



## Weekly update - Minister for the Environment

For the week starting 30 October 2017

### Priorities for this week

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1. Briefing to the Incoming Minister and your priorities
2. Delegations
3. Water
4. Private Secretary and office support

### Upcoming meetings

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1. Regular weekly meetings with MfE leaders (*tbc, to cover progress on priorities; upcoming issues; content discussions and briefings*)
2. Water (*tbc*)
3. A series of “chew sessions” - strategic conversations taking forward priority issues (topics to be determined with you)

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## 1. Key policy issues and decisions for the week

### 1.1 The National Freshwater and Geothermal Resource Inquiry (Wai 2358)

This item updates you on proceedings and notes upcoming actions for the Crown.

The Waitangi Tribunal is holding an inquiry into the Wai 2358 claim made by the New Zealand Māori Council with others regarding the Crown's privatisation of up to 49 per cent of several state owned enterprises and the Crown's resource management reforms, including the Freshwater Reform Programme. Stage two of the Inquiry now resembles a general kaupapa inquiry (thematic inquiry into a nationally significant issue affecting Māori as a whole) into the management and allocation of fresh water

The Waitangi Tribunal scheduled hearing week three of the Inquiry to be held from 30 October – 3 November in Lower Hutt. This third and final week was to cover the remaining evidence of the New Zealand Māori Council and interested parties, and Crown evidence. In light of the new government formation process the Crown proposed that Crown evidence be deferred to a later date. The Tribunal has agreed and directed the Crown to provide an update no later than 10 working days after a new Cabinet has been formed.

The Crown will be required to provide the update on 9 November. Ministry officials will provide you with a briefing on 3 November outlining the background to the Inquiry, the Crown's approach to date and the draft update for your comment before filing with the Tribunal.

It would be useful to discuss this item with MfE officials and Crown Law soon.

### 1.2 Queenstown's Affordable Housing Initiatives

Queenstown represents an extreme case of housing under-supply in the face of unprecedented growth, both in permanent residents and visitors. In response Queenstown Lakes District Council (QLDC) has undertaken a number of initiatives including:

- Reviewing aspects of its district plan to provide for more development
- Commissioning a housing and business land assessment (as a requirement of the National Policy Statement on Urban Development Capacity), to quantify demand for housing and business land
- Continuing to develop its seven Special Housing Accord (SHA) fast-track development areas
- Convening a Mayoral Taskforce on Housing Affordability
- Successfully applying for Housing and Infrastructure Fund support for four infrastructure projects to support development

At its meeting of 26 October, QLDC made a significant decision on its seventh SHA to add a proposed 2,185 home subdivision, which is on a scenic route (The Ladies Mile), and to raise the developers' contribution in SHAs from 5% to 10%. In response to a Mayor's Taskforce on Housing Affordability, a decision was also made to provide 1,000 affordable homes by 2028 through a Secure Homes Programme in which the house is purchased or rented by the occupier (and on-sold at a controlled price) but the land is leased from a community trust. This is a novel approach to ensure a proportion of affordable housing in perpetuity through the use of regulations (inclusionary zoning), ownership arrangements (Council granting a long term lease to a community trust), and limits on to whom and for what properties can be rented or on sold.

The Council's initiatives provide a test case for the various urban planning tools currently available and their ability to provide affordable housing while also having due regard to wider environmental values. We will continue to monitor Queenstown's planning processes and housing outcomes along with the other fast growing urban areas and brief you of significant developments.

### 1.3 Release of consultant report for managing natural hazards in Franz Josef, 26 October

On 26 October, the West Coast Regional Council released a consultant report on options for managing natural hazards in Franz Josef. This item is for your information if you receive any queries about the release; no ministerial action is required.

The town is subject to risks from its proximity to the Alpine Fault and flood-prone Waiho River. The Council has led the process for managing natural hazards in Franz Josef, with central government funding for the consultant report. The report identifies three high-level options for managing natural hazards, without recommending a specific option. The options are the result of community engagement and have previously been shared publicly. The Council intends to start a community consultation process in November to identify a preferred option. The council also intends to establish a governance group to oversee the consultation process, and we will discuss appropriate central government representation with MBIE.

This item is for your information if you receive any queries about the release; no Ministerial action is required.

### 1.4 Upcoming advice and decisions 30 October – 10 November

Issue or event	Portfolio	Lead agency	Further information
Upcoming international Engagements: Meeting of Australian Environment Ministers (MEM) and UN Environmental Assembly	Environment	MfE	We will brief you on an invitation to attend MEM on 15 December, and attendance at the UN Environment Assembly in Nairobi from 4-6 December
Guy Fawkes - background briefing	Environment	MfE	Fireworks are regulated under the HSNO Act. We'll provide a background briefing because there is often media and public correspondence at this time of year.

## 2. Financial, legal, regulatory and legislative update

### 2.1 Brook Waimarama Sanctuary

You (as Minister) are currently the second respondent in litigation brought by a Nelson community group. The group challenged an aerial pest control operation by the Brook Waimarama Sanctuary Trust, and also the validity of the regulations that authorised the operation (the Resource Management (Exemption) Regulations 2017), which you administer.

The Crown has already been successful in the High Court, and the Sanctuary Trust has now completed the pest control operation. The community group has appealed to the Court of Appeal, but needs to pay security for costs of \$10,600 by 6 November 2017 or the Crown can apply to have the litigation struck out.

This is just for your information at this stage, in case there is media around 6 November, and can provide more information if you wish.

Issue or event	Portfolio	Lead agency	Further information
October Baseline Update	Environment	MfE	Vote Environment baselines have to be updated in October to include Cabinet decisions, confirmation of in-principle expense transfer, technical changes and forecasting changes. The Treasury sets timeframes for this and the update is due to the Minister of Finance by 15 November. We will provide you with a draft letter to sign and a background briefing.
HSNO Transitional Regulations	Environment	MfE	Cabinet will need to approve the transitional HSNO regulations to reflect changes under the Health and Safety at Work Act and HSNO Act commencing 1 December 2017.

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## Weekly update - Minister for the Environment

For the week starting 13 November 2017

### Priorities for this week

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1. Briefing to the Incoming Minister and your priorities
2. Delegations
3. Water

### Upcoming meetings

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1. Mon 13 November, 11am: Regular weekly meetings with MfE leaders
2. Wed 15 November, 4pm: Water quality
3. Wed 15 November, 11 am: Housing
4. Thu 16 November, 4pm: Wai2358
5. TBC: A series of “chew sessions” - strategic conversations taking forward priority issues (topics to be determined with you)

## 1. Actions and decisions

### 1.1 Healthy Homes Guarantee Bill (No 2) and air quality

We are working with the Ministry of Business, Innovation and Employment (MBIE) to ensure policy alignment between the Healthy Homes Guarantee Bill (No2) (the Bill) and the National Environmental Standards for Air Quality (Air Quality NES). We recommend you support the Supplementary Order Paper (SOP) that is intended to be lodged on 13 November. We consider that the Bill will have positive implications for managing air quality and providing for warm homes.

The Bill had its second reading on 26 July. It will introduce changes to the Residential Tenancies Act 1986 to ensure that all rental properties meet minimum heating and insulation standards. On 6 November, Cabinet delegated authority to Minister Twyford, Minister for Housing and Urban Development, and Minister Hipkins, Leader of the House, to agree policy and drafting for an SOP to amend the Bill. MBIE has informed us that Minister Twyford intends to table the Supplementary Order Paper on 13 November, present it to the Committee of the Whole House and Third Reading from 14 – 16 November and gain Royal Assent by 20 November.

In March 2015, the Parliamentary Commissioner for the Environment recommended reviewing the Air Quality NES in response to improved scientific understanding of the health impacts of air quality. We recommend coordinating a review of the Air Quality NES with development of heating regulations under the Bill, to help to manage impacts on households and provide coherent requirements for home heating appliances. We will provide you with further advice on the potential for amendments to the Air Quality NES.

### 1.2 Proposed regulations banning plastic microbeads in wash-off products

We are seeking your direction on whether to progress regulations to ban plastic microbeads in wash-off products. The Parliamentary Counsel Office has drafted Regulations to ban the sale and manufacture of certain products containing plastic microbeads. A decision will be needed by you (or an Associate Minister) on whether to take the Regulations to the next stage which is the Cabinet Legislation Committee.

We are bringing this to your attention now because the microbeads issue has had a lot of publicity including an announced timeframe of 30 November for gazettal of the Regulations, which would require Cabinet approval on 27 November (this timeframe is no longer achievable through the usual process). Please advise whether you would like further advice in a briefing note or a meeting with officials.

#### *Background*

In January 2017, a public consultation document was released on a proposal to ban the manufacture and sale, under the Waste Minimisation Act 2008, of plastic microbeads in personal care products like facial cleansers and toothpastes. Microbeads are designed to be washed directly down the drain where they are only partially captured by waste water treatment systems. They are harmful to marine life and are inessential to consumers because there are alternative ingredients that are not harmful. Consequently, several countries have moved to ban microbeads.

### 1.3 Transitional Regulations on Hazardous Substances

As requested, officials have briefed Minister Sage about the draft Cabinet paper on Transitional Regulations on Hazardous Substances. Minister Sage suggested adding some real life examples of substances that will be covered by the regulations, so we have included these in an updated draft paper.

We recommend that the paper be lodged on Tuesday 14 November for consideration by LEG on Thursday 16 November.

We will also provide talking points for your reference.

## 2. Updates for noting

### 2.1 Freshwater Science Investment update

The Ministry has recently finalised projects for investment under the Non-Departmental Water Science and Economics Fund for the 2017/18 financial year. This update is to inform you about the funding. No decisions are required from you, but the procurement process is public which means it may prompt questions to your office about the Government's science investment.

This fund was set up in 2014 following decisions by Cabinet (CAB Min (14) 13/18(11) refers). The appropriation covers water science, economic impact analysis and guidance to support development of the National Objectives Framework.

The framework and corresponding funding were put in place to ensure that the best science is applied across the country, that iwi values are understood and considered appropriately, and that freshwater objectives and limits are set in a consistent and transparent way.

Several projects are currently being procured through the New Zealand Government Electronic Tenders Service (GETS) including a project on ecosystem health, erosion and sediment, and a review of land-use impacts on freshwater.

We can provide you with a detailed briefing on our science research programme including investment to date and planned research in relation to improving water quality, managing freshwater volumes and flows, sustainable land-use and agricultural intensity, and the impacts of interventions and mitigations on freshwater.

Would you like a more detailed briefing? **Yes/No**

## 3. Upcoming briefings

**13 November – 24 November**

Issue or event	Lead agency	Further information	Date due to your office
October Baseline Update	MfE	Vote Environment baselines have to be updated in October to include Cabinet decisions, confirmation of in-principle expense transfer, technical changes and forecasting changes. The Treasury sets timeframes for this and the update is due to the Minister of Finance by 15 November. We will provide you with a draft letter to sign and a background briefing.	13 November

Options for future engagement with the Land and Water Forum	MfE	This briefing provides you with options for the future interactions with, and funding of, the Land and Water Forum.	14 November
Seeking your agreement to exercise the standing fee exception for three Exclusive Economic Zone (EEZ) Decision-Making Committees	MfE	Three EEZ Decision-Making Committees (DMCs) are expected to be appointed by the EPA Board on 30 November. We have prepared a letter for you to sign and send to the Minister of State Services seeking his agreement on exercising a standing fee exception for EEZ DMC members.	14 November
Wai 2358 National Fresh Water and Geothermal Resources Inquiry – Report on role of Freshwater Iwi Leaders Group, the New Zealand Maori Council and interested parties	MfE	To inform you on the background, role and current work programme with the Iwi Leaders Groups, and background and role of the New Zealand Maori Council and others with a focus on the Wai 2358 inquiry and its interaction	14 November
Proposed Amendments for Inclusion in Statutes Amendment Bill 2018	MfE	The Statutes Amendment Bill is an annual process for making short, technical and non-controversial amendments to a range of Acts. This briefing note seeks the Minister's approval of six proposed amendments to resource management legislation to be included in the 2018 Bill process.	16 November
Environmental Protection Authority – Achieving Sustainable Funding through Cost Recovery Changes and Budget 2018	MfE	EPA is intending to publicly consult on increasing HSNO fees to its customers in early 2018. We seek the Minister's agreement to lodge a Cabinet paper and EPA's HSNO fees discussion document for noting at Cabinet by the end of the year. The briefing also introduces the Budget 18 issues relating to the EPA's baseline budget.	23 November

## 4. Environmental Protection Authority update

### 4.1 Briefing for the Incoming Minister

We have provided you with the EPA Briefing for the Incoming Minister (BIM), which highlights the key issues and decisions coming up in the next 100 days. This status report features items that were not included in the BIM.

### 4.2 East West Link Board of Inquiry Draft Decision Release

We have previously advised on the status of the East West Board of Inquiry in the context of recent announcements.

A draft decision by the Board of Inquiry on New Zealand Transport Agency's (NZTA) East West Link application is due to be released on 14 November. At this time, we will invite specific parties who have been involved in the process, including submitters, Auckland Council, and the NZTA as an applicant, to make comment should they elect to do so.

This option is available to you as Minister for the Environment, and also to the Minister of Conservation. These comments are limited to matters of a minor and technical nature, and cannot relate to the decision. The comment period closes on 12 December. The final decision is due to the EPA by 22 December, and we will release it as soon as practicable thereafter.

#### **4.3 Hazardous Substance Reporting**

In addition to the annual 1080 report, reference to which was included in the BIM, there are two reporting processes which will be finalised in the next month.

- The methyl bromide annual monitoring reports provide information on the amount of methyl bromide used by operators. We will be actively managing the release of these documents on the EPA website, as it could be contentious.
- The Activities and Intentions Report provides you with an assessment of the enforcement of the Hazardous Substance and New Organisms Act 1996 for the 2016/2017 year. This will be provided to you in December.

#### **4.4 Activities and Applications in the Exclusive Economic Zone**

There are currently two permitted activities planned in the Exclusive Economic Zone. Permitted activities do not require a consent from the EPA but are monitored for compliance under the Exclusive Economic Zone and Continental Shelf (Environment Effects) Act 2012. Due to the nature of these activities, we anticipate they could be contentious.

- Chatham Rock Phosphate Limited is currently undertaking a marine scientific research activity deploying two seafloor moorings.
- Schlumberger New Zealand Limited intend to carry out a 3D seismic survey on the Western Plateau off the coast of Taranaki, which will commence in December and run for approximately three months.

We are currently processing a number of marine applications in addition to those included in the BIM.

- Tamarind Taranaki seeking to disconnect the Floating Production and Storage Offtake vessel "Umuroa" to enable it to be removed from the Tui Field.
- Shell Taranaki Ltd non notified discharge consent for preliminary investigation work on the Maui exploration wells that were drilled 1969-1970. This is the first stage leading to the eventual plugging and abandonment of these wells.
- Ports of Auckland non-notified consent application due to be lodged late 2017/early 2018 for the port and Rangitoto Channel dredgings to be disposed of at an EEZ Act authorised site near Cuvier Island off the east coast of the North Island.

## 5. Engagement

### 5.1 Upcoming engagements

#### NZ River Awards, 23 November, Wellington

This event recognises the most improved rivers in each region and across the country. Ministerial involvement in this event is yet to be confirmed. Representatives from the Ministry for the Environment are likely to attend.

