



Our Ref A610586

**Committee meetings Wednesday 27 January 2016**

Following are the agendas for the Committee meetings to be held on Wednesday 27 January commencing at 8.30 am. The venue is the Council Chamber, 70 Stafford Street, Dunedin, and members of the public are welcome to attend.

Any full detailed reports referred to in the agendas are available on the Council website, or by contacting the Committee Secretary – see contact details below.

***Committee agendas***

	<b><i>Page Nos.</i></b>
Communications Committee.....	2 - 16
Policy Committee.....	17 - 24
Regulatory Committee.....	25 - 48
Technical Committee .....	49 - 59
Finance and Corporate Committee .....	60 - 71

A handwritten signature in black ink that reads "Janet Favel".

Janet Favel  
**Committee Secretary**

Phone: 03 470 7474 (DDI)  
Freephone: 0800 474 082  
Email: [janet.favel@orc.govt.nz](mailto:janet.favel@orc.govt.nz)

**OTAGO REGIONAL COUNCIL****Agenda for a meeting of the Communications Committee to be held in  
the Council Chamber, 70 Stafford Street, Dunedin on  
Wednesday 27 January 2016 following the Extraordinary Council  
meeting**

**Membership:**

**Cr Trevor Kempton** (Chairperson)  
**Cr Graeme Bell** (Deputy Chairperson)  
**Cr Doug Brown**  
**Cr Louise Croot MNZM**  
**Cr Michael Deaker**  
**Cr Gerrard Eckhoff**  
**Cr Gary Kelliher**  
**Cr Sam Neill**  
**Cr Gretchen Robertson**  
**Cr Bryan Scott**  
**Cr David Shepherd**  
**Cr Stephen Woodhead**

**Apologies:**

**Leave of absence:**

**In attendance:**

**Please note that there is an embargo on agenda items until 8.30 am on Monday 25 January.**

**CONFIRMATION OF AGENDA**

**PUBLIC FORUM**

**MINUTES**

The minutes of the meeting held on 25 November 2015, having been circulated, for adoption

**Matters arising from minutes**

**FOR NOTING**

Item 1

2015/1303 **Stakeholder Engagement Report.** Manager Communications/ Manager  
Community Liaison and Education. DSE, 8/1/16

Reporting on community, stakeholder and staff engagement activities carried out by Stakeholder Engagement directorate staff since the last meeting.

**OTAGO REGIONAL COUNCIL****Minutes of a meeting of the Communications Committee held in the  
Council Chamber, 70 Stafford Street, Dunedin on  
Wednesday 25 November 2015 commencing at 11.53 am**

**Present:** Cr Trevor Kempton (Chairperson)  
Cr Graeme Bell (Deputy Chairperson)  
Cr Doug Brown  
Cr Louise Croot MNZM  
Cr Michael Deaker  
Cr Gerrard Eckhoff  
Cr Gary Kelliher  
Cr Sam Neill  
Cr Gretchen Robertson  
Cr David Shepherd  
Cr Stephen Woodhead

**Leave of absence:** Cr Bryan Scott

**In attendance:** Peter Bodeker  
Nick Donnelly  
Fraser McRae  
Gavin Palmer  
Caroline Rowe  
Nicola McGrouther  
Janet Favel

**CONFIRMATION OF AGENDA**

There were no changes to the agenda.

**MINUTES**

The minutes of the meeting held on 14 October 2015, having been circulated, were adopted on the motion of Crs Bell and Kelliher.

**Matters arising from minutes**

There were no matters arising from the minutes.

**FOR NOTING**

## Item 1

2015/1237 **Stakeholder Engagement Report.** Manager Communications/ Manager Community Liaison and Education, 13/11/15

The report detailed community, stakeholder and staff engagement activities carried out by Stakeholder Engagement directorate staff since the last meeting.

Staff attendance at the National New Zealand Association of Resource Management Conference in Hamilton was noted. CLE Manager Nicola McGrouther commented that there was a lot of interest from the conference in the ORC approach to managing water quality, and in Plan Change 6A. Mrs Rowe commented that staff would keep up to date with what was happening in the rest of the country, and noted that central government taking note of what was happening around the country.

The key stakeholder meetings were noted, and comment was made that dairy farmers who supplied Dunone Dairy Factory in Clydevale had expressed interested in being involved in the Plan Change 6A work. Staff were to contact the relevant farmers about upcoming meetings.

It was noted that a 6A quarterly external stakeholder group meeting had been held, and a query was raised as to whether the wider group required by the Plan Change 6A mediation agreement had been established. Mr Bodeker noted that group membership had been suggested but not yet finalised, and he would work with Mrs Rowe on this. Councillors requested a report to Council about the formation of the group.

Reference was made to the meeting of the NZ Landcare Trust Kakanui Community Catchment Project, and the need to work with the North Otago Landcare Trust was noted.

Cr Eckhoff moved  
Cr Robertson seconded

*That the report be noted.*

**Motion carried**

The meeting closed at 12.02 pm

**Chairperson**

## REPORT

Document Id: A865177

Report Number: 2015/1303

Prepared For: Communications Committee

Prepared By: Manager Community Liaison and Education  
Manager Communication

Date: 8 January 2016

Subject: **Communications Committee – Report January 2016**

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This report records stakeholder engagement activity between 7 November and 8 January 2016.

### 1. Water Quality

The Council's Rural Water Quality Implementation Programme (6A) for Stakeholder Engagement and Education has been undertaken during this period with a range of stakeholders. These are summarised below.

#### 1.1 Dairy Focus

Council staff are continuing work with industry stakeholders to develop a collaborative approach to working with farmers to reduce dairy effluent non-compliance.

Staff met with the Dairy Holdings Limited sustainability manager on 1 December to discuss the Otago Water Plan, and key challenges around Dairy Farms in Otago. Dairy Holdings are involved with more than a dozen farms in Otago and many more throughout the South Island. The company is looking to identify where changes are needed to ensure their systems meet Regional Council plans.

Staff attended the fourth North Otago Dairy Working Group (DairyNZ, Fonterra, Federated Farmers, Oceania) on-farm meeting on 25 November. Attendees viewed and discussed what 'risk' looks like on the farm. Utilising a farm assessment template, the group also discussed where it could add value for the sharemilkers and workers on the farm. The next step is for a small delegation to meet with the farm owner. The next meeting will be in January 2016.



**North Otago Dairy Working Group members and farm staff discussing storage effluent dishes.**

Staff facilitated the Otago Dairy Stakeholders' meeting on 4 December. Constructive discussion was had around effluent ponding assessment for both ORC and farmers, and the development of a joint communications plan to start in February focused on effluent management. NB: Manager Community Liaison & Education followed up on Council's request to invite Grant Paterson to participate in this group.

## 1.2 Sheep, Beef and Deer Focus

Council staff are working with industry to develop a collaborative approach to working with farmers to reduce non-compliance related to stock access to waterways.

On December 16, staff met with Beef and Lamb NZ staff to discuss how best to work together in the next six months to achieve water quality goals. Plans for collaboration were discussed involving: farmer leadership programmes, key message development around stock access to waterways, and a joint programme of delivery of key messages.

The local community requested a field day to discuss waterway management on the Otago Peninsula. Held on 10 December, the event gave local landowners an understanding of the Water Plan requirements, and led to valuable discussion about waterways, restoration planting, and slip management. The field day was well received, with key community members saying they now understood and felt clear about the rules and that they were keen to spread the messages further. A media release along with photographs was issued along with postings with photographs on the ORC Facebook page and Twitter account reaching 272 people.



**Left: ORC Community Liaison and Education Manager, Nicola McGrouther, explains the water plan rules at the Peninsula field day. Right: ORC freshwater scientist Pete Ravenscroft holds the largest banded kokopu he had ever seen, caught at the field day in Smiths Creek by Broad Bay.**

### 1.3 Forestry

Staff updated the South Otago Farm Forestry group on ORC's work with the forestry industry at a meeting held on 26 November.

### 1.4 Overseer

Council staff met with the Otago Overseer group on 30 November. The group comprised 10 representatives from Dairy NZ, Fonterra, Beef and Lamb NZ, Federated Farmers, Otago Deer Farmers Association, and fertiliser companies. Caroline Read from Overseer NZ was also present at the meeting.

The purpose of the meeting was to review the updated responses for questions raised by farmers and rural professionals, the majority of which have now been clarified. Matters that still require further response include: knowledge of Council's compliance strategy, treatment of multiple parcels of land under one landholder, and certainty about which Overseer reporting models may be used for determining the nitrogen rate.

### 1.5 North Otago

Council staff attended and presented at a catchment workshop run by the Landcare Kakanui Community Catchment Project (KCCP) on 19 November. The workshop aimed to build catchment landowners capacity and awareness to further develop a self-sustaining and effective catchment group; to share ideas with other landowners; think strategically about how they can influence whole-of-catchment outcomes; exchange information on catchment issues; develop a shared vision and action plan for the KCCP; and identify opportunities for year 3 of the KCCP and beyond. These aims were largely fulfilled and the group will meet in the New Year to plan the year ahead in detail.

Staff met with the North Otago Irrigation Company's Environmental Manager and discussed water testing in North Otago (pre-pilot water testing investigation). Learnings included that there are not many landowners undertaking water testing in North Otago; the few that do, use consultants to do the testing; and that there is a desire for more certainty around ORC's rules and Schedule 16 compliance strategy. These learnings will assist Council staff to implement clear messages on water testing.

Staff attended a KCCP event held on 8 December. Environmental monitoring equipment was set up on farm, and individual water testing on farm in North Otago was discussed.

Staff also attended a mini field day in the Shag Valley on 18 December to provide a 6A overview using practical examples. Farmers are keen for ORC



to run a similar field day for a larger audience of Shag Valley Farmers in 2016. We will discuss this with industry partners who may like to support such an event.

## 1.6 South Otago

Staff attended the “What’s in our Rivers?” meeting held in Tapanui hosted by Pathways for the Pomahaka on the 24 November. Presentations from Fish and Game, DoC, Working in Waters, Te Ao Marama, Ernslaw One and Pomahaka farmer Simon O’Meara explained to the community why rivers are so important to us all. ORC staff clarified why our rules are important to protect these values, and also discussed the upcoming River Management Strategy sessions to be held early in collaboration with the Natural Hazards team.

The Pathway for the Pomahaka project was joint winner of the Story category at the annual Morgan Foundation-sponsored NZ River Awards. CLE staff have been heavily involved in the development, ongoing support and liaison with this project, and look forward to more success with this group and others like it in the future.

The Communications Team distributed a media release and shared this on social media, and also featured the project’s success in the Leaders Brief external e-newsletter.



**Pathway for the Pomahaka representatives Simon O’Meara, Janet Gregory and Lloyd McCall accepting the Story category award at the annual NZ River Awards in Wellington.**

## 1.7 Other

1.7.1 Staff held an interactive Water Quality and Values session on the 18 November for 8 farming parents and 30 students from Clutha Valley School in the Washpool Catchment. The Science Team is currently running an intensive sampling program in this catchment, and this was an opportunity to support the program by helping the community understand why rivers were important from an ecology perspective. There was a high level of engagement from the students, and equally so from the farmers.

1.7.2 Staff provided training for the Ballance Farm Environment Awards to 25 Judges on 27 November. Council supports these awards with a Water Quality Award. Councillor Graeme Bell is a Judge. Staff provided an outline of key environmental matters that should be considered when judging a farm.

## 1.8 **Communications Water Quality activity**

The Communications Team produced four water quality related media releases during the period, including: Otago farmers win in the NZ River Awards, Otago/Southland students learning about river management, ORC beginning annual recreational water quality monitoring, and joint conservation work on the Otago Peninsula.

Eight localised water quality factsheets were completed and loaded to the ORC website.

## 2. **Water Quantity**

- 2.1 Work on 1C implementation is well underway. Following on from meetings with consultants to discuss information requirements, reported in the last Committee report. Communications Staff have begun developing a manual to guide permit holders through the change from deemed permit to consent. This will be provided in digital format as well as hardcopy.
- 2.2 Staff met with Andrew Curtis, CEO of Irrigation NZ (INZ) on 27 November to discuss options for closer collaboration in educating farmers on water efficiency and transferring to deemed permits to resource consents. INZ are running their bi-annual conference in Otago, in Oamaru from April 5-7. The ORC will be speaking and exhibiting at the conference.
- 2.3 On 27 November, Council staff hosted a meeting of the Upper Taieri irrigators to discuss working collaboratively to manage the low flows over the summer.
- 2.4 An approach has been made from 12 Tarras irrigators to provide direction on the makeup of Environmental Farm plans which they have prepared and which is a condition of their water takes. Staff are working with the irrigators to provide guidance on how their plans could align with 6a.

### **3. Low flow preparations**

- 3.1 CLE and Environmental Services staff have been liaising with irrigators and their companies to monitor and manage low flows Otago rivers.
- 3.2 Low flow advisories were supplied to irrigators and agency stakeholders. Radio stations community noticeboards received updates, and protect rivers, use water wisely promotions have been placed on the ODT Online and the Stuff website going into Central Otago users.
- 3.3 A dedicated low flow webpage was created and included a factsheet and links to other relevant information. The page is kept updated with the latest advisory.
- 3.4 A media release was put out seeking continued cooperation of irrigators over the predicted dry summer. In addition, preparations were made for possible cyanobacteria outbreak given the likely low flow conditions.
- 3.5 One agency briefing was held during this period to assist in information sharing between Federated Farmers, DoC, Iwi, and MPI. These will continue throughout the low-flow period and will be summarised in a briefing email to councillors as was provided following the January 12 meeting.

### **4. Land, Biodiversity, and Biosecurity**

- 4.1 Staff assisted Landcare Research in improving the layout and content of soil factsheets accessible through the national S-Map online facility and present on the ORC website.
- 4.2 Staff participated in an Environmental Monitoring and Reporting (EMaR) working group on December 3 with the aim of ensuring New Zealand wide standards for soil quality indicator measuring and methodology within regional councils. The regional councils' work is guided by the National Environmental Monitoring Standards steering group (NEMS) and is part of our SOE RMA monitoring responsibilities. The group works closely with Landcare Research and AgResearch, providing guidance on selecting fit for purpose methodologies for monitoring chemical and physical indicators in soil. Good cohesion has been developed between regional councils, HortNZ and Plant and Food. The Otago Regional Council presently does not have a soil quality indicator monitoring programme.
- 4.3 A campaign is being run on Wilding Conifer Management. It included ORC web based information and public survey media releases, Leaders' Brief article and social media. As of 8 January 328 people had completed the survey, 597 people have viewed the website page and 977 people have been reached through our social media post. There have also been several print media articles.

