

Weekly Update – Hon David Parker, Minister for the Environment

For the week starting 3 December 2018

Environment weekly meeting 11.00am – 11.45am, Monday 3 December

Attendees: Hon David Parker, Minister for the Environment

Vicky Robertson, Secretary for the Environment

Cheryl Barnes, Deputy Secretary, Water and Climate Change

James Walker, Deputy Secretary, Partnerships and Customers

Natasha Lewis, Deputy Secretary, Environmental Stewardship and Strategy

Amanda Moran, Deputy Secretary, Natural and Built System

Neil Hurley, Deputy Secretary, Organisational Performance

Glenn Wigley, Director, Natural and Built System

Jo Gascoigne, Director, Natural and Built System

For item 4: Sarah King, Team Leader, National Direction

For item 5: Roger Lincoln, Director, Climate Change

Mathew Cowie, Manager, Climate

Charlotte Berg, Senior Analyst

	Agenda Item	Lead	Paper / verbal update	Mins
1.	Discuss Weekly Update	Vicky Robertson	Verbal update	10
2.	Water	Cheryl Barnes	Verbal update	10
3.	Sustainable land use budget bid	Neil Hurley	Verbal update	5
4.	RMA and national direction	Amanda Moran / Jo Gascoigne	Verbal update	10
5.	ETS Cabinet paper	Roger Lincoln	Verbal update	10

1. Strategic priorities

1.1. Urban

Spatial Planning Partnerships

We continue to be involved in spatial planning processes underway in partnership with councils in the Waikato, Queenstown and Christchurch.

The Hamilton-Auckland Corridor Plan is the most advanced of these processes, with a draft plan to be completed by the end of 2018. This overarching plan will then inform further focussed spatial planning exercises in 2019.

A Cabinet paper on the proposed approach to the Queenstown Partnership will go to the Cabinet Economic Development Committee on 12 December. This paper informs Cabinet of a central government partnership with Queenstown-Lakes District Council (QLDC) being developed to address significant tourism and growth-related pressures in the district. Subject to community views, the partnership may eventually lead to the development of localised alternative funding mechanisms to help QLDC address these pressures.

A planning workshop with central government officials and officials from the Greater Christchurch Partnership is scheduled for 6 December. This will progress work on developing a relationship model between the partnership and the Crown.

All of these processes are being integrated into the work these councils are advancing with their Future Development Strategies developed under the National Policy Statement – Urban Development Capacity. The processes are also informing our policy work on spatial planning.

1.2. Water

Dairy Environment Leaders Forum 4 to 6 December

We are involved at a number of levels in the Dairy Environment Leaders Forum (DELF) being held in Wellington on Tuesday 4 to Thursday 6 December. You are speaking on the first morning of the conference and draft speaking notes have been provided to your office. Minister O'Connor is speaking at dinner on the second day. You may wish to further consider your speech after the Farming Ministers meeting on 3 December.

On Wednesday morning, Water Director Martin Workman and Freshwater Leaders Group Chair John Penno are presenting an update on the Essential Freshwater programme. In the afternoon Water Taskforce officials will be holding a workshop with some DELF attendees on options for improving management practices and managing intensification of land use. The team have been sense-testing options with a small group of well-informed stakeholders including Beef and Lamb, Dairy New Zealand, and the Good Farming Practice Governance Group.

On Thursday morning Deputy Secretary James Walker is taking part in a session called 'connecting with influencers'.

The DELF programme also includes presentations on the Aparima project which you visited in Southland, market opportunities, climate change, and a discussion on a vision for 2050 and beyond.

We understand the results of the Sustainable Dairy Accord audit may be released at the Forum. A draft of the audit report has been provided to your Office.

Advisory Network update

On 29 November there was a meeting of the Science and Technical Advisory Group, and a workshop with Regional Council Resource Managers. Deputy Secretary Cheryl Barnes and Water Director Martin Workman attended the regular meeting of Regional Council Chairs and Chief Executives on 30 November. We will update you on all these discussions next week.

1.3. System reform

You received a briefing [18-B-05094] on 30 November to inform the basis of our discussion with you on 5 December. The briefing attaches a draft narrative setting out why comprehensive Resource Management Act reform is needed and what it will achieve. We are seeking your feedback on the narrative which will be used to shape the Cabinet paper you have directed officials to prepare for February. The briefing also provides advice on establishing an expert advisory group for comprehensive RMA Reform.

2. Actions and decisions

2.1. Environmental innovation by enterprises

We hosted key players in New Zealand's environmental innovation system last week. The purpose of the session was to bring together established players who are trying to foster environmental innovation through enterprise in New Zealand.

Present were representatives from:

- Sustainable Business Network (SBN)
- Akina Foundation
- Callaghan Innovation
- MacDiarmid Institute
- Scion
- World Wildlife Fund (WWF).

A brief overview of current activity:

- Callaghan and WWF intend to launch new environmental innovation programmes in 2019. Both have ambitions for New Zealand to be world leaders in environmental innovation through business.

- s 9(2)(f)(iv)

- The MacDiarmid Institute is re-focussing its materials science on sustainability solutions, and are working on solar, batteries and conductors.

- s 9(2)(f)(iv)

- s 9(2)(f)(iv)

The discussion demonstrated that a key challenge facing entrepreneurs and business is navigating the pipeline from idea generation through to commercial development. There is a lot of support available, including capital, however the system is difficult to navigate and innovators don't always have the capability to access it.

This group will focus its attention on helping innovators understand and access a pipeline of support. The sector is looking to the Government for leadership, including the Ministry for the Environment. The group would like to brief Ministers on opportunities and challenges facing environmental innovation in New Zealand.

We have also briefed New Zealand Trade and Enterprise and the Ministry of Business, Innovation and Employment about these discussions.

Are you interested in a session in the New Year with the environmental innovation sector group; to hear more about the impact they are having and their thoughts on how the Government can assist?

Yes/No

3. Updates for noting

3.1. Advice on the EPA's quarter one performance report

Earlier this month the EPA provided you with its performance report for quarter one, and for the first time proactively released it on the EPA website on 30 November.

As at 30 September, the EPA has reported an actual deficit of \$198,000 compared to a budgeted deficit of \$658,000 therefore an underspend of \$460,000 in quarter one. This difference is driven by extra revenue from increased Hazardous Substances and New Organisms Act 1996 (HSNO) applications received before the increased fees came into effect on 1 October, personnel vacancies and lower external contractors, and computing and telecommunications costs. The EPA will continue to use its deficit budget model over 2018/19 to fund its Programme of Work projects from its accumulated cash reserves.

3.2. Primary Production Committee Inquiry into genetic modification

The Primary Production Committee website indicated a scheduled item entitled *Inquiry into genetic modification*, but this was not on the final agenda. We are seeking further information on this.

3.3. s 9(2)(h)

3.4. Reflections from the Biodiversity Collaborative Group

Following the public release of the report of the Biodiversity Collaborative Group (the Group), members of the Group and government officials provided their reflections on the process. This was the first stakeholder-led group set up specifically to draft a National Policy Statement (NPS) and supporting complementary measures.

The collective governance model has progressed national direction for indigenous biodiversity further than previous attempts. It is an example of collaborative governance being used constructively to inform government policy development, and will allow for public consultation on a well-developed proposal.

A diverse range of organisations were represented in the Group, including:

- Forest and Bird
- Federated Farmers
- Iwi Advisors Group
- Forest Owners Association
- Environmental Defence Society
- Meridian Energy
- Mercury Energy.

Despite often conflicting views of members, the Group worked through complex environmental issues and reached consensus to produce the draft NPS.

The clear deliverable of a draft NPS focused the Group's time and resources to reach their deadline. Local and central government, represented as 'active observers', worked to manage the expectations of the Group and provided consistent support throughout the process. However, it was identified that more active involvement from the active observers would have been useful, especially from territorial authorities.

Members and government officials reflected on their experience, and we have identified four elements that can be applied to future collaborative governance processes:

A common goal:

- a common goal and clear deliverables assist in defining the outcome expected of the group.

Clear parameters:

- including clear scope, budget, timeframe, governance, and monitoring;
- a clear terms of reference or similar guiding document is critical. Members should understand and support that document.

A range of perspectives represented within the group:

- diversity within the group ;
- clarity on roles within and expectations of the process;
- active participation from central and local government;
- process for resolving conflicts.

Adequate resourcing:

- ensuring adequate funding for research, evidence and policy development;
- administrative and facilitation support.

This process represents a positive step toward improved collaborative governance, and provides another option to be considered for policy development.

Officials from the Ministry for the Environment and Department of Conservation are currently analysing the recommendations in the report, developing further options where gaps exist, and fulfilling regulatory requirements.

3.5. Water use data media item

On 24 November Stuff (www.stuff.co.nz) published the article *Critical shortage of good data on use of precious water resource*. The article highlights the experience of journalist Nikki Macdonald in attempting to obtain water use data from regional and unitary councils under the Local Government Official Information and Meetings Act 1987. In summary, responses from councils were mixed. According to the article, four regions provided comprehensive data, five provided partial data, and six provided little or no information on the request. It is clear that contextual information on consents was often not provided, making the data harder to interpret. For example, information on lapsed or unused consents was often not included, making the lack of metering data look suspicious where there was a reasonable explanation. The article is available here: <https://bit.ly/2SgqYmA>.