#### NZI Sustainable Business Network Awards, 30 November, Auckland

Penny Nelson from MfE is attending this event, which celebrates the sustainability achievements of New Zealand's leading organisations and individuals.

## 6. Official Information Act requests **Correspondents have been Withheld under section 9(2)(a)**

### 6.1 Departmental

Request	Correspondent	Reference	At your office	Due to send
<p>1) A copy of all communication between the Ministry for the Environment and the Environmental Protection Authority regarding the EPA's review of glyphosate.</p> <p>2) Records of, and any notes from, any meetings between the two agencies regarding the EPA's review of glyphosate.</p> <p>3) A copy of any emails within the Environment Ministry detailing concerns about the EPA's review of glyphosate.</p>	Benedict Collins Radio New Zealand	17-D-01336	7 November	14 November
<p>Copies of all documents (including email, file notes and text messages) that relate to the decisions that have been made by Minister Guy and MfE to transfer my OIA requests to those parties to Minister Smith to respond to. While this is a new OIA request clearly it relates to the earlier outstanding OIA requests and, given that context, it should be similarly be responded to as a matter of urgency.</p>	██████████ Woodward Law Office	17-D-01338	8 November	15 November
<p>Information to confirm how much money was actually paid to Eco Rubber Industries Limited by the Ministry and when.</p>	██████████ Harkness Henry Lawyers	17-D-01337	9 November	16 November
<p>1. How do you measure the success of each project while it is being completed, and after it is complete?</p> <p>2. What proportion of projects from 2012 through to today met those success criterion, and which projects if any, did not?</p> <p>3. The cost-benefit ratio for the tyre-recycling plant in Northland used to produce cement, and any report prepared by MfE for the evaluation of the project.</p>	██████████ New Zealand Taxpayers' Association	17-D-01347	20 November	28 November

**Correspondents have been  
Withheld under section 9(2)(a)**

**6.2 EPA requests**

Request	Correspondent	Due to send
Information regarding brodifacoum products, specifically Pestoff Rodent Bait 20R	██████████ Member of the public	15 November
Glyphosate assessment of human health effects correspondence	██████████ Member of the public	16 November
Emails between the EPA and Monsanto, and EPA emails regarding the decision to review the IARC finding glyphosate is a possible carcinogen	<b>Benedict Collins</b> Radio New Zealand	17 November
Questions regarding October 2017 1080 operation in Whitianga	██████████ Member of the public	17 November
Copy of the EPA BIM, and all alternative reports developed for if the election outcome had been different	<b>Ged Cann</b> Dominion Post	27 November

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## Weekly update - Minister for the Environment

For the week starting 20 November 2017

### Environment weekly meeting 10am, Monday 20 November

Attendees: Hon David Parker, Minister for the Environment

Vicky Robertson, Secretary for the Environment

Penny Nelson, Deputy Secretary, Environmental Performance, Innovation & Climate

Cheryl Barnes, Deputy Secretary, Water

Amanda Moran, Deputy Secretary, Resource Management

Vicki Connor, Deputy Secretary, Organisational Performance

	Agenda Item	Lead	Paper / verbal update	Mins
1.	Discuss Weekly Update	Vicky Robertson	Verbal update	15
2.	<div style="background-color: black; width: 150px; height: 15px; display: inline-block;"></div> Discussing next steps	Penny Nelson	Verbal update	25

**Agenda item withheld under section 9(2)(f)(iv)**

### Priorities for this week

#### 1. Delegations

### Upcoming meetings

- Monday 20 November, 11 am: Housing (with PM and other ministers)
- Tuesday 21 November, 4.30pm: Water
- Thursday 23 November, 12pm: RMA chew session with officials
- Thursday 23 November, 4.30pm: Regional Sector Group (Mayors/Chairs and their CEs)

## **1. Progress towards government's 100 day priorities**

### **1.1. Housing**

You are meeting with the PM and other ministers on Monday 20 November to discuss the government's broad Housing programme, and will be meeting again with Ministers Twyford and Genter in three weeks to agree the high level principles and approach to take forward your Urban Growth Agenda. You have indicated that this will focus on infrastructure funding and financing, including smart road pricing, and developing a future focused, rather than restrictive, approach to planning. We are working with MBIE on developing policy for the Housing Commission.

### **1.2. Climate Cabinet paper**

This paper, led by Minister Shaw, seeks agreement from Cabinet on the process for introducing a Zero Emissions Bill to Parliament in 2018 and the set up of a Climate Change Commission establishment unit and a new Climate Change Chief Executive Board. This paper is expected to be considered by CBC in mid-December. Minister Shaw intends to set up a meeting with you to discuss the paper in advance of the committee meeting.

## **2. Strategic priorities**

### **2.1. Budget bids**

The Budget process requires Vote Ministers to confirm support for budget bids and their ranking. The Ministry is working on Departmental bids for establishment of the Climate Commission and climate priorities. A non-departmental bid has also been prepared for the Environmental Protection Authority to maintain delivery of core services required by the EEZ Act (see item 3.1 below). We would like to confirm with you that we should be working with Minister Sage on the EPA bid. More detail follows

Initial indications of bids for Budget 2018 are due on 8 December. We will provide a briefing in the week of the 27 November.

### **2.2. Resource Management Act**

We are meeting with you on Thursday 23 November to discuss how you want to deliver on your priorities for the resource management system. Following your feedback from this initial discussion, we can provide you with a series of briefings outlining the strategic issues and choices for you across:

- the programme of national direction
- applications for use of the streamlined planning process
- scope and implementation of the national planning standards
- compliance, monitoring and enforcement
- the central government / local government relationship, and
- the future of the RMA.

### **2.3. Water quality**

We will provide you with a draft work plan for improving water quality, to be discussed at your meeting on Tuesday 21 November with Minister O'Connor.

## Item withheld under section 9(2)(f)(iv)

2.4.



### 3. Actions and decisions

#### 3.1. EPA Budget and proposals to increase HSNO Act fees

##### *EPA Budget*

Initial indications of budget bids are required to be lodged with Treasury by 8 December. We recommend that the Minister responsible for the Environmental Protection Authority meet with officials during the week of 27 November to be briefed, and then a meeting is held with Ministers Shaw, Parker and Sage during the week of 4 December. This will enable a collective view on the budget bid prior to submitting to Treasury on the 8 December.

From 1 July 2018 the EPA's Crown Funding will reduce from \$25.3 million to \$20.817 million (an 18% reduction). Annual Crown funding for the EPA's baseline has averaged \$25.3 million for the past three years, \$4.45 million of this is fixed term funding, expiring on 30 June 2018.

This fixed term funding was granted to help the EPA establish and run its EEZ functions which it took on in 2012. The reduction of funding will significantly undermine its ability to deliver its EEZ functions, particularly the monitoring and compliance functions. It will also impact delivery of its hazardous substances work programme. This funding was not translated into ongoing baselines previously due to uncertainties about the cost of running the functions and the EPA's need to build its financial management capability, both of which have largely been addressed since.

##### *EPA Board Proposal to Increase HSNO Act Fees*

In addition to above, the EPA has undertaken a major review of its hazardous substances and new organisms third party fees. This work includes revising the cost recovery principles underling the fees in line with the 2017 guidance from the Treasury. Any increases to the HSNO Act fees will be made by the EPA Board following consultation with affected parties.

The EPA and MfE consider that Cabinet should be informed of the intention to publicly consult on increasing the fees which will rise significantly in proportional terms (less in absolute terms) as they mostly have not changed since 2003. HSNO fee increases proposed by the EPA Board could take effect in the second half of 2018 but would amount to a revenue increase of less than \$1 million, possibly increasing over time but not significantly.

The fee increases alone are insufficient to meet the baseline reduction. A separate programme of introducing annual fees for some functions could make a significant contribution eventually but would require legislative change.

A briefing note, draft Cabinet paper, cost recovery impact statement, and draft EPA discussion document covering the cost recovery charges will be sent to your office on 23 November.

## **4. Updates for noting**

### **4.1. Stage 2 Report of the Havelock North Inquiry**

The Havelock North Inquiry is due to report to you as Attorney-General with its Stage Two findings by 8 December.

The Ministry of Health, Ministry for the Environment and Department of Internal Affairs are preparing to report to interested ministers by Wednesday 22 November to seek agreement to an approach to responding to the Inquiry. We recommend that once ministers have an agreed approach an oral item be taken to Cabinet on Monday 27 November to update your colleagues. Notice of oral items for this meeting should be lodged with the Cabinet office by 10am Thursday 23 November.

An advance copy of the Inquiry's Stage Two report is expected to be available in early December and the Inquiry is likely to meet with the Attorney-General and other core ministers on 7 or 8 December to present their report (TBC). Agencies will brief ministers on the contents of the report prior to this meeting.

### **4.2. Water Conservation Orders: Ngaruroro and Clive rivers Special Tribunal hearing**

A Water Conservation Order is causing some controversy in Hawkes Bay.

In December 2015, six parties applied for a water conservation order on the Ngaruroro and Clive rivers in the Hawkes Bay. The application was made by the New Zealand Fish and Game Council, the Hawke's Bay Fish and Game Council, Ngāti Hori ki Kohupatiki, Whitewater New Zealand, Jet Boating New Zealand, and the Royal Forest and Bird Protection Society of New Zealand.

The application seeks to protect the Ngaruroro River, the tributaries and hydraulically connected groundwater to its lower part, and 7km of the Clive River. A special tribunal has been appointed under section 202 of the Resource Management Act (RMA) to consider and report on the application.

#### *Hearing update*

The first stage of the hearing (Upper Ngaruroro River) begun on Tuesday 14 November in Napier. The special tribunal is expected to hear up to 115 presentations. The first stage is expected to conclude by 11 December. On 14 November it was reported that Ngāti Hori ki Kohupatiki have now withdrawn their support.

### **4.3. Guidance for councils on monitoring under the National Policy Statement for Freshwater Management (Freshwater NPS)**

We have prepared guidance documents on implementing the Freshwater NPS and seek your approval to put them on our website in the coming weeks.

The Freshwater NPS was amended in August 2017. At the request of councils, guidance material is being developed to assist them to implement the amendments as intended. In some cases that means updating existing guidance on our website, for other matters new guidance is being developed (ie, for swimming and E. coli).

We will provide you with a copy of the guides as they become available over the next few weeks.

The guidance products are:

- A Guide to Implementing the National Policy Statement for Freshwater Management 2014 (as amended 2017) (update to existing)
- A Draft Guide to Swimming, E.coli and the National Targets under the Freshwater NPS (new guidance)
- A Guide to Attributes under the Freshwater NPS (update to existing)
- A Draft Guide to Limits under the Freshwater NPS (new guidance)

These are technical non-statutory documents which are intended to help councils implement existing regulations. For your information, we have provided a copy of A Draft Guide to Monitoring under the National Policy Statement for Freshwater Management (as amended in 2017). It includes the new council monitoring requirements for macroinvertebrates and advice on identifying 'representative' monitoring sites. We will provide you with regular updates on councils' progress implementing the current NPS.

Do you approve the release of *A Guide to Implementing the National Policy Statement for Freshwater Management 2014* as amended in 2017?

**Yes/No**

#### **4.4. Soil erosion control case study**

The Ministry has recently completed a project with Horizons to better understand improvements in water quality in the Manawatu-Wanganui region (focused on pathogens and sediment). A scientific report outlining the findings is due to be released at the end of November. A key finding is the strong relationship between water quality improvements and the proportion of farms in each catchment where interventions have occurred to reduce hill country erosion.

The work was initiated in the Horizons region in 2006 and 2007 under the Government's Sustainable Land Management and Climate Change (SLMACC) Plan of Action and the Horizons Sustainable Land Use Initiative (SLUI).

Interventions under these initiatives included afforestation, retiring of erosion-prone land and riparian margins (through fencing and reversion to scrub), planting of gullies with poplars etc. Accounting and monitoring programs were established at the time to record the interventions and their impacts on land and in-stream.

To date, the programme has targeted 660 farms covering 500,000 hectares of land (60 percent of farms with erosion prone land). Fourteen million trees have been planted, with an estimated 1 million tonnes of carbon fixed (reaching 11 million tonnes over the next 30 years). Since 2007, water quality for swimming has improved by 15 - 23 percent across the region, with similar improvements for suspended sediment and turbidity. Improvements are strongly correlated with the interventions.

Officials can provide you with a more detailed briefing of this work.

#### **4.5. Minor updates to swimming maps by 30 November**

The Ministry intends to make minor changes to the water quality for swimming maps by removing a small number of areas identified as unsuitable for swimming by drinking water providers and power generators. The changes are in response to feedback from Regional Councils, Watercare, and hydroelectricity power generators and will remove

drinking water supply reservoirs (with no public access) and sections of rivers downstream of major hydroelectricity dams (which have been diverted and have no minimum flow requirements). The updates have minimal impact on the percentage of lakes and rivers that are swimmable at a national level.

We will make these changes by Thursday 30 November and will provide an explanation on our website.

