Planning Working Party
Wednesday 18 September 2019 at 9.00am
Planning to Working Party

Meeting to be held in the Whale Bay Room
36 Water Street, Whangārei
on Wednesday 18 September 2019, commencing at 9.00am

Please note: working parties and working groups carry NO formal decision-making delegations from council. The purpose of the working party/group is to carry out preparatory work and discussions prior to taking matters to the full council for formal consideration and decision-making. Working party/group meetings are open to the public to attend (unless there are specific grounds under LGOIMA for the public to be excluded).

MEMBERSHIP OF THE PLANNING WORKING PARTY

Cr Joce Yeoman (Chair)
Cr John Bain
Cr Paul Dimery
Cr Bill Shepherd
Cr Penny Smart
TTMAC - Non Elected Member

Item | Page
--- | ---
1.0 APOLOGIES
NRC Chief Executive
2.0 DECLARATIONS OF CONFLICTS OF INTEREST
3.0 REPORTS
3.1 Receipt of Record of Actions | 3
3.2 Central Government policy direction update | 6
Michael Day - Natural Resources Policy Manager
3.3 Proposed Regional Plan - appeals update
Staff will provide a verbal update on appeals to the Proposed Regional Plan, including appeals on council decision to not GE/GMO provisions (in the Plan) and an update on the process for mediating appeals on the rest of the Plan.
Executive Summary | Whakārapopototanga

The purpose of this report is to present the Record of Actions of the last meeting held on 5 June 2019 for review by the meeting.

Attachments | Ngā tapirihanga

Attachment 1: Record of Actions - 5 June 2019

Authorised by Group Manager

Name: Ben Lee
Title: Strategic Policy and Planning Manager
Date: 16 September 2019
Planning Working Party Record of Actions

Meeting held in the Council Chamber
36 Water Street, Whangārei
on Wednesday 5 June 2019, commencing at 1.00pm

Present:       Cr Joce Yeoman  (Chair)
               Cr John Bain
               Cr Paul Dimery
               Cr Bill Shepherd  (Ex-Officio)
               Victor Holloway  (Non-Elected Member from TTMAC)

In Attendance: Strategy, Policy and Planning Manager
               Natural Resources Policy Manager
               NRC Chief Executive
               Group Manager, Strategy Governance and Engagement

The Chair declared the meeting open at 1.00pm

1.0 APOLOGIES
The apologies from Cr Penny Smart for non-attendance were received.

2.0 DECLARATIONS OF CONFLICTS OF INTEREST
It was advised that members should make any declarations item-by-item as the meeting progressed.

3.0 REPORTS
3.1 Receipt of Record of Actions
Presented by: Strategy, Policy and Planning Manager
Agreed action points: Nil

3.2 Planning Work Programme Update
Presented by: Natural Resources Policy Manager
Agreed action points:
• Keep planning work programme as a standing agenda item

3.3 Coastal Occupation Charging - Update
Presented by: Natural Resources Policy Manager
Agreed action points:
• Involvement of TTMAC members - not for initial workshop
• Proceed to late June workshop
3.4 National Planning Standards Update
Presented by: Policy Specialist
Agreed action points: Nil

3.5 Proposed Regional Plan - update on appeals
Presented by: Natural Resources Policy Manager
Agreed action points: Nil

3.6 Whangārei District Council Urban Plan Changes
Presented by: Natural Resources Policy Manager
Agreed action points:
- Email draft submission on WDC plan changes to all councillors, allowing them one week to respond
- Staff to record all conversations re hazard map implementation
- Present to the CEs’ Forum about hazards mapping, RPS obligations and risks from inaction to all councils (including legal advice around the risks)
- Provide risk advice to the Risk and H&S Working Party
- Present to council about the levers NRC has available to manage the risks of development if district council plan changes do not include hazard maps and associated rules

The meeting closed at 2.04pm
Executive Summary | Whakarāpopototanga

During the last month, the Government has released a raft of RMA ‘national direction’ consultation documents. This paper provides an update on these documents.

Recommended actions | Ngā mahi tūhutia

1. That the Planning Working Party receive the update and provide verbal feedback.

Background | Tuhinga

Freshwater reforms

The Government has signalled for some time that it wants to improve the current management of freshwater.

