

Weekly Update – Hon David Parker, Minister for the Environment

For the week starting 5 November 2018

Environment weekly meeting 11.15am – 12.00pm, Thursday 8 November

Attendees: Hon David Parker, Minister for the Environment

Vicky Robertson, Secretary for the Environment

Cheryl Barnes, Deputy Secretary, Water and Climate Change

Natasha Lewis, Deputy Secretary, Environmental Stewardship and Strategy

Amanda Moran, Deputy Secretary, Natural and Built System

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 Amendment Bill	Amanda Moran / Cheryl Barnes	Verbal update	30

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1. Strategic priorities

1.1. Urban

At the 1 November meeting on the wider costs and benefits of growth, you requested a clear narrative of the costs of growth work and our suggested approach. We will work with officials from the Ministry of Housing and Urban Development, the Treasury and the Department of Internal Affairs and submit the narrative to you and Minister Twyford by Thursday 8 November.

Following agreement to the proposed package of national direction on quality intensification at the Urban Growth Agenda (UGA) Ministers' meeting on 1 November, we will deliver you draft national direction content and more detailed policy proposals ahead of the next UGA Ministers' meeting on 13 December.

s 9(2)(f)(iv)

1.2. Water

We plan to meet with you to discuss progress on Essential Freshwater on Thursday 8 November. Minister O'Connor has also been invited to the meeting. We will provide you with an update on the At Risk Catchments project. There is a workshop with interested parties on 14 to 15 November to get feedback on the catchments identified by councils, Māori, industry and NGOs, and to help select pilot catchments for targeted action. The workshop will also explore what regulatory and non-regulatory interventions are needed to address the pressures identified across the at risk catchments in order to stop further degradation.

You will have received a related briefing setting out options for increasing uptake of good farming practice, managing high risk farm activities and intensification of rural land use. An option discussed is targeting some of the proposed interventions on at risk catchments. We would also like to discuss this briefing at the meeting on 8 November. This work is important for developing a package of proposals for stopping further degradation of our waterways.

Advisory Ne work

Kahui Wai Māori met in Wellington on 1 and 2 November, as this report was being prepared. You will be updated next week on progress from the meeting.

The next meetings of Kahui Wai Māori and the Freshwater Leaders Group are on 19 November, and the members of both groups will be together for dinner that evening.

Dairy NZ Campaign

Dairy NZ has launched an advertising and media campaign, in partnership with New Zealand Media and Entertainment's creative agency (and hosted on the NZ Herald website). Dairy NZ says its goal is to both raise awareness of what farmers are doing to improve water quality, and inspire all New Zealanders to get involved. The campaign invites all New Zealanders to be part of the Vision is Clear movement.

We support any efforts to encourage New Zealanders to play their part in looking after the environment so we welcome that aspect of Dairy NZ's initiative. We acknowledge that many farmers are doing a lot of good work, but there is still a lot more to be done.

Greenpeace NZ has criticised the campaign and there is likely to be more criticism from Environmental NGOs and members of the public who may see this as 'greenwashing'.

Planned Greenpeace campaign

We are preparing a detailed response to Greenpeace's letter to you advising that they plan to launch a campaign calling on the Government to ban synthetic nitrogen fertiliser. Greenpeace is arguing for limits on inputs that cause environmental damage, suggesting cutting cow numbers and cutting chemical N fertiliser would not only have significant benefits for water quality, it would also reduce climate emissions. The draft response will be with your Office by the end of next week.

Science workshops

We held a workshop with NIWA and Cawthron scientists who are conducting research to develop sediment attributes. The work programme is progressing positively and we intend to have a final workshop in late November to integrate the evidence for suspended and deposited sediment attribute bottom lines and set out the evidence for potential attribute bands. The final report is expected by March 2019

2. Actions and decisions

2.1. National Environmental Standard for Marine Aquaculture: Timing for policy decisions

You will receive a briefing (2018-B-05040) and draft Cabinet paper (*National Environmental Standard for Marine Aquaculture – policy approval and agreement to draft regulations*) on Monday 5 November. The papers seek policy approval for the National Environmental Standard Marine Aquaculture (NES-MA). Making the NES is a priority on your forward agenda for national direction.

The aim of the NES-MA is to create a more consistent and efficient regional planning framework for the management of existing marine aquaculture activities and on-farm biosecurity management, while supporting sustainable aquaculture within environmental limits

The papers are also being provided to the Ministers of Fisheries and Conservation. You have statutory responsibility for recommending the making of the NES-MA regulations and the Minister of Fisheries is the policy lead on developing the NES. The Minister of Conservation is also receiving the briefing and draft Cabinet paper due to her role in the coastal marine environment.

We recommend that you work with the Minister of Fisheries to consult with your Ministerial colleagues and provide officials with feedback on the draft Cabinet paper by Monday 19 November 2018. Once we have received your feedback, we will finalise the Cabinet paper so that you and the Minister of Fisheries can lodge the paper on 22 November for the Environment, Energy and Climate Committee meeting on 27 November. If Cabinet approves the recommendations in the Cabinet paper, the Parliamentary Counsel Office will be instructed to draft the NES-MA regulations.

Do you agree with the proposed timeframes above?

Yes/No

3. Updates for noting

3.1. **Second Round of Testing for Palmerston North Airport Completed – Water is Safe to Drink**

Palmerston North Airport have completed their second round of sampling for PFAS in surface and groundwater from their historic use of fluorinated firefighting foams. Water supplies and all private bores in the vicinity remain safe to drink. PFAS compounds were detected in; shallow groundwater and soil samples, the surface water and sediment of drains leading from the airport, and in the Mangone stream, a tributary of the Manawatū River. Horizons Regional Council, Palmerston North City Council and Palmerston North Airport are contacting nearby landowners and occupiers by letter this week, and drafting a media release which may be ready as early as next week.

3.2. s 9(2)(h)



3.3. **Advancing a more comprehensive review of the resource management system**

We are using the direction provided by you at our meeting of 1 November to begin drafting a Cabinet paper seeking agreement on the decisions needed to progress a more comprehensive review of the resource management system.

Our initial draft will focus on setting out your narrative establishing the need for reform as well as the principles guiding the design of a new system. While this draft will focus primarily on fixing the Resource Management Act, it will also present options to help Cabinet make decisions on the scope of the review. We will also provide further advice on the terms of reference for an expert advisory group, including deliverables and possible members.

3.4. Review of the Drinking Water NES and Three Waters – update for regional councils

We will be contacting regional council chief executives to provide them with a brief update on the Review of the National Environmental Standard for Sources of Human Drinking Water (Drinking Water NES).

In response to a request from regional councils, we will we also be providing them with embargoed copies of two technical reports by Aqualinc and Pattle Delamore Partners that were commissioned by the Ministry as a part of the Review. Reports have been provided to your Office for your information.

We will also provide regional councils with an update on the Three Waters Review and follow-up on a recent meeting between councils and officials to discuss the cost implications of upgrading wastewater treatment plants to improve water quality outcomes.

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4. Briefing notes

5 November – 30 November

Title	Lead agency	What this briefing covers	Date due to your office
Renewable Electricity Generation and the RMA	MfE/ MBIE	Provides advice on utilising the RMA to accommodate future demand for renewable electricity generation.	5 November
National Environmental Standard for Marine Aquaculture: draft Cabinet documents regarding final policy provisions	MfE with MPI as policy lead	Presents the final policy for the National Environmental Standard for Marine Aquaculture (NES-MA), and a Cabinet paper for the Environment, Energy and Climate Committee on 27 November 2017, for your decision (in consultation with the Ministers for Fisheries and Conservation) that the NES-MA meets RMA requirements. If you agree to the policy, and Cabinet also agrees, then Parliamentary Counsel Office would commence to draft the NES-MA regulations.	5 November
NZ Landcare Trust - current status and next steps.	MfE	Chairman of NZ Landcare Trust wrote to you in September requesting a meeting to discuss matters relating to future funding of the Trust. (The date of this meeting is yet to be confirmed.) This paper will provide you with background information and advice on next steps.	6 November
Essential Freshwater Avoiding Further Loss of Wetlands	MfE	Provides preliminary options for avoiding further loss and degradation of wetlands. This will provide recommendations of options for discussion and continued development with Kahui Wai Māori, Freshwater Leaders Group and others.	9 November
Essential Freshwater: National direction on urban water	MfE	Advice to Minister Mahuta and you on the potential scope of work to provide national direction on urban water	9 November
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.	9 November
Approval to amend the Ozone Layer Protection Regulations to implement the Kigali Amendment to the Montreal Protocol	MfE	Summarises the outcome of the targeted consultation on an exposure draft of the Ozone Layer Protection Amendment Regulations required to implement the Kigali Amendment, and provides you with a Cabinet paper seeking approval from the Legislation Committee to submit the Regulations to the Executive Council.	9 November
National Environmental Standards for Plantation Forestry One Year Review	MPI	Sets out the proposed terms of reference for the one year review of the National Environmental Standards for Plantation Forestry.	9 November
Policy Options for Highly Productive Soils	MPI	Sets out problems and options for protecting highly productive soils located in urban fringe areas.	9 November
Review of the first two RMA Streamlined Planning Processes	MfE	Response to your request for our reflections on how the first two completed Streamlined Planning Processes went as well as any feedback we may have on the process or changes that could be made.	14 November

