

Weekly Update – Hon David Parker, Minister for the Environment

For the week starting 6 August 2018

Environment weekly meeting 5.00pm – 5.30pm, Monday 6 August

Attendees: Hon David Parker, Minister for the Environment

Cheryl Barnes, Acting Secretary for the Environment

Martin Workman, Acting Deputy Secretary, Water

Amanda Moran, Deputy Secretary, Resource Management

James Walker, Deputy Secretary, Partnerships and Customers

Natasha Lewis, Deputy Secretary, Strategy

Justin Strang, Head of the Office of the Chief Executive

Apologies: Vicky Robertson, Secretary for the Environment

	Agenda Item	Lead	Paper / verbal update	Mins
1.	Discuss Weekly Update	Cheryl Barnes	Verbal update	5
2.	Water	Martin Workman	Verbal Update	10
3.	EEZ Funding	Amanda Moran	Verbal Update	5
4.	PCE Meeting	Justin Strang	Verbal Update	10

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the Official Information Act 1982

Upcoming meetings

6 August	5.00pm	MfE officials weekly meeting
	6:00pm	Meeting with Ministers Twyford, Mahuta, Jones, Sage and Hipkins on Urban Development Authority and organisational form
7 August	8:30am	Meeting with Ministers Twyford, Mahuta, Jones and Genter on Urban Growth Agenda
	3:30pm	Minister's weekly meeting with Minister Sage
	8:00pm	Climate Change Ministers meeting with Ministers Shaw, Woods, Mahuta, O'Connor on Zero Carbon Bill
8 August	8:00am	Meeting with Dr David Prentice and Dr Keith Turner, Interim Climate Change Committee
	9:15am	Meeting with incoming EPA Board
	5:45pm	Meeting with Parliamentary Commissioner for the Environment
9 August	8:00am	Three Waters pre-meet with Ministers Mahuta, Clark and Faafoi
	10.30am	Meeting with Environmental Legal Assistance Fund Panel members
	11:15am	Meeting with Minister O'Connor and officials on Freshwater work programme
	12:00pm	Meeting with Minister Jones on the Waimea Water Augmentation Scheme
10 August	9:00am	Meeting with Meredith Connell on RMA
	3:15pm	Minister visiting MfE Auckland Office (TBC)

Upcoming Events

21 August		University of Canterbury, Resource and Environmental Management lecture
21 September	9.00am	RMLA Conference speech

Upcoming travel

28 - 31 August		Travel to Australia for Quintet – meeting of Attorneys General
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1. Progress towards Government's strategic priorities

1.1. Climate Change

Zero Carbon Bill submissions are now being analysed and will be considered within final policy analysis. A decision on timeframes for the introduction of the Bill was agreed with Minister Shaw on 1 August. Ministerial consultation is scheduled to begin in the week of 3 September. The paper will be discussed at DEV on September 19 and Cabinet on September 23. Introduction to the House is currently scheduled for December 3.

Consultation on improvements to the NZ Emissions Trading Scheme (NZ ETS) is scheduled to start on 13 August following Cabinet approval. Consultation will run for six weeks until late September and will include meetings aimed primarily at NZ ETS stakeholders in both the main centres and selected regional centres.

1.2. Urban

On Monday 6 August, you and Minister Twyford will receive the Urban Development Legislation: Resource Management Planning and Consenting Cabinet paper which has been updated to incorporate ministerial feedback, to improve clarity and to avoid duplication with other Urban Development Legislation (UDL) Cabinet papers. If you and Minister Twyford are comfortable with the Cabinet paper, it can be lodged with the Cabinet Office on 9 August to be considered by DEV on 15 August and Cabinet on 20 August.

At 6pm on Monday 6 August, you are meeting with Ministers Twyford, Mahuta, Jones, Sage and Hipkins to discuss the Urban Development Authority (UDA) and its organisational form. We understand that MBIE officials have provided material to assist with this discussion.

Also on Monday 6 August, Ministers Twyford and Mahuta are meeting with Green Party Co-Leader Marama Davidson MP and Green Party Ministers Genter and Sage to discuss the Urban Development Authority. Minister Sage has asked us to attend in case there are planning and consenting questions.

1.3. Water

Launch of freshwater work programme

Following discussion with you on 1 August, we are working on a detailed plan for the launch of the freshwater work programme. We understand the objectives for the launch are to affirm Government is making progress on freshwater, and lay out the issues for discussion (by advisory groups and more broadly). We see potential for this to reinforce the shift in the public conversation from a focus on freshwater problems to a focus on solutions.

Initial thinking is that we would prepare a short overall statement of direction to provide a framework for the papers being published. This could include a foreword from you setting out your vision, reinforce the principles guiding this work, e.g. describe the process, engagement groups, timeline, and highlight the key questions/issues that need further discussion (referencing cabinet papers and briefing papers). The intent of this document is to give all interested parties and the media an overview of what's planned, as well as framing the discussion for the members of the advisory groups.

We will discuss a potential date for the launch with your office.

Pou Taiao Iwi Leaders reports

We have received two reports from Pou Taiao Iwi Leaders:

- Toolkit to support iwi and hapū to engage with Councils in planning processes, specifically in relation to freshwater. This set of tools was developed from a series regional hui with iwi, hapū and councils from across the country.
- Analysis of Land and Water Forum recommendations. This highlights the need for further work to avoid degradation, especially relating to sediment and nitrogen. They reiterate the position that Te Mana o Te Wai underpins freshwater planning processes. They conclude that the resolution of rights and interests must be integrated into the design of any new freshwater management framework.

We will consider these reports in our policy development work and provide you with more detailed advice on the issues raised in the context of the water work programme

2. Actions and decisions

2.1. Lake Taupo Protection Project

In June you agreed in principle to an extension of the term of the Lake Taupo Protection Project and to vary the Monitoring Deed for the project. There is no further funding committed for the project and it is currently scheduled to terminate on 30 June 2019. You asked that in seeking a two year extension, to June 2021, the parties agree a set of principles to guide the transition back to long term management arrangements by June next year. That assurance and a commitment to sufficient council resourcing are included in the variation.

The Council Joint Committee, comprised of the Waikato Regional Council, Taupo District Council, Ngati Tuwharetoa, and the Government, met in Taupo last month and agreed the variations to the Project Agreement and Monitoring Deed, attached for your signature as delegated authority on behalf of the Crown. The council partners in the project have signed the variations

Please sign the attached variations

Yes/No

2.2. Sending a letter to Mayors and Chairs on the release of the compliance, monitoring and enforcement guidelines

We intend to send a letter from Vicky Robertson to all council chief executives accompanied by a copy of the recently released *Best practice guidelines on compliance, monitoring and enforcement under the RMA*. The letter will highlight our expectation that councils will implement the guidelines. You may wish to send a similar letter to the Mayors and Chairs of councils, which we could draft for you. Your letter could inform Mayors and Chairs of the release of the guidelines, communicate your expectations around implementation of the guidelines, and explain how you see the new Compliance Oversight Unit further driving CME improvements.

Would you like to send a letter to the Mayors and Chairs of all councils about the CME guidelines and Compliance Oversight Unit?

Yes/No

3. Updates for noting

3.1. s9(2)(j)



3.2. **Manukau and Hauraki Harbour Treaty negotiations update**

The Office of Treaty Settlements (OTS) is developing the Crown's approach to upcoming Treaty settlement negotiations over the Manukau and Hauraki harbours.

The Minister for Treaty of Waitangi Negotiations will be forwarding you a briefing from OTS requesting a meeting with you, the Minister of Conservation and the Minister of Fisheries. The meeting purpose is to discuss the alignment of negotiations with governance programmes, including the government's response to Sea Change (the Hauraki Gulf Marine Spatial Plan) being led by the Minister of Conservation and the Minister of Fisheries.

3.3. **Post Tolaga Bay storm event support to Gisborne District Council**

Officials from MPI and the Ministry went to Gisborne on 31 July - 1 August to discuss a range of matters with staff at Gisborne District Council following the storm event in Tolaga Bay.

The Council is still working to recruit RMA compliance staff and is in the meantime being supported with staff from Bay of Plenty Regional Council. Their compliance investigation is progressing alongside the consideration of other next steps. One of these may include the development of a plan change to address the issue of vulnerability, erosion and sustainable land use for particular land use classes across the district.

Whilst this is in early development, the Council was interested in discussing the potential use of the streamlined planning process for this plan change. We will continue to work with MPI as to how this plan change would relate to the National Environmental Standard for Plantation Forestry, particularly in relation to freshwater management and effects on the coastal environment.

We have also been supporting Gisborne District Council on the NPS-FM and the National Planning Standards, and a further visit from RMA policy and coastal science officials is planned for the 6th and 7th August.

We note you are planning to visit Gisborne on 24 August. We will work with your office to provide any material you need to support your visit.

