

## Weekly Update

**Hon Nanaia Mahuta, Associate Minister for the Environment**

**For the week starting 7 October 2019**

**There is no meeting scheduled this week**

**The next meeting will be on Wednesday 16 October**

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the Official Information Act 1982

## 1. Actions and decisions

### 1.1. Invitation to attend a water sensitive design seminar in Tauranga

You have been invited to speak at a water sensitive design seminar in Tauranga on 29 October (11:30am to 12:30pm) organised by Tauranga City Council. The seminar will focus on the benefits of water sensitive urban design, and what is being done on a local, regional, and national level to promote such design. It will likely be attended by stormwater and urban water practitioners from Tauranga and the Bay of Plenty.

Subject to your availability, this is a further opportunity for you to engage with the stormwater sector in a growing area of New Zealand.

**Please indicate below if you would like to attend this seminar.** We can provide your office with a background brief and draft talking points should you be able to attend

Yes/No

## 2. Updates for noting

### 2.1. New national environmental standard for wastewater discharges and overflows

On 17 September we advised Minister Parker on the timeframes and approach for progressing the proposed new national environmental standard for wastewater discharges and overflows (wastewater NES). This briefing, which was copied to you, included a recommendation to delegate Ministerial responsibility for the wastewater NES to you as associate Minister for the Environment.

Minister Parker has agreed to this delegation and has directed officials to prepare a delegation letter to formalise this arrangement. We also understand that you, as Minister of Local Government, and Minister Parker will be having further discussions on the timeframes for progressing the wastewater NES. We will keep you updated as these arrangements are formalised.

### 2.2. Update on the Urban Water Working Group

On 26 September you spoke to the Urban Water Working Group (Group) in Manukau, Auckland. The Group has asked us to convey its appreciation for your encouragement of their work. Following discussion, the Group reached consensus on its recommendations for implementing the Urban Water Principles.

A report containing these recommendations is now being finalised by officials (as the Group secretariat). This report will go to the Group for final approval by the end of the October and we anticipate it will be ready for publication around mid-November.

Ahead of publication, we will provide you with a briefing on the Group's recommendations, and a draft response from the Government. This timeframe should allow the recommendations to inform the work of the establishment unit of the new drinking water regulator, particularly in regard to the regulator's wastewater and stormwater functions.

### 3. Briefing notes

7 October – 8 November

Reference number and title	Lead agency	What this briefing covers	Date due to your office
2019-B-06011 Air quality issues at Mount Maunganui and gazettal of a Mount Maunganui airshed	MfE	This briefing seeks your approval to gazette a new airshed at Mount Maunganui	10 October

### 4. Cabinet material

7 October – 8 November

Paper number and name	Committee	What this paper covers	Our Suggested timeframes
2019-C-05845 Cabinet paper for the National Policy Statement for Indigenous Biodiversity	ENV	This paper seeks Cabinet approval for consultation of the National Policy Statement for Indigenous Biodiversity	<b>Due to lodge:</b> 17 October <b>Due to Committee:</b> 24 October <b>Due to Cabinet:</b> 4 November

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the Official Information Act 1982