## **5. Hazard and Risk Mitigation**

- 5.1 The Kakanui River Management Strategy was produced and launched at a well-attended public meeting in Maheno on Thursday 10 December. This guiding document will be reviewed annually. The meeting was promoted directly to landholders in the catchment and through ODT advertisements.
- 5.2 Communication support for the next phase of the Leith flood protection scheme, which will be carried out from Dundas Street to St David Street, included social media which has reached a total of 1800 people, website updates, display adverts, a mail-out to non-resident ratepayers, and a residents' flyer delivered in the area.
- 5.3 The final proof of a report Seismic Hazards in the Queenstown Lakes District is with the Hazards Team for sign off.
- 5.4 ORC has been working for some time on natural hazard analysis and policy planning to anticipate the effects of rising sea levels on Otago coastal communities. A media release on this issue was put out in November, in response to the PCE's report which was also shared on social media and reached 1,187 people.

## **6. Transport**

- 6.1 Communications support was given to the Wakatipu public transport survey, including a media release, website update, and social media updates reaching 288 people. The new carry-on guidelines were completed and loaded to the ORC website.

## **7. Community Relations**

- 7.1 Three hundred and twenty commemorative World War One books with an ORC commemorative inscription were distributed to Otago primary and secondary schools and public libraries.

## **8. Public Events**

- 8.1 Two flood drainage scheme economic assessment drop-in sessions were held in Balclutha and Outram on Wednesday 11 November. The meetings were designed to get feedback on who benefits from local flood protection schemes. They were promoted by a media release, social media, and display advertisements.

## 9. Media Monitoring Summary

9.1 Over the report period there were 108 mentions of the Otago Regional Council in the print media with topics covered including: (with number of mentions in brackets) bus services (12); water quality (10); natural hazards (9); consents (7); water safety (7); low river flows (6); water allocation (6); wilding conifers (6); governance (5); and pest control (4), while civil defence, transport, and temporary closure of the Queenstown office all received three mentions.

9.2 There were eight media mentions in broadcast media with topics covered including wilding conifers, mining, irrigation restrictions, recreational water monitoring, staff survey results, and the boating fatality at St Bathans.

## 10. Web Developments and Traffic Summary

10.1 There have been 57,466 visits to our website during this period, with total users up 8.5% on the same time last year.

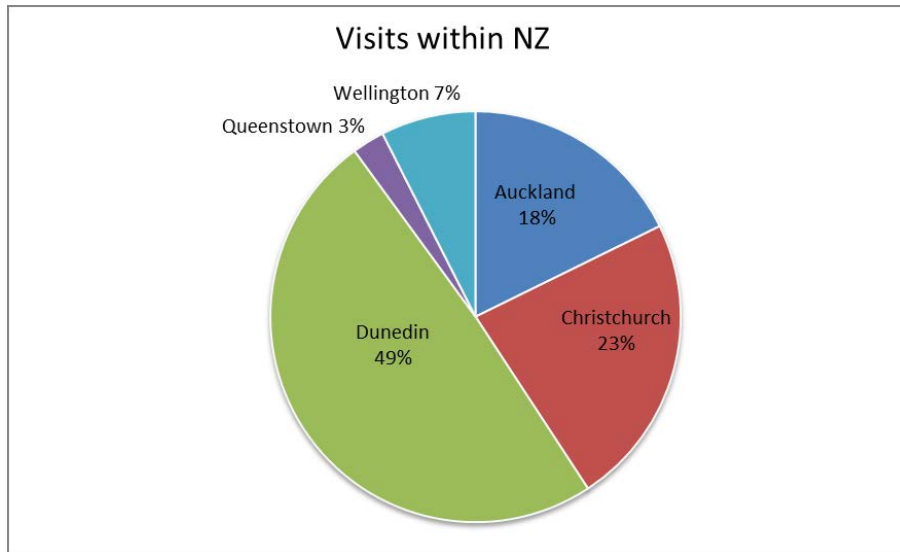
Figure 1: ORC Website sessions 7 November 2015- 8 January 2016



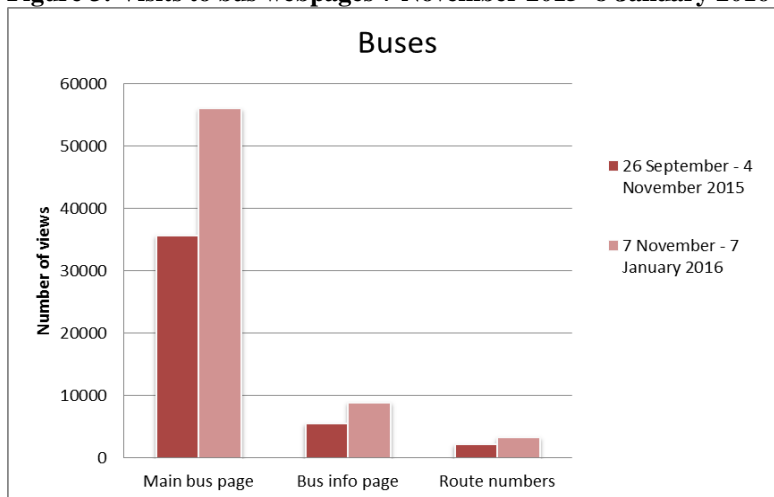
10.2 The top documents downloaded during this period have been:

- 2015 Bus Timetable – 6,725 downloads
- Job vacancy for Customer Services Officer – 374 downloads
- Regional Plan Water Rules: Water Take, Use and Management – 135 downloads

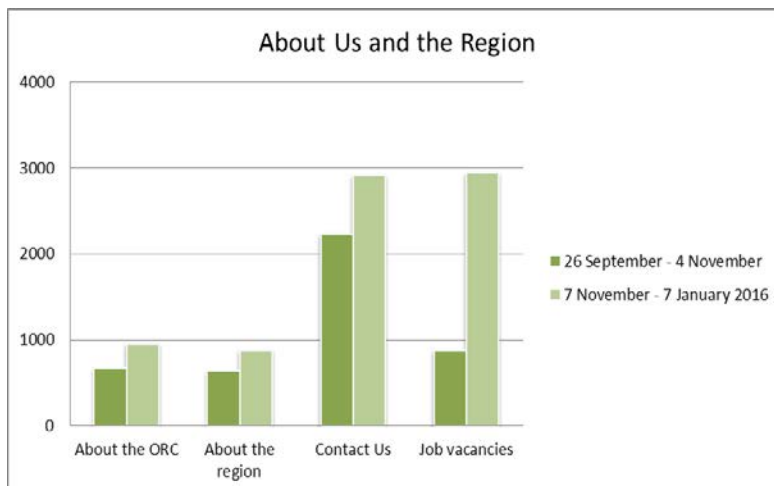
**Figure 2: Location of website users 7 November 2015- 8 January 2016**



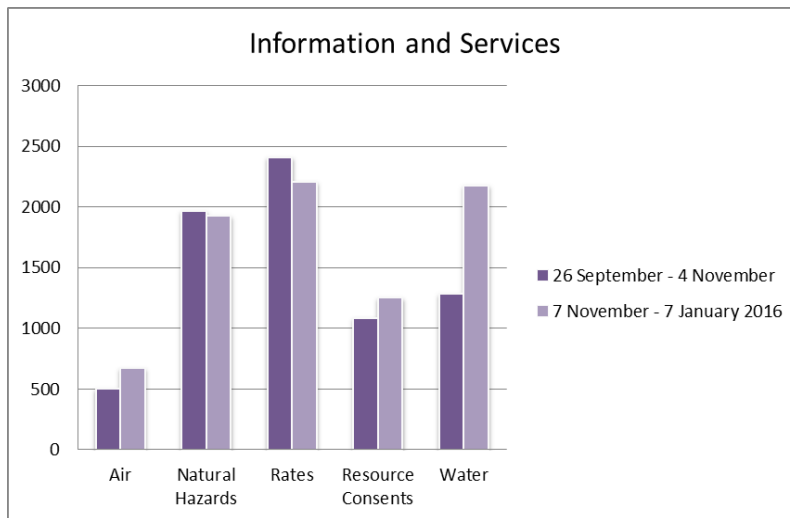
**Figure 3: Visits to bus webpages 7 November 2015- 8 January 2016**



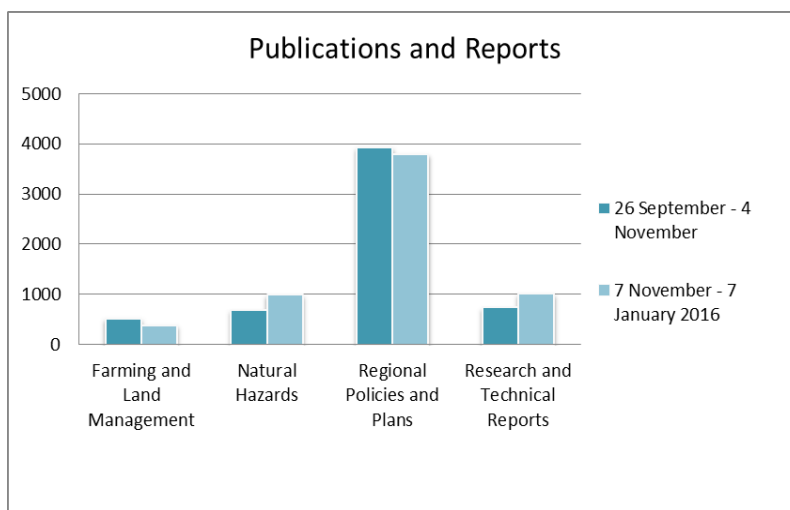
**Figure 4: Visits to About/Region webpages 7 November 2015- 8 January 2016**



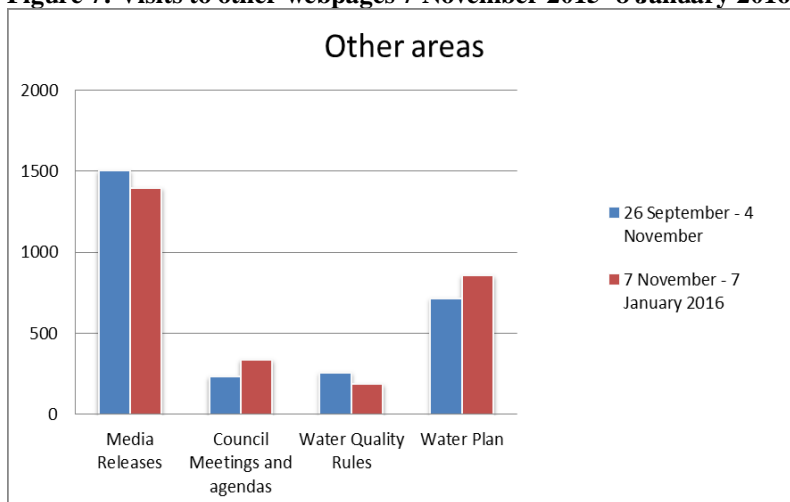
**Figure 5: Visits to Information/services webpages 7 November 2015- 8 January 2016**



**Figure 6: Visits to Publication/Reports webpages 7 November 2015- 8 January 2016**



**Figure 7: Visits to other webpages 7 November 2015- 8 January 2016**



**11. Recommendation**

That this report is noted.

Caroline Rowe

**Director Stakeholder Engagement**



**OTAGO REGIONAL COUNCIL****Agenda for a meeting of the Policy Committee to be held in the  
Council Chamber, 70 Stafford Street, Dunedin on  
Wednesday 27 January 2016 following the Communications  
Committee meeting****Membership:**

**Cr Gretchen Robertson (Chairperson)**  
**Cr Michael Deaker (Deputy Chairperson)**  
**Cr Graeme Bell**  
**Cr Doug Brown**  
**Cr Louise Croot MNZM**  
**Cr Gerrard Eckhoff**  
**Cr Gary Kelliher**  
**Cr Trevor Kempton**  
**Cr Sam Neill**  
**Cr Bryan Scott**  
**Cr David Shepherd**  
**Cr Stephen Woodhead**

**Apologies:****Leave of absence:****In attendance:**

**Please note that there is an embargo on agenda items until 8.30 am on Monday 25 January.**

**CONFIRMATION OF AGENDA****PUBLIC FORUM****MINUTES**

The minutes of the meeting held on 25 November 2015, having been circulated, for adoption.

**Matters arising from minutes**

**FOR NOTING**

Item 1

2016/077 **Director's Report on Progress.** DPPRM, 15/1/16

The report gives an overview of significant activities undertaken by the Policy section since the last meeting of the Policy Committee.

**OTAGO REGIONAL COUNCIL****Minutes of a meeting of the Policy Committee held in the  
Council Chamber, 70 Stafford Street, Dunedin on  
Wednesday 25 November 2015 commencing at 11.38 am**

**Present:** Cr Gretchen Robertson (Chairperson)  
Cr Michael Deaker (Deputy Chairperson)  
Cr Graeme Bell  
Cr Doug Brown  
Cr Gerrard Eckhoff  
Cr Gary Kelliher  
Cr Trevor Kempton  
Cr Sam Neill  
Cr David Shepherd  
Cr Stephen Woodhead

**Leave of absence:** Cr Bryan Scott

**In attendance:** Peter Bodeker  
Nick Donnelly  
Fraser McRae  
Gavin Palmer  
Caroline Rowe  
Janet Favel

**CONFIRMATION OF AGENDA**

There were no changes to the agenda.

**MINUTES**

The minutes of the meeting held on 14 October 2015, having been circulated, were adopted on the motion of Crs Kempton and Shepherd.

**Matters arising from minutes**

There were no matters arising from the minutes.