3.4. Update on Streamlined Planning process

The two current Streamlined Planning Processes (SPP) by Hastings District Council and Bay of Plenty Regional Council have been undertaken in accordance with each of your Directions and are reaching the final stages. For your information:

- Hastings District Council returned the required documentation on Tuesday 31 July, in accordance with their Direction. We are preparing a Stage 3 briefing for you to make a decision on the Iona Rezoning Variation to the Proposed Hastings District Plan
- Bay of Plenty Regional Council notified Proposed Plan Change 4 to the RPS on 22 May, received 20 submissions and has scheduled the hearing for 6th-8th August. They are due to report back to you by the end of September.

Along with Kaikōura District Council, which has indicated that it will be applying to you later in the year for its Natural Hazards plan change, we continue to receive enquiries about the potential use of the SPP. However, no formal applications have been lodged.

In addition to a number of councils indicating their interest in applying to use it for plan changes relating to the National Policy Statement on Urban Development Capacity, other recent discussions have been held with Horizons (nutrient management) and Gisborne District Council (land management) about the potential use of SPP for changes to their plans.

3.5. Proposed amendment to EPA Act

Minister Sage requested advice on the possibility of amending the Environmental Protection Act 2011 to add the Waste Minimisation Act 2008 into the list of environmental Acts that the Environmental Protection Authority enforces.

The proposed amendment would entail amending the WMA Act at the same time to set out clear enforcement responsibilities, which would require more analysis. For this reason, and the fact that it would result in an omnibus Bill, the amendment may not be suitable to include in the RMA amendment Bill (currently due to go to Cabinet). We will suggest alternatives in a briefing note we are writing in consultation with the EPA.

With regard to the best way to enforce the proposed plastic bags phase-out, we are looking at two options – the EPA or the Ministry. When the waste disposal levy is expanded, the Ministry may require more enforcement officers unless this function is transferred to the EPA (currently we have one enforcement officer).

4. Briefing notes

6 August – 31 August

Title	Lead agency	What this briefing covers	Due to your office
Hawke's Bay Regional Forum - response to issues raised by Treaty settlement entities	MfE	A status update and proposed way forward to progress issues covered at the Hawke's Bay Regional forum by local Treaty Settlement groups. In particular the involvement of tangata whenua in the Hawke's Bay Regional Planning Committee.	6 August
Aide Memoire - Urban Development Legislation: Resource Management Planning and Consenting	MBIE/MfE	This aide memoire accompanies the Urban Development Legislation: Resource Management Planning and Consenting Cabinet paper. It sets out the rationale behind any changes which have been made to the Cabinet paper and provides talking points to assist discussions in DEV and Cabinet.	6 August
Ministerial Certification of Contingent Liabilities and Contingent Assets	MfE	Statement of Contingent liabilities and Contingent Assets as at 30 June 2018 reported by the Ministry.	9 August
Reclassifying five organisms as "not new" under the Hazardous Substances and New Organisms Act 1996	MfE	Briefing with Cabinet Paper 2018-C-04671 on reclassifying five organisms as "not new" under the HNSO Act	12 August
Draft annual report 2017/18 for your information	MfE	Draft annual report supplied for your information and any feedback.	17 August
Compliance Oversight Unit - approach and location	MfE	As requested, sets out how the Unit will monitor council compliance, monitoring and enforcement activities and take action to address issues (including through use of prosecutions), and advice on whether the Unit is best located at MfE or the EPA.	20 August

5. Cabinet material being prepared for you

6 August – 31 August

Paper name	Committee	What this paper covers	Our Suggested timeframes
Approval to ratify the Kigali Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer	(DEV) Cabinet Economic Development Committee	Seeks Cabinet's agreement to ratify the Kigali Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer on 1 October 2019. To achieve this, the paper seeks agreement to undertake parliamentary treaty examination and draft proposed amendments to the Ozone Layer Protection Regulations required to implement the Amendment.	Due to DEV Committee: 8 August Due to Cabinet: 13 August

Paper name	Committee	What this paper covers	Our Suggested timeframes
Resource Management Act Amendment Bill 2018	(ENV) Cabinet Environment, Energy and Climate Committee	Seeks agreement to a narrowly scoped RMA Amendment Bill to be progressed in 2018 as stage one of a two stage approach to RMA Reform.	Due to lodge: 9 August Due to ENV Committee: 14 August Due to Cabinet: 20 August
Urban Development Legislation: Resource Management Planning and Consenting	(DEV) Cabinet Economic Development Committee	This paper outlines the proposed planning and consenting powers that the Urban Development Authority will be enabled to use.	Due to lodge: 9 August Due to DEV Committee: 15 August Due to Cabinet: 20 August
Urban Development Legislation: Entity form	(DEV) Cabinet Economic Development Committee	This paper outlines how the new entity will operate, what form it will take, how it will be held accountable and other organisational issues.	Due to lodge: 13 September Due to DEV Committee: 19 September Due to Cabinet: 24 September
Reclassifying five organisms as "not new" under the Hazardous Substances and New Organisms Act 1996	(ENV) Cabinet Environment, Energy and Climate Committee	Paper proposing that five organisms be reclassified as "not new" under the Hazardous Substances and New Organisms Act 1996	Due to lodge: TBC Due to ENV Committee: TBC Due to Cabinet: TBC

6. Cabinet material we have been consulted on

Paper name	Agency	Committee	Our advice on the paper
Proposed final scope of the Crown/Māori Relations portfolio and a Crown/Māori Engagement Framework and Guidelines	Crown/Māori Relations Unit, Ministry of Justice	Crown/Māori Relations	The paper seeks Cabinet agreement to the final scope of the Crown/Māori Relations portfolio and priorities. It proposes a Crown/Māori engagement framework.

7. Official Information Act requests

7.1. Ministerial

Request	Correspondent	Reference	At your office	Due to send
A copy of the minutes from a meeting with the Environment Minister David Parker, Horizons Regional Council, Environmental Defence Society and Fish and Game during June 2018	s 9(2)(a) 1 News	18-O-01574	30 July	6 August
<p>1) When does the Minister intend to publicly release a draft of the amended NPS-FM?</p> <p>2) Will the Minister also be releasing an NES on freshwater, if so when?</p> <p>3) A description of the internal and public process and timeline for the changes to the NPS-FM as well as to the NES if applicable.</p>	s 9(2)(a) Greenpeace New Zealand		13 August	20 August

7.2. Departmental

Request	Correspondent	Reference	Due to send
Minutes of the Water Technical Advisory Group	s 9(2)(a) Stuff	18-D-01575	8 August
Documents that reflect the amounts of money paid through Te Mana o Te Wai Fund to, or for the benefit of, Lake Horowhenua Trustees or Muaūpoko as tangata whenua for Lake Horowhenua.	s 9(2)(a) Lyll & Thornton Barristers and Solicitors	18-D-01607	14 August
<p>1) Potential Topics of Inquiry for the Environment Select Committee (dated April 6, 2018).</p> <p>2) Charges on exports of bottled water (dated April 13, 2018).</p> <p>3) Proposed scope of a narrow Resource Management Act Amendment Bill 2018 (dated April 23, 2018).</p>	s 9(2)(a) Stuff	18-D-01627	17 August

Request	Correspondent	Reference	Due to send
<p>Specifically we request all and any information as to why the MfE ceased being the regulatory body for NZS 5465 in 2001 (or thereabouts).</p> <ul style="list-style-type: none"> • What were the reasons for ceasing to be the authority? • How did MfE expect the standard to be regulated? • What are MfE's current considerations about how the NZS is now being handled, promoted etc? • Any other relevant information around the process of ceasing to be the authority, the ongoing shambles which the NZS has become recently and any thoughts MfE about again becoming involved in the standard as regulatory body going forward. • Does MfE as the past regulatory Body, believe the NZS should be used as a method by a private organisation / club as a means to discriminate / alienate non members from camping in public places? • What are the views of MfE on the involvement of NZMCA in promoting the NZS? • Does MfE believe that a regulatory review of the standard should be undertaken if the NZS was to become a cited Standard in light of the shambles it has become? 	<p>s 9(2)(a)</p> <p>Responsible Campers Association</p>	18-D-01625	20 August
<p>Provide the "acceptable levels of contamination" for residential areas as listed in the National Environmental Standards for assessing and managing contaminants in soil to protect human health? and for lifestyle blocks? and for recreational areas? Outline the process that allowed the contamination levels for residential areas, lifestyle blocks and recreational areas to be included in the standards?</p>	<p>s 9(2)(a)</p> <p>Whakatane Beacon and Opotiki News</p>	18-D-01628	21 August
<p>A copy of the application made by or on behalf of the Horowhenua Lake Trustees (or Muaupoko iwi) for funding from Te Mana o Te Wai fund. Also, please provide any documents that reflect how funds granted were used.</p>	<p>s 9(2)(a)</p> <p>Lyall & Thornton Barristers and Solicitors</p>	18-D-01656	22 August
<p>I write to request all information held by MFE or the Minister of Environment on Waste Futures conducted by the Hastings District Council under reference Deed 20978. This request is for all reports, emails and correspondence held by MFE and the Minister of the Environment.</p>	<p>s 9(2)(a)</p> <p>National Party</p>	18-D-01683	22 August