Further policy decisions on the Resource Management Amendment Bill: EPA powers	MfE	Seeks your agreement to further policy decisions necessary for the Resource Management Amendment Bill relating to enabling the Environmental Protection Authority to take enforcement action.	15 November
Further policy decisions on the Resource Management Amendment Bill: Environment Court policies - outstanding matters	MfE	Alternative option for the Environment Court declarations – mechanisms, and giving special advisors to the Environment Court legal immunity.	15 November
Submissions and options for the implementation of the first set of National Planning Standards	MfE	Informs you of the submissions received on the proposed implementation timeframes of the first set of national planning standards and gives options to amend these timeframes to be more efficient.	16 November
Overview of decision-making processes and costs under the RMA	MfE	Provides you with overview information, including costs of different decision-making processes under the RMA.	16 November
2019 Environment Legislation Bids	MfE	Bids for the 2019 Legislation Programme	19 November
Using a collaborative process to develop national direction	MfE	Reflections on the use of a collaborative process to develop national direction following the completion of the Biodiversity Collaborative Group report. Joint briefing to Minister Mahuta and you.	20 November
Ward Beach Access and Burkhart Fisheries	MfE	Provides follow-up advice in response to proposed search and rescue elements of the Ward Beach access issue concerning Burkhart Fisheries	20 November
Pest Control - further advice on regulatory options	MfE	Provides advice on timing, risks and benefits of regulatory options for addressing a potential adverse decision from the Court of Appeal which affects the Resource Management (Exemption) Regulations 2017 (the pest control regulations)	20 November
EEZ Act submissions	MfE	Analysis of submissions on decommissioning regulations under the EEZ Act	30 November
Annual Ministerial Fora with Waikato River Iwi	MfE	Provides background information and talking points for the eighth annual Waikato and Waipā Rivers Ministerial Fora.	30 November

5. Cabinet material

5 November – 30 November

Paper name	Committee	What this paper covers	Our Suggested timeframes
Fiordland Marine Guardians - Crown Appointments	(APH) Appointments and Honours, Committee	Will support you at Appointment and Honours Committee to make your recommendations to the Fiordland Marine Guardians. Appointing two new members and reappointing one member to the Guardians.	Due to Cabinet: 5 November

Approval to amend the Ozone Layer Protection Regulations to implement the Kigali Amendment	(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 you: 7 November Due to lodge: 6 December Due to LEG Committee: 13 December Due to Cabinet: 17 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	(DEV) Cabinet Economic Development Committee	Proposes that New Zealand formally accept the listings by amending legislation and notifying the convention secretariat.	Due to lodge: 6 December Due to LEG Committee: 13 December Due to Cabinet: 17 December
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	Our advice on the paper
Establishing a national Urban Development Authority	Ministry of Business Innovation and Employment	Due to (DEV) Cabinet Economic Development Committee: 7 November	Focusses on where the Urban Development Authority (UDA) will draw its capability from and its organisational design. It also discusses establishing the UDA as a Crown agent. This Cabinet paper has been distributed for ministerial consultation and we have provided you with comment on the proposals.
Legislating complex urban development projects: Governance, financing and territorial authority involvement	Ministry of Business Innovation and Employment	Due to (DEV) Cabinet Economic Development Committee: 7 November	Covers the governance, financing and arrangements for territorial involvement in complex development projects formally established under the proposed urban development legislation. This Cabinet paper has been distributed for ministerial consultation and we have provided you with comment on the proposals.

Release of the discussion document: <i>Enduring stewardship of Crown pastoral land</i>	Land Information New Zealand	Due to (ENV) Energy and Climate Committee late November	We have recommended options to improve the linkages between the Resource Management Act (RMA), Land Act and Crown Pastoral Land Act (CPLA). In particular, we have suggested closer alignment between permits issued under CPLA and resource consents under the RMA. One proposed option is to tie together discretionary actions permit assessment under the CPLA and resource consenting requirements under the RMA. For example, a discretionary action permit could not be issued until a resource consent is granted for the same activity. We consider this option to be most effective, in terms of delivering consistency and certainty. However it does raise the question of whether the CPLA consent would be just a duplication, or would involve additional ecological criteria over and above the council requirements.
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7. Official Information Act requests

7.1. Ministerial

Request	Correspondent	Reference	At your office	Due to send
All weekly briefings received for the "environment" portfolio from 1 April 2018 - 30 June 2018	s 9(2)(a)	18-O-02144	25 October	1 November
A copy of all advice, briefings, aides memoire, memos or reports on the Urban Growth Agenda he received in the months of August and September 2018.	s 9(2)(a)	18-O-02070	26 October	2 November
Paragraph 53 of your Cabinet Paper Restoring our freshwater and waterways states "officials have provided initial advice on how to give effect to the Labour/New Zealand First coalition agreement to introduce a royalty on exports of bottled water. Work to date has involved information gathering and exploration of options." Under the Official Information Act 1982 I request a copy of the initial advice provided to your office by officials relating to the introduction of royalty on the export of bottled water. I also request details of the options relating to a royalty on the export of bottled that have being provided by officials to your office and/or that are being considered by Government.	s 9(2)(a) New Zealand Beverage Council	18-O-02086	30 October	6 November
Could I please have a copy of any papers you have taken to cabinet or any cabinet committee relating to the Resource Management Act since 1 September 2018	s 9(2)(a) National Party	18-O-02113	1 November	8 November

Could I please have a copy of any draft cabinet papers you have received from officials relating to the Resource Management Act since 1 August 2018				
On 17 April 2000, it was announced that there would be a Royal Commission of Inquiry into genetic modification. Please supply me with records of all background information, including records of all communication, associated with the decision to hold such an inquiry. When did discussions begin to hold an inquiry and when was Sir Thomas Eichelbaum first mentioned as a potential member of the commission? How much did the inquiry cost?	s 9(2)(a) FYI.org		7 November	14 November

7.2. Departmental

Request	Correspondent	Reference	Due to send
<p>a. Does your organisation have legal responsibilities under the Treaty of Waitangi?</p> <p>b. Does your organisation have legal responsibilities to engage with te reo Maori in some way or another? Does your organisation have a duty (such as in its charter, or its empowering legislation) to reflect New Zealand's cultural identity?</p> <p>c. Does your organisation have a formal policy, strategy, or commitment, relating to te reo Maori ability and proficiency for staff? (If so, can you please provide a copy of it?)</p> <p>d. Does your organisation have a policy on diversity and inclusion? (If so, can you please provide a copy of it?)</p> <p>e. How many staff in your organisation are recorded as being fluent in te reo Maori?</p> <p>f. Has your organisation provided any te reo Maori lessons or education to staff in the past 12 months? (If so, how many staff has it provided those to, and what was the format of the lessons?)</p> <p>g. Does your organisation have any te reo Maori lessons or education scheduled to be provided to staff in upcoming 12 months? (If so, how many staff does it intend to provide those to?)</p> <p>h. How many personnel does your organisation currently engage? (Please include full-time staff, part-time, employees, and volunteers)</p> <p>i. Does your organisation have any personnel who manage the relationships between your organisation and Maori communities? (If so, how many personnel are engaged for that purpose?)</p>	s 9(2)(a) FYI Request	18-D-02224	25 October
<p>I request under the OIA a copy of the file relating to the contamination of 230 Marsden Point Road, Ruakaka.</p> <p>I understand meetings were held on site in the last two months.</p>	s 9(2)(a)	18-D-02095	7 November

<p>Are you able to please advise if Sir Eddie Durie and/or Donna Hall, acting on behalf of the NZMC, made any nominations and if so who they were?</p>	<p>s 9(2)(a)</p>	<p>18-D-02118</p>	<p>8 November</p>
<p>PFAS All of Government weekly reports, specifically those dated 6, 13, 20 and 27 August 2018</p>	<p>s 9(2)(a) Stuff</p>	<p>18-D-02147</p>	<p>13 November</p>
<p>Substantial parts of "Document 1" have been redacted. The only reason given for redactions is "Section 9(2)(a) to protect the privacy of a natural person." The redactions undertaken appear to go way beyond that. Can you please provide Document 1 without redaction except for the names of people who need to be protected.</p> <p>Also, page 19 of Document 1 details the comments of the Panel who evaluated the TDC request.</p> <p>Can you please provide correspondence from the Ministry (including emails) that detail the supplementary information sought from TDC, along with a copy of the TDC responses.</p> <p>I am prepared to meet the reasonable costs of complying with this request. You may answer my request by email.</p>	<p>s 9(2)(a) FYI.org</p>	<p>18-D-02157</p>	<p>14 November</p>
<p>1/06/2018 Weekly AOG PFAS Situation update</p>	<p>s 9(2)(a) RNZ</p>	<p>18-D-02201</p>	<p>21 November</p>
<p>I am looking for the number of approved subdivision resource consents for each of the territories for as recent as possible. I have looked over the current data you have available online, however I would need to find those consents for large subdivisions >4, do you have data that would show the number of lots from subdivision for as recent as possible.</p>	<p>s 9(2)(a)</p>	<p>18-D-02223</p>	<p>23 November</p>

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Weekly Update – Hon David Parker, Minister for the Environment

For the week starting 12 November 2018

Environment weekly meeting 10.15am – 11.00am, Tuesday 13 November

Attendees: Hon David Parker, Minister for the Environment

Vicky Robertson, Secretary for the Environment

Cheryl Barnes, Deputy Secretary, Water and Climate Change

Natasha Lewis, Deputy Secretary, Environmental Stewardship and Strategy

Amanda Moran, Deputy Secretary, Natural and Built System

Lorena Stephen, Acting Deputy Secretary, Partnerships and Customers

Glenn Wigley, Director, Natural and Built System

	Agenda Item	Lead	Paper / verbal update	Mins
1.	Discuss Weekly Update	Vicky Robertson	Verbal update	10
2.	Water update	Cheryl Barnes	Verbal update	20
3.	Kaipara Moana Treaty Negotiations	Lorena Stephen	Verbal update	15

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1. Strategic priorities

1.1. Urban

s 9(2)(f)(iv)

As you requested following your 14 September meeting with Auckland councillors, Ministry of Housing and Urban Development (MHUD) and MfE officials have been meeting with senior Auckland Council officers to confirm the joint central government and Auckland Council programme of work and governance for the Auckland Development Programme. We will provide advice on progress to support you in the next meeting between you, Minister Twyford, the Auckland Mayor and senior councillors in December (date to be confirmed).

