



COUNCIL MEETING PUBLIC AGENDA

WEDNESDAY 27 June 2018

10.00am, Conference Room 2,
Dunedin Centre, Harrop Street, Dunedin

Members of the public are welcome to attend.

Meeting documents and attachments are available online at: www.orc.govt.nz

Membership

| | |
|-----------------------|-----------------------------|
| Cr Stephen Woodhead | <i>(Chairperson)</i> |
| Cr Gretchen Robertson | <i>(Deputy Chairperson)</i> |
| Cr Graeme Bell | |
| Cr Doug Brown | |
| Cr Michael Deaker | |
| Cr Carmen Hope | |
| Cr Trevor Kempton | |
| Cr Michael Laws | |
| Cr Ella Lawton | |
| Cr Sam Neill | |
| Cr Andrew Noone | |
| Cr Bryan Scott | |

Attending

| | |
|---------------|--------------------------|
| Sarah Gardner | <i>(Chief Executive)</i> |
|---------------|--------------------------|

Disclaimer

Please note that there is an embargo on agenda items until 8:30 am on Monday 25 June 2018. Reports and recommendations contained in this agenda are not to be considered as Council policy until adopted.

For our future

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1. APOLOGIES

2. LEAVE OF ABSENCE

Leave of Absence noted for Cr Robertson

3. ATTENDANCE

4. CONFIRMATION OF AGENDA

Note: Any additions must be approved by resolution with an explanation as to why they cannot be delayed until a future meeting.

5. CONFLICT OF INTEREST

Members are reminded of the need to stand aside from decision-making when a conflict arises between their role as an elected representative and any private or other external interest they might have.

6. PUBLIC FORUM

Peninsula Bus Service

Speakers – Mr Paul Pope and Mr Jason Graham re Peninsula Bus Service.

Public Transport – Proposed Joint Governance Committee

Speakers – DCC Councillors Kate Wilson and David Benson-Pope.

7. PRESENTATIONS

8. CONFIRMATION OF MINUTES

Recommendation

That the minutes of the (public portion of the) Council meeting held on 16 May 2018 be received and confirmed as a true and accurate record.

Attachments

1. Council Meeting Minutes - 16 May 2018 [8.1.1]

9. ACTIONS

Status report on the resolutions of Council.

Attachments

Nil

10. CHAIRPERSON'S AND CHIEF EXECUTIVE'S REPORTS

10.1. Chairperson's Report

Prepared for: Council
Activity: Governance Report
Prepared by: Cr Gretchen Robertson, Deputy Chairperson
Date: 21 June 2018

1. **Mayoral Forum, Balclutha, Chaired by Mayor Bryan Cadogan, 25 May 2018**

The forum discussed contributions and loans made by some Territorial Authorities to the Otago Rural Fire Authority (ORFA) which have now been transferred to Fire and Emergency New Zealand (FENZ). The understanding of FENZ is that all ORFA loans will be written off.

A paper was presented on the Provincial Growth Fund (PGF). This also presented the themes for the strategic economic development framework for Otago. PGF projects would be targeted within these. It is worth noting separately, that ORC staff are to present a paper to Council to generate discussion and revisit this Council's position on its own involvement in regional economic development.

2. **Civil Defence and Emergency Management Group Joint Committee, Balclutha, Chaired by Gretchen Robertson, 25 May 2018**

Chris Hawker presented on the 10-year Group Plan which is underway but slowed due to the Ministerial Review of National CDEM. So far, the Group Plan is leading to 3 component plans, these being an Otago CDEM Group Welfare Plan, Animal Welfare Plan, and a Group Recovery Plan.

A Draft South Island Alpine Fault Emergency Response Framework is proceeding to further consultation prior to finalisation. All South Island Groups have been involved along with technical experts to develop a framework to respond to a major earthquake event (Project AF8). Subsequent plans are under development to address the lifelines issues of air operations and fuel.

An Otago Lifelines programme is developing along a 'geographical valley' approach. An initial workshop was held in Queenstown in April.

Discussion was held around Community Response Plans and the desire for these to be available as soon as possible. It was recognised that some communities will be more complex and have differing capacities for response. It was suggested that communities should be prioritised based on risk and should all have fundamental elements of response agreed within 12 months.

Training and education continues to be an important part of developing a trained and response-capable team across Otago. Training is aligned with a Unit Standard course and is led through our Training Coordinator. To date 374 strategic partners, staff and volunteers have been trained across Otago in the fundamentals, 86 have been trained in further specific skills, 127 have attended simulation exercises, and 40 Police from Otago/Southland have increased their readiness and planning for AF8.

Arrangements are being made to provide access to Joint Committee minutes on the Otago Emergency Management website.

Iwi representation in CDEM structures was discussed given the important role Iwi have in readiness, response and recovery. Examples of formalised involvement may be representation on the Group's Coordinating Executive Group (CEG) or Group Joint Committee, and it was decided that an invitation should be put forward to local Iwi at the Mana to Mana meeting.

Refinements were made to the policies in regard to Regional Controller Appointments and Authorities. All local controllers were given authority to respond to any event in the region. A list of out of region controllers were also authorised to act as requested by the Otago Group Controller upon the request of the district involved.

A standard operating procedure for local declarations was also approved. It was identified that there was no deputy Group Chairperson currently. Dave Cull was appointed to this role.

A Group Strategic Plan for Recovery was approved as required by Government by June 2018. The Group Plan Framework was circulated for comment. The final version is intended to be complete by August this year.

The Group Plan Framework with the vision 'Otago is a stronger more connected and adaptable region' was circulated following workshops with TA's. Otago Regional Council Councillors and executive staff participated in a workshop (14 June) to assist in shaping this important framework. Public submissions will be heard in October and final approval of the framework is targeted for later in 2018.

3. Mana to Mana Meeting, 5 June 2018

We were pleased to host a Mana to Mana meeting with wide runaka representation.

We discussed Kai Tahu's hopes for Council resource management and planning in the context of the Long Term Plan. Harbour and coastal management were key themes.

We also spoke of the recent proposed plan change for minimum flows. Aukaha put forward a work programme for prioritising and fast tracking Iwi work on identifying cultural 'values' and providing information to assist in preparing the s32 analysis.

Runanga representatives were positive about developing a partnership in Civil Defence and Emergency Management. An undertaking was given to provide Kai Tahu with information on the current CDEM structures for their consideration for membership.

Acting Aukaha General Manager Tahu Potiki attended the meeting and noted the transition period to a new structure for Aukaha. This will provide an opportunity for ORC to develop a new partnership work programme.

We discussed the potential to share principles as well as discuss emerging issues with regards to water management. It was suggested that we engage in a local hui on water in the near future. Such events have occurred successfully in the past and it is timely to revisit this type of conversation.

Finally, we discussed the transfer of the important Council toaka 'Kaitiakitanga' from the previous Council Chamber to the new one at Phillip Laing House. There was support for a formal blessing upon transfer.

4. Other Meetings/Events Attended

- Council Values and Vision Setting Workshop, Toitu, 17 May, and further development of this with the ORC Staff Leaders' Group, 31st May.
- Hospital Redevelopment Local Liaison Group, 22 May and 19 June.
- Urban Water Symposium, 8 June.
- Minimum Flow Plan Change Meetings, 7 and 11 June.
- Lower Waitaki Irrigation Collective Board Meeting, 15 June.

Finally, I would like to note our delight with regards to Chairman Stephen Woodhead's strength in recovery, and in seeing him return to Council duties as he is ready. I would like to thank all Councillors and staff who have assisted during this period.

5. Recommendation

- a) *That the report be received.*

Endorsed by: Cr Gretchen Robertson
Deputy Chairperson

Attachments

Nil

10.2. Chief Executive's Report

Prepared for: Council
Activity: Governance Report
Prepared by: Sarah Gardner, Chief Executive
Date: 20 June 2018

1. Key Meetings and Events Summary

I have attended the following key meetings since our last Council meeting:

- 22 May 2018 – Dunedin Hospital Redevelopment Local Advisory Group meeting
- 23 May 2018 – Stakeholder Function with NZTA Chief Executive
- 24 May 2018 – Preliminary minimum flow plan change meeting with Aukaha
- 25 May 2018 – Otago Mayoral Forum
- 25 May 2018 – Joint Civil Defence and Emergency Management Committee meeting
- 30 May 2018 – Fonterra meet and greet with environmental and sustainability representatives
- 5 June 2018 – Mana to Mana meeting
- 6 June 2018 – Meet and greet with local WSP Opus leaders
- 6 June 2018 – Meet and greet with Chief Operating Officer, Otago University
- 7 June 2018 – Minimum flows information session for industry and interested parties
- 8 June 2018 – Urban Water Quality Forum
- 11 June 2018 – Minimum flow information meetings with irrigators and community
- 12 June 2018 – Minimum flow presentation to Central Otago District Council
- 15 June 2018 – Lower Waitaki Irrigators Collective Board meeting
- 19 June 2018 – Dunedin Hospital Redevelopment Local Advisory Group meeting
- 20 June 2018 – Audit and Risk Sub-committee
- 22 June 2018 – Business Leaders Health and Safety Forum

I note that for some meetings the Deputy Chair has provided detail in her report. Other meetings mentioned are covered in papers later in the agenda. I have not repeated detail here. For information I have summarised some of the other meetings I have attended below:

1.1. Stakeholder Function with NZTA Chief Executive

This was well attended and Councillor Kempton, Michelle Poole and myself were present from Otago Regional Council. The key messages from the NZTA Chief Executive, Fergus Gammie, were particularly focused on the change in approach to transport that is being taken at NZTA, and also on the Government Policy Statement and what that means for transport in New Zealand. In particular, the discussion was focused on some local issues, including access to Port Otago, the State Highway and the implications of the hospital redevelopment, and the possibility of greater use of rail in New Zealand.

1.2 Preliminary Minimum Flow Plan Change Meeting with Aukaha

This was a preliminary meeting to discuss the new approach to priority catchment minimum flows, including the scope of the plan change and the timeframes being worked to. It covered the approach to work and how Aukaha's work and role would be part of the new plan change and approach.

1.3 Fonterra Meet and Greet

This was an opportunity to understand Fonterra's approach to sustainability and the environment and share experience and issues in common. The conversation focused on implementation of Plan Change 6A of the Water Plan, the positive farming practice I have seen demonstrated since coming to the Otago region, and the future in regard to expected government policy and issues of priority.

2. Other Matters

2.1 Vision, Values and Organisational Narrative

Work on this continues post our workshop after the May meeting. We were grateful to see Councillors at the Leaders Forum which advanced the work done on the narrative and values. The presence of Councillors was very much appreciated and was a great demonstration of Otago Regional Council working as one team. As a result of those discussions we now have a draft vision, values and narrative that we are sharing with all staff for final feedback. This process is to ensure we achieve good organisational buy-in before we bring a final draft to you for consideration. It involves the use of "Bang the Table" incorporating our visual work and detail of the views we have gathered in conversations thus far. Some further team meetings to ensure the work continues to be understood and owned by the organisation as a whole will continue over the course of this week and next. What has been encouraging thus far is the commonality between the work we did in the Council workshop and what came from the Leaders Forum, the energy and commitment everyone is putting into this work, and the quick understanding people have of what we are trying to achieve.

2.2 Mycoplasma Bovis

All staff have been directed to undertake decontamination procedures immediately before and after visiting a farm as per government guidance for Mycoplasma Bovis containment. Kits are carried in all vehicles and replenished as required. In addition, we have had various staff assisting from Christchurch with the Ministry of Primary Industries response to the South Island outbreaks. We were recently asked to provide further staff to assist through the Ministry for Civil Defence, although at this stage we haven't been able to commit resources for that work. We are also aware that this situation is putting enormous stress on farmers, farm workers, and their families, and that it has devastating impacts.

2.3 New Chambers at Phillip Laing House

While there was a slight possibility we could have held this meeting in the new chambers we did not have full confidence they would be ready, hence using the Dunedin Centre for this meeting. We expect to have the next Committee meetings in the new chambers. We have had very early discussions with Aukaha about assisting us in transferring our taonga from regional house and blessing the new chamber. This is likely to take place immediately before our next Committee meetings.

3. Recommendation

- a) *That the report be received.*

Endorsed by: Sarah Gardner
Chief Executive

Attachments

Nil

11.1. MATTERS FOR COUNCIL DECISION

11.1.1. Long Term Plan 2018-28 Adoption

Prepared for: Council
Activity: Community – Long Term Planning and Annual Plan Report
Prepared by: Mike Roesler, Corporate Planning Manager
Date: 21 June 2018

1. Précis

The purpose of this report is to enable Council to adopt its 2018-28 Long Term Plan (LTP).

The Finance and Corporate Committee has considered and made recommendations on the LTP, following the receipt of 569 submissions on the Consultation Document and consideration of the Hearing Committee recommendations. In addition, the external auditors have completed their work and Council is now in a position to adopt the LTP as separately enclosed with the agenda.

2. Background

Councillors and staff have completed a series of steps since mid-2017 to develop the LTP. The most recent step involved engaging with Otago's residents via the 'For Our Future' consultation document. The feedback received in the 569 submissions was carefully compiled and summarised to support an open and transparent decision-making process. This information was provided in a timely way to all Councillors, and made available on Council's website.

To assist with decision-making, this process involved a Council appointed Hearing Committee meeting submitters in Queenstown, Alexandra and Dunedin, considering their feedback and requests, and developing recommendations for the Finance and Corporate Committee. The timeframes being:

- 30 days for submitters to prepare submissions (11April-11May).
- Hearing Committee meets submitters (23-24 May).
- Hearing Committee Deliberates (25 May).
- Finance and Corporate Committee consider recommendations for Council (13 June).

The Finance and Corporate Committee, that includes all Councillors, received at the 13 June meeting:

- All detailed submissions (compiled electronically).
- A summary report prepared by Council staff showing the issues raised in the submissions, by submitter.
- The financial impacts of the Hearing Committee recommendations.

These steps complete an important component of the 'Special Consultative Procedure' (SCP) required under the Local Government Act 2002. The Council is now at a stage in the process where it decides and adopts the LTP.

3. Long Term Plan 2018-28 (LTP)

The 13 June 2018 Finance and Corporate Committee meeting provided final direction to staff on the content of the LTP in preparation for Council adoption. The recommendations provided at that Committee meeting are included in the LTP provided to the 27 June 2018 Council meeting for adoption.

Importantly, the Councillors listened, considered and discussed the community feedback on the 'For Our Future' Consultation Document. The strong community support to complete the three key proposals was noted and appreciated. They included:

- Preparing for climate change.
- Water monitoring – extended programme.
- Urban water quality.

Consideration of community feedback also resulted in staff being directed to make the following adjustments to the LTP, including:

- Water monitoring – extended programme. Funding to accelerate the deployment of the three Lake Buoys from 4 years, as consulted, to 1 year.
- Lake Hayes – the investigation of Lake Hayes is strengthened with funding included in 2018/19 to begin remediation work.
- Public Passenger Transport (PPT) – a commitment to explore Regional Public Transport Plan process regarding provision of school bus services, and more broadly the governance arrangements relating to PPT in Dunedin.
- Rees and Dart River control and management – funding for urgent works and strategic review.
- Predator Free Dunedin – a five-year funding commitment to PFD is included.
- Yellow Eyed Penguin Trust – additional funding over 3 years that funds Council science expertise to support the Trust's work.
- Lake Dunstan Lagarosiphon – funding of \$25,000 per annum for control work is included.
- Cosy Homes Trust – funding for a co-ordinator working in the Central Otago and Queenstown Air Zone 1 areas to encourage uptake of the Clean Heat programme.
- Drainage works – stronger commitment to specifically Dukes and Riccarton Road issues, and more generally the community engagement on service levels and funding related to the Taieri drainage schemes.
- Otago Harbour – commitment to establish a Harbour Liaison Group.

The external auditors 'Deloitte' have completed their final review of the LTP, focusing on the consultation process and the recommended changes. The expectation is the Council will receive an unqualified audit opinion in the Audit Report for inclusion in the adopted LTP.

Following adoption of the LTP the Council is able to receive and approve the Rates Resolution. This enables the Council to collect funding to deliver the planned programme of work and services in the 2018/19 financial year.

4. Financial Impacts

The recommendations from the 13 June Finance and Corporate Committee have resulted in changes to planned expenditure and rating requirements as previously consulted.

Total expenditure for the 2018/19 year is forecasted to be \$64.221 million, an increase of \$1.522 million (2.4%) compared to the current 2017/18 Annual Plan. This is an increase from the total expenditure reported to the Finance and Corporate meeting of \$240,000 due to moving the implementation of two lake buoys from years two and four into year one.

The table below shows the forecast rating requirements and the funding impact of the Finance and Corporate Committee recommendations. The percentage figures show the changes in general and targeted rates compared to the preceding year.

| Funding source | Annual Plan 2017/18 \$'000s | LTP Yr1 2018/19 \$'000s | LTP Yr2 2019/20 \$'000s | LTP Yr3 2020/21 \$'000s |
|-----------------------------------|--|--|--|--|
| General Rates | 7,275 | 8,808 (21.1%) | 10,816 (22.8%) | 11,545 (6.7%) |
| Targeted Rates | 13,635 | 14,366 (5.4%) | 15,180 (5.7%) | 16,234 (6.9%) |
| Grants | 11,926 | 9,790 | 10,187 | 9,145 |
| Other Income | 8,428 | 9,266 | 9,730 | 10,074 |
| Fees and Charges | 3,426 | 3,310 | 3,415 | 3,407 |
| Reserves | 7,838 | 9,067 | 5,599 | 5,000 |
| Dividend and Investment Income | 10,172 | 9,614 | 9,087 | 9,321 |
| Total Funding / Expenditure | 62,699 | 64,221 | 64,014 | 64,728 |

5. Final Steps

Following adoption of the LTP the following will occur:

- Complete professional proofing (grammar only).
- Publish hard copy LTP for legal deposit, for Councillors and staff, and external requests.
- Publish electronically.
- Communicate the final decisions to all submitters.