## 5. Cabinet material we have been consulted on

Reference number and paper name	Agency	Committee and date due there	Risk/issue/opportunity	MfE comments
Substantial Alterations: Amendments to Earthquake-prone Buildings (EPB) Regulations	MBIE	LEG 15 October	This paper proposes to change the definition of a 'substantial' alteration to an earthquake prone building, to add a minimum dollar value of \$150,000, as the previous definition (25% of the building's dollar value) had a disproportionate impact on provincial and small towns with low value properties.	MfE is comfortable with the proposal and had no comments on this paper.
Ngāti Rangitahi Deed of Settlement	Te Arawhiti	MCR 15 October	Seeks Cabinet agreement to the final s 9(2)(f)(iv) delegation to vary final aspects of redress (incl costs decisions) by Ministers (within their relevant portfolios).	MfE supports the proposed redress, and the proposed approach to delegate final decisions on costs to relevant Ministers – since agencies are still working with local authorities to determine these costs.
Urban Growth Agenda: Infrastructure Levy Model – Development Contributions	DIA	DEV 16 October	This paper seeks Cabinet approval to alter its previously agreed position that landowners who are liable for an Infrastructure Levy will not also be liable for development contributions (DCs). This paper proposes that DCs could be used to supplement the levy where a project would otherwise not proceed. This paper also seeks to provide an option to refund previously collected DCs for infrastructure that is subsequently funded by a Levy.	MfE supports the development of the levy infrastructure model, but questions whether on balance the proposal to collect both DCs and the levy from landowners is worthwhile, given that it essentially involves charging the same landowners using two different mechanisms. Also, local authorities would need to collect the DCs, which would be on their balance sheet, so this could re-introduce the local authority debt limit as a constraint on infrastructure provision. In relation to DCs previously collected being refunded, we suggested some broad principles be developed to guide decisions on refunding DCs and/or adjust liability for the levy, to avoid the risk of cost escalation in local infrastructure costs being borne by those who previously paid DCs. The paper does not propose to make any changes to the treatment of financial contributions (FCs) from the Cabinet agreement in June (CAB-19-MIN-0263) that the local authority should pass any revenue previously collected for the

Reference number and paper name	Agency	Committee and date due there	Risk/issue/opportunity	MfE comments
				infrastructure via FCs on to the SPV and potentially the levy should be adjusted accordingly. We support this because FCs are a condition of a consent to mitigate effects rather than a pure infrastructure charge and in many cases it is not possible to identify the portion of FCs that were for a particular infrastructure project
Consultation on discussion document for Crown Minerals Act review and Minerals and Petroleum Strategy	MBIE	DEV 16 October	<u>Marine risk &amp; liability</u> : policy development for decommissioning offshore oil and gas installations is out of scope. MBIE intends this to be a separate programme. Mining policies are inconsistent for offshore and onshore areas of conservation value. MBIE has not addressed this issue or indicated that it will be reviewing permit processes for benthic protection areas. <u>Onshore risk &amp; liability</u> : the discussion document does not test policy settings for the long term liability for abandoned onshore wells.	MfE broadly supports the strategy and discussion document. We consider that the review scope should include: <ul style="list-style-type: none"> <li>• residual liability for offshore oil and infrastructure</li> <li>• mining restrictions in benthic protection areas</li> </ul> Greater liability for longer term cost, clean up and prosecution of future sites should be placed with industry rather than relying on the taxpayer-funded contaminated sites remediation fund. We have been providing largely technical advice to MBIE on compliance and enforcement issues such as setting penalties, court functions and other regulatory mechanisms. Engagement with MBIE is ongoing.
Exempting Fox Glacier Landfill Waste from the New Zealand Emissions	MfE	LEG 12 November	This Cabinet paper that will provide Regulations to exempt persons from NZ ETS obligations for disposing waste from the Fox Glacier Landfill.	Minister Shaw will take this Cabinet paper that will provide Regulations to exempt persons from NZ ETS obligations for disposing waste from the Fox Glacier Landfill
Draft Research, Science and Innovation Strategy for public consultation	MBIE	DEV TBC	The RS&I strategy sets the direction of the Government's funding for science. Previously it has primarily focussed on excellence and impact. New to this version is additional emphasis on connectivity and talent. This is an opportunity to help re-balance the research system towards applied research end of the science spectrum.	MfE has been consulted throughout this review, and will provide further feedback to MBIE. In general MfE supports the directions of the Strategy, particularly the new focus on connectivity. We note the importance of research at the applied end of the science spectrum, and we believe the emphasis on connectivity should enhance the flow of science to end users such as councils, resource managers and those making land use decisions. Further to this, and following correspondence from several science providers and users, we are drafting a briefing from MfE, MPI and MBIE on the need for support for applied research.

