



Minutes of a meeting of the Policy Committee held in the Council Chamber at Philip Laing House, 144 Rattray Street, Dunedin  
Wednesday 1 May 2019, commencing at 1 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 at 1:05 p.m.

*For our future*

## 1. APOLOGIES

No apologies were noted.

## 2. LEAVE OF ABSENCE

The leaves of absence for Councillor Kempton, Councillor Noone and Councillor Woodhead were noted.

## 3. ATTENDANCE

Sarah Gardner (Chief Executive)  
Nick Donnelly (General Manager Corporate Services and CFO)  
Gavin Palmer (General Manager Operations)  
Sally Giddens (General Manager People, Culture and Communications)  
Andrew Newman (Acting General Manager Policy, Science and Strategy)  
Liz Spector (Committee Secretary)

## 4. CONFIRMATION OF AGENDA

The agenda was confirmed as tabled.

## 5. CONFLICT OF INTEREST

No conflicts of interest were advised.

## 6. PUBLIC FORUM

No requests to address the Committee members were received.

## 7. PRESENTATIONS

No presentations were held.

## 8. CONFIRMATION OF MINUTES

### Resolution

*That the minutes of the meeting held on 20 March 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

<b>Draft Biodiversity Strategy Feedback</b>	13/06/18	<i>That a paper on implementation be brought to the Policy Committee in the next 2-3 months</i>	ON HOLD. Strategy out. Reference group meeting to be held before end of year and bring the next stage to Policy update in GMs report..Committee in 2019
---	----------	---	---

<b>Biodiversity Action Plan</b>	17/10/18	<i>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.</i>	ON HOLD.
<b>Water Meter Telemetry</b>	28/11/2018	Report to Policy Committee to detail the communications strategy to encourage landowners to install telemetry sites to improve real-time collection of water meter data.	IN PROGRESS
<b>New Approach for managing water in the Priority Catchments</b>	20/03/2019	<i>Establish a TAG and CRG with formalised TORs to provide ongoing technical and strategic advice and input to the ORC to support delivery of the plan change for water management in the Manuherikia catchment and provide a progress report at the next council meeting.</i>	IN PROGRESS – reported to Council at 3/04/19. TORs to be established for TAG and CRG groups.

## 10. MATTERS FOR COUNCIL DECISION

Nil

## 11. MATTERS FOR NOTING

### 11.1. General Manager's Report on Progress

Acting GM Policy, Science and Strategy Andrew Newman and Acting Manager Policy and Planning Anita Dawe reviewed the report with the Committee members. A general discussion was held around recent Central Government proposals predominantly focusing on fresh water management. Ms Dawe mentioned that new national planning standards have been released which address requirements for regional policy statements and plans. She said staff will conduct an in-depth assessment of the impact of the new standards on ORC plans and the partially operative RPS within the next month.

Ms Dawe reviewed the Council's biodiversity/biosecurity work programme with the Councillors. She said a cross-organisational project team has been put together to develop a strategic framework to develop business case options for implementing the work programme. She plans to present the options for consideration to the Council in 2020.

A general discussion was then held about the Manuherikia, Arrow and Cardrona catchments plan changes. Mr Newman said the first meeting of the Technical Advisory Group will be conducted in May 2019. Councillor Hope asked if any Councillors will be on the community reference group. Mr Newman said staff will request Council designate a councillor from one of

the constituencies to participate on the CRG. Ms Dawe said the community engagement programme for the Arrow and Cardrona communities will also begin in May 2019.

Councillor Robertson thanked Mr Newman and Ms Dawe for the comprehensive report. As there was no further discussion, she asked for a motion.

### **Resolution**

*That the Council:*

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

Moved: Cr Hope  
Seconded: Cr Brown  
CARRIED

### **11.2. Implications of the Environment Court's procedural decision on the Proposed Otago Regional Policy Statement**

Councillor Robertson asked ORC legal counsel Alistair Logan to join Mr Newman and Ms Dawe and provide an update on the recent Environment Court procedural decision on the RPS. Mr Logan said the court's decision rules that the pORPS does not achieve the purpose of the RMA, and leaves the pORPS essentially compromised. Ms Dawe said the decision was very unusual, and contains errors of fact. She said changes to the pORPS were submitted to answer some of the court's concerns and that ORC has appealed the procedural decision to the High Court. Councillor Scott suggested staff provide an outline of the fundamental issues to the Councillors. Councillor Deaker stated the public will want to know the legal status of the RPS, whether it is operative, partially operative, or inoperative. Ms Dawe said she considers the pORPS to be partially operative, but the decision of the court leaves the document vulnerable to future legal challenges.

Ms Dawe said responses from other parties regarding the proposed changes are due to be received on Friday, 26 April 2019. She also mentioned the amended National Planning Standards which will require the RPS to be reorganised. She said staff is working through the implications of these changes. Legal Counsel Logan said the ORC has gone back to court and have until 8 May to advise if they wish to be heard.

Councillor Robertson thanked the team for the update. There were no further comments and Cr Robertson asked for a motion.

### **Resolution**

*That the Council:*

- 1) ***Notes that the Environment Court has ruled that the proposed Otago Regional Policy Statement does not achieve the purpose of the Resource Management Act 1991.***
- 2) ***Notes that the ORC has proposed changes to the Environment Court to remedy its concerns***
- 3) ***Notes that the ORC has appealed the procedural decision to the High Court.***

Moved: Cr Neill  
Seconded: Cr Hope  
CARRIED

**12. NOTICES OF MOTION**

No Notices of Motion were advised.

**13. CLOSURE**

The meeting was declared closed at 02:03 pm.

  
\_\_\_\_\_  
Chairperson

12/6/19  
\_\_\_\_\_  
Date