## 5. Briefing notes

20 November – 1 December

### 5.1. Hon Parker

Issue or event	Lead agency	Further information	Date due to your office
Introduction to the National Environmental Standards for Plantation Forestry	MPI/ MfE	A joint briefing that will provide background information to Ministers on the National Environmental Standards for Plantation Forestry, and make the linkages with integrated land use planning.	20 November
Streamlined Planning Process – Background on the process and direction required on current applications	MfE	The SPP is a new planning process introduced through the 2017 amendments to the RMA. We are seeking your direction on the use of the process as well as the next steps for two current SPP applications consulted on by the former Minister (Bay of Plenty Regional Council and Hastings District Council).	21 November
Withheld under 9(2)(f)(iv)			
Proposed Amendments for Inclusion in Statutes Amendment Bill 2018	MfE	The Statutes Amendment Bill is an annual process for making short, technical and non-controversial amendments to a range of Acts. This briefing note seeks the Minister's approval for six proposed amendments to resource management legislation to be included in the 2018 Bill process.	21 November
Environmental Protection Authority – Funding through Cost Recovery Changes and Budget 2018	MfE	EPA is intending to publicly consult on increasing HSNO fees to its customers in early 2018. We seek the Minister's agreement to lodge a Cabinet paper and EPA's HSNO fees discussion document for noting at Cabinet by the end of the year. The briefing also introduces the Budget 18 issues relating to the EPA's baseline budget.	23 November
Preparing regulations for the deposit of jettisoned material from space vehicle launches on the seabed in the wider exclusive economic zone (EEZ).	MfE	This briefing reports on public consultation, recommends regulations, and seeks approval to issue drafting instructions to PCO.	23 November

Release of public discussion document on decommissioning in the EEZ	MfE	The Cabinet Paper seeks approval for the release of a public discussion document on "Proposed policy for decommissioning regulations under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012.	23 November
Update on the Waimea Dam (Freshwater Improvement Fund project)	MfE	You have requested an update on the Waimea Dam project, funded through the Freshwater Improvement Fund.	23 November
Environment Canterbury Government appointee vacancy	MfE/ DIA	This briefing provides advice on the joint Minister of Local Government and Minister for the Environment 's powers to appoint members to Environment Canterbury's (Ecan) governing body, the recent vacancy of an appointed member position, and the option to make a reappointment.	24 November

## 5.2. Hon Sage

Issue or event	Lead agency	Further information	Date due to your office
Regulations banning plastic microbeads	MfE	This briefing note seeks approval for new regulations under the Waste Minimisation Act 2008 to ban the manufacture and sale of Microbeads.	20 November
Towards a Circular Economy	MfE	Minister Sage has requested a briefing and background material on the transition to a circular economy.	20 November
Information on Resource Efficiency and Innovation work programme	MfE	Minister Sage has requested information on work underway within the waste portfolio, which is led by the Hono Tātaki – Resource Efficiency and Innovation team.	20 November
Background on how the New Zealand waste management system works	MfE	Minister Sage has requested information on how the system works in New Zealand.	24 November

## 6. Engagement

### 6.1. Upcoming engagements

#### Meeting with the Regional Sector Group, 23 November

You have agreed to meet the Regional Sector Group (RSG), which consists of Mayors and Chairs from regional councils and unitary authorities, on Thursday 23 November. We understand four Mayors/Chairs and Chief Executives will attend, supported by Local Government New Zealand (LGNZ). RSG have indicated that they would like to discuss working with you on the environmental challenges facing New Zealand, specifically:

Freshwater policy	<ul style="list-style-type: none"><li>• Your plans, goals and aspirations for water</li><li>• Freshwater reforms – including the need to maintain expectations, explore alternatives to further regulation and priorities for collective research and science.</li><li>• LGNZ's Water Work Programme 'Water 2050' – scoping the costs of maintaining and improving water quality and its continued supply.</li></ul>
Natural Hazards and Climate Change policy	<ul style="list-style-type: none"><li>• Climate change adaptation and mitigation, and the work LGNZ is undertaking to help make progress in this space.</li></ul>
Resource Planning legislation	<ul style="list-style-type: none"><li>• Opportunities to align core planning statures (Local Government Act, Resource Management Act and Land Transport Management Act), and increase the focus on the role of spatial planning.</li><li>• The workload the current national RMA directives place on councils, and opportunities to improve this approach.</li></ul>
Biodiversity	<ul style="list-style-type: none"><li>• A request for stronger leadership from central government on biodiversity matters. Regional and unitary councils collectively contribute \$70 million per annum to biodiversity.</li></ul>

### 6.2. Key issues in the media

- Groups pushing for a Water Conservation Order on the Ngaruroro River in Hawke's Bay say it is needed to protect the river's unusually high water quality. A hearing on the conservation order began on 14 November (see item 4.2).
- Greenpeace is calling for the Government to end state funding of irrigation, and presented a petition to Ministers Parker and Sage signed by almost 70,000 people.
- There is concern in the horticultural industry that the Government's plans to remove the rural-urban boundary will heighten urban sprawl, impacting national food security.
- The independent Board of Inquiry appointed to consider the East West Link has released its draft decision approving the proposal.

## 7. Official Information Act requests

Correspondent has been  
Withheld under section 9(2)(a)

### 7.1 Departmental

Request	Correspondent	Reference	At your office	Due to send
<p>1. How do you measure the success of each project while it is being completed, and after it is complete?</p> <p>2. What proportion of projects from 2012 through to today met those success criterion, and which projects if any, did not?</p> <p>3. The cost-benefit ratio for the tyre-recycling plant in Northland used to produce cement, and any report prepared by MfE for the evaluation of the project.</p>	<p>██████████ New Zealand Taxpayers' Association</p>	<p>17-D-01347</p>	<p>21 November</p>	<p>28 November</p>

Proactively Released

## Weekly update - Minister for the Environment

For the week starting 27 November 2017

### Environment weekly meeting 9:15 am, Tuesday 28 November

Attendees: Hon David Parker, Minister for the Environment

Vicky Robertson, Secretary for the Environment

Penny Nelson, Deputy Secretary, Environmental Performance, Innovation & Climate

Cheryl Barnes, Deputy Secretary, Water

Amanda Moran, Deputy Secretary, Resource Management

Vicki Connor, Deputy Secretary, Organisational Performance

	Agenda Item	Lead	Paper / verbal update	Mins
1.	Discuss Weekly Update	Vicky Robertson	Verbal update	15
2.	Water – Cabinet paper	Cheryl Barnes	Verbal update	10
3.	PFAS issue	Vicki Connor	Verbal Update	10

### Actions from previous meeting

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#### 1. RMA and HSNO

- You requested clarification on land use planning and hazardous substances in light of recent RMA amendments. *Please see item 4.4*

#### 2. Our PIF review and financial position

- You agreed to a joint meeting with Ministers Shaw, Mahuta, and Sage to discuss our recent PIF review, where we are heading as an organisation, and our four year baseline funding profile. *We are working with the offices to set this up in the coming weeks*

#### 3. RMA

- You requested a meeting to discuss the RMA. *A meeting is scheduled for Tuesday 28 November*

**Action withheld under section 9(2)(f)(iv)**

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█

## Upcoming meetings

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<b>Mon 27 November, 5:30pm</b>	<b>Crown irrigation fund</b>
<b>Tue 28 November, 9:15am</b>	<b>Officials meeting</b>
<b>Tue 28 November, 4pm</b>	<b>RMA</b>
<b>Thu 30 November, 3:30pm</b>	<b>Freshwater Rescue Group (Green NGOs) – note Minister O'Connor will be meeting them on your behalf</b>
<b>Wed 6 December, 5pm</b>	<b>Meeting with Simon Upton and PM</b>

### **TBC**

- Chew session with us on climate change (in particular including agriculture in the ETS)
- Meeting with us on the National Policy Statement on Urban Development Capacity
- Meeting on development of National Planning Standards

## **1. Progress towards Government's 100 day priorities**

### **1.1. Climate**

On 22 November you met with the Minister for Climate Change and MfE officials to discuss the draft Cabinet paper on the 100-day plan for climate change. The paper seeks agreement from Cabinet on the process for setting an emissions reduction goal and the establishment of a Climate Change Commission. At this stage the Minister for Climate Change is intending to take the paper to Cabinet Business Committee on Wednesday 13 December.

### **1.2. Urban - Housing**

Following the meeting of Housing Ministers on 20 November, a draft Cabinet paper setting out the broad parameters and priorities of the government's overall Housing programme will be discussed at the next meeting of Housing Ministers, likely to be in the week of 18 December.

Working toward this we intend to provide you and Minister Twyford with a number of briefings relating to your key interests across the Housing programme in the week of 4 December:

- key principles and overview of the Urban Growth Agenda (as agreed at your meeting with Minister Twyford on 15 November)
- the resource management planning and environmental aspects of the Housing Commission
- NPS – Urban Development Capacity – release of price efficiency indicators

MBIE met with Minister Twyford on 23 November to discuss the Housing Commission's organisational form and Cabinet paper timeframes. The Minister has agreed to a high-level Cabinet paper before Christmas covering the key organisational concepts and purpose. A package of Cabinet papers covering the detailed policy for drafting legislation is planned for February 2018.

Minister Twyford plans to receive briefings this year on the various aspects and then meet separately with relevant colleagues including you.

## 2. Strategic priorities

### 2.1. Water quality turnaround plan

Following our meeting with you and Minister O'Connor on Tuesday 21 November, we are preparing an outline of a Cabinet paper for discussion with you on Tuesday 28 November. We will have a Cabinet paper ready for you before Christmas.

Item 2.2.  
withheld  
under  
section  
9(2)(f)(iv)

[Redacted content]

## 3. Actions and decisions

### 3.1. Sharing information across the Environment portfolio

We are seeking your approval on the way we manage and share information with Ministers across the portfolio.

Once the two Associate Ministers for the Environment have their delegations, we propose not copying you into briefings which cover day to day matters, funding decisions, or policy development relating to their areas of delegation. However, we recommend you continue to receive copies of material on:

- All budget material, this includes any material related to Climate Change, as this falls within Vote Environment
- Any Cabinet material prepared for either Associate Environment Minister
- Any briefings which require either Associate Minister to make a significant decision; here significant is considered any decision which would have ramifications on existing legislation or changes to existing funding arrangements

We will continue to provide you with a list of all planned Environment portfolio briefings for the upcoming fortnight prior to delivery, which enables you to request any specific briefings that are of interest to you.

We are currently preparing Weekly Updates for you and Minister Shaw. When delegations are finalised we will start regular Weekly Updates for Ministers Mahuta and Sage.

We are seeking your and Minister Shaw's permissions to operate on a principle of transparency enabling us to provide Weekly Updates across portfolio Ministers on request. Minister Sage has already indicated an interest in seeing your Weekly Update.

*Do you agree to this approach?*

**Yes/No**

*Would you like to discuss this further with officials?*

**Yes/No**

### **3.2. Guidance for councils on monitoring under the National Policy Statement for Freshwater Management (Freshwater NPS)**

We seek your approval to the release of A Guide to Implementing the National Policy Statement for Freshwater Management 2014 as amended in 2017.

The Freshwater NPS was amended in August 2017. At the request of councils, guidance material is being developed to assist them to implement the amendments as intended. In some cases that means updating existing guidance on our website, for other matters new guidance is being developed (i.e. for swimming and E. coli).

We will provide you with a copy of the guides as they become available over the next few weeks.

The guidance products are:

- A Guide to Implementing the National Policy Statement for Freshwater Management 2014 (as amended 2017) (update to existing)
- A Draft Guide to Swimming, E.coli and the National Targets under the Freshwater NPS (new guidance)
- A Guide to Attributes under the Freshwater NPS (update to existing)
- A Draft Guide to Limits under the Freshwater NPS (new guidance)

These are technical non-statutory documents which are intended to help councils implement existing regulations. For your information, we have provided a copy of A Draft Guide to Monitoring under the National Policy Statement for Freshwater Management (as amended in 2017). It includes the new council monitoring requirements for macroinvertebrates and advice on identifying 'representative' monitoring sites. We will provide you with regular updates on councils' progress implementing the current NPS.

*Do you approve the release of A Guide to Implementing the National Policy Statement for Freshwater Management 2014 as amended in 2017?*

**Yes/No**

### **3.3. Draft Decision and Report – East-West Link Road Proposal.**

The Board of Inquiry's draft report was released on 14 November. The Board's unanimous decision is to confirm the two Notices of Requirement, and approve the 23 resource consents for the East-West Link Road in Auckland. The Government has signalled that the proposal will not go ahead in its current form.

You may, but are not required to, comment on minor or technical aspects of the draft report and conditions pursuant to section 149Q of the RMA with comments due at the EPA by 5pm on 12 December.

While there are inevitable typos in this draft decision which can be corrected by the Board, it is considered that there are no matters of error, omission or correction that would warrant comment by you at this stage in the process.

We consider that it is a thoughtfully considered and structured decision. The Board was clearly mindful that the decision will only be appealable on points of law.

The Board required amendment to the proposal both through the hearing and mediation process (for example the land bridge and cycleways/pathways design to mitigate severance), including declining some aspects of proposed sub and inter-tidal dredging, and removing or modifying two reclamation landforms (headlands).

Offset mitigation was also required, involving both ecological restoration works and funded scientific research. Conditions have been generally agreed upon between NZTA and Auckland Council.

Clear focus was given to relevant recent case law, with discussion around the consequent approach taken regarding those matters of direction in assessing this proposal.

*Do you wish to comment on the draft report and conditions?*

**Yes/No**

### **3.4. Environment Canterbury – New Chair**

On 10 November, Bill Bayfield, Chief Executive of Environment Canterbury, wrote to you and the Minister for Local Government informing you of the Council's intention to call a special meeting to elect a new Chair, (and possibly) Deputy Chair, on 30 November. This follows the resignation of David Bedford, a Government appointed member and Chair, on 26 September. Under the Environment Canterbury (Transitional Governance Arrangements) Act 2016, you and the Minister of Local Government are jointly responsible for the decision whether to appoint a replacement member.

You are not required to appoint a replacement member and the Government does not have a role in selecting the Chair or Deputy Chair. The Act requires a minimum of three and a maximum of six appointed members; with David Bedford's resignation, there are five remaining appointed members.

We recommend you discuss the matter with Hon Nanaia Mahuta, Minister of Local Government. The Department of Internal Affairs has provided similar advice to Hon Mahuta. We can support you in that meeting if required.

*Do you wish to meet with Minister Mahuta?*

**Yes/No**

## **4. Updates for noting**

4.1.

[Redacted]

[Redacted]

[Redacted]

[Redacted]

4.2. **Soil erosion control case study**

We have recently completed a project with Horizons to better understand improvements in water quality in the Manawatu-Wanganui region (focused on pathogens and sediment). A scientific report outlining the findings is due to be released at the end of November. A key finding is the strong relationship between water quality improvements and the proportion of farms in each catchment where interventions have occurred to reduce hill country erosion.

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under section  
9(2)(f)(iv)

The work was initiated in the Horizons region in 2006 and 2007 under the Government's Sustainable Land Management and Climate Change (SLMACC) Plan of Action and the Horizons Sustainable Land Use Initiative (SLUI).

To date, the programme has targeted 660 farms covering 500,000 hectares (60 percent of farms with erosion prone land). Fourteen million trees have been planted, with an estimated 1 million tonnes of carbon fixed (reaching 11 million tonnes over the next 30 years). Since 2007, water quality for swimming has improved by 15 - 23 percent across the region, with similar improvements for suspended sediment and turbidity. Improvements are strongly correlated with the interventions. Officials can provide you with a more detailed briefing of this work.

#### **4.3. Update on the review of Environment Canterbury's operation under Commissioners**

The Ministry has halted a review of Environment Canterbury (ECan) that was intended to identify and record any lessons from its operational processes under Commissioners. We have stopped conducting interviews and will assess our findings based on those done to date.

Bill Bayfield, the Chief Executive of Environment Canterbury is aware of our decision and is comfortable with drawing the review to a close.

#### **4.4. RMA and HSNO relationship**

You requested further information at last Monday's officials meeting on this relationship. The Resource Legislation Amendment Act 2017 removed the explicit function in sections 30 and 31 of the RMA which required councils to control the adverse effects of the storage, use, disposal or transportation of hazardous substances. The intent of this change was to remove the potential for regulatory duplication with the passing of the Hazardous Substances and New Organisms Act 1996 (HSNO) and the Health and Safety at Work Act 2015 (HSWA).

When councils review their RMA plans and/or policy statements, they will need to assess whether their existing provisions are necessary (i.e. whether they duplicate any requirements under HSNO or HSWA) or whether the provisions require amending to deal with any potential environmental effects not covered by other legislation. To confirm, councils can continue to zone for hazardous risk in RMA plans.

Until such time that hazardous substances provisions within current council plans are reviewed and/or changed, the status quo applies, and resource consent applications continue to be required and assessed in accordance with the operative plan provisions.

#### **4.5. NZ-China Free Trade Agreement (FTA) upgrade negotiations – third round, Queenstown 27-30 November**

The third round of the NZ-China Free Trade Agreement (FTA) upgrade negotiations will be hosted in Queenstown, 27 – 30 November. MfE will co-lead the Environment Working Group with the Ministry for Foreign Affairs and Trade, to negotiate a chapter on Environment and Trade. § 9(2)(f)(iv)

Under the 2008 FTA with China, New Zealand has an Environmental Cooperation Agreement (ECA) as a side agreement to the FTA. This has been the basis for several cooperation projects in areas such as water quality, pest eradication, and chemical safety.