## **PART A - RECOMMENDATIONS**

### Item 1

2015/1279 **Local Government Leaders Climate Change Declaration.** DPPRP, 18/11/15

The report noted that Mayors and Chairs could support the New Zealand submission to the climate change deliberations in Paris in December 2015, and approval was sought for the ORC Chair to sign the Local Government Leaders Climate Change Declaration (circulated with the report).

Cr Woodhead explained that local government was asking central government to take a leadership role in respect of climate change.

There was some concern that the climate change declaration circulated with the report was well meaning but would be ineffective.

Cr Deaker moved  
Cr Croot seconded

*That ORC support the Chair attaching his signature to the Local Government Leaders Climate Change Declaration.*

The vote was taken by division:

For: Crs Bell, Brown, Croot, Deaker, Kelliher, Kempton, Neill,  
Robertson, Shepherd, Woodhead  
Against: Cr Eckhoff

**Motion carried**

## **PART B - ITEMS FOR NOTING**

### Item 2

2015/1248 **Director's Report on Progress.** DPPRM, 13/11/15

The report gave an overview of significant activities undertaken by the Policy section since the last meeting of the Policy Committee.

Cr Croot moved  
Cr Kelliher seconded

*That the report be noted.*

**Motion carried**

The meeting closed at 11.51 am.

**Chairperson**

## REPORT

Document Id: A874390

Report Number: 2016/0577

Prepared For: Policy Committee

Prepared By: Director Policy, Planning and Resource Management

Date: 15 January 2016

Subject: **Director's Report on Progress**

### 1. Policy Responses

#### 1.1 National Policies, Strategies and Plans

The following were received over the nine week period to 15 January 2016:

Agency	Number	Details
NZ Statistics	1	Small Area Geographic Mesh Data
Ministry for the Environment	5	Resource Legislation Amendment Bill 2015 Emissions Trading Scheme Review Proposed National Policy Statement Urban Development Topics for Environmental Reporting Marine Protected Areas Consultation
NZ Productivity Commission	1	Better Urban Planning issues paper

#### 1.2 Responses: Territorial Authority and Regional Authority Plan Changes and Resource Consent Applications

The following were received over the nine week period to 15 January 2016:

Agency	Number Received	Document
Queenstown Lakes District Council	4	Consent applications
Queenstown Lakes District Council	1	Plan Change (PC 51 – Peninsula Bay North)
Dunedin City Council	3	Consent applications
Dunedin City Council	1	Draft Environmental Strategy

The following responses were made over the nine week period:

Proposal	Response Type	Issues
Blueskin Bay Energy Ltd (DCC)	Submission	ORC submitted in support as it gives effect to the proposed objectives and policies of the Proposed RPS, in particular Objective 3.6 – Energy supplies to Otago’s communities are secure and sustainable.
DCC District Plan Review (2GP)	Submission	<p>ORC submitted on a number of issues in respect to how the proposed plan gives effect to the proposed RPS. In particular, heavy emphasis is given to how the plan provides for managing activities subject to natural hazard risk.</p> <p><b>NOTE:</b> DCC proposes to notify a summary of submissions at the end of January and call for further submissions from 1 February to 19 February 2016.</p>
QLDC Proposed District Plan (Stage 1)	Further submission	ORC made a further submission in support of a number of submissions where submitters requested decisions that would give effect to the proposed RPS. Two submissions were opposed as they requested decisions that would be inconsistent with ORC policies and rules.
MfE - Topics for Environmental Reporting	Submission	<p>ORC requested better clarity on reporting outcomes and goals linking to other national document’s environmental outcomes, goals and visions.</p> <p>Advocated changes to reporting topics based on ORC experience, particularly in areas of water and natural hazards management. Also requested Government to clarify how any additional reporting costs to Council are to be covered.</p>
NZ Statistics	Feedback	Provided examples of how geographical data blocks are used by ORC for issues such as population, income levels, vehicle access, dwellings to assist with managing regional and public transport, CDEM, Air Quality, water.

### **1.3 Appeal: Clutha District Council Proposed Plan Change 28 (Natural Hazards)**

ORC is awaiting the s274 party's response to the mediation proposal.

## **2. ORC: Policy, Plans and Strategies**

### **2.1 Proposed Plan Change 3C (Waiwera catchment minimum flow)**

The two appeals received on Proposed Plan Change 3C (Waiwera catchment minimum flow) have been resolved. A recommending report will be provided to the next Council meeting for making the plan change operative.

### **2.2 Review of Regional Policy Statement**

Hearings for the proposed Regional Policy Statement concluded on 30 November and the Commissioners have commenced deliberations.

### **2.3 Proposed Plan Change 5A (Lindis: integrated water management)**

To accommodate key stakeholders requests, the February hearing date has been rescheduled to commence 31 March 2016 in Wanaka.

## **3. Recommendation**

That this report is noted.

Fraser McRae

**Director Policy Planning and Resource Management**



**OTAGO REGIONAL COUNCIL****Agenda for a meeting of the Regulatory Committee to be held in the  
Council Chamber, 70 Stafford Street, Dunedin on Wednesday  
27 January 2016 following the Policy Committee meeting**

**Membership:**

**Cr Sam Neill** (Chairperson)  
**Cr Gerrard Eckhoff** (Deputy Chairperson)  
**Cr Graeme Bell**  
**Cr Doug Brown**  
**Cr Louise Croot MNZM**  
**Cr Michael Deaker**  
**Cr Gary Kelliher**  
**Cr Trevor Kempton**  
**Cr Gretchen Robertson**  
**Cr Bryan Scott**  
**Cr David Shepherd**  
**Cr Stephen Woodhead**

**Apologies:**

**Leave of Absence:**

**In attendance:**

**Please note that there is an embargo on agenda items until 8.30 am on Monday 25 January.**

**CONFIRMATION OF AGENDA**

**PUBLIC FORUM**

**MINUTES**

The minutes of the meeting held on 25 November 2015, having been circulated, for adoption

**Matters arising from minutes**

**PART A – ITEMS FOR NOTING**

## Item 1

2015/1314 **Biosecurity and RMA Monitoring Report.** DEMO, 11/1/16

Reporting on water, air, pest, and contaminated site environmental monitoring and incidents for the period 6 November to 18 December 2015.

## Item 2

2016/0582 **Consent processing, consent administration and Building Control Authority update.** DPPRM, 14/1/16

Detailing consent processing, consent administration and building control authority activity for the period 9 November 2015 to 8 January 2016.

## Item 3

2016/0567 **RMA, Biosecurity Act and Building Act Enforcement Activities.** DPPRM, 8/1/16

Detailing Resource Management Act 1991, Biosecurity Act 1993 and Building Act 2004 enforcement activities undertaken by the Otago Regional Council for the period 9 November 2015 to 8 January 2016.

## Item 4

2016/0580 **Appointments by Commissioner Appointment Subcommittee.** DPPRM, 14/1/16

Listing hearing commissioners appointed for the period to 21 January 2016.

**OTAGO REGIONAL COUNCIL**

**Minutes of a meeting of the Regulatory Committee held in the Council  
Chamber, 70 Stafford Street, Dunedin on Wednesday  
25 November 2015 commencing at 8.30 am**

**Present:**

Cr Sam Neill (Chairperson)  
 Cr Gerrard Eckhoff (Deputy Chairperson)  
 Cr Graeme Bell  
 Cr Doug Brown  
 Cr Louise Croot MNZM  
 Cr Michael Deaker  
 Cr Gary Kelliher  
 Cr Trevor Kempton  
 Cr Gretchen Robertson  
 Cr David Shepherd  
 Cr Stephen Woodhead

**Leave of Absence:** Cr Bryan Scott

**In attendance:**

Peter Bodeker  
 Nick Donnelly  
 Fraser McRae  
 Gavin Palmer  
 Caroline Rowe  
 Martin King  
 Sarah Ibbotson  
 Marian Weaver  
 Janet Favel

**CONFIRMATION OF AGENDA**

There were no changes to the agenda.

**MINUTES**

The minutes of the meeting held on 14 October 2015, having been circulated, were adopted on the motion of Crs Eckhoff and Bell.

**Matters arising from minutes**

There were no matters arising from the minutes.

## PART A – ITEMS FOR NOTING

Item 1

2015/1213 **Low Flow Event review and preparations.** DEHS, 13/11/15

The report described the 2014/15 low flow event and ORC's actions, preparations for the forecast 2015/16 event, and the changes and improvements that had been made to the way ORC dealt with such events.

Corrections to report:

- Table 1 page 12 Kakanui River at Mill Dam – Date of first flow below minimum flow should be 18 January 2015, and number of days at or below minimum flow should be 2.
- Page 30 of the report should refer to aquifer restriction levels.

Mrs Rowe advised that staff were investigating what social media farmers used so that up-to-date information could be made widely available. Meetings would also be held with TLAs and other interested parties (Fish and Game, DoC, and KTKO).

Section 6 'Learnings from the 2014/15 event and preparedness for 2015/16' was seen as a key part of the report.

The demands on staff during a low flow event were discussed. Dr Palmer noted that resource levels were driven by events. Mr Bodeker further commented that the act of serving a notice of water shortage direction was complex; notices had to be served in person, and owners did not always live on the property.

Dr Palmer drew attention to the change to principle 5. Mrs Rowe noted that community engagement in preparation or already in place included: the CE's letter to permit holders; training of Customer Services Officers to deal with queries; information in *Water Lines*; encouragement of irrigation companies to take a leadership role; CLEO staff to be in regular contact with catchment groups leading up to and during the event; meetings with DoC, Fish and Game, Iwi, and media, noting that Fish and Game and Iwi were keen for their communication channels to be used.

Mr Bodeker explained that the intent this year would be the same as last year – community water management, and to minimise the number of water shortage directions. Staff did not need to get involved with groups that were well organised.

Cr Robertson suggested that it would have been helpful for ORC and for communities if the report was split into separate reports on what happened before, plans for the future, and technical and regulatory responses. She suggested amended wording for the principles.

Cr Robertson moved  
Cr Shepherd seconded

*That staff review the principles for ORC low flow event management for greater clarity, taking into consideration:*

- 1. ORC will actively monitor key waterways and aquifers (including minimum flow sites, scheduled aquifer levels, residual flows and targeted low flow gauging).*
- 2. ORC will inform community of current flow/level information.*
- 3. ORC will manage water use to protect the significant ecological values of Otago's waterways (including but not limited to those waterways with existing minimum flows, residual flows and min aquifer levels).*
- 4. ORC will carefully consider the full suite of regulatory tools available to protect significant ecological values of Otago's waterways.*
- 5. ORC will not impose more stringent flow/level standards than existing minimum and residual flows and aquifer levels (eg 'bounce back' provisions).*
- 6. Permitted irrigation can commence when flows are at or above relevant minimum flow, residual flow or aquifer levels.*
- 7. Stored water is not subject to water restrictions beyond any normal consent conditions (eg consent imposed release conditions).*
- 8. These principles are clearly outlined to stakeholders.*

Councillors supported the motion, noting that the principles needed to be clear and robust. The likelihood of the continuation of dry summers was noted, and comment was also made that the Council's day to day work had to be able to continue.

Dr Palmer explained in response to a question that the principles were drawn up by staff to address last summer's low flow event, and to guide staff at the operational level in the future.

***The motion was then put and carried.***

Cr Woodhead moved  
Cr Croot seconded

1. *That the report be received and noted.*
2. *That Council's preparations for an imminent low flow event be noted.*

**Motion carried**

Item 2  
2015/1241

**Communications Plan and Project Plan: Water Management Groups. DPPRP, 2/11/15**

The report noted that Plan Change 1C to the Regional Plan: Water gave rise to an LTP project to encourage and assist consent holders form water management groups for renewal of deemed permits and water permits. The work programme and communications approach proposed for the project were summarised in the report.

Mrs Weaver explained in response to a question that the 100+ consents to be lodged included deemed permits and private permit holders in some subcatchments. Everyone who had a permit in a catchment would be invited to lodge their consent renewal application as soon as they could. A question was raised about the monitoring process, and Mr McRae explained that some groups would work on their own, and staff would respond to questions when required. Council would be updated regularly on progress.

Mr McRae explained that an ORC governance group, which he chaired, had been set up to work on water quantity and quality management. A programme manager had been appointed to co-ordinate water quality management.

A concern was raised about possible changes to legislation, and Mr McRae commented that he was not aware of any proposed changes. Cr Deaker advised that he had attended the water management workshop at the recent Ngai Tahu hui, where Mr Mark Solomon, Chair of Te Rūnanga o Ngai Tahu, stated that he had met with the Prime Minister and Cabinet, and there would be an announcement at Waitangi Day 2016 about future decision making options for water.

Cr Croot moved  
Cr Woodhead seconded

*That the report be noted.*

**Motion carried**

Item 3  
2015/1228 **Annual Compliance Summary 2014-15.** DEMO, 19/10/15

The report summarised compliance activities and consent conditions for all major consent holders and prohibited activities for the 2014/15 year.

The difference between audit and monitoring results was queried. Mr King explained that performance monitoring information was provided by consent holders, and a consistent timeframe for these results was to be prepared by staff. Ms Ibbotson explained that performance monitoring results were received on a regular basis for some consents, but these were not audited the same year.

The number of water pollution complaints was noted. Mr King explained that this was partly due to increased public awareness and reporting of water pollution incidents.

Cr Croot moved  
Cr Woodhead seconded

*That the report be noted.*

**Motion carried**

Item 4  
2015/1227 **Biosecurity and RMA Monitoring Report.** DEMO, 10/11/15

The report detailed water, air, pest, and contaminated site environmental monitoring and incidents for the period 4 September to 6 November.

Cr Neill moved  
Cr Kempton seconded

*That the report be noted.*

**Motion carried**

Item 5  
2015/1257 **Consent processing, consent administration and Building Control Authority update.** DPPRM, 10/11/15

The report detailed consent processing, consent administration and building control authority activity for the period 28 September to 6 November 2015.

Cr Croot moved  
Cr Kelliher seconded

*That the report be noted.*

**Motion carried**

Item 6  
2015/1247

**RMA, Biosecurity Act and Building Act Enforcement Activities.**  
DPPRM, 6/11/15

The report detailed Resource Management Act 1991, Biosecurity Act 1993 and Building Act 2004 enforcement activities undertaken by the Otago Regional Council for the period 25 September to 6 November.