A workshop on the National Policy Statement on Urban Development Capacity (NPS-UDC) involving staff from councils of medium growth urban areas and officials from MHUD and MfE was held in Wellington on 6 November. The main focus was the preparation of the Housing and Business Capacity Assessments which the councils are required to complete by the end of 2018. Nelson and Tasman District Councils have signalled that they will also prepare a joint Future Development Strategy which is non-mandatory for councils of medium growth areas.

The Greater Christchurch Partnership has released 'Our Space 2018-2048' for public consultation. This is an update to the existing Greater Christchurch Settlement Pattern plan, and fulfils the requirement to prepare a Future Development Strategy under the NPS-UDC. We will report back to you once the final strategy is completed.

1.2. Water

Essential Freshwater Advisory Groups

The Freshwater Leaders Group, Kahui Wai Māori and the Science and Technical Advisory Group have all flagged that they want to connect better between the groups. Members in common between the groups is one action in place to do this. We have provided you with advice that recommends you appoint an additional member in common between Freshwater Leaders Group and Kahui Wai Māori. Kahui Wai Māori have also proposed that some of their members, with the appropriate skills, become part of the Science and Technical Advisory Group.

To further enable connections, the Chairs of the groups have proposed a joint workshop for information sharing and discussion. This will be held on 7 December.

Updating the Resource Management (Measurement and Reporting of Water Takes) Regulations 2010

In your notes responding to the Briefing of 26 October (2018-B-05050), you specified a preference for only requiring telemetry for the largest class of water takes, those of 20 litres per second or more. This class represent 62% of metered takes and 92% of the volume of water allocated nationally.

We consider the relative costs and benefits of requiring telemetry need to be weighed carefully. For water users with large takes, the benefits of access to water will outstrip the costs of telemetry by a significant margin. How these costs and benefits differ for smaller takes needs further analysis. We therefore advise that the scope is kept wide during the analysis phase to include all sizes of water takes, so that the full information on costs and benefits is available when decisions are being made.

In a related matter, the Environment Select Committee hearing scheduled for 1 November regarding these regulations was deferred due to extended sitting hours for Parliament. We will keep your Office informed about a rescheduled date. This is likely to be in the new year.

Three waters release

We understand that the Minister of Local Government is planning to release two Cabinet papers on 14 November; *Future state of the three water system; regulation and service delivery*, and *Local governance for community well-being*. The release of the first paper sets out the planned policy work and further advice to Cabinet on new regulatory arrangements to ensure drinking water safety and improved environmental performance of waste water. The second paper invites a strategic conversation about the future role of local governance in delivering intergenerational wellbeing for all New Zealanders provides an opportunity for alignment with current work across urban, water, climate change, and the second phase of resource management system reform. We understand a Department of Internal Affairs (DIA) briefing, including a draft media release, will be copied to you.

Greenpeace synthetic nitrogen fertiliser campaign

Greenpeace have written to you advising that they plan to start a campaign, commencing on or about 21 November, calling for a ban on synthetic nitrogen fertiliser. They have also extended an invitation to meet with you. We recommend you and Minister O'Connor accept this invitation and meet jointly with Greenpeace prior to the launch of the campaign.

We suggest this meeting would be an opportunity for Ministers to put forward their view on the suggested ban. We suggest that Ministers rule out such a ban as a possibility on the basis that, although water quality benefits could be valuable and desirable, and it is important that land users look to more sustainable land use practices:

- an outright ban would result in significant costs and potentially large decreases in production of the horticulture and cropping sectors as well as the livestock sectors;
- the effects of a move to "natural" nitrogen fertiliser could have serious environmental effects that would need to be looked at, including the impacts on alternative sources of nitrogen fertiliser;
- by far the most pressing concern for nitrogen leaching is from livestock, and the proposal by Greenpeace to keep production at existing levels using regenerative agriculture would mean that the nitrogen leaching reductions from banning synthetic nitrogen fertiliser would be small compared to the cost and disruption to the primary sector;
- the Essential Freshwater work programme will achieve water quality goals in a way that also achieves sustainable land use;
- further scientific research on the benefits and impacts of regenerative agriculture is needed.

We will work with MPI to provide a briefing with detailed talking points and advice on the particular issues raised in the Greenpeace letter prior to the proposed meeting. If you choose not to meet with Greenpeace, we will work with MPI to provide you with a briefing on the issues and a proposed letter in response to Greenpeace.

1.3. System Reform

Following our discussion with you on 1 November, we are preparing a briefing that will seek more detailed direction needed to refine the review's deliverables and determine the most effective governance arrangements for the expert advisory group. This briefing will also include the first draft of a Cabinet paper seeking agreement on scope and process of the review, subject to targeted engagement with key stakeholders. We are also progressing planning for the establishment of the expert advisory group to undertake a comprehensive review of the Resource Management Act.

2. Updates for noting

2.1. National PFAS Programme updates

The fourth stage results for Royal New Zealand Air Force Bases Ohakea and Woodbourne have been received by the All of Government group. The New Zealand Defence Force (NZDF) is in the process of delivering individual landowner reports. NZDF has confirmed that, overall, liaison visits are going well, however stakeholders have concerns regarding the topping up of rainwater and water tanks during dry weather. A more detailed summary of these reports will be provided to you prior to your meeting with the Ohakea community.

The All of Government group met with NZDF and councils in Ohakea on 7 November to assist with determining long term management for the Ohakea site. This will set a foundation on which progression with the National PFAS Programme at other locations can build upon. Further information regarding the outcome(s) of this meeting will be provided to you in the Weekly Update dated 19 November.

A media release was published on 5 November advising that Stage 2 soil, sediment, surface and ground water sampling for PFAS at Palmerston North Airport and adjacent sites has now been completed. Further testing is planned, to understand whether eels and other aquatic life have been impacted. The Ministry for Primary Industries reiterated its recommendation that food gathering in specified areas should be avoided until further results are available.

2.2. Environment Canterbury local bill to provide for continued Ngāi Tahu representation

With the Minister of Local Government, you are jointly responsible for the Environment Canterbury (Transitional Governance Arrangements) Act 2016. The Act established a mixed elected and appointed council for Environment Canterbury (ECan) which is due to expire immediately following the local body elections in October 2019. ECan has publically notified a local bill to provide for continued Ngāi Tahu representation on its governing body. The draft Bill is available to the public for a period of three weeks, ending on 21 November. The Bill is sponsored by the Member of Parliament for Te Tai Tonga, Rino Tirikatene, and seeks to continue appointed Ngāi Tahu membership on ECan's governing body after the 2019 local government elections. ECan intends to provide the Bill and associated documentation to the House by 24 November.

We do not think we need to be co-advisors on this Bill, as the issues are not directly relevant to water, resource management or our other interests. We will monitor the progress of the Bill and advise you as needed.

2.3. s 9(2)(g)(i)



2.4. **Simons Pass Station receives irrigation approval from Environment Canterbury**

A Simons Pass irrigation consent has been recently made operational by ECan. This consent was initially issued by ECan in 2012 and finally approved, subject to 99 conditions by the Environment Court, in 2016. The consent has been given the go-ahead by ECan since 98 of the procedural conditions have been complied with. An exception is one condition which concerns a baseline ecological survey that has not yet been completed.

The consent allows irrigation on two parts of Simons Pass near State Highway 8 that already have code of compliance consents from the Mackenzie District Council (MDC):

- the Mary Range node, whose pasture was previously irrigated by a border dyke system, and
- a small part of two pivot circles near Node C's dairy sheds, where 840 cows are milked.

Irrigation of most of Node C and of the other nodes (A and B) still needs consent from MDC which is awaiting an Environment Court declaration on whether plan rule 15A.2.1 makes irrigation a controlled or discretionary activity. We are in contact with the Councils and will provide advice following the outcome of the Environment Court declaration regarding the MDC land use consent.

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

2.6. **Release of our Report on the Review of the National Environment Standards for Sources of Human Drinking Water (Drinking Water NES)**

We initiated a review of the Drinking Water NES in June 2017 (the Review), as part of our regulatory stewardship strategy. The purpose of the review of was to:

- Assess the implementation of the Drinking Water NES by regional councils and territorial authorities; and
- Evaluate the effectiveness of the Drinking Water NES, taking into account the findings of the Government Inquiry into Havelock North Drinking Water.

In August we provided you with advice on the key findings on the review. We are now preparing a report that details the findings of the Review that we intend to publish on our website in December. The report will reinforce the case for strengthening the regulatory framework for managing risks to drinking water sources. It will also inform the Three Waters regulatory work and the Essential Freshwater work programme.

We will brief you on the details of the report and seek your approval prior to publication.

2.7. **National Monitoring System – Reporting of 2016/17 data**

On 16 November we will be releasing on our website the third annual data set reporting on the implementation of the RMA across councils. This data covers 2016/17. The National Monitoring System collects data annually from local authorities on RMA functions, tools and processes. We, and councils, use this information to inform policy development.

Notable statistics from the 2016/17 data, and comparisons with the previous two years of NMS data are included in Appendix A.

We will undertake further data analysis of the 2016/17 data in the coming months. This will help inform a better understanding and insight into the drivers and reasoning for any trends in RMA implementation and council practice. We will ensure that important messaging regarding any further data analysis is communicated to you.

We are currently processing data received for 2017/18; and are planning to release this data in mid-January 2019.