Weekly Update – Hon David Parker, Minister for the Environment

For the week starting 13 August 2018

Environment weekly meeting 11.15 am – 12.00pm, Thursday 16 August

Attendees: Hon David Parker, Minister for the Environment

Cheryl Barnes, Acting Secretary for the Environment

Amanda Moran, Deputy Secretary, Resource Management

Claire Richardson, Deputy Secretary, Organisational Performance

James Walker, Deputy Secretary, Partnerships and Customers

Natasha Lewis, Deputy Secretary, Strategy

Martin Workman, Acting Deputy Secretary, Water

Apologies: Vicky Robertson, Secretary for the Environment

	Agenda Item	Lead	Paper / verbal update	Mins
1.	Discuss Weekly Update	Cheryl Barnes	Verbal update	5
2.	Water Update	Cheryl Barnes	Verbal update	10
3.	Urban Update	Amanda Moran	Verbal update	10
4.	Sea Change Hauraki Gulf Marine Spatial Plan	Amanda Moran	Verbal update	5

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the Official Information Act 1982

Upcoming meetings

13 August	11.30am	Weekly Update meeting with officials
14 August	3:30pm	Weekly meeting with Minister Sage
14 August	5:00pm	ENV Cabinet Committee
15 August	8:00am	Three Waters Ministers' strategy session on regulation, with Ministers Mahuta, Clark, Faafoi, Jones Shaw, Sage, O'Connor
15 August	11:00am	DEV Cabinet Committee
16 August	8:30am	Meeting with Minister Mahuta on issues in her Environment portfolio delegations
16 August	11:30am	MfE officials (policy) meeting
16 August	4:00pm	Meeting with Judge Newhook
16 August	9:15am	LEG Cabinet Committee
17 August	3:00pm	Meeting with Stephen Woodhead (Otago Regional Council Chair) and Sarah Gardner (ORC CEO)

Upcoming Events

21 August		University of Canterbury, Resource and Environmental Management lecture
21 September	9.00am	RMLA Conference speech

Upcoming travel

28 August - 31 August	Travel to Australia for Quartet of Attorney General
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1. Progress towards Government's strategic priorities

1.1. Climate Change

We are currently working towards a timeframe which introduces the Zero Carbon Bill to the House on 6 December, with the Cabinet Paper currently due to be discussed at DEV on 19 September and Cabinet on 23 September.

Consultation on improvements to the NZ Emissions Trading Scheme (NZ ETS) are due to commence on 13 August. Consultation will run for six weeks until late September and will include meetings aimed primarily at NZ ETS stakeholders in both the main centres and selected regional centres.

1.2. Urban

You and Minister Twyford are presenting the Urban Development Authority (UDA) Cabinet Paper entitled "Legislating to empower urban development projects: powers relating to resource management planning and consenting" at DEV on 15 August. MBIE and MfE officials have prepared an aide memoire to support you and Minister Twyford. Officials will also be available to attend DEV should they be needed.

Also at DEV on 15 August, Minister Twyford will present the UDA Cabinet paper on land assembly, reserves, infrastructure and funding. Should DEV agree, they will be considered by Cabinet on 20 August.

1.3. Water

Freshwater Leader's Group and Kahui Wai Māori

Following our discussions on the membership of the Freshwater Leader's Group (FLG) on 9 August, we will provide additional names for consideration. A draft APH paper for appointments to Kahui Wai Māori (KWM) will be provided to your office next week, along with a noting paper on the proposed membership of the FLG.

'Essential Freshwater' launch

You have been provided with a first draft of materials for the 'Essential Freshwater' launch in early September. We would appreciate a discussion with you as to whether these meet your needs.

2. Actions and decisions

2.1. Amendment to the Freshwater National Policy Statement

At the officials meeting on 9 August, we briefly discussed with you the process for amending the National Policy Statement for Freshwater Management (NPSFM) and progressing a National Environmental Standard for Freshwater Management (NESFM). We want to confirm your decision on this process. In order to engage on the policy with KWM prior to consultation, we recommend an alternative process that enables you to engage and have changes in force by August 2020, while still incorporating key elements of a BOI (e.g. an independent advisory panel).

If you choose to proceed with an alternative process, we propose that it incorporates the following elements in this sequence:

s9(2)(f)(iv)

Officials seek Ministers' agreement on initial policy proposals to be developed with KWM and the FLG

Officials **develop policy proposals with KWM**. This process will include preparing the detailed policy to inform the drafting of amendments to the NPSFM (the NESFM is drafted by PCO at a later point), preparing a draft regulatory impact analysis and draft s32 evaluation for all proposals. Officials would also engage FLG.

Officials **seek Ministers' agreement to final policy proposals and prepare ENV Cabinet package seeking agreement to consult and appoint independent panel members**. Three independent panel members appointed using the same criteria as BOI members (preferably with a retired Environment Court judge as chair).

Eight week consultation period, for example this can also include hui and a roadshow around New Zealand to engage local communities directly.

Officials **prepare summary of submissions, preliminary analysis and options**, and provide this to the independent panel to prepare a report and recommendations based on submissions received.

Independent panel prepares report and recommendations, and are able to seek clarification of submitter's views as needed while making their report.

Officials **develop advice on the panel's report and recommendations, including further engagement with KWM and FLG, and seek Ministers' final decisions**.

Officials **develop ENV Cabinet package seeking agreement to amend the NPSFM and for PCO to draft the NESFM**. This step includes further developing regulatory impact analysis and s32 evaluation to reflect Ministers' decisions.

Minister for the Environment recommends to the Governor General to approve the amended NPSFM, which enters into force 28 days later s9(2)(f)(iv)

PCO drafts the NESFM with iterative input from officials and Ministers.

Officials **prepare LEG Cabinet package seeking agreement to the NESFM** as drafted.

Minister for the Environment recommend the Governor General approve the NESFM, which enters into force 28 days later s9(2)(f)(iv)

Do you agree officials should proceed with work according to the above timeline?

Yes/No

Should you agree, officials will provide your office with an updated timeframe for preliminary advice.

3. Updates for noting

3.1. s9(2)(j)



3.2. Launch of updated Australian and New Zealand Guidelines for Fresh and Marine Water Quality

The updated Australian and New Zealand Guidelines for Fresh and Marine Water Quality will be available online from Wednesday 15 August (briefing 17-B-04098 refers). They will be considered as draft for a period of three months. The Guidelines have been in use since 1992, providing water managers with tools and guidance to assess, manage and monitor the quality of water of aquatic ecosystems. This update represents the culmination of eight years of collaboration by both Australian and New Zealand Environment Ministries.

3.3. Post Tolaga Bay storm event support to Gisborne District Council

We visited Gisborne on 6 and 7 August to provide support to Gisborne District Council staff in freshwater management and assessing the impact of erosion on freshwater and marine environments.

Gisborne District Council are undergoing a restructure that will enable science staff to devote more time and resource to freshwater and coastal monitoring. They are actively working with communities and local iwi and hope to develop a basic monitoring programme. An experienced estuarine and marine scientist Conrad Pilditch is visiting Gisborne District Council on 12 August to advise them on estuarine management. We can also potentially provide support in developing a coastal monitoring plan.

Opportunities were also taken to explore options for developing the Regional Policy Statement, a plan change to address activities on highly erosion prone soils, and spatial planning. As requested, we will separately advise you on the different avenues for any planned change process GDC decide to undertake in response to these issues.

3.4. Auckland Council Reports on progress of the Auckland Unitary Plan

On 7 August the Auckland Council Planning Committee (a subgroup of councillors) discussed a report that provided evidence on the impact of the Auckland Unitary Plan (AUP) on residential development. Key highlights of the report are as follows.

- It has taken approximately nine months for the AUP to impact on consents for new dwellings.
- Since August 2017, total dwellings consented are up 27 per cent.
- Almost all the growth in consents has been in existing urban areas.
- Apartments and townhouses have grown to account for 54 per cent of all new dwellings consented (compared to 37 per cent two years ago).
- There are some positive trends for intensification around rapid transit corridors and centres.

In summary this evidence suggests that the new provisions of the AUP are starting to have an impact on urban intensification. Supporting and where possible working with the council to make further enhancements will be an important part of the quality intensification work of the planning pillar of the Urban Growth Agenda.

The Committee also discussed Auckland Council's submission on the Draft National Planning Standards. The Committee agreed that Mayor Goff write to you regarding Council's concerns regarding the impact of the standards on the AUP. It was noted that Mayor Goff is due to meet with you, and we suggest that a meeting would be timely. We will prepare some advice on their concerns and possible options to support you in that meeting, along with other planning matters he may raise.