The article reflects our past experience with councils in obtaining water metering information. While there has been goodwill shown by councils to our previous data requests, delivery of the data has been slow and the quality of the data has been patchy. In general, councils with telemetry for real-time measurement of water use, good IT, and active data quality management practices, have found it much easier to comply. In contrast, we have encountered a fair degree of embarrassment from council staff where telemetry is uncommon, IT systems are old, and data quality management is not a focus. These councils have generally not adequately met the scope, quality requirements, or timeframes of our previous requests.

On 30 November we put a formal request for water metering data and supporting information to the Resource Managers Group (RMG) of Local Government New Zealand. This is the most senior mechanism we have available to undertake such a request from all regions. By using this mechanism, we are making clear our expectation that councils will provide us with the best data and information available. The data provided will be used for multiple purposes, including the review of the Resource Management (Measurement and Reporting of Water Takes) Regulations 2010 and for environmental reporting. The next freshwater report is scheduled to be published in April 2020. In collaboration with councils we will also use this data to update the Land Air Water Aotearoa website (www.lawa.org.nz) in the 2019/20 financial year. The aim is to have all freshwater accounting information required through the National Policy Statement for Freshwater Management (NPS-FM) available to the public through this website.

3.6. Bay of Plenty economic reports

We have published on our website two reports from a local Bay of Plenty assessment of costs relating to mitigations for water quality. The reports were commissioned from Perrin Ag Consultants Ltd and Manaaki Whenua Landcare Research, by the Bay of Plenty Regional Council, using the Ministry for the Environment's Economic Capability-building Fund.

One report looks at land use management and land use change mitigations. It considers their effectiveness and the cost to the farm or orchard system to develop mitigation bundles for use in evaluating the cost of improving water quality.

The second report was a mitigation cost analysis. It assesses the farm/orchard-gate economic impact of applying a range of mitigation practices to reduce losses of nitrogen, phosphorus, *E. coli* and sediment.

This work was welcomed by the Council as it adds to the body of economic analysis for freshwater management. The results are transferable and will be communicated to all regional councils and used by Water Taskforce officials. We will provide the reports to your Office.

3.7. Manawatū River Festival and report

The Manawatū River Leaders' Forum (the Forum) has released a progress report updating the community on activity to improve water quality in the Manawatū River (the River). The Forum was established in 2010. It is made up of iwi, hapū, local and central government, farming and industry leaders, along with Massey University and environmental and recreational advocacy groups from around the Manawatū Catchment.

The progress report identifies where there has been progress, for example community wastewater upgrades, but acknowledges that there is much more to do. The report was launched at a River Festival in Palmerston North last weekend, to build the community connection to the River and encourage community support and involvement in ongoing work to improve the health of the River.

3.8. Otago Regional Council

On 27 November officials from the Water Taskforce attended a councillor workshop to discuss the NPS-FM process for Otago. The workshop also heard from Ngai Tahu, and three regional councils on their implementation programmes. The purpose was to provide information on what options the councils may choose to implement the NPS-FM. Until recently Otago Regional Council (ORC) had maintained that their Plan Change 6 (pre NPS-FM) gave effect to the NPS FM.

Ministry for the Environment officials emphasised the need for very prompt action responding to public/community demands for improved freshwater. We outlined the *Essential Freshwater* changes, again emphasising these were not a change in direction that might suggest the council delay action pending new regulatory outcomes. Rather, the changes were generally to provide greater clarity. We also steered the conversation towards the immediate issues of a framework to replace the deemed permits (mining privileges) in a timely manner. Councillors asked about alternative processes to process any required plan changes. We responded in generalities at this point, as the ORC Chief Executive was to be briefed about this in more detail at a Policy Committee meeting on 29 November.

3.9. Summer Waste Campaign

We plan to run a digital campaign over summer for 10 weeks, from 17 December 2018 to 24 February 2019. The campaign will be a series of short, light-hearted videos on social media to engage people about circular economy solutions to prevent or reduce waste.

Recent research commissioned by the Ministry indicated that the majority of New Zealanders are deeply concerned about the issue of waste, but many are not aware of the full range of actions they can take to prevent or reduce their waste. Campaign videos will encourage people to click through to a 'Waste Free Future' campaign hub on our website, which will feature articles, infographics and information on how to reduce waste.

Minister Sage will be updated as needed on the campaign's progress.

4. Briefing notes

3 December – 25 January

Title	Lead agency	What this briefing covers	Date due to your office
Kaipara Harbour remediation update	MfE	Provides a brief update on recent work commenced by Auckland and Northland Councils and Kaipara Uri to progress development of a remediation strategy for Kaipara harbour and catchment. This will be discussed at your Ministers' meeting on 6 December.	3 December
Agreement on Extension of Ministerial Relationship in the Ngāti Maniapoto Environmental Accord	MfE	Seeks your agreement on extending the ministerial relationship in the Ngāti Maniapoto Environmental Accord to the wider Maniapoto Area of Interest as defined in the Maniapoto – Crown Deed of Settlement 2019	4 December
National Direction on Quality Intensification	MfE	More detailed proposal for a draft National Policy Statement, and draft outline of a National Environmental Standard for discussion at the December Urban Growth Agenda Ministers meeting.	5 December
Agreeing to the 2019 EPA Board Appointments Process	MfE	Seeks initial decisions on three membership vacancies coming up in 2019 for the Environmental Protection Authority Board, as well as agreement to the appointments process to be run.	5 December
Review of Drinking Water National Environmental Standard – release of summary report	MfE	Update on the review of the National Environmental Standard for Sources of Human Drinking Water and release of summary report.	5 December
Submission of Budget 2019 Initiatives for Environment Portfolio	MfE	Provides letter for your signature to submit Budget Initiatives for the Environment Portfolio due to the Minister of Finance by 14 December 2018. Similar briefings will be provided for Ministers Shaw and Sage with respect to their initiatives.	6 December
Essential Freshwater: Proposed amendments to the NPSFM to assist with setting limits	MfE	Following on from briefing #7 on limit-setting under the NPSFM, which set out the issues associated with limit setting, this paper presents proposed wording changes to clarify the policy intent.	6 December
Waikato/Waipā river arrangements: outcomes of strategic reset hui and update on forward work programme	MfE	Provides outcomes of the strategic reset hui between the Crown, River Iwi, and the Waikato River Authority (7 November) and an update on the forward work programme, noting that the annual Waikato and Waipā Rivers Ministerial fora are not taking place this year.	7 December
Background advice on the design and origins of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act (EEZ Act)	MfE	Provides background information on the design and origins of the current framework for managing New Zealand's Environmental Effects rights and obligations under international law. This would inform any future consideration of amendments to the EEZ Act.	7 December

Title	Lead agency	What this briefing covers	Date due to your office
Essential Freshwater: Managing all aspects of ecosystem health	MfE	Overview of approaches to explicitly recognise all aspects of ecosystem health (e.g. habitat, and aquatic biodiversity), incorporate a wider range of measures, prevent decline and promote restoration.	7 December
Essential Freshwater: Managing sensitive downstream receiving environments	MfE	Explicit direction to manage for sensitive downstream receiving environments (ie, estuaries).	7 December
Hawke's Bay Regional Planning Committee	MfE	Further advice on support to progress current issues with the Hawke's Bay Regional Planning Committee.	10 December
National Planning Standards - main briefing to confirm drafting	MfE	Seeks in-principle agreement on the approach to the remaining substantive matters raised in submissions, to support the final stages of drafting the National Planning Standards. The briefing will also summarise the range of changes being considered to improve the Standards clarity, consistency and workability.	11 December
Appointments to be made in 2019	MfE	An overview of all upcoming appointments and expected appointments to be made in 2019. This information is to be provided to Cabinet office.	12 December
Key climate change programme milestones and decisions needed in early 2019	MfE	Outlines the climate change programme for early 2019 and highlights key milestones and decisions needed.	13 December
Options to strengthen the framework for spatial planning in New Zealand	MfE	Seeks your feedback on high level options to strengthen the framework for spatial planning in New Zealand, and seeks your agreement to publicly consult on these options in mid-2019 through the proposed Urban Planning Discussion Document.	14 December
Essential Freshwater: Minor and technical changes to the NPSFM	MfE	Informs you of minor and technical changes which we recommend are made to the NPSFM, and seeks your agreement to these.	14 December
Ozone Layer Protection Act - 2016 and 2017 Annual Reports	MfE	Provides you with the 2016 and 2017 annual reports under the Ozone Layer Protection Act 1996	21 January
Submissions on the EEZ Act	MfE	Analysis of submissions on decommissioning regulations under the EEZ Act	21 January