2.8. Contaminated Sites Remediation Fund update

We have received the following five applications to the September Contaminated Sites Remediation Fund (CSRF) funding round.

s 9(2)(a), s 9(2)(b) (ii)	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]					

Following the CSRF assessment panel meeting on 16 November, a funding recommendations briefing will be provided to you by mid-December.

Regarding panel selection for \$1.9 million available ministerial funds, we are required to advise you of appointments to the CSRF assessment panel. The November CSRF panel has been selected from a pool of consultants approved with Certified Environmental Practitioner (Site Contamination) accreditation:

- s 9(2)(a) [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

No conflicts of interest have been identified with the appointed panel members.

2.9. Proposed extension to Housing Accords and Special Housing Areas Act (HASHA Act)

Minister Twyford intends to seek Cabinet approval before the end of the year to extend the HASHA Act, for a further 5-7 years. The Minister proposes the extension as a means of facilitating housing development until key reforms under the Urban Growth Agenda, and comprehensive resource management reforms, are in place. The HASHA Act is currently set to partially expire in 2019, and fully expire by 2021.

Minister Twyford has directed that the extension include mandatory affordability criteria. In addition to the affordability criteria, there is scope to include other minor amendments. We will work with MHUD to explore the need for an amendment to address natural hazard risks, including those likely to be exacerbated by climate change. This responds to a concern raised by the Climate Change Adaptation Technical Working Group in their final recommendations report released in May.

2.10. Horizons Regional Council approach to managing intensive land uses

Facilitated workshop with Horizons, New Zealand Fish and Game and the Environmental Defence Society, held on 18 October

Finalisation of the independent advice obtained on Horizons' approach to managing intensive land uses is taking longer than previously advised, following consideration of additional comment from the parties requiring clarification and minor amendments. The final advice now is expected to be provided to the Ministry by 16 November. We will provide you with a full briefing, including options, in the week commencing 26 November.

Released under the Official Information Act 1982

3. Briefing notes

12 November – 7 December

Title	Lead agency	What this briefing covers	Date due to your office
Approval to amend the Ozone Layer Protection Regulations to implement the Kigali Amendment to the Montreal Protocol	MfE	Seeks agreement from yourself and Minister Shaw to minor policy changes to the Ozone Layer Protection Regulations. The briefing also seeks your agreement to lodge the Cabinet paper <i>Ozone Layer Protection Amendment Regulations 2018</i> .	12 November
Further policy decisions on the Resource Management Amendment Bill: EPA powers	MfE	Seeks your agreement to further policy decisions necessary for the Resource Management Amendment Bill relating to enabling the Environmental Protection Authority to take enforcement action.	15 November
Further policy decisions on the Resource Management Amendment Bill: Environment Court policies - outstanding matters	MfE	Alternative option for the Environment Court declarations – mechanisms, and giving special advisors to the Environment Court legal immunity.	15 November
Submissions and options for the implementation of the first set of National Planning Standards	MfE	Informs you of the submissions received on the proposed implementation timeframes of the first set of national planning standards and gives options to amend these timeframes to be more efficient.	16 November
Overview of decision-making processes and costs under the RMA	MfE	Provides you with overview information, including costs of different decision-making processes under the RMA.	16 November
Terms of Reference for the one year review of the National Environmental Standards for Plantation Forestry	MPI	Draft terms of reference for undertaking a review of the National Environmental Standards for Plantation Forestry starting in May 2019.	19 November
Managing Urban Catchments	MfE	High-level policy options for refining the Freshwater National Policy Statement or provisions in a new Freshwater National Environmental Standard to provide further direction and clarity around managing urban waters. Part of the Essential Freshwater Programme. Joint papers to you and Minister Mahuta.	19 November
Managing heavy metals	MfE	High-level policy options for managing metals copper and zinc, including possibility of source control. Part of the Essential Freshwater Programme. Joint paper to you and Minister Mahuta.	19 November
2019 Environment Legislation Bids	MfE	Bids for the 2019 Legislation Programme	19 November
Using a collaborative process to develop national direction	MfE	Reflections on the use of a collaborative process to develop national direction following the completion of the Biodiversity Collaborative Group report. Joint briefing to Minister Mahuta and you.	20 November

Review of the first two RMA Streamlined Planning Processes	MfE	Response to your request for our reflections on how the first two completed Streamlined Planning Processes went as well as any feedback we may have on the process or changes that could be made.	21 November
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.	21 November
Auckland Unitary Plan 'upwards' and 'outwards' residential development factsheets	MfE	Two further factsheets in the series of factsheets about Auckland Unitary Plan rules and residential development	22 November
Comprehensive review of the resource management system: Further policy decisions	MfE	Seeks your agreement on policy decisions needed to establish an expert advisory group, and attaches a draft Cabinet paper for discussion	23 November
Follow up advice on Horizons	MfE	An overview on independent advice for Horizons, including options	26 November
Ward Beach Access and Burkhart Fisheries	MfE	Provides follow-up advice in response to proposed search and rescue elements of the Ward Beach access issue concerning Burkhart Fisheries	29 November
EEZ Act submissions	MfE	Analysis of submissions on decommissioning regulations under the EEZ Act	30 November
Annual Ministerial Fora with Waikato River Iwi	MfE	Provides background information and talking points for the eighth annual Waikato and Waipā Rivers Ministerial Fora.	30 November
National Direction on Quality Intensification	MfE	Detailed proposals for a draft National Policy Statement and draft outline of a National Environmental Standard for discussion at 13 December Urban Growth Agenda Ministers' meeting.	5 December
Planning Standards - remaining directions to finalise changes to draft Planning Standards from submissions	MfE	Seeks in-principle policy decisions on recommendations on all other matters raised in submissions to confirm final drafting of Planning Standards.	7 December
Policy Options for Highly Productive Soils	MPI	Sets out problems and options for protecting highly productive soils located in urban fringe areas.	TBC

4. Cabinet material

12 November – 7 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 lodge: 6 December Due to LEG Committee: 13 December Due to Cabinet: 17 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	(DEV) Cabinet Economic Development Committee	Proposes that New Zealand formally accept the listings by amending legislation and notifying the convention secretariat.	Due to lodge: 6 December Due to DEV Committee: 13 December Due to Cabinet: 17 December
s 9(2)(f)(iv)			
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
s 9(2)(f)(iv)			

5. Cabinet material we have been consulted on

Paper name	Agency	Committee and timeframe	Our advice on the paper
Updating the Crown approach on Wai262	Te Puni Kōkiri	Due to (C MR) Cabinet Māori Crown Relations Committee: 22 November	Proposed actions will require Ministers/officials to more deliberately consider WAI262 in the forward work/policy programme.

6. Official Information Act requests

6.1. Ministerial

Request	Correspondent	Reference	At your office	Due to send
Paragraph 53 of your Cabinet Paper Restoring our freshwater and waterways states "officials have provided initial advice on how to give effect to the Labour/New Zealand First coalition agreement to introduce a royalty on exports of bottled water. Work to date has involved information gathering and exploration of options	s 9(2)(a) NZ Beverage Council	18-O-02086	5 November	12 November
On 17 April 2000, it was announced that there would be a Royal Commission of Inquiry into genetic modification. Please supply me with records of all background information, including records of all communication, associated with the decision to hold such an inquiry. When did discussions begin to hold an inquiry and when was Sir Thomas Eichelbaum first mentioned as a potential member of the commission? How much did the inquiry cost?	s 9(2)(a) FYI.org		7 November	14 November
When was Sir Thomas Eichelbaum appointed to chair the inquiry and when were inquiries first made of his availability and that of the other commissioners? Please send me all records relating to this request / How much was he paid, what was his rate of payment and on what dates did he work on the inquiry / Was Sir Thomas asked to declare any conflicts of interest or potential conflicts of interest? Please send me a copy of any such declaration by him, and a copy of his employment contract.	s 9(2)(a) FYI.org		26 November	3 December

6.2. Departmental

Request	Correspondent	Reference	Due to send
<p>a. Does your organisation have legal responsibilities under the Treaty of Waitangi?</p> <p>b. Does your organisation have legal responsibilities to engage with te reo Maori in some way or another? Does your organisation have a duty (such as in its charter, or its empowering legislation) to reflect New Zealand's cultural identity?</p> <p>c. Does your organisation have a formal policy, strategy, or commitment, relating to te reo Maori ability and proficiency for staff? (If so, can you please provide a copy of it)?</p> <p>d. Does your organisation have a policy on diversity and inclusion? (If so, can you please provide a copy of it)?</p> <p>e. How many staff in your organisation are recorded as being fluent in te reo Maori?</p> <p>f. Has your organisation provided any te reo Maori lessons or education to staff in the past 12 months? (If so, how many staff</p>	s 9(2)(a) FYI Request	18-D-02224	25 October

<p>has it provided those to, and what was the format of the lessons?)</p> <p>g. Does your organisation have any te reo Maori lessons or education scheduled to be provided to staff in upcoming 12 months? (If so, how many staff does it intend to provide those to?)</p> <p>h How many personnel does your organisation currently engage? (Please include full-time staff, part-time, employees, and volunteers)</p> <p>i. Does your organisation have any personnel who manage the relationships between your organisation and Maori communities? (If so, how many personnel are engaged for that purpose?)</p>			
<p>PFAS All of Government weekly reports, specifically those dated 6, 13, 20 and 27 August 2018</p>	<p>s 9(2)(a) [redacted] Stuff</p>	<p>18-D-02147</p>	<p>13 November</p>
<p>1/06/2018 Weekly AOG PFAS Situation update</p>	<p>s 9(2)(a) [redacted] RNZ</p>	<p>18-D-02201</p>	<p>21 November</p>
<p>I am looking for the number of approved subdivision resource consents for each of the territories for as recent as possible. I have looked over the current data you have available online, however I would need to find those consents for large subdivisions >4, do you have data that would show the number of lots from subdivision for as recent as possible.</p>	<p>s 9(2)(a) [redacted]</p>	<p>18-D-02223</p>	<p>23 November</p>
<p>I have the following information request relating to the Royal Commission on Genetic Modification.</p> <p>On 17 April 2000, the Government of the day announced an inquiry would be established. Please send me copies of all communication between the Environment Ministry and MPs (including Ministers) in regards to the establishment of the inquiry.</p> <p>How much was the inquiry expected to cost and how much did it cost? Please provide me with a breakdown of the inquiry's costs as far as payments to the commissioners are concerned.</p> <p>When did the Environment Ministry begin discussing the possibility of an inquiry into genetic modification?</p> <p>Please send me copies of all information you hold about Sir Thomas Eichelbaum between December 1999 and 31 December 2000.</p>	<p>s 9(2)(a) [redacted] FYI.org</p>	<p>18-D-02324</p>	<p>3 December</p>

Appendix A.