Cr Croot moved  
Cr Woodhead seconded

*That the report be noted.*

**Motion carried**

Item 7  
2015/1266

**Appointments by Commissioner Appointment Subcommittee.**  
DPPRM, 13/11/15

The report listed hearing commissioners appointed for the period to 13 November 2015.

Cr Woodhead moved  
Cr Robertson seconded

*That the report be noted.*

**Motion carried**

The meeting closed at 10.11 am

**Chairperson**



## REPORT

Document Id: A867674

Report Number: 2015/1314

Prepared For: Regulatory Committee

Prepared By: Director Environmental Monitoring and Operations

Date: 11 January 2016

Subject: **Biosecurity & RMA Monitoring Report 6 November to 18 December 2015**

### Background

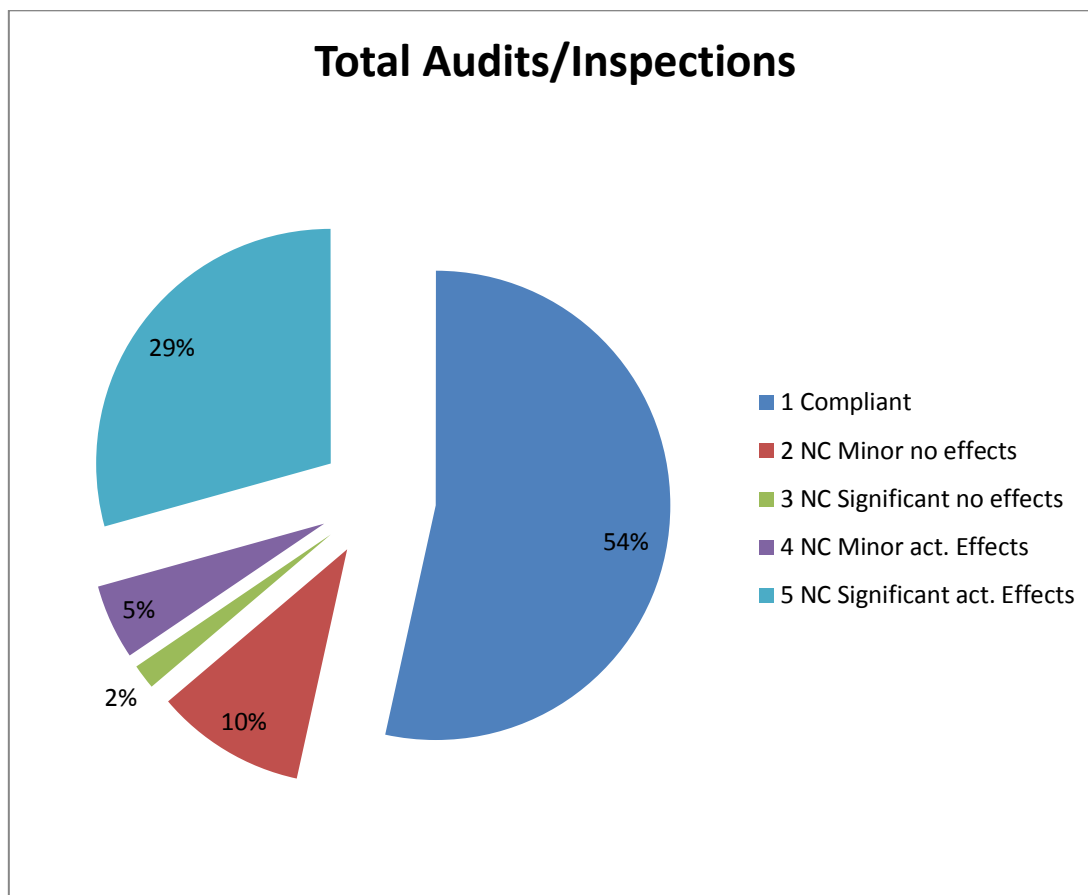
This report describes the Regulatory activity for the reporting period.

### 1. Water Quality and Quantity

1.1 Regional Plan: Water and Resource Consent Monitoring

1.1.1 Audit & Inspection Monitoring

45 consent audits/inspections were conducted over this reporting period, with 21 inspections of water measuring equipment and water takes, and 24 other structure, bore and discharge consent inspections.

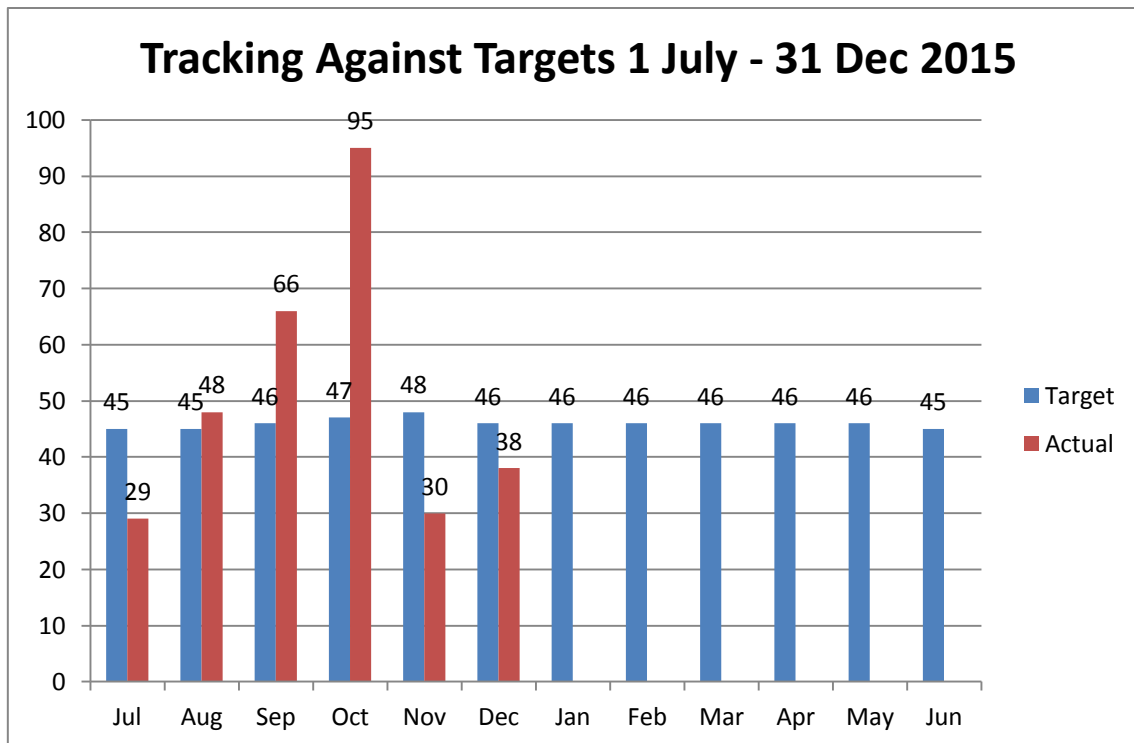


The grade 5 non-compliant inspections related to:

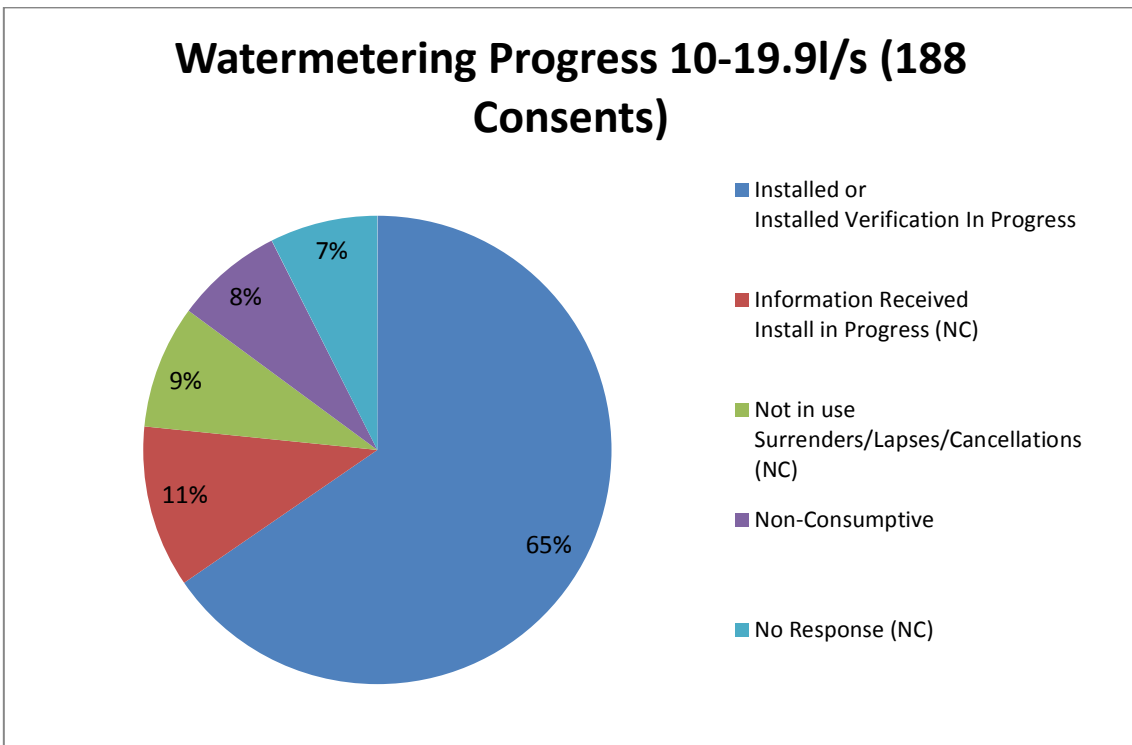
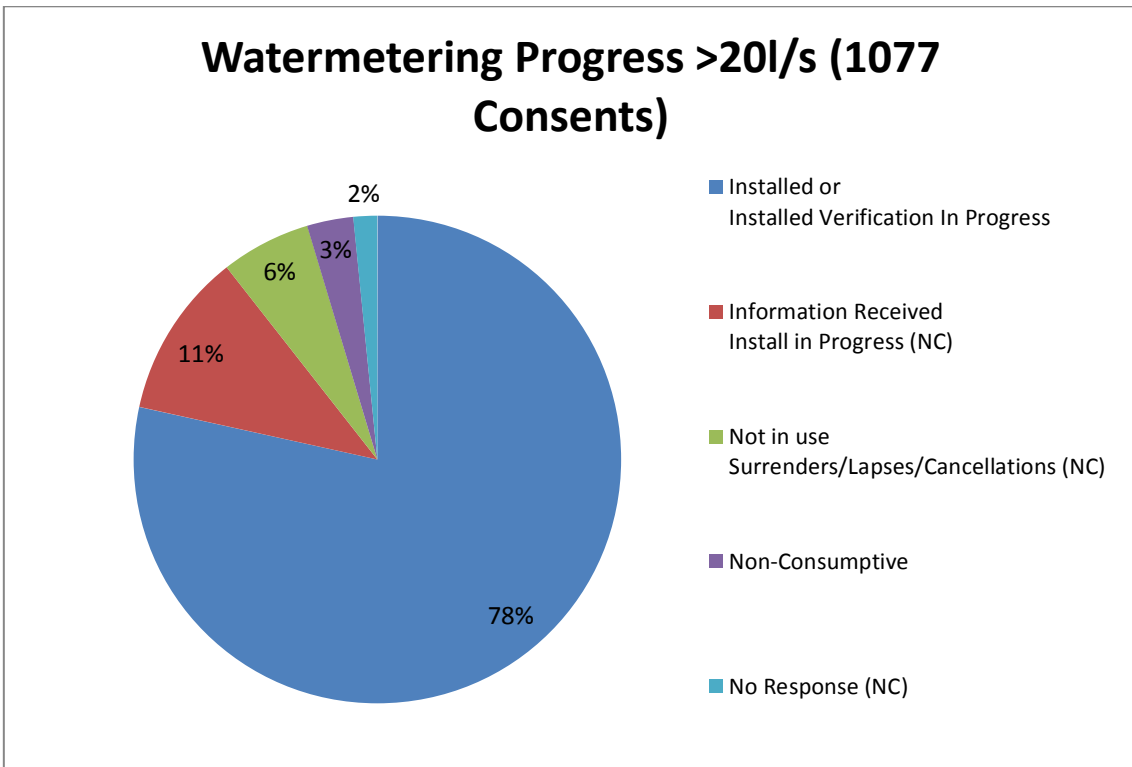
- Water Permits – no measuring installed, incorrect placement of measuring equipment, and no verification;
- Discharge Permits – not undertaking the activity in accordance with the application, and not meeting all conditions of the consent including maintenance and mitigation measures.
- Discharge relating to the storage and washing of gravel – a number of conditions of consent were breached.

**An explanation of the gradings are:**

- **Grade 1** – fully compliant with the conditions of the consent including providing information on time;
- **Grade 2** – compliant with the parameters of the consent that they are required to stay within but some information was provided late;
- **Grade 3** – hasn't provided information so no assessment of effects has occurred;
- **Grade 4** – are non-compliant with some parameters of the consent but not having a significant environmental effect. *An example would be e-coli is required to be no higher than 10 but results show it is 500.*
- **Grade 5** – are non-compliant with some parameters of the consent but are having a significant environmental effect. *An example would be e-coli is required to be no higher than 10 but results show it is 20,000.*



1.1.2 Water Metering – RMA Regulations



Over this reporting period two further REA’s were completed for non-compliant consents over 20l/s. There have also been three consents which have been surrendered, and two consents being cancelled. Two consents have lapsed due to no use within the consented lapse period. There are 192 consents over 20l/s, which are yet to become compliant, 76 belong to irrigation companies.

## 2. Pest Management Strategy Implementation and Biosecurity Compliance

### 2.1 Pest Management Strategy

#### 2.1.1 Rabbits

Audits on rabbits continue as ground becomes available after lambing.

Aerial surveillance was carried out in conjunction with the gorse and broom free inspections in the Hyde/Strath Taieri area which has a history of rabbits. There was a high level of compliance noted.