5. Cabinet material

3–14 December

Paper name	Committee	What this paper covers	Our Suggested timeframes
Ozone Layer Protection Amendment Regulations 2018	(LEG) Cabinet Legislation Committee	Seeks Cabinet approval of amendments to the Ozone Layer Protection Regulations 1996 required to implement the Kigali Amendment to the Montreal Protocol, to phase down hydrofluorocarbons in New Zealand.	Due to LEG Committee: 6 December Due to Cabinet: 10 December
Listing Chemicals in the schedules of Hazardous Substances and New Organisms Act 1996 and the Imports and Exports Order to comply with international obligations under the Stockholm and Rotterdam Conventions	(LEG) Cabinet Legislation Committee	Proposes that New Zealand formally accept the listings by amending legislation and notifying the convention secretariat.	Due to LEG Committee: 6 December Due to Cabinet: 10 December
Waste Minimisation (Single-Use Plastic Shopping Bags) Regulations 2018	(LEG) Cabinet Legislation Committee	LEG paper for regulations to phase out single-use plastic shopping bags	Minister Sage due to lodge: 6 December Due to LEG Committee: 13 December Due to Cabinet: 17 December
s 9(2)(f)(iv)			TBC
Reclassifying five organisms as "not new" under the Hazardous Substances and New Organisms Act 1996	(ENV) Cabinet Environment, Energy and Climate Committee	Proposing that five organisms be reclassified as "not new" under the Hazardous Substances and New Organisms Act 1996.	TBC
Options for a royalty on bottled water	(ENV) Cabinet Environment, Energy and Climate Committee	s 9(2)(f)(iv)	TBC

6. Cabinet material we have been consulted on

Paper name	Agency	Committee and timeframe	Our advice on the paper
Proposed approach to the Queenstown Partnership	Department of Internal Affairs	Economic Development Committee – 12 December	<p>Informs Cabinet of a central government partnership with Queenstown Lakes District Council being developed to address significant tourism and growth-related pressures in the district.</p> <p>Our advice on the paper focussed on the linkages with MfE-led work on Queenstown's Future Development Strategy under the National Policy Statement – Urban Development Capacity, and the spatial planning work stream of the Urban Growth Agenda.</p>
Provincial Growth Fund: Whenua Māori Capital Fund	Ministry of Business, Innovation and Enterprise	Economic Development Committee	This proposal aims to establish a \$100 million allocation within the Provincial Growth Fund for investment into Māori collectively owned land. The Ministry for the Environment supported the submission from the Department of Conservation to enhance indigenous biodiversity alongside development such as tourism.

7. Official Information Act requests

7.1. Ministerial

Request	Correspondent	Reference	At your office	Due to send
All correspondence from Talley's Group (Motueka), including Amaltal, or its representatives since 1 January 2018 that has been received by Ministers of the Crown (including Associate Ministers), their staff and any employee of Ministerial Services or Department of Prime Minister and Cabinet.	s 9(2)(a)	18-O-02503	28 November	5 December
Any advice you have received since 17 May 2018 in relation to Te Arawa River Iwi Trust's 2010 Treaty settlement and annual payments of \$1 million it receives through the Ministry for the Environment to clean up the Waikato River.	s 9(2)(a) ACT Party	18-O-02431 277-18	3 December	10 December
Can I please request a copy of all communications between sent or received by the Minister for the Environment regarding a tax on water bottlers. I would expect this to include emails, briefings and aide memoires. I specifically request any relevant Cabinet and Cabinet Committee papers and associated minutes.	s 9(2)(a) Media Works	18-O-02504 281-18	5 December	12 December

<p>B18-0746 Essential Freshwater: Update on progressing stakeholder input - Fish & Game, LAWF and LGNZ 20-Sep-18 / B18-0762 Essential freshwater: Ecological flows and levels 21-Sep-18 / B18-0776 Essential Freshwater: Proposed amendments to the NPSFM to assist with setting limits on resource use 21-Sep-18 / B18-0818 Essential Freshwater 15# : Assessment of economic modelling of alternative allocation approaches for Rotorua lakes 11-Oct-18 / B18-0824 Essential Freshwater: Previous work on allocation approaches 17-Oct-18</p>	<p>s 9(2)(a) National Party</p>	<p>283-18</p>	<p>7 December</p>	<p>14 December</p>
<p>A list of all reports and briefings, by title and date, received from any government departments since September 17, in relation to the role of Environment Minister.</p>	<p>s 9(2)(a) Stuff</p>	<p>288-18</p>	<p>11 December</p>	<p>18 December</p>

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7.2. Departmental

Request	Correspondent	Reference	Due to send
<p>1. The total amount spent on membership to the Koru Club. Please break this figure down into the amount spent on joining fees, and the amount spent on membership payments.</p> <p>2. The total number of memberships paid for. In addition, is your agency a corporate member or does it purchase memberships at the individual rate?</p> <p>3. The term of the memberships (i.e. does your agency renew memberships on a one year, two year, five year, or alternative basis?).</p>	<p>s 9(2)(a)</p> <p>Taxpayers Union</p>	18-D-02509	18 December
<p>All briefings, reports, aides memoire, memos and other official advice produced or received by MFE in the last six months regarding the Labour-NZ First coalition agreement commitment to "introduce a royalty on exports of bottled water". This should include, but not be limited, to any official advice on alternative policy settings being considered as a result of legal or other difficulties in introducing a royalty.</p>	<p>s 9(2)(a)</p> <p>Newsroom</p>	18-D-02508	18 December
<p>1. The total costs incurred by your agency in relation to any personal grievance claim by an employee, contractor, or any other party. Please break this figure down into:</p> <p>a. The total settlement payments made by your agency in relation to any personal grievance claim by an employee, contractor, or any other party;</p> <p>b. The total cost of any legal advice sought by your agency and any associated legal services in relation to any personal grievance claim by an employee, contractor, or any other party; and</p> <p>c. Any other costs.</p> <p>2. The total number of personal grievance claims.</p> <p>3. The total number of settlement payments made by your agency.</p> <p>4. A list of the five highest settlement payments.</p>	<p>s 9(2)(a)</p> <p>Taxpayers Union</p>	18-D-02506	18 December

<p>Predator control appears to be the most employed method used to enhance biodiversity and yet nowhere on your web site can I find access to the in depth research that would have been used to support such policies as "predator Free" & "Battle for the birds.</p> <p>Can you please send me the full text of the environmental reporting research (including indepth methods used and all results) as follows;</p> <p>"Distribution of Possums 2002-2014 Layer ID 53158"</p> <p>"Distribution of rats 2002-2014 Layer ID 53159"</p> <p>"Distribution of stoats 2002-2014 & 53161"</p> <p>"indigenous cover remaining and protenetion 2001- 2012 Layer ID 52765"</p> <p>"Distrubution of animal and plant pests 2002-2014 and</p> <p>"Pest impacts on Indigenous trees; the impact of goats, possums and deer on Indigenous tree species, mortality and recruitment of preferred and avoided trees. 2002-2007 and 2009-2014."</p>	<p>s 9(2)(a)</p>	<p>18-D-02516</p>	<p>19 December</p>
<p>A breakdown of spending on international flights by MIE officials between 1 July 2017 and today, by amount spent, location and date.</p>	<p>s 9(2)(a) Taxpayers Union</p>	<p>18-D-02519</p>	<p>20 December</p>
<p>On 4 April 2000, then-Energy Minister Pete Hodgson informed Parliament, on behalf of the Environment Minister: "I received a request from the Prime Minister in December last year asking me to initiate the work for an independent inquiry into genetic modification and options for managing a moratorium, and I passed this on to my officials."</p> <p>Given that officials at the Environment Ministry were in contact with the Minister from December 1999, please provide me with all communication between officials and the Minister between 10 December 1999 and 30 April 2000.</p> <p>Please provide me with copies of any Cabinet papers dated between 10 December 1999 and 30 April 2000.</p> <p>On what dates did officials provide the Minister with Cabinet papers pertaining to an inquiry into genetic modification?</p>	<p>s 9(2)(a) FYI Request</p>	<p>18-D-02520</p>	<p>21 December</p>

Weekly Update – Hon David Parker, Minister for the Environment

For the week starting 10 December 2018

Environment weekly meeting 11.00 – 11.45am, Monday 10 December

Attendees: Hon David Parker, Minister for the Environment

Vicky Robertson, Secretary for the Environment

Cheryl Barnes, Deputy Secretary, Water and Climate Change

James Walker, Deputy Secretary, Partnerships and Customers

Natasha Lewis, Deputy Secretary, Environmental Stewardship and Strategy

Amanda Moran, Deputy Secretary, Natural and Built System

Shaun Lewis, Acting Deputy Secretary, Partnerships and Customers

Apologies: James Walker, Deputy Secretary, Partnerships and Customers

	Agenda Item	Lead	Paper / verbal update	Mins
1.	Discuss Weekly Update	Vicky Robertson	Verbal update	10
2.	Resource Management	Amanda Moran	Verbal update	10

Released under the provision of
the Official Information Act 1982

1. Strategic priorities

1.1. Urban

Urban Growth Agenda (UGA) Ministers are scheduled to meet on Thursday 13 December. We understand you are unable to attend. The focus of the meeting is the recommended options for national direction content on quality intensification. Ministers will also be updated on the Auckland-Hamilton Corridor Spatial Planning Partnership and the Infrastructure Funding and Finance rating agency assessment and workshops.

1.2. Water

We have received the final version of NIWA's *Estuaries eutrophication assessment report*. The report models how nitrogen loads from freshwater affect trophic conditions in different estuaries around New Zealand, and compares current and pre-human conditions. The outputs of this report are being used for the work currently underway on vulnerable catchments.

