Catchment over-allocated, high irrigation use, storage present – appropriate to have objectives at this scale	Similar issues in area that will enable meaningful objectives	Similar issues in this area which will help allow for meaningful objectives	Although there are different characteristics throughout this catchment still at a scale to allow meaningful objectives at the high level	Although there are different characteristics throughout these areas – this FMU is still at a scale to allow meaningful objectives at the high level	Although there are different characteristics throughout these areas – this FMU is still at a scale to allow meaningful objectives at the high level	Although there are different characteristics throughout these areas – this FMU is still at a scale to allow meaningful objectives at the high level
Location of groundwater and wetlands	FMU at this level does not cut across groundwater or wetlands (this does exist at rohe level, but some level of management will be provided by high level FMU objectives/limits)	Some aquifers span boundary to Dunstan rohe at Queenstown and Wanaka – neighbouring community will need to be included in consultation and decide how to manage this in the plan provisions	Some aquifers span boundary to Upper Lakes rohe at Queenstown and Wanaka – neighbouring community will need to be included in consultation and decide how to manage this in the plan provisions	Some groundwater crosses in Roxburgh rohe around Alexandra - neighbouring community will need to be included in consultation and decide how to manage this in the plan provisions	Some groundwater spans boundary into Manuherekia rohe - neighbouring community will need to be included in consultation and decide how to manage this in the plan provisions	Roxburgh Basin Aquifer and Inch Clutha Gravel Aquifer spans boundary with rohe and Catlins FMU - Decided more crucial to follow surface hydrology than include Catlins FMU in this rohe. GW can be managed through consultation.	Does not cut across any groundwater aquifers or regionally significant wetlands	Some groundwater crosses over to ECan region, and surface water used in NOIC comes from Waitaki river in ECan – will require some collaboration with ECan and consultation with surrounding communities	Does not cut across any groundwater aquifers – swampy summit swamp is shared with Taieri FMU – more important to follow natural catchment hydrology	Inch Clutha Gravel Aquifer spans boundary with Lower Clutha rohe - Decided more crucial to follow surface hydrology
Land use / pressures / issues	Allows hydro-generation use to be managed at the high FMU level	Area has similar pressures and use; pristine waters, some emerging quality issues	Similar pressures and use in this area; irrigation high growth, some quality issues	High water use for irrigation, some water quality issues	Water for irrigation, some quality issues	High water quality concerns in these areas, high rainfall	A variety of land uses and pressures from the top of the catchment to the sea	Water quality issues throughout and some irrigation pressure	Water quality issues, especially urban, low water quantity pressures	Mixture of land uses, some water quality pressures

Potential for FMUs and sub-FMUs to fulfil criteria	This FMU requires further delineation to meet the other above criteria	These are a further delineation of the Mata-au	These are a further delineation of the Mata-au	These are a further delineation of the Mata-au	These are a further delineation of the Mata-au	These are a further delineation of the Mata-au	This FMU is at a small enough spatial scale to set freshwater objectives, remembering that within every unit/rohe there may be additional area specific objectives.	This FMU is at a small enough spatial scale to set freshwater objectives, remembering that within every unit/rohe there may be additional area specific objectives.	This FMU is at a small enough spatial scale to set freshwater objectives, remembering that within every unit/rohe there may be additional area specific objectives.	This FMU is at a small enough spatial scale to set freshwater objectives, remembering that within every unit/rohe there may be additional area specific objectives.
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Attachment 2 – Synopsis of the Plan Change Project Plans for Arrow, Cardrona and Manuherekia

Background

On 3 April 2019 Council adopted a resolution to initiate the development of two plan changes for managing water in the Arrow, Cardrona and Manuherekia catchments and notify these before 1 January 2021.

The resolution stemmed from the need to facilitate the transition from deemed permits to resource consents granted under the Resource Management Act 1991 (RMA) in the three deemed permit-dominated catchments: the Arrow, Cardrona and Manuherekia catchments. In response to this resolution ORC staff have now prepared more detailed project plans for developing integrated planning frameworks for these catchments.

Drivers and Constraints

The key drivers for the projects include:

- The need for a comprehensive planning framework that provides the consent authority, resource users and affected parties with clear and certain policies for facilitating the transition of deemed permits to resource consents.
- The need for an integrated planning framework for managing water in these catchments in accordance with the requirements and direction set out in higher level planning documents (e.g. National Policy Statement for Freshwater Management, National Planning Standards).

Key constraints include:

- The timeframe for notification of these Plan Changes is limited due to the pending expiry of deemed permits on 1 October 2021.
- The technical knowledge needed to inform these plan changes is currently incomplete.

Project outcomes

The outcomes of the projects are the development of integrated management plans for these catchments that seek to apply an array of regulatory and non-regulatory instruments, tailored to local circumstances, to enable the efficient and sustainable use of the catchments' water resources while also providing for their diverse ecological, cultural and social values.

Project Structure

Separate multi-disciplinary project teams have been established for the Arrow/Cardrona and Manuherekia respectively, with some overlap in personnel in order to maintain consistency across the project trajectories, harness synergies and ensure momentum is built and deadlines are met. A blueprint of the project team structure for both projects is shown in Figure 1 below.