#### 2.1.2 Wallabies

A further aerial flyover was carried out in the Naseby area in conjunction with the gorse and broom free area inspection, followed up with ground inspection with no animals found and no animal sign noted.

A dead wallaby was reported to have been seen on the side of the road on State Highway 8 on the Cluden Hill, near Tarras. Follow up enquiries confirmed this and from the information provided, it is believed the wallaby may have been run over by a vehicle. No previous known populations or other sightings have been reported in this locality. Further surveillance is planned for this area early in 2016.

## 3.2 Plant Pests

### 3.2.1 Gorse and Broom Surveillance

The aerial inspection of the Central Otago/Kakanui Range Block was completed. Overall there is good compliance, but still a number of areas which require follow-up with land owners to ensure control programmes are ongoing.

Further inspections have been carried out on the ground, targeting known areas in the Earnsclough and Queenstown Lakes areas. Again this has resulted in a number of property owners (including DoC) which will require follow-up to implement improved control programmes.

### 3.2.3 Low incidence plants

#### Cape Ivy

Two further non-compliant sites have been identified during ongoing inspections for Old Man's Beard. All non-compliant sites are in the process of being sprayed as part of the control work over the summer period.

#### Boneseed

Thirteen inspections have been carried out so far, with six properties found to be non-compliant. All plants found were controlled at time of inspection.

### Old Man's Beard

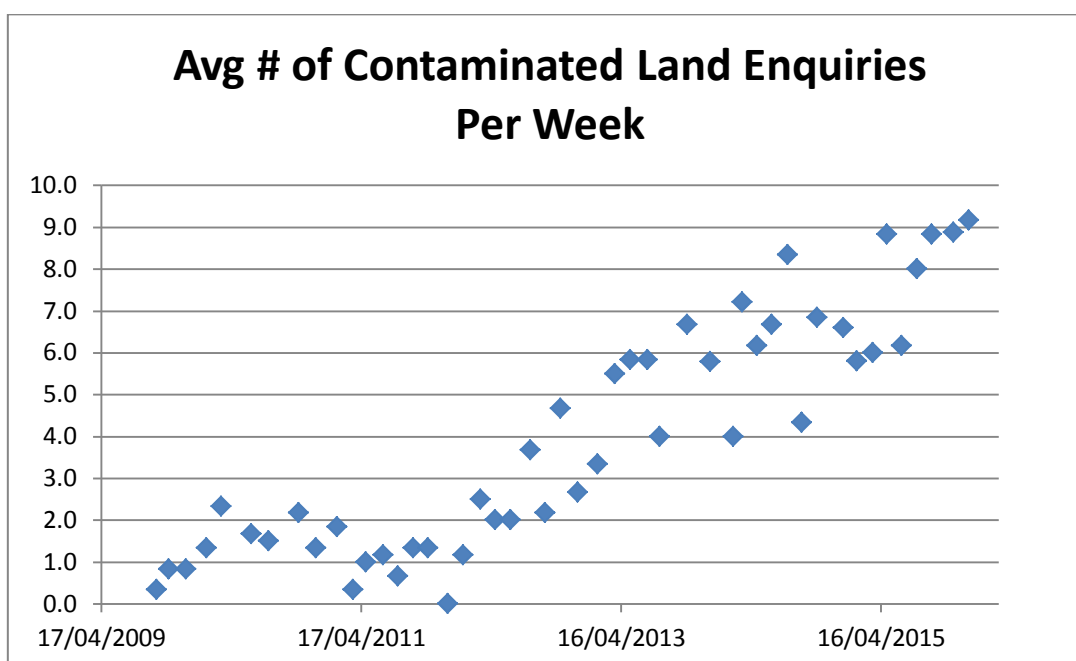
There have been 318 inspections completed in Dunedin City:

- 104 properties were found to be compliant
- 84 properties were found to be non-compliant (73 minor/11 major)
- 126 sites have been identified on DCC land. These site and inspection details have been passed on to the appropriate manager of each department with control work already undertaken at many of the sites.

## 4 Environmental Incident Response

### 4.1 Contaminated Sites

Fifty-five enquiries regarding the land-use history or contamination status of specific properties were received. The number of enquiries each reporting period continues to increase, demonstrating the increased awareness of contaminated land issues.



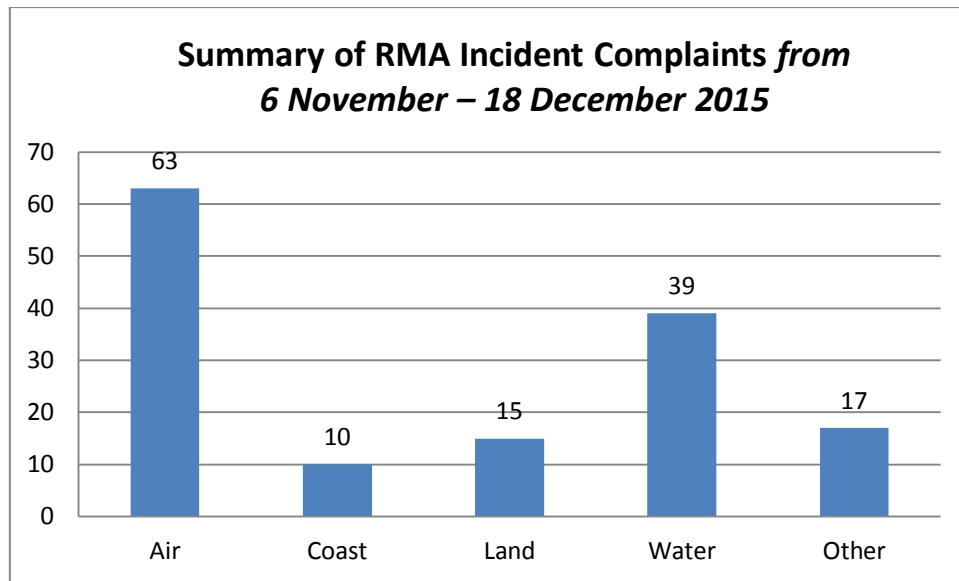
#### 4.1.1 Remediation Projects

An application for funding to assist the Dunedin City Council with remediation planning for the former Dunedin City Gasworks was submitted to the Ministry for the Environment in September. A decision on funding is expected to be announced shortly.

#### 4.1.2 Investigations

Three underground petroleum storage system (UPSS) removal reports were received during the reporting period. The reports have been assessed, and found to comply with Ministry for the Environment Guidelines. Work was carried out in accordance with industry best practice and ORC has no concerns about any environmental effects.

#### 4.2.1 Environmental Incidents



144 incidents were reported to the Council. The majority of the air incidents can be attributed to Domestic Chimneys. The coastal incidents were mostly to do with marine pollution. The majority of land incidents were from disturbances and land contamination. Concerns about fresh water pollution were the cause of the majority of water investigations. The other types of incidents were varied however most of them were in regard to the impacts of pest animals.

#### 5. Recommendation

That this report be noted.

Scott MacLean

**Director Environmental Monitoring and Operations**

**Summary of RMA Incident Complaints (General Location)**
*From 6 November – 18 December 2015*

General Location	Row Summary	AIR							COAST						LAND				WATER				OTHER		
		Backyard burning	Burning	Domestic chimneys	Dust	Industrial air discharge	Odour	Spray Drift	Coastal structures	Marine oil spill	Marine pollution	Reclamation	Removal	Deposit	Disturbance	Land contamination	Mining	Abstraction	Damming	Diversions	Fresh water pollution	Stormwater	Noise	Other	Staff performance
Catlins	2	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Central Otago	15	1	0	0	1	0	0	1	0	0	0	0	1	0	1	0	1	0	2	3	0	0	2	0	
Clutha Plains	7	1	1	0	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	2	0	0	1	0	
Dn - Abbots/Green Is	2	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Dn - Coast North	4	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3	0	
Dn - Coast South	8	1	3	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1	0	0	0	0	2	0	
Dn - Inner City	28	4	0	6	0	4	3	0	0	0	0	0	2	0	0	0	0	0	0	5	1	0	3	0	
Dn - Mosgiel	7	1	2	1	0	0	1	1	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	
Dn - Otago Harbour	6	0	0	0	0	0	0	0	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	
Dn - Peninsula	6	1	0	2	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0	1	0	
Dn - West Harbour	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
East Otago Uplands	5	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1	0	1	2	0	0	0	0	
Lakes	24	0	2	3	1	5	2	0	0	0	0	0	0	1	1	0	0	1	0	6	0	0	2	0	
Maniototo	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
North Otago	16	1	0	0	0	0	1	1	0	0	2	0	0	1	0	2	0	3	0	1	3	0	0	1	0
Roxburgh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
South West Otago	5	0	1	0	0	0	0	1	0	0	0	0	0	2	1	0	0	0	0	0	0	0	0	0	
Strath	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Taieri Plains	10	1	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	5	0	0	2	0	
<b>TOTALS</b>	<b>144</b>	<b>11</b>	<b>9</b>	<b>16</b>	<b>3</b>	<b>9</b>	<b>9</b>	<b>6</b>	<b>2</b>	<b>11</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>6</b>	<b>5</b>	<b>0</b>	<b>5</b>	<b>2</b>	<b>4</b>	<b>27</b>	<b>1</b>	<b>0</b>	<b>17</b>	<b>0</b>

**REPORT**

Document Id: A874969

Report Number: 2016/0582

Prepared For: Regulatory Committee

Prepared By: Director Policy, Planning and Resource Management

Date: 14 January 2015

Subject: **Consent Processing and Building Act Activity 9 Nov15 - 8 Jan 16**

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**1. Consent Processes**

**1.1** Consent applications where status has not changed since the last report are summarised in Appendix 1. There have not been any applications publicly notified during the period.

**1.2 Notified Applications**

There were 4 applications that went to limited notification during the period. For 3 of these no submissions were received and for one a submission seeking conditions was received. One limited notified consent was granted during the period.

***RM14.206 Mt Campbell Station Ltd***

The application is for the construction of two dams in a tributary of Bickerstaff Creek near Alexandra. Three submitters oppose the application and one wishes to be heard. The hearing was in Alexandra on 30 November and the decision is pending.

***RM15.202 Borst Holdings Limited***

The application is for leaching of nitrogen at farms near the Kakanui River. Iwi are opposed to the application and a hearing is set down for the 9<sup>th</sup> February. Independent commissioners have been appointed.

**2. Consent Reviews**

28 water permits in the Pomahaka catchment were reviewed in order to update the minimum flow or impose the new minimum flow. Of the 28, 2 were heard on 27 November and decisions given supporting the consent holders.



### 3. Consent Statistics

**Table 1. Consents Statistics Summary**

Reporting Period	Lodged			Rejected	Decision Given		
	Consents	Variations			Consents	Variations	
		Regular	Water reporting date			Regular	Water reporting date
<b>14/15 year total to date</b>	<b>348</b>	<b>33</b>	<b>24</b>	<b>10</b>	<b>356</b>	<b>54</b>	<b>31</b>
<b>1 Jul – 14 Aug 15</b>	47	5	4	0	44	3	4
<b>16 Aug – 25 Sept 15</b>	51	2	0	2	40	6	0
<b>28 Sept – 6 Nov 15</b>	36	6	1	2	36	4	1
<b>9 Nov 15- 8 Jan 16</b>	68	5	0	1	52	9	0
<b>15/16 YTD</b>	<b>202</b>	<b>18</b>	<b>5</b>	<b>5</b>	<b>172</b>	<b>22</b>	<b>5</b>

All decisions on consents were given within RMA allowed timeframes.

### 4. Consent Administration

**Table 2. Consent Administration Statistics**

Reporting Period	Transfers Received	Transfers Issued	S417 Certs Received	S417 Certs Issued
<b>14/15</b>	89	91	2	6
<b>1 Jul – 14 Aug 15</b>	30	29	0	0
<b>16 Aug – 25 Sept 15</b>	25	17	0	0
<b>28 Sept – 6 Nov 15</b>	23	26	0	0
<b>8 Nov 15 – 9 Jan 16</b>	18		1	1
<b>15/16 YTD</b>	<b>78</b>	<b>72</b>	<b>1</b>	<b>1</b>

### 5. Building Consent Authority (BCA) Administration

#### 5.1 In Progress:

Dam Building Consents	9
Code Compliance Certificates	3
PIM	0
Certificate of Acceptance	3

## 5.2 Dam Safety.

As the Dam Safety Regulations have been revoked, standard consent conditions for dams which require resource consent under the RMA have been drawn up. This will include identification of dam hazard classification, ongoing surveillance of the facilities and appurtenant structures and review conditions.

## 6. Public Enquiries

Appendix 2 shows that 367 enquiries were received during the reporting period.

**Table 3. Public Enquiries Statistics**

<b>Period</b>	<b>Number of Enquiries</b>
<b>14/15 year</b>	<b>2259</b>
<b>1 Jul - 14 Aug 15</b>	366
<b>16 Aug - 25 Sept 15</b>	264
<b>28 Sept – 6 Nov 15</b>	289
<b>8 Nov 15 – 9 Jan 2016</b>	367
<b>YTD 15/16</b>	<b>1286</b>

## 7. Recommendation

That this report is noted.

Fraser McRae  
**Director Policy Planning and Resource Management**

## **Appendix 1: Summary of applications that have not changed since the last report to the Committee**

**RM12.066 – Environment Canterbury** - erosion protection works in the Lower Waitaki River.

An officer at Environment Canterbury has applied for consents to allow them to undertake erosion protection works in the Lower Waitaki River. Numerous erosion protection measures are proposed over a 3 km stretch of river. DoC, Iwi, Fish and Game and owners of land on which the works are to take place are all considered to be affected parties. The applicant is continuing to work through a consultation process to determine whether or not the works applied for will continue to be undertaken.

### **Pending Applications of Interest**

***RM13.423 – Manuherikia Catchment Water Strategy Group (MCWSG)***

A working party has been established comprising MCWSG, Golder Associates and ORC staff. The aim of the working party is to develop a consenting strategy giving regard to existing mining privileges, individual water takes and irrigation options within the Manuherikia catchment. A decision on the viability of the scheme is expected in the first half of 2016.