There is some discrepancy between indicative Total Nitrogen concentrations relating to estuarine macroalgal blooms in this report and those in the *Draft technical guide to the periphyton note* currently on our website. This is explained by the use of more up-to-date information. We do not consider that this should stop us publishing the *Estuaries eutrophication assessment report* as we can address any confusion in the landing page on the website and/or potentially update the *Draft technical guide to the periphyton note* if necessary when it is finalised. We intend to publish the report on our website early in the new year.

Science and Technical Advisory Group

The Science and Technical Advisory Group met on 29 November, and discussed the following topics:

- Defining, maintaining and improving water quality, in relation to bands in the National Objectives Framework
- metrics and attributes for suspended and deposited sediment
- policy options for managing wetlands, and methods for assessment of wetland health and extent
- indicators of health from a Māori perspective
- nitrate and other nutrients affecting ecosystem health
- copper and zinc.

The indicative work programme, milestones, timing of meetings and topics for discussion were outlined. Ton Snelder delivered a presentation on the state of and trends in water quality in New Zealand's rivers, highlighting the complexity of trend analyses. Group members were particularly interested in furthering discussion on the management of nutrients, and have requested a half day dedicated to this topic at the next meeting.

Stakeholder communications

As part of our communications around the Essential Freshwater work programme, we plan to provide occasional email progress updates to a broad group of external interested parties/stakeholders.

We have a list of about 1000 people, who we have engaged with on water policy and funding before, including:

- iwi and hapū
- industry groups
- catchment groups
- Environmental non-governmental organisations
- local government.

We propose to send the first update out next week (approximately 10 or 12 December). The content is expected to include:

- a reminder of the high level work programme agenda and progress to date
- an update on what we are doing with information provided about at risk catchments
- a note that some early testing of ideas around improving farm management practices is underway
- an update on the establishment and progress of the Advisory Network groups (Kahui Wai Māori, Freshwater Leaders Group, and Science and Technical Advisory Group).

Freshwater Science Society conference

The Ministry for the Environment is involved at a number of levels in the Freshwater Science Conference in Nelson, Monday 10 December - Friday 14 December. You are speaking on the morning of Thursday 13 December. Draft speaking notes have been provided to your office.

The Ministry is running one of the special sessions on Thursday afternoon. This session is focussed on how science plays a major role in the development of water and climate policy. It will look at how we work with science in contested spaces, and balancing the need for rigorous science with the need for efficient policy development despite a high degree of uncertainty. Additionally, many of our Freshwater Science and Technical Advisory Group members will be making their own presentations about the underpinning science for future improvements to freshwater regulations. We are also taking this opportunity to discuss the gaps that currently exist within the science we have relating to freshwater, to try and encourage further research.

1.3. Resource Management Act 1991 (RMA) System Reform

You received briefing 18-B-05094 *Comprehensive review of the resource management system – further decisions* on 30 November. Based on your feedback and direction, we are drafting a Cabinet paper for February. We are also preparing an engagement plan and a draft terms of reference for the proposed Expert Advisory Group. We will provide you with these documents and further advice for your consideration in early 2019.

2. Updates for noting

2.1. Kaimai Ranges publically notified resource consent applications

The Hauraki District Council and Waikato Regional Council have publicly notified resource consent applications for a 24 turbine, 100MW wind farm in the Kaimai Ranges, in eastern Waikato. The applicant is Kaimai Wind Farm Limited, a wholly owned subsidiary of Ventus Energy, a small renewable energy company that develops grid scale energy in New Zealand and in Ireland. The proposal seeks consent for what could be the tallest turbines in New Zealand, with seven proposed turbines at 180 metres and 17 proposed turbines at 207 metres tall (ground to blade tip). The submission period for the proposal is open until 31 January 2019.

2.2. RMA Streamlined Planning Process update

We previously advised you that Kaikoura District Council intended to apply to use the Streamlined Planning Process (SPP) for a change to its District Plan in relation to natural hazards. The council has now advised that it will proceed using the standard Schedule 1 RMA process, so it will not be seeking use of the SPP.

Waitaki District Council recently resolved not to take officers' advice to seek use of the SPP for a plan change relating to significant geological sites. This was after Federated Farmers representatives raised concerns. The most likely source of future applications at this stage looks to be councils initiating urban focused plan changes. These are the result of requirements under the National Policy Statement for Urban Development Capacity. There appear to be no other SPP applications in the pipeline in the short term, other than the possibility that Horizons Council may apply to use it to amend a table in their One Plan.

We intend providing you with our reflections on the first two processes and the linkages that can be made to broader questions about plan-making generally. We will do this as part of RMA system reform work in early 2019.

2.3. PFAS – release of Australian Inquiry report

On 3 December the Australian Joint Standing Committee on Foreign Affairs, Defence and Trade released a report on its inquiry into the management of PFAS contamination in and around Australian defence bases.

The report provides a list of recommendations to improve the management of PFAS contamination in Australia, including:

- governance structure and environmental regulation
- investment in containment and remediation of contaminated land and water sources
- official advice on health effects of PFAS exposure
- a blood testing regime
- compensation assistance to property and business owners.

The Australian Government has stated that it will carefully consider the Committee's recommendations and provide a coordinated whole-of-Australian-Government response, through the PFAS Taskforce in the Department of the Environment and Energy.

While the use of foams containing PFAS on New Zealand sites is several orders of magnitude less than has been found in Australia, we will consider what relevant lessons we can learn from the Australian inquiry.

2.4. Stockholm Convention on Persistent Organic Pollutants: Submission of the updated National Implementation Plan

We are updating New Zealand's National Implementation Plan (NIP) under the Stockholm Convention on Persistent Organic Pollutants (POPs). This Convention is a multilateral environmental agreement aiming to protect human health and the environment from the negative effects of POPs. New Zealand signed the Convention in 2001 and ratified it in 2004.

The NIP reports our implementation measures in relation to amendments to the Convention since 2009. One of these is updating the Hazardous Substances and New Organisms Act 1996 and relevant regulations that manage the impacts of POPs.

The updated NIP also reports our achievements in implementing the Convention. These include the phase-out of the use of polychlorinated biphenyls in 2016, ahead of the Convention's deadline of 2025, and the reduction of dioxin releases into the air. The levels of dioxin in New Zealand breast milk, and in New Zealanders' serum have also been steadily dropping.

2.5. Global Pact for the Environment

On 10 May, the United Nations General Assembly (UNGA) adopted resolution 72/277 entitled "Towards a Global Pact for the Environment".

The initiative for a Global Pact for the Environment aims to provide an overarching framework to international environmental law, and to strengthen coherence of global environmental governance. The initiative also aims to improve the implementation of international environmental law to further the Sustainable Development Goals and other globally agreed environmental goals and targets.

New Zealand co-sponsored and voted for this resolution. Co-sponsorship was consistent with the Joint Declaration between France and New Zealand, released during Prime Minister Ardern's visit to Paris in April. This stated that we would work constructively together on responses to contemporary environmental challenges, including the proposal for a Global Pact.

On 4 December, the United Nations Secretary General released his report on gaps in international environmental law and environment-related instruments. The report will be the basis for the first substantive session in January 2019 of the United Nations member state working group established by the General Assembly earlier this year.

The Ministry for Foreign Affairs and Trade is preparing a briefing seeking ministerial approval of the broad parameters for New Zealand's approach to the working group meeting in January 2019. You should receive this briefing on Friday 14 December.

2.6. Offshore monitoring applications – call-in

Marlborough District Council and Environment Southland have written to the Minister of Conservation, Hon Eugenie Sage requesting direction to call-in a number of applications made by New Zealand King Salmon. Environment Canterbury and Otago Regional Council have also received applications and may join the call-in request.

The applications seek to install monitoring equipment in offshore areas of the east coast of the South Island to monitor the behaviour of migrating whales. Most notably, the applications seek some exclusivity over the significant areas covered by the applications (some 20,000 hectares). The applications seek that no other structures (eg, marine farms) be allowed in the areas during the 10 year term of the consents. The applications state that permanent structures would interfere with the acoustic monitoring.

Minister Sage is considering the applications, under her role as Minister of Conservation, in the coastal marine area under the Resource Management Act 1991 (the Minister for the Environment has no role in the call-in). Minister Sage is to seek advice from the Environmental Protection Authority on the applications.

The two Councils have requested the call-in as they see the applications as complex and raising novel issues about the allocation of offshore space. Fisheries New Zealand is preparing to meet the four Councils on 13 December to discuss current options for the future strategic allocation of offshore aquaculture space. It is anticipated that within five to ten years the technology will be available to enable offshore farming in exposed ocean conditions (eg, 11 metre high waves).

2.7. Review of the National Environmental Standard for Sources of Human Drinking Water – release of summary report

The review of the National Environmental Standard for Sources of Human Drinking Water (Drinking Water NES) is complete. We have prepared a summary report that details the key findings of the review. We intend to publish this summary report on our website on Wednesday 12 December

The summary report indicates that:

- there is a lack of consistency in the way that regional councils are considering contamination risks in applicable planning and consenting decisions
- the Drinking Water NES has not had any discernible impact on the safety of community drinking water supplies and is not fit for purpose.