6. Recommendation

- a) *That this report be received.*
- b) *Approves the signing of the Audit Representation letter (tabled at the meeting)*

- c) *Notes the Otago Regional Council Long Term Plan 2018–28 contains the Funding and Financial Policies including the Revenue and Financing Policy as previously adopted.*
- d) *Notes the Otago Regional Council Long Term Plan 2018–28 contains the Financial Strategy and Infrastructure Strategy for adoption.*
- e) *Notes that Council staff have updated the Otago Regional Council Long Term Plan 2018–28 to accurately reflect the recommendations of the 13 June Finance and Corporate Committee meeting.*
- f) *That the Otago Regional Council Long Term Plan 2018–28 be adopted.*

Endorsed by: Nick Donnelly
Director Corporate Services

Attachments

Attachment 1 – Otago Regional Council Long Term Plan 2018–28

11.1.2. Rating Report and Rating Resolution 2018-2019

Prepared for: Council
Activity: Governance Report
Prepared by: Stuart Lanham, Finance Manager
Date: 21 June 2018

1. Précis

Following the adoption of the Long Term Plan 2018-28, Council is required to adopt a rates resolution, which formally sets the rates for the 2018/19 financial year. The rates resolution is attached to this report. Schedule 1 of this report contains tables showing the 2018/19 rate effect on a range of properties within the Otago region, along with comparative rates for the 2017/18 year.

The purpose of this report is to provide details of each of the rates to be set, and to recommend that Council adopts the rates resolution for the 2018/19 year.

2. General rates

2.1 General rate amount and collection basis

The GST inclusive general rate requirement for the 2018/19 year of \$10,129,000 represents an increase of 21% on the 2017/18 rate of \$8,367,000.

Of the general rate requirement, the total amount of rates to be collected by way of Uniform Annual General Charge is \$2,532,000 equating to a charge of \$23.23 (including GST) on each rateable property compared to \$19.27 in the 2017/18 year.

General rates, excluding the portion collected as a Uniform Annual General Charge, are charged on a capital value basis.

2.2 Equalisation of capital values

Revaluations of property for rating purposes are conducted on a cyclic three-yearly basis.

The Waitaki, Queenstown and Clutha Districts were revalued in 2017 and the Dunedin City and the Central Otago Districts were last revalued in 2016.

Council obtained a certificate of projected values from Quotable Value Limited that provides an assessment of the overall "equalised" capital values of the city and each of the districts within Otago, as at the common date of 1 July 2017.

The equalised values are applied to apportion the general rate amount to be collected on a capital value basis from the region as a whole, and are also applied in those instances where rates are to be collected on a common basis where the rating base takes in more than one district.

The following table shows the equalised values for the city and districts as at 1 July 2017 that are applicable for 2018/19 rates and the comparative values applicable to the 2017/18 rates.

| Equalised capital values of the Otago region | | | | |
|---|------------------------------------|-----------------------|-------------------------------------|-----------------------|
| | Values for the 2018/19 year | | Values for the previous year | |
| City/Districts | Values \$billion | District % | Values \$billion | District % |
| Central Otago | 10.397 | 12.66 | 9.027 | 12.18 |
| Clutha | 7.983 | 9.72 | 7.763 | 10.48 |
| Dunedin | 25.408 | 30.94 | 22.942 | 30.96 |
| Queenstown | 32.019 | 38.99 | 28.276 | 38.16 |
| Waitaki (part) | 6.314 | 7.69 | 6.087 | 8.22 |
| Total | 82.121 | 100.00 | 74.095 | 100.00 |

2.3 Significant general rate amounts

The following are the significant general rate amounts to be levied on the basis of capital value:

| | General rates 2018/19 (GST inclusive) \$ | General rates 2017/18 (GST inclusive) \$ |
|--|---|---|
| Contact Energy Ltd: | | |
| Clyde Hydro Dam | 48,390 | 39,455 |
| Roxburgh Hydro Dam | 23,650 | 19,283 |
| Dunedin Waste Water Business Unit | | |
| Three major facilities | 91,568 | 78,686 |
| Total | 163,608 | 137,424 |
| Percentage of total general rates | 2.15% | 2.19% |

The amount of general rate to be collected from these ratepayers, and the percentage of these rates in relation to the total general rate, is not considered unreasonable given the effects of the presence and operations of these properties.

3. River management rates

The targeted rates to be levied for the purposes of maintenance and enhancement of waterways within the territorial authority city/districts and within the Lower Waitaki River area are as follows:

| River management rates (inclusive of GST) | | |
|--|-----------------------|-----------------------|
| Rating area | 2018/19 \$ | 2017/18 \$ |
| Central Otago District | 345,000 | 345,000 |
| Clutha District | 345,000 | 304,750 |
| Dunedin City | 230,000 | 172,500 |
| Queenstown-Lakes District - Wakatipu area | 172,000 | 172,500 |
| Queenstown-Lakes District - Wanaka area | 207,000 | 192,050 |
| Waitaki District | 460,000 | 460,000 |
| Lower Waitaki rating area | 163,000 | 144,363 |
| Total | 1,922,000 | 1,791,163 |

The River Management rates are assessed differentially on the rateable capital value of all rateable land situated within the territorial authority city/districts and within the Wakatipu and Wanaka river management rating districts. In respect of the Lower Waitaki scheme, the rates are assessed differentially on the rateable capital value of all rateable land within two scheme classifications.

4. Flood and drainage scheme rates

The rating levels for the various flood protection and drainage scheme rating districts are as follows:

| Flood and drainage scheme rates (inclusive of GST) | | |
|---|-----------------------|-----------------------|
| Targeted Rating District | 2018/19 \$ | 2017/18 \$ |
| <i>Rates charged on a capital value basis:</i> | | |
| Lower Taieri Flood | 862,000 | 805,000 |
| Lower Clutha Flood & Drainage | 748,000 | 690,000 |
| Tokomairiro Drainage | 121,000 | 109,250 |
| Shotover Delta Training Works | 92,000 | 172,500 |
| Leith Flood Protection | 1,680,000 | 1,569,750 |
| <i>Rates charged on an area basis:</i> | | |
| West Taieri Drainage | 633,000 | 594,550 |
| East Taieri Drainage | 517,000 | 488,750 |
| Total | 4,653,000 | 4,429,800 |

These rates are levied on either a classified or differentially targeted basis in accordance with assessed benefits.

Lower Taieri, Lower Clutha, Tokomairiro and Shotover Delta Schemes

The total rate requirement for these schemes is set on the capital value within each of the relevant classifications. The Lower Taieri Scheme has 24 classifications, the Lower Clutha has 10 classifications, and the Tokomairiro has 7 classifications. The Shotover Delta Scheme does not have multiple classifications.

Leith Flood Protection

This rate is set on a capital value basis comprising two classifications, the Direct Benefit Zone and the Indirect Benefit Zone.

The Forsyth Barr Stadium is to contribute 4% of the rate requirement attributed to the Direct Benefit Zone, with other Direct Benefit Zone properties contributing 96% of the Direct Benefit Zone rate requirement.

West Taieri Drainage

This rate is set on an area basis comprising five differential classifications.

Of the total rate requirement, 30% is collected by way of a targeted uniform rate on classifications WD1 through to WD4 (inclusive), and the remainder is collected by way of a differential rate on classifications WD1 through to WD5 (inclusive).

East Taieri Drainage

This rate is set on an area basis comprising 10 classifications.

Of the total rate requirement, 25% is collected by way of a targeted uniform rate on all classifications except ED3, ED6 and ED7, and the remainder is collected by way of a differential rate on all classifications except ED3 and ED6.

5. Transport Rates

5.1 Dunedin Transport Rate

The Dunedin transport services targeted rate is to be levied on two classifications of ratepayer, Class A and Class B.

Class A ratepayers are made up of those properties within the inner city and St Kilda/St Clair areas that **do not** have a land use description of any of the following;

- Residential: bach,
- Residential: multi-use within residential, multi-use residential,
- Residential: multi-unit,
- Residential: single unit excluding bach, and
- Residential: vacant.

Class B comprises all properties within the transport services targeted rating area other than those designated as Class A. Class A ratepayers will pay a differential rate equating to 3.75 times the amount paid by Class B ratepayers.

The Dunedin Transport rates to be levied are as follows:

| Dunedin Transport Rate (inclusive of GST) | | |
|--|-----------------------|-----------------------|
| Classification | 2018/19 \$ | 2017/18 \$ |
| Class A | 1,380,000 | 1,258,067 |
| Class B | 3,193,000 | 2,918,895 |
| Total | 4,573,000 | 4,176,962 |

5.2 Queenstown Transport Rate

The Queenstown transport services targeted rate is to be levied on two classifications of ratepayer, Class A and Class B. Class A ratepayers will pay a differential rate equating to 2.0 times the amount paid by Class B ratepayers.

Class A ratepayers are made up of those properties within the Queenstown Transport Services Rating Area that have the land use description of:

- Commercial: Retail, Multi-use within Commercial, and Services,
- Community Services: Multi-use within Community Services,
- Multi-use: Commercial,
- Residential: Public Communal-licensed, and Public Communal-unlicensed,
- Transport: Air Transport, and Multi-use within Transport, and
- Recreational: Entertainment, Multi-use within recreational, Active indoor, Active outdoor, Passive indoor, and Passive outdoor.

Class B comprises all properties within the Queenstown Transport Services rating area other than those designated as Class A.

The Queenstown transport rates to be levied are as follows:

| Queenstown Transport Rate (inclusive of GST) | | |
|---|-----------------------|-----------------------|
| Classification | 2018/19 \$ | 2017/18 \$ |
| Class A | 212,000 | 186,421 |
| Class B | 613,000 | 503,702 |
| Total | 825,000 | 690,123 |

6. Rural Water Quality Rate

The Rural Water Quality rate will be levied on the capital value of all rateable land situated within the Otago region that:

- (a) Has a rural land use description, or,
- (b) Has a lifestyle land use description and a land area of at least two hectares.

The proportion of the total rate requirement to be collected within each territorial authority district/city will be based on the equalised values of each district/city as recorded in paragraph 2.2 of this report.

The GST inclusive rate requirement of \$1,270,000 for the 2018/19 year represents a decrease of 7.5% on the amount of \$1,373,000 levied in the 2017/18 period.

7. Dairy Monitoring Rate

The Dairy Monitoring rate will be levied on a targeted uniform basis on all rateable land, situated within the Otago region that operates a Dairy Farm.

The GST inclusive rate requirement of \$216,000 for the 2018/19 year represents a marginal increase on the amount of \$215,000 levied in the 2017/18 period.

8. Wilding Tree Rate

The Wilding Tree rate will be levied on a targeted uniform basis on all rateable land situated within the Otago region.

The GST inclusive rate requirement of \$240,000 for the 2018/19 year represents an increase of 4.3% on the amount of \$230,000 levied in the 2017/18 period.

9. Civil Defence and Emergency Management Rate

The Civil Defence and Emergency Management rate will be levied on a targeted uniform basis on all rateable land situated within the Otago region.

The GST inclusive rate requirement of \$2,822,000 for the 2018/19 year represents an increase of 1.7% on the amount of \$2,773,000 levied in the 2017/18 period.

10. Payment and Penalty Dates

The attached resolution provides that the due date for rates to be paid is 31 October 2018.

It also provides for penalty dates in November 2018 and May 2019 as follows:

- A 10% penalty will apply to all unpaid rates on 1 November 2018.
- A 10% penalty will apply to all rates levied in previous financial years remaining unpaid on 1 May 2019.

11. Recommendation

- a) That this report be received.*
- b) That the attached Rating Resolution for the 2018/19 year be adopted.*

Endorsed by: Nick Donnelly
Director Corporate Services

Attachments

Nil

Schedule One

| Dunedin City | | | | | | | | |
|---|----------------------------------|---------------|---------------|---------------|---------------|---------------|-----------------|---------------|
| Dunedin Residential | | | | | | | | |
| | Amount of rate per capital value | | | | | | | |
| | \$100,000 | | \$250,000 | | \$500,000 | | \$750,000 | |
| | 2018/19 | 2017/18 | 2018/19 | 2017/18 | 2018/19 | 2017/18 | 2018/19 | 2017/18 |
| Regional uniform rates: | | | | | | | | |
| Uniform annual general charge | 23.23 | 19.27 | 23.23 | 19.27 | 23.23 | 19.27 | 23.23 | 19.27 |
| Emergency management | 25.88 | 25.56 | 25.88 | 25.56 | 25.88 | 25.56 | 25.88 | 25.56 |
| Wilding trees | 2.22 | 2.12 | 2.22 | 2.12 | 2.22 | 2.12 | 2.22 | 2.12 |
| | 51.33 | 46.95 | 51.33 | 46.95 | 51.33 | 46.95 | 51.33 | 46.95 |
| Variable rates: | | | | | | | | |
| General Rate | 12.88 | 11.07 | 32.20 | 27.68 | 64.40 | 55.35 | 96.60 | 83.03 |
| River Management | 1.01 | 0.76 | 2.53 | 1.90 | 5.05 | 3.80 | 7.58 | 5.70 |
| Leith Flood Protection (<i>indirect</i> benefit zone) | 5.60 | 5.28 | 14.00 | 13.20 | 28.00 | 26.40 | 42.00 | 39.60 |
| Transport Class B | 18.93 | 17.50 | 47.33 | 43.75 | 94.65 | 87.50 | 141.98 | 131.25 |
| | 38.42 | 34.61 | 96.06 | 86.53 | 192.10 | 173.05 | 288.16 | 259.58 |
| | | | | | | | | |
| Total rates | 89.75 | 81.56 | 147.39 | 133.48 | 243.43 | 220.00 | 339.49 | 306.53 |
| Add margin for property in the Leith <i>Direct</i> benefit margin | 90.58 | 84.89 | 226.45 | 212.23 | 452.90 | 424.45 | 679.35 | 636.68 |
| Total rates (including Leith <i>direct</i> benefit zone) | 180.33 | 166.45 | 373.84 | 345.71 | 696.33 | 644.45 | 1,018.84 | 943.21 |

Mosgiel Residential

| | Amount of rate per capital value and deemed hectares | | | | | | | |
|--------------------------------|--|--------------|----------------------|---------------|----------------------|---------------|----------------------|---------------|
| | \$100,000 0.06 ha | | \$250,000 0.07 ha | | \$500,000 0.08 ha | | \$750,000 0.10 ha | |
| | 2018/19 | 2017/18 | 2018/19 | 2017/18 | 2018/19 | 2017/18 | 2018/19 | 2017/18 |
| Regional uniform rates: | | | | | | | | |
| Uniform annual general charge | 23.23 | 19.27 | 23.23 | 19.27 | 23.23 | 19.27 | 23.23 | 19.27 |
| Emergency management | 25.88 | 25.56 | 25.88 | 25.56 | 25.88 | 25.56 | 25.88 | 25.56 |
| Wilding trees | 2.22 | 2.12 | 2.22 | 2.12 | 2.22 | 2.12 | 2.22 | 2.12 |
| | 51.33 | 46.95 | 51.33 | 46.95 | 51.33 | 46.95 | 51.33 | 46.95 |
| Variable rates: | | | | | | | | |
| General Rate | 12.88 | 11.07 | 32.20 | 27.68 | 64.40 | 55.35 | 96.60 | 83.03 |
| River Management | 1.01 | 0.76 | 2.53 | 1.90 | 5.05 | 3.80 | 7.58 | 5.70 |
| Transport Class B | 18.93 | 17.50 | 47.33 | 43.75 | 94.65 | 87.50 | 141.98 | 131.25 |
| Lower Taieri Flood EF8 | 1.51 | 1.42 | 3.78 | 3.55 | 7.55 | 7.10 | 11.33 | 10.65 |
| East Taieri Drainage ED7 | 12.12 | 11.55 | 14.14 | 13.48 | 16.16 | 15.40 | 20.20 | 19.25 |
| | 46.45 | 42.30 | 99.98 | 90.36 | 187.81 | 169.15 | 277.69 | 249.88 |
| | | | | | | | | |
| Total rates | 97.78 | 89.25 | 151.31 | 137.31 | 239.14 | 216.10 | 329.02 | 296.83 |

Dunedin Commercial

| | Amount of rate per capital value | | | | | | | |
|--------------------------------|----------------------------------|---------------|---------------|---------------|-----------------|-----------------|-----------------|-----------------|
| | \$500,000 | | \$1,000,000 | | \$1,500,000 | | \$2,000,000 | |
| | 2018/19 | 2017/18 | 2018/19 | 2017/18 | 2018/19 | 2017/18 | 2018/19 | 2017/18 |
| Regional uniform rates: | | | | | | | | |
| Uniform annual general charge | 23.23 | 19.27 | 23.23 | 19.27 | 23.23 | 19.27 | 23.23 | 19.27 |
| Emergency management | 25.88 | 25.56 | 25.88 | 25.56 | 25.88 | 25.56 | 25.88 | 25.56 |
| Wilding trees | 2.22 | 2.12 | 2.22 | 2.12 | 2.22 | 2.12 | 2.22 | 2.12 |
| | 51.33 | 46.95 | 51.33 | 46.95 | 51.33 | 46.95 | 51.33 | 46.95 |
| Variable rates: | | | | | | | | |
| General Rate | 64.40 | 55.35 | 128.80 | 110.70 | 193.20 | 166.05 | 257.60 | 221.40 |
| River Management | 5.05 | 3.80 | 10.10 | 7.60 | 15.15 | 11.40 | 20.20 | 15.20 |
| Transport Class A | 354.85 | 328.20 | 709.70 | 656.40 | 1,064.55 | 984.60 | 1,419.40 | 1,312.80 |
| Leith Lindsay (indirect rate) | 28.00 | 26.40 | 56.00 | 52.80 | 84.00 | 79.20 | 112.00 | 105.60 |
| | 452.30 | 413.75 | 904.60 | 827.50 | 1,356.90 | 1,241.25 | 1,809.20 | 1,655.00 |
| | | | | | | | | |
| Total rates | 503.63 | 460.70 | 955.93 | 874.45 | 1,408.23 | 1,288.20 | 1,860.53 | 1,701.95 |