## 6. Official Information Act requests

### 6.1. Ministerial

Request	Correspondent	Reference	At your office	Due to send
<p>I request:</p> <ol style="list-style-type: none"> <li>The decisions, reports or documents, including advice for the proposed or developing NPS and NESs, that show how the legal requirements for the three settlements above have been complied with including the required statements how this is done.</li> <li>What processes are used in MfE, DoC and DIA to: meet the requirements of those exercising functions, duties and powers under the RMA, Conservation Act and Local Government Act, to sign off of statements that must be included to state how these requirements are complied with, and information on how these processes are to ensure the meeting the intent and word of the settlements, and is not just a box ticking exercise- that it is genuinely informing decision making.</li> <li>Information about how these requirements and settlements are informing the review of the resource management system- including: advice on the Purpose and Principles, the review across the powers, duties and functions throughout the RMA, LGA (given the requirements above) the dissonance in language and practice recognised in these Acts and 'resource management', the monitoring of councils and government on these requirements and commitments (e.g. how effective are these and other provisions monitored), or impacts of these few settlements providing this kind of recognition but it not being provided for or upheld in the RMA.</li> <li>Any other analysis, advice or requests for advice on how settlement commitments and obligations are guiding policy development or have supported specific policy projects.</li> </ol> <p>Any advice or thinking you have done of had, on how you individually, with other Ministers, Ministries and the five councils involved in Te Awa Tupua, and Ngati Rangī settlements, on how individually and/or collectively are/can/will to meet these legal requirements, understand the intent, have Ministers, officials, councils learn from each other and develop capability and leadership to respond to these innovative settlements (innovative for the crown after 150+ years) where specific Tikanga and kawa is recognised. This would be aligned with State Sector Review Cabinet papers on 'a unified Public Service' and 'Te Ao Tūmatanui- Strengthening the Māori/Crown relationship'</p>	s 9(2)(a)	19-O-02127	10 October	17 October (ext pending)

## Weekly Update

**Hon Nanaia Mahuta, Associate Minister for the Environment**

**For the week starting 14 October 2019**

### Environment fortnightly meeting 4.00 – 4.30pm, Wednesday 16 October

Attendees: Hon Nanaia Mahuta, Associate Minister for the Environment  
 Vicky Robertson, Secretary for the Environment  
 Jo Gascoigne, Director, Natural and Built System  
 Liz Moncrief, Manager, Air Quality  
 Tamsin Vuetilovoni, Principal Communications Advisor  
 Lillian Fougere, Team Leader NPS-IB, DOC

	Agenda Item	Lead	Paper / verbal update	Mins
1.	Discuss Weekly Update	Jo Gascoigne	Verbal update	10
2.	National Policy Statement on Indigenous Biodiversity (NPS-IB) Final Policy and Launch Options	Jo Gascoigne	Verbal update	10
3.	National Environmental Standard – Air Quality Timeframes	Jo Gascoigne	Verbal update	10

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## 1. Strategic priorities

### 1.1. National Policy Statement on Indigenous Biodiversity (NPS-IB)

We will discuss the full NPS-IB package with you at our meeting on 16 October 2019, including launch options and the engagement approach.

Officials have made changes to the documents in response to ministerial feedback received and are working towards Cabinet lodgement of the full NPS-IB package on 17 October 2019, to be discussed at ENV Committee on 24 October 2019.

### 1.2. Proposed amendments to the Air Quality National Environmental Standard (NES)

We are working on the proposed amendments to the Air Quality NES. In August we advised you on the process to develop these amendments, which included an indicative completion date of August 2020.

We are developing the consultation document and RIS in line with the proposals discussed with you, and expect to have these with you next month.

We will discuss timeline options and preferences at our meeting with you this week.

## 2. Updates for noting

### 2.1. Joined-up consultation and urban water themes

Through September and October the Ministry has been undertaking public consultation initiative on freshwater, urban development, highly productive land and product stewardship. This has included a series of public meetings, hui, and council engagements across all regions of the country.

Some of the key themes emerging from the consultation in relation to urban water and three waters include:

- Urban and rural communities each need to be contributing towards water quality improvement in New Zealand
- Local authorities need to do a better job of managing the impacts of three waters infrastructure on water quality in urban areas.
- There is broad support for the proposals to strengthen the protection of drinking water sources and improve the environmental performance of wastewater and stormwater networks, but questions raised regarding how these will work in practice.
- Central Government needs to consider how the required investment in three waters infrastructure will be funded, particularly in smaller communities.

The Ministry will be accepting formal submissions on the freshwater aspects of the joined-up consultation, including the urban water and three waters proposals, until 31 October 2019. We will provide a summary on how the submissions might inform further policy development on the urban water and three waters proposals.