4. Briefing notes

13 August – 7 September

Title	Lead agency	What this briefing covers	Due to your office
Draft annual report 2017/18 for your information	MfE	Draft annual report supplied for your information and any feedback.	17 August
Compliance Oversight Unit - approach and location	MfE	As requested, sets out how the Unit will monitor council compliance, monitoring and enforcement activities and take action to address issues (including through use of prosecutions), and advice on whether the Unit is best located at MfE or the EPA.	20 August
Essential Freshwater: Proposed amendments for the NPSFM to assist with setting limits	MfE	Discusses the suite of proposed amendments designed to assist councils to set limits on resource use in plans.	30 August
Urban Growth Agenda: Scope of the Legislative Reform pillar	MfE and MBIE	Provides options for the approach to legislative reform under the Urban Growth Agenda and seek direction on your preference for the nature and scope of possible reform.	7 September

5. Cabinet material

13 August – 7 September

Paper name	Committee	What this paper covers	Our Suggested timeframes
Approval to ratify the Kigali Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer	(DEV) Cabinet Economic Development Committee	Seeks Cabinet's agreement to ratify the Kigali Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer on 1 October 2019. To achieve this, the paper seeks agreement to undertake parliamentary treaty examination and draft proposed amendments to the Ozone Layer Protection Regulations required to implement the Amendment.	Due to Cabinet: 13 August
Resource Management Act Amendment Bill 2018	(ENV) Cabinet Environment, Energy and Climate Committee	Seeks agreement to a narrowly scoped RMA Amendment Bill to be progressed in 2018 as stage one of a two stage approach to RMA Reform.	Due to ENV Committee: 11 September Due to Cabinet: 17 September
Urban Development Legislation: Resource Management Planning and Consenting	(DEV) Cabinet Economic Development Committee	This paper outlines the proposed planning and consenting powers that the Urban Development Authority will be enabled to use.	Due to DEV Committee: 15 August Due to Cabinet: 20 August
Urban Development Legislation: Entity form	(DEV) Cabinet Economic Development Committee	This paper outlines how the new entity will operate, what form it will take, how it will be held accountable and other organisational issues.	Due to lodge: 13 September Due to DEV Committee: 19 September Due to Cabinet: 24 September
Reclassifying five organisms as "not new" under the Hazardous Substances and New Organisms Act 1996	(ENV) Cabinet Environment, Energy and Climate Committee	Paper proposing that five organisms be reclassified as "not new" under the Hazardous Substances and New Organisms Act 1996	Due to lodge: TBC Due to ENV Committee: TBC Due to Cabinet: TBC

6. Cabinet material we have been consulted on

Paper name	Agency	Committee	Our advice on the paper
Progressing a government response to the Sea Change Hauraki Gulf Marine Spatial Plan	DOC and MPI	(DEV) Cabinet Economic Development Committee or (ENV) Cabinet Environment, Energy and Climate Committee	<p>Sea Change is an aspirational, non-statutory marine spatial plan for the Hauraki Gulf, developed through a collaborative process involving councils, iwi, the community, and industry. It contains proposals intended to reverse the environmental decline of the Hauraki Gulf.</p> <p>The paper seeks Cabinet agreement to engage with councils, iwi, industry and environmental organisations on forming a Ministerial Advisory Committee (the Committee). The Committee would contribute to developing a plan to implement Sea Change and to address critical gaps in Sea Change's coverage. Fishing interests were not sufficiently involved in developing Sea Change. The Sea Change fishing proposals are linked to its marine protection proposals.</p> <p>MfE last commented on a draft of the Cabinet paper on 31 July 2018. A final draft is expected soon, but not yet available. MfE is supportive of the proposed engagement. The fishing proposals are contentious and will raise Treaty risks including around fisheries settlement rights and interests of Maori. Engagement will likely open these areas of contention, but should also serve to manage them.</p>
Urban Development Authority Legislation: Powers Relating to Land Assembly, Reserves, Infrastructure and Funding	MBIE	(DEV) Cabinet Economic Development Committee	<p>This paper outlines the proposed powers that the Urban Development Authority will be enabled to use, including: infrastructure and funding, land assembly, and powers over reserves. We are generally supportive of the proposals in this Cabinet paper.</p>

Released under the Official Information Act 1982

7. Official Information Act requests

7.1. Ministerial

Request	Correspondent	Reference	At your office	Due to send
<p>1) When does the Minister intend to publicly release a draft of the amended NPS-FM?</p> <p>2) Will the Minister also be releasing an NES on freshwater, if so when?</p> <p>3) A description of the internal and public process and timeline for the changes to the NPS-FM as well as to the NES if applicable.</p>	<p>s 9(2)(a)</p> <p>Greenpeace New Zealand</p>		13 August	20 August
<p>Could I please request information presented to the government regarding the mega-dairy conversion on the Mackenzie Basin by Murray Valentine.</p>	<p>s 9(2)(a)</p>	18-O-01715	20 August	27 August
<ul style="list-style-type: none"> • the PFAS weekly briefing / update dated May 18, May 28, June 1, June 8, June 15, June 22, June 29 • Update on proposed Ohakea water scheme (11/06/18) • genetic technology - overview and next steps (07/06) • May 10 - request to undertake public consultation on the regulatory matters to ratify the Minamata convention • 18 May - the 2017 report on the enforcement of the Hazardous substances and new organisms act • the briefing on ministers meeting with Te Ohu Kaimoana Trustee LTD and Te Wa Maori trust • 13 June - litigation on the interface of the resource management act 1991 and the fisheries act 1996 • EEZ amendment - information for second reading and committee (29 June) <p>"- a list of all reports and briefings, by title and date, received from any government departments since 2 JULY 2018, in relation to the role of Environment Minister."</p> <p>* background material for marine ministers meeting on June 14th - and any similar such briefings on other marine ministers meetings.</p> <p>* all reports / correspondence / aides memoire / notes / briefings sent and received relating to the meeting on on [sic] after June 14</p>	<p>s 9(2)(a)</p> <p>Stuff</p>	<p>18-O-01725 / 18-O-01726 / 18-O-01727</p>	21 August	28 August

7.2. Departmental

Request	Correspondent	Reference	Due to send
Documents that reflect the amounts of money paid through Te Mana o Te Wai Fund to, or for the benefit of, Lake Horowhenua Trustees or Muaūpoko as tangata whenua for Lake Horowhenua.	s 9(2)(a) Lyll & Thornton Barristers and Solicitors	18-D-01607	14 August
1) Potential Topics of Inquiry for the Environment Select Committee (dated April 6, 2018). 2) Charges on exports of bottled water (dated April 13, 2018). 3) Proposed scope of a narrow Resource Management Act Amendment Bill 2018 (dated April 23, 2018).	s 9(2)(a) Stuff	18-D-01627	17 August
Report No.606 environmental snapshot recreational water quality 2011 Could you please release and send me a full report and any associate data and documents.	s 9(2)(a) Skipper Lay & Associates	18-D-01719	17 August
Specifically we request all and any information as to why the MfE ceased being the regulatory body for NZS 5465 in 2001 (or thereabouts). <ul style="list-style-type: none"> • What were the reasons for ceasing to be the authority? • How did MfE expect the standard to be regulated? • What are MfE's current considerations about how the NZS is now being handled, promoted etc? • Any other relevant information around the process of ceasing to be the authority, the ongoing shambles which the NZS has become recently and any thoughts MfE about again becoming involved in the standard as regulatory body going forward. • Does MfE as the past regulatory Body, believe the NZS should be used as a method by a private organisation / club as a means to discriminate / alienate non members from camping in public places? • What are the views of MfE on the involvement of NZMCA in promoting the NZS? • Does MfE believe that a regulatory review of the standard should be undertaken if the NZS was to become a cited Standard in light of the shambles it has become? 	s 9(2)(a) Responsible Campers Association	18-D-01625	20 August
A copy of the application made by or on behalf of the Horowhenua Lake Trustees (or Muaupoko iwi) for funding from Te Mana o Te Wai fund. Also, please provide any documents that reflect how funds granted were used.	s 9(2)(a) Lyll & Thornton Barristers and Solicitors	18-D-01656	22 August
I write to request all information held by MFE or the Minister of Environment on Waste Futures conducted by the Hastings District Council under reference Deed 20978. This request is for all reports, emails and correspondence held by MFE and the Minister of the Environment.	s 9(2)(a) National Party	18-D-01683	22 August