These findings are consistent with the conclusions drawn by the Government Inquiry into Havelock North Drinking Water and align with our advice to you on the Drinking Water NES in August (2018-B-04714 refers).

We have consulted with officials from the Ministry of Health and the Department of Internal Affairs, and we do not anticipate any significant media interest in the Drinking Water NES summary report.

We recommend a low-key release with no publicity, but we can provide messages for a media release if you wish to make a public statement.

You and the Ministers of Health and Local Government are due to report back to Cabinet in June with policy proposals for the system-wide reform of drinking water regulation, including the establishment of a new regulatory approach for managing risks to drinking water sources. We will provide you with regular updates on this work as it progresses.

Key differences: SNAs and effects management

The 2011 NPSIB focused on making the ecosystems in the 2007 Statement of National Priorities for protecting rare and threatened species on private land into Significant Natural Areas (SNAs). Councils could also have other SNAs or use SNA criteria they deemed appropriate. The 2011 NPSIB also set out a mitigation hierarchy for managing effects (avoid, remedy, mitigate, then offset residual effects if these could not be mitigated).

The 2018 NPSIB defines four, more direct SNA criteria for ecosystems of indigenous flora and fauna: representativeness; diversity and pattern, rarity and distinctiveness and ecological context. It also has more specific policies on: effects management policies (such as avoiding fragmentation of SNAs), protecting highly mobile fauna involving Māori in protecting ecological taonga, and restoration of native planting, especially in urban and peri-urban areas, making it both more specific, but also broader in scope than the 2011 draft NPS.

Collaboration and working with communities

Both policy statements have direction about collaborating and working with communities and tangata whenua, but the 2018 NPSIB is much more directive, specifies good practice for engagement, and requires a regional strategy.

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3. Briefing notes

10 December – 1 February

Title	Lead agency	What this briefing covers	Date due to your office
Urban Growth Agenda: December Ministers' meeting	MfE/HUD	Outlines the agenda for the Urban Growth Agenda (UGA) Minister's meeting on 13 December 2018, including the key decision points being sought by officials. It also outlines the draft work programme for the UGA for the next six months.	10 December
National Planning Standards - main briefing to confirm drafting	MfE	Seeks in-principle agreement on the approach to the remaining substantive matters raised in submissions, to support the final stages of drafting the National Planning Standards. The briefing will also summarise the range of changes being considered to improve the Standards' clarity, consistency and workability.	11 December
Appointments to be made in 2019	MfE	An overview of all upcoming appointments and expected appointments to be made in 2019. This information is to be provided to the Cabinet office.	12 December
Kaipara Harbour remediation update	MfE	Provides a brief update on recent work commenced by Auckland and Northland Councils and Kaipara Uri to progress development of a remediation strategy for Kaipara Harbour and catchment. This will be discussed at your Ministers' meeting on 17 December.	12 December
Key climate change programme milestones and decisions needed in early 2019	MfE	Outlines the climate change programme for early 2019 and highlights key milestones and decisions needed.	13 December
Options to strengthen the framework for spatial planning in New Zealand	MfE	Seeks your feedback on high level options to strengthen the framework for spatial planning in New Zealand, and seeks your agreement to publicly consult on these options in mid-2019 through the proposed Urban Planning Discussion Document.	14 December
Essential Freshwater: Minor and technical changes to the NPSFM	MfE	Informs you of minor and technical changes which we recommend are made to the NPSFM, and seeks your agreement to these.	14 December
Ngāti Maniapoto Ministerial relationship as part of Treaty settlement redress	MfE	s 9(2)(f)(iv)	14 December
Hawke's Bay Regional Planning Committee	MfE	Further advice on support to progress current issues with the Hawke's Bay Regional Planning Committee.	21 January
Ozone Layer Protection Act 1996 - 2016 and 2017 Annual Reports	MfE	Provides you with the 2016 and 2017 Annual Reports under the Ozone Layer Protection Act 1996	21 January

Title	Lead agency	What this briefing covers	Date due to your office
Submissions on the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 (EEZ Act)	MfE	Analysis of submissions on decommissioning regulations under the EEZ Act	21 January

4. Cabinet material

10 December – 1 February

Paper name	Committee	What this paper covers	Our Suggested timeframes
Ozone Layer Protection Amendment Regulations 2018	(LEG) Cabinet Legislation Committee	Seeks Cabinet approval of amendments to the Ozone Layer Protection Regulations 1996 required to implement the Kigali Amendment to the Montreal Protocol, to phase down hydrofluorocarbons in New Zealand.	Due to Cabinet: 10 December
Listing Chemicals in the schedules of Hazardous Substances and New Organisms Act 1996 and the Imports and Exports Order to comply with international obligations under the Stockholm and Rotterdam Conventions	(LEG) Cabinet Legislation Committee	Proposes that New Zealand formally accept the listings by amending legislation and notifying the convention secretariat.	Due to Cabinet: 10 December
Waste Minimisation (Single-Use Plastic Shopping Bags) Regulations 2018	(LEG) Cabinet Legislation Committee	LEG paper for regulations to phase out single-use plastic shopping bags	Due to LEG Committee: 13 December Due to Cabinet: 17 December
s 9(2)(f)(iv)			TBC
Reclassifying five organisms as "not new" under the Hazardous Substances and New Organisms Act 1996	(ENV) Cabinet Environment, Energy and Climate Committee	Proposing that five organisms be reclassified as "not new" under the Hazardous Substances and New Organisms Act 1996.	TBC

Paper name	Committee	What this paper covers	Our Suggested timeframes
Options for a royalty on bottled water	(ENV) Cabinet Environment, Energy and Climate Committee	s 9(2)(f)(iv)	TBC

5. Cabinet material we have been consulted on

Paper name	Agency	Committee and timeframe	Our advice on the paper
Establishment of Taranaki Marine Mammal Sanctuary	Department of Conservation	TBC	<p>The Minister of Conservation intends to seek Cabinet approval in principle to establish a marine mammal sanctuary in Taranaki. We understand that a final Cabinet paper will be circulated to agencies to review before the Minister seeks Cabinet approval. We have provided some high level comments on a draft Cabinet paper. Our main feedback is that further work needs to be done before a final solution is decided upon. We consider this should be a conversation across Government in the context of wider marine protection initiatives.</p> <p>We will provide you with further information following review of the final Cabinet paper.</p>

6. Official Information Act requests

6.1. Ministerial

Request	Correspondent	Reference	At your office	Due to send
Any advice you have received since 17 May 2018 in relation to Te Arawa River Iwi Trust's 2010 Treaty settlement and annual payments of \$1 million it receives through the Ministry for the Environment to clean up the Waikato River.	s 9(2)(a) ACT Party	18-O-02431 277-18	3 December	10 December
Can I please request a copy of all communications sent or received by the Minister for the Environment regarding a tax on water bottlers. I would expect this to include emails, briefings and aide memoires. I specifically request any relevant Cabinet and Cabinet Committee papers and associated minutes.	s 9(2)(a) Media Works	18-O-02504 281-18	5 December	12 December
B18-0746 Essential Freshwater: Update on progressing stakeholder input - Fish & Game, LAWF and LGNZ 20-Sep-18 / B18-0762 Essential freshwater: Ecological flows and levels 21-Sep-18 /	s 9(2)(a) National Party	283-18	7 December	14 December

<p>B18-0776 Essential Freshwater: Proposed amendments to the NPSFM to assist with setting limits on resource use 21-Sep-18 / B18-0818 Essential Freshwater 15# : Assessment of economic modelling of alternative allocation approaches for Rotorua lakes 11-Oct-18 / B18-0824 Essential Freshwater: Previous work on allocation approaches 17-Oct-18</p>				
<p>A list of all reports and briefings, by title and date, received from any government departments since September 17, in relation to the role of Environment Minister.</p>	<p>s 9(2)(a) Stuff</p>	<p>288-18</p>	<p>11 December</p>	<p>18 December</p>
<p>Could I please have a copy of any written advice you have received relating to potential taxes, levies, permit allocation or other regulation of nitrogen fertiliser and / or nitrogen leached.</p> <p>To limit the scope of this request, please only include emails since the start of September.</p>	<p>s 9(2)(a) National Party</p>	<p>18-O-02556</p>	<p>14 December</p>	<p>21 December</p>
<p>1. Copy of Thames-Coromandel District Council and Hauraki District Council Mangrove Management Bill update 2. Copy of Tyres update – mandatory product stewardship and the NES 3. Copy of 12/11/18 Pest Control: Further Advice on Regulatory and Consenting Options</p>	<p>s 9(2)(a) National Party</p>	<p>18-O-02585</p>	<p>11 January</p>	<p>18 January</p>
<p>I request you provide the number of media interview requests you received in 2018 as Minister for the Environment. I also request the number of media interview requests you agreed to in 2018 as Minister for the Environment. I am particularly interested in searches relating to your particular portfolio responsibilities.</p>	<p>s 9(2)(a) National Party</p>	<p>18-O-02583</p>	<p>15 January</p>	<p>22 January</p>
<p>I request a copy of every Weekly Report received by you as Minister for the Environment since 1 August 2018</p> <p>Where information is withheld, I request you provide the title and date of the communication/document withheld, the reason for refusal and the grounds in support of that reason.</p>	<p>s 9(2)(a) National Party</p>	<p>18-O-02548</p>	<p>15 January</p>	<p>22 January</p>