[Redacted]

[Redacted]

[Redacted]

**4.6. Australian Meeting of the Environment Ministers (MEM), Melbourne, Australia, 15 December**

You recommended Minister Sage attend the MEM, scheduled for 15 December. This has now been postponed to the first quarter of 2018 on the request of Federal Environment Minister Frydenberg. We have notified Minister Sage's office and we will notify you when a new date has been confirmed.

**4.7. International progress on ratification of the Kigali Amendment**

The Kigali Amendment to the Montreal Protocol, which seeks to phase down the use of hydrofluorocarbons (HFCs), will enter into force on 1 January 2019 after its threshold was met by 20 parties achieving ratification last week. This coincided with the annual Montreal Protocol Meeting of the Parties in Canada, where New Zealand was represented by officials from the Ministry for the Environment, the Environment Protection Authority and the Ministry of Foreign Affairs and Trade. Therefore, there is a possibility the media may ask about New Zealand's progress towards ratification of the Amendment.

As HFCs are potent greenhouse gases, the Kigali Amendment represents a significant step towards keeping the global temperature rise "well below" 2 degrees Celsius, a target agreed at the Paris climate conference in 2015. Currently 22 Parties have ratified, including Australia, Canada, Germany and the UK.

New Zealand has not yet ratified the Amendment but we are working through the domestic processes required, with an aim to ratify by 1 January 2019. However, this would require a National Interest Analysis to be taken through parliamentary treaty examination and amendments to be made to regulations under the Ozone Layer Protection Act to set up an import permitting system for New Zealand to control its phase down of HFCs. The National Interest Analysis will be provided to you in early February, with the possible legislative process to be carried out in the second quarter of 2018 depending on your balance of priorities.

**4.8. EPA's Quarter One Performance Report 1 July to 30 September 2017**

The EPA regularly provides Ministers with its performance reports on a quarterly basis for noting and the Ministry gives advice on it as the monitoring department. We note no issues with the EPA's Q1 performance and we expect to brief Ministers on the EPA and its key issues and priorities in the week of 27 November.

## 5. Briefing notes

24 November – 8 December

### 5.1. Hon Parker

Issue or event	Lead agency	Further information	Date due to your office
Preparing regulations for the deposit of jettisoned material from space vehicle launches on the seabed in the wider exclusive economic zone (EEZ).	MfE	This briefing reports on public consultation, recommends regulations, and seeks approval to issue drafting instructions to PCO.	24 November
Streamlined Planning Process – Background on the process and direction required on current applications	MfE	The SPP is a new planning process introduced through the 2017 amendments to the RMA. We are seeking your direction on the use of the process as well as the next steps for two current SPP applications consulted on by the former Minister (Bay of Plenty Regional Council and Hastings District Council).	24 November
Environmental Protection Authority – Funding through Cost Recovery Changes and Budget 2018	MfE	EPA is intending to publicly consult on increasing HSNO fees to its customers in early 2018. We will provide a draft Cabinet paper for your comments. The briefing also introduces the Budget 18 issues relating to the EPA's baseline budget.	27 November
Release of public discussion document on decommissioning in the EEZ	MfE	The Cabinet Paper seeks approval for the release of a public discussion document on "Proposed policy for decommissioning regulations under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012.	27 November
Item withheld under section 9(2)(f)(iv)			
Update on the Waikato and Waipa Rivers co-governance and co-management arrangements	MfE	This briefing provides you with background on the Waikato and Waipa Rivers co-governance and co-management arrangements, as well as an update on the current review of these arrangements.	4 December
National Policy Statement on Urban Development Capacity – Release of Price Efficiency Indicators and further guidance	MfE	This briefing provides an update on the implementation of the National Policy Statement on Urban Development Capacity. MBIE and MfE are preparing to release a suite of price efficiency indicators, including an updated rural-urban differential that measures the impact on the value of urban land from current land use regulations. We will also be providing guidance on how territorial authorities should interpret and respond to these indicators.	4 December

Budget 2018 Initiatives	MfE	This briefing provides prioritised budget initiatives for Budget 2018, requests confirmation of their ranking and that you sign a letter to the Minister of Finance outlining the initiatives and their priority order. This is due to Treasury by 8 December.	5 December
Item withheld under section 9(2)(f)(iv)			

## 5.2. Hon Sage

Issue or event	Lead agency	Further information	Date due to your office
Towards a Circular Economy	MfE	Minister Sage has requested information and background material on the transition to a circular economy.	23 November
Overview of the Resource Efficiency and Innovation work programme	MfE	Background information on work underway in the resource efficiency and waste portfolio.	23 November
Information about landfill management in New Zealand	MfE	Minister Sage has requested information on landfill management in New Zealand	23 November

## 6. Engagement

### 6.1. Key issues in the media

- There has been significant backlash to Fonterra's waterways plan and the environmental commitments in the dairy sector's Dairy Tomorrow plan, with media and environmentalists calling the commitments 'spin' and 'feeble'
- The Canterbury Recreational Water Quality Report 2016-17 released by ECan has shown water quality improvements (E coli) in 12 of 52 monitored freshwater sites
- The proposed coal mine at Mount Te Kuha (near Westport) has been granted resource consent by local authorities. Forest & Bird may appeal the consent and is calling on the Conservation Minister to stop the mine going ahead due to the land's conservation values and risk to endangered species. Meanwhile, Bathurst Coal Ltd has been fined \$10,500 by ECan after unauthorised runoff into waterways from development at the company's Canterbury coalmine at Coalgate

## 7. Official Information Act requests **Correspondents have been Withheld under section 9(2)(a)**

### 7.1. Ministerial

Request	Correspondent	Reference	At your office	Due to send
I am officially requesting information from you on what reports you, or your advisers, have received about the health effects of dust from Brodifacoum, other vertebrate toxic agents used in New Zealand and 1080 following the recent Reefton picnic poisoning case recently in the news.	██████████ Member of the public	17-O-01404	28 November	30 November
Under section 12 of the Official Information Act 1982 I request a list of all reports, briefings, memos or aide memoires that you have received since you were sworn in as Minister for the Environment.  Where information is withheld, I request you provide the title and date of the communication/document withheld, the reason for refusal and the grounds in support of that reason as required by section 19(a)(i) and (ii) of the Official Information Act.	§ 9(2)(f)(iv) Senior Policy Advisor, Office of Rt Hon Bill English, Leader of the Opposition	17-O-01456	11 December	18 December

### 7.2. Departmental **Correspondents have been Withheld under section 9(2)(a)**

Request	Correspondent	Reference	At your office	Due to send
1. How do you measure the success of each project while it is being completed, and after it is complete? 2. What proportion of projects from 2012 through to today met those success criterion, and which projects if any, did not? 3. The cost-benefit ratio for the tyre-recycling plant in Northland used to produce cement, and any report prepared by MfE for the evaluation of the project.	██████████ New Zealand Taxpayers' Association	17-D-01347	21 November	28 November

## Weekly update - Minister for the Environment

For the week starting 4 December 2017

### Environment weekly meeting 9am, Tuesday 5 December

Attendees: Hon David Parker, Minister for the Environment

Vicky Robertson, Secretary for the Environment

Penny Nelson, Deputy Secretary, Environmental Performance, Innovation & Climate

Cheryl Barnes, Deputy Secretary, Water

Amanda Moran, Deputy Secretary, Resource Management

Vicki Connor, Deputy Secretary, Organisational Performance

	Agenda Item	Lead	Paper / verbal update	Mins
1.	Discuss Weekly Update	Vicky Robertson	Verbal update	15
2.	Water Discussion on Cabinet paper	Cheryl Barnes	Verbal update	10
3.	PFAS	Vicki Connor	Verbal update	10
4.	Havelock North inquiry	Cheryl Barnes	Verbal update	

### Actions from previous meeting

**Action withheld under section 9(2)(f)(iv)**

## Upcoming meetings

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### *Week 4-8 December*

<b>4 December</b>	<b>10.45 – 11am</b>	Provincial growth fund meeting with Ministers Robertson and Jones
<b>4 December</b>	<b>11.30am</b>	Minister Twyford on Urban Development Legislation
<b>4 December</b>	<b>1pm</b>	Cabinet – Oral Item on Havelock North drinking water and paper on PFAS contamination issue
<b>4 December</b>	<b>4pm</b>	Executive Council on microbeads
<b>4 December</b>	<b>5pm</b>	Havelock North drinking water inquiry meeting
<b>5 December</b>	<b>9am</b>	Environment Weekly Update meeting
<b>6 December</b>	<b>9am</b>	Principal Environment Court Judge Laurie Newhook
<b>6 December</b>	<b>4.30pm</b>	Meeting with Fonterra CE and board
<b>7 December</b>	<b>8am</b>	Meeting with Ministers Twyford and Genter on the Urban Growth Agenda
<b>7 December</b>	<b>4.30pm</b>	Meeting with Peter Gluckman
<b>7 December</b>	<b>5pm</b>	Meeting with Minister Mahuta on Three water review (tbc)

### *Week 11-15 December*

**11 -15  
December** Argentina

### *Proposed meetings which are not yet confirmed*

Item withheld under section 9(2)(f)(iv)

Chew session with MfE officials on climate change (in particular including agriculture in the ETS)

Meeting with officials on the National Policy Statement on Urban Development Capacity

Meeting on development of National Planning Standards

# 1. Progress towards Government's 100 day priorities

## 1.1. Climate

On 30 November you met with the Minister for Climate Change to discuss the draft 100 day plan for Climate Change Cabinet Paper and its financial implications. The paper seeks agreement from Cabinet on the process for setting an emissions reduction goal and the establishment of a Climate Change Commission. At this stage the Minister for Climate Change is intending to take the paper to Cabinet Business Committee on Wednesday 13 December.

## 1.2. Urban – Housing

We continue to work with Ministry for Business, Innovation and Employment on the Housing Commission (Urban Development Agency) Cabinet paper and the detailed policy briefings. You and other relevant Ministers are meeting with Minister Twyford to discuss the Housing Commission work on Monday 4 December and we will provide you with a briefing for that meeting on Friday 1 December.

We understand that you are meeting with Ministers Twyford and Genter on Thursday 7 December to discuss the proposed scope and approach to the Urban Growth Agenda. Advice from officials will be provided on Tuesday 5 December.

# 2. Strategic priorities

## 2.1.

[Redacted]

Item withheld under section 9(2)(f)(iv)

[Redacted]

## 2.2. Budget bid and PIF

We are continuing to work with the office to set up the joint meeting with Ministers Shaw, Mahuta, and Sage to discuss our recent PIF review, where we are heading as an organisation, and our four year baseline funding profile. A briefing note on our baseline was provided to you to support your meeting with Minister Shaw on climate funding issues.

*EPA*

We met with Minister Sage on Wednesday 29 November for an initial discussion about the Environmental Protection Authority. A key part of the discussion was the EPA budget bid that officials are currently working on with Treasury.

Your respective offices are working to ensure there is a meeting between yourself and Minister Sage the week of 4 December to discuss this budget bid.

## 2.3. Havelock North

The Government Inquiry into Havelock North Drinking Water is due to report its Stage 2 findings to you as Attorney-General on Monday 4 December. We have provided you with a cross-agency briefing summarising the key findings from Stage 2 including talking points for you to take as an oral item to Cabinet on 4 December.

### 3. Updates for noting

#### 3.1. The Dairy Industry Restructuring Act 2001

We have been engaging with officials from the Ministry of Primary Industries (MPI) on the Cabinet paper they are providing on the Dairy Industry Restructuring Act (DIRA), which is being considered by Cabinet Business Committee on Tuesday 5 December. We will provide you with a CBC briefing for this paper.

MPI have asked for Crown Law advice on whether DIRA's open entry provision prevents Fonterra from enforcing minimum environmental and other standards through their terms of supply. We will update you on this issue.

#### 3.2. Natural hazards elevated risk-to-life in Matatā – request for Crown funding from Whakatāne District Council

On 17 November a joint briefing was provided to you, the Minister for Local Government and the Minister of Civil Defence on a request for Crown funding to assist with the managed retreat from properties in Matatā where there is a risk-to-life from natural hazards. The briefing recommended that Ministers agree on a lead for responding to this request. You indicated that you are probably not the appropriate lead Minister.

The Minister of Local Government has informed Department of Internal Affairs officials that she considers the response should be led by the Environment Portfolio. She intends to write to you outlining her views and seeking clarity on the appropriate lead Minister. Our view is that this is a local government matter, rather than a RMA matter and, while the Ministry for the Environment should be involved in the all of government response, we are not the appropriate agency to lead the response. We will provide you with a briefing to support your decision-making on this matter.

### 4. Briefing notes

1 December – 15 December

#### 4.1. Hon Parker

Issue or event	Lead agency	Further information	Date due to your office
Havelock North Inquiry – Stage 2 Findings	MfE/ DIA/ MoH	This briefing provides a summary of the findings of the Stage 2 Report of the Havelock North Inquiry including talking points for an Oral Item for cabinet	1 December
Meeting note: Establishing a National Urban Development Authority	MfE	This briefing provides you with information for your meeting with Minister Twyford and colleagues on establishing a National Urban Development Authority.	1 December
Update on the Waikato and Waipa Rivers co-governance and co-management arrangements	MfE	This briefing provides you with background on the Waikato and Waipa Rivers co-governance and co-management arrangements, as well as an update on the current review of these arrangements.	4 December
National Policy Statement on Urban Development Capacity – Release of Price	MfE	This briefing provides an update on the implementation of the National Policy Statement on Urban	4 December

Efficiency Indicators and further guidance		Development Capacity. MBIE and MfE are preparing to release a suite of price efficiency indicators, including an updated rural-urban differential that measures the impact on the value of urban land from current land use regulations. We will also be providing guidance on how territorial authorities should interpret and respond to these indicators.	
Urban Growth Agenda - Overview, key issues and work programme	MfE/ MBIE	A joint briefing providing an overview and principles for the Urban Growth Agenda, along with the main workstreams and options to progress them. This will inform the development of a draft Cabinet paper on the whole Housing work programme to be discussed by Housing Ministers on 19 December.	5 December
Budget 2018 Initiatives	MfE	This briefing provides prioritised budget initiatives for Budget 2018, requests confirmation of their ranking and that you sign a letter to the Minister of Finance outlining the initiatives and their priority order. This is due to Treasury by 8 December.	5 December
Good Farming Practice: Action Plan for Water Quality	MfE/MPI	This briefing provides you with the draft Good Farming Practice Action Plan for Water Quality. It suggests you meet with the Action Plan's Governance Group to provide feedback, and proposes that the Water Directorate work with the Governance Group to fast track implementing the Plan in priority catchments.	5 December
Item withheld under section 9(2)(f)(iv)			
Withheld under section 9(2)(f)(iv)			

Proactively Released

National Direction Programme – strategic choices and priorities	MfE	This briefing provides you with an overview of the programme, key challenges and strategic choices on your priorities for the national direction programme.	14 December
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## 4.2. Hon Sage

Issue or event	Lead agency	Further information	Date due to your office
Request to call for nominations to the Waste Advisory Board	MfE	To inform the Minister of the role and function of the WAB. Request approval to call for nominations to the Waste Advisory Board	29 November
Information on territorial authorities Background information on the role of territorial authorities in waste minimisation	MfE	To inform the Minister of the role territorial authorities play in waste minimisation and the opportunities to partner with them	11 December
Information on Product Stewardship	MfE	To inform the Minister of the role of product stewardship in reducing waste to landfill.	11 December
Resource efficiency priority work areas and funding options for 2018-2022	MfE	To form the basis of a discussion on our priorities for the next 18+ months. It will cover: <ul style="list-style-type: none"> <li>Implementing the three recommendations of the Waste Levy Review</li> <li>Circular Economy Sectoral Analysis</li> </ul> Advice on funding options will also be presented.	11 December
National Environmental Standard on the Outdoor Storage of Tyres	MfE	To inform the Minister of progress in preparing the Standard scheduled to come into force in August 2018	18 December

## 5. Engagement

### 5.1. Key issues in the media

- The EPA's handling of the Shell Taranaki Limited 2017 applications for marine consent and marine discharge consent has been criticised by Energy News editor Gavin Evans, who has called for the EPA's consent processes under the EEZ to be reviewed.
- Texan oil giant Anadarko is poised to leave New Zealand, dropping its final exploration permit and closing its local operations. Meanwhile, there has been continued dialogue in the media about the seismic oil exploration survey about to start in the South Taranaki Basin due to the potential impact on blue whales (highlighted by Greenpeace).