On 5 September the Government announced proposals for new requirements that would:

• Strengthen Te Mana o Te Wai as the framework for freshwater management.
• Better provide for ecosystem health (water, fish and plant life).
• Better protect wetlands and estuaries.
• Better manage stormwater and wastewater, and protect sources of drinking water.
• Control high-risk farming activities and limit agricultural intensification.
• Improve farm management practices.

The attached summary document provides an overview of the proposals.

Submission close on Thursday 17 October 2019. Staff are preparing a draft submission and will be holding a workshop with council on 24 September to work through the detail.

Examples of key proposals include:

• New national rules for stock exclusion (fencing) from waterways, including from all wetlands.
• A requirement for all farms to have a Farm Environment Plan (a tailored plan setting out various environmental actions).
• Requiring regionals councils to implement the new provisions in regional plans by 2025
• A new hearing process for implementing new policy requirements into regional plan provisions which will take away Environment Court appeal rights.
• Putting health and wellbeing of the water as the first priority in decision-making; followed by water for essential human needs (such as drinking water) and lastly other uses (e.g. commercial).

Further details about the proposals can be found on the Ministry for The Environment’s website – www.mfe.govt.nz

National Policy Statement on Highly Productive Land

On 14 August, the Government released a discussion document on a National Policy Statement for Highly Productive Land (NPS-HPL). The overall purpose of the NPS-HPL is to improve the way highly productive land is managed. It is intended to:
• recognise the full range of values and benefits associated with use of highly productive land for primary production
• maintain its availability for primary production for future generations
• protect it from inappropriate subdivision, use and development.

The proposed NPS-HPL includes a requirement that regional councils generate maps of highly productive land specified criteria and include these in Regional Policy Statements along with policies to ensure it is appropriately protected for primary production. District councils would also be required to apply the same management regime and also manage ‘fragmentation’ and ‘reverse sensitivity’. The NPS-HPL also includes policy to guide decision making on resource consents and plan changes in areas of highly productive land. Submissions close 10 October 2019.

Revised National Policy Statement on Urban Development

The Government proposes replacing the existing National Policy Statement on Urban Development Capacity 2016 with a revised version (consultation opened 21 August). The intent is to improve urban planning and the integration of infrastructure with growth. The changes include a refinement to require specific responses to growth issues in ‘major’ urban centres being Auckland, Hamilton, Tauranga, Wellington, Christchurch and Queenstown where pressures are more pronounced (particularly housing). These centres would be required to develop ‘future development strategies’. Other urban centres would be subject to more generic policy direction. Submissions close 10 October 2019

Other government initiatives

Other government initiatives have also been released for consultation. These include proposals to improve product stewardship and identification of a range of ‘priority products’ to reduce waste. The aim is to make producers more responsible for ‘problem’ products such as tyres, electronics, agrichemicals, refrigerants, farm plastics and packaging. Submissions close 4 October 2019.

Consultation is also open on changes to the assessment of hazardous substances. The primary aim is to make better use of international information, review more potentially harmful substances more efficiently and incentivise substitution with safer alternatives. Submissions close 30 September 2019.

There are potentially other government proposals that may arise during this period that are of interest to council (such changes to the Emissions Trading Scheme regulations) and submissions are appropriate.

It is the intention of staff that there will be an opportunity to workshop all these initiatives with full council during September and October, in advance of finalising submissions where they are considered appropriate.

Attachments | Ngā tapirihanga

Attachment 1: Action for Healthy Waterways Summary

Authorised by Group Manager

Name: Jonathan Gibbard
Title: Group Manager - Strategy, Governance and Engagement
Date: 16 September 2019
Action for healthy waterways summary

An ‘at a glance’ summary of the discussion document on national direction for freshwater

New Zealand Government
New Zealanders value our freshwater. Our rivers and lakes, and how we care for and use them, are a fundamental part of who we are. We respect the mana of our freshwater – Te Mana o te Wai.

New Zealanders want to be able to swim, fish, gather mahinga kai, and enjoy freshwater as our parents and grandparents did. We also need clean water to drink and irrigation to support a sustainable economy.

But our water is suffering as a result of human activity – urban development, agriculture, horticulture, forestry, and other activities – and because of a lack of robust regulation, monitoring and enforcement.

What do we need to do?

Many people, including farmers and growers, are already taking action to reduce their impact on freshwater. However, their efforts are undermined by those who are not. We want to acknowledge positive efforts and follow good examples wherever we can, and make sure everybody contributes.