Two advisory bodies will assist the project team with the delivery of the Manuherekia Rohe Plan Change, the Technical Advisory Group (TAG) and the Community Reference Group (CRG)

The TAG is to provide technical advice on the development and execution of a technical work programme and assist with the interpretation of the science information for policy development. The TAG, which is planned to have its inaugural meeting in May 2019. The CRG, which is scheduled to meet for the first time in June 2019, is tasked with the provision of ongoing strategic advice to the

ORC in support of the successful delivery of the plan change. Both bodies will be comprised of ORC staff, our iwi partners, and experts/representatives of community and interest groups and relevant agencies.

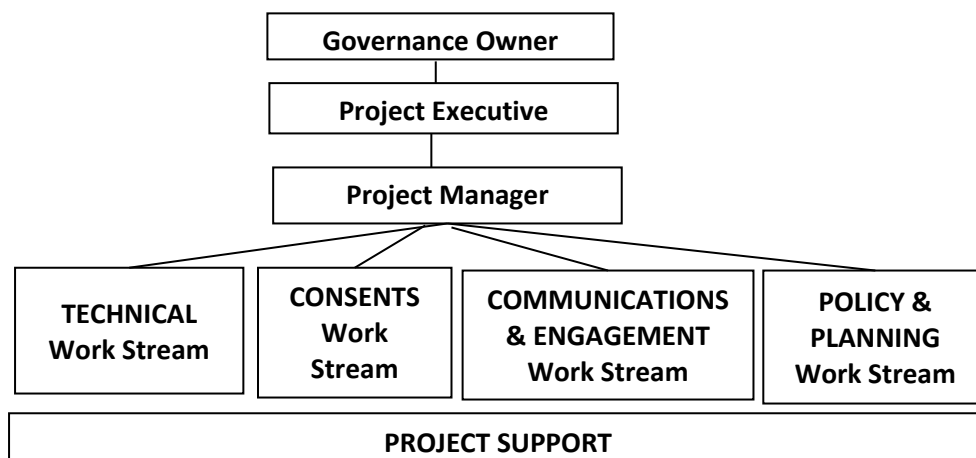


Figure 1: Project Structure

Assumptions

The Project Plans for the Manuherehia Rohe and Arrow and Cardrona catchments have been developed based on the following assumptions:

- ORC has a good understanding of the diverse uses and values supported by water in the Arrow, Cardrona and Manuherehia catchments.
- ORC has access to knowledge and information necessary to develop a robust understanding of actual water taking, use and demand, including water take data, land use mapping and robust info around location, capacity and operation of water take and supply infrastructure.
- Robust hydrological models are available, capable of simulating flows under a variety of abstraction scenarios.
- There is buy-in from key stakeholders, who are sharing their knowledge and information and are participating in the development of management objectives and effective solutions.

Project Schedule and Project Milestones

The key milestones and deliverables for the Arrow and Cardrona catchments and Manuherehia Rohe are shown in Table 1 and Table 2 respectively.

Table 1: Key milestones for Arrow and Cardrona Project Plan.

Stage/ Milestone	Timeframe
Arrow and Cardrona Hydrology update	17 May 2019
Arrow and Cardrona Ecology update	31 May 2019
Cardrona Surety Model	31 May 2019
Arrow and Cardrona Consultation – Values confirmation	27 and 28 May 2019
Cardrona Economic Impact Assessment	2 August 2019
Cardrona Social Impact Assessment	23 August 2019
Arrow and Cardrona Freshwater Objectives	6 September 2019
Completion Draft Arrow and Cardrona Plan Change Proposal	13 November 2019

Stage/ Milestone	Timeframe
Release Consultation Draft	2 December 2019
Notification Arrow and Cardrona Plan Change	Late January/ Early February 2020

Table 2: Key milestones for the Manuherekia Rohe Project Plan.

Stage/ Milestone	Timeframe
Establishment Technical Advisory Group	May 2019
Establishment Community Reference Group	June 2019
Manuherekia Consultation – Values confirmation	August 2019
Delivery TopNet/CHES (Hydrology)	31 August 2019
Cultural Flow Assessment	30 September 2019 (TBC)
Manuherekia Ecology update	15 November 2019
Manuherekia Natural Character Assessment	6 April 2020
Manuherekia Recreational Values Assessment	6 April 2020
Manuherekia Financial Impact Analysis	17 April 2020
Manuherekia Economic Impact Assessment	17 April 2020
Manuherekia Land Use Change Assessment	29 May 2020
Manuherekia Social Impact Assessment	26 June 2020
Manuherekia Freshwater Objectives	10 July 2020
Completion Draft Manuherekia Plan Change Proposal	25 September 2020
Completion Manuherekia Water Management Strategy	23 October 2020
Release Consultation Draft & Water Management Strategy	23 October 2020
Notification Manuherekia Plan Change	11 December 2020

Reporting and monitoring

The table below (Table 3) provides an overview of reporting arrangements.

Table 2: reporting and monitoring

Report	Purpose	Timing	Audience
Progress Report by Project Manager	Summary of the project status	Monthly	Project Executive
Progress Team meeting (verbal report)	Summary of the project progress, raising issues	Fortnightly	Project Executive
End Project Report by Project Manager	A final assessment on the project's achievements.	February 2021	Project Executive

To ensure regular and effective communication with Councillors the following is proposed:

- Organising councillor workshops at or near key milestones.
- Regular reporting on the project's progress via the General Manager's report.
- Reporting on specific issues via dedicated reports to Council or the Policy Committee
- Inviting Councillors to public consultation meetings