### 2.2. Queenstown Lakes District Council's application for a discharge consent for wastewater overflows – Otago Regional Council recommends rejection

In June 2019, the Queenstown Lakes District Council (QLDC) applied for a 35 year resource consent for the wastewater overflows from its municipal wastewater network. This includes the right to discharge wastewater overflows into freshwater as a result of network failures and capacity issues at various locations in the district. The consent application was lodged with the Otago Regional Council (ORC), which has employed an independent hearing panel to make a decision on this application.

On 7 October 2019, the ORC recommended that the hearing panel decline the application. The ORC consent officers considered that QLDC provided insufficient information to understand the effects of the discharge on the receiving environment, and that the discharges may have significant adverse effects. Their recommendation reflects broader community attitudes towards wastewater overflows and has gained media attention.

The hearing panel will consider ORC's recommendation along with other evidence when making a decision on the application. Hearings will commence on 4 November 2019.

We broadly support the ORC's recommendation. We note that regulating wastewater overflows through a resource consent is likely to be the most effective way for regional councils to manage the effects of these discharges. This will be an important consideration in the design of the proposed new national environmental standard for wastewater discharges and overflows.

### 3. Briefing notes

14 October – 15 November

Reference number and title	Lead agency	What this briefing covers	Date due to your office
2019-B-06101 Our Marine Environment 2019 and the current work programme	MfE	Overview of government work programme relating to likely issues raised in the Our Marine Environment 2019 domain report.	16 October

### 4. Cabinet material

14 October – 15 November

Paper number and name	Committee	What this paper covers	Our Suggested timeframes
2019-C-05845 Cabinet paper for the National Policy Statement for Indigenous Biodiversity	ENV	This paper seeks Cabinet approval for consultation of the National Policy Statement for Indigenous Biodiversity	<b>Due to lodge</b> 17 October <b>Due to Committee:</b> 24 October <b>Due to Cabinet:</b> 4 November

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## 5. Cabinet material we have been consulted on

Paper name	Agency	Committee and date due there	Risk/issue/opportunity	MfE comments
Ngāti Rangitihī Deed of Settlement	Te Arawhiti	MCR 15 October	Seeks Cabinet agreement to the final Ngāti Rangitihī redress package, including new Tarawera River natural resources redress & establishment costs, to enable the Crown to make a settlement offer and initial a deed of settlement. Seeks delegation to vary final aspects of redress (incl costs decisions) by Ministers (within their relevant portfolios).	MfE supports the proposed redress, and the proposed approach to delegate final decisions on costs to relevant Ministers – since agencies are still working with local authorities to determine these costs.
Urban Growth Agenda: Infrastructure Levy Model – Development Contributions	DIA	DEV 16 October	This paper seeks Cabinet approval to alter its previously agreed position that landowners who are liable for an Infrastructure Levy will not also be liable for development contributions (DCs). This paper proposes that DCs could be used to supplement the levy where a project would otherwise not proceed. This paper also seeks to provide an option to refund previously collected DCs for infrastructure that is subsequently funded by a Levy.	MfE supports the development of the levy infrastructure model, but questions whether on balance the proposal to collect both DCs and the levy from landowners is worthwhile, given that it essentially involves charging the same landowners using two different mechanisms. Also, local authorities would need to collect the DCs, which would be on their balance sheet, so this could re-introduce the local authority debt limit as a constraint on infrastructure provision. In relation to DCs previously collected being refunded, we suggested some broad principles be developed to guide decisions on refunding DCs and/or adjust liability for the levy, to avoid the risk of cost escalation in local infrastructure costs being borne by those who previously paid DCs. The paper does not propose to make any changes to the treatment of financial contributions (FCs) from the Cabinet agreement in June (CAB-19-MIN-0263) that the local