## Appendix 2



## Resource Consent Public Enquiry Report

For period from 09 November 2015 to 08  
January 2016

Report generated on 15 January 2016 at 1:25:22 p.m.

### Total Number of Enquiries 367

Enquiry Type	No.	% of Total
Current Consents	145	39.5 %
Mining Privileges	5	1.4 %
Other	41	11.2 %
Permitted Activities	95	25.9 %
Pre-application	55	15 %
Property Enquiries	15	4.1 %
TLA Enquiries	2	0.5 %
Transfers	9	2.5 %

Enquiry Location	No.	% of Total
Central Otago District Council	97	26.4 %
Clutha District Council	32	8.7 %
Dunedin City Council	53	14.4 %
Outside Otago	6	1.6 %
Queenstown Lakes District Council	65	17.7 %
Throughout Otago	9	2.5 %
Unspecified	63	17.2 %
Waitaki District Council	42	11.4 %

<b>Enquiry Method</b>	<b>No.</b>	<b>% of Total</b>
Counter	26	7.1 %
Email	186	50.7 %
Fax	1	0.3 %
Internet	1	0.3 %
Letter	1	0.3 %
Telephone	152	41.4 %

## REPORT

Document Id: A872950

Report Number: 2016/0567

Prepared For: Regulatory Committee

Prepared By: Peter Kelliher, Legal Counsel

Date: 8/1/2016

Subject: **Resource Management Act 1991, Biosecurity Act 1993 and Building Act 2004 Enforcement Activities from 9 November 2015 to 8 January 2016**

**1. Précis**

This report details Resource Management Act 1991, Biosecurity Act 1993 and Building Act 2004 enforcement activities undertaken by the Otago Regional Council during the period 9 November 2015 to 8 January 2016.

**2. Resource Management Act 1991****a) Permitted Activity Rules - Inspections****Table 1. Infringement Notices**

Details	Period – 9 November 2015 to 8 January 2016	Total – from 1 July 2015
Discharge of contaminants to land in breach of a regional rule – effluent	5	10
<b>TOTAL</b>	<b>5</b>	<b>10</b>

**Table 2. Authorised Legal Proceedings**

Details	Period – 9 November 2015 to 8 January 2016	Total – from 1 July 2015
Discharge of contaminants to land in breach of a regional rule – effluent	0	1
Disturbing the bed of a river - pugging	1	1
<b>TOTAL</b>	<b>1</b>	<b>2</b>

**b) Incidents****Table 3. Infringement Notices**

Details	Period – 9 November 2015 to 8 January 2016	Total – from 1 July 2015
Discharge of contaminants to air – outdoor burning	0	3
Discharge of contaminants to land in breach of a regional rule – effluent	0	1
Disturbing the bed of a river - pugging	2	2
Disturbing the bed of a river – mechanical excavation	2	2
<b>TOTAL</b>	<b>4</b>	<b>8</b>

**Table 4. Authorised Legal Proceedings**

Details	Period – 9 November 2015 to 8 January 2016	Total – from 1 July 2015
Discharge of contaminants to land in breach of a regional rule – effluent	0	1
Disturbing the bed of a river – mechanical excavation	0	1
TOTAL	0	2

**Table 5. Abatement Notices**

Details	Period – 9 November 2015 to 8 January 2016	Total – from 1 July 2015
To cease damming water within a river in breach of a regional rule	0	1
TOTAL	0	1

**3. Building Act 2004**

One Notice to Fix was issued with respect to earth embankment dams in the Otago region. The Notice required the dam's owner to apply for a certificate of acceptance.

**4. Recommendation**

That this report be noted.

Fraser McRae  
**Director Policy Planning and Resource Management**

## REPORT

Document Id: A874659

Report Number: 2016/0580  
 Prepared For: Regulatory Committee  
 Prepared By: Director Policy, Planning and Resource Management  
 Date: 14 January 2016

Subject: **Appointment of Hearing Commissioners to January 2016**

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### 1. Précis

An amendment to the Resource Management Act in 2005 means that consent hearing commissioners must be appointed by the Council. The Commissioner Appointment Subcommittee has this function and reports to the Regulatory Committee. The appointments made in this reporting period are set out in this report.

### 2. Meeting 24/25 December 2015 (by email)

Present	Crs Croot and Robertson
Applicant	Borst Holdings Ltd
Appn. No.	RM15.202
Activity	To discharge nitrogen to land for the purpose of discharging effluent
Mover/seconded	Cr Croot moved, Cr Robertson seconded
Appointment	Brent Cowie (Chair), Andrew Fenemor (Independent commissioners appointed at request of applicant.)

### 3. Recommendation

That the report be noted.

Fraser McRae  
**Director Policy, Planning and Resource Management**



**OTAGO REGIONAL COUNCIL**

**Agenda for a meeting of the Technical Committee to be held  
in the Council Chamber, 70 Stafford Street, Dunedin  
on Wednesday 27 January 2016 following the Regulatory Committee  
meeting**

**Membership:**

**Cr Bryan Scott** (Chairperson)  
**Cr Doug Brown** (Deputy Chairperson)  
**Cr Graeme Bell**  
**Cr Louise Croot MNZM**  
**Cr Michael Deaker**  
**Cr Gerrard Eckhoff**  
**Cr Gary Kelliher**  
**Cr Trevor Kempton**  
**Cr Sam Neill**  
**Cr Gretchen Robertson**  
**Cr David Shepherd**  
**Cr Stephen Woodhead**

**Apologies:****Leave of Absence:****In attendance:**

**Please note that there is an embargo on agenda items until 8.30 am on Monday 25 January.**

**CONFIRMATION OF AGENDA****PUBLIC FORUM****MINUTES**

The minutes of the meeting held on 25 November 2015, having been circulated, for adoption.

**Matters arising from minutes**

**ITEMS FOR NOTING**

Item 1

2015/1304 **Director's Report on Progress.** DEHS, 24/12/15

Topics covered in the report are: Clutha Bioenergetic Modelling, Leith Flood Protection Scheme, and Dunedin District Plan and Natural Hazards.

**OTAGO REGIONAL COUNCIL****Minutes of a meeting of the Technical Committee held  
in the Council Chamber, 70 Stafford Street, Dunedin  
on Wednesday 25 November 2015 commencing at 12.04 pm**

**Present:**

**Cr Doug Brown (Chairperson)**  
**Cr Graeme Bell**  
**Cr Louise Croot MNZM**  
**Cr Michael Deaker**  
**Cr Gerrard Eckhoff**  
**Cr Gary Kelliher**  
**Cr Trevor Kempton**  
**Cr Sam Neill**  
**Cr Gretchen Robertson**  
**Cr David Shepherd**  
**Cr Stephen Woodhead**

**Leave of Absence:** **Cr Bryan Scott**

**In attendance:**

**Peter Bodeker**  
**Nick Donnelly**  
**Fraser McRae**  
**Gavin Palmer**  
**Caroline Rowe**  
**Deborah Mills**  
**Janet Favel**

**CONFIRMATION OF AGENDA**

There were no changes to the agenda.

**MINUTES**

The minutes of the meeting held on 14 October 2015, having been circulated, were adopted on the motion of Crs Shepherd and Eckhoff.

**Matters arising from minutes**

There were no matters arising from the minutes.

**ITEMS FOR NOTING**

## Item 1

2015/1215 **2015 Air Quality Results.** DEHS, 23/10/15

The annual State of the Environment (SoE) report described the air quality monitoring results for 2015 and provided a comparison with the current ambient condition as reported in the 10-year SoE report.

Ms Mills noted that the number of exceedances during the 2014-15 year was lower than average. This was partly because of lower emissions, but mainly because of the more than usually windy conditions. The El Nino event brought more frequent and stronger winds, which helped with dispersion of air pollution, showing the effect of climate.

A question was raised as to whether district councils voluntarily supported the Air Plan's  $0.7\mu\text{g}/\text{m}^3$  emission level. Ms Mills advised that district councils were encouraged to promote this level when the Air Plan became operative. She noted that the only way a person could be eligible for the Clean Heat Clean Air subsidy was by installing a  $0.7\mu\text{g}/\text{m}^3$  burner.

The anomaly which prevented councils applying more stringent emission restrictions than those in the Building Code was noted. Dr Palmer advised that the Council's Air Strategy would address that issue. Mr McRae commented that the NES was predicated on climate, not public health.

Cr Woodhead noted that Minister Nick Smith encouraged a review of NESAQ, including moving from  $\text{PM}_{10}$  to  $\text{PM}_{2.5}$ . He wanted the NES to be able to be included in air plans. Mr Bodeker in response to a question advised that there was provision in the LTP for the Clean Heat programme, and Councillors would have the opportunity at Annual Plan discussion time to consider whether they wanted to continue the programme, and at what level.

Cr Croot moved

Cr Kempton seconded

1. *That the report be received.*
2. *That the state of air quality in Otago be noted.*

**Motion carried**

Item 2  
2015/1238

**Director's Report on Progress.** DEHS, 12/11/15

Topics covered in the report were: Queenstown lakes flood awareness program, Dunedin District Plan and Natural Hazards, Leith Flood Protection Scheme, and Lake Tuakitoto.

Cr Brown moved  
Cr Kelliher seconded

*That the report be noted.*

**Motion carried**

The meeting closed at 12.20 pm.

**Chairperson**

## REPORT

Document Id: A865195

Report No: 2015/1304

Prepared For: Technical Committee

Prepared By: Gavin Palmer, Director Engineering, Hazards and Science

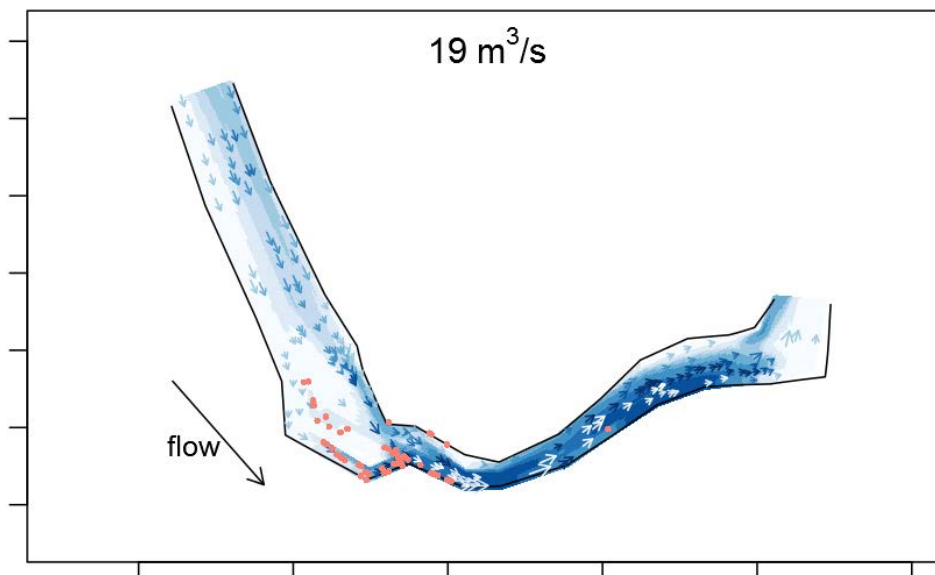
Date: 20 January 2016

**Subject: Director's Report on Progress**

### 1. Clutha Bioenergetic Modelling to Inform Minimum Flow-Setting Process

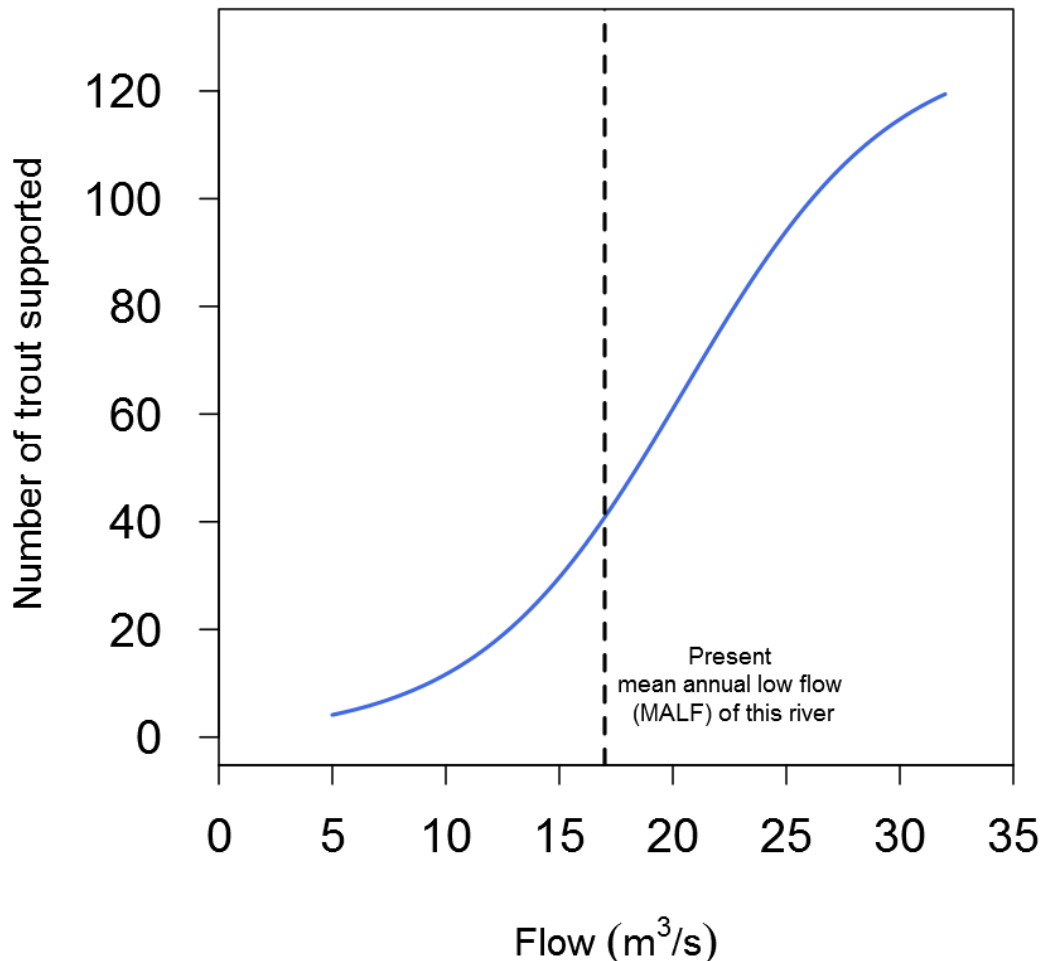
The Cawthron Institute and National Institute of Water and Atmospheric Research (NIWA) have been contracted to undertake 2-dimensional hydraulic modelling and trout bioenergetics modelling to inform the minimum flow-setting process for the upper Clutha River. Hydraulic modelling uses surveys of the shape of the river bed and channel, water depth and velocity to predict how the physical characteristics of a river changes at different flows, which can be used to predict how flows affect the habitat for a range of species. Bioenergetics modelling takes this one step further and predicts the distribution (Figure 1) and number of trout within the survey reach at different flows (Figure 2). In the upper Clutha, NIWA will undertake the physical surveying and modelling of the river, while Cawthron will be undertaking biological surveys and bioenergetics modelling. Cawthron and NIWA will be undertaking fieldwork next month with the results of the modelling to be reported later in the year.