West Taieri Farm

| | Amount of rate per capital value and deemed hectares | | | | | | | |
|--|--|-----------------|--------------------|-----------------|--------------------|-----------------|----------------------|-----------------|
| | \$200,000 10 ha | | \$500,000 15 ha | | \$800,000 20 ha | | \$1,000,000 30 ha | |
| | 2018/19 | 2017/18 | 2018/19 | 2017/18 | 2018/19 | 2017/18 | 2018/19 | 2017/18 |
| Regional uniform rates: | | | | | | | | |
| Uniform annual general charge | 23.23 | 19.27 | 23.23 | 19.27 | 23.23 | 19.27 | 23.23 | 19.27 |
| Emergency management | 25.88 | 25.56 | 25.88 | 25.56 | 25.88 | 25.56 | 25.88 | 25.56 |
| Wilding trees | 2.22 | 2.12 | 2.22 | 2.12 | 2.22 | 2.12 | 2.22 | 2.12 |
| | 51.33 | 46.95 | 51.33 | 46.95 | 51.33 | 46.95 | 51.33 | 46.95 |
| Variable rates: | | | | | | | | |
| General Rate | 25.76 | 22.14 | 64.40 | 55.35 | 103.04 | 88.56 | 128.80 | 110.70 |
| River Management | 2.02 | 1.52 | 5.05 | 3.80 | 8.08 | 6.08 | 10.10 | 7.60 |
| Lower Taieri Flood - class WF1 | 415.90 | 391.94 | 1,039.75 | 979.85 | 1,663.60 | 1,567.76 | 2,079.50 | 1,959.70 |
| West Taieri Drainage – uniform rate per ha | 262.30 | 246.60 | 393.45 | 369.90 | 524.60 | 493.20 | 786.90 | 739.80 |
| West Taieri Drainage – class WD1 rate per ha | 837.90 | 787.60 | 1,256.85 | 1,181.40 | 1,675.80 | 1,575.20 | 2,513.70 | 2,362.80 |
| Rural Water quality | 13.52 | 14.04 | 33.80 | 35.10 | 54.08 | 56.16 | 67.60 | 70.20 |
| | 1,557.40 | 1,463.84 | 2,793.30 | 2,625.40 | 4,029.20 | 3,786.96 | 5,586.60 | 5,250.80 |
| | | | | | | | | |
| Total Rates - Non-Dairy farm | 1,608.73 | 1,510.79 | 2,844.63 | 2,672.35 | 4,080.53 | 3,833.91 | 5,637.93 | 5,297.75 |
| Dairy monitoring uniform rate per property | 499.31 | 478.00 | 499.31 | 478.00 | 499.31 | 478.00 | 499.31 | 478.00 |
| Total Rates - Dairy farm | 2,108.04 | 1,988.79 | 3,343.94 | 3,150.35 | 4,579.84 | 4,311.91 | 6,137.24 | 5,775.75 |

Queenstown Lakes

Wakatipu Residential

| | Amount of rate per capital value | | | | | | | |
|---------------------------------|----------------------------------|--------------|---------------|---------------|---------------|---------------|---------------|---------------|
| | \$200,000 | | \$500,000 | | \$800,000 | | \$1,000,000 | |
| | 2018/19 | 2017/18 | 2018/19 | 2017/18 | 2018/19 | 2017/18 | 2018/19 | 2017/18 |
| Queenstown and Arrowtown | | | | | | | | |
| Regional uniform rates: | | | | | | | | |
| Uniform annual general charge | 23.23 | 19.27 | 23.23 | 19.27 | 23.23 | 19.27 | 23.23 | 19.27 |
| Emergency management | 25.88 | 25.56 | 25.88 | 25.56 | 25.88 | 25.56 | 25.88 | 25.56 |
| Wilding trees | 2.22 | 2.12 | 2.22 | 2.12 | 2.22 | 2.12 | 2.22 | 2.12 |
| | 51.33 | 46.95 | 51.33 | 46.95 | 51.33 | 46.95 | 51.33 | 46.95 |
| Variable rates: | | | | | | | | |
| General Rate | 15.18 | 20.48 | 37.95 | 51.20 | 60.72 | 81.92 | 75.90 | 102.40 |
| River management | 1.58 | 2.60 | 3.95 | 6.50 | 6.32 | 10.40 | 7.90 | 13.00 |
| Transport Class B | 7.38 | 10.34 | 18.45 | 25.85 | 29.52 | 41.36 | 36.90 | 51.70 |
| Shotover Delta | 0.98 | 3.08 | 2.45 | 7.70 | 3.92 | 12.32 | 4.90 | 15.40 |
| | 25.12 | 36.50 | 62.80 | 91.25 | 100.48 | 146.00 | 125.60 | 182.50 |
| Total rates | 76.45 | 83.45 | 114.13 | 138.20 | 151.81 | 192.95 | 176.93 | 229.45 |

Wanaka Residential

| | Amount of rate per capital value | | | | | | | |
|--------------------------------|----------------------------------|--------------|--------------|---------------|---------------|---------------|---------------|---------------|
| | \$200,000 | | \$500,000 | | \$800,000 | | \$1,000,000 | |
| | 2018/19 | 2017/18 | 2018/19 | 2017/18 | 2018/19 | 2017/18 | 2018/19 | 2017/18 |
| Regional uniform rates: | | | | | | | | |
| Uniform annual general charge | 23.23 | 19.27 | 23.23 | 19.27 | 23.23 | 19.27 | 23.23 | 19.27 |
| Emergency management | 25.88 | 25.56 | 25.88 | 25.56 | 25.88 | 25.56 | 25.88 | 25.56 |
| Wilding trees | 2.22 | 2.12 | 2.22 | 2.12 | 2.22 | 2.12 | 2.22 | 2.12 |
| | 51.33 | 46.95 | 51.33 | 46.95 | 51.33 | 46.95 | 51.33 | 46.95 |
| Variable rates: | | | | | | | | |
| General Rate | 15.18 | 20.48 | 37.95 | 51.20 | 60.72 | 81.92 | 75.90 | 102.40 |
| River management | 4.10 | 6.02 | 10.25 | 15.05 | 16.40 | 24.08 | 20.50 | 30.10 |
| | 19.28 | 26.50 | 48.20 | 66.25 | 77.12 | 106.00 | 96.40 | 132.50 |
| | | | | | | | | |
| Total rates | 70.61 | 73.45 | 99.53 | 113.20 | 128.45 | 152.95 | 147.73 | 179.45 |

Wakatipu Commercial

| | Amount of rate per capital value | | | | | | | |
|--------------------------------|----------------------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| | \$500,000 | | \$1,000,000 | | \$1,500,000 | | \$2,000,000 | |
| | 2018/19 | 2017/18 | 2018/19 | 2017/18 | 2018/19 | 2017/18 | 2018/19 | 2017/18 |
| Regional uniform rates: | | | | | | | | |
| Uniform annual general charge | 23.23 | 19.27 | 23.23 | 19.27 | 23.23 | 19.27 | 23.23 | 19.27 |
| Emergency management | 25.88 | 25.56 | 25.88 | 25.56 | 25.88 | 25.56 | 25.88 | 25.56 |
| Wilding trees | 2.22 | 2.12 | 2.22 | 2.12 | 2.22 | 2.12 | 2.22 | 2.12 |
| | 51.33 | 46.95 | 51.33 | 46.95 | 51.33 | 46.95 | 51.33 | 46.95 |
| Variable rates: | | | | | | | | |
| General Rate | 37.95 | 51.20 | 75.90 | 102.40 | 113.85 | 153.60 | 151.80 | 204.80 |
| River management | 3.95 | 6.50 | 7.90 | 13.00 | 11.85 | 19.50 | 15.80 | 26.00 |
| Transport Class A | 36.90 | 51.70 | 73.80 | 103.40 | 110.70 | 155.10 | 147.60 | 206.80 |
| Shotover Delta | 2.45 | 7.70 | 4.90 | 15.40 | 7.35 | 23.10 | 9.80 | 30.80 |
| | 81.25 | 117.10 | 162.50 | 234.20 | 243.75 | 351.30 | 325.00 | 468.40 |
| | | | | | | | | |
| Total rates | 132.58 | 164.05 | 213.83 | 281.15 | 295.08 | 398.25 | 376.33 | 515.35 |

Central Otago

Alexandra Residential

| | Amount of rate per capital value | | | | | | | |
|--------------------------------|----------------------------------|--------------|--------------|--------------|---------------|---------------|---------------|---------------|
| | \$100,000 | | \$250,000 | | \$500,000 | | \$750,000 | |
| | 2018/19 | 2017/18 | 2018/19 | 2017/18 | 2018/19 | 2017/18 | 2018/19 | 2017/18 |
| Regional uniform rates: | | | | | | | | |
| Uniform annual general charge | 23.23 | 19.27 | 23.23 | 19.27 | 23.23 | 19.27 | 23.23 | 19.27 |
| Emergency management | 25.88 | 25.56 | 25.88 | 25.56 | 25.88 | 25.56 | 25.88 | 25.56 |
| Wilding trees | 2.22 | 2.12 | 2.22 | 2.12 | 2.22 | 2.12 | 2.22 | 2.12 |
| | 51.33 | 46.95 | 51.33 | 46.95 | 51.33 | 46.95 | 51.33 | 46.95 |
| Variable rates: | | | | | | | | |
| General Rate | 9.35 | 7.62 | 23.38 | 19.05 | 46.75 | 38.10 | 70.13 | 57.15 |
| River management | 3.72 | 3.79 | 9.30 | 9.48 | 18.60 | 18.95 | 27.90 | 28.43 |
| | 13.07 | 11.41 | 32.68 | 28.53 | 65.35 | 57.05 | 98.03 | 85.58 |
| | 64.40 | 58.36 | 84.01 | 75.48 | 116.68 | 104.00 | 149.36 | 132.53 |

Central Otago Farm

| | Amount of rate per capital value | | | | | | | |
|-------------------------------------|----------------------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| | \$500,000 | | \$1,000,000 | | \$1,500,000 | | \$2,000,000 | |
| | 2018/19 | 2017/18 | 2018/19 | 2017/18 | 2018/19 | 2017/18 | 2018/19 | 2017/18 |
| Regional uniform rates: | | | | | | | | |
| Uniform annual general charge | 23.23 | 19.27 | 23.23 | 19.27 | 23.23 | 19.27 | 23.23 | 19.27 |
| Emergency management | 25.88 | 25.56 | 25.88 | 25.56 | 25.88 | 25.56 | 25.88 | 25.56 |
| Wilding trees | 2.22 | 2.12 | 2.22 | 2.12 | 2.22 | 2.12 | 2.22 | 2.12 |
| | 51.33 | 46.95 | 51.33 | 46.95 | 51.33 | 46.95 | 51.33 | 46.95 |
| Variable rates: | | | | | | | | |
| General Rate | 46.75 | 38.10 | 93.50 | 76.20 | 140.25 | 114.30 | 187.00 | 152.40 |
| River management | 18.60 | 18.95 | 37.20 | 37.90 | 55.80 | 56.85 | 74.40 | 75.80 |
| Rural Water quality | 34.20 | 34.60 | 68.40 | 69.20 | 102.60 | 103.80 | 136.80 | 138.40 |
| | 99.55 | 91.65 | 199.10 | 183.30 | 298.65 | 274.95 | 398.20 | 366.60 |
| | | | | | | | | |
| Total Rates - Non-Dairy farm | 150.88 | 138.60 | 250.43 | 230.25 | 349.98 | 321.90 | 449.53 | 413.55 |
| Dairy monitoring uniform rate | 499.31 | 478.00 | 499.31 | 478.00 | 499.31 | 478.00 | 499.31 | 478.00 |
| Total Rates - Dairy farm | 650.19 | 616.60 | 749.74 | 708.25 | 849.29 | 799.90 | 948.84 | 891.55 |

Clutha

Balclutha Residential

| | Amount of rate per capital value | | | | | | | |
|--|----------------------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| | \$100,000 | | \$250,000 | | \$500,000 | | \$750,000 | |
| | 2018/19 | 2017/18 | 2018/19 | 2017/18 | 2018/19 | 2017/18 | 2018/19 | 2017/18 |
| Regional uniform rates: | | | | | | | | |
| Uniform annual general charge | 23.23 | 19.27 | 23.23 | 19.27 | 23.23 | 19.27 | 23.23 | 19.27 |
| Emergency management | 25.88 | 25.56 | 25.88 | 25.56 | 25.88 | 25.56 | 25.88 | 25.56 |
| Wilding trees | 2.22 | 2.12 | 2.22 | 2.12 | 2.22 | 2.12 | 2.22 | 2.12 |
| | 51.33 | 46.95 | 51.33 | 46.95 | 51.33 | 46.95 | 51.33 | 46.95 |
| Variable rates: | | | | | | | | |
| General Rate | 9.57 | 8.63 | 23.93 | 21.58 | 47.85 | 43.15 | 71.78 | 64.73 |
| River management | 4.32 | 4.15 | 10.80 | 10.38 | 21.60 | 20.75 | 32.40 | 31.13 |
| Lower Clutha Flood Protection (Class U2) | 70.94 | 68.97 | 177.35 | 172.43 | 354.70 | 344.85 | 532.05 | 517.28 |
| | 84.83 | 81.75 | 212.08 | 204.39 | 424.15 | 408.75 | 636.23 | 613.14 |
| Total rates | 136.16 | 128.70 | 263.41 | 251.34 | 475.48 | 455.70 | 687.56 | 660.09 |

Milton Residential

| | Amount of rate per capital value | | | | | | | |
|---------------------------------|----------------------------------|--------------|---------------|---------------|---------------|---------------|---------------|---------------|
| | \$100,000 | | \$250,000 | | \$500,000 | | \$750,000 | |
| | 2018/19 | 2017/18 | 2018/19 | 2017/18 | 2018/19 | 2017/18 | 2018/19 | 2017/18 |
| Regional uniform rates: | | | | | | | | |
| Uniform annual general charge | 23.23 | 19.27 | 23.23 | 19.27 | 23.23 | 19.27 | 23.23 | 19.27 |
| Emergency management | 25.88 | 25.56 | 25.88 | 25.56 | 25.88 | 25.56 | 25.88 | 25.56 |
| Wilding trees | 2.22 | 2.12 | 2.22 | 2.12 | 2.22 | 2.12 | 2.22 | 2.12 |
| | 51.33 | 46.95 | 51.33 | 46.95 | 51.33 | 46.95 | 51.33 | 46.95 |
| Variable rates: | | | | | | | | |
| General Rate | 9.57 | 8.63 | 23.93 | 21.58 | 47.85 | 43.15 | 71.78 | 64.73 |
| River management | 4.32 | 4.15 | 10.80 | 10.38 | 21.60 | 20.75 | 32.40 | 31.13 |
| Tokomairiro drainage (Class U1) | 9.77 | 9.10 | 24.43 | 22.75 | 48.85 | 45.50 | 73.28 | 68.25 |
| | 23.66 | 21.88 | 59.16 | 54.71 | 118.30 | 109.40 | 177.46 | 164.11 |
| Total rates | 74.99 | 68.83 | 110.49 | 101.66 | 169.63 | 156.35 | 228.79 | 211.06 |

Clutha Farm

| | Amount of rate per capital value | | | | | | | |
|---|----------------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| | \$500,000 | | \$1,000,000 | | \$1,500,000 | | \$2,000,000 | |
| | 2018/19 | 2017/18 | 2018/19 | 2017/18 | 2018/19 | 2017/18 | 2018/19 | 2017/18 |
| Regional uniform rates: | | | | | | | | |
| Uniform annual general charge | 23.23 | 19.27 | 23.23 | 19.27 | 23.23 | 19.27 | 23.23 | 19.27 |
| Emergency management | 25.88 | 25.56 | 25.88 | 25.56 | 25.88 | 25.56 | 25.88 | 25.56 |
| Wilding trees | 2.22 | 2.12 | 2.22 | 2.12 | 2.22 | 2.12 | 2.22 | 2.12 |
| | 51.33 | 46.95 | 51.33 | 46.95 | 51.33 | 46.95 | 51.33 | 46.95 |
| Variable rates: | | | | | | | | |
| General Rate | 47.85 | 43.15 | 95.70 | 86.30 | 143.55 | 129.45 | 191.40 | 172.60 |
| River management | 21.60 | 20.75 | 43.20 | 41.50 | 64.80 | 62.25 | 86.40 | 83.00 |
| Lower Clutha Flood Protection (Class C) | 1,004.95 | 977.05 | 2,009.90 | 1,954.10 | 3,014.85 | 2,931.15 | 4,019.80 | 3,908.20 |
| Rural Water quality | 30.40 | 36.55 | 60.80 | 73.10 | 91.20 | 109.65 | 121.60 | 146.20 |
| | 1,104.80 | 1,077.50 | 2,209.60 | 2,155.00 | 3,314.40 | 3,232.50 | 4,419.20 | 4,310.00 |
| | | | | | | | | |
| Total Rates - Non-Dairy farm | 1,156.13 | 1,124.45 | 2,260.93 | 2,201.95 | 3,365.73 | 3,279.45 | 4,470.53 | 4,356.95 |
| Dairy monitoring uniform rate | 499.31 | 478.00 | 499.31 | 478.00 | 499.31 | 478.00 | 499.31 | 478.00 |
| Total Rates – Dairy farm | 1,655.44 | 1,602.45 | 2,760.24 | 2,679.95 | 3,865.04 | 3,757.45 | 4,969.84 | 4,834.95 |