National Monitoring System - notable statistics

Performance measures	2014/15	2015/16	2016/17	Commentary
Percentage of new plans, plan changes and variations started, underway or completed that were driven by being consistent with, or giving effect to, national direction.	9%	23%	34%	National direction is being incorporated in plan making/ changing processes more regularly.
Percentage of new plans, plan changes and variations (with data available on the time taken) that were decided within statutory timeframes.	83%	95%	94%	Compliance with plan-making statutory time frames is high.
The total number of resource consents processed through to a decision (either granted/approved or declined).	40,363	41,810	44,140	The number of resource consents processed each year is increasing.
Percentage of all resource consents (which were progressed to a decision) that were processed within statutory timeframes.	96.6%	96%	90.6%	Compliance with resource consent statutory timeframes has decreased.
Percentage of all resource consents that were granted/ approved.	99.8%	99.8%	99.7%	Almost all resource consent applications are granted.
The total number of enforcement actions (ie, infringement notices, abatement notices, enforcement order applications and prosecutions initiated) taken by regional councils.	1,362	1,095	1,741	The number of enforcement actions by regional councils has increased.
The total number of territorial authorities with no staff working on complaints, monitoring and enforcement. <i>NB: there are 61 territorial authorities in total.</i>	10	9	10	The number of territorial authorities with no staff working on complaints, monitoring and enforcement has increased slightly.
The total number of territorial authorities with less than one dedicated member of staff working on complaints, monitoring and enforcement. <i>NB: there are 61 territorial authorities in total. These councils also include the councils that have no staff working on complaints, monitoring and enforcement.</i>	30	27	29	The number of territorial authorities with less than one dedicated member of staff working on complaints, monitoring and enforcement has increased slightly.
Percentage of councils that set aside budget to assist iwi/ hapū to participate in the development of resource management plans.	58%	36%	46%	Budget to assist iwi/ hapū to participate in the planning process varies year to year.

Weekly Update – Hon David Parker, Minister for the Environment

For the week starting 19 November 2018

Environment weekly meeting 11.45 am – 12.30pm, Tuesday 20 November

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

Glenn Wigley, Director, Natural and Built System

	Agenda Item	Lead	Paper / verbal update	Mins
1.	Discuss Weekly Update	Vicky Robertson	Verbal update	10
2.	Cabinet committee report back CPC	Cheryl Barnes	Verbal update	10
3.	Ohakea pre-trip update	Glenn Wigley	Verbal update	5
4.	Water update	Cheryl Barnes	Verbal update	10

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the Official Information Act 1982

Upcoming meetings

1. 20 November	11.45am	Weekly MFE officials
	3.30pm	Ohakea community water scheme meeting. Mayors and Horizons Chair; then community and iwi reps; then phone interview with media
26 November	9am	Budget bid discussion re land use with Ministers O'Connor and Shaw
	11.00am	Three Waters
	11.30am	Weekly MfE officials
27 November	3.30pm	Weekly Minister Sage/Parker meeting
	6pm	High Country Reform with Minister Sage
28 November	4.30pm	UDA South Dunedin with Ministers Twyford and Curran
	5.15pm	Marine Ministers' meeting
	7.30pm	MfE officials – water policy
29 November	8.30am	1.1 Minister Mahuta
	10.30am	Norwegian EV Association and EECA meeting
	12.15pm	MfE Officials - Policy discussion
3 December	8am	Farming Leaders Group meeting with PM and Ministers Robertson, O'Connor, Jones and Shaw
	11am	Weekly MfE Officials
	4.30pm	RMA and renewable energy with Minister Woods
4 December	8am	Climate Change Ministers
	3.30pm	Weekly Minister Sage/Parker meeting
5 December	10.15am	Minister Woods and ECAN re Waimakariri Water Quality
6 December	8am	Horticulture NZ and Minister O'Connor
	8.30am	Senior Dairy Environment leaders

10am	MfE Kotahitanga – CEMARS certification and Christmas message
11.45am	MfE Officials (policy) with Hon O'Connor
3.15pm	Kaipara Harbour remediation with Ministers Little and Jones
3.30pm	Water policy – regular meeting

Proposed meetings which are not yet confirmed

7 December	All day	Annual Waikato River Accord hui
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Upcoming events

20 November	1.30pm	Interview with Gary Taylor for EDS retreat
22 November	6pm	Sustainable Business Network awards
23 November	1.40pm	12th Otago Energy Research Centre Energy & Climate Change Symposium 2018 (speech)
27 November	6.30pm	DairyNZ Board Cocktail Function (short speech)
28 November	10.30am	DairyNZ Board meeting
4 December	11.30am	Dairy NZ Environmental Leaders Forum (speech)

Released under the provision of the Official Information Act 1982

2. Strategic priorities

1.1. Urban

On 12 November, Cabinet agreed to the final substantive policy decisions for proposed legislation to establish the Housing and Urban Development Authority (HUDA). We understand that Minister Twyford will publicly announce details of the HUDA on 24 November (on 'The Nation'), and at that time all Cabinet papers and briefing notes will be made publicly available. We are working with the Ministry of Housing and Urban Development and your Office on the release of all advice prepared by us, and on communications material. Minister Twyford is meeting with a number of stakeholders prior to the release including Local Government New Zealand, the Environmental Defence Society, the New Zealand Planning Institute, and the Resource Management Law Association.

In developing the package of national direction on quality intensification under the Urban Planning pillar of the Urban Growth Agenda, our engagement with stakeholders has been very targeted. In December, we intend to also hold a workshop with Te Matapihi (the Māori Housing Trust), Ngā Aho (the Māori Planners and Design Professionals Network), and Papa Pounamu (the Māori and Pacific Technical Interest Group within the New Zealand Planning Institute). This engagement with selected Māori groups will improve the policy development as well as help meet the Crown's statutory and relationship responsibilities.

A presentation was given by Wellington City Council planning officers at the workshop on the National Policy Statement – Urban Development Capacity in Wellington on 6 November. The presentation highlighted that the Council's housing and business capacity assessment (due by the end of 2018) is likely to show a large shortfall of commercially feasible residential development capacity in the short to medium term (3 to 10 years). The high costs of Wellington's housing stock has recently been highlighted with the release of 2018 Capital Values, and this large shortfall will require the Council to consider ways in which more housing capacity can be enabled by the district plan

1.2. Water

The Kahui Wai Māori and Freshwater Leaders Group are meeting on 19 to 20 November. The groups will be providing feedback on at risk catchments, as well as options for improving farm management practices and for changing the National Policy Statement for Freshwater Management. We will be providing your feedback on Kahui Wai Māori's terms of reference and the issues that the group raised at the last meeting. We will provide you with a briefing on the outcomes of those meetings.

The groups meet again on 6 to 7 December. On 7 December all advisory groups (including the Science Technical Advisory Group and regional council representatives) will meet together to bring everyone up to speed with the work that has been carried out to date, and what is being proposed going forward.

You have asked for information on economic analysis and modelling, including on the transferability of water rights post allocation and on the marginal cost of the last unit of production vs average cost of production. We will provide your office with information on this next week.

1.3. System Reform

The information released on our website outlining the two stage process for reforming the resource management system has been hugely popular, with nearly 1000 total page views between 8 to 12 November alone. We continue to prepare for the next stage of system reform and will soon provide you with our first draft of a Cabinet paper seeking agreement to undertake a comprehensive review of the Resource Management Act, alongside more detailed decisions needed to finalise the governance arrangements for an expert advisory group.

3. Updates for noting

3.1. Upcoming Regional and Unitary Council Tier 2 Meeting

The next Resource Managers Group meeting is on 30 November and is a quarterly meeting of Tier 2 Managers from regional and unitary councils with resource management responsibilities. s 9(2)(f)(iv)



3.2. Ōhanga Āmiomio: The South Pacific Circular Economy Summit (the Summit)

The Ministry is leading several initiatives as part of our Circular Economy (CE) Sectoral Analysis work programme. We are working with partners in the Bay of Plenty, including iwi, Māori, council, business, Scion Research and the Ellen Macarthur Foundation, to develop Te Ōhanga: a circular economy regional hub. An attendant project is Ōhanga Āmiomio: The South Pacific Circular Economy Summit. Led by the Ministry, and foundation members of Te Ōhanga the Summit will happen in Rotorua on 3 April 2019. A key theme of the Summit is to develop and promote discussion about indigenous scientific and environmental knowledge in connection with CE. Both Te Ōhanga and Ōhanga Āmiomio offer an opportunity to demonstrate examples of proactive and positive Māori – Crown relationships.