#### Predicted fish locations at river flow Q=19 cumecs



**Figure 1** Predicted distribution of trout (pink dots) in the Matura River at  $19 \text{ m}^3/\text{s}$  based on trout bioenergetic modelling. Arrows indicate the direction of flow and water velocity, while colours represent water depth (darkest blue = deepest water).

### Trout capacity supported by flow



**Figure 2** Predicted number of trout at different flows in the Mataura River based on trout bioenergetic modelling

Cawthron has pioneered bioenergetics modelling, developing and testing the model that will be used in the upper Clutha with funding from central government and in collaboration with researchers from Alaska. This model was recently used for flow-setting in the Mataura River in Southland. The bioenergetics model developed by Cawthron is also being used for flow setting in the USA.

The methods used in environmental flow setting are set out in the Proposed National Environmental Standard (NES) on Ecological Flows and Water Levels with the recommended methods depending on the size, current level of allocation and values supported by the river being considered. Following the approach set out in the proposed NES, two approaches were deemed appropriate for the upper Clutha: instream habitat modelling and trout bioenergetics modelling (which also includes instream habitat modelling). Recent work on the Mataura River has suggested that traditional instream habitat modelling may underestimate the flow requirements for trout, especially in large rivers.

Bioenergetics modelling requires information on the availability of food for trout and how this changes at different flows, and this, along with the greater effort required to run the model means that bioenergetics modelling is more costly than traditional instream habitat modelling (sometimes called IFIM). For this reason, bioenergetics modelling is usually limited to very significant trout fisheries, such as the upper Clutha.

## 2. Leith Flood Protection Scheme

Following Council approval on 9 December the construction works for the Dundas Street to St David Street Reach of the Leith Flood Protection Scheme have been awarded to Downer Construction Limited. A formal kick-off meeting has been held with the Contractor along with several planning meetings. Work began onsite this week with construction work programmed to be completed by the middle of April (Figure 3).



**Figure 3** Dundas Street to St. David Street Reach of the Water of Leith (Montgomery Ave)

The detailed design phase for the reach between Union Street and Leith Street, including the Leith Street Footbridge, is underway. This has started with a detailed review of previous design work undertaken in this reach. The opportunity to further refine the design to provide economic and amenity benefits to the Council and community will be investigated. The design phase will include consultation with key stakeholders including working closely with the University of Otago. This reach is on target to have design completed by June, allowing time to obtain building consent and lead to an early start for construction works in the 2016/17 summer season.



**3. Dunedin District Plan and the Natural Hazards Database**

ORC has been continuing to assist Dunedin City Council with natural hazards information for the District Plan (2GP). Some information is being refined based on feedback received. It will be provided to DCC and incorporated into the upgraded Otago Natural Hazards Database. The upgraded database will be accessible to the public shortly (Figures 4 and 5).

**4. Recommendation**

That this report is noted.

Gavin Palmer  
**Director Engineering, Hazards and Science**

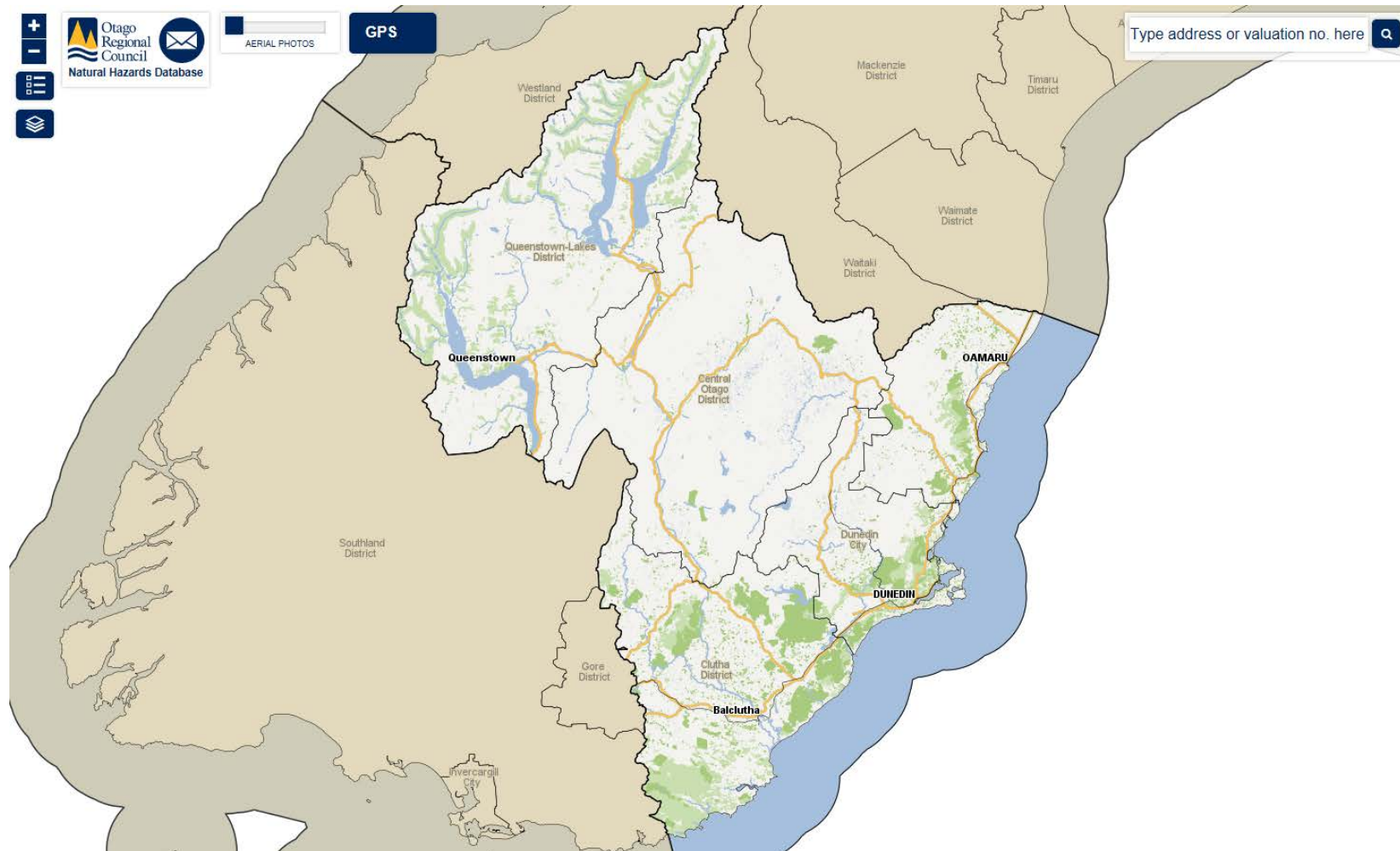


Figure 4 Screen shot from Otago Natural Hazards Database V2

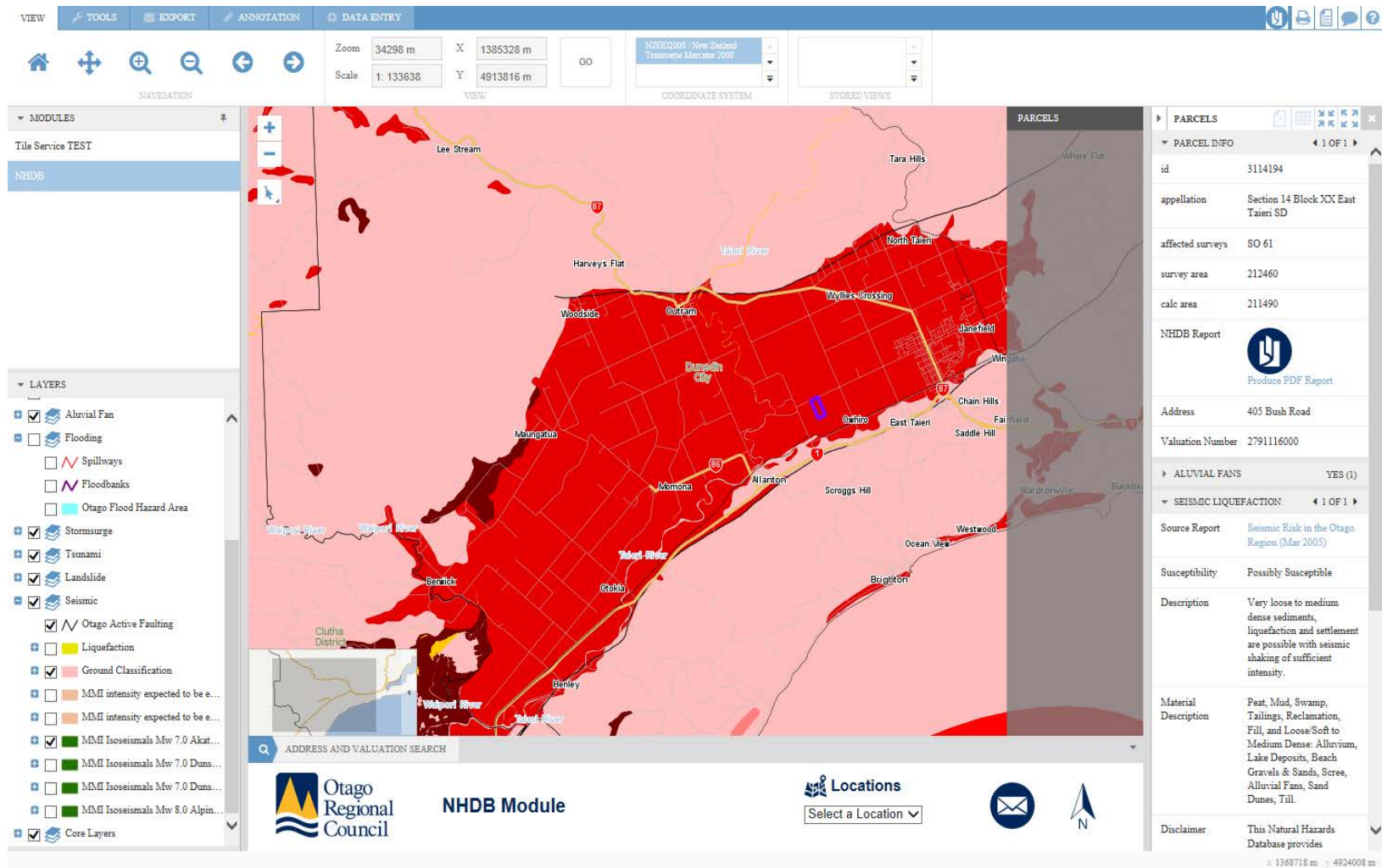


Figure 5 Screen shot from Otago Natural Hazards Database V2

**OTAGO REGIONAL COUNCIL****Agenda for a meeting of the Finance and Corporate Committee  
to be held in the Council Chamber, 70 Stafford Street, Dunedin  
on Wednesday 27 January 2016 following the Technical Committee  
meeting**

**Membership:**

**Cr David Shepherd** (Chairperson)  
**Cr Gary Kelliher** (Deputy Chairperson)  
**Cr Graeme Bell**  
**Cr Doug Brown**  
**Cr Louise Croot MNZM**  
**Cr Michael Deaker**  
**Cr Gerrard Eckhoff**  
**Cr Trevor Kempton**  
**Cr Sam Neill**  
**Cr Gretchen Robertson**  
**Cr Bryan Scott**  
**Cr Stephen Woodhead**

**Apologies:**

**Leave of absence:**

**In attendance:**

**Please note that there is an embargo on agenda items until 8.30 am on Monday 25 January.**

**CONFIRMATION OF AGENDA**

**PUBLIC FORUM**

**MINUTES**

Minutes of the public portion of the meeting held on 25 November 2015,  
having been circulated, for adoption.

**Matters arising from minutes**

## PART A - RECOMMENDATIONS

### Item 1

2016/0581 **Executive report.** DCS, 15/1/16

The report describes significant activities carried out by the Finance and Corporate sections since the last meeting of the Committee.

## PART B - ITEMS FOR NOTING

### Item 2

2016/0587 **Public Transport Update.** DCS, 19/1/16

Providing an update on: various matters including Unit 4 contract negotiations, SuperGold card bulk funding proposal, Dunedin city bus hub, and Wakatipu network review.

## PART C - EXCLUSION OF PUBLIC

That the public be excluded from the following part of the proceedings of the meeting.

The general subject of the matters to be discussed while the public is excluded, the reason for passing this resolution in relation to the matter, and the specific grounds under Section 48(1)(a) of the Local Government Information and Meetings Act 1987 for the passing of this resolution are as follows:

	General subjects to be considered	Reason under LGOIMA for passing this resolution	Grounds under S.48 for the passing of this resolution
Item 3	Minutes of the In Committee portion of the Finance and Corporate Committee meeting held on 25 November 2015	To maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to members or officers or employees.	S.48(1)(a)(i)

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act or Section 6 or Section 7 or Section 9 of the Official Information Act 1982 as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as shown above with respect to each item.