Waitaki
Oamaru Residential

| | Amount of rate per capital value | | | | | | | |
|--------------------------------|----------------------------------|--------------|--------------|--------------|---------------|---------------|---------------|---------------|
| | \$100,000 | | \$250,000 | | \$500,000 | | \$750,000 | |
| | 2018/19 | 2017/18 | 2018/19 | 2017/18 | 2018/19 | 2017/18 | 2018/19 | 2017/18 |
| Regional uniform rates: | | | | | | | | |
| Uniform annual general charge | 23.23 | 19.27 | 23.23 | 19.27 | 23.23 | 19.27 | 23.23 | 19.27 |
| Emergency management | 25.88 | 25.56 | 25.88 | 25.56 | 25.88 | 25.56 | 25.88 | 25.56 |
| Wilding trees | 2.22 | 2.12 | 2.22 | 2.12 | 2.22 | 2.12 | 2.22 | 2.12 |
| | 51.33 | 46.95 | 51.33 | 46.95 | 51.33 | 46.95 | 51.33 | 46.95 |
| Variable rates: | | | | | | | | |
| General Rate | 9.68 | 8.23 | 24.20 | 20.58 | 48.40 | 41.15 | 72.60 | 61.73 |
| River management | 7.63 | 8.75 | 19.08 | 21.88 | 38.15 | 43.75 | 57.23 | 65.63 |
| | 17.31 | 16.98 | 43.28 | 42.46 | 86.55 | 84.90 | 129.83 | 127.36 |
| Total rates | 68.64 | 63.93 | 94.61 | 89.41 | 137.88 | 131.85 | 181.16 | 174.31 |

Waitaki Farm

| | Amount of rate per capital value | | | | | | | |
|-------------------------------------|----------------------------------|---------------|---------------|---------------|---------------|---------------|-----------------|-----------------|
| | \$500,000 | | \$1,000,000 | | \$1,500,000 | | \$2,000,000 | |
| | 2018/19 | 2017/18 | 2018/19 | 2017/18 | 2018/19 | 2017/18 | 2018/19 | 2017/18 |
| Regional uniform rates: | | | | | | | | |
| Uniform annual general charge | 23.23 | 19.27 | 23.23 | 19.27 | 23.23 | 19.27 | 23.23 | 19.27 |
| Emergency management | 25.88 | 25.56 | 25.88 | 25.56 | 25.88 | 25.56 | 25.88 | 25.56 |
| Wilding trees | 2.22 | 2.12 | 2.22 | 2.12 | 2.22 | 2.12 | 2.22 | 2.12 |
| | 51.33 | 46.95 | 51.33 | 46.95 | 51.33 | 46.95 | 51.33 | 46.95 |
| Variable rates: | | | | | | | | |
| General Rate | 48.40 | 41.15 | 96.80 | 82.30 | 145.20 | 123.45 | 193.60 | 164.60 |
| River management | 38.15 | 43.75 | 76.30 | 87.50 | 114.45 | 131.25 | 152.60 | 175.00 |
| Rural Water quality | 30.40 | 37.95 | 60.80 | 75.90 | 91.20 | 113.85 | 121.60 | 151.80 |
| | 116.95 | 122.85 | 233.90 | 245.70 | 350.85 | 368.55 | 467.80 | 491.40 |
| | | | | | | | | |
| Total Rates - Non-Dairy farm | 168.28 | 169.80 | 285.23 | 292.65 | 402.18 | 415.50 | 519.13 | 538.35 |
| Dairy monitoring uniform rate | 499.31 | 478.00 | 499.31 | 478.00 | 499.31 | 478.00 | 499.31 | 478.00 |
| Total Rates - Dairy farm | 667.59 | 647.80 | 784.54 | 770.65 | 901.49 | 893.50 | 1,018.44 | 1,016.35 |

Rating Resolution for Adoption

That in accordance with the provisions of the Local Government (Rating) Act 2002, the Otago Regional Council Long Term Plan 2018/2028, and all other power or authorities in that behalf enabling it, the Otago Regional Council sets the following rates for the period commencing on the 1st day of July 2018 and ending on the 30th day of June 2019, namely:

1. General Rates

A Uniform Annual General Charge set under section 15 of the Local Government (Rating) Act 2002 made on every rating unit within the Otago region, assessed as a fixed amount of \$23.23 per rating unit. Revenue sought from the Uniform Annual General Charge amounts to \$2,532,000.

A general rate set under sections 13 and 14 of the Local Government (Rating) Act 2002 made on every rating unit within the Otago region, assessed differentially on the rateable capital value of all rateable land situated within the territorial authority districts as detailed below:

| District | Rate cents in \$ on Capital Value | Revenue Sought \$ |
|------------------|-----------------------------------|-------------------|
| Central Otago | 0.009348 | 867,000 |
| Clutha | 0.009570 | 765,000 |
| Dunedin | 0.012880 | 2,948,000 |
| Queenstown Lakes | 0.007591 | 2,433,000 |
| Waitaki | 0.009680 | 584,000 |
| Total | | 7,597,000 |

2. River Management Rates

2.1 Territorial Authority Districts

For the purpose of providing for maintenance and enhancement works of waterways within the Otago region, a targeted rate set under sections 16, 17 and 18 of the Local Government (Rating) Act 2002, made on every rating unit, assessed differentially on the rateable capital value of all rateable land situated within the territorial authority districts and the Wakatipu and Wanaka river management rating districts, as detailed below:

| District | Rate cents in \$ on Capital Value | Revenue Sought \$ |
|---|-----------------------------------|-------------------|
| Central Otago District | 0.003718 | 345,000 |
| Clutha District | 0.004315 | 345,000 |
| Dunedin City | 0.001005 | 230,000 |
| Waitaki District | 0.007633 | 460,000 |
| Wakatipu River Management Rating District | 0.000786 | 172,000 |
| Wanaka River Management Rating District | 0.002053 | 207,000 |
| Total | | 1,759,000 |

2.2 Lower Waitaki Rating Area

For the purpose of providing for maintenance and enhancement works of waterways within the Lower Waitaki Rating Area, a targeted rate set under sections 16, 17, 18 and 146(1)(b) of the Local Government (Rating) Act 2002, made on every rating unit within the rating area, assessed differentially on the rateable capital value of all rateable land within the classifications as detailed below:

| Lower Waitaki Rating Area | | |
|----------------------------------|--|--------------------------|
| Classification | Rate cents in \$ on Capital Value | Revenue Sought \$ |
| A | 0.120318 | 101,000 |
| B | 0.060161 | 62,000 |
| Total | | 163,000 |

3. Flood Protection and Drainage Scheme Rates

3.1 Lower Clutha, Tokomairiro and Lower Taieri Schemes

For the purpose of providing for the maintenance and improvement of works, in the river and drainage schemes listed below, a targeted rate set under sections 16, 17, 18 and 146(1)(b) of the Local Government (Rating) Act 2002, made on every rating unit within the scheme area, assessed differentially on the rateable capital value of all rateable land within the scheme classifications as detailed below.

The targeted rates set below are the cents in the dollar on the rateable capital value of rateable land situated within each classification.

| Lower Clutha Flood Protection & Drainage Scheme | | |
|--|--|--------------------------|
| Classification | Rate cents in \$ on Capital Value | Revenue Sought \$ |
| A | 0.535976 | 54,000 |
| B | 0.212813 | 133,000 |
| C | 0.200990 | 272,000 |
| D | 0.126112 | 46,000 |
| E | 0.066997 | 41,000 |
| F | 0.007882 | 23,000 |
| U1 | 0.212839 | 2,000 |
| U2 | 0.070938 | 134,000 |
| U3 | 0.015763 | 8,000 |
| U4 | 0.011823 | 35,000 |
| Total | | 748,000 |

| Tokomairiro Drainage Scheme | | |
|------------------------------------|--|--------------------------|
| Classification | Rate cents in \$ on Capital Value | Revenue Sought \$ |
| A | 0.065099 | 7,000 |
| B | 0.048824 | 14,000 |
| C | 0.039060 | 16,000 |
| D | 0.029295 | 24,000 |
| E | 0.016275 | 12,000 |
| F | 0.006510 | 19,000 |
| U1 | 0.009765 | 29,000 |
| Total | | 121,000 |

| Lower Taieri Flood Protection Scheme | | | | | |
|---|--|--------------------------|-----------------------|--|--------------------------|
| Classification | Rate cents in \$ on Capital Value | Revenue Sought \$ | Classification | Rate cents in \$ on Capital Value | Revenue Sought \$ |
| WF1 | 0.207946 | 428,000 | EF3 | 0.116607 | 1,000 |
| WF2 | 0.123043 | 337,000 | EF4 | 0.094680 | 8,500 |
| WF3 | 0.001955 | 200 | EF5 | 0.002631 | 1,400 |
| WF4 | 0.003040 | 190 | EF6 | 0.116386 | 1,100 |
| WF5 | 0.000240 | 1 | EF7 | 0.001600 | 500 |
| WF6 | 0.000356 | 5 | EF8 | 0.001511 | 23,000 |
| WF7 | 0.000345 | 2 | EF9 | 0.000701 | 2,000 |
| WF8 | 0.014621 | 900 | EF10 | 0.000872 | 1,200 |
| WF9 | 0.000198 | 2 | EF12 | 0.137616 | 1,600 |
| EF1 | 0.112074 | 21,000 | EF13 | 0.137583 | 2,400 |
| EF2 | 0.117234 | 32,000 | | | |
| | | | | Total | 862,000 |

3.2 East Taieri Scheme

For the purpose of providing for the maintenance and improvement of works, in the East Taieri drainage scheme, the following two rates are set:

Targeted Uniform Rate

A targeted uniform rate of \$28.10 per hectare set under sections 16, 17, 18 and 146(1)(b) of the Local Government (Rating) Act 2002, made on all rating units on all land within the scheme area, except for land situated within classifications ED3, ED6 and ED7.

Revenue sought from the targeted uniform rate amounts to \$129,000.

Targeted Differential Rate

A targeted rate set under sections 16, 17, 18 and 146(1)(b) of the Local Government (Rating) Act 2002, made on every rating unit within the scheme area, except those rating units situated within classifications ED3 and ED6, assessed differentially on the area of land of all rateable land situated within the scheme classifications as detailed below.

The targeted differential rates set below, are the dollars per hectare of rateable land situated within each classification.

| East Taieri Drainage Scheme - Targeted Differential Rate | | |
|---|----------------------------|--------------------------|
| Classification | Rate \$ per hectare | Revenue Sought \$ |
| ED1 | 155.64 | 141,000 |
| ED2 | 118.71 | 92,000 |
| ED4 | 131.22 | 15,000 |
| ED5 | 59.19 | 57,000 |
| ED7 | 201.95 | 17,000 |
| ED8 | 39.27 | 34,000 |
| ED9 | 34.06 | 23,000 |
| ED10 | 30.26 | 9,000 |
| Total | | 388,000 |

3.3 West Taieri Scheme

For the purpose of providing for the maintenance and improvement of works, in the West Taieri drainage scheme, the following two rates are set:

Targeted Uniform Rate

A targeted uniform rate of \$26.26 per hectare set under sections 16, 17, 18 and 146(1)(b) of the Local Government (Rating) Act 2002, made on all rating units on all land situated within classifications WD1, WD2, WD3 and WD4 located within the scheme area.

Revenue sought from the targeted uniform rate amounts to \$190,000.

Targeted Differential Rate

A targeted rate set under sections 16, 17, 18 and 146(1)(b) of the Local Government (Rating) Act 2002, made on every rating unit within the scheme area, assessed differentially on the area of land of all rateable land situated within the scheme classifications as detailed below.

The targeted differential rates set below, are the dollars per hectare of rateable land situated within each classification.

| West Taieri Drainage Scheme - Targeted Differential Rate | | |
|---|----------------------------|--------------------------|
| Classification | Rate \$ per hectare | Revenue Sought \$ |
| WD1 | 83.80 | 355,300 |
| WD2 | 23.03 | 59,300 |
| WD3 | 62.53 | 19,100 |
| WD4 | 83.81 | 9,000 |
| WD5 | 0.34 | 300 |
| Total | | 443,000 |

3.4 Leith Flood Protection Scheme

For the purpose of providing for flood protection works, in the Leith Flood Protection scheme area, a targeted rate set under sections 16, 17 and 18 of the Local Government (Rating) Act 2002, made on every rating unit within the scheme area, assessed differentially on the rateable capital value of all rateable land situated within the scheme classifications as detailed below:

| Leith Flood Protection Scheme | | |
|--|--|--------------------------|
| Classification | Rate cents in \$ on Capital Value | Revenue Sought \$ |
| A – Direct benefit zone – Excluding Forsyth Barr Stadium | 0.096177 | 806,000 |
| A – Direct benefit zone – Forsyth Barr Stadium only | 0.018086 | 34,000 |
| B – Indirect benefit zone | 0.005598 | 840,000 |
| Total | | 1,680,000 |

3.5 Shotover Delta Training Works

For the purpose of providing for flood mitigation works and maintenance of flood mitigation works on the Shotover Delta, a targeted rate set under sections 16, 17 and 18 of the Local Government (Rating) Act 2002, made on every rating unit within the Shotover Flood Mitigation Rating Area, assessed on the rateable capital value of all rateable land situated within the rating district as detailed below:

| Shotover Delta Training Works | | |
|--------------------------------------|--|--------------------------|
| | Rate cents in \$ on Capital Value | Revenue Sought \$ |
| All rating units | 0.000487 | 92,000 |
| Total | | 92,000 |

4. Transport Services Rates

For the purpose of providing for urban passenger transport services within the Dunedin city area and a service to Palmerston, and public passenger transport services within the Queenstown area, targeted rates set under sections 16, 17 and 18 of the Local Government (Rating) Act 2002, made on every rating unit within the transport rating areas, assessed differentially on the rateable capital value of all rateable land situated within the transport rating classifications, as detailed below:

| Dunedin Transport Services Rate | | |
|--|-------------------------------------|--------------------------|
| Classification | Cents in \$ on Capital Value | Revenue Sought \$ |
| Class A | 0.070971 | 1,380,000 |
| Class B (within Dunedin City) | 0.018926 | 3,173,000 |
| Class B (within Waitaki District) | 0.017018 | 20,000 |
| Total | | 4,573,000 |

| Queenstown Transport Services Rate | | |
|---|-------------------------------------|--------------------------|
| Classification | Cents in \$ on Capital Value | Revenue Sought \$ |
| Class A | 0.007383 | 212,000 |
| Class B | 0.003691 | 613,000 |
| Total | | 825,000 |

5. Rural Water Quality Rate

For the purpose of providing for the monitoring of rural water quality, a targeted rate set under sections 16, 17 and 18 of the Local Government (Rating) Act 2002, assessed on the capital value of all rateable land situated within the territorial authority districts within the Otago region, that has a land use type being:

Rural land use types, as follows:

- Rural - Arable Farming
- Rural - Dairy
- Rural - Forestry
- Rural - Market Gardens and Orchards
- Rural - Mineral Extraction
- Rural - Multi-Use within Rural Industry
- Rural - Specialist Livestock
- Rural - Stock Finishing
- Rural - Store Livestock
- Rural - Vacant

Lifestyle land use types, with a land area of 2 hectares or greater, as follows:

- Lifestyle - Multi-Unit
- Lifestyle - Multi-Use within Lifestyle
- Lifestyle - Single Unit
- Lifestyle - Vacant

| Rural Water Quality Rate | | |
|---------------------------------|--|--------------------------|
| | Rate cents in \$ on Capital Value | Revenue Sought \$ |
| Central Otago | 0.006838 | 266,000 |
| Clutha | 0.006080 | 366,000 |
| Dunedin | 0.006762 | 188,000 |
| Queenstown Lakes | 0.006080 | 251,000 |
| Waitaki | 0.006080 | 199,000 |
| Total | | 1,270,000 |

6. Dairy Monitoring Rate

For the purpose of providing for monitoring the environmental effect of dairy farms, a targeted uniform rate set under sections 16, 17 and 18 of the Local Government (Rating) Act 2002, assessed on all rateable land used for dairy farming in the Otago region.

| Dairy Monitoring Rate | | |
|------------------------------|---------------------|-----------------------|
| | Uniform rate | Revenue Sought |
| | \$ | \$ |
| All rating units | 499.31 | 216,000 |
| Total | | 216,000 |

7. Wilding Trees Rate

For the purpose of providing for the control of wilding trees, a targeted uniform rate set under sections 16, 17 and 18 of the Local Government (Rating) Act 2002, assessed on all rateable land in the Otago region.

| Wilding Trees Rate | | |
|---------------------------|---------------------|-----------------------|
| | Uniform rate | Revenue Sought |
| | \$ | \$ |
| All rating units | 2.22 | 240,000 |
| Total | | 240,000 |

8. Civil Defence and Emergency Management Rate

For the purpose of providing for Civil Defence and Emergency Management functions undertaken by the Council, a targeted uniform rate set under sections 16, 17 and 18 of the Local Government (Rating) Act 2002, assessed on all rateable land in the Otago region.

| Civil Defence and Emergency Management Rate | | |
|--|---------------------|-----------------------|
| | Uniform rate | Revenue Sought |
| | \$ | \$ |
| All rating units | 25.88 | 2,822,000 |
| Total | | 2,822,000 |

9. Other Matters

9.1 Rate Collection

That the Otago Regional Council collects the rates set and assessed in the Otago region, and that the rates become due and payable on or before 31 October 2018.