- Comments from the EPA's Chief Scientist about "irrigation being a great boon" has caused a strong reaction, with Massey University's Mike Joy calling her comments "bizarre" on Radio New Zealand the next day.
- The level of distrust in science and experts is getting worse in New Zealand, the Environmental Protection Authority says. Authority chief executive Allan Freeth said there was a growing trend of science denial in New Zealand, consistent with a global distrust in authority figures and institutions. Fluoride, 1080, vaccinations, genetic modification and glyphosate were mentioned as some of the key things science deniers are opposed to.

## 6. Official Information Act requests **Correspondents have been withheld under section 9(2)(a)**

### 6.1. Ministerial

Request	Correspondent	Reference	At your office	Due to send
<p>Under section 12 of the Official Information Act 1982 I request a list of all reports, briefings, memos or aide memoires that you have received since you were sworn in as Minister for the Environment.</p> <p>Where information is withheld, I request you provide the title and date of the communication/document withheld, the reason for refusal and the grounds in support of that reason as required by section 19(a)(i) and (ii) of the Official Information Act.</p>	<p>██████████ Senior Policy Advisor, Office of Rt Hon Bill English, Leader of the Opposition</p>	17-O-01456	11 December	18 December
<ul style="list-style-type: none"> <li>• All briefings, reports, aide memoirs, emails, memos and other official information received by the Minister since 26 October 2017 in relation to Resource Legislation Amendment Act 2017;</li> <li>• All briefings, reports, aide memoirs, emails, memos and other official information received by the Minister since 26 October 2017 in relation to amending the Resource Management Act;</li> <li>• All briefings, reports, aide memoirs, emails, memos and other official information received by the Minister's Office since 26 October 2017 in relation to the Resource Legislation Amendment Act 2017;</li> <li>• All briefings, reports, aide memoirs, emails, memos and other official information received by the Minister's Office since 26 October 2017 in relation to amending the Resource Management Act.</li> </ul>	<p>██████████ Member of the public</p>	17-O-01521	12 December	19 December

**Correspondent has been withheld under section 9(2)(a)**

6.2. Departmental

Request	Correspondent	Reference	At your office	Due to send
Request for the 2008 Adler report on The state of the compliance and enforcement regime under the Resource Management Act 1991.	[REDACTED] PHD student [REDACTED] University)	17-D-01519	21 November	4 December

Proactively Released

## Weekly update – Hon David Parker, Minister for the Environment

For the week starting 18 December 2017

### Environment weekly meeting 11am, Monday 18 December

Attendees: Hon David Parker, Minister for the Environment

Penny Nelson, Acting Chief Executive, Ministry for the Environment

Jeremy Corban, Acting Deputy Secretary, Water

Amanda Moran, Deputy Secretary, Resource Management

Vicki Connor, Deputy Secretary, Organisational Performance

	Agenda Item	Lead	Paper / verbal update	Mins
1.	Discuss Weekly Update	Penny Nelson	Verbal update	10
2.	Cabinet papers this week	Amanda Moran	Verbal update	10
3.	Waimea Dam	Vicki Connor	Verbal update	5
4.	The standing fee exception for the EPA's EEZ Decision-Making Committees	Penny Nelson	Verbal update	5
5.	America's Cup – transferring Environment portfolio responsibilities	Amanda Moran	Verbal update	5
6.	Budget 2018	Vicki Connor	Verbal update	5

### Actions from previous meeting

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1. Nil

## Upcoming meetings

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### *Week 18-22 December*

<b>18 December</b>	<b>11am</b>	Weekly Update meeting
<b>19 December</b>	<b>9am</b>	Meeting with Simon Upton (PCE)
<b>19 December</b>	<b>4pm</b>	Housing ministers meeting
<b>20 December</b>	<b>8am</b>	RMA - Compliance, monitoring enforcement
<b>20 December</b>	<b>4.30pm</b>	Water meeting with Minister O'Connor – LAWF and Water Cabinet paper

### *Proposed meetings for 2018*

MfE PIF /organisational strategy

Meeting with Ministers Twyford and Sage on Urban Development Authority planning powers

Chew session with MfE officials on climate change

Meeting with officials on the National Policy Statement on Urban Development Capacity (outstanding request for discussion on detail)

Marine Ministers meeting

## **1. Progress towards Government's 100 day priorities**

### **1.1. 100 Day Plan for Climate Change**

On Wednesday 13 December *The 100 Day Plan for Climate Change* paper was considered and approved for referral to Cabinet (Monday 18 December) by the Cabinet Business Committee. The paper seeks agreement from Cabinet on the process for a setting a net zero target for 2050 and the establishment of a Climate Change Commission. We are working closely with the Office of the Minister for Climate Change on a public announcement at the post-Cabinet press conference on Monday 18 December.

## 1.2. Urban

Your meeting with Ministers Twyford (Housing and Urban Development) and Sage (Conservation) to discuss Urban Development Authority policy proposals on reserves, and planning and consenting has been deferred to the New Year. We understand that Minister Twyford intends to forward you the relevant briefings prepared by the Ministry of Business, Innovation and Employment (MBIE) in advance and we will also brief you.

The high-level Cabinet paper on the Urban Development Authority will now be considered on Wednesday 20 December by the Cabinet Business Committee. We will provide you a meeting note prior to the meeting.


Minister Twyford is also presenting two Cabinet papers on Kiwibuild on Monday 18 December. These papers propose establishing the wholesale land programme, creating an interim Kiwibuild unit within MBIE as well as seeking initial appropriations and delegations. This looks like a sensible way forward to progress this work.

You are also meeting with the PM and Housing Ministers on 19 December to discuss the strategic direction, priorities and delivery approach for the wide Housing and Urban Development work programme. Minister Twyford will present a draft Cabinet paper presenting key choices and trade-offs that will need to be considered in order to best deliver the Government's priorities relating homelessness, Kiwibuild, mix of new housing and system reform. The pace with which we can help shift the planning system to make room for growth and bring down the cost of urban land under the Urban Growth Agenda will have a direct impact on the overall cost and success of the work programme over the medium to long term.

## 2. Strategic priorities

### 2.1. Water

s 9(2)(f)(iv)



### 2.2. Budget 2018 – Reprioritisation Initiatives

Cabinet has agreed to a baseline reprioritisation process as part of the Budget 2018 fiscal strategy. Portfolio Ministers are expected to write back to the Associate Minister of Finance by 26 January 2018 with the outcome of their reviews. The focus of the review is to identify low value activity and activity that is not aligned to Government priorities for possible reprioritisation. We will discuss our approach to this exercise with you on Monday 18 December. A briefing and letter will be prepared in January for your review before the due date of 26 January.

### 3. Actions and decisions

#### 3.1. Westpower Ltd Concession Application

Minister Sage (Conservation) has requested you accept responsibility to make a decision on a concession application under the Conservation Act 1987, as Minister Sage considers she has a conflict of interest in regard to this matter.

The concession is sought by Westpower Ltd to construct and operate a run-of-river hydro-electric power scheme on the Waitaha River, within public conservation land on the West Coast of the South Island. The concession application was publicly notified and public hearings were held in 2016. A large number of submissions were received, including some strong opposition from environmental groups. A decision on the concession application was expected by the end of 2017. The decision carries high public interest and there may be a possibility of challenge in the courts.

Resource consent will still be required under the RMA in order for the scheme to progress further (it is expected that Westpower Ltd will apply for consent from the West Coast Regional Council if the concession is granted). Taking on this responsibility should not conflict with any potential decision-making responsibilities that may arise under the RMA such as your functions and powers relating to nationally significant proposals.

We note that the Prime Minister's agreement will be required as per the Cabinet Manual.

### 4. Updates for noting

#### 4.1. Freshwater Improvement Fund - notification of change in fund recipient for Lake Whangape project

We are notifying you, as delegated authority holder, of a change in fund recipient for the Lake Whangape project. This project was approved for funding by the former Minister for the Environment through the Freshwater Improvement Fund. A total of \$900,643 was awarded to the Waikato Regional Council (WRC) to improve the water quality and habitat of Lake Whangape. The project is being delivered in partnership with the Department of Conservation (DOC), and the Waikato Tainui (Nga Muka Development Trust and Waah Whaanui Trust).

The project partners are developing the detailed work programme and finalising the deed of funding. The partners have agreed by consensus it will be more efficient if DOC is the recipient of funding as they will be undertaking the majority of works. Given that the project will be delivered in partnership we are confident that the same outcomes will be achieved. On this basis we have agreed to progress this request and transfer the funding from WRC to DOC. We expect the project will commence by February 2018.

#### 4.2. Regulations Review Committee Request

You have received a letter from the Regulations Review Committee in relation to fees set under the Resource Management (Forms, Fees and Procedure) Amendment Regulations 2017. The Committee has asked for the financial models used to calculate the fees that were set by these regulations. You are requested to respond to the Committee by Friday 26 January 2018.

The Ministry is following up this matter with the Ministry of Justice as the fees relate to the Environment Court and were established as part of the Civil Fees Review in 2013.

We will work with the Ministry of Justice in writing up a response for your consideration. We will aim to provide this response to you by 17 January 2018.

#### **4.3. Enhanced water transfer going live in Marlborough**

On Sunday 24 December, Marlborough District Council (MDC) is scheduled to go live with its eWater enhanced transfer system. The eWater system is an online platform that enables water consent holders to transfer water between each other. The Ministry contributed \$150,000 towards the system through the Community Environment Fund. We will continue to monitor the effectiveness of this approach and its applicability to other regions.

The eWater system was designed to let Marlborough water users transfer their allocated but unused water as simply as an online-banking transaction. This will be particularly useful during the forecast dry conditions for early 2018. MDC and the Ministry will be monitoring its uptake by users over the coming months.

There are no mechanisms in the system to buy or sell the water as part of the transfer. However payments are not prohibited and could be arranged separately.

#### **4.4. Government Response to Havelock North Inquiry – Cabinet Paper**

The Ministers for Health and Local Government have lodged a joint cabinet paper to seek agreement from Cabinet on the proposed government response to the Stage 2 Report of the Havelock North Inquiry. The cabinet paper was prepared by the Department of Internal Affairs and Ministry for Health with input from the Ministry for the Environment, the Department of the Prime Minister and Cabinet, and Crown Law. The Cabinet Paper indicates that the Ministry for the Environment will lead a work stream on enhancing protection of sources of drinking water through the resource management system. You have been provided with a briefing note that contains further information.

#### **4.5. Kaputone Wool Scour water bottling plant**

Cloud Ocean Water Ltd, a Chinese water bottling company, purchased Kaputone Wool Scour in Christchurch. The original consent to abstract water was transferred when the purchase occurred. This part of the process simply occurs on notice to the Council. However Cloud Ocean Water needs a new consent to use the water for water bottling. This application has been received by Environment Canterbury but has yet to be processed to a decision. The application requires an assessment of the environmental effects of the use of the water. There is no re-assessment of the impacts of the take, or the merits of why the water is being used.

Christchurch City Council has raised concerns about the effect of the proposed deeper water take on its supply. As Canterbury's water resources are in increasing demand, water bottling is likely to be a future focal point for public and media concerns. We are preparing advice for early in the new year on water bottling and pricing.

## 5. Briefing notes

15 December – 16 January

### 5.1. Hon Parker

Issue or event	Lead agency	Further information	Date due to your office
Meeting with the PCE	MfE	To provide background material to support your meeting with the PCE.	15 December
Proposed Government Response to the Stage 2 Report of the Havelock North Inquiry	MfE	To provide you with information on the Ministry for the Environment's contribution to the proposed Government Response to the Stage 2 Report of the Havelock North Inquiry.	15 December
Introductory meeting between the Parliamentary Commissioner for the Environment, the Minister for the Environment and the Prime Minister	MfE	To provide background material to support your meeting with the PCE and the PM.	15 December
National Direction Programme – strategic choices and priorities	MfE	This briefing provides you with an overview of the programme, key challenges and strategic choices on your priorities for the national direction programme.	18 December
Withheld under section 9(2)(f)(iv)			
Writing to the Land and Water Forum re priority advice	MfE	To update the Minister on the most recent advice from the Land and Water Forum, and provide a draft response letter.	18 December
Regional Council progress on Freshwater	MfE	This is to brief the Minister on the progress that regional councils have made towards implementing the National Policy Statement for Freshwater Management 2014 (amended 2017). It provides analysis to identify areas where progress has been slow or council plans and processes may not give full effect to the Freshwater NPS.	18 December

Update of the Australian and New Zealand Guidelines for Fresh and Marine Water Quality	MfE	The update of the Australian and New Zealand Guidelines for Fresh and Marine Water Quality which is due to launch in the first quarter of 2018. The briefing note will provide information on the revision and will be seeking your agreement to launch the guidelines. The Australian Minister for Agriculture and Water Resources will be writing to you seek your agreement to launch the guidelines and a draft letter provided by the Australian Department of Agriculture and Water Resources will be provided for your noting.	18 December
Allocation "chew paper" for Christmas reading	MfE	This paper provides context for the work on the water and discharge allocation systems, including opportunities and problems with the current system and examples of international approaches.	18 December
2018 Legislation Bids - Environment	MfE	This briefing note will provide draft bids for the 2018 Legislation Programme in accordance with Cabinet Office circular CO (17) 11	18 December
Streamlined Planning Process	MfE	Two briefings relating to statutory processes and decisions for Hastings and Tauranga applications.	18 December
Te Mana o Te Wai Fund - Options on funding allocation	MfE	As part of Budget 2017, a transfer of funds from the Ministry for Māori Development - Te Puni Kōkiri (TPK) to the Ministry for the Environment occurred, providing an additional \$1 million to support freshwater initiatives through the Te Mana o Te Wai Fund (TMOTW) appropriation. This briefing note seeks a decision on options for allocating this \$1 million.	19 December
Genetic Technology - Overview and next steps	MfE	A high level overview of developments in genetic technologies, the international regulatory landscape, the value of a public conversation on how New Zealand responds and the preparatory work required.	20 December

## 6. Engagement

### 6.1. Key issues in the media

- Water bottling and in particular the transfer of a consent to Ling Hai Group (majority shareholder of Chinese-owned Cloud Ocean Water) in Canterbury has received significant coverage this week. The plant is set to become one of the biggest in New Zealand.