**OTAGO REGIONAL COUNCIL****Minutes of a meeting of the Finance and Corporate Committee  
held in the Council Chamber, 70 Stafford Street, Dunedin  
on Wednesday 25 November 2015 commencing at 10.30 am**

**Present:**

**Cr David Shepherd** (Chairperson)  
**Cr Gary Kelliher** (Deputy Chairperson)  
**Cr Graeme Bell**  
**Cr Doug Brown**  
**Cr Louise Croot MNZM**  
**Cr Michael Deaker**  
**Cr Gerrard Eckhoff**  
**Cr Trevor Kempton** (entered at 11.33 am)  
**Cr Sam Neill**  
**Cr Gretchen Robertson**  
**Cr Stephen Woodhead**

**Apologies:**

**Cr Trevor Kempton** (for lateness)  
The apology was accepted on the motion of Crs Shepherd and Neill.

**Leave of absence:**

**Cr Bryan Scott**

**In attendance:**

**Peter Bodeker**  
**Nick Donnelly**  
**Fraser McRae**  
**Gavin Palmer**  
**Caroline Rowe**  
**Janet Favel**

**CONFIRMATION OF AGENDA**

There were no changes to the agenda.

**MINUTES**

Minutes of the meeting held on 14 October 2015, having been circulated, were accepted on the motion of Crs Woodhead and Bell.

**Matters arising from minutes**

There were no matters arising from the minutes

## PART A - PRESENTATION

### **Otago Rescue Helicopter Trust (ORHT) – annual report 2014-15**

Ross Black, Trust Chairman, Ken Franklin, Trust Manager, and Graeme Gale, Chief Pilot, attended to present the Trust's annual report for the 2014-15 year.

Mr Franklin presented significant aspects of the Trust's operation during the year:

- Total 1009 flying hours, expect 1200 next year
- Total missions 598
- Total income \$4,026,542 from ACC, Ministry of Health, SDHB, Police and others
- 9% increase in service fees to \$4.02m
- 4% increase in costs to \$4.85m
- Donations fund the shortfall
- 30% increase in demand, and 50% increase in donations
- Second dedicated helicopter essential
- 32% cost increase expected
- 60% increase in medical missions in the first quarter of the year
- Better co-ordination of Ministry of Health policy/procedure changes required – discussing with ACC and MoH
- No rationale for community funding of ACC work
- Southland Region looking to engage with Otago in support of service

Mr Gale talked about the upgrade of aircraft to incorporate IFR (flying by instruments). This included craft certification and crew training. The facility would

- save money and time, and enhance safety;
- increase safety in certain weather conditions;
- reduce time of flying around weather conditions;
- enable a single pilot to fly the aircraft, on autopilot if necessary.

Ross Black noted the following:

- 600 patients had been transported.
- There was a 50% increase in public donations - proactive communities had organised fundraising events.
- Discussion was ongoing with ACC and MoH to improve their partnership with ORHT. If there was no improvement, the Trust would need to engage with the community and ORC about contingency plans.

Mr Black thanked Mr Gale, who had two fully equipped craft that could be hired by ORHT. He commented that the key operational relationship with Helicopters Otago had worked extremely well for the 19 years the service had been in operation.

Mr Bodeker noted that discussions had been held with the Southland Region in relation to a co-ordinated health service with Otago, and Mr Franklin explained that the initial contact was with Environment Southland. The



latter would present the matter to the Southland Mayoral Forum for discussion, and it was anticipated that the Forum would in turn discuss it directly with ORC.

A question was raised in relation to national media coverage about Westpac rescue helicopters. Mr Black explained that Otago received all funds that were donated in Otago (\$93,000 annually).

Mr Black in conclusion thanked ORC for their support of the ORHT.

## **PART B - ITEMS FOR NOTING**

### Item 1

2015/1265 **Property Summary 2015.** DCS, 12/11/15

The report explained that at the formation of Council in 1989 Council inherited significant property from its predecessor organisations including investment, endowment, offices/depots, and operational and/or scheme related property. The report provided an overview of the property currently held by Council.

In response to a question Mr Donnelly explained that the key area was investment properties, of which there were now only four. Management of those properties was not onerous and the lease mechanism was reviewed every seven years. The income received from the properties was just under \$550,000 per year, which was put into the general rate pool and made up 10% of the general rate. Mr Donnelly considered that given the situation there would be no advantage in Chalmers Properties taking over management of the leases. He noted that under the current arrangement the leases provided guaranteed income every year.

Reference was also made to the diversification of investments, which included ORC land ownership, Port Otago Ltd, Chalmers Properties, and funding from general and targeted rates. Staff were reviewing ownership of landholdings related to operational and scheme operation.

Cr Neill moved  
Cr Shepherd seconded

*That the report be received.*

**Motion carried**



## PART C – RECOMMENDATIONS

### Item 2

2015/1258 **Executive report.** DCS, 20/11/15

The report described significant activities carried out by the Finance and Corporate sections since the last meeting of the Committee.

The Crown's decision to bulk fund reimbursement for Supergold free off peak travel scheme was noted, and a question was raised as to what would happen if there was insufficient funding. Mr Donnelly explained that modelling was being undertaken to determine how the fund would be allocated amongst regions.

Cr Woodhead and Mr Collings had recently briefed DCC on all passenger transport matters. Mr Collings had contributed to a paper on passenger transport which would be presented to the RSG meeting on Friday 27 November. Cr Woodhead confirmed that population was one of the criteria used for bulk funding, and the cap was currently set at \$28.1m nationally. The deficit of about \$1.3m would have to be taken from next year's capped fund. The range of next steps would be discussed at Friday's meeting.

Cr Croot moved

Cr Woodhead seconded

- (1) *That this report be received.*
- (2) *That the payments and investments summarised in the table above and detailed in the tabled schedule, totalling \$17,725,055.67, be endorsed.*

### **Motion carried**

## PART D - EXCLUSION OF PUBLIC

Cr Shepherd moved

Cr Kelliher seconded

*That the public be excluded from the following part of the proceedings of the meeting.*

*The general subject of the matters to be discussed while the public is excluded, the reason for passing this resolution in relation to the matter, and the specific grounds under Section 48(1)(a) of the Local Government Information and Meetings Act 1987 for the passing of this resolution are as follows:*

	<i>General subjects to be considered</i>	<i>Reason under LGOIMA for passing this resolution</i>	<i>Grounds under S.48 for the passing of this resolution</i>
<i>Item 3</i>	<i>Minutes of the Audit and Risk Subcommittee meeting of 9 September 2015</i>	<i>To maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to members or officers or employees. S7(2)(f)(i)</i>	<i>S.48(1)(a)(i)</i>

*This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act or Section 6 or Section 7 or Section 9 of the Official Information Act 1982 as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as shown above with respect to each item.*

Following discussion of Item 3,

Cr Shepherd moved  
Cr Woodhead seconded

*That the meeting resume in open session.*

**Motion carried**

The meeting closed at 11.36 am

**Chairperson**

## REPORT

Document Id: A874931

Report Number: 2016/0581  
 Prepared For: Finance and Corporate  
 Prepared By: Director Corporate Services  
 Date: 15 January 2016

Subject: **Executive Report - January 2016**

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### 1. Rates Collection

For the 2015/2016 rating period we struck \$16,637,732 of rates which were due on 31 October 2015. At their due date 85% of the rates struck had been collected. Of the \$2.5m outstanding a further \$533,000 was scheduled to be paid by triannual direct debit.

#### **Penalties**

All balances that were outstanding at 1 November 2015 were penalised with a 10% penalty. There were 16,259 penalty notices sent in the current year compared to 17,644 in 2014.

Date	Total Penalty amount
November 2015	\$191,263
November 2014	\$216,276
November 2013	\$292,448

The continued drop in penalties charged has been a result of the following:

- An additional reminder letter posted in January 2015 before debt collection procedures commenced
- Debt collection procedures including outsourcing our collections to EC Credit Control from January 2015
- An increase in the number of direct debits
- An increase in communication of rating information to ratepayers with an email rates notification service being offered to ratepayers from January 2015

#### **Direct Debits**

In September 2015 we completed the paperless direct debit website which allowed ratepayers to set up a direct debit without needing to complete and sign a manual form. This was advertised in our rates brochure and in our penalty notice. This has increased our direct debit numbers by the following:

Date	Number of direct debits	Increased number of direct debits
31 October 2014	8,751	
31 October 2015	10,134	1,383 increase for 12 month period
1 January 2016	12,536	2,402 increase for 4 month period during which the paperless website was live

Communication from ratepayers about the paperless direct debit website has been very positive. There has also been a substantial increase in the number of direct debit facilities with 2,402 established in the 4 month period following the completion of the website.

### **Rates Email Service**

To highlight to our ratepayers our rates email service the rates email application form was included with the 2015/2016 rates assessment. Emailing rating information is beneficial as it is quicker than posted mail, removes postage costs and reduces physical waste created by the Council.

Ratepayers preferring to receive their rating information via email have increased from 644 at June 2015 to 3,474.

## **2. Annual Plan Update**

Development of the Annual Plan for 2016/17 is progressing. This is based on year two of the 2015-25 Long Term Plan adopted in June 2015. A review of the work programme has been performed and estimates are currently being finalised. The draft Annual Plan and Consultation Document are to be presented the Finance and Corporate Committee meeting on 9 March for endorsement to release for consultation. Submissions will close on 2 May and hearings on submissions will commence the week starting 16 May. The finalised Annual Plan is due to be adopted at the Council meeting on 22 June.

## **3. Account Payments**

Schedules of payments made are referred to the Finance and Corporate Committee for endorsement. The financial commitments and payment authorisation are made in accordance with Council's financial delegations and internal control procedures.

<b>Payment Category</b>	<b>November 2015</b>	<b>December 2015</b>
Trade and general payments	\$1,869,038.67	\$2,293,283.34
Payroll	\$661,524.48	\$650,697.00
Investments	\$5,500,000.00	\$0.00
<b>Total</b>	<b>\$8,030,563.15</b>	<b>\$2,943,980.34</b>

## **4. Recommendation**

- (1) That this report be received.
- (2) That the payments and investments summarised in the table above and detailed in the tabled schedule, totalling \$10,974,543.49, be endorsed.

Nick Donnelly  
**Director Corporate Services**

## REPORT

Document Id: A875299  
Report No: 2016/0587  
Prepared For: Finance and Corporate Committee  
Prepared By: Manager Support Services  
Date: 19 January 2016

**Subject: Passenger Transport Update**

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### 1 Précis

This report provides an update on various transport matters including;

- The contract negotiations required under the Land Transport Management Act with Go Bus for Unit 4 (containing Brockville Halfway Bush – St Kilda, and Normanby St Clair services) have commenced in accordance NZTA’s procurement rules. Until the contract is formed a commencement date for these services cannot be confirmed. In the interim necessary extensions to existing contracts have been put in place.
- Update on the Crown’s intent to bulk fund the SuperGold free off-peak travel scheme and the proposed allocation model which is currently out for comment.
- Staff, Cr Neill, Cr Deaker, along with representatives from the DCC, and NZTA (the assessment panel), have assessed proposals received for the design and have identified a preferred consultant. Until a contract has been formed with the consultant it is not appropriate to release any further information.
- Advising on the Wakatipu Network review and business case process.

### 2 Unit 4 contract negotiations

Under the new Public Transport Operating Model the Land Transport Management Act requires all integral services in a network to be provided under contract. In the transitional arrangements contained within the Act, Council is required to negotiate a Like for Like Unit (Contract) on networks where operators were operating commercial services on 30 June 2011. These commercial services are deemed to be exempt services under the Act until such time as they are replaced by a negotiated Unit under contract. Both Dunedin and Wakatipu networks are affected by the provision of the Act.

In Dunedin Go Bus operate commercial services for Brockville Halfway Bush – St Kilda, and Normanby St Clair.

Within the Dunedin Network, Unit 4 has been identified as the Like for Like Unit. Unit 4 will provide services to Belleknowes, Brockville, Halfway Bush, Ocean Grove, Ross Creek, St Kilda, and Waverley.

Because the contract will receive funding subsidy from the National Land Transport Fund, the process for putting the Unit 4 contract in place must be undertaken in accordance with the NZTA's procurement manual.

Negotiations between Council and Go Bus commenced prior to Christmas and will continue through January until either agreement is reached or the value is set by arbitration. All negotiations are undertaken in the presence of an independent observer appointed by NZTA as their representative. It is important that both Council and Go Bus assure themselves that the contract value for these services is both sustainable and represents value for money.

Until the negotiations are completed a firm date for the commencement of services provided under the Unit cannot be confirmed.

### **3 SuperGold**

NZTA have released a consultation document regarding its preferred bulk funding allocation model. Staff are considering the impacts of the funding model which, based on current patronage predictions, indicates a small shortfall in the first year (2016/17) for Otago. This however does not account for revenue lost due to increased patronage within the SuperGold off peak travel scheme, nor does it make any prediction on deficits beyond year one which will grow with any patronage increases.

There is real concern amongst all Councils that the change in funding model will disadvantage Councils and is simply a transfer of cost from the Crown to Local Government.

In addition to individual responses to the bulk funding methodology, Councils through the Regional CEs are actively working on a joint response to the Crown's proposal.

### **4 Bus Hub**

The request for proposals for the invited design competition closed on 25 November 2015.

In accordance with the assessment criteria, staff, Cr Neill, Cr Deaker, and representatives from the DCC and NZTA (the assessment panel) undertook an assessment of the proposals and have identified a preferred consultant.

Staff are now in the process of putting in place a contract for the provision of consultancy services with the preferred consultant for the preliminary and detailed design stages of the project.

Until a contract is formed, release of further information would not be appropriate.

## **5 Wakatipu Network Review and Business Case Development**

Work on the Wakatipu Network Review and Business Case Development is continuing.

The initial Network review, which is effectively an overview of the current state, is in a final draft stage. The strategic business case is complete, and the programme business case which will identify key interventions is being finalised.

To support the business case process a survey of residents and visitors was undertaken prior to Christmas. The survey results, which have been collated and are currently being reviewed, will be used to test the core assumptions made within the business case process. The survey results will also provide a valuable baseline to test the effectiveness of any investment made in the network.

## **6 Recommendation**

That this report be received.

Nick Donnelly  
**Director Corporate Services**