9.2 Penalties on Unpaid Rates

Pursuant to Sections 57 and 58 of the Local Government (Rating) Act 2002, penalties will be added to unpaid rates assessed by the Council within the Otago region and due to the Council during the 2018/2019 financial year as follows:

- (a) A penalty of 10% to be added to rates assessed during the 2018/2019 financial year, or any previous financial year, and which remain unpaid on 1 November 2018.

- (b) A penalty of 10% to be added to rates which have been levied in any previous financial year and which remain unpaid on 1 May 2019.

Penalties will not be added to rate balances where the ratepayer has elected the tri-annual direct debit option of payment and where all payments under this payment option are honoured on the due payment date.

The amount of unpaid rates to which a penalty shall be added shall include:

- Any penalty previously added to unpaid rates under Section 58 of the Local Government (Rating) Act 2002.
- Any additional charges previously added to the amount of unpaid rates, and under Section 132 of the Rating Powers Act 1988.
- Any rates previously levied under the Rating Powers Act 1988 that remain unpaid.

9.3 Valuation and Rating Records

That the valuation rolls and rates records for the rates collected by the Otago Regional Council be made available for inspection during normal working hours at the office of the Council, 70 Stafford Street, Dunedin.

11.1.3. Update of the Otago Southland Regional Land Transport Plans 2015-21

Prepared for: Council
Activity: Transport - Transport Planning
Prepared by: Jane Turnbull, Manager Strategic and Transport Planning
Date: 8 June 2018

1. Précis

The combined Otago and Southland Regional Land Transport Plans 2015-21 (the RLTPs document) set the strategic direction for land transport in Otago and Southland and recommend activities for funding from the National Land Transport Fund (the NLTF, administered by the Transport Agency). The Otago and Southland Regional Transport Committees (RTCs) have reviewed and updated these combined plans. This report recommends Council approve the update to those parts of the RLTPs document (attached) that comprise the Update of the Otago Regional Land Transport Plan for 2015-2021 and forward it to the Transport Agency by the Agency's deadline of 30 June.

2. Background

The Land Transport Management Act 2003 (LTMA) gives Regional Transport Committees (RTCs) the responsibility for preparing, reviewing and consulting on regional land transport plans. Three years ago, the Otago and Southland RTCs combined to prepare the Otago Southland Regional Land Transport Plans 2015-2021 (the RLTPs).

Although the combined RLTP document is called the 'Otago Southland Regional Land Transport Plans 2015-2021', it is legally two plans within one cover. The Otago and the Southland RTCs are not joint committees under the LTMA, and legally each prepares, reviews and (when necessary) updates its own regional land transport plan.

Recently, the RTCs collaborated to undertake the mid-term review of the 2015-21 RLTPs required by s18CA of LTMA. The two RTCs prepared and consulted on a proposed update to the combined plans and have now completed this update.

The update – known legally as a plan variation – addresses matters raised in the review and submissions. It also updates both the strategy section of the document – particularly the drivers of change – and the activities and projects proposed by 'Approved Organisations'¹ for inclusion in the National Land Transport Programme (NLTP) for 2018-21 (i.e. for the three years from 1 July 2018 to 30 June 2021).

On 8 June, the Otago RTC resolved to lodge the updated RLTPs document with Council (at the same time, the Southland RTC resolved to lodge the document with Environment Southland (ES)).

¹ ORC, ES, the eight territorial authorities in Otago and Southland, the Transport Agency and the Department of Conservation.

3. Update to strategy

The review and consultation confirmed that the key problems and opportunities facing southern New Zealand remain much the same as they were three years ago, with greater focus needed on two matters.

- (1) Effective measures to reduce road trauma
- (2) Addressing key problems and opportunities at an appropriate geographical scale, to ensure an effectively connected and integrated transport system: much of this work benefits from taking a whole-of-South Island approach

The key problems facing Otago and Southland

1. Inability to assess, plan, fund and respond to changing mobility user demands in a timely way results in some poor investment prioritisation and decisions, and inadequate future-proofing.
2. Attitudes and behaviour together with inconsistent quality of routes in the two regions results in fatal and serious injury crashes.
3. Parts of the network are vulnerable to closure from adverse events resulting in economic and social disruptions, of which there is increased recognition

The key pan-regional opportunities

4. Changing government policy has created the opportunity to better integrate modes, and to better integrate land use and transport planning.
5. In particular, this shift in policy has created the opportunity to better integrate rail and coastal shipping at the South Island scale, and to shift freight from road to rail and/or coastal shipping
6. Continued growth in tourism has created the opportunity to disperse visitors throughout southern New Zealand for the benefit of smaller communities (in line with the NZ Tourism Strategy, and most effectively addressed through a whole-of-South Island collaboration).
7. There is an opportunity to create a network of cycle rides and cycling facilities in southern New Zealand, for both locals and visitors.
8. There is also an opportunity to make a step change reduction in serious road trauma in southern New Zealand: by continuing the *Any Number is too Many* approach

4. Update to the programme of activities for 2018-21

The RLTPs document is a proposal for funding support, not a funding commitment. To receive funding from the National Land Transport Fund (NLTF), activities must be included in a regional land transport plan. Delivery of the activities depends upon the participating agencies – Otago and Southland local authorities, the Transport Agency itself and the Department of Conservation – securing the required funds.

Table 1 in RLTPs document (copied below) lists the top priority improvement projects recommended by the RTCs for funding in Otago and Southland in 2018-21. In Otago, most of these projects are part of an integrated multi-modal approaches in Queenstown and Dunedin.

There are in addition, a dozen Otago priority two projects: a suite of state highway corridor improvement projects aimed mainly at improving safety but also aimed, in the case of SH6 (Kawarau Gorge), SH1 (Katiki Straight), and the replacement of the aging Beaumont Bridge on SH8, at making the transport network more resilience.

| Topic | Types of activities the RTCs are looking to invest in | Projects the RTCs wish to see delivered in 2018-2021 |
|---|--|---|
| Walking and cycling | <ul style="list-style-type: none"> Greater level of footpath maintenance More cycleways (as per section 2.4) | <ul style="list-style-type: none"> Footpath maintenance- see Table T of the Updated RLTPs document Cycle ways – see Table U of the Updated RLTPs document |
| Safety | <ul style="list-style-type: none"> Road improvements targeting safety Better conversations around road risk as a prerequisite to behaviour change programmes | <ul style="list-style-type: none"> Safety improvements to the intersection of SH93 and SH1, at Matura, Southland region: a NZTA project, with estimated cost of \$1.5M, duration 2018-21) Improvements to the safety of pedestrians and cyclists at intersections in Southland, focusing on Invercargill (i.e. an active road user safety project for intersections) Improvements in North Oamaru to provide safe access (estimated cost of \$2.3m, duration 2018-20) Continuance of <i>Any Number is Too Many</i> programme of community engagement and better conversations around road risk, as a coordinated Otago Southland initiative |
| Resilience | <ul style="list-style-type: none"> Keeping key routes open | <ul style="list-style-type: none"> Nevis Bluff rockfall protection: the capital investment required for a long-term solution |
| Transport and tourism | <ul style="list-style-type: none"> Making tourist routes more fit-for-purpose | <ul style="list-style-type: none"> Detailed business case, for Otago and Southland regions |
| Integrated transport and landuse planning | <ul style="list-style-type: none"> Placemaking designed, to delivering on the GPS Changes to the transport system to support the redevelopment of Dunedin hospital | <ul style="list-style-type: none"> Queenstown and Frankton place-making activities Wanaka place-making activities A substantive start on delivering the integrated transport strategy for Dunedin including the central city, campus areas, hospital rebuild, and harbourside Planning of the transport work needed alongside the redevelopment of Dunedin hospital: (1) a NZTA project, with estimated cost of \$200,000 for 2028/19, i.e. one-year duration, for NZTA's input to this planning; (2) a DCC project, with estimated cost of \$200,000 for 2028/19, i.e. also of one-year duration, for DCC's input to this planning. |
| Freight | <ul style="list-style-type: none"> Achieving freight mode shift from road to rail and/or coastal shipping | <ul style="list-style-type: none"> Development of an action plan for shifting freight from road to rail and coastal shipping, as part of the South Island work Update of the strategic transport model for Southland and Clutha (to allow modelling of various options as they present themselves) Development of a strategic model for Otago for this purpose |

5. Process followed by the RTC, including consultation

Having prepared a proposed variation to the Otago and Southland RLTPs, the RTCs consulted in accordance with the consultation principles specified in s82 of the Local Government Act 2002, as required by section 18 of the LTMA.

The proposed variation to the RLTPs was substantive, it involved replacing the common sections 1 to 3 of the combined Otago Southland RLTPs document with the content of new sections 1 to 4 and making consequential changes to the RLTP appendices.

ORC and ES publicly notified the Proposed Variations to the 2015-21 Otago Southland RLTPs in December 2017: on/from Wednesday 18 December 2017, ES and ORC placed notices on their websites, and in newspapers across Otago and Southland.

Public libraries and local government organisations were sent a notice explaining the consultations and showing the website link, with a request to display this information.

Emails or letters advising of the notification were sent to 240 people or organisations with an interest in land transport across Otago and Southland. These included:

1. Territorial authorities in the regions and (where they exist) community boards
2. The New Zealand Transport Agency and other interested Government agencies
3. Southern District Health Board
4. New Zealand Historic Places Trust
5. Maori organisations in the two regions
6. Representative groups of land transport users and providers, including 65 freight companies
7. The organisers of community newsletters

Submissions closed on 29 January 2018, 49 were received. Submissions were generally of either the activities proposed in the plans and/or the strategic direction being taken on transport in Otago and Southland.

All the submissions are available on ORC's website: <https://www.orc.govt.nz/plans-policies-reports/transport-plans/proposed-variations-to-otago-southland-regional-land-transport-plans-2015-2021> .

The combined Otago Southland RTCs Hearing Sub-committees held hearings in Queenstown on 19 February and in Dunedin on 22 February. Eight submitters were heard in Queenstown, and seven in Dunedin.

The combined Hearing Sub-committees then delayed holding its deliberations until after the Government released the engagement draft of the new Government Policy Statement on Land Transport (GPS, which was released later than initially expected). The deliberations were held on 2 May in Balclutha.

Immediately before the deliberations, the Transport Agency released a draft of its Transport Agency Investment Programme 2018-27 (the TAIP). This document proposed seven new safety projects in Otago during 2018-21 – safety improvements along lengths of state highway corridor, to give effect to the strengthened focus on the GPS on reducing road trauma.

On 8 June 2017, the Otago RTC accepted the changes recommended by the hearing sub-committee and also decided to include the new activities in the Otago RLTPs without further public consultation (i.e. the Transport Agency projects mentioned in the previous paragraph plus two additional transport planning projects for Queenstown). The RTC also resolved to lodge the updated RLTP document with Council (as did ES for the updated Southland RLTP.)

The Transport Agency's Board will make the final decision on which activities it will fund – either fully (as with state highway maintenance and improvements) or partly (through financial assistance 'co-funding' to a local authority) – as part of approving the 2018-2021 national land transport programme (NLTP). The Board will announce its NLTP decisions in August 2018.

6. Approval of the Otago plan

Council needs to consider for approval those parts of the RLTP document that comprise the Otago Regional Land Transport Plan, see Appendix 6 of the combined, updated RLTPs document for a list of the parts of the document that constitute the Otago Plan.

Council cannot change the plan. If it does not agree with the plan, Council can send it back to the RTC and ask it to reconsider one or more aspects. The Council can only do this once. In response to a Council request to reconsider the plan, the RTC should then provide an amended plan or further information.

If Council were to take this course of action, then ORC would miss the 30 June deadline for submitting the updated plan to the Transport Agency. That deadline is designed to allow the Agency to consider completed (updated) RLTPs as it prepares the National Land Transport Programme for 2018-21. (This shortened timeframe for Council approval is due to the delay in releasing the new draft Government Policy Statement for Land Transport).

Once the updated RLTP is forwarded to the Transport Agency, ORC and ES then need to print and distribute the final version of the updated, combined RLTPs document.

7. Recommendation

It is recommended that Council:

- a) *Receive the updated Otago Southland Regional Land Transport Plans 2015-2021 from the Otago Regional Transport Committee;*
- b) *Approve the updated Otago Regional Land Transport Plan 2015 – 2021 (being those parts of the updated Otago Southland Regional Land Transport Plans 2015/2021 document that apply in Otago);*
- c) *Forward the updated Otago Regional Land Transport Plan 2015 – 2021 to the Transport Agency by 30 June 2018.*

Endorsed by: Tanya Winter
Director Policy, Planning & Resource Management

Attachments

Update of the Otago Southland Regional Land Transport Plans 2015 – 2021.

1. RLT P- Updated DOCUMENT as at 12 Jun 18 MASTER [11.1.3.1]

11.1.4. Love Your Leith

Prepared for: Council
Activity: Governance - Love Your Leith
Prepared by: Charlotte Panton, Strategic Communications and Engagement Advisor
Date: 30 May 2018

1. Précis

This report contains the potential concepts for enhancement of the Forth Street to Harbour reach of the Water of Leith, and the recommendation for Council to endorse them for public consultation.

2. Background

Stakeholder Engagement and Engineering have implemented values-based engagement for enhancement of the lower reaches of the Leith. Extensive community feedback was gathered by a range of methods, including an online platform and face-to-face focus groups, and the establishment of the Leith Project Working Group. A collaboration of key stakeholders, the Working Group used community feedback and ORC requirements to develop potential design concepts.

3. Proposal

A high proportion of the community surveyed indicated they use the waterway and walking alongside it is the most common activity undertaken. Improving access to the Leith was the most common feedback response, followed by improving pedestrian connectivity between campus, the stadium, and harbour. There was also substantial congruency between ORC values, community values, and Working Group values.

The Working Group identified three distinct sections and themes:

- Forth Street to Anzac Avenue: A natural meandering stream
- Anzac Avenue to State Highway 88: A tidal estuary
- State Highway 88 to Harbour: Linking the city to the sea

High-level concepts workshopped in May have been developed into more comprehensive illustrations of potential concepts for the three sections and themes. These are included in this Council Report as additional materials and are recommended for endorsement for public consultation. After public consultation, the Working Group will prepare a final report to Council.

Hydraulic analysis indicates the proposed works will convey a 100-year Average Recurrence Interval (ARI) event of 171 m³/sec in the region downstream of Forth Street (with a freeboard of 600mm). The effect of climate change sea level rise (assumed 0.75m over 50 years) is likely to mean this capacity may exist only for 50 years. From 50 years onwards, to convey 171 m³/sec the banks will have to be raised or the infill works partially removed. Further hydraulic analysis needs to be completed during detailed design to understand any effects upstream of Forth Street.

4. Recommendation

- a) *That the potential concepts are endorsed for public consultation; and,*
- b) *That this report is received.*

Endorsed by: Sian Sutton
Director Stakeholder Engagement

Attachments

Leith Amenity Project – Love Your Leith - Draft Concepts Forth to Harbour

11.1.5. Leith Flood Protection Scheme - Dundas St Bridge Culvert Upgrade Widening

Prepared for: Council
Activity: Leith Flood Protection Scheme
Prepared by: Chris Valentine, Manager Engineering
Date: 28 May 2018

1. Précis

This report outlines work required for a proposed Dundas Street Bridge Culvert as part of the Leith Flood Protection Scheme. The design objective of the scheme at this location is to pass a design flow of 171m³/s, equivalent to a 1 in 100 Average Recurrence Interval (ARI), and provide a minimum freeboard of 0.6m to the bridge soffit¹. The proposed work is for the construction of an additional culvert adjacent to the existing bridge and associated works upstream and downstream of the bridge.

The existing Dundas Street Bridge deck is supported by several arched shaped beams. Little guidance on how to measure freeboard on an arch bridge has been found. An international technical review on this matter did not provide a clear method. To design for 600mm freeboard to the bottom of the arch would have resulted in an overly conservative and expensive solution. A risk-based approach was adopted and the existing bridge is being retained along with the installation of a new culvert to increase the waterway capacity at Dundas Street.

This report seeks endorsement of the design and approval to tender the construction contract.

2. Background

The Leith Flood Protection Scheme is being delivered over a number of stages, with works started in 2005 and significant works having started in 2010 between Dundas Street and Castle Street. The works at Dundas Street Bridge to improve capacity is the last stage regarding flood protection. Figure 1 shows the staging of works.

¹ The soffit is the underside of an architectural structure such as an arch, a balcony, or overhanging eaves.