Meanwhile there have been reports that workers building the Cloud Ocean Water plant are allegedly sleeping on boxes and involved in a daily litany of unsafe work practices.

- Lake Taupo is likely to be off limits for swimming this summer with the Waikato Regional Council identifying toxic algae in the lake.
- The Waikato District Health Board has lost its accreditation as the region's water watchdog. It monitors 90 drinking water suppliers on behalf of the Ministry of Health.
- Environment Canterbury predicts that there will be a long term increase in the level of nitrates in deep groundwater in Belfast and North Christchurch.

## 7. Official Information Act requests **Correspondent has been withheld under section 9(2)(a)**

### 7.1. Ministerial

Request	Correspondent	Reference	At your office	Due to send
<p>Under section 12 of the Official Information Act 1982 I request a list of all reports, briefings, memos or aide memoires that you have received since you were sworn in as Minister for the Environment.</p> <p>Where information is withheld, I request you provide the title and date of the communication/document withheld, the reason for refusal and the grounds in support of that reason as required by section 19(a)(i) and (ii) of the Official Information Act.</p>	<p>[REDACTED] Senior Policy Advisor, Office of Rt Hon Bill English, Leader of the Opposition</p>	17-O-01456	11 December	18 December
<ul style="list-style-type: none"> <li>• All briefings, reports, aide memoires, emails, memos and other official information received by the Minister since 26 October 2017 in relation to Resource Legislation Amendment Act 2017;</li> <li>• All briefings, reports, aide memoires, emails, memos and other official information received by the Minister since 26 October 2017 in relation to amending the Resource Management Act;</li> <li>• All briefings, reports, aide memoires, emails, memos and other official information received by the Minister's Office since 26 October 2017 in relation to the Resource Legislation Amendment Act 2017;</li> <li>• All briefings, reports, aide memoires, emails, memos and other official information received by the Minister's Office since 26 October 2017 in relation to amending the Resource Management Act.</li> </ul>	<p>[REDACTED] Member of the public</p>	17-O-01521	12 December	19 December

'Information on the proposed amendments for inclusion in the Statues Amendment Bill 2018 that the Minister received on 21 November 2017 (Minister's reply to my WQ 10265(2017).'	██████████ National Party	17-O-01565	12 January	19 January
On The Waitangi Tribunal's national Freshwater and Geothermal Resources Inquiry that the Minister received on 2 November 2017 (Minister's reply to my WQ 10241(2017).'	██████████ National Party	17-O-01566	12 January	19 January
'Briefing, memos or aide memoirs that the Minister received on Annual update on the use of fireworks in New Zealand, Publication of updated guidance on Coastal Hazards and Climate Change, Update on progress towards developing the first set of national planning standards; your role in urban areas (refer Minister's reply to my WQ 10223 (2017).	██████████ National Party	17-O-01567	12 January	19 January
'Briefings, memos or aide memoires relating to international meetings in December 2017" (Minister's reply to my WQ 10218(2017).'	██████████ National Party	17-O-01568	12 January	19 January
Briefing/memos or aide memoires relating to Action required for the East-West Link Rooding Proposal and Inquiry Fee Extension (Minister's reply to my written question 10215 (2017).	██████████ National Party	17-B-01569	12 January	19 January
'A copy of The Crown's approach for addressing Iwi and hapū rights and interests in freshwater; Information on Waitangi Tribunal's Freshwater Inquiry (as per Minister's reply to my written question 10198 (2017).'	██████████ National Party	17-O-01570	12 January	19 January
'The Weekly Environment Update and all other briefing papers, memos or aide memoires received by the Minister on 10 November 2017. (Reply to my written question 10200 (2017)).'	██████████ National Party	17-O-01571	12 January	19 January
Documents relating to Information on the National Policy Statement on Urban Development Capacity; Advice on EEZ regulations and the Event note received by the Minister on 16 November 2017 referred to in his answer to my written question 10183 (2017).	██████████ National Party	17-O-01572	12 January	19 January
A copy of the Hazardous Substances and New Organisms Amendment Act 2015 (Transitional Controls) Regulations 2017 and related information received by the Minister on 9 November 2017 and referred to your reply to my Written question 10199(2017).	██████████ National Party	17-O-01573	12 January	19 January

'Information on the proposed amendments for inclusion in the Statues Amendment Bill 2018 that the Minister received on 21 November 2017 (Minister's reply to my WQ 10265(2017).'	██████████ National Party	17-O-01574	12 January	19 January
'Briefings, memos or aide memoirs in relation to regulation to ban plastic microbeads, introduction to the NES for Plantation forestry, information on the transition toward a circular economy (refer Minister's reply to my WQ 10260 (2017).'	██████████ National Party	17-O-01579	12 January	19 January
Please provide all documents received since October 26, 2017 which refer to the Kermadec Ocean Sanctuary.	██████████ Political report	17-O-01598	16 January	23 January
1: How many litres of water are currently consented to be drawn from NZ? Please break down to individual regions ie Canterbury, Hawkes Bay etc 2. In each of those regions, what is the ratio of and to what businesses (Dairy, Sheep and Beef, Cropping, Viticulture, Bottling Plants etc) is the water allocated? 3. How many of those businesses in each region have Non Resident Shareholders and Directors? 4. How much is charged for the collective consents per region?	██████████ Member of the public	17-O-01601	16 January	23 January
We would like to know what correspondence or meetings the Whakatane District Council has had with your office regarding Matatā and the Awatarariki area. Please can you provide any further information, under the OIA. We have formed an incorporated society, Awatarariki Residents Assn, and engaged lawyers Rob Enright & Ruby Haazen to represent us. We would request that in considering what the Whakatane District Council is presenting to you, that your office consult directly with us the affected residents of this area. We would welcome you to visit us here to discuss our concerns in person.	██████████ Member of the public	17-O-01636	18 January	25 January

## 7.2. Departmental Correspondent has been withheld under section 9(2)(a)

Request	Correspondent	Reference	At your office	Due to send
Request for the 2008 Adler report on The state of the compliance and enforcement regime under the Resource Management Act 1991.	██████████ PHD student ██████████ University)	17-D-01519	21 November	4 December

<p>A copy of the Briefing to the Incoming Minister (BIM) provided to the Minister for the Environment; • A copy of the BIM provided to the Minister for Climate Change; • A copy of the BIM provided to both Associate Ministers for the Environment; • All reports, memorandums, papers, documents, advice, correspondence, notes, emails, text messages, PID, or other official information, written, reviewed or considered by Ministry staff between 1 August 2017 and 26 October 2017, in relation to the preparation of the BIMs and/or content of the BIM; • All draft versions of the BIMs produced between 1 September 2017 and 26 October 2017; • All covering notes that may have gone with the BIMs signed by the Secretary for the Environment; • All attachments and/or any other briefings that went alongside the BIMs; • A copy of the Briefing to the Incoming Ministers of the Natural Resources Sector; • A copy of all other briefing to incoming Ministers from any board, such as the Waste Advisory Board.</p>	<p>██████████ Member of the public</p>	<p>17-D-01451</p>	<p>TBC</p>	<p>19 December (15 day extension pending)</p>
<p>Our client wishes to specifically see, in relation to each government leasing transaction in the Bowen Campus, the following: the net lettable area of each premises; the term and rights/options to renew/extend; the annual gross rental; the rent review frequencies and structures; and details of any incentives given by the Landlord each Tenant.</p>	<p>██████████ DLA Piper</p>	<p>17-D-01553</p>	<p>-</p>	<p>16 January</p>
<p>I request:</p> <p>1. a). All of the evidence that has led MfE to conclude that: "Pressures on natural resources are reaching critical boundaries"; and b). All correspondence between MfE and other stakeholders relating to "critical boundaries".</p> <p>2. How MfE:</p> <p>a) Defines 'critical boundaries'; and b) What or which are the critical boundaries that have been identified in New Zealand; and c). Which natural resources have been identified as, or are near, "reaching critical boundaries"?</p> <p>3. And, relating to the statement: "The evidence indicates that environmental constraints and pressure points are being reached. Current trends (eg, population growth, greenhouse gas emissions, biodiversity loss, and demand for access to natural resources) suggest those pressure points will continue to be tested.</p>	<p>██████████ FYI.org.nz</p>	<p>17-D-01605</p>	<p>23 January</p>	<p>30 January</p>

<p>I request:</p> <p>a) All of the 'evidence' behind this statement (i.e., all of the evidence referred to by the statement 'evidence indicates'); and b). How 'pressure points' are defined; c). Which pressure points have been identified as nearing being reached, or reached, in New Zealand; and d). How environmental constraints are defined; and e). Which environmental constraints have been identified as, or nearing, being reached in New Zealand?</p> <p>Please do not hesitate to contact me if you require clarification over my request.</p>				
<p>I request all information, documents, and correspondence held by the Ministry of the Environment relating to:</p> <p>A) the benefit of irrigation and water storage projects to New Zealand; and</p> <p>B) irrigation and water storage as a method of climate adaptation for both domestic and/or rural populations; and</p> <p>C) the environmental, economic, and social impacts of irrigation and/or water storage; and</p> <p>D) any other information held by the Ministry that relates to irrigation and water storage in New Zealand that has been commissioned, received, or conducted by the Ministry since 2007, and that is not otherwise covered by this request.</p>	<p>■ FYI.org.nz</p>	<p>17-D-01614</p>	<p>23 January</p>	<p>30 January</p>
<p>I request all information, documents, and correspondence relating to the environmental impact of tourism in New Zealand that has been conducted, commissioned, and/or received by the Ministry for the Environment since 2012</p>	<p>■ FYI.org.nz</p>	<p>17-D-01615</p>	<p>24 January</p>	<p>31 January</p>
<p>Can I please OIA all documents, including emails, reports, notes etc, relating to the chemical foam that has been used at Defence Force bases.</p>	<p>■ Fairfax Media</p>	<p>17-D-01618</p>	<p>24 January</p>	<p>31 January</p>
<p>I request copies of all information held in relation to:</p> <p>a. the testing reports produced in relation to the testing for PFAS being undertaken at Ohakea, Woodburne and Whenuapai airbases;</p> <p>b. correspondence with affected land owners; and</p> <p>c. details of the potentially affected land areas.</p>	<p>■ Shine Lawyers, Senior Solicitor</p>	<p>17-D-01624</p>	<p>24 January</p>	<p>31 January</p>

## Weekly Update – Hon David Parker, Minister for the Environment

For the week starting 23 January 2018

### Upcoming meetings

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#### *Weeks from 23 January – 2 February*

<b>23 January</b>	<b>11.30am</b>	PFAS briefing with Ministers Mark and Clark
<b>30 January</b>	<b>5:30pm</b>	Marine Ministers priorities
<b>1 February</b>	<b>11.15am – 12pm</b>	Environment officials meeting

### 1. Progress towards Government's 100 day priorities

#### 1.1. 100 Day Plan for Climate Change

##### *Zero Carbon Bill*

On 18 December 2017, Cabinet agreed to next steps for the 100-day plan for climate change and the Zero Carbon Bill. The Minister for Climate Change has a report-back to Cabinet by 28 February 2018 on the terms of reference for the Interim Climate Change Committee (Interim Committee), terms of reference for the public sector climate change board of Chief Executives, and the timing and sequencing of key government decisions on priority climate change matters. The Minister for Climate Change has agreed to aim for the Cabinet Environment, Energy and Climate Committee (ENV) on 20 March and the Cabinet Appointments and Honours Committee (APH) to appoint the Interim Committee members on 28 March. We were originally aiming for the relevant Cabinet committee meeting in the week of 26 February, but ENV does not meet this week. The earlier date, 20 February, would provide insufficient time for Ministerial consultation. The next ENV meeting is 20 March, following a two-week parliamentary recess. We have advised the Minister for Climate Change to consult you and other Ministers from 7-16 February. We have recommended that the Minister for Climate Change discuss with you cross-parliamentary consultation on the Interim Committee's terms of reference and membership.

#### 1.2. Urban – Housing Commission

We are providing input to the series of MBIE briefings to Minister Twyford, Minister for Housing and Urban Development, seeking policy direction on key aspects of the Housing Commission proposal. From this direction a series of Cabinet papers will be considered in March 2018 to guide drafting of legislation.

Upcoming briefing notes and meetings on Housing Commission topics are set out below. We understand that all briefings are being forwarded to your office as agreed with Minister Twyford's office.

Briefing paper topic	Due with Minister Twyford	Ministerial discussion scheduled
Fundamentals: legislative design, role of local government	11 January 2018	15 February 2018, 8 - 9 am: Ministers Twyford, Parker, Mahuta, Robertson, Jones (possibly others)
Decision-making: priorities and principles	25 January 2018	
Entity: Organisational functions and form of the UDA	18 January 2018	7 February 2018, 8:30 am – 9 am: Ministers Twyford, Robertson, Jones, Hipkins, Mahuta (your office is to confirm your attendance)
Approach to Maori interests	30 November 2017	7 February 2018, 11-11:45 am: Ministers Twyford, Parker and Mahuta
Land assembly. (Follow-up to Ministers' meeting in December 2017)	26 January 2018 (estimate)	Date to be confirmed
Planning and consenting powers	18 January 2018	13 February 2018, 8:15 – 9:15 am: Ministers Twyford, Parker and Sage

## 2. Strategic priorities

### 2.1. Water

s 9(2)(f)(iv)

## 3. Actions and decisions

### 3.1. Statutes Amendment Bill 2018

On 29 November 2017, you agreed to submit eight amendments to resource management legislation to the Ministry of Justice for inclusion in the Statutes Amendment Bill 2018 (the Bill).

We have subsequently identified an additional amendment for inclusion in the Bill, which has been approved by the Ministry of Justice as suitable for inclusion. The amendment will correct a drafting error in the definition of 'relevant local authority' in section 58L of the Resource Management Act 1991 (RMA).

We propose to amend this definition by replacing the phrase 'district or regional council' with 'territorial authority or regional council'. The term 'district council' is not defined in the RMA, and records show that the intention was for this to refer to 'local authority'. The term 'local authority', when used elsewhere in the RMA, means 'regional council or territorial authority'.

*We recommend you agree to submit the above proposal to the Ministry of Justice for inclusion in the Statutes Amendment Bill 2018.*

**Agree/Disagree**

## **4. Updates for noting**

### **4.1. Administration of the Freshwater Allocation Technical Advisory Group**

You asked about the cost of the Freshwater Allocation Technical Advisory Group. Each meeting of the group costs approximately \$10,000. The main expenses are members' travel, accommodation if required, and time for preparation and meetings. Rates for members' time are set at \$500 per day (and \$625 per day for the Chair, who has not charged for his time). The group has nine members and has met nine times. While the water work programme is being established, the group is on hold and no meetings are scheduled.