6.2. Departmental

Request	Correspondent	Reference	Due to send
All briefings, reports, aides memoire, memos and other official advice produced or received by MFE in the last six months regarding the Labour-NZ First coalition agreement commitment to "introduce a royalty on exports of bottled water". This should include, but not be limited, to any official advice on alternative policy settings being considered as a result of legal or other difficulties in introducing a royalty.	s 9(2)(a) Newsroom	18-D-02508	18 December
<p>1. The total costs incurred by your agency in relation to any personal grievance claim by an employee, contractor, or any other party. Please break this figure down into:</p> <p>a. The total settlement payments made by your agency in relation to any personal grievance claim by an employee, contractor, or any other party;</p> <p>b. The total cost of any legal advice sought by your agency and any associated legal services in relation to any personal grievance claim by an employee, contractor, or any other party; and</p> <p>c. Any other costs.</p> <p>2. The total number of personal grievance claims.</p> <p>3. The total number of settlement payments made by your agency.</p> <p>4. A list of the five highest settlement payments.</p>	s 9(2)(a) Taxpayers Union	18-D-02506	18 December
<p>1. The total amount spent on membership to the Koru Club. Please break this figure down into the amount spent on joining fees, and the amount spent on membership payments.</p> <p>2. The total number of memberships paid for. In addition, is your agency a corporate member or does it purchase memberships at the individual rate?</p> <p>3. The term of the memberships (i.e. does your agency renew memberships on a one year, two year, five year, or alternative basis?).</p>	s 9(2)(a) Taxpayers Union	18-D-02509	18 December

<p>Predator control appears to be the most employed method used to enhance biodiversity and yet nowhere on your web site can I find access to the in depth research that would have been used to support such policies as "predator Free" & "Battle for the birds.</p> <p>Can you please send me the full text of the environmental reporting research (including in depth methods used and all results) as follows;</p> <p>"Distribution of Possums 2002-2014 Layer ID 53158"</p> <p>"Distribution of rats 2002-2014 Layer ID 53159"</p> <p>"Distribution of stoats 2002-2014 & 53161"</p> <p>"indigenous cover remaining and protenetion 2001- 2012 Layer ID 52765"</p> <p>"Distrubution of animal and plant pests 2002-2014 and</p> <p>"Pest impacts on Indigenous trees; the impact of goats, possums and deer on Indigenous tree species, mortality and recruitment of preferred and avoided trees. 2002-2007 and 2009-2014."</p>	<p>s 9(2)(a)</p>	<p>18-D-02516</p>	<p>19 December</p>
<p>A breakdown of spending on international flights by MfE officials between 1 July 2017 and today, by amount spent, location and date.</p>	<p>s 9(2)(a) Taxpayers Union</p>	<p>18-D-02519</p>	<p>20 December</p>
<p>On 4 April 2000, then-Energy Minister Pete Hodgson informed Parliament, on behalf of the Environment Minister: "I received a request from the Prime Minister in December last year asking me to initiate the work for an independent inquiry into genetic modification and options for managing a moratorium, and I passed this on to my officials."</p> <p>Given that officials at the Environment Ministry were in contact with the Minister from December 1999, please provide me with all communication between officials and the Minister between 10 December 1999 and 30 April 2000.</p> <p>Please provide me with copies of any Cabinet papers dated between 10 December 1999 and 30 April 2000.</p> <p>On what dates did officials provide the Minister with Cabinet papers pertaining to an inquiry into genetic modification?</p>	<p>s 9(2)(a) FYI Request</p>	<p>18-D-02520</p>	<p>21 December</p>

<p>I request the following information for the 2017/18 financial year:</p> <ol style="list-style-type: none"> 1. The total amount spent by Council on koha. 2. The names of all parties which received koha from Council. 3. The total amount spent by Council on any other donations. 4. The names of all parties which received a donation from Council. 	<p>s 9(2)(a) Taxpayers Union</p>	<p>18-D-02534</p>	<p>21 December</p>
<p>I request a copy of the following papers, referenced in your reply to WPQ 26600:</p> <ol style="list-style-type: none"> 1. B18-0746 Essential Freshwater: Update on progressing stakeholder input - Fish & Game, LAWF and LGNZ 20-Sep-18 2. B18-0762 Essential freshwater: Ecological flows and levels 21-Sep-18 3. B18-0776 Essential Freshwater: Proposed amendments to the NPSFM to assist with setting limits on resource use 21-Sep-18 4. B18-0818 Essential Freshwater 15# : Assessment of economic modelling of alternative allocation approaches for Rotorua lakes 11-Oct-18 5. B18-0824 Essential Freshwater: Previous work on allocation approaches 17-Oct 18 	<p>s 9(2)(a) National Party</p>	<p>18-D-02555</p>	<p>24 December</p>
<p>I request a copy of all correspondence between yourself and your Minister since 26 October 2017.</p>	<p>s 9(2)(a) National Party</p>	<p>18-D-02573</p>	<p>22 January</p>

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Weekly Update – Hon David Parker, Minister for the Environment

For the week starting 17 December 2018

Environment weekly meeting 11.00 – 11.45am, Monday 17 December

Attendees: Hon David Parker, Minister for the Environment

Vicky Robertson, Secretary for the Environment

Cheryl Barnes, Deputy Secretary, Water and Climate Change

James Walker, Deputy Secretary, Partnerships and Customers

Natasha Lewis, Deputy Secretary, Environmental Stewardship and Strategy

Amanda Moran, Deputy Secretary, Natural and Built System

For item 2. only: David Chittenden, Manager, Urban

For item 3. only: Glenn Wigley, Director, Natural and Built System

	Agenda Item	Lead	Paper / verbal update	Mins
1.	Discuss Weekly Update	Vicky Robertson	Verbal update	15
2.	Urban Update	Amanda Moran	Verbal update	15
3.	Marine aquaculture	Amanda Moran	Verbal update	15

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1. Strategic priorities

1.1. s 9(2) (f)(iv)



1.2. Water

Advisory network

The advisory network of Kahui Wai Māori (KWM), Freshwater Leaders Group (FLG) and Science and Technical Advisory Group (STAG) held a joint workshop on 7 December. Members found the joint session useful and the Chairs of the groups have agreed to have another joint workshop at the end of January. The dates for the next meetings are:

24 January	STAG
29 January	KWM and FLG (separate meetings)
30 January	Joint all groups meeting
31 January	Regional councils' group meeting

The Chairs of KWM, FLG and STAG would like to have a joint meeting with you and Ministers Davis, Mahuta, and O'Connor in February. We are working with your Office to find a date after Waitangi Day.

1.3. System Reform

We understand that the Environmental Defence Society (EDS) intends to provide you with a copy of its final "synthesis" report at a meeting on Wednesday 19 December. EDS has indicated to us that it has secured funding to continue its project next year. EDS is interested in establishing a formal connection to your own process for a comprehensive review of the resource management system. We are developing an engagement plan to accompany your Cabinet paper that will specify how the proposed Expert Advisory Group might engage with targeted stakeholders, like EDS and the wider Resource Reform coalition.

Officials have not yet received a final copy of the EDS report. However, based on earlier drafts it is likely to be a useful input into your review of the Resource Management Act (RMA) next year. Input in the following areas is expected to be particularly useful:

- analysis of the roles the system needs to perform (including how to strengthen environmental bottom lines)

- the better connections we need across resource management statutes, and institutional design (including a framework for allocating roles in the resource management system between central and local government, and independent institutions).

The final chapter of the report puts forward a number of “models” for reform. While we have provided input into these models, they are all extremely ambitious in scope, extending well beyond the RMA into areas such as fisheries management and conservation. While the EDS models are broader than the proposed scope of your review, they do highlight choices about the potential direction of change for the RMA (be it integration with other statutes through spatial planning, separation of planning and environment legislation, or separate legislation for environmental bottom lines). The focus of EDS’s work next year will be to develop a single preferred model for change.

2. Actions and decisions

2.1. National Planning Standards – new corrections zone proposed to be recommended

Following further discussions with Corrections officials on their national planning standards submission (refer 2017-BN-05142), we’ve agreed to recommend that the zone framework is amended to include a corrections special purpose zone. Corrections requested this zone, following difficulties they’ve encountered in seeking alterations to designations. These difficulties arise from the requirement on decision makers to consider the policy framework of the underlying zone. We initially considered these issues reflect challenges with the designations regime - both the legislative settings and practice. Even so, we agreed to test the idea of having a special purpose corrections zone with our group of pilot councils in November.

Feedback was mixed. Some councils noted they already use a corrections zone as well as a designation, while others questioned what this means for existing designations and how the zone would work alongside existing designations. On balance, we consider that a dual regime of designations and a zone is a pragmatic solution until such time as the designations regime is reviewed. Concerns about a dual policy framework for corrections facilities are mitigated by the requirement for Corrections to go through a publicly notified plan change process to implement a zone.

If you signal your agreement, we will include the final description of the zone in our February briefing. We will also need to provide explicit guidance to councils on the relationship between designations and a corrections zone.

Do you agree in principle to the inclusion of a corrections special purpose zone?