A shoulder event will be held following the Summit and funded by the Bay of Plenty Regional Council. This is a marae-based event, introducing Māori scientific and environmental knowledge concepts in connection with CE. The Summit presents a unique opportunity to bring together Pacific and regional leaders, communities and interested parties, to inspire collaboration and accelerate knowledge acquisition and a desire to transition to ōhanga āmiomio (circular economy).

Minister Sage is speaking at the Summit and asked us to inform you of this event.

3.3. s 9(2)(h)



3.4. **Burkhart Fisheries: Proposed meeting with Minister of Civil Defence**

At the 11 October Weekly Update Meeting, you requested a meeting with Ministers responsible for earthquake recovery, and relevant officials, regarding the Burkhart Fisheries Limited Ward beach access issue.

We advise that a meeting can be arranged and the Minister of Civil Defence, the Hon Kris Fa'afoi, would be the most appropriate Minister to meet with you on this matter.

We suggest the following possible agenda items:

- the nature of the Burkhart Fisheries issue as a post-earthquake matter;
- potential assistance that can be afforded to Burkhart Fisheries to continue boat launching at Ward;
- your interest in, and views on, any actions the Government can take to find a way forward.

In 2017, the Ministry of Civil Defence and Emergency Management (MCDEM) were working to support Burkhart Fisheries to find a solution to access issues. MCDEM worked with the Ministry for Primary Industries (MPI) to secure an \$80,000 grant for Burkhart Fisheries through the Earthquake Relief Fund. Outside of funding, MCDEM were unable to find a solution for Burkhart Fisheries without shifting operations to an alternative site (2018-B-04828 refers).

Can you confirm whether the proposed agenda covers what you would like to discuss with the Minister of Civil Defence?

Released under the Official Information Act 1982

4. Briefing notes

19 November – 14 December

Title	Lead agency	What this briefing covers	Date due to your office
Managing Urban Catchments	MfE	High level policy options for refining the Freshwater National Policy Statement or provisions in a new Freshwater National Environmental Standard to provide further direction and clarity around managing urban waters. Part of the Essential Freshwater Programme. Joint papers to you and Minister Mahuta.	19 November
Managing heavy metals	MfE	High-level policy options for managing metals copper and zinc, including possibility of source control. Part of the Essential Freshwater Programme. Joint paper to you and Minister Mahuta.	19 November
2019 Environment Legislation Bids	MfE	Bids for the 2019 Legislation Programme	19 November
National PFAS Programme proposed Ohakea community water scheme detailed design report	MfE	Provides a summary of the detailed design report regarding the proposed community water scheme for Ohakea, including justification for the scheme as laid out by the relevant council, and context regarding appropriate and proportionate risk mitigation responses.	19 November
Review of the first two RMA Streamlined Planning Processes	MfE	Response to your request for our reflections on how the first two completed Streamlined Planning Processes went as well as any feedback we may have on the process or changes that could be made.	21 November
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.	21 November
Using a collaborative process to develop national direction	MfE	Reflections on the use of a collaborative process to develop national direction following the completion of the Biodiversity Collaborative Group report. Joint briefing to you and Minister Mahuta.	22 November
Auckland Unitary Plan 'upwards' and 'outwards' residential development factsheets	MfE	Two further factsheets in the series of factsheets about Auckland Unitary Plan rules and residential development	22 November
Managing sediment	MfE	Provides a high level overview including context and problem definition for managing sediment, outlining where controls will sit.	22 November
s 9(2)(f)(iv)			

Title	Lead agency	What this briefing covers	Date due to your office
Follow up advice on Horizons	MfE	An overview on independent advice for Horizons, including options	26 November
Terms of Reference for the one year review of the National Environmental Standards for Plantation Forestry	MPI	Draft terms of reference for undertaking a review of the National Environmental Standards for Plantation Forestry starting in May 2019.	27 November
EEZ Act submissions	MfE	Analysis of submissions on decommissioning regulations under the EEZ Act	30 November
Annual Ministerial Fora with Waikato River Iwi	MfE	Provides background information and talking points for the eighth annual Waikato and Waipā Rivers Ministerial Fora.	30 November
National Direction on Quality Intensification	MfE	Detailed proposals for a draft National Policy Statement and draft outline of a National Environmental Standard for discussion at 13 December Urban Growth Agenda Ministers' meeting.	5 December
Planning Standards - remaining directions to finalise changes to draft Planning Standards from submissions	MfE	Seeks in-principle policy decisions on recommendations on all other matters raised in submissions to confirm final drafting of Planning Standards.	7 December
Managing all aspects of ecosystem health	MfE	Explicit recognition of all aspects of ecosystem health (e.g. habitat, as recommended by NZ Fish and Game), including a framework to assist councils in doing this through identifying additional attributes and setting objectives	7 December
Managing sensitive downstream receiving environments	MfE	Explicit direction to manage for sensitive downstream receiving environments (i.e., estuaries).	7 December
At Risk Catchments	MfE	November long list including stakeholders and recommendations for intervention. Including priority tools to stop degradation.	10 December
Supporting Otago Regional Council	MfE	Further advice on supporting Otago Regional Council including a proposed timeframe for addressing transfer of deemed permits to resource consents.	12 December

5. Cabinet material

19 November – 14 December

Paper name	Committee	What this paper covers	Our Suggested timeframes
Legislation to accelerate light rail transit	(DEV) Cabinet Economic Development Committee	Seeks Cabinet approval to amend the RMA and PWA to secure approvals for light rail in Auckland by 2020.	Due to lodge: 22 November Due to DEV Committee: 28 November Due to Cabinet: 3 December
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 lodge: 29 November 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	(DEV) Cabinet Economic Development Committee	Proposes that New Zealand formally accept the listings by amending legislation and notifying the convention secretariat.	Due to lodge: 6 December Due to DEV Committee: 13 December Due to Cabinet: 17 December
National Environmental Standard for Aquaculture	(ENV) Cabinet Environment, Energy and Climate Committee	Proposes options for a National Environmental Standard for Aquaculture	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. Cabinet material we have been consulted on

Paper name	Agency	Committee and timeframe	Our advice on the paper
Additional Policy Decisions for the Local Government (Community Well-being) Bill	Department of Internal Affairs	Due to (DEV) Cabinet Economic Development Committee:	<p>The paper proposes changes to the Local Government (Community Well-being) Amendment Bill to allow territorial authorities to collect development contributions for community infrastructure assets that are owned by third parties, but sited on council-owned land and partly funded by the territorial authority.</p> <p>We support the Bill as it will restore the ability of territorial authorities to fund community infrastructure using development contributions, which will better support urban growth. We questioned whether this amendment will be effective in addressing the problem it is designed to address (eg, funding for community facilities on school grounds or held by sporting bodies). We have suggested the paper consider funding for facilities provided by third-parties on Crown land and council owned land, and await a final version of the paper.</p>
Housing Accords and Special Housing Areas Amendment Bill	Ministry for Housing and Urban Development	Due to (DEV) Cabinet Economic Development Committee:	<p>The paper proposes to extend (for a period of seven years) and make clarifications to the Housing Accords and Special Housing Areas Act 2013 (HASHAA). The proposed extension includes mandatory affordability criteria and other minor amendments.</p> <p>In particular, the paper proposes an explicit requirement on councils to consider natural hazard risks prior to the decision on whether to seek government agreement to the establishment of an SHA. We support this, but have also sought explicit recognition of the effects of climate change. Overall, we consider these changes should help prevent development occurring in inappropriate areas.</p> <p>The paper is currently scheduled for lodgement on 29 November for consideration at DEV on 5 December.</p>

Released under the Official Information Act 2002

7. Official Information Act requests

7.1. 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

7.2. Departmental

Request	Correspondent	Reference	Due to send
<p>a. Does your organisation have legal responsibilities under the Treaty of Waitangi?</p> <p>b. Does your organisation have legal responsibilities to engage with te reo Maori in some way or another? Does your organisation have a duty (such as in its charter, or its empowering legislation) to reflect New Zealand's cultural identity?</p> <p>c. Does your organisation have a formal policy, strategy, or commitment, relating to te reo Maori ability and proficiency for staff? (If so, can you please provide a copy of it?)</p> <p>d. Does your organisation have a policy on diversity and inclusion? (If so, can you please provide a copy of it?)</p> <p>e. How many staff in your organisation are recorded as being fluent in te reo Maori?</p> <p>f. Has your organisation provided any te reo Maori lessons or education to staff in the past 12 months? (If so, how many staff has it provided those to, and what was the format of the lessons?)</p> <p>g. Does your organisation have any te reo Maori lessons or education scheduled to be provided to staff in upcoming 12 months? (If so, how many staff does it intend to provide those to?)</p> <p>h. How many personnel does your organisation currently engage? (Please include full-time staff, part-time, employees, and volunteers)</p> <p>i. Does your organisation have any personnel who manage the relationships between your organisation and Maori communities? (If so, how many personnel are engaged for that purpose?)</p>	s 9(2)(a) FYI Request	18-D-02224	25 October
1/06/2018 Weekly AOG PFAS Situation update	s 9(2)(a) RNZ	18-D-02201	21 November

<p>I am looking for the number of approved subdivision resource consents for each of the territories for as recent as possible. I have looked over the current data you have available online, however I would need to find those consents for large subdivisions >4, do you have data that would show the number of lots from subdivision for as recent as possible.</p>	<p>s 9(2)(a) PwC</p>	<p>18-D-02223</p>	<p>23 November</p>
<p>PFAS All of Government weekly reports, specifically those dated 6, 13, 20 and 27 August 2018</p>	<p>s 9(2)(a) Stuff</p>	<p>18-D-02147</p>	<p>27 November</p>
<p>Is it possible to get a copy of the "Work Programme" Annual Work Plan?</p>	<p>s 9(2)(a)</p>	<p>18-D-02322</p>	<p>30 November</p>
<p>1. all advice to Ministers of the Crown, 2. all requests for advice from Ministers of the Crown, and 3. material internal documents that relates to how ceasing new offshore petroleum exploration in New Zealand may affect the domestic and global greenhouse gas emission profiles. We seek information dated after 17 April 2018.</p>	<p>s 9(2)(a)</p>	<p>18-D-024 8</p>	<p>5 December</p>