Withheld under section 9(2)(f)(iv)

### **4.2. Publication of a scientific report on toxic algae in rivers**

The Ministry intends to publish a report on toxic algae in rivers on its website later this month (a copy of the report will be provided to your office). The report is topical due to the recent blooms in toxic algae in rivers nationwide and coverage of this in the media. The report examines the drivers of toxic algae in rivers, which are mainly an issue during dry spells in summer. It finds that toxic algae in rivers are complex but are primarily associated with low levels of nutrients and stable river flows; the opposite situation exists for lakes. This is consistent with the information provided in the briefing note Overview of Sediments and Nutrients in our freshwater environment (2017-B-04121).

### **4.3. Government Response to Havelock North Inquiry**

The Ministers for Health and Local Government are reporting to Cabinet in late February on progress made towards preparing the government response to the Stage 2 Report of the Havelock North Inquiry. The Ministry is contributing to a cross-agency working group that is preparing the joint cabinet paper and providing input on content related to the Environment Portfolio. It is expected that you will receive a draft copy of the cabinet paper for comment during the week of 5 February. Officials will be working with Ministers' offices to convene a meeting between Ministers for Health, Local Government, Environment and Finance to discuss the Government's preliminary positions on the issues with major financial and political implications prior to the lodgement of the Cabinet Paper.

Item withheld under section 9(2)(f)(iv)

### **4.4. Ozone: Initiating ratification of the Kigali Amendment to the Montreal Protocol**

The Kigali Amendment to the Montreal Protocol will enter into force on 1 January 2019, this seeks to phase down the use of hydrofluorocarbons (HFCs). Ratification of the Amendment will help New Zealand reduce a potent greenhouse gas. For New Zealand to ratify the Amendment in time for its entry into force we have prepared a National Interest Analysis Paper (NIA) and Cabinet Paper for the parliamentary treaty examination process.



While this is a tight timeframe, there are a number of steps to go through to enable us to ratify before the end of 2018, (and ideally before the UNFCCC Conference of Parties in early December). These include the amendment of regulations under the Ozone Layer Protection Act, an act which comes under your portfolio. Regulations need to be gazetted in August 2018 to enable the EPA to open up applications for HFC import permits in September 2018. This will enable import permits to be issued to enable imports by January 2019. New Zealand will be able to ratify once we have demonstrated that we are able to meet our obligations under the Kigali Amendment.

**4.5. Cabinet material we have provided advice for**

*Amending the financial security regime for offshore installations*

The Associate Minister of Transport intends to publicly consult on amending the financial assurance security regime for offshore petroleum installations increasing the maximum level of assurance required by owners of installations for clean-up and compensation associated with oil spills to NZ\$800 million.

In 2017, the previous Minister of Transport agreed to an amendment to Part 102 of the Marine Protection Rules to increase the level of financial assurance required to NZ\$600 million from the current NZ\$29 million. The new proposal to increase the financial assurance to NZ\$800 million better reflects the costs for clean-up and compensation for a credible worst case oil spill scenario in deep water Taranaki.

We support the proposal to increase the level of financial assurance required to ensure that the requirements for financial assurance reflect the level of risk associated with a potential oil spill and reduce the risk to the Crown.

The Associate Minister intends to table the proposal at the first or second Cabinet Business Committee meeting of the year.

**5. Briefing notes**

**23 January – 2 February**

Title	Lead agency	What this briefing covers	Date due to your office
The Ministry's compliance, monitoring and enforcement programme	MfE	At a meeting with officials on options for improving compliance under the Resource Management Act 1991 (RMA) on 20 December 2017, you directed officials to carry out further work to develop a compliance, monitoring and enforcement programme, and to report back to you on this in January 2018. This briefing summarises this work programme, and seeks your approval (and signature) on the revised RMA prosecutions budget letter by 25 January.	19 January

Lessons Learned from the Housing Accords and Special Housing Areas Act 2013	MfE	Advice on lessons learned for the RM and planning system, from the HAASHA experience in Auckland, Queenstown and Tauranga.	23 January
Housing Commission Fundamentals and Decision-making - meeting note	MfE	Advice to Minister Parker prior to his meeting with Ministers Twyford, Mahuta, Robertson, Jones on Housing Commission Fundamentals and Decision-making briefing notes. The meeting will likely be in early February 2018	25 January
Ratification of Minamata Convention	MfE	This briefing seeks the Minister's agreement to the legislative measures required to meet the Conventions obligations.	26 January
Marine Ministers Meeting	MfE	The purpose of this briefing is to prepare you for chairing the Marine Ministers meeting on 30 January.	26 January
Briefing Note to you on the submission of draft regulations to Cabinet	MfE	This briefing accompanies a LEG paper, draft regulations and RIS for seeking Cabinet approval of amendment regulations for the deposit of jettisoned material from space vehicle launches on the seabed in the wider EEZ.	30 January
Agreement sought on the scope of the first set of National Planning Standards and a formal consultation process	MfE	This briefing follows an earlier update briefing. It seeks agreement to the matters that will be included in the first set of standards for consultation and the process for formal consultation.	30 January
Resource Management: potential future work programme	MfE	Advice in response to direction from you for the us to look for options to address RMA grit in the wheels	31 January

## 6. Cabinet material being prepared for you

Paper name	Committee	What this paper covers	Our Suggested timeframes
Item withheld under section 9(2)(f)(iv)			
Item withheld under section 9(2)(f)(iv)			

## 7. Engagement

### 7.1. Key issues in the media

- The cost of the clean-up after last year's significant flooding in Otago and Canterbury has more than doubled to nearly \$55 million, the third-most expensive weather event in 2017.
- Experts are concerned that changes to the management of drinking water in New Zealand will not come quickly enough. Iain Rabbits (Harrison Grierson) and John Pfahlert (Water New Zealand) were quoted in an RNZ article warning that NZ's water supply operations have 20-30 years of catching up to do, and that if no announcements are made by the end of February (following the Havelock report recommendations) support from Parliament and the public could be lost.
- According to 705 people surveyed by Safe H2O, 46 per cent of Kiwis have no emergency plans in place should a natural disaster strike and the water supply be severed.

## 8. Official Information Act requests Correspondent withheld under section 9(2)(a)

### 8.1. Ministerial

Request	Correspondent	Reference	At your office	Due to send
<p>We would like to know what correspondence or meetings the Whakatane District Council has had with your office regarding Matatā and the Awatarariki area. Please can you provide any further information, under the OIA.</p> <p>We have formed an incorporated society, Awatarariki Residents Assn, and engaged lawyers Rob Enright &amp; Ruby Haazen to represent us. We would request that in considering what the Whakatane District Council is presenting to you, that your office consult directly with us the affected residents of this area. We would welcome you to visit us here to discuss our concerns in person.</p>	<p>██████████ Member of the public</p>	17-O-01636	18 January	25 January
<p>A copy of the document received by the Minister on 17 November 2017 titled "Informational briefing on Kermadec / Rangitahua Ocean Sanctuary" as referred to in his answer to WQ 10180(2017)</p>	<p>██████████ National Party</p>	17-O-01653 (combined with 17-O-01565)	25 January	1 February
<p>I request the following information referenced in your response to my Written Question no. 17367 (2017)</p> <p>Briefing to the Incoming Minister : Environment, Environment and Climate, Built and Urban Systems, Resource Management system slide pack.</p>	<p>██████████ National Party</p>	18-O-00013	5 February	12 February

Proactively Released

<p>1. All advice you have received from the Ministry for the Environment or the Environmental Protection Agency regarding genetic engineering or genetic modification.</p> <p>2. All advice you have received from the Ministry for the Environment or the Environmental Protection Agency regarding the Hazardous Substances and New Organisms Act 1996. [FOR HON PARKER]</p>	<p>██████████ Act Party</p>	<p>18-O-00020</p>	<p>6 February</p>	<p>13 February</p>
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**8.2. Departmental Correspondent withheld under section 9(2)(a)**

Request	Correspondent	Reference	At your office	Due to send
<p>Our client wishes to specifically see, in relation to each government leasing transaction in the Bowen Campus, the following: the net lettable area of each premises; the term and rights/options to renew/extend; the annual gross rental; the rent review frequencies and structures; and details of any incentives given by the Landlord each Tenant.</p>	<p>██████████ DLA piper</p>	<p>17-D-01533</p>	<p>N/A</p>	<p>16 January</p>
<p>Please release the following information, as referred to in this document (i.e. the Environment/Climate Change Briefing to the Incoming Minister):  <a href="https://www.beehive.govt.nz/sites/default/files/2017-12/Environment%20and%20Climate%20Change.PDF">https://www.beehive.govt.nz/sites/default/files/2017-12/Environment%20and%20Climate%20Change.PDF</a>  I request:</p> <p>1. a). All of the evidence that has led MfE to conclude that: "Pressures on natural resources are reaching critical boundaries"; and b). All correspondence between MfE and other stakeholders relating to "critical boundaries".</p> <p>2. How MfE:</p> <p>a) Defines 'critical boundaries'; and  b) What or which are the critical boundaries that have been identified in New Zealand; and c). Which natural resources have been identified as, or are near, "reaching critical boundaries"?</p> <p>3. And, relating to the statement:  "The evidence indicates that environmental constraints and pressure points are being reached. Current trends (eg, population growth, greenhouse gas emissions, biodiversity loss, and demand for access to natural resources) suggest those pressure points will continue to be tested.</p> I request: <p>a) All of the 'evidence' behind this statement (i.e., all of the evidence referred to by the statement 'evidence indicates'); and  b). How 'pressure points' are defined; c). Which pressure points have been identified as nearing being reached, or reached, in New Zealand; and</p>	<p>██████████ FYI</p>	<p>17-D-01605</p>	<p>23 January</p>	<p>30 January</p>

<p>d). How environmental constraints are defined; and</p> <p>e) Which environmental constraints have been identified as, or nearing, being reached in New Zealand?</p> <p>Please do not hesitate to contact me if you require clarification over my request.</p>				
<p>The analysis and data related to the Waikato River Authority (WRA) which was provided in the Crown report questionnaires (completed as part of the Waikato and Waipā river arrangements review) by Waikato-Tainui's accord Crown agency and Joint Management Agreement (JMA) partners (i.e. councils and government departments).</p>	<p>██████████ Waikato Raupatu Lands Trust</p>	17-D-01613	N/A	9 February
<p>I request all information, documents, and correspondence held by the Ministry of the Environment relating to:</p> <p>A) the benefit of irrigation and water storage projects to New Zealand; and</p> <p>B) irrigation and water storage as a method of climate adaptation for both domestic and/or rural populations; and</p> <p>C) the environmental, economic, and social impacts of irrigation and/or water storage; and</p> <p>D) any other information held by the Ministry that relates to irrigation and water storage in New Zealand that has been commissioned, received, or conducted by the Ministry since 2007, and that is not otherwise covered by this request.</p>	<p>██████ FYI</p>	17-D-01614	23 January	30 January
<p>I request all information, documents, and correspondence relating to the environmental impact of tourism in New Zealand that has been conducted, commissioned, and/or received by the Ministry for the Environment since 2012</p>	<p>██████ FYI</p>	17-D-01615	24 January	31 January
<p>Copies of all applications for ELAF funding in relation to the Thames Coromandel District Plan review process and related appeals received during 2017 (calendar year).</p>	<p>██████████ Coromandel Property Owners Alliance - ██████████</p>	17-D-01691	24 January	31 January
<p>Dating back to April 2015, any advice, reports, briefings, emails or memos on the presence of PFOS and PFOA. This should include – but not exclude – the testing carried out on Defence land.</p>	<p>██████████ Political Reporter,TVNZ</p>	18-D-00023	5 February	12 February
<p>A copy of the event note for Minister Parker's visit to Rotorua, titled in our records as 'Rotorua Te Arawa Lakes Programme site visits'</p>	<p>██████████ Bay of Plenty Regional Council</p>	18-D-00012 (Same document as in scope of 17-O-01573)	6 February	13 February

## Weekly Update – Hon David Parker, Minister for the Environment

For the week starting 29 January 2018

### Environment weekly meeting 11.15am – 12.00pm, Thursday 1 February

Attendees: Hon David Parker, Minister for the Environment

Vicky Robertson, Secretary for the Environment

Penny Nelson, Deputy Secretary, Environmental Performance, Innovation & Climate

Cheryl Barnes, Deputy Secretary, Water

Amanda Moran, Deputy Secretary, Resource Management

Vicki Connor, Acting Deputy Secretary, Organisational Performance

Claire Richardson, Deputy Secretary, Organisational Performance

James Walker, Deputy Secretary, Partnerships and Customers

Shaun Lewis, Director Mana Honohono

	Agenda Item	Lead	Paper / verbal update	Mins
1.	Discuss Weekly Update	Vicky Robertson	Verbal update	10
2.	Waimea Dam	Shaun Lewis	Verbal update	5
3.	Tiwai Point	Shaun Lewis	Verbal update	5
4.	Update on PFAS	Vicki Connor	Verbal update	10
5.	Water Priorities Cabinet Material	Cheryl Barnes	Verbal update	10
6.	Marine Ministers Meeting	Penny Nelson	Verbal update	5

## Upcoming meetings

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### *Week 29 January – 9 February*

<b>30 January</b>	3.30pm	Meeting with Ministers Parker and Sage
<b>30 January</b>	5.30pm	Marine ministers
<b>1 February:</b>	11.15am	MfE officials meeting
	5.00pm	Mayor Jim Boulton (Queenstown)
<b>2 February</b>	2.30pm	Gary Taylor
<b>5 February</b>	-	Waitangi day meetings
<b>7 February</b>	8.30am	Urban Development Agenda organisational form
	11.00am	Urban Development Agenda Maori interests
	1.00pm	EPA Board Strategy
	2.00pm	Havelock North Inquiry response
<b>9 February</b>	9.00am	Auckland urban planning issues with the Independent Hearings Panel and officials
	11.00am	Resource Management reform Coalition (Infrastructure NZ, Business NZ, Property Council, EMA, EDS)

## 1. Progress towards Government's 100 day priorities

### 1.1. 100 Day Plan for Climate Change

#### *Zero Carbon Bill*

The Minister for Climate Change has a report-back to Cabinet on the terms of reference for the Interim Climate Change Committee (Interim Committee), terms of reference for the public sector climate change board of Chief Executives, and the timing and sequencing of key government decisions on priority climate change matters. The Minister for Climate Change is aiming for the Cabinet Environment, Energy and Climate Committee (ENV) on 20 March and the Cabinet Appointments and Honours Committee (APH) to appoint the Interim Committee members on 28 March. We expect the Minister for Climate Change consult you and other Ministers on these matters from 22 February to 13 March.

### 1.2. Urban

#### *Housing Commission*

We continue to provide input to the MBIE briefings to Minister Twyford, Minister for Housing and Urban Development, seeking policy direction on key aspects of the Housing Commission proposal. We understand that all briefings are being forwarded to your office by Minister Twyford's office and will continue to prepare advice, where relevant, to support you in the upcoming discussions with your colleagues. This includes advice on Maori interests for the meeting scheduled for 7 February.

*Housing and Urban Development Cabinet paper*

We understand the Housing and Urban Development Ministers are meeting with the Prime Minister to discuss the draft Housing and Urban Development Cabinet paper on 12 February. We will provide you with further advice prior to this meeting, including a diagram of how all the different parts of the urban work programme fit together.