Urgent action is required to stop our water getting worse so that water quality is materially improving within five years. We want to bring our freshwater to a healthy state within a generation.

To reduce the amount of pollution entering our waterways from our cities and our farms, and to uphold Te Mana o te Wai, we have to put the water first in our decision-making.

This document summarises proposed new requirements that are intended to both quickly stop water quality getting worse, and set us on a path to healthier freshwater in a generation.

These regulations would require different actions in different regions and catchments, but in general would mean:

- better management of stormwater and wastewater
- no further loss of wetlands and streams
- tighter controls to prevent sediment loss from earthworks and urban development
- farmers and growers understanding and managing environmental risks and following good practice
- new standards and limits on some farming activities in some regions or catchments.

Beyond these proposals the Government is continuing to work on other parts of its plan for freshwater, including allocation of allowances to discharge nutrients, institutional/oversight arrangements for the freshwater management system, and addressing Māori rights and interests in freshwater.

What’s on the table?


The proposals are outlined in the table on the next page, and more detail can be found in the discussion document Action on Healthy Waterways, available on the Ministry for the Environment’s website.

How will Government help?

As well as setting out requirements through legislation and regulations, the Government is investing in supporting communities, including farmers and growers, to take action.

In a number of catchments where the risk to freshwater and indigenous species is higher, the Government is working with communities to understand how best to leverage and accelerate community-led action, help target investment, and assist with access to other funding support.

The Government is also investing in helping farmers and growers, businesses, and Māori transition to sustainable land use. This includes: providing practical advice, information and tools; protecting high-value food exports; and further developing decision-support tools like Overseer®.

The Government will work to ensure up-to-date qualifications are available for farm advisors, and improve skills development for rural professionals.
**Proposal** | **What will be different**
--- | ---
**Speed up the implementation of freshwater regulations through amendments to the RMA**
Introduce a new freshwater planning process that will require councils to have new plans in place no later than 2025. | Better, faster, more nationally-consistent freshwater management plans and implementation.  
**Set and clarify policy direction to bring our freshwater to a healthy state within a generation in a new National Policy Statement for Freshwater Management (NPS-FM)**
Strengthen and clarify the requirement to manage freshwater in a way that gives effect to Te Mana o te Wai; this refers to the integrated and holistic health and wellbeing of waters as a continuum from the mountains to the sea. | The health and wellbeing of the water will be put first in decision-making; providing for essential human needs; such as drinking water; will be second, and other uses will follow.  
Restructure and redraft the NPS-FM to improve clarity and reinforce a holistic approach to freshwater management. | Councils and the communities they represent will find it easier to put the health and wellbeing of the water first because they will have stronger and clearer direction.  
Strengthen the requirement to identify and reflect Māori values in freshwater planning, with two options set out in the discussion document for feedback. | Iwi and hapū values for freshwater in a region will be a focus for freshwater management.  
Support renewable energy targets by exempting major hydro-electric schemes from some freshwater management requirements. | Status of major existing hydro-electric schemes will be clarified but this is not expected to result in any change to current freshwater management requirements.  
**Raise the bar on freshwater ecosystem health by introducing new attributes and requirements in the NPS-FM to protect threatened species and habitats**
Broaden the focus of national direction and planning to a more holistic view of freshwater ecosystem health and require better monitoring and reporting. | Land and water resources will be managed so that in a generation our freshwater will be healthier for people, animals, native fish, trout and salmon, plants, and other species that live in or alongside waterways.  
New attributes (indicators of ecosystem health) to be monitored and maintained or improved:  
- nutrients (nitrogen and phosphorus)  
- sediment  
- fish and macroinvertebrate numbers  
- lake macrophytes (amount of native or invasive plants)  
- river ecosystem metabolism  
- dissolved oxygen in rivers and lakes. | Land and water resources will be managed to maintain or improve ecosystem health in each catchment; this is likely to require different actions in different catchments, including reducing soil loss, reducing nutrient run-off, and/or investing in upgrading wastewater and stormwater infrastructure.  
Higher standard for swimming in summer. | Greater efforts to reduce contamination where people want to swim.  
Protect urban and rural wetlands and streams. | There will be no more draining or development of wetlands. Remaining streams in urban and rural areas will not be piped or filled in unless there is no other option, for example to provide a crossing.  