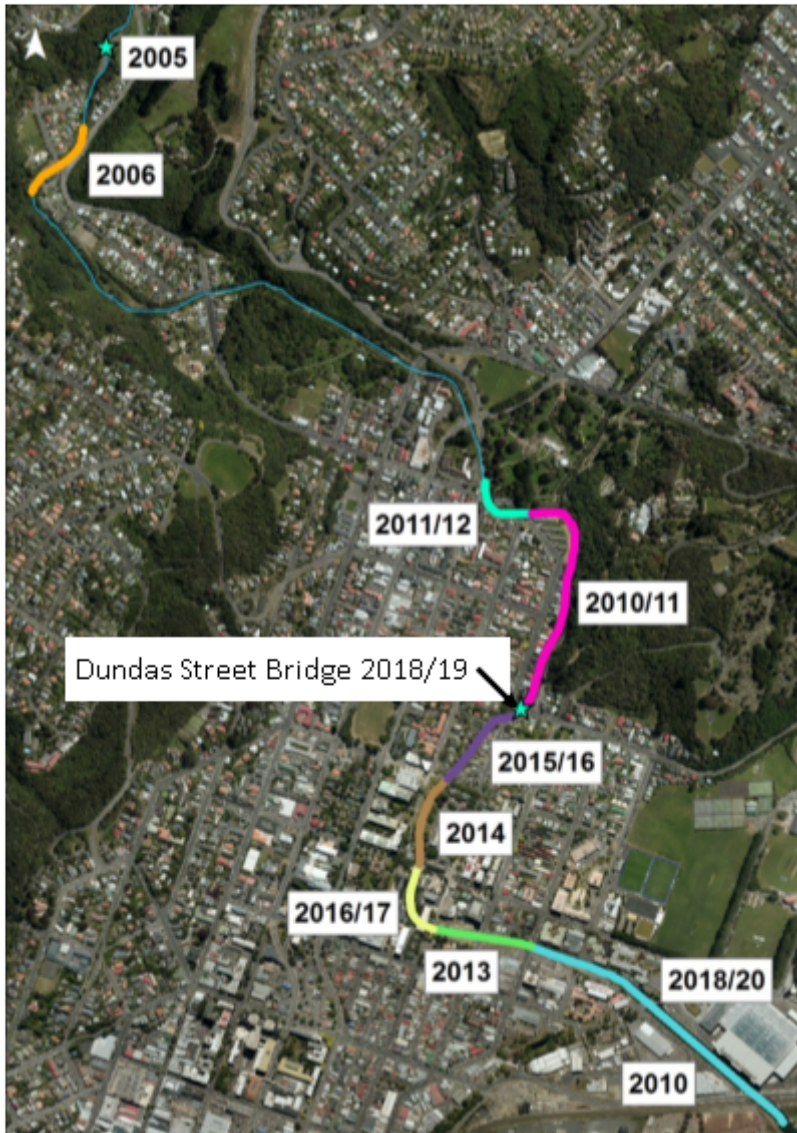


Figure 1 – Leith Flood Protection Scheme – timing and staging of works

The existing Dundas Street bridge is a single span portal frame structure located at the start of a S-shaped bend in the waterway. The reach and extent of works through the Dundas Street section is approximately 100m upstream and downstream of the Dundas Street bridge.

Figure 2 below is a photo taken in the 1870's which shows the Leith looking towards an old Dundas Street bridge.

A significant constriction occurs from both the width of the existing waterway and the height of the existing bridge, which is unable to pass the required design flow with freeboard. At the time the existing bridge was designed and constructed, it was envisaged that a concrete high velocity channel would be constructed in this reach.

The conceptual Design Philosophy Report completed by Opus in 2005 identified replacement of the existing Dundas Street bridge with a new longer span and higher structure. Later work established that additional waterway capacity by modifying the existing bridge and addition of a culvert on the western side would be the preferred solution.

The hydraulic and engineering design for the proposed works is currently being completed.



Figure 2: Photo looking downstream to the old Dundas Street bridge taken in the mid 1870's

3. Physical Model

The University of Auckland was commissioned to undertake the physical hydraulic model testing of the current and proposed modified bridge, culvert and waterway. The hydraulic model study has provided verification of hydraulic effects and allowed refinement of the geometry for the proposed works.

Figure 3 below shows flow testing of the existing bridge at the design flow of $171\text{m}^3/\text{s}$.

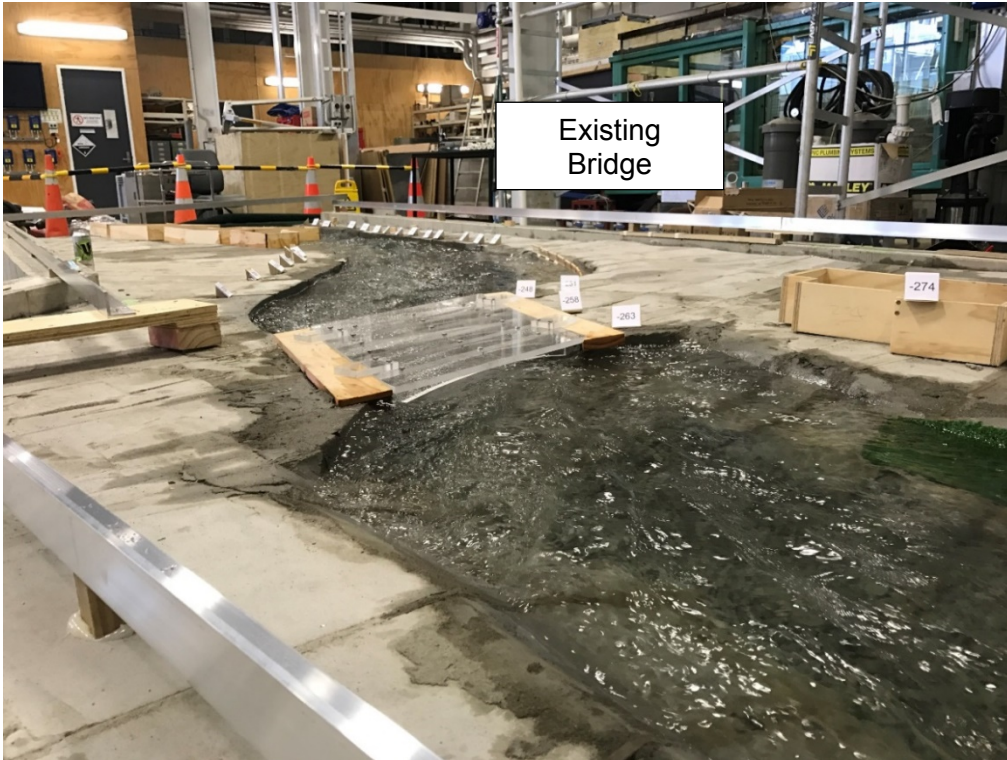


Figure 3: Testing of the existing Bridgeway at the design flow of $171\text{m}^3/\text{s}$, looking downstream.

For the testing of the existing bridgeway, as predicted by the computational hydraulic models, the design flow of $171\text{m}^3/\text{s}$ was surcharged on the underside of the bridge deck, but did not overtop the deck and break out of the channel. The floodplain area covered by the left bank houses along Leith Street Central downstream of the Dundas Street Bridge was inundated by the design flow of $171\text{m}^3/\text{s}$.

For sensitivity analysis, during a flow of $202\text{m}^3/\text{s}$ (equivalent to a 1 in 200-year ARI), the level of surcharging is increased, there was still no overtopping at the bridge, breakout around the left abutment of the bridge was observed.

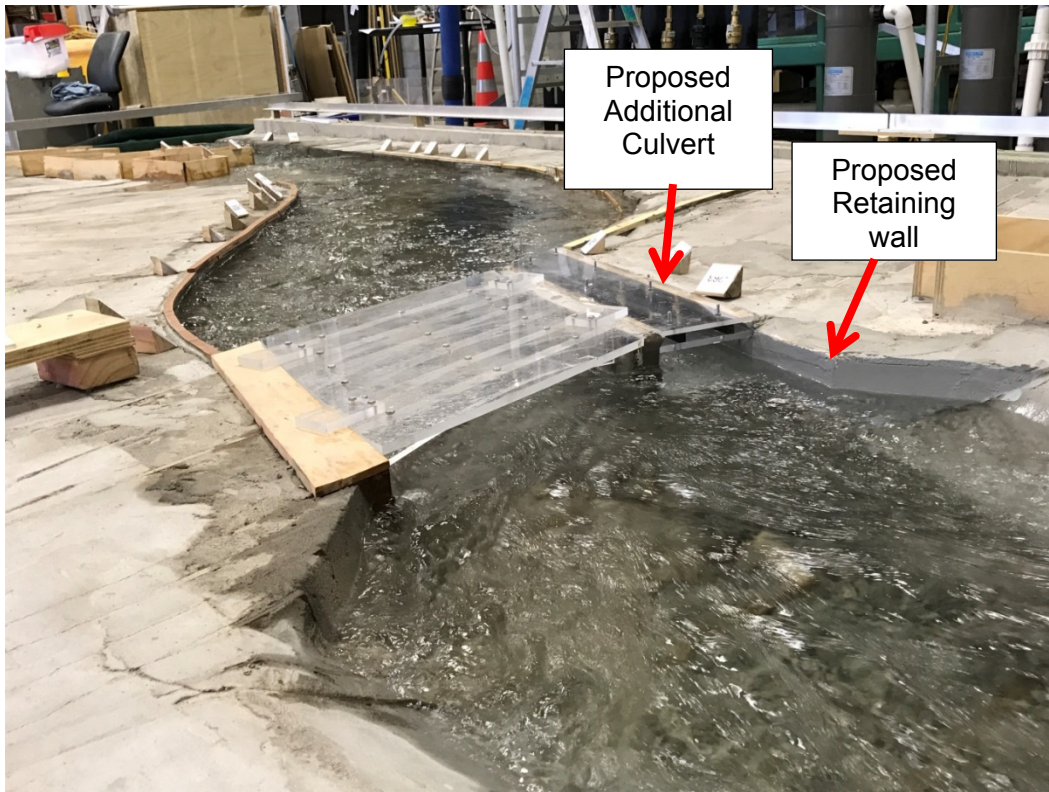


Figure 4: Testing of the additional culvert at the design flow of $171\text{m}^3/\text{s}$ looking downstream with the new culvert adjacent to the right bank.

4. Engineering Design

WSP Opus were commissioned to undertake the preliminary and detailed engineering design for the project.

The following design options were considered,

- Bridge jacking involved cutting and lifting the bridge to achieve required freeboard,
- A replacement thinner deck,
- A replacement bridge using 3 concrete box culverts to form a multi-cell bridge, and
- Addition of a box culvert adjacent to the right bridge abutment.

Physical modelling was able to confirm the size of the additional culvert and extent of the associated widening works. It was established that the flow capacity was controlled by constraints downstream and a wider culvert would not provide any additional lowering of the flood level at the bridge.

The NZTA Bridge Manual recommends a minimum freeboard requirement of 0.6m, however no guidance was found on how to apply this to arched bridges. Research in the UK recommended using a risk based approach where a bridge can affect the water level during flood. The methodology for the risk based approach is described in the below sections.

The existing bridge structure was assessed by WSP Opus for both the design flow and super-design flow, of 171m³/s and 202m³/s, respectively. Under flood and debris loading, the structure was found to perform well including for factor of safety, which includes overturning and sliding of the structure. No significant issues were identified from the structural assessment.

A risk workshop was undertaken with members of the project team to identify the risks associated with retaining an existing bridge where 0.6m freeboard is available only at the top of the bridge arch with the addition of a 4m wide culvert.

Some risks identified required further investigation, such as the debris raft formation, hydraulic effects, and risk of scouring of the bed.

Using the physical model, the effects of woody debris was tested to create a debris raft and the assess the hydraulic effects on the bridge. From the test, the debris raft formed from the left abutment (as expected) and resulted in an approximate 1 to 1.5m increase in water level. Even though debris raft had formed on the existing bridge, this would have also occurred on a new bridge with the required 0.6m freeboard as the mechanism of formation was from the abutment rather than the bridge soffit.

The testing also includes other potential floating objects such as semi-submerged cars and 20ft containers.

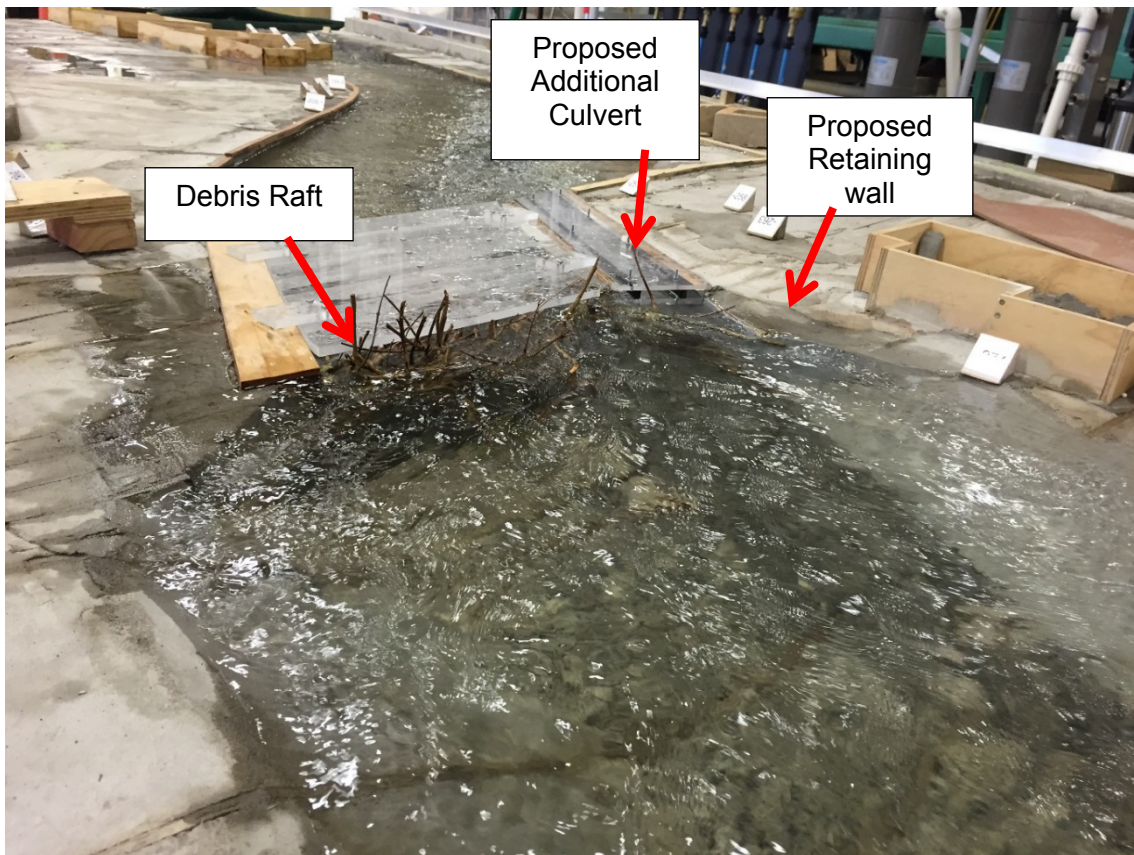


Figure 5: Testing of debris rafting at the design flow of 171m³/s

The design of the additional culvert to the existing bridge involves the construction of two precast concrete U-shapes that are connected to form the box culvert. Some of the culvert will be cast in situ, which is to enable construction around existing services.

The engineering design, covers the following elements of work,

1. Right bank culvert addition consisting of two U shaped precast concrete culverts to form the box, Figure 7,
2. Right bank retaining walls required upstream and downstream of the bridge, Figure 8,
3. Right bank rock riprap slope,
4. Scour protection work in the bed of the river, and
5. Removal of the downstream right bank protrusion adjacent to Montgomery Avenue.