Yes/No

2.2. Update on recommendations from the Office of the Auditor-General

On 7 November, the Office of the Auditor-General (OAG) wrote to your Office to advise on the results of the Ministry’s audit for the year ending 30 June.

The OAG highlighted the following matters in its letter to you:

- a. s 9(2)(f)(iv)

s 9(2)(a), s 9(2)(f)(iv)

s 9(2)(f)(iv)

s 9(2)(f)(iv)

3. Updates for noting

3.1. **Reclassifying five organisms as “not new” under the Hazardous Substances and New Organisms Act 1996 (HSNO Act)**

On 28 November we provided you with a briefing and draft Cabinet paper (Briefing 2018-04672 *Reclassifying five organisms as “not new” under the HSNO Act*).

You sought further information on the benefits outlined in paragraph 23 of the Cabinet paper, which states:

“The [Environmental Protection Authority] EPA advises that, whilst the risks outlined in Scion’s submission theoretically exist, they are outweighed by the potential benefits of reclassification of the three insect species. The EPA considers the potential benefits to be:

- further research into the three insects, including research to enable better control or management of the negative effects of these organisms
- facilitating the potential use of the three insect species as biocontrol agents (because an approval from the EPA would not be needed prior to such use), which would potentially decrease the use of pesticides and lead to more options for integrated pest management strategies.”

The EPA has clarified that reclassification would enable research by removing regulatory barriers. The insects are considered “new organisms” under the HSNO Act. Therefore, no research on them is possible in New Zealand without undergoing a rigorous approval process, which may be seen as unreasonable given these species are established here.

However, if the insects are reclassified, scientists will be able to study their ecology and understand their interaction with New Zealand’s environment, without requiring further EPA approval.

3.2. Fireworks incidents in November 2018

On 25 October we briefed you on the use of fireworks in 2017 and earlier years (Briefing 2018-B-04948; *Annual update on use of fireworks in New Zealand*). Your Office asked for further information on what happened over the Guy Fawkes period this year. We have obtained information from Fire and Emergency New Zealand (FENZ) and the New Zealand Police (Police).

The data from FENZ (set out below) indicates that there has not been an increase in fireworks incidents compared to recent years. However, there has been a reasonable amount of interest from the public, including 74 emails regarding fireworks to your Office between mid-October 2018 and now.

Auckland Council recently undertook a public consultation on whether the Council should request central government to introduce legislation banning the sale of fireworks to the general public. This consultation has now closed but we have not yet seen the results.

Fire and Emergency New Zealand data

FENZ noted that there were 81 incidents in November where the “cause”, “heat source” or “object ignited” was attributed to fireworks. This compares to 130 such incidents in November 2017, and 118 in November 2016. There has been one casualty in November in each of the past 3 years.

FENZ also provided information on “additional incidents where fireworks [were] mentioned in message logs” – which excludes the data on cause, heat source, and object ignited. The additional incidents were 112 for November 2018, compared to 123 in 2017, and 95 in 2016. There were no casualties from such incidents in any of these years. We cannot tell with certainty how many of these incidents were caused by fireworks.

Information provided by the Police

The role of the Police in the management of fireworks is both proactive and reactive. The Police receive and respond to telephone calls from the public. From this year, they are responsible for enforcement in relation to the retail sale of fireworks.

- *Police communications centres calls*

The Police received 366 fireworks-related calls from 2 to 5 November (the retail sale period), 42 per cent of which were on Guy Fawkes Day. Three hundred and thirteen further calls were received from 6 to 19 November.

Fireworks-related calls are identified under categories such as disorder, wilful damage, and breach of the peace. These results may not be a full representation of fireworks-related calls, as calls may have been recorded under other less obvious categories.

- *Enforcement of the retail sale of fireworks*

The Police completed a range of proactive work with regard to the enforcement of the retail sale of fireworks. Over 50 checks were made across the country. In Dunedin, where plain clothes observations were carried out, no breaches were detected. In the Wairarapa a controlled purchase operation was carried out with four attempted purchases made. In all four cases identification was asked for and no sale was completed. The above results are not a full representation of the proactive work carried out by the Police, but reflect feedback provided from those particular areas.

3.3. Update on the Essential Freshwater work on improving farming practices and managing intensification work

We have recently undertaken targeted engagement to “sense test” our approach to policy development for promoting farming good practice, managing high risk activities, excluding stock from waterways, and managing intensification. We plan to provide advice on these issues to you and Minister O’Connor in February 2019.

Meetings have been held with the Essential Freshwater advisory groups, primary sector leaders, Māori agribusiness, and councils. This week we aim to meet with environmental non-government organisations, Federated Farmers, and the Primary Sector Council.

The meetings have been very useful and there appears to be good support for the general direction being proposed. However, because detailed policy proposals are still under development, feedback has been at a relatively high-level.

Farm Environment Plans (FEPs) have been acknowledged as a key tool for improving farming practices. This is because they enable tailored interventions to align with the risks associated with that property. There appears to be good support for farm plans (at least for high priority areas) and processes to improve alignment across different farm plan templates. The quality of the farm plans and processes to review, update and audit them, have been recognised as critical. Building the skills and capability of farmers and rural professionals will be an important factor for the successful implementation of the policy package.

High Risk Activities (HRA): Councils find it challenging to regulate HRA. Direction about activities that are unacceptable everywhere could be useful. A helpful suggestion was to set up a framework for managing HRA in the National Policy Statement for Freshwater management (NPS-FM) and leave the detail to regional councils, and include in a National Environmental Standard an FEP approach for HRA.

Stock exclusion was supported by all stakeholders and could be managed through national regulation and FEPs. It is also a practice that will bring instant improvement to water quality. There are significant challenges for hill country farms, as fencing may be impossible in some cases and new technology may be needed eg, electronic fencing to keep stock away from waterways. Stock exclusion is potentially amenable to national regulation in many cases, with a tailored FEP approach in hill country areas and fencing rules everywhere else (eg, map areas covered by a FEP requirement). There will likely be issues with affordability of fencing and water reticulation for Māori land that has multiple owners

Intensification: feedback was that blanket regulations may limit all intensification. This would adversely affect those who are operating according to good/best practices or have a more bespoke farming system eg, regulations on feedlots and their effect on the equine industry. Councils considered that any constraints on intensification would need to be targeted at catchments where ongoing intensification is clearly posing a risk to water quality, and where council rules are inadequate to manage. Any constraints should be short-term to enable rules to be set in place.

4. Briefing notes

17 December – 15 February

Title	Lead agency	What this briefing covers	Date due to your office
Key climate change programme milestones and decisions needed in the first half of 2019	MfE	Outlines the climate change programme for 2019 and highlights key milestones and decisions needed.	19 December
Contaminated Sites Remediation Fund	MfE	Round 2, 2018/2019 Funding Recommendations for the Contaminated Sites Remediation Fund.	11 January
Hawke's Bay Regional Planning Committee	MfE	Further advice on support to progress current issues with the Hawke's Bay Regional Planning Committee.	21 January
Submissions on the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 (EEZ Act)	MfE	Analysis of submissions on decommissioning regulations under the EEZ Act.	21 January
Ozone Layer Protection Act 1996 - 2016 and 2017 Annual Reports	MfE	Provides you with the 2016 and 2017 Annual Reports under the Ozone Layer Protection Act 1996.	31 January
Essential Freshwater: Proposed amendments to the Freshwater National Policy Statement (NPS-FM) to assist with setting limits	MfE	Following on from briefing #7 [2018-B-04801] on limit-setting under the NPS-FM, which sets out the issues associated with limit-setting, this paper presents proposed wording changes to clarify the policy intent.	8 February

5. Cabinet material

17 December – 15 February

Paper name	Committee	What this paper covers	Our Suggested timeframes
Comprehensive review of the resource management system – scope and process	(ENV) Cabinet Environment, Energy and Climate Committee	Seeks agreement to the scope and process of a comprehensive review of the resource management system in 2019.	TBC
Legislation to accelerate light rail transit	(DEV) Cabinet Economic Development Committee	Seeks Cabinet approval to amend the Resource Management Act 1991 and the Public Works Act 1981 to secure approvals for light rail in Auckland by 2020.	TBC
Reclassifying five organisms as "not new" under the Hazardous Substances and New Organisms Act 1996	(ENV) Cabinet Environment, Energy and Climate Committee	Proposing that five organisms be reclassified as "not new" under the Hazardous Substances and New Organisms Act 1996.	TBC
Options for a royalty on bottled water	(ENV) Cabinet Environment, Energy and Climate Committee	Seeks agreement, for each option, on whether to begin targeted consultation.	TBC