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Weekly Update – Hon David Parker, Minister for the Environment

For the week starting 26 November 2018

Environment weekly meeting 11.30am – 12.15pm, Monday 26 November

Attendees: Hon David Parker, Minister for the Environment

Vicky Robertson, Secretary for the Environment

Cheryl Barnes, Deputy Secretary, Water and Climate Change

Natasha Lewis, Deputy Secretary, Environmental Stewardship and Strategy

Amanda Moran, Deputy Secretary, Natural and Built System

Glenn Wigley, Director, Natural and Built System

Oliver Sangster, Senior Analyst, Natural and Built System

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.	Water	Cheryl Barnes	Verbal update	5
3.	RM Bill	Amanda Moran	Verbal update	15

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1. Strategic priorities

1.1. Urban

s 9(2)(a)

We will provide you with a briefing by 14 December on high level options that could be publicly consulted on in mid-2019 as part of the planned consultation on quality intensification and other urban matters. While this work has had an urban focus to date, options recommending more substantive changes to system settings could be progressed as part of the more comprehensive review of the Resource Management Act 1991 (RMA).

Minister Twyford will publicly announce the Housing and Urban Development Authority (HUDA) on 24 November on 'The Nation'. Immediately following this announcement, you and Minister Twyford will inform key stakeholders and media of the HUDA at an event hosted by the New Zealand Institute of Architects. We have provided speaking notes to support you in setting the scene before Minister Twyford speaks on the HUDA.

On Monday 26 November all Cabinet papers and briefing notes, as well as fact sheets and other related documentation, will be made publicly available on the Ministry of Housing and Urban Development (HUD) website. As HUD is the lead agency, we are supporting them on the development plan and resource consenting aspects, and the interactions with the RMA.

We are seeking information from Christchurch City Council on media claims that the Council is reviewing the impact of its planning provisions for higher density development in some Christchurch suburbs. Community concerns have been raised about the unintended effects on traffic, crime, the elderly, and social participation.

This may be relevant to our current work on quality built environments, and on the implementation of the National Policy Statement on Urban Development Capacity, particularly on how increasing density can be reconciled with amenity values. We will advise you further if the analysis of these matters in Christchurch raises any significant issues for these work-streams.

1.2. Water

Sampling of 114 Canterbury groundwater drinking water sites by Fish and Game in November shows more than half the sites are above a level that a recent study suggests is associated with an increased risk of cancer in humans.

Fish and Game are expected to make a press statement about this on Monday 26 November.

We anticipate significant public interest in this statement. We understand Environment Canterbury, with support from Canterbury District Health Board's public health staff, are preparing a media release setting out their perspective. We anticipate that we will receive a copy of that statement before it is released.

A study from Aarhus University, a public research university in Denmark, shows that there is an increased risk of colon and rectal cancer in connection with nitrate in drinking water. The results were published in the scientific journal *International Journal of Cancer* in February.

Researchers followed 2.7 million Danes during the period 1978-2011 using nitrate analyses from more than 200,000 drinking water samples.

The study reported an increased risk of cancer at concentrations greater than 3.87 mg nitrate per litre of water. This is significantly below the maximum acceptable value of nitrate in the drinking water standard in Denmark (and New Zealand), which is 50 mg nitrate per litre of water (equivalent to 11.3 mg/l nitrate-nitrogen). The maximum acceptable values in New Zealand's drinking water standards are based on World Health Organisation guidance, and are aimed at protecting someone who drinks two litres of water each day for 70 years.

The National Environmental Standard (NES) for Sources of Human Drinking Water (2007) requires regional councils to limit nitrate concentrations in drinking water sources so that (after treatment) the water is safe to drink in accordance with the New Zealand drinking water standards. This requirement in the NES applies to drinking water supplies serving more than 500 people so does not influence the management of groundwater that may be taken from domestic bores. The National Policy Statement for Freshwater Management (2017) has no standard for nitrate in groundwater.

Our Fresh Water 2017 (by the Ministry for the Environment and the Department of Statistics) reported that 47 of 361 groundwater sites (13 per cent) across New Zealand had nitrate-nitrogen concentrations that did not meet drinking water standards more than once, for the period 2012 to 2014. Trends showed that nitrate-nitrogen concentrations at 26.5 percent of sites worsened (130 sites), 18.9 percent improved (93 sites), and 54.6 percent were indeterminate (268 sites). Most of the sites with a worsening trend were in Canterbury.

Ministry of Health officials are undertaking a comprehensive review of New Zealand's drinking water standards, as announced by Hon Dr David Clark on 20 November.

We are working with officials at the Ministry of Health on this issue.

s 9(2)(f)(iv)



s 9(2)(f)(iv)

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1.3. System Reform

We are drafting your narrative to include in a Cabinet paper on why system reform is needed, together with the proposed scope and process for conducting a comprehensive review of the RMA. We have scheduled a meeting to discuss this with you on 6 December, as well as options for establishing the Expert Advisory Group and appointing its members.

1.4. Climate Change

On 22 November we lodged two Cabinet papers for consideration at the Tuesday 27 November Cabinet Environment, Energy and Climate Committee meeting:

- proposals on amendments to the framework of the NZ Emissions Trading Scheme (NZ ETS)
- proposals relating to improving the NZ ETS for forestry

The proposed improvements are to create a credible and well functioning NZ ETS that helps to reduce greenhouse gas emissions.

A third Cabinet paper was also lodged for consideration at the Wednesday 28 November Cabinet Economic Development Committee meeting. This is for the proposed Climate Change Bill.

2. Updates for noting

2.1. National PFAS Programme

The New Zealand Defence Force has notified the Ohakea community that it will continue to provide drinking water to those properties which it originally supplied water tanks to. The community has been provided with relevant contact details should their water tanks require topping up over the summer months.

An outline action plan for Ohakea will be provided in a monthly PFAS update for relevant Ministers for consideration next week. This will enable us to circulate the action plan to the community prior to the end of the year.

2.2. Resource Management Amendment Bill progress

Parliamentary Counsel Office (PCO) are drafting the agreed proposals for the Resource Management Amendment bill.

We have received your feedback on our advice regarding Environment Court and Environmental Protection Authority (EPA) enforcement matters, and will discuss this with you at the weekly update meeting this week.

We are also developing a package of transitional, savings and commencement provisions for the various proposals. We will seek your agreement to these provisions once we have received final direction on the Environment Court and EPA enforcement matters.

2.3. Chemical Multilateral Environmental Agreements

The 30th Meeting of the Parties to the Montreal Protocol (MOP30) was held in Quito, Ecuador on 5 to 9 November. Two Ministry for the Environment managers represented New Zealand, and chaired the Montreal Protocol Budget Committee, getting agreement on a proposal that reduced members' contributions for 2019 by four per cent, by using built-up reserves.

Most of the other MOP30 decisions were on relatively technical matters, e.g. reporting requirements, encouraging energy efficiency (especially in high ambient temperature countries), and concerns around detected emissions of the banned substance CFC-11 in China.

Two MOP30 side-events covered how Europe, Australia and Japan have approached their implementation of the Kigali Amendment to the Montreal Protocol, including different approaches to pre-charged equipment. This information will be useful in informing our approach to this topic, including conversations with the industry.

It was announced at MOP30 that 60 countries have ratified the Kigali Amendment. The Kigali Amendment will phase down the manufacture and use of hydrofluorocarbons (HFCs). The Amendment will come into force internationally on 1 January 2019.

We have provided your Office with a draft Cabinet Legislation Committee (LEG) paper for cross-party consultation on New Zealand's Kigali regulations, with the aim of submitting these to LEG in December. The regulations will create a permitting system to phase down the import and export of HFCs which the EPA will manage. The permitting system is necessary for New Zealand to ratify the Kigali Amendment in October 2019. Once ratified the Kigali Amendment will take effect domestically on 1 January 2020.

Separately, you have also considered a draft LEG paper to add new chemical listings from the Stockholm and Rotterdam Conventions to schedules of the Hazardous Substances and New Organisms Act 1996. As with the Kigali Amendment LEG paper, the aim is to submit this paper to LEG in December to meet our international obligations.

2.4. Public notice to designate the Manawatu Tararua Highway under the Resource Management Act

The New Zealand Transport Agency has lodged a notice of requirement (NoR) for a new designation for the Manawatu Tararua Highway (replacement for the closed Manawatu Gorge route of State Highway 3) under the RMA. This roading project was an agenda item in a meeting between you and Minister Twyford on special legislation, for this project and the Auckland light rail transit project, on 13 September.

We note that the Manawatu Tararua Highway NoR has been publicly notified in the normal manner under the RMA on 15 November, with submissions closing on 13 December. At this stage, it is intended that the NoR will be heard jointly by the three Councils involved towards the end of February 2019, rather than it going directly to the Environment Court. We will update you if this situation changes.

2.5. Our Regulatory Stewardship Strategy 2018

On 30 November we will be publishing the Regulatory Stewardship Strategy 2018 on our website. We have obligations, set by Treasury on behalf of the Minister of Finance, to publish systems descriptions, assessment information and forward plans, and report to the Treasury Secretary on our progress against stewardship expectations. A copy of the Strategy will be sent to your Office prior to publication.