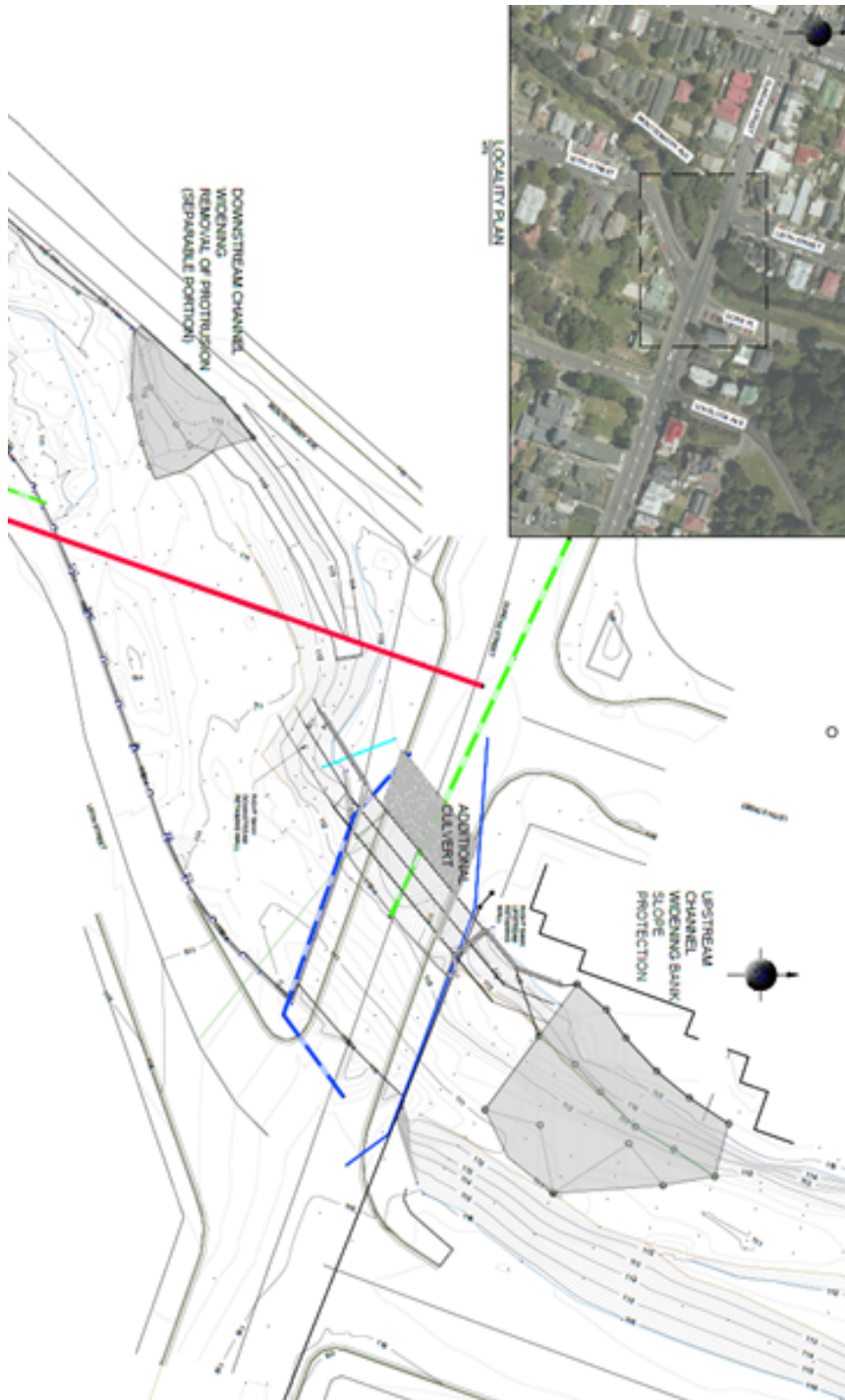


Figure 6: Plan showing the extent of the proposed works

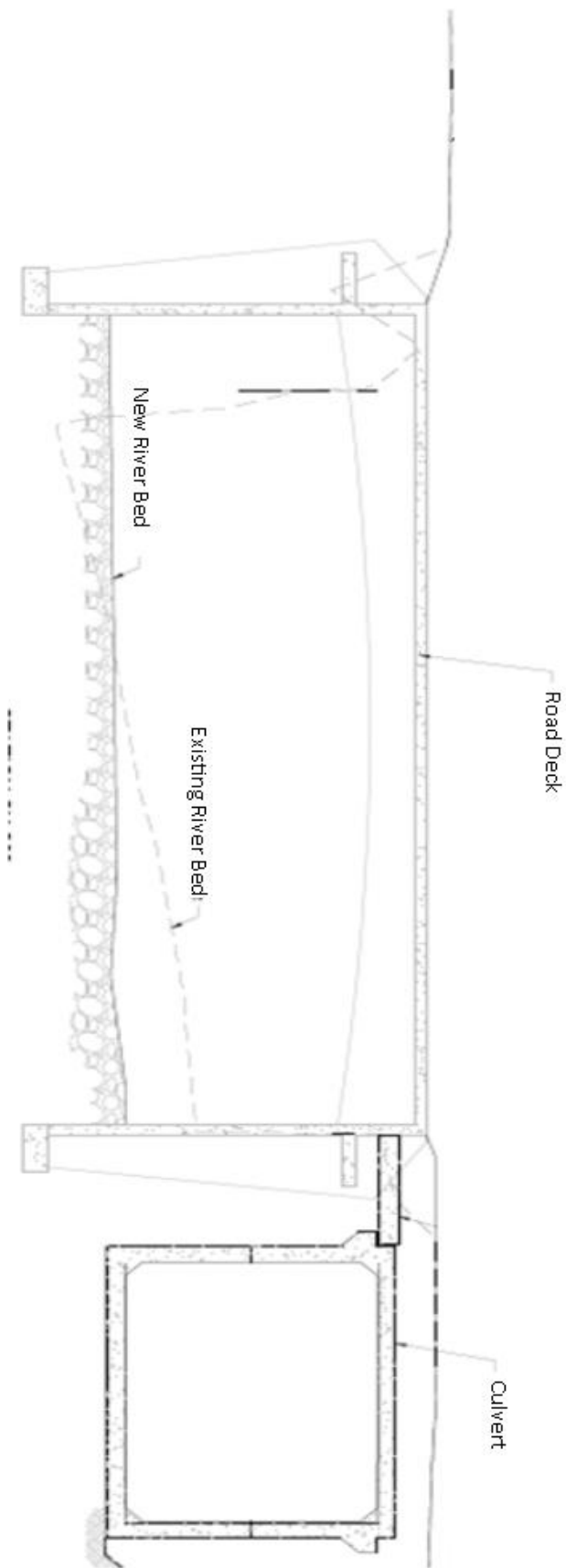


Figure 7: Typical Elevation View of the Additional Culvert adjacent to the Existing Bridge

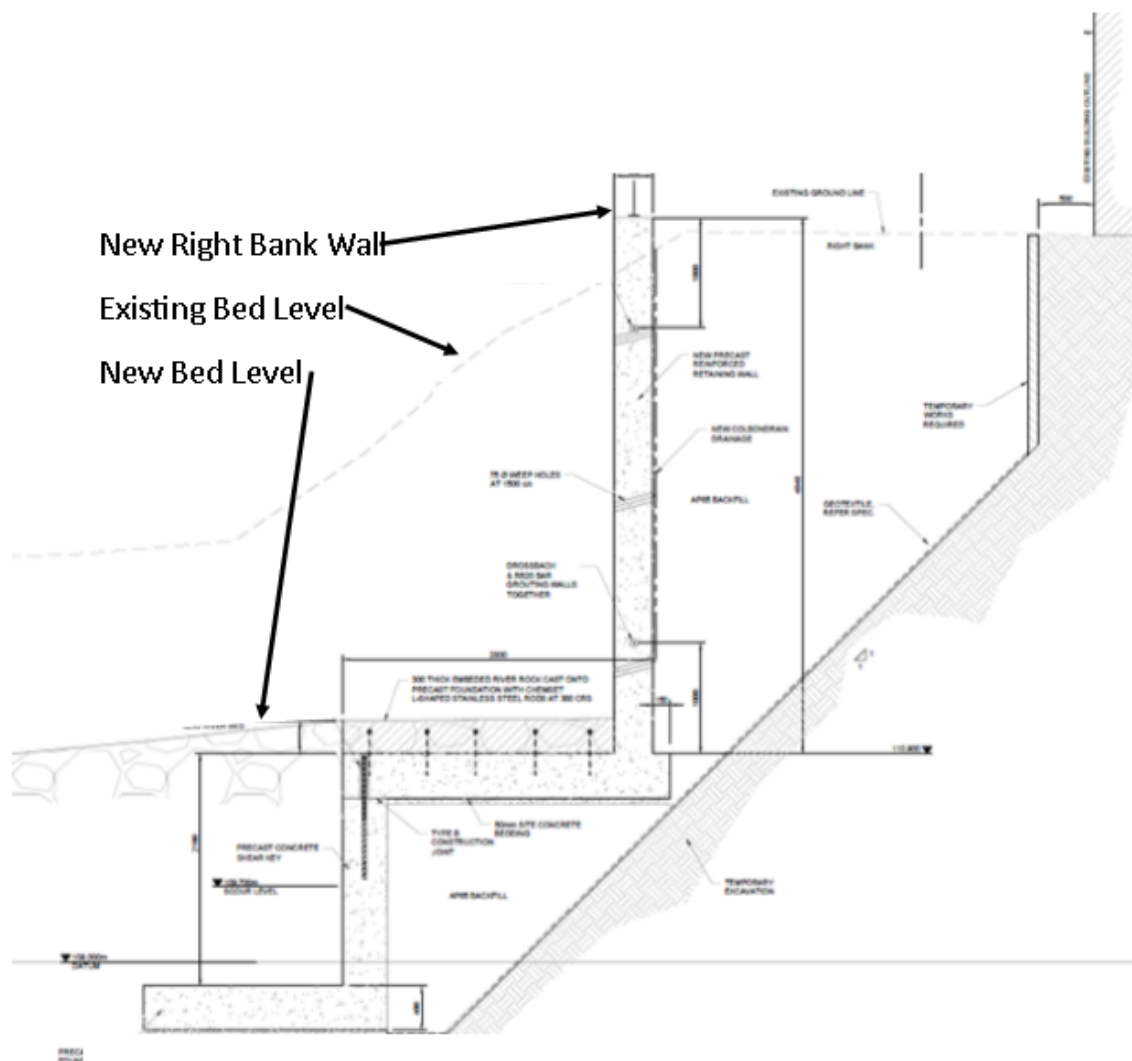


Figure 8: Typical Elevation View of the Upstream Right Bank Retaining Wall

5. Resource Consent and Land Use Consent

The design and construction of the Water of Leith Flood Protection Scheme works have been ongoing since 2010 under the original resource consent. This consent expired on 21 May 2018, where a new Resource Consent was lodged in January 2018. Currently we are awaiting two outstanding written approval from University of Otago and Whitewater NZ. The Dunedin City Council Land Use Consent issued in 2006 has been given effect, meaning no new application is required.

Staff are arranging a formal land access agreement where access is required to private property to enable the construction works.

6. Transfer of ownership

The existing Dundas Street bridge is owned and maintained by the DCC Transportation Department. DCC have indicated there is at least 60 years remaining asset life in the bridge. Currently there is no requirement to replace the existing bridge. DCC are also responsible for the road as the road controlling authority.

The proposed culvert would be deemed a strategic asset as part of the Leith Flood Protection Scheme. Under section 97(2) of the Local Government Act 2002, a decision to transfer the ownership or control of strategic assets must be consulted on.

It is recommended that ownership of the culvert be ultimately transferred to the Dunedin City Council for the following reasons:

- DCC undertake regular structural inspections and allocate appropriate funding for bridge structures. If the culvert is retained by ORC, ongoing inspections and maintenance costs will need to be undertaken by ORC,
- Any damage or replacement of the culvert will be the responsibility by the owner. In the future, DCC can consider replacing both the existing bridge and culvert with a single new structure.
- DCC can apply for external funding from NZTA for roading improvements.
- DCC are the road controlling authority for Dundas Street. It is unclear how DCC can be responsible for the road on a private structure owned by ORC.
- There are services which cross the existing bridge and will extend through the proposed culvert. It is unclear whether utility companies will need to apply for easements, which are not necessary for the road corridor.
- There are no plans to extend or modify the culvert in the future by the ORC.
- There does not need to be a reliance on the DCC to maintain the clearance of the culvert. Scheme maintenance undertaken by ORC could extend to include inspection and necessary clearance of the culvert.

A discussion with DCC Transportation has identified that they would be willing to take ownership of the additional culvert but not the upstream and downstream retaining walls. The legal agreement for a handover process is being worked through.

7. Programme

Tendering for Contract Works is scheduled to occur between late July 2018 and August 2018. A recommendation will be made and presented at the Council Meeting on 26 September 2018 seeking approval to award a contract.

Construction of the works is expected to take no less than seven months starting late November 2018 and completing in June 2019.

8. Conclusion

A risk based approach has established that construction of a new bridge, or raising the existing bridge, would not provide a significant change to the flood risk at this location over retaining the existing bridge with the addition of a 4m culvert on the right bank. This is largely due to the fact that the water level in this location is controlled by channel capacity downstream of Dundas Bridge.

The extents of the design and construction works have been established and the details are currently being finalized.

The cost estimate for the construction works is \$2m (\$1.7m plus 20% for contingency). The Budget for the LTP has been set at \$2m.

9. Recommendation

- a) *That this report is received; and*
- b) *That the design is endorsed and tenders for construction of these works are invited.*

Endorsed by: Gavin Palmer
Director Engineering, Hazards & Science

Attachments

Nil

11.1.6. Representation Review

Prepared for: Council
Activity: Governance Report
Prepared by: Ian McCabe, Executive Officer
Date: 22 June 2018

1. Précis

Council is required to carry out a review of its representation arrangements every six years. The last review was carried out in 2012. The review must be carried out within the timeframes set out in the Local Electoral Act 2001, and prior to the 2019 local government elections. The purpose of this paper is to consider representation options, with a view to endorsing a preferred option for public consultation.

2. Background

The Local Electoral Act 2001 is the legislation under which representation arrangements are made, and it sets out principles and provision for fair and effective representation for individuals and communities.

By 31 August, Council will need to have determined its proposed representation arrangements. Public notice of the proposed arrangements inviting submissions must be given. If no submissions are received, the proposal becomes final, and public notice can be made to that effect.

If submissions are received, these must be considered, and Council must give public notice of its “final” proposal. The “final” proposal will be open to appeals and objections. If there are no appeals or objections, the proposal becomes final, and public notice must be made to that effect.

Any appeals or objections received must be lodged with the Local Government Commission by 15 January 2019. The Local Government Commissions must make its determination no later than 10 April 2019.

3. Considerations

There are three factors that must be consider by local authorities when determining appropriate representation arrangement. These are:

- Community of interest;
- Effective representation; and,
- Fair representation.

Community of interest

The is not defined in the Act. The Local Government Commission view community of interest as being the area to which one feels a sense of belonging and looks to for social, service and economic support.

Defining characteristics may include:

- A sense of community identity and belonging;
- Similarities in economic activity;

- Dependence on shared facilities in an area, including schools, recreational facilities and retail outlets;
- Physical and topographic features;
- Transport and communities.

For regional councils, section 19U(c) of the Act provides that so far as practicable, constituency boundaries must coincide with the boundaries of one of more territorial authorities, or with the boundaries of any local authority wards.

Effective representation

Under section 19U, Council must ensure that its representation proposals will provide effective representation of communities of interest. Principles that can be applied when considering this issue are:

- A recognised community of interest should not be split between electoral subdivisions.
- Grouping together two or more communities of interest that share few commonalities of interest should be avoided.
- Accessibility, size and configuration of an area should be considered, such as:
 - Would the population have reasonable access to its elected members and vice versa?
 - Would elected members be able to effectively represent the views of their electoral subdivision?
 - Would elected members be able to attend public meetings throughout their area, and provide reasonable opportunities for their constituents to have face to face meetings?

Fair representation

Membership for each constituency is required to comply with the basic principle of population equality unless there are good reasons to depart from it.

Section 19V(2) of the Act outlines the specific requirement in this regard. Council must ensure that the population of each constituency divided by the number of members to be elected by that constituency produces a figure no more than 10% greater or smaller than the population of the region divided by the total number of elected members.

Section 19V(3) of the Act provides that constituencies may be defined in ways that do not comply with section 19V(2) if it is considered that effective representation so requires, however a decision not to comply with this section must be referred to the Commission for determination.

4. Current Situation

To comply with the fair representation requirement, the ratio of representation of 12 councillors to population within the constituencies needs to be between 16,815 and 20,551 per representative. This would meet the +/- 10% criteria.

The constituencies and the most up to date population data (June 2017 estimates provided by Statistics NZ) are shown in the table below.

For information purposes, the wards making up the constituencies and their estimated populations are shown in Appendix 1.

The table below shows that the current representation arrangements generally fall comfortably within the +/-10% threshold criteria and therefore meet the test for fair representation.

| Constituency | Population | Councillors | Ratio | % |
|--------------|----------------|-------------|---------------|--------|
| Moeraki | 20,400 | 1 | 20,400 | +9.19% |
| Dunstan | 57,400 | 3 | 19,133 | +2.41% |
| Molyneux | 35,600 | 2 | 17,800 | -4.73% |
| Dunedin | 110,800 | 6 | 18,467 | -1.16% |
| Total | 224,200 | 12 | 18,683 | |

It should be noted that at the time Council endorsed the current arrangements in 2012, both the Moeraki and Dunstan constituencies had percentage ratios outside the +/-10% threshold criteria, and therefore did not comply with the Act. The decision by Council not to comply with the criteria had to be referred to the Local Government Commission for a final decision. The arrangement agreed in 2012 are shown in Appendix 2.

Both constituencies now have ratios within the threshold criteria due to growth in their respective resident populations.

5. Preferred Option

Several options for representation have been modelled are shown in Appendix 3. The Act requires that effective representation for regional councils must be achieved with between six and 14 members. The options considered have been prepared using differing councillor numbers and variations of boundaries between constituencies.

Three of the options modelled will meet the fair representation criteria but have some limitations or constraints around community of interest, effective representation, and a desire to minimise the number of constituencies that do not have at least dual representation (i.e. at least two representatives where practicable). This helps to avoid potential barriers to participation by enhancing elected members ability to represent the views of their electoral area and to attend public meeting and/or provide reasonable opportunities for face-to-face meetings.

Taking these factors into account, the preferred option for consultation is to maintain the current representation arrangements set out above. It is considered that the current representation arrangements provide a good balance for fair and effective representation across the region that respect and provide for ongoing common communities of interest.

Furthermore, it is considered that the current representation arrangements represent a more balanced proposition now than it did when Council first endorsed them in 2012. This due to ongoing population growth and the strengthening of communities of interest right across the Otago region.

6. Timetable

Public notice of the preferred option should be given no later than 20 June 2018. The Act requires that the submission period be at least one month, so submissions will likely close on or about Monday 30 July 2018.

A Hearings Committee consisting of all councillors will hear submissions. The hearing has not yet been scheduled but is likely to be scheduled for some time later in the week beginning 30 July 2018 to coincide with the August committee round.

A recommending report from the Hearings Committee would then be considered at the Council meeting on Wednesday 15 August 2018, when a final decision could be made.