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<table>
<thead>
<tr>
<th>Proposal</th>
<th>What will be different</th>
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<tbody>
<tr>
<td>Protect threatened indigenous freshwater species.</td>
<td>Land and water resources will be managed in a way that helps indigenous species thrive.</td>
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<tr>
<td>Provide for fish passage.</td>
<td>Fish that need access to the sea to breed will face fewer barriers.</td>
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<tr>
<td>Improvements to setting minimum water flows and reporting on water use.</td>
<td>Better management of water allocation within the current system.</td>
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**Support the delivery of safe drinking water through amending the National Environmental Standard for Sources of Human Drinking Water**

- Strengthen requirements to assess and control risks to drinking water sources.  
  - Tighter management of land use in areas that are sources of drinking water supply to ensure drinking water is not contaminated.

**Better manage stormwater and wastewater to stop things getting worse and improve freshwater health in a generation, through new regulations and potentially new legislation**

- Set minimum standards for wastewater discharges and overflows and require all operators to follow good practice risk management.  
  - There is less pollution of rivers, lakes, groundwater and the sea from stormwater and wastewater.

**Improve farming practices where needed to stop things getting worse and improve freshwater health in a generation, through new National Environmental Standards for Freshwater and regulations**

- Ensure all farmers and growers have a plan to manage risks to freshwater.  
  - There is less pollution of rivers, lakes and groundwater from agriculture and horticulture because all farmers and growers understand and manage environmental risks and follow good practice. All farmers and growers have a farm plan by 2025.

- Tightly restrict any further intensification of land use through interim measures until all regions have operative freshwater management plans.  
  - From June 2020, changes such as new irrigation or conversion to dairying will only happen where there is evidence it will not increase pollution.

- Reduce nitrogen loss in catchments with high nitrate/nitrogen levels through interim measures until all regions have operative freshwater management plans.  
  - In catchments with high nitrate/nitrogen levels there will be a reduction in nitrogen loss within five years.

- Exclude cattle, deer and pigs from waterways on low-slope land and where stock rates are similar to dairy.  
  - There will be more fencing and wider setbacks to keep stock out of waterways, reduce erosion, and capture contaminants before they reach the water.

- Apply standards for intensive winter grazing, feedlots, and stock holding areas.  
  - There will be less erosion and less pollution of waterways from nutrients, sediment and pathogens.
Action across a catchment

This diagram shows proposed actions intended to limit pollution and improve the health of our waterways.

**Reduce Soil Loss**
Plants the right trees in the right place and tightly manage activities such as earthworks and land clearance.

**Meet Standards**
Ensure intensive winter grazing of forage crops meets standards.

**Reduce Pollution**
Strengthen regulation on stormwater and wastewater discharge and promote water sensitive urban design.

**Implement Tighter Rules**
National rules implemented, including through regional planning and management to maintain or improve ecosystem health.

**Improve Farm Practices**
Restrict intensification and feedlots; reduce nitrogen loss; keep cows, pigs and deer out of waterways; ensure stock holding areas meet standards.

**Protect Drinking Water Sources**
Control activities that can affect sources of drinking water.

**Protect Human Health**
Clear standards for swimming spots in summer.

**Protect Existing Ecosystems**
Protect streams and wetlands from draining or development.
What do you think?

The Government is interested in your views.

If you want more detail before you have your say, download the full discussion document on the Ministry for the Environment’s website.

Join the kārearea and have your say:

- @mfe_environment
- @mfe_news
- www.facebook.com/ministryfortheenvironment/
- www.linkedin.com/company/449977

Here’s some questions to get you started

- Do you agree that the health of our freshwater should be our first priority?
- Do you think the proposals will result in water quality materially improving within five years?
- Do you think the proposals will achieve healthier freshwater in a generation?
- What difference do you think these proposals would make to your local waterways, and your contact with them?
- What would you have to do differently, under these proposals?

Timeline

2019
- Support for community-led action, investment in tools and support and advice for farmers

Late 2019 – early 2020
- Government makes final decisions on National Policy Statement for Freshwater Management and National Environmental Standards for Freshwater

2019–2020
- Ongoing work on allocation of allowances to discharge nutrients

June 2020
- Implementation of new requirements

2020
- Further consultation on wastewater and stormwater regulations

2025
- All councils have plans to implement new National Policy Statement for Freshwater Management

2025–2050 and beyond
- Land and water resources are being managed to maintain or improve freshwater health and monitoring shows material improvements