Request	Correspondent	Reference	Due to send
<p>In terms of Mr Scott's second question, requesting a summary of reports/enquiries from members of the public to the Ministry about alleged aerosol spraying from aircrafts since January 2016, I understand from our conversation that the Ministry does periodically receive correspondence from members of the public about their concerns regarding chemtrails etc.</p>	<p>s 9(2)(a)</p>	<p>18-D-01711</p>	<p>22 August</p>
<p>What records are held by the following agencies (ie MfE) involved, or by their intelligence agency or consultancy contractors, which identify which of these online identities, and those of the individuals who run anti 1080 pages [where they misdirect the narrative on the fact that 1080 has likely caused TB for years and will now cause M.Bovus and thus risks the contamination of all produce in NZ] - have receipts of payments from the following agencies - in order to promote false narratives online</p>	<p>s 9(2)(a)</p>	<p>18-D-01663</p>	<p>28 August</p>

Released under the provision of the Official Information Act 1982

Weekly Update – Hon David Parker, Minister for the Environment

For the week starting 20 August 2018

Environment weekly meeting 8.20am – 8.50am, Monday 20 August

Attendees: Hon David Parker, Minister for the Environment

Cheryl Barnes, Acting Secretary for the Environment

Amanda Moran, Deputy Secretary, Resource Management

James Walker, Deputy Secretary, Partnerships and Customers

Natasha Lewis, Deputy Secretary, Strategy

Martin Workman, Acting Deputy Secretary, Water

Neil Hurley, Deputy Secretary – Organisational Performance

Glenn Wigley, Director Marine, Environmental Risk & Science

Lorena Stephen, Director, Mana Taiao

Apologies: Vicky Robertson, Secretary for the Environment

	Agenda Item	Lead	Paper / verbal update	Mins
1.	Discuss Weekly Update	Cheryl Barnes	Verbal update	5
2.	Water update	Martin Workman	Verbal update	5
3.	RMA/urban update	Amanda Moran	Verbal update	5
4.	Horizons One Plan	Martin Workman	Verbal update	5
5.	Hazardous Activities and Industries List sites for contaminated soil (Correspondence ref 18-M-01325)	Glenn Wigley	Letter	5
6.	Waikato River Authority	Lorena Stephen	Verbal update	5
7.	PFAS	Neil Hurley	Verbal update	5

Upcoming meetings

20 August	8.20am	MfE officials weekly meeting
21 August	10.20am	Meeting with Foodstuffs – Steve Anderson
27 August	11.00am	MfE officials weekly meeting

Upcoming Events

21 August		University of Canterbury Resource and Environmental Management lecture
21 September	9.00am	RMLA Conference speech

Upcoming travel

28 August - 31 August	Travel to Australia for Quartet of Attorney General
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1. Progress towards Government's strategic priorities

1.1. Climate Change

Consultation on improvements to the New Zealand Emissions Trading Scheme (NZ ETS) commenced on 13 August. Consultation will run for six weeks until 21 September and will include meetings in early September aimed primarily at NZ ETS stakeholders in both the main centres and selected regional centres.

Zero Carbon Bill policy analysis continues, including the review of options for: the establishment of an independent Climate Change Commission; a 2050 emissions reduction target; the setting of a series of emissions budgets as intermediary steps to the target, and; actions needed to respond to the impacts of climate change. This is currently due to be discussed by Cabinet on 24 September.

1.2. Urban

Following Economic Development Committee on 15 August, you and Minister Twyford are presenting the Urban Development Authority (UDA) Cabinet paper entitled *Legislating to empower urban development projects: powers relating to resource management planning and consenting* to Cabinet on 20 August. Should Cabinet agree to the paper, we will lead the drafting instructions for Parliamentary Counsel Office.

Also on 20 August, Minister Twyford will present the UDA Cabinet paper on land assembly, reserves, infrastructure and funding to Cabinet.

s9(2)(f)(iv)

1.3. Water

Planning is underway for the launch of the essential freshwater work programme, however a date for the launch is yet to be confirmed. Officials will continue to discuss details of the launch and a briefing will be provided to you to forward to your colleagues next week, including Agriculture Minister Damien O'Connor, Climate Change Minister James Shaw, Associate Environment Minister Nanaia Mahuta, Associate Environment Minister Eugenie Sage, Crown/Māori Relations Minister Kelvin Davis and Forestry Minister Shane Jones.

2. Updates for noting

2.1. Horizons One Plan

Horizons Regional Council, Fish and Game and the Environmental Defence Society remain in an ongoing disagreement in relation to the interpretation and operation of certain rules in the Horizons' One Plan. Following your offer to assist the three parties in progressing this situation, we are procuring independent expert planning and legal advice. This advice will form the basis for facilitated discussion with the three parties, who have each confirmed that they are in agreement with this approach. We are aiming to have had the advice prepared and to have undertaken the facilitated discussion by mid-September.

2.2. Narrow RMA bill update

Following your meeting with Treasury and MBIE officials on Tuesday evening, we are working with these agencies to build clearer messaging into the Cabinet paper regarding meaningful public participation and potential refinements to the regulation making powers (specifically under s360D) proposal as an option to deliver the Government's Urban Growth Agenda objectives. We consider agencies are much more aligned in our thinking. We will provide you with advice on the outcome of this work along with the next version of the Cabinet paper.

2.3. s9(2)(f)(iv)

s9(2)(f)(iv)

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the Official Information Act 1982

3. Briefing notes

20 August – 14 September

Title	Lead agency	What this briefing covers	Due to your office
Next steps for Burkhart Fisheries	MfE	Advice to you on how to respond to the latest correspondence from Burkhart Fisheries.	22 August
Streamlined Planning Process - Decision on Hastings District Councils Proposed Planning Instrument (Iona Rezoning Variation) Stage 3 Briefing	MfE	Final stage in the streamlined planning process directed by you on 28 February. You have the option to make a decision on the proposed planning instrument to the Council under clause 84, Schedule 1 RMA	22 August
Reclassifying five organisms as "not new" under the HSNO Act 1996	MfE	Advise supporting the Cabinet paper proposing that five organisms be reclassified as "not new" under the HSNO Act 1996.	23 August
s9(2)(f)(iv)			
Options to support Gisborne District Council CME	MfE	Provides further advice from Crown Law, and options that can be taken to support Gisborne District Council CME regarding Tolaga Bay.	30 August
Compliance Oversight Unit - approach and location	MfE	As requested, sets out how the Unit will monitor council compliance, monitoring and enforcement activities and take action to address issues (including through use of prosecutions), and advice on whether the Unit is best located at the Ministry or the EPA.	4 September

HSNO legislative improvements	MfE/EPA	Advice on the range of potential HSNO legislative improvements, including how can the Trusted Regulator concept can be fully implemented in to EPA processes.	5 September
Essential Freshwater: Proposed amendments for the NPSFM to assist with setting limits	MfE	Discusses the suite of proposed amendments designed to assist councils to set limits on resource use in plans.	7 September
Urban Growth Agenda: Scope of the Legislative Reform pillar	MfE and MBIE	Provides options for the approach to legislative reform under the Urban Growth Agenda and seeks direction on your preference for the nature and scope of possible reform.	12 September

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the Official Information Act 1982

4. Cabinet material

20 August – 14 September

Paper name	Committee	What this paper covers	Our Suggested timeframes
Legislation to empower complex urban development projects: powers relating to resource management planning and consenting	(DEV) Cabinet Economic Development Committee	This paper outlines the proposed planning and consenting powers that the Urban Development Authority will be enabled to use.	Due to Cabinet: 20 August
Urban Development Legislation: Entity form	(DEV) Cabinet Economic Development Committee	This paper outlines how the new entity will operate, what form it will take, how it will be held accountable and other organisational issues.	Due to Lodge: 13 September Due to DEV Committee: 19 September Due to Cabinet: 24 September
Reclassifying five organisms as "not new" under the Hazardous Substances and New Organisms Act 1996	(ENV) Cabinet Environment, Energy and Climate Committee	Paper proposing that five organisms be reclassified as "not new" under the Hazardous Substances and New Organisms Act 1996	Due to Lodge: 6 September Due to ENV Committee: 11 September Due to Cabinet: 17 September
Resource Management Act Amendment Bill 2018	(ENV) Cabinet Environment, Energy and Climate Committee	Seeks agreement to a narrowly scoped RMA Amendment Bill to be progressed in 2018 as stage one of a two stage approach to RMA Reform.	Due to Cabinet: TBC

5. Cabinet material we have been consulted on

Paper name	Agency	Committee	Our advice on the paper
Legislating to empower complex urban development projects: Powers relating to land assembly, reserves, infrastructure and funding	MBIE	(DEV) Cabinet Economic Development Committee	This paper outlines the proposed powers that the Urban Development Authority will be enabled to use, including: infrastructure and funding, land assembly, and powers over reserves. We are generally supportive of the proposals in this Cabinet paper.

