



MINUTES

Operations & Regulatory

Date 29 August 2023, 9.00am

Venue: Taranaki Regional Council Boardroom, 47 Cloten Road, Stratford

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Present	S W Hughes	<i>Chairperson</i>
	D M Cram	<i>Deputy Chairperson</i>
	M J Cloke	
	M G Davey	
	D H McIntyre	
	D L Lean	<i>(zoom)</i>
	N W Walker	<i>ex officio</i>
	C L Littlewood	<i>ex officio</i>
	D Luke	Iwi Representative

Attending	Mr	S J Ruru	Chief Executive
	Ms	A J Matthews	Director - Environment Quality
	Mr	A D McLay	Director - Resource Management
	Mr	D R Harrison	Director - Operations
	Mr	J Glasgow	Compliance Manager
	Ms	L Millar	<i>(zoom)</i>
	Miss	N Chadwick	Governance Administrator
	Ms	C Woollen	Communications Adviser
	Ms	K Holland	Communications Team Lead
	Ms	A Smith	Science Communications Advisor
	Mr	F Kiddle	Strategy lead
	Mr	D Sherman	Land Services Manager
	Mr	B Levine	Scientist - Land and Soil

Karakia: The meeting opened with a group karakia at 9.00am.

Apologies: Were received and sustained from, R Buttimore, Ā White, B Bigham, P Muir

1. **Confirmation of Minutes Operations and Regulatory Committee 18 July 2023**

Recommended

That the Taranaki Regional Council:

- a) took as read and confirmed the minutes of the Operations and Regulatory Committee of the Taranaki Regional Council held on 18 July 2023 at Taranaki Regional Council 47 Cloten Road Stratford
- b) noted the recommendations therein were adopted by the Taranaki Regional Council on Tuesday 7 August 2023.

Hughes/Davey

2. **Resource Consents Issued under Delegated Authority & Applications in Progress**

- 2.1 Mr A D McLay, Director – Resource Management, spoke to the memorandum to advise the Committee of consents granted, consents under application and of consent processing actions since the last meeting.

Recommended

That the Taranaki Regional Council:

- a) received the schedule of resource consents granted and other consent processing actions, made under delegated authority
- b) noted any specific recommendations therein.

Hughes/Walker

3. **Incidents, Compliance Monitoring Non Compliances and Enforcement Summary 1 July 2023 – 31 July 2023**

- 3.1 Mr J Glasgow, Compliance Manager, spoke to the memorandum to update the Committee and provided a summary of the incidents, compliance monitoring non-compliances and enforcement for the period 1 July 2023 – 21 July 2023.
- 3.2 Councillor M Davey declared a conflict of interest and abstained from the vote.

Recommended

That the Taranaki Regional Council:

- a) received the memorandum *Incident, Compliance Monitoring Non- Compliance and Enforcement Summary – 1 July 2023 – 31 July 2023*
- b) received the summary of the incidents, compliance monitoring non-compliances and enforcement for the period from 1 July 2023 – 21 July 2023, noted the action taken by staff acting under delegated authority and adopted the recommendations therein.

Cloke/Lean

4. **Changes to the Duration of Consents Related to Freshwater**

- 4.1 Mr F Kiddle, Strategy Lead, spoke to the Committee to inform the members of changes to the maximum duration available for consents related to freshwater and seek their agreement on related matters

Recommended

That the Taranaki Regional Council:

- a) received the memorandum titled *Changes to the duration of freshwater consents*
- b) noted that upon Royal Assent of the *Natural and Built Environment Act*, the maximum duration for "affected resource consents" related to freshwater under the *Resource Management Act 1991* will be five years after the estimated date upon which relevant rules in the region's first Natural and Built Environment Plan under the *Natural and Built Environment Act* have legal effect
- c) noted the estimated date upon which such rules would have legal effect is 30 June 2032, giving a maximum duration of until 30 June 2037 for affected resource consents
- d) noted that applying a single end date for all affected resource consents will very likely lead to an unmanageable amount of resource consent applications after that date
- e) agreed that from Royal Assent of the *Natural and Built Environment Act 2023*, the Council adopt an expiry date for all affected resource consents of either 10 years from the consent being granted or 30 June 2037, whichever is less
- f) directed Council officers to develop and distribute dedicated communications material outlining the new duration limits
- g) determined that this decision be recognised as not significant in terms of section 76 of the *Local Government Act 2002*
- h) determined that it has complied with the decision-making provisions of the *Local Government Act 2002* to the extent necessary in relation to this decision; and in accordance with section 79 of the Act, determined that it does not require further information, further assessment of options or further analysis of costs and benefits, or advantages and disadvantages prior to making a decision on this matter.

Walker/Littlewood

5. Freshwater Farm Plan System

- 5.1 Mr D Sherman, Land Services Manager, spoke to the memorandum and gave a PowerPoint presentation to update the committee on the Freshwater Farm Plan (FWFP) system and the role of council.

Recommended

That the Taranaki Regional Council:

- a) received the memorandum titled - Freshwater Farm Plans - The System
- b) noted the design and framework of the FWFP system
- c) noted the expectations of achieving NPS freshwater objectives through FWFP
- d) noted the implications of the extra requirements imposed on Council through the FWFP System

- e) approved that the appropriate planning, management and resourcing is undertaken to ensure the Council's statutory responsibilities to deliver the FWFP system are met.

Littlewood/Walker

(9.53 P Moeahu joined meeting)

Late Item:

Councillor Walker asked for an update on progress with farmers meeting their Nitrogen reporting requirements. Mr McLay noted that to date 70% of farmers have complied and follow-up arrangements are in place for farmers that are still to supply the required information.

In accordance with section 48(1) of the *Local Government Official Information and Meetings Act 1987*, resolves that the public is excluded from the following part of the proceedings of the Operations and Regulatory Committee Meeting on Tuesday 18 July 2023:

Item 10: Public Excluded Operations and Regulatory Minutes

The matter to be considered while the public is excluded, the reason for passing this resolution in relation to the matter, and the specific grounds under section 48(1) of the *Local Government Official Information and Meetings Act 1987* are as follows:

General subject of each matter to be considered	Ground(s) under section 48(1) for the passing of this resolution	Reason for passing this resolution in relation to each matter
<p>Item 10: Confirmation of public excluded minutes – 18 July 2023</p>	<p>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 under section 6 (a) and section 7 (2) (a) and (2) (g) of the <i>Local Government Official Information and Meetings Act 1987</i>.</p>	<p>The alleged offender(s) has not as yet had the opportunity to respond to the charges laid. It is therefore important that the principles of natural justice are applied and that legal privilege is maintained.</p> <p>Making any of this information publically available would result in a breach of the <i>Privacy Act 2020</i>.</p> <p>The public interest in knowing the nature of the offence and why Council has made the decision to prosecute is not outweighed by the harm that would be caused to the alleged offender(s).</p>

Littlewood/Davey

There being no further business the Committee Chairperson, Councillor S W Hughes, declared the public meeting of the Operations and Regulatory Committee closed at 10.01am.

**Operations and
Regulatory**

Committee Chairperson: _____

S W Hughes Chair