Paper name	Agency	Committee and date due there	Risk/issue/opportunity	MfE comments
				authority should pass any revenue previously collected for the infrastructure via FCs on to the SPV. We support this because FCs are a condition of a consent to mitigate effects rather than a pure infrastructure charge and in many cases it is not possible to identify the portion of FCs that were for a particular infrastructure project.
Exempting Fox Glacier Landfill Waste from the New Zealand Emissions	MfE	LEG 12 November	This Cabinet paper that will provide Regulations to exempt persons from NZ ETS obligations for disposing waste from the Fox Glacier Landfill.	Minister Shaw will take this Cabinet paper that will provide Regulations to exempt persons from NZ ETS obligations for disposing waste from the Fox Glacier Landfill
Draft Research, Science and Innovation Strategy for public consultation	MBIE	DEV TBC	<p>The RS&amp;I strategy sets the direction of the Government's funding for science. Previously it has primarily focussed on excellence and impact. New to this version is additional emphasis on connectivity and talent.</p> <p>This is an opportunity to help re-balance the research system towards applied research end of the science spectrum.</p>	<p>MfE has been consulted throughout this review, and will provide further feedback to MBIE. In general MfE supports the directions of the Strategy, particularly the new focus on connectivity.</p> <p>We note the importance of research at the applied end of the science spectrum, and we believe the emphasis on connectivity should enhance the flow of science to end users such as councils, resource managers and those making land use decisions. Further to this, and following correspondence from several science providers and users, we are drafting a briefing from MfE, MPI and MBIE on the need for support for applied research.</p>

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Paper name	Agency	Committee and date due there	Risk/issue/opportunity	MfE comments
Substantial Alterations: Amendments to Earthquake-prone Buildings (EPB) Regulations	MBIE	LEG TBC	This paper proposes to change the definition of a 'substantial' alteration to an earthquake prone building, to add a minimum dollar value of \$150,000, as the previous definition (25% of the building's dollar value) had a disproportionate impact on provincial and small towns with low value properties.	MfE is comfortable with the proposal and had no comments on this paper.
Consultation on discussion document for Crown Minerals Act review and Minerals and Petroleum Strategy	MBIE	DEV TBC	<p><u>Marine risk &amp; liability:</u> policy development for decommissioning offshore oil and gas installations is out of scope. MBIE intends this to be a separate programme. Mining policies are inconsistent for offshore and onshore areas of conservation value. MBIE has not addressed this issue or indicated that it will be reviewing permit processes for benthic protection areas.</p> <p><u>Onshore risk &amp; liability:</u> the discussion document does not test policy settings for the long term liability for abandoned onshore wells.</p>	<p>MfE broadly supports the strategy and discussion document. We consider that the review scope should include:</p> <ul style="list-style-type: none"> <li>residual liability for offshore oil and infrastructure</li> <li>mining restrictions in benthic protection areas</li> </ul> <p>Greater liability for longer term cost, clean up and prosecution of future sites should be placed with industry rather than relying on the taxpayer-funded contaminated sites remediation fund.</p> <p>We have been providing largely technical advice to MBIE on compliance and enforcement issues such as setting penalties, court functions and other regulatory mechanisms. Engagement with MBIE is ongoing.</p>

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## Weekly Update

**Hon Nanaia Mahuta, Associate Minister for the Environment**

**For the week starting 29 October 2019**

There is no meeting scheduled this week.

The next meeting is scheduled for: 5.30 – 6.00pm, Wednesday 6 November 2019

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## 1. Actions and decisions

### 1.1. Update on timeframes for the National Policy Statement for Indigenous Biodiversity (NPSIB)

Following your oral item at ENV on 23 October 2019, we understand that the following timeframes have been agreed:

- 7 November lodging the Cabinet paper, proposed NPSIB and other related consultation documents
- 14 November ENV committee meeting
- 18 November Cabinet committee

This would allow for a consultation period from approximately 25 November 2019 to March 2020. The proposed NPSIB and public consultation documents could be publicly released approximately 25 November 2019. You have expressed a preference for stakeholder engagement, iwi/Māori hui and public meetings to be held for six weeks from February, meaning 1 February 2020 to 14 March 2020. The submission period would then also close 14 March 2020.

We will provide you a briefing note with the full final package of documents on Monday 4 November 2019, for lodging on the 7 November 2019. This package includes the Cabinet paper, proposed NPSIB, discussion document, regulatory impact statement, and section 32 evaluation report. We will also provide an overview of the communications and engagement approach. Talking points will be provided to you on Monday 11 November 2019 prior to your ENV committee meeting.