Paper name	Agency	Committee	Our advice on the paper
Update – Amending the Financial Security Regime for Offshore Installations	MOT	(DEV) Cabinet Economic Development Committee	This paper updates Cabinet on the progress of amendments to the financial assurance security regime for offshore installations. The Associate Minister of Transport is not proceeding with proposed changes to the Maritime Protection Rules as previously agreed in 2017 and 2018 due to new issues raised about the insurability of the proposed regime. This means new financial requirements will not be in place in time for the 2018/19 drilling season. The Minister intends to amend legislation to address the issues raised in time for the 2019/20 drilling season. We consider this approach is reasonable and appropriate given the circumstances.
(DEV) Cabinet Economic Development Committee	(DEV) Cabinet Economic Development Committee	(DEV) Cabinet Economic Development Committee	(DEV) Cabinet Economic Development Committee

Released under the provisions of the Official Information Act 1982

6. Official Information Act requests

6.1. Ministerial

Request	Correspondent	Reference	At your office	Due to send
<p>1) When does the Minister intend to publicly release a draft of the amended NPS-FM?</p> <p>2) Will the Minister also be releasing an NES on freshwater, if so when?</p> <p>3) A description of the internal and public process and timeline for the changes to the NPS-FM as well as to the NES if applicable.</p>	<p>s 9(2)(a)</p> <p>Greenpeace New Zealand</p>		13 August	20 August
<p>Could I please request information presented to the government regarding the mega-dairy conversion on the Mackenzie Basin by Murray Valentine.</p>	<p>s 9(2)(a)</p>	18-O-01715	20 August	27 August
<ul style="list-style-type: none"> • the PFAS weekly briefing / update dated May 18, May 28, June 1, June 8, June 15, June 22, June 29 • Update on proposed Ohakea water scheme (11/06/18) • genetic technology - overview and next steps (07/06) • May 10 - request to undertake public consultation on the regulatory matters to ratify the Minamata convention • 18 May - the 2017 report on the enforcement of the Hazardous substances and new organisms act • the briefing on ministers meeting with Te Ohu Kaimoana Trustee LTD and Te Wa Maori trust • 13 June - litigation on the interface of the resource management act 1991 and the fisheries act 1996 • EEZ amendment - information for second reading and committee (29 June) <p>"- a list of all reports and briefings, by title and date, received from any government departments since 2 JULY 2018, in relation to the role of Environment Minister."</p> <p>* background material for marine ministers meeting on June 14th - and any similar such briefings on other marine ministers meetings.</p> <p>* all reports / correspondence / aides</p>	<p>s 9(2)(a)</p> <p>Stuff</p>	<p>18-O-01725 / 18-O-01726 / 18-O-01727</p>	21 August	28 August

memoire / notes / briefings sent and received relating to the meeting on on [sic] after June 14				
<p>Copy of Overseer and Managing Diffuse Agricultural Pollution, 26 March as per his reply to written question 14417 (2018)</p> <p>Copy of National Environmental Standards for Plantation Forestry: Further advice on minor and technical matters, 23 March as per his reply to written question 14417 (2018)</p> <p>Copy of Opportunities to build climate resilience and transition to a net zero economy through built and urban policies, 21 March as per his reply to written question 14417 (2018)</p> <p>Cabinet paper on All-of-Government Programme required to manage the response to Per-and Poly-Fluorinated Alkyl substances, 21 May per his reply to written question 14403 (2018)</p> <p>Cabinet paper on Sustainable Economy Strategic Discussion, 25 June as per his reply to written question 14415 (2018)</p> <p>Copy of Freshwater: resolving NPS-FM science difference, 24 April as per his reply to written question 14419 (2018)</p> <p>Copy of Genetic Technology – Overview and Next Steps, 7 June as per his reply to written question 14429 (2018)</p>	<p>s 9(2)(a)</p> <p>National Party</p>	18-O-01773	28 August	4 September

Released under the provision of the Official Information Act 1982

6.2. Departmental

Request	Correspondent	Reference	Due to send
<p>Specifically we request all and any information as to why the MfE ceased being the regulatory body for NZS 5465 in 2001 (or thereabouts).</p> <ul style="list-style-type: none"> • What were the reasons for ceasing to be the authority? • How did MfE expect the standard to be regulated? • What are MfE's current considerations about how the NZS is now being handled, promoted etc? • Any other relevant information around the process of ceasing to be the authority, the ongoing shambles which the NZS has become recently and any thoughts MfE about again becoming involved in the standard as regulatory body going forward. • Does MfE as the past regulatory Body, believe the NZS should be used as a method by a private organisation / club as a means to discriminate / alienate non members from camping in public places? • What are the views of MfE on the involvement of NZMCA in promoting the NZS? • Does MfE believe that a regulatory review of the standard should be undertaken if the NZS was to become a cited Standard in light of the shambles it has become? 	<p>s 9(2)(a)</p> <p>Responsible Campers Association</p>	18-D-01625	20 August
<p>A copy of the application made by or on behalf of the Horowhenua Lake Trustees (or Muaupoko iwi) for funding from Te Mana o Te Wai fund. Also, please provide any documents that reflect how funds granted were used.</p>	<p>s 9(2)(a)</p> <p>Lyall & Thornton Barristers and Solicitors</p>	18-D-01656	22 August
<p>I write to request all information held by MfE or the Minister of Environment on Waste Futures conducted by the Hastings District Council under reference Deed 20978. This request is for all reports, emails and correspondence held by MfE and the Minister of the Environment.</p>	<p>s 9(2)(a)</p> <p>National Party</p>	18-D-01683	22 August
<p>In terms of Mr Scott's second question, requesting a summary of reports/enquiries from members of the public to the Ministry about alleged aerosol spraying from aircrafts since January 2016, I understand from our conversation that the Ministry does periodically receive correspondence from members of the public about their concerns regarding chemtrails etc.</p>	<p>s 9(2)(a)</p>	18-D-01711	22 August
<p>What records are held by the following agencies (ie MfE) involved, or by their intelligence agency or consultancy contractors, which identify which of these online identities, and those of the individuals who run anti 1080 pages [where they misdirect the narrative on the fact that 1080 has likely caused TB for years and will now cause M.Bovus and thus risks the contamination of all produce in NZ] - have receipts of payments from the following agencies - in order to promote false narratives online</p>	<p>s 9(2)(a)</p>	18-D-01663	28 August
<p>Philip Joseph Property Rights and Environmental Regulation under the Resource Management Act 1991, commissioned by the Ministry for the Environment, December 1999.</p>	<p>s 9(2)(a)</p> <p>Student</p>	18-D-01758	4 September

Request	Correspondent	Reference	Due to send
RNZ requests DF release to it all the weekly AOG PFAS situation updates for the months of June, July and to the present in August	s 9(2)(a) RadioNZ	18-D-01775	6 September
I note on your website, Te Kakapa Manawa o Muaupoko is listed as having \$972,000, but the response to my OIA only adds up to 314,816.65 (GST excl). Please provide documents that reflect whether further money was paid to another on behalf of Muaupoko or Horowhenua 11 Part Reservation Trust. Please provide documents that reflect the reason why the full figure of \$972,000 was not paid to Horowhenua 11 Part Reservation Trust.	s 9(2)(a) Lyll & Thornton Barristers and Solicitors	18-D-01776	6 September
Section 70B of the RMA 1991 provides as follows: 70B Implementation of national environmental standards If a national environmental standard is made to control the effects on climate change of the discharge into air of greenhouse gases, a regional council may make rules that are necessary to implement the standard, provided the rules are no more or less restrictive than the standard. Could you please provide all documents relating to the development of a national environmental standard under this provision.	s 9(2)(a) FYI Request	18-D-01788	10 September
TAXING WATER FOR EXPORT - May 2016 Ref: Article in the Press July 19th 2018. Under the Official Information Act could you please forward a copy of following: <ul style="list-style-type: none"> • A copy of the terms of reference for this "group of experts." • The membership of this Committee. • The number of meetings this group met. Mr Cagill is reported as saying the committee met between 6 and 12 times. • The remuneration for each member attending meetings was \$500. Please advise me of the total remuneration for the Committee. In addition to this \$500 fee were committee members paid expenses (travel and accommodation) and if so what was the total amount. • After 8 months of deliberations and meetings the Committee did not furnish a report to your Government. Could you advise me the reason for the failure to report? 	s 9(2)(a)	18-D-01789	11 September

Weekly Update – Hon David Parker, Minister for the Environment

For the week starting 27 August 2018

Environment weekly meeting 11.00 am – 11.30am, Monday 27 August

Attendees: Hon David Parker, Minister for the Environment
 Vicky Robertson, Secretary for the Environment
 Cheryl Barnes, Deputy Secretary, Water and Climate Change
 Amanda Moran, Deputy Secretary, Natural and Built System
 James Walker, Deputy Secretary, Partnerships and Customers
 Tania Gerrard, Director, Water
 Jo Gascoigne, Director, Natural and Built System
 Glenn Wigley, Director, Natural and Built System