Several key, and what we consider to be fundamental, issues facing our regulatory systems were identified through the assessments:

- growing awareness of cross-domain impacts
- rising public expectations for the quality and effectiveness of local planning

- tensions over how resources are allocated, used and conserved, as well as conflicts between resource uses
- demand for collaborative approaches at national and local levels
- how to address iwi rights and interests in a post-settlement era
- how to ensure New Zealand actions decisions from international forums it is signatory to
- collection and effective use of quality data and science
- poor compliance.

We have drawn on this material to inform our business planning process, in particular during development of the strategic story supporting capability and other initiatives for Budget 2019.

2.6. Building strategic partnerships with the science sector

We are pursuing strategic partnerships with key science organisations in order to ensure we have access to the scientific expertise and tools needed to support our work. To identify potential partners we are using a priority-driven approach to partnership, which considers the level of influence and impact, as well as the relative interest and ability an organisation has in contributing to our goals.

Manaaki Whenua Landcare Research (MWLR) has been identified as the first science organisation to partner with because of their leading role on land use and its impacts across the environmental system. We visited MWLR at their Lincoln office on 7 November to co-develop the framework for a strategic partnership agreement. This agreement is expected to be formalised by the end of the 2018/19 financial year.

The partnership with MWLR will help support our science needs related to environmental reporting, sustainable land use, and wellbeing, while also looking to identify opportunities for MWLR to support other organisations in the environmental management system.

2.7. Hawke's Bay Regional Planning Committee – current situation and next steps

In July, you and Minister Mahuta attended the Hawke's Bay Regional Forum in Napier, with Post Settlement Governance Entity (PSGE), government agency, and local government representatives from the region. s 9(2)(h), s 9(2)(g)(i)

[Redacted]

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2.8. The National Freshwater and Geothermal Resources Inquiry (Wai 2358)

Stage Two of the Waitangi Tribunal's National Freshwater and Geothermal Resources Inquiry (Wai 2358) will draw to a close this week. All parties, including the Crown, will present their closing submissions in Wellington from Monday 26 to Friday 30 November.

The Crown's closing submissions summarise evidence presented by Crown witnesses, respond to claimant evidence, and positively answer the Tribunal questions to the effect that:

1. The current law in respect of fresh water and freshwater bodies is consistent with the principles of the Treaty; and
2. The Crown's freshwater reform package, including completed reforms, proposed reforms, and reform options, has been consistent with the principles of the Treaty of Waitangi.

Following the final hearing week, all parties will have a right of reply to the submissions presented. Given that this is a priority inquiry, the Tribunal findings are expected to be available three to six months afterwards (April – July 2019).

2.9. 2019 Legislation Bids

The briefing note [18-B-05058] containing draft bids for the 2019 Legislation Programme is now with your Office. Please let us know if you have any comments or queries in respect of the bids. Please note you are required to submit bids (with a covering letter) for the Legislation Programme 2019 to the Legislation Coordinator in the Cabinet Office by 10am on Friday 30 November (as requested in Cabinet Office Circular CO (18) 5).

2.10. Coastal Hazards guidance wins national award

The Ministry's guidance for local government on *Coastal Hazards and Climate Change* has won the annual Terry Healy Award from the New Zealand Coastal Society for "a project which has made a significant contribution to New Zealand's coastal and marine environment". The Coastal Society is an expert group of Engineering New Zealand, and the award was announced at the Society's annual conference in Gisborne on Thursday 22 November. The award was presented jointly to the Ministry and the expert authors of the report, including NIWA and Victoria University. The guidance was nominated for the award by Vicky Robertson.

The Minister for Climate Change, Hon Shaw launched this guidance last December. This year the Ministry and authors have travelled to twelve regional centres around the country holding workshops with council staff and other practitioners to help implement it, as well as presenting to elected councillors and community meetings.

3. Briefing notes

26 November – 14 December

Title	Lead agency	What this briefing covers	Date due to your office
Follow up advice on Horizons	MfE	Provides an update on independent planning and legal advice obtained on intensive land use provisions of the Horizons One Plan, including summary of workshop held with the relevant parties.	26 November
Draft response to New Zealand Council of Trade Unions and Union Aid Abroad - APHEDA	MfE / MBIE	Joint briefing with MBIE to provide a draft response to New Zealand Council of Trade Unions and Union Aid Abroad - APHEDA correspondence concerning controls on the importation of asbestos containing products and the regulation of asbestos in the built environment.	26 November
Auckland Unitary Plan greenfield development facts and observations sheet	MfE	A further factsheet in the series of factsheets about the Auckland Unitary Plan rules and residential development	26 November
Essential Freshwater: Managing Urban Catchments	MfE	High-level policy options for refining the Freshwater National Policy Statement or provisions in a new Freshwater National Environmental Standard to provide further direction and clarity around managing urban waters. Part of the Essential Freshwater Programme. Joint papers to you and Minister Mahuta.	26 November
Essential Freshwater: Managing Heavy Metals	MfE	High-level policy options for managing metals copper and zinc, including possibility of source control. Part of the Essential Freshwater Programme. Joint paper to you and Minister Mahuta.	26 November
Using a collaborative process to develop national direction	MfE	Reflections on the use of a collaborative process to develop national direction following the completion of the Biodiversity Collaborative Group report. Joint briefing to you and Minister Mahuta.	26 November
Blueprint for Change: Freshwater allocation objectives for discussion	MfE	Following Essential Freshwater 11: Engaging on Options for Structural Changes briefing (ref 2018-B-04963), Provides an update on progress with the "Blueprint for change" including first steps, objectives framework and outcomes sought.	27 November
Submission of the updated National Implementation Plan under the Stockholm Convention	MfE	Informs you about the submission of the updated National Implementation Plan under the Stockholm Convention and to seek your approval on the foreword of the plan.	27 November
Overview of the first two Resource Management Act Streamlined Planning Processes	MfE	Response to your request for reflections on how the first two completed Streamlined Planning Processes went, as well as any feedback we may have on the process or changes that could be made.	28 November
Ward Beach Access and Burkhart Fisheries	MfE	Provides follow-up advice in response to proposed search and rescue elements of the Ward Beach access issue concerning Burkhart Fisheries	29 November

Monthly PFAS Situation Update	MfE	An update on the National PFAS Programme.	30 November
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.	30 November
Submissions on the EEZ Act	MfE	Analysis of submissions on decommissioning regulations under the EEZ Act	30 November
Waikato/Waipā river arrangements: outcomes of strategic reset hui and update on forward work programme	MfE	Provides outcomes of the strategic reset hui between Crown, River Iwi, and the Waikato River Authority (7 November 2018) and an update on forward work programme, noting that the annual Waikato and Waipā Rivers Ministerial fora are not taking place this year.	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
Hawke's Bay Regional Planning Committee	MfE	Further advice on support to progress current issues with the Hawke's Bay Regional Planning Committee.	6 December
Essential Freshwater: Managing all aspects of ecosystem health	MfE	Explicit recognition of all aspects of ecosystem health (e.g. habitat, as recommended by NZ Fish and Game), including a framework to assist councils in doing this through identifying additional attributes and setting objectives.	7 December
Essential Freshwater: Managing sensitive downstream receiving environments	MfE	Explicit direction to manage for sensitive downstream receiving environments (i.e., estuaries).	7 December
Planning Standards - remaining directions to finalise changes to draft Planning Standards from submissions	MfE	Seeks in-principle policy decisions on recommendations on all other matters raised in submissions to confirm final drafting of Planning Standards.	7 December

Essential Freshwater: NES sources of drinking water.	MfE	Report on the review of the National Environmental Standard for sources of drinking water.	10 December
Supporting Otago Regional Councils	MfE	Further briefing on timeframe for addressing transfer of deemed permits to resource consents supporting ORC and keeping Minister informed on potential support/interventions	12 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
Proposed amendments to the National Policy Statement on Urban Development Capacity	MfE	This briefing will follow our December 5 advice on National Direction for Quality Intensification. It will seek agreement to high-level amendments to the National Policy Statement on Urban Development Capacity alongside amendments to incorporate quality intensification policies.	14 December
Options to strengthen the framework for spatial planning in New Zealand	MfE	This briefing will seek your feedback on high level options to strengthen the framework for spatial planning in New Zealand, and seek your agreement to publicly consult on these options in mid-2019 through the proposed Urban Planning Discussion Document.	14 December

4. Cabinet material

26 November – 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 lodge: 29 November 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	(DEV) Cabinet Economic Development Committee	Proposes that New Zealand formally accept the listings by amending legislation and notifying the convention secretariat.	Due to lodge: 6 December Due to DEV Committee: 13 December Due to Cabinet: 17 December
Legislation to accelerate light rail transit	(DEV) Cabinet Economic Development Committee	Seeks Cabinet approval to amend the RMA and PWA to secure approvals for light rail in Auckland by 2020.	TBC
National Environmental Standard for Aquaculture	(ENV) Cabinet Environment, Energy and Climate Committee	Proposes options for a National Environmental Standard for Aquaculture	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

5. Cabinet material we have been consulted on

Paper name	Agency	Due to Committee	Our advice on the paper
Community resilience in the face of natural hazards and climate change	DIA/MfE/MCDEM	Due to (DEV) Cabinet Economic Development Committee: 5 December	s 9(2)(f)(iv)

6. Official Information Act requests

6.1. Ministerial

Request	Correspondent	Reference	At your office	Due to send
All correspondence from Talley's Group (Motueka), including Amaltal, or its representatives since January 1 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
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	s 9(2)(a) National Party	283-18	7 December	14 December
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	288-18	11 December	18 December

6.2. Departmental

Request	Correspondent	Reference	Due to send
Is it possible to get a copy of the "Work Programme" Annual Work Plan?	s 9(2)(a)	18-D-02322	30 November