6. Official Information Act requests

6.1. Ministerial

Request	Correspondent	Reference	At your office	Due to send
A list of all reports and briefings, by title and date, received from any government departments since September 17, in relation to the role of Environment Minister.	s 9(2)(a) Stuff	18-O-02507 288-18	11 December	18 December
Could I please have a copy of any written advice you have received relating to potential taxes, levies, permit allocation or other regulation of nitrogen fertiliser and / or nitrogen leached. To limit the scope of this request, please only include emails since the start of September.	s 9(2)(a) National Party	18-O-02556	14 December	21 December
1. Copy of Thames-Coromandel District Council and Hauraki District Council Mangrove Management Bill update 2. Copy of Tyres update – mandatory product stewardship and the NES 3. Copy of 12/11/18 Pest Control: Further Advice on Regulatory and Consenting Options	s 9(2)(a) National Party	18-O-02585	11 January	18 January
Copy of 12/11/18 Pest Control: Further Advice on Regulatory and Consenting Options (Ref WQ 30185 (2018))	s 9(2)(a) National Party	18-O-02552	11 January	18 January
I request a copy of every Weekly Report received by you as Minister for the Environment since 1 August 2018 Where information is withheld, I request you provide the title and date of the communication/document withheld, the reason for refusal and the grounds in support of that reason.	s 9(2)(a) National Party	18-O-02548	15 January	22 January
1. B18-0746 Essential Freshwater: Update on progressing stakeholder input - Fish & Game, LAWF and LGNZ 20-Sep-18 2. B18-0762 Essential freshwater: Ecological flows and levels 21-Sep-18 3. B18-0776 Essential Freshwater: Proposed amendments to the NPSFM to assist with setting limits on resource use 21-Sep-18 4. B18-0818 Essential Freshwater 15# : Assessment of economic modelling of alternative allocation approaches for	s 9(2)(a) National Party	18-O-02555	17 December	24 December

Rotorua lakes 11-Oct-18 5. B18-0824 Essential Freshwater: Previous work on allocation approaches 17-Oct-18				
Copy of Methyl Bromide and Forestry Implications Letter – Thursday 20 Sep (Ref WQ 28195-2018) (note - transferred from Min Sage 13/12)	s 9(2)(a) National Party	TBC	TBC	TBC

6.2. Departmental

Request	Correspondent	Reference	Due to send
All briefings, reports, aides memoire, memos and other official advice produced or received by MFE in the last six months regarding the Labour-NZ First coalition agreement commitment to "introduce a royalty on exports of bottled water". This should include, but not be limited, to any official advice on alternative policy settings being considered as a result of legal or other difficulties in introducing a royalty.	s 9(2)(a) Newsroom	18-D-02508	18 December
<p>Predator control appears to be the most employed method used to enhance biodiversity and yet nowhere on your web site can I find access to the in depth research that would have been used to support such policies as "predator Free" & "Battle for the birds.</p> <p>Can you please send me the full text of the environmental reporting research (including in depth methods used and all results) as follows;</p> <p>"Distribution of Possums 2002-2014 Layer ID 53158"</p> <p>"Distribution of rats 2002-2014 Layer ID 53159"</p> <p>"Distribution of stoats 2002-2014 & 53161"</p> <p>"indigenous cover remaining and protenetion 2001- 2012 Layer ID 52765"</p> <p>"Distribution of animal and plant pests 2002-2014 and</p> <p>"Pest impacts on Indigenous trees; the impact of goats, possums and deer on Indigenous tree species, mortality and recruitment of preferred and avoided trees. 2002-2007 and 2009-2014."</p>	s 9(2)(a)	18-D-02516	19 December

<p>On 4 April 2000, then-Energy Minister Pete Hodgson informed Parliament, on behalf of the Environment Minister: "I received a request from the Prime Minister in December last year asking me to initiate the work for an independent inquiry into genetic modification and options for managing a moratorium, and I passed this on to my officials."</p> <p>Given that officials at the Environment Ministry were in contact with the Minister from December 1999, please provide me with all communication between officials and the Minister between 10 December 1999 and 30 April 2000.</p> <p>Please provide me with copies of any Cabinet papers dated between 10 December 1999 and 30 April 2000.</p> <p>On what dates did officials provide the Minister with Cabinet papers pertaining to an inquiry into genetic modification?</p>	<p>s 9(2)(a) FYI Request</p>	<p>18-D-02520</p>	<p>21 December</p>
<p>I request the following information for the 2017/18 financial year:</p> <ol style="list-style-type: none"> 1. The total amount spent by Council on koha. 2. The names of all parties which received koha from Council. 3. The total amount spent by Council on any other donations. 4. The names of all parties which received a donation from Council. 	<p>s 9(2)(a) Taxpayers Union</p>	<p>18-D-02534</p>	<p>21 December</p>
<p>I request a copy of all correspondence between yourself and your Minister since 26 October 2017</p>	<p>s 9(2)(a) National Party</p>	<p>18-D-02573</p>	<p>22 January</p>
<p>RNZ requests MFE release to us:</p> <ul style="list-style-type: none"> • Details of all locations so far reported to any part of Govt, including MFE and NZDF and any regional council where PFAS contamination is more than 5x above the guidelines either for PFOS or PFOA or PFOS+PFHxS, and either for recreational or drinking water, and for soil • With each location, pls detail: <ul style="list-style-type: none"> - what the levels of each of the compounds above was, at its highest recorded level from samples taken at any date (so, not all the recorded levels, just the highest), and the date of that sample being taken - what its latest updated recorded level is, per compound; 	<p>s 9(2)(a) Radio NZ</p>	<p>18-D-02639</p>	<p>24 January</p>

Appendix 1.

Essential Freshwater stakeholder e-newsletter

Released under the provision of
the Official Information Act 1982



December 2018

This is an update on the government policy work programme to improve water quality and ecosystem health. This email comes to you from the Freshwater Taskforce, based at the Ministry for the Environment.

You're receiving this because you have been involved or shown an interest in our freshwater work. You are welcome to share this email with anyone else you think is interested, or if you would prefer not to receive any further updates, please click the 'unsubscribe' button below.

Overview

As Environment Minister David Parker announced in October, the Essential Freshwater work programme will set New Zealand on the path to turning around water quality trends and lead to long-term improvements in freshwater health.

The Government is committed to delivering a noticeable improvement in water quality in the next five years, while acknowledging there must be a concurrent and substantive discussion about Māori rights and interests. You can read more about the programme and download the documents *Essential Freshwater* and *Shared Interests in Freshwater* [here](#).

There is no easy fix, and we are working on a number of fronts.

- New rules setting national direction – a new National Environmental Standard, an updated National Policy Statement for Freshwater Management and changes to the Resource Management Act
- Nationally consistent information on catchment risks, and encouraging and supporting catchment-level activity
- Fair allocation of freshwater and nutrient discharges, having regard to all interests including Māori.

We are making good progress on options for new national direction across critical issues such as ecosystem health, protection for wetlands, addressing sediment, and clarifying and improving problematic areas in current regulations.

We are discussing these options with a network of independent advisors.

Advisory network

The advisory network includes the groups [Kahui Wai Māori](#), the [Freshwater Leaders Group](#) and the [Science and Technical Advisory Group](#). The Taskforce is also working closely with Regional Councils, through a sub-group of Regional Council Chief Executives.

The advisory groups are meeting regularly, sense-testing proposals and options and bringing a valuable non-Government perspective to the issues facing New Zealand's freshwater. On 7 December, members of all three groups gathered for a joint workshop (photo below).



Improving farm management practices and managing intensification

As part of the package of new rules setting national direction, we are looking at on-farm changes that will stop further contamination of freshwater. This includes rules to manage activities that pose a high environmental risk such as intensive winter grazing and hill country cropping and exclude stock from waterways, as well as encouraging uptake of good practice.

We are also looking at options for managing intensification – that is, constraining changes such as increasing fertiliser use or stock numbers where that creates an additional risk to the environment.

Over November and December we have been talking to our advisory network, farmer representatives, Māori agribusinesses, Environmental NGOs and Regional Councils about options and how they might be implemented. We are also looking at how to align on-farm actions to improve water quality with actions to reduce greenhouse gas emissions.

There will be more public discussion on these topics next year.

Reducing urban water pollution

Work is also underway to improve management of urban catchments and protect sources of human drinking water. The proposed amendments to the National Policy Statement for Freshwater Management will aim to better provide for ecosystem health across all catchments – urban and rural. There will be public consultation on the proposed new rules in the first half of next year.

The Freshwater Taskforce is contributing to the [Three Waters Review](#), which is focussed on the regulation and management of drinking water, wastewater and stormwater.

Assessing risk in individual catchments

Earlier this year we began a process of collecting and assessing information on at-risk catchments, picking up on recommendations from the Land and Water Forum. At a workshop in November and in discussions with the advisory network groups, we heard that we needed to do more work on our approach.

Our aim is to produce national level information on risks in individual catchments that would help target regulation, investment and potentially other actions. Information from this project will, for example, help us see which catchments most need constraints on intensification through a new National Environmental Standard. We will be working with Mātauranga Māori advisors and others to further develop a robust and credible risk assessment method.

At the same time, we are working on identifying a small number of 'exemplar' catchments where we would model ways of collaborating to improve freshwater health. These exemplars will also provide us with information about gaps that could be filled by either regulatory or non-regulatory interventions.

We will be back in touch with those who have provided us with information, and will be following up with people in some catchments that have the potential to offer good examples of how to address a range of issues with a variety of actions.

About the Freshwater Taskforce

The taskforce is led by the Ministry for the Environment. We have several Regional Council specialists working in the Taskforce alongside people from a number of government agencies including Te Puni Kōkiri, Māori Crown Relations: Te Arawhiti, Ministry of Business, Innovation and Employment, Department of Conservation, Ministry of Primary Industries and Treasury.

You can contact us by email at freshwater@mfe.govt.nz

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