Apologies: Natasha Lewis, Deputy Secretary, Strategy and Stewardship

	Agenda Item	Lead	Paper / verbal update	Mins
1.	Discuss Weekly Update	Vicky Robertson	Verbal update	10
2.	Water	Cheryl Barnes	Verbal update	10
3.	Urban	Amanda Moran	Verbal update	5
4.	Resource Management	Amanda Moran	Verbal update	5

Environmental Protection Authority update 11.30am – 11.45am

Attendees: Hon David Parker, Minister for the Environment
 Vicky Robertson, Secretary for the Environment
 Alan Freeth, Chief Executive, Environmental Protection Authority
 Darren Handforth, Chief Inspector Assessments Southern, WorkSafe
 Amanda Moran, Deputy Secretary, Natural and Built System
 Glenn Wigley, Director, Natural and Built System

	Agenda Item	Lead	Paper / verbal update	Mins
5.	Sustainable Solvents	Alan Freeth	Verbal update	15

Upcoming meetings

27 August	11.00am	MfE officials weekly meeting
3 September	11.00am	MfE officials weekly meeting
4 September	8.00am	Forestry Ministers meeting
	3.30pm	Minister Sage regular meeting
5 September	8.00am	UDA meeting re Maori interests
	3.00pm	Climate Change Ministers meeting
	4.00pm	Sustainable land use launch event with Minister O'Connor
6 September	3.00pm	MfE policy meeting (National Direction)

Upcoming Events

7 September	1.30pm	ECO conference (Napier)
21 September	9.00am	RMLA Conference speech

Upcoming travel

28 August - 31 August	Travel to Australia for Quartet of Attorney General
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1. Progress towards Government's strategic priorities

1.1. Climate Change

Consultation is underway on improvements to the New Zealand Emissions Trading Scheme (NZ ETS), with a few early submissions received. Consultation will close on 21 September and registrations are now being taken for stakeholder meetings to be held in early September in the main centres and selected regional centres.

Work continues on finalising policy advice on the Zero Carbon Bill. We are working towards lodgement of the Cabinet paper on 13 September.

1.2. Urban

We are working with the Ministry of Business, Innovation and Employment on drafting instructions for Parliamentary Counsel Office on the planning and consenting aspects of the Urban Development Authority (UDA) legislation, following Cabinet's approval on 20 August. There is a ministers meeting on 13 September to discuss the UDA entity form.

A three-day workshop on the Auckland-Hamilton Corridor Plan is taking place with arrange of participants from Monday 27 August, following field trips that occurred on 22 and 23 August. The aim is to develop a preferred corridor spatial plan, aligned with transformation projects, an implementation strategy and a partnership structure. A briefing on the outcomes will be presented to Urban Growth Agenda (UGA) Ministers on 20 September.

On Monday 27 August you will receive another Auckland fact sheet on overlays applied in the Auckland Unitary Plan. These fact sheets are informing policy analysis in the UGA, and will help inform discussions with Auckland Council on potential changes to the Auckland Unitary Plan.

1.3. Water

Good progress is being made in establishing the Freshwater Leaders Group. Most of those approached so far have expressed positive interest, and we are now following up by sending Terms of Reference. s9(2)(a)

[Redacted]

[Redacted]

s9(2)(a)

Yes/No

Nominations for Kahui Wai Māori have been received from the New Zealand Māori Council, the Federation of Māori Authorities and Tuaropaki Trust.

Good progress is also being made with the appointment of the Freshwater Science and Technical Advisory Group.

2. Actions and decisions

2.1. s9(2)(ba)(i)



3. Updates for noting

3.1. Five Star Beef operation at Wakanui North of Ashburton

Following media coverage of the largest beef feedlot in New Zealand, officials are planning to visit the site and discuss this and other similar operations with Environment Canterbury (ECan) in the week beginning 3 September.

ECan has advised that the Five Star Beef operation is subject to a monitoring programme, with six monthly visits. An ECan staff member spends a full day on site to establish compliance with consent conditions. At a June community meeting, no environmental concerns were raised.

In May, Five Star Beef carried 1500 more cows than the monthly stocking rate in its consent allowed. This was rectified by July, which ECan considered a timely response given the Mycoplasma Bovis situation and associated demands on killing capacity. At this time, the operation was found to be compliant with all other consent conditions.

Currently Five Star Beef is categorised as “technically-non compliant – action required” as it needs to resolve non-compliances around sampling parameters per its consent conditions. The deadline to do this is December.

No infringements or abatement notices have been issued to the company.

In July Five Star Beef employed a dedicated internal resource to focus on environmental issues. This person is working with ECan staff to address these issues through development of a farm environment plan.

The company has stopped using an infiltration zone to discharge effluent directly to the sea, which its consent allows. With formal agreement from ECan, Five Star now discharges more effluent to land in order to reduce environmental impact.

Because there are existing resource consents in place for Five Star Beef, the operative Land & Water Regional Plan (LWRP) nutrient management rules apply to it.

Five Star is currently in the process of preparing an application for land use consent under the LWRP. This is in line with progress made by the remainder of ECan's initial target group (over 50 hectares' irrigation).

Subsequent planning provisions, such as those in the Nutrient Management and Waitaki Plan Change (Plan Change 5 to the LWRP, yet to be made operative) would impact its farming activities only when its existing land use consent expires, or if ECan decided to review its existing land use consent.

3.2. A draft technical guide to the periphyton attribute note

We have made draft technical guidance document on the National Policy Statement Freshwater Management (NPSFM) periphyton attribute available on our website.

In 2017 amendments to the NPSFM included the addition of a detailed note to the periphyton attribute table in appendix 2 (referred to as the 'Note'). The Note requires regional councils to set appropriate instream concentrations and exceedance criteria for nitrogen and phosphorus to achieve periphyton objectives while ensuring the outcomes sought for sensitive downstream environments are also achieved. The Note provides a step-by-step process for councils to follow.

We contracted National Institute of Water and Atmospheric Research to produce a technical guidance document based on available science, to explain each of the steps in the process of the Note – including worked examples and case studies. Councils provided useful comments and positive feedback during the development of the guidance.

There is nothing unexpected in this guidance and councils have been asking for the draft. It will remain draft for six months to provide opportunity for feedback.

3.3. National Planning Standards formal submission update

We have received 165 submissions, with a few still to come due to extensions. Around 60% of submitters were from business/industry, 30% local government and the remaining 10% central government, NGOs and individuals.

Most submissions provide technical analysis and suggestions on amending the standards to better align with the submitter's needs. There appears to be general support for the concept of the standards by most submitters, but the finer detail of the standards requires further work to address technical issues raised. We will brief you on the main issues arising from submissions in mid-September.

3.4. Davidson Court of Appeal Decision

The Court of Appeal released its judgement *RJ Davidson Family Trust v Marlborough District Council* [2018] NZCA 316 on 21 August. The judgement relates to whether the reasoning from the *King Salmon* case about the role of Part 2 with regard to plans extends to resource consent decisions.

In *Environmental Defence Society v New Zealand King Salmon Ltd* [2014] NZSC 38, the Supreme Court determined that Part 2 of the RMA is given substance through national direction, and should only be considered in planning decisions if higher order objectives and policies are 'invalid', 'uncertain' or 'incomplete'.

This overturned previous jurisprudence that decision makers should undertake a separate 'overall broad judgement' under Part 2.

In *Davidson*, the High Court applied the same logic to resource consents. This would mean that consent authorities only need to assess whether applications comply with objectives and policies of the relevant plan, except if those provisions are 'invalid', 'uncertain' or 'incomplete'.

However, the Court of Appeal has determined that the High Court erred in holding that the Environment Court was not able or required to consider Part 2 of the Resource Management Act 1991 directly and was bound by its expression in the relevant planning documents.

The Court of Appeal does not consider that *King Salmon* "...prevents recourse to Part 2 in the case of applications for resource consent. Its implications in this context are rather that genuine consideration and application of relevant plan considerations may leave little room for Part 2 to influence the outcome." From our initial assessment we do not consider that the judgement will have a substantial impact on current practice relating to the consideration of resource consents. The judgement does reinforce the importance of a clear planning hierarchy.