We are working with your press secretary regarding communications and engagement opportunities for you during the consultation period. The communications material will include messaging that can be used by other relevant ministers during the consultation period.

**Do you agree with these timeframes?**

Yes/No

## 2. Updates for noting

### 2.1. Update on the stormwater guidance project

In our earlier weekly report of 26 August 2019 we noted that we are developing guidance on good practices like water sensitive urban design for stormwater policy and infrastructure planning.

The first two of four components of this guidance are now being developed:

- a section identifying a suite of policy and plan provisions to promote the adoption of good practices. This advice could be used by Councils wanting to ensure their policy aligns with current and developing good practice
- a section identifying good practices for infrastructure planning. This advice could be used by Councils when planning infrastructure to improve environmental outcomes for urban water.

In addition to promoting good practice we expect the guidance will also help regional and district councils respond to their obligations under the proposed Essential Freshwater reforms. This project will also contribute to improved outcomes across three waters.

Draft guidance will be prepared by external consultants and provided to the Ministry. The remaining two sections will be developed by the Ministry by January 2019. We will then seek targeted feedback on the guidance (from councils and the Urban Water Working Group) by March 2020, and be ready for publication by June 2020.

## 2.2. Further information received on Mt Maunganui air quality monitoring activities

We recently met with you to discuss your feedback on the briefing provided on the air quality issues at Mt Maunganui and the request for an airshed to be gazetted (2019-B-06011).

Subsequent to that briefing, we received further informal email correspondence from council officers stating the Council is intensifying its investigations into dust (PM10) sources at the Port. They noted there have been further PM10 exceedances of the National Environmental Standards (NES) at our Port boundary static monitoring sites.

We understand the Council is developing a project that involves proactively auditing the Port when PM10 levels begin to increase and where it looks like the NES threshold might be breached. They are exploring the use of new technology like drones and hand held PM10 meters to more accurately apportion contributions from source areas as the problem.

We will continue to keep you informed of activities by the Council to better understand the source/s of pollution and how they intend to manage this.

## 3. Briefing notes

29 October – 29 November

Reference number and title	Lead agency	What this briefing covers	Date due to your office
2019-B-06171 Approval to release Discussion Document – Amendments to the National Environmental Standard for Air Quality	MfE	Seeks approval to the consultation package for the NES-AQ amendments and includes a draft cabinet paper for consideration	15 November

## 4. Cabinet material

29 October – 29 November

Paper number and name	Committee	What this paper covers	Our Suggested timeframes
2019-C-05845 Cabinet paper for the National Policy Statement for Indigenous Biodiversity	ENV	This paper seeks Cabinet approval for consultation of the National Policy Statement for Indigenous Biodiversity	<b>Due to lodge</b> 7 November <b>Due to Committee:</b> 14 November <b>Due to Cabinet:</b> 18 November
2019-C-06170 Approval to release Discussion Document – Amendments to the National Environmental Standard for Air Quality	ENV	This paper seeks Cabinet approval for consultation on amendments to the National Environment Standard for Air Quality	<b>Due to lodge</b> 28 November <b>Due to Committee:</b> 5 December <b>Due to Cabinet:</b> 9 December

## 5. Cabinet material we have been consulted on

Reference number and paper name	Agency & Committee	Committee and date due there	Risk/issue/opportunity	MfE comments
Urban Development Bill: Approval for Introduction	HUD	LEG 5 November	This paper seeks approval to introduce the Urban Development Bill which will provide Kāinga Ora – Homes and Communities with a toolkit of powers to assist in the delivery of its urban development function.	<p>MfE have provided HUD with some technical comments for accuracy but are otherwise comfortable with the contents of this paper.</p> <p>We are continuing to work closely with HUD to refine the drafting of the RMA-related aspects of the Urban Development Bill prior to its introduction.</p>
Exempting Fox Glacier Landfill Waste from the New Zealand Emissions Trading Scheme	MfE	LEG 12 November	This Cabinet paper that will provide Regulations to exempt persons from NZ ETS obligations for disposing waste from the Fox Glacier Landfill.	Minister Shaw will take this Cabinet paper that will provide Regulations to exempt persons from NZ ETS obligations for disposing waste from the Fox Glacier Landfill
Refreshed monitoring approach of Te Puni Kōkiri	TPK	MCR 12 November	This paper reports on the implementation of the refreshed monitoring approach of Te Puni Kōkiri.	<p>The Ministry supports a monitoring approach that increases transparency in state sector performance for Māori.</p> <p>We agree the state sector must draw on evidence of what works for Māori and whānau, and at the same time be prepared to innovate, and partner with Māori.</p>