## 2. Strategic priorities

### 2.1. Water

[Redacted text block]

## 3. Updates for noting

### 3.1.

[Redacted text block]

Item withheld under section 9(2)(f)(iv)

### 3.2. Supporting LAWF Secretariat

Following on from your recent meeting with the Chair of the LAWF, Hugh Logan, we are working with their Secretariat, on advice that will help them report back to you by the end of May, on allocation of nutrient and sediment loads.

### 3.3. The draft Letter of Expectations to the EPA 2018/19

You have been invited to the EPA strategy day on 7 February. They want to hear about your Environment Priorities and what it means for them. To support you with this, we will provide to you and Associate Minister Sage the first draft of the Letter of Expectations to the EPA, related advice and talking points by 1 February. The draft letter will cover known and ongoing operational priorities and expectations for the EPA. The letter is the key lever for you and the Government to influence the strategic direction of the EPA, set its specific annual performance goals and signal any upcoming new functions it may implement. There is an opportunity to discuss with Minister Sage at your weekly meeting with her on Tuesday.

There will be opportunities to finalise the contents of the letter over February. The final signed letter should ideally be sent to the EPA by early March to give it time to work on its accountability documents.

### 3.4. [Redacted] **Item withheld under section 9(2)(g)(iv)**

[Redacted text block]

[REDACTED]

**3.5. Release of the NZCPS effectiveness review**

The Minister of Conservation will likely publicly release a report on the effectiveness of the New Zealand Coastal Policy Statement 2010 (NZCPS) week of 5 February. The review was undertaken by the Department of Conservation (DOC) over 2016-2017.

Key findings from the NZCPS effectiveness review include:

- Strategic spatial approaches to coastal planning are challenging but underpin effective implementation
- Implementation is well advanced in some places but less advanced elsewhere
- Consistent methodologies and further implementation guidance are still required
- Strongly polarised views exist on the implications of the 2013 King Salmon court decision on NZCPS directive policies, particularly in relation to the consideration of outstanding natural landscapes

The findings of the review highlight similar issues to other recent evaluations of national direction instruments, including the length of time taken for implementation and the relationship between different pieces of national direction. Some of the findings have implications beyond the coastal environment, for example the need for consistent methodologies for identifying outstanding areas, coastal hazard risks or climate change effects. We are working alongside DOC on their intended work programme, to ensure cohesion across the resource management system. Outstanding natural landscapes may be raised in discussion post release of the Marlborough Salmon farm relocation proposals.

We understand from the Department of Conservation that the Minister will send you a letter advising you of the upcoming release.

### **3.6. Final decision -East West Link Proposal**

The East West Link Proposal final decision was publicly notified on 24 January. The Board's unanimous final decision is to confirm the two Notices of Requirement, and approve the 24 resource consents for the East-West Link Road in Auckland. The Government has signalled that the proposal will not go ahead in its current form. No significant amendments were made from the draft decision; we provided you a summary of this in Weekly Update on 24 November 2017 and noted no issues warranted a ministerial comment. The final decision can only be appealed to the High Court on questions of law. Appeals must be filed with the registrar of the High Court before Tuesday 13 February. Our initial analysis has not considered whether there are any grounds for an appeal. The decision to appeal would sit with the applicant (NZTA), submitters and yourself as Minister for the Environment.

Proactively Released

## 4. Briefing notes

29 January – 9 February

Title	Lead agency	What this briefing covers	Date due to your office
Agreement sought on the scope of the first set of National Planning Standards and a formal consultation process	MfE	Follows an earlier update briefing. It seeks agreement to the matters that will be included in the first set of standards for consultation and the process for formal consultation.	30 January
The draft Letter of Expectations to the EPA 2018/19	MfE	We provide you and Minister Sage with the first draft of the Letter of Expectations to the EPA 2018/19 for your review and approval.	1 February
Future of the RMA	MfE	Outlines strategic choices for improving the efficiency and effectiveness of the RMA	2 February
Urban Growth Agenda	MfE	Provides advice on the programme of work and next steps for delivering your Urban Growth Agenda.	2 February
Royalty on exports of bottled water	MfE	Preliminary advice on commitment to introduce a royalty on exports of bottled water.	2 February
Initiating ratification of the Kigali Amendment to the Montreal Protocol	MfE	Seeks your approval to begin the treaty examination process for ratification of the Kigali Amendment to phase down HFCs under the Montreal Protocol. We seek your approval to take this to Economic Growth and Infrastructure Committee.	5 February
Coordinated actions to improve sediment in fresh water: Case study in the Manawatu-Wanganui Region	MfE	Outlines results of a case study which has associated water quality improvements with catchment management interventions in the Manawatu-Whanganui Region	7 February 2017
Submission of draft regulations to Cabinet	MfE	Accompanies a LEG paper, draft regulations and RIS for seeking Cabinet approval of amendment regulations for the deposit of jettisoned material from space vehicle launches on the seabed in the wider EEZ.	8 February

## 5. Cabinet material being prepared for you 29 January – 23 February

Paper name	Committee	What this paper covers	Our Suggested timeframes
International Crumb Rubber Research	LEG	Outlines the governments intentions to take the Local Government and Environment Committee's recommendations of initiating a watching brief for international crumb rubber research	<p><b>Due to you:</b> 26 February</p> <p><b>Due to lodge:</b> 2 February</p> <p><b>Due to Cabinet Legislative Committee:</b> 13 February</p>
Restoring our Waterways	ENV	An approach to restoring New Zealand's waterways for this term of Government and an associated work programme. We intend to report back to Cabinet in April 2018 with further details of a work programme to engage the public, take steps now to halt further degradation, and over the longer term address the fundamental issues in New Zealand's water management system.	<p><b>Due to you:</b> 12 February</p> <p><b>Due to lodge:</b> 15 February</p> <p><b>Due to Cabinet Environment Committee:</b> 20 February</p>
Restoring our Waterways: Iwi / hapū rights and interests	ENV	<ul style="list-style-type: none"> <li>Continuing to engage the Freshwater Iwi Leaders Group to explore options to address iwi/hapū rights and interests in freshwater, plus,</li> <li>Engaging more widely with Māori to explore options on freshwater policy and iwi / hapū rights and interests.</li> <li>Maintaining, at least for the time being, the Crown's position to date on addressing iwi/hapū rights and interests, including five bottom lines which have guided the development of options.</li> </ul>	<p><b>Due to you:</b> 12 February</p> <p><b>Due to lodge:</b> 15 February</p> <p><b>Due to Cabinet Environment Committee:</b> 20 February</p>

## 6. Engagement

### 6.1. Key issues in the media

- There has been significant media coverage on the location of the America's Cup base, following the letter you received from Stolthaven advising that it is prepared in principle to move its fuel storage tanks by the end of the year. The overall tone of the coverage is that "the clock is ticking" for a definitive decision to be made. Concerns were outlined in an RNZ article about the Wynyard Point option including "...who would bear the cost of the move, whether costly decontamination of the land would be needed and, crucially, whether all of that could be consented and done in the tight timeframe." Meanwhile nzherald.co.nz quoted a Sail-Word.com article that contested whether Wynyard Point would actually save millions of dollars, as a 2016 Supreme Court decision was that Panuku Development is responsible for remediation costs of \$50 million on a Mobil site at Wynyard Point.
- The Demographia International Housing Affordability Survey has moved Auckland down from fourth to ninth on the shortlist of unaffordable housing markets (with population over 1 million). On an expanded list of 293 smaller markets, Tauranga has moved ahead of Auckland as less affordable. Tauranga Mayor Greg Brownless said in an interview that Tauranga plans to open up new sites of land and increase housing density to address its housing shortage. Both cities are subject to the high growth provisions of the NPS-Urban Development Capacity, and officials are working with councils in both cities to ensure they meet the NPS-UDC requirements to provide sufficient feasible development capacity for business and housing.
- The latest Environmental Performance Index, released at the World Economic Forum in Davos, shows that intensive agriculture is damaging New Zealand's environmental health. While overall the country is ranked 17th out of 180, its performance in some areas, mostly relating to the impacts of intensive agriculture, is among the worst in the world. NZ ranks poorly on sustainable nitrogen use, methane, habitat loss and destruction of forest cover. NZ scores well on marine protected areas, air quality, sanitation, waste-water treatment and drinking water. The index is compiled biennially by Yale and Columbia Universities, and the World Economic Forum.

## 7. Official Information Act requests

### 7.1. Ministerial Correspondents withheld under section 9(2)(a)

Request	Correspondent	Reference	At your office	Due to send
The 2017 October Baseline Update Submission and all documents relating to the meeting with Carolyn Tremain received by the Minister on 13 November 2017 as referred to in his answer to WQ 10207(2017).	██████████ National Party	18-O-00063	Provided to your office 18 January	19 January
A copy of the document received by the Minister on 17 November 2017 titled "Informational briefing on Kermadec / Rangitahua Ocean Sanctuary" as referred to in his answer to WQ 10180(2017)	██████████ National Party	17-O-01653 (combined with 17-O-01565)	25 January	1 February

I request the following information referenced in your response to my Written Question no. 17367 (2017) Briefing to the Incoming Minister: Environment, Environment and Climate, Built and Urban Systems, Resource Management system slide pack.	██████████ National Party	18-O-00013	5 February	12 February
1. All advice you have received from the Ministry for the Environment or the Environmental Protection Agency regarding genetic engineering or genetic modification. 2. All advice you have received from the Ministry for the Environment or the Environmental Protection Agency regarding the Hazardous Substances and New Organisms Act 1996. [FOR HON PARKER]	██████████ Act Party	18-O-00020	6 February	13 February
A PDF copy of all official information generated by the official information request of mine below about the cost of global warming.	██████████	18-O-00027	6 February	13 February
Under the Official Information Act 1982, please provide me with a list of titles of briefings, reports, memos, aides-memoire and similar documents you have received since becoming Minister for the Environment on 26 October 2017.	██████████ Act Party	18-O-00067	9 February	16 February

## 7.2. Departmental Correspondents withheld under section 9(2)(a)

Request	Correspondent	Reference	At your office	Due to send
Please release the following information, as referred to in this document (i.e. the Environment/Climate Change Briefing to the Incoming Minister) I request: 1. a). All of the evidence that has led MfE to conclude that: "Pressures on natural resources are reaching critical boundaries"; and b). All correspondence between MfE and other stakeholders relating to "critical boundaries". 2. How MfE: a) Defines 'critical boundaries'; and b) What or which are the critical boundaries that have been identified in New Zealand; and c). Which natural resources have been identified as, or are near, "reaching critical boundaries"? 3. And, relating to the statement: "The evidence indicates that environmental constraints and pressure points are being reached. Current trends (eg, population growth, greenhouse gas emissions, biodiversity loss, and demand for access to natural resources) suggest those pressure	██████████ FYI	17-D-01605	23 January	30 January

<p>points will continue to be tested.</p> <p>I request:</p> <p>a) All of the 'evidence' behind this statement (i.e., all of the evidence referred to by the statement 'evidence indicates'); and</p> <p>b). How 'pressure points' are defined; c). Which pressure points have been identified as nearing being reached, or reached, in New Zealand; and</p> <p>d). How environmental constraints are defined; and</p> <p>e) Which environmental constraints have been identified as, or nearing, being reached in New Zealand?</p> <p>Please do not hesitate to contact me if you require clarification over my request.</p>				
<p>I request all information, documents, and correspondence held by the Ministry of the Environment relating to:</p> <p>A) the benefit of irrigation and water storage projects to New Zealand; and</p> <p>B) irrigation and water storage as a method of climate adaptation for both domestic and/or rural populations; and</p> <p>C) the environmental, economic, and social impacts of irrigation and/or water storage; and</p> <p>D) any other information held by the Ministry that relates to irrigation and water storage in New Zealand that has been commissioned, received, or conducted by the Ministry since 2007, and that is not otherwise covered by this request.</p>	<p>██████████ FYI.org.nz</p>	17-D-01614	23 January	30 January
<p>I request all information, documents, and correspondence relating to the environmental impact of tourism in New Zealand that has been conducted, commissioned, and/or received by the Ministry for the Environment since 2012</p>	<p>██████████ FYI.org.nz</p>	17-D-01615	24 January	31 January
<p>Copies of all applications for ELAF funding in relation to the Thames Coromandel District Plan review process and related appeals, received during 2017 (calendar year).</p>	<p>████████████████████ Coromandel Property Owners Alliance - ██████████</p>	17-D-01691	24 January	31 January
<p>The analysis and data related to the Waikato River Authority (WRA) which was provided in the Crown report questionnaires (completed as part of the Waikato and Waipā river arrangements review) by Waikato-Tainui's accord Crown agency and Joint Management Agreement (JMA) partners (i.e. councils and government departments).</p>	<p>████████████████████ Waikato Raupatu Lands Trust</p>	17-D-01613	N/A	9 February
<ul style="list-style-type: none"> <li>• A copy of the Briefing to the Incoming Minister (BIM) provided to the Minister for the Environment;</li> <li>• A copy of the BIM provided to the Minister for Climate Change;</li> <li>• A copy of the BIM provided to both Associate Ministers for the Environment;</li> <li>• All reports, memorandums, papers, documents, advice, correspondence, notes, emails, text messages, PID,</li> </ul>	<p>██████████</p>	17-D-01451	Provided to your office 19 January	9 February

<p>or other official information, written, reviewed or considered by Ministry staff between 1 August 2017 and 26 October 2017, in relation to the preparation of the BIMs and/or content of the BIM; • All draft versions of the BIMs produced between 1 September 2017 and 26 October 2017; • All covering notes that may have gone with the BIMs signed by the Secretary for the Environment; • All attachments and/or any other briefings that went alongside the BIMs; • A copy of the Briefing to the Incoming Ministers of the Natural Resources Sector; • A copy of all other briefing to incoming Ministers from any board, such as the Waste Advisory Board.</p>				
<p>Dating back to April 2015, any advice, reports, briefings, emails or memos on the presence of PFOS and PFOA. This should include – but not exclude – the testing carried out on Defence land.</p>	<p>██████████ Political Reporter,TVNZ</p>	<p>18-D-00023</p>	<p>5 February</p>	<p>12 February</p>
<p>A copy of the event note for Minister Parker's visit to Rotorua, titled in our records as 'Rotorua Te Arawa Lakes Programme site visits'</p>	<p>██████████ Bay of Plenty Regional Council</p>	<p>18-D-00012 (Same document as in scope of 17-O-01573)</p>	<p>6 February</p>	<p>13 February</p>
<p>Any reports, memos, briefing notes, and emails generated by or received by officials relating to matters regarding waste from the Tiwai aluminium smelter, currently being stored in various locations around Southland.</p>	<p>██████████</p>	<p>18-D-00039</p>	<p>6 February</p>	<p>13 February</p>
<p>Any reports/ memos/ briefings prepared on the existence of asbestos in the country's water infrastructure prepared in the last two years. This should include any material prepared following the discovery of asbestos in Temuka's water supply in December.</p>	<p>██████████ Political Reporter,TVNZ</p>	<p>18-D-00047</p>	<p>6 February</p>	<p>13 February</p>
<p>Was the design of your ministry's annual reports for the last three financial years designed internally within your ministry or designed externally outside of your ministry? If designed externally, which company or contractor did your ministry engage and at what cost? Please include receipts, if possible.</p>	<p>██████████ NZ Taxpayers Union</p>	<p>18-D-00072</p>	<p>13 February</p>	<p>21 February</p>