Released under the provisions of
the Official Information Act 1982

4. Briefing notes

27 August – 21 September

Title	Lead agency	What this briefing covers	Due to your office
Auckland Unitary Plan Overlays Factsheet	MfE	Four of four factsheets on rules in the Auckland Unitary Plan - part of the Urban Planning Pillar work under the Urban Growth Agenda	27 August
Options to support Gisborne District Council CME	MfE	Provides further advice from Crown Law, and options that can be taken to support Gisborne District Council CME regarding Tolaga Bay.	30 August
Waikato River Authority appointment processes	MfE	Background information on Crown and iwi appointment processes for Waikato River Authority Board members	3 September
Compliance Oversight Unit - approach and location	MfE	As requested, sets out how the Unit will monitor council compliance, monitoring and enforcement activities and take action to address issues (including through use of prosecutions), and advice on whether the Unit is best located at the Ministry or the EPA.	4 September
HSNO legislative improvements	MfE/EPA	Advice on the range of potential HSNO legislative improvements, including how the Trusted Regulator concept can be fully implemented in to EPA processes.	5 September
Essential Freshwater: Proposed amendments for the NPSFM to assist with setting limits	MfE	Discusses the suite of proposed amendments designed to assist councils to set limits on resource use in plans.	7 September
Draft annual report 2017/18	MfE	Provided to you for your information	7 September
Fiordland Marine Guardians - Ministers Meeting	MfE	To prepare and support the Minister at his meeting with the Fiordland Marine Guardians on 13 September	11 September

Urban Growth Agenda: Scope of the Legislative Reform pillar	MfE and MBIE	Provides options for the approach to legislative reform under the Urban Growth Agenda and seeks direction on your preference for the nature and scope of possible reform.	21 September
s9(2)(f)(iv)			

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the Official Information Act 1982

5. Cabinet material

27 August – 21 September

Paper name	Committee	What this paper covers	Our Suggested timeframes
Urban Development Legislation: Entity form	(DEV) Cabinet Economic Development Committee	This paper outlines how the new entity will operate, what form it will take, how it will be held accountable and other organisational issues.	Due to lodge: 13 September Due to DEV Committee: 19 September Due to Cabinet: 24 September
Reclassifying five organisms as "not new" under the Hazardous Substances and New Organisms Act 1996	(ENV) Cabinet Environment, Energy and Climate Committee	Paper proposing that five organisms be reclassified as "not new" under the Hazardous Substances and New Organisms Act 1996	Due to you: 5 September Due to lodge: 20 September Due to ENV Committee: 25 September Due to Cabinet: 1 October
Options for a royalty on bottled water	(ENV) Cabinet Environment, Energy and Climate Committee	Seeks a decision on how to introduce a royalty on bottled water.	Due to you: 14 September Due to Cabinet: TBC
Fiordland Marine Guardians - Crown Appointments	(APH) Appointment and Honours Committee	Supports you to make your recommendations to the Fiordland Marine Guardians. Appointing two new members and reappointing one member to the Guardians.	Due to you: 18 September Due to lodge: 20 September Due to APH Committee: 26 September Due to Cabinet: 1 October
Resource Management Act Amendment Bill 2018	(ENV) Cabinet Environment, Energy and Climate Committee	Seeks agreement to a narrowly scoped RMA Amendment Bill to be progressed in 2018 as stage one of a two stage approach to RMA Reform.	Due to Cabinet: TBC

6. Cabinet material we have been consulted on

Paper name	Agency	Committee	Our advice on the paper
Proposed final scope of the Crown/Māori relations portfolio and a Crown/Māori Engagement Framework and Guidelines	CMR	(CMR) Cabinet Crown/Māori Relations Committee	The Minister for Crown/Māori Relations seeks agreement from the Prime Minister of the proposed final scope of the portfolio, including a name change to the Crown Māori Partnership and the establishment of a new office. The paper also seeks approval for the overall Crown/Māori engagement framework (including the Crown's intent for, and values to underpin, the relationship and guidelines to help government engagement with Māori). We are generally supportive of the paper. We note it does not fully respond to issues raised by the public on limited capability within councils to work with Māori, and the need to empower iwi/Māori to participate effectively.

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7. Official Information Act requests

7.1. Ministerial

Request	Correspondent	Reference	At your office	Due to send
<p>Overseer and Managing Diffuse Agricultural Pollution, 26 March as per his reply to written question 14417 (2018)</p> <p>National Environmental Standards for Plantation Forestry: Further advice on minor and technical matters, 23 March as per his reply to written question 14417 (2018)</p> <p>Opportunities to build climate resilience and transition to a net zero economy through built and urban policies, 21 March as per his reply to written question 14417 (2018)</p> <p>Cabinet paper on All-of-Government Programme required to manage the response to Per-and Poly-Fluorinated Alkyl substances, 21 May per his reply to written question 14403 (2018)</p> <p>Cabinet paper on Sustainable Economy Strategic Discussion, 25 June as per his reply to written question 14415 (2018)</p> <p>Freshwater: resolving NPS-FM science difference, 24 April as per his reply to written question 14419 (2018)</p> <p>Genetic Technology – Overview and Next Steps, 7 June as per his reply to written question 14429 (2018)</p>	<p>s 9(2)(a)</p> <p>National Party</p>	18-O-01773	28 August	4 September
<ul style="list-style-type: none"> • the PFAS weekly briefing / update dated May 18, May 28, June 1, June 8, June 15, June 22, June 29 • Update on proposed Ohakea water scheme (11/06/18) • genetic technology - overview and next steps (07/06) • May 10 - request to undertake public consultation on the regulatory matters to ratify the Minamata convention • 18 May - the 2017 report on the enforcement of the Hazardous substances and new organisms act • the briefing on ministers meeting with Te Ohu Kaimoana Trustee LTD and Te Wa Maori trust • 13 June - litigation on the interface of the resource management act 1991 and the fisheries act 1996 • EEZ amendment - information for second reading and committee (29 June) <p>"- a list of all reports and briefings, by title and date, received from any government</p>	<p>s 9(2)(a)</p> <p>Stuff</p>	18-O-01725 / 18-O-01726 / 18-O-01727	17 September	1 October

<p>departments since 2 JULY 2018, in relation to the role of Environment Minister."</p> <p>* background material for marine ministers meeting on June 14th - and any similar such briefings on other marine ministers meetings.</p> <p>* all reports / correspondence / aides memoire / notes / briefings sent and received relating to the meeting on on [sic] after June 14</p>				
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7.2. Departmental

Request	Correspondent	Reference	Due to send
<p>Philip Joseph Property Rights and Environmental Regulation under the Resource Management Act 1991, commissioned by the Ministry for the Environment, December 1999.</p>	<p>s 9(2)(a)</p> <p>Student</p>	18-D-01758	4 September
<p>I write to request all information held by MFE or the Minister of Environment on Waste Futures conducted by the Hastings District Council under reference Deed 20978. This request is for all reports, emails and correspondence held by MFE and the Minister of the Environment.</p>	<p>s 9(2)(a)</p> <p>National Party</p>	18-D-01683	5 September
<p>RNZ requests DF release to it all the weekly AOG PFAS situation updates for the months of June, July and to the present in August</p>	<p>s 9(2)(a)</p> <p>RadiNZ</p>	18-D-01775	6 September
<p>I note on your website, Te Kakapa Manawa o Muaupoko is listed as having \$972,000, but the response to my OIA only adds up to 314,816.65 (GST excl).</p> <p>Please provide documents that reflect whether further money was paid to another on behalf of Muaupoko or Horowhenua 11 Part Reservation Trust.</p> <p>Please provide documents that reflect the reason why the full figure of \$972,000 was not paid to Horowhenua 11 Part Reservation Trust.</p>	<p>s 9(2)(a)</p> <p>Lyall & Thornton Barristers and Solicitors</p>	18-D-01776	6 September
<p>Section 70B of the RMA 1991 provides as follows:</p> <p>70B Implementation of national environmental standards If a national environmental standard is made to control the effects on climate change of the discharge into air of greenhouse gases, a regional council may make rules that are necessary to implement the standard, provided the rules are no more or less restrictive than the standard.</p> <p>Could you please provide all documents relating to the development of a national environmental standard under this provision.</p>	<p>s 9(2)(a)</p> <p>FYI Request</p>	18-D-01788	10 September

Request	Correspondent	Reference	Due to send
<p>TAXING WATER FOR EXPORT - May 2016 Ref: Article in the Press July 19th 2018.</p> <p>Under the Official Information Act could you please forward a copy of following:</p> <ul style="list-style-type: none"> • A copy of the terms of reference for this "group of experts." • The membership of this Committee. • The number of meetings this group met. Mr Cagill is reported as saying the committee met between 6 and 12 times. • The remuneration for each member attending meetings was \$500. Please advise me of the total remuneration for the Committee. In addition to this \$500 fee were committee members paid expenses (travel and accommodation) and if so what was the total amount. • After 8 months of deliberations and meetings the Committee did not furnish a report to your Government. Could you advise me the reason for the failure to report? 	s 9(2)(a)	18-D-01789	11 September
<p>The Defence Force has been supplying water to households affected by the PFAS contamination. Under the OIA, I would like to request the following information</p> <ul style="list-style-type: none"> - How much water has been supplied to date, broken down into each source area (eg around Base Woodbourne, Ohakea, Whenuapai) - How is the water supplied? (ie in 5-litre, 10-litre plastic container/jerry can - could you provide a stock image) - How much water does each house get a day/week? - How many households are receiving water, broken down by source area? - How much did the containers cost to purchase? - What has been the total cost of supplying drinking water to households affected by PFAS? 	s 9(2)(a) Stuff	18-D-01821	14 September