Reference number and paper name	Agency & Committee	Committee and date due there	Risk/issue/opportunity	MfE comments
Railways Amendment Regulations 2019	MoT	LEG Mid-November	This paper proposes to amend annual fees and charges that fund NZTA's rail safety regulatory function to address historical under-recovery, and ensure sufficient funding for this function.	MfE is comfortable with the proposal and had no comments on this paper.
Substantial Alterations: Amendments to Earthquake-prone Buildings (EPB) Regulations	MBIE	LEG TBC	This paper proposes to change the definition of a 'substantial' alteration to an earthquake prone building, to add a minimum dollar value of \$150,000, as the previous definition (25% of the building's dollar value) had a disproportionate impact on provincial and small towns with low value properties.	MfE is comfortable with the proposal and had no comments on this paper.
Consultation on discussion document for Crown Minerals Act review and Minerals and Petroleum Strategy	MBIE	DEV TBC	<p><u>Marine risk &amp; liability:</u> policy development for decommissioning offshore oil and gas installations is out of scope. MBIE intends this to be a separate programme. Mining policies are inconsistent for offshore and onshore areas of conservation value. MBIE has not addressed this issue or indicated that it will be reviewing permit processes for benthic protection areas.</p> <p><u>Onshore risk &amp; liability:</u> the discussion document does not test policy settings for the long term liability for abandoned onshore wells.</p>	<p>MfE broadly supports the strategy and discussion document. We consider that the review scope should include:</p> <ul style="list-style-type: none"> <li>• residual liability for offshore oil and infrastructure</li> <li>• mining restrictions in benthic protection areas</li> </ul> <p>Greater liability for longer term cost, clean up and prosecution of future sites should be placed with industry rather than relying on the taxpayer-funded contaminated sites remediation fund.</p> <p>We have largely been providing technical advice to MBIE on</p>

Reference number and paper name	Agency & Committee	Committee and date due there	Risk/issue/opportunity	MfE comments
				compliance and enforcement issues such as setting penalties, court functions and other regulatory mechanisms. Engagement with MBIE is ongoing.
New form for determination applications under new building emergency management powers, and updated form to modernise current determination applications	MBIE	LEG TBC	The Building Amendment Act 2019 will implement a new system to improve the management of buildings that are damaged or at risk of damage after an emergency event. This paper seeks authorisation to give effect to policy decisions made in that Act regarding applications for determinations, and also makes minor and technical updates to the Building (Forms) Regulations 2004.	MfE is comfortable with the proposal and had no comments on this paper.
Bill to amend the Greater Christchurch Regeneration Act 2016: Accelerating transition to local government leadership	DPMC	DEV	The paper seeks agreement to a narrowly scoped bill to amend the Greater Christchurch Regeneration Act 2016 to speed up the transition of certain powers to local leadership. Key changes include revoking some of the planning powers early (prior to the 30 June 2021 expiry) so that standard RMA processes would apply and a limited extension of powers associated with completing the reconfiguration of land titles.	MfE is comfortable with the proposal, supportive of the transition back to local leadership and had no comments on this paper.

Released under the Official Information Act 1982

## 6. Official Information Act requests

### 6.1. Ministerial

Request	Correspondent	Reference	At your office	Due to send
I write to request the following information under the Official Information Act 1982 (OIA); <ul style="list-style-type: none"><li>• A copy of the “Three Waters Review: Institutional Arrangements for a Drinking Water Regulator” as listed in WPQ 33996</li><li>• A copy of any advice, briefings or aides memoire provided to you regarding the National Policy Statement for Freshwater Management and the cost of this on councils (all types – regional, rural and urban)</li><li>• A copy of your weekly reports for the month of August and September</li></ul>	s 9(2)(a) Office of Hon Jacqui Dean MP	19-O-02336	31 October	7 November

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