7. Recommendation

That Council:

- (1) **Receive** this report.
- (2) **Adopt** the following recommended representation proposal for consultation purposes:

| Constituency | Population | Councillors | Ratio | % |
|---------------------|-------------------|--------------------|---------------|----------|
| <i>Moeraki</i> | 20,400 | 1 | 20,400 | +9.19% |
| <i>Dunstan</i> | 57,400 | 3 | 19,133 | +2.41% |
| <i>Molyneux</i> | 35,600 | 2 | 17,800 | -4.73% |
| <i>Dunedin</i> | 110,800 | 6 | 18,467 | -1.16% |
| Total | 224,200 | 12 | 18,683 | |

- (3) **Note** that a public notice outlining the recommended representation proposal will be made no later than 30 June 2018 and calling for submissions to close on or around 30 July 2018.
- (4) **Note** that the committee to hear submissions on the recommended representation proposal will consist of all councillors on a date yet to be confirmed. The hearing will likely be scheduled for the week beginning 30 July 2018 to coincide with the August committee round.

Endorsed by: Nick Donnelly
Director Corporate Services

Attachments

Nil

Appendix 1 – Ward Data

| Wards | Territorial Authority | Population |
|--------------------------------|---------------------------|------------|
| Moeraki Constituency | | |
| Ahuriri and Corriedale (Part) | Waitaki District | 4,550 |
| Oamaru | Waitaki District | 13,700 |
| Waihemo | Waitaki District | 2,350 |
| Dunstan Constituency | | |
| Cromwell | Central Otago District | 7,210 |
| Earnscliffe - Manuherikia | Central Otago District | 3,550 |
| Maniototo | Central Otago District | 1,780 |
| Alexandra | Central Otago District | 6,050 |
| Teviot Valley | Central Otago District | 1,710 |
| Queenstown – Wakatipu | Queenstown Lakes District | 22,600 |
| Wanaka | Queenstown Lakes District | 11,600 |
| Arrowtown | Queenstown Lakes District | 2,930 |
| Molyneux Constituency | | |
| “Mosgiel-Taieri/Strath Taieri” | Dunedin City | 17,890 |
| West Otago | Clutha District | 2,310 |
| Clinton | Clutha District | 1,280 |
| Lawrence-Tuapeka | Clutha District | 1,130 |
| Balclutha | Clutha District | 5,180 |
| Catlins | Clutha District | 1,000 |
| Bruce | Clutha District | 4,210 |
| Kaitangata-Matau | Clutha District | 1,150 |
| Clutha Valley | Clutha District | 1,280 |
| Dunedin Constituency | | |
| “Dunedin” | Dunedin City | 110,800 |

Appendix 2 – Representation Arrangements Adopted in 2012

| Constituency | Population | Councillors | Ratio | % |
|---------------------|-------------------|--------------------|---------------|----------------|
| Moeraki | 19,250 | 1 | 19,250 | +10.08% |
| Dunstan | 47,100 | 3 | 15,700 | -10.22% |
| Molyneux | 35,000 | 2 | 17,500 | +0.07% |
| Dunedin | 108,500 | 6 | 18,083 | +3.41% |
| Total | 209,850 | 12 | 17,488 | |

Appendix 3 – Options for Representation

Option 1 – Maintain the number of councillors at 12, split Central Otago and Queenstown

| Constituency | Population | Councillors | Ratio | % |
|---------------|----------------|-------------|---------------|--------|
| Moeraki | 20,400 | 1 | 20,400 | +9.19% |
| Central Otago | 20,300 | 1 | 20,300 | +8.65% |
| Queenstown | 37,100 | 2 | 18,550 | -0.71% |
| Molyneux | 35,600 | 2 | 17,800 | -4.73% |
| Dunedin | 110,800 | 6 | 18,467 | -1.16% |
| Total | 224,200 | 12 | 18,683 | |
| | | | | |
| Within -10% | 16,815 | | | |
| Within +10% | 20,551 | | | |

Option 1 meets the criteria for fair representation. However, it is desirable to retain dual representation where practicable. This option would leave two constituencies, Moeraki and “Central Otago”, with only one representative each. Further, the Central Otago District, and more particularly the Cromwell ward, is a large area containing a community of interest that has a strong and growing alignment with Queenstown Lakes.

Option 1 is not preferred.

Option 2 – Maintain the number of councillors at 12, split Central Otago and Queenstown, and put the Cromwell ward into Queenstown

| Constituency | Population | Councillors | Ratio | % |
|--------------------------------|----------------|-------------|---------------|----------------|
| Moeraki | 20,400 | 1 | 20,400 | +9.19% |
| Central Otago (excl. Cromwell) | 13,090 | 1 | 13,090 | -29.94% |
| Queenstown (incl. Cromwell) | 44,310 | 2 | 22,155 | +18.58% |
| Molyneux | 35,600 | 2 | 17,800 | -4.73% |
| Dunedin | 110,800 | 6 | 18,467 | -1.16% |
| Total | 224,200 | 12 | 18,683 | |
| | | | | |
| Within -10% | 16,815 | | | |
| Within +10% | 20,551 | | | |

Option 2 – both the Queenstown and Central Otago areas are significantly over represented and are not considered to meet the fair representation requirements.

Option 3 – Increase number of councillors to 13, with one more in Dunstan

| Constituency | Population | Councillors | Ratio | % |
|--------------|----------------|-------------|---------------|----------------|
| Moeraki | 20,400 | 1 | 20,400 | +18.29% |
| Dunstan | 57,400 | 4 | 14,350 | -16.79% |
| Molyneux | 35,600 | 2 | 17,800 | +3.21% |
| Dunedin | 110,800 | 6 | 18,467 | +7.08% |
| Total | 224,200 | 13 | 17,246 | |
| Within -10% | 15,521 | | | |
| Within +10% | 18,971 | | | |

Option 3 results in a significant variation in representation in the Moeraki and Dunstan areas and will not meet the fair representation requirements.

Option 3A – Increase number of councillors to 13, with one more in Dunedin

| Constituency | Population | Councillors | Ratio | % |
|--------------|----------------|-------------|---------------|----------------|
| Moeraki | 20,400 | 1 | 20,400 | +18.29% |
| Dunstan | 57,400 | 3 | 19,133 | +10.94% |
| Molyneux | 35,600 | 2 | 17,800 | +3.21% |
| Dunedin | 110,800 | 7 | 15,829 | -8.22% |
| Total | 224,200 | 13 | 17,246 | |
| Within -10% | 15,521 | | | |
| Within +10% | 18,971 | | | |

Option 3A results in a significant variation in representation in the Moeraki area and under representation in Dunstan area. It does not meet the fair representation requirements.

Option 4 – Increase number of councillors to 14, with one more in Dunstan, Moeraki and Dunedin

| Constituency | Population | Councillors | Ratio | % |
|--------------|----------------|-------------|---------------|----------------|
| Moeraki | 20,400 | 2 | 10,200 | -36.31% |
| Dunstan | 57,400 | 3 | 19,133 | +19.47% |
| Molyneux | 35,600 | 2 | 17,800 | +11.15% |
| Dunedin | 110,800 | 7 | 15,829 | -1.16% |
| Total | 224,200 | 14 | 16,014 | |
| Within -10% | 14,413 | | | |
| Within +10% | 17,615 | | | |

Option 4 results in a significant variation in representation in the Moeraki, Dunstan and Molyneux areas. It does not meet the fair representation requirements.

Option 5 – Decrease number of councillors to 11, with one less in Dunedin

| Constituency | Population | Councillors | Ratio | % |
|--------------|----------------|-------------|---------------|----------------|
| Moeraki | 20,400 | 1 | 20,400 | +0.09% |
| Dunstan | 57,400 | 3 | 19,133 | -6.13% |
| Molyneux | 35,600 | 2 | 17,500 | -14.14% |
| Dunedin | 110,800 | 5 | 22,160 | +8.72% |
| Total | 224,200 | 11 | 20,382 | |
| Within -10% | 18,344 | | | |
| Within +10% | 22,420 | | | |

Option 5 results in a significant variation in representation in the Molyneux area. It does not meet the fair representation requirements.

Option 5A – Decrease number of councillors to 11, with one less in Molyneux and split Dunedin and Molyneux – Mosgiel-Taieri included in Dunedin

| Constituency | Population | Councillors | Ratio | % |
|--------------|----------------|-------------|---------------|--------|
| Moeraki | 20,400 | 1 | 20,400 | +0.09% |
| Dunstan | 57,400 | 3 | 19,133 | -6.13% |
| Molyneux | 18,650 | 1 | 18,650 | -8.50% |
| Dunedin | 127,750 | 6 | 21,292 | +4.46% |
| Total | 224,200 | 11 | 20,382 | |
| Within -10% | 18,344 | | | |
| Within +10% | 22,420 | | | |

Option 5A meets the criteria for fair representation. However, it is desirable to retain dual representation where practicable. This option would leave two constituencies, Moeraki and Molyneux, with only one representative each. The Mosgiel–Taieri ward is a large area, containing both rural and urban interests. A large area of rural Taieri has a community of interest closely aligned with Clutha District.

Option 5A is not preferred.

Option 6 – Maintain the number of councillors at 12, and put Mosgiel-Taieri into Dunedin

| Constituency | Population | Councillors | Ratio | % |
|--------------|----------------|-------------|---------------|--------|
| Moeraki | 20,400 | 1 | 20,400 | +9.19% |
| Dunstan | 57,400 | 3 | 19,133 | +2.41% |
| Molyneux | 18,650 | 1 | 18,650 | +0.18% |
| Dunedin | 127,750 | 7 | 18,250 | -2.32% |
| Total | 224,200 | 12 | 18,683 | |
| Within -10% | 16,815 | | | |
| Within +10% | 20,551 | | | |

Option 6 provides similar representation ratios to the preferred option. However, it is desirable to retain dual representation where practicable. This option would leave two constituencies, Moeraki and Molyneux, with only one representative each. Further, the Mosgiel–Taieri ward is a large area, containing both rural and urban interests. A large area of rural Taieri has a community of interest closely aligned with Clutha District.

Option 6 is not preferred.

11.1.7. ECO Fund

Prepared for: Council
Activity: Environmental - ECO Fund (Environment. Community. Otago)
Prepared by: Lisa Gloag, Acting Manager Strategic Communications & Engagement
Date: 20 June 2018

1. Précis

ORC launched the Environmental Enhancement Fund (EEF) in 2016 to provide financial support to community groups/not-for-profits for environmental projects. The EEF was under-subscribed due to lack of promotion, and after reviewing the fund ORC would like to re-launch it as a new fund.

We see an opportunity to publicise the fund, share the success stories and help the community work towards enhancing Otago's environment.

A workshop with Councillors was held on 16 May, and this report outlines recommendations for approval following decisions made during the workshop.

2. Proposal

2.1 Councillors to endorse the brand/vision/purpose/objectives

- ECO Fund. The new fund will be known as the ECO Fund - Environment. Community. Otago.
- Staff will develop a brand around this, based on the following design:



- Vision: ECO Fund will support work that protects and enhances Otago's environment.
- Purpose: To support community-driven environmental activities.
- Objectives: To support administration costs, align with ORC environmental strategies, support both small and large projects, encourage community collaboration/partnerships, and promote ORC's profile within the community.

2.2 Councillors to endorse changes to the fund criteria (from the EEF)

- Include the provision for administration support.
- Have three funding rounds per annum, with the annual funding total of \$250,000 split between these rounds.
- Include a requirement for successful applicants to report to ORC (requirements dependent on level of funding requested/nature of the project).

- Stakeholder engagement staff will develop the full criteria (by revising/improving on the criteria in the Environmental Enhancement Fund and cross-checking the criteria against other similar funds), application/reporting templates and promotional materials. This will be approved by Sian Sutton, director stakeholder engagement.

2.3 Councillors to endorse changes in process around fund decisions

- A decision panel comprising four councillors will assess the applications at each funding round. This will be supported by a staff member in the stakeholder engagement team, who will provide application summaries to the panel alongside the full applications.
- The decision panel will then report to a full council meeting with recommendations. Final decisions to accept or decline applications will be made at this council meeting and stakeholder engagement staff will report on decisions to the applicants.
- Where the applicant seeks funding over \$150,000, only a percentage of the total project will be funded (to be decided on a case-by-case basis).
- There will be a separate (simplified) application form and reporting process for fund applications less than \$5,000.

2.4 Timeframe

- ORC staff will develop relevant resources and materials, with the aim to launch the ECO Fund by 31 July 2018.
- A review of the fund is planned 12 months after relaunch to ensure changes are resulting in the anticipated outcomes.

3. Recommendation

- a) *That Council ratify the above recommendations for the relaunch of the ECO Fund.*

Endorsed by: Sian Sutton
Director Stakeholder Engagement

Attachments

Nil

11.1.8. 2018 LGNZ Annual General Meeting Remits

Prepared for: Council
Activity: Governance Report
Prepared by: Mike Roesler, Corporate Planning Manager
Date: 21 June 2018

1. Précis

The purpose of this report is to provide Council with an opportunity to consider and potentially provide input to issues that Local Government New Zealand will advocate on for the sector.

2. Background

An Annual General Meeting (AGM) of member authorities is held annually as part of the Local Government New Zealand Conference. The 2018 AGM will be held on Sunday 15 July 2018 in Christchurch. Member authorities are entitled to representation at the AGM.

Zones, sector groups and member authorities were invited to submit proposed remits for consideration at the 2018 AGM – in short, good ideas from the sector for LGNZ to advocate on. This process is governed by a policy that requires all submitted remits to be screened by the 'Remit Screening Committee' and, following approval, move forward to the Annual General Meeting for consideration by the membership.

3. Proposal

Attachment 1 provides the proposed remits that have been submitted for consideration at the 2018 AGM. The Otago Regional Council can vote at the AGM about the inclusion, or not, of the following 12 remits in the LGNZ work programme.

1. *Drug testing in the community* – develop a nationally consistent regime of waste water testing, to enable a solid basis for testing drug use in our communities.
2. *HCV – rural roads policy*. Investigate a Road Pricing Policy Statement for Land Transport to incentivise route selection for HCV's that encourages the most economically efficient use of the transport network.
3. *Heritage buildings*. That LGNZ lobbies for greater support for, and protection of, heritage buildings via the following mechanisms:
 - Revision of the Building (Earthquake-Prone Buildings) Amendment Act.
 - An increase in the heritage fund.
 - Provision of tax relief for heritage building upgrades.
4. *Climate change* – advocate to all major banks that they transition away from investments in fossil fuel industries, and consider opportunities for long-term investments in low- or zero-carbon energy systems.
5. *Climate Change Adaptation Fund* – call on central government to establish a Climate Change Adaptation Fund to improve local level and community participation in responding to climate change.

6. *Local Alcohol Policies* – seek the Government’s agreement to:
 - Amend the Sale and Supply of Alcohol Act 2012 to more accurately reflect local community views and preferences.
 - Review policy levers to reduce alcohol-related harm.
7. *Biofuels* – encourage the Government to investigate options to support the use of biodiesel.
8. *Walking the talk – single use plastics*. Request central government to urgently develop and implement a plan to eliminate the use of single-use plastic bags and plastic straws. That member councils take steps to phase out the use of single-use plastic bags and straws at council facilities and events.
9. *A mandatory register of cooling towers* – request central government to resume its work related to reducing the risks posed by legionella bacteria.
10. *Copper in brake pads* – request central government to introduce legislation to limit or eliminate the copper content of vehicle brake pads to reduce contaminants in our urban waterways.
11. *Reducing the waste stream* – LGNZ asks central government to address the 'China National Sword' issue and implement the local government waste manifesto (actions 2 6), to reduce New Zealand’s waste.
12. *Tyres stewardship* – requests the Government to urgently implement a comprehensive and mandatory product stewardship programme for tyres.

Council representatives attending the 2018 AGM include: Cr Woodhead; Cr Hope; Cr Lawton; and the Chief Executive.

4. Recommendation

That the Council:

- a) *Receives this report.*
- b) *Notes the proposed remits for member authority consideration at the 15 July 2018 Local Government New Zealand Annual General Meeting.*
- c) *Decides what remits the Otago Regional Council will support at the 15 July 2018 Local Government New Zealand Annual General Meeting.*

Endorsed by: Nick Donnelly
Director Corporate Services

Attachments

2018 Annual General Meeting Remits

11.1.9. Delegations - Resource Management Act

Prepared for: Council
Activity: Governance Report
Prepared by: Marian Weaver, Resource Manager Procedures & Protocols
Date: 20 June 2018

1. Précis

Recent amendments to the Resource Management Act in 2017 necessitates a review and update of delegations approved by the Otago Regional Council (the Council).

Delegations under the Resource Management Act 1991, Soil and Rivers Control Act 1941, Crown Minerals Act 1991, Building Act 2004, Marine Transport Act 1994, Local Government Act 2002, Biosecurity Act 1993, Civil Defence Emergency Management Act 2002, Land Transport Management Act 2003, Regional Plan: Water for Otago, Measurement of Reporting of Water Takes, Council's Bylaws and other enactments

2. Background

2.1 Definition of Delegation

Delegation is the conveying of a duty or power to act to another person, including the authority that the person making the decision would themselves have had in carrying out that duty or exercising that power.

For the purposes of administrative efficiency and convenience in the conducting of its day-to-day business, the Council delegates certain statutory duties, responsibilities and powers to its standing committees, subcommittees, and members of staff. Similarly, the Chief Executive delegates certain duties and responsibilities to a subordinate level. These delegations are a necessary operational requirement to promote efficient decision-making. Delegations avoid delays and inefficiencies that might otherwise occur if all matters have to be referred to Council or the Chief Executive every time a decision needs to be made.

2.2 The Legal Basis

The Council's authority to delegate to its standing committees, subcommittees, members or officer is principally derived from Schedule 7, Clause 32 of the Local Government Act 2002 (LGA 2002), but there are specific powers of delegation under some other enactments.

Schedule 7 Clause 32 of the LGA 2002 states that:

“Unless expressly provided otherwise in this Act, or in any other Act, for the purposes of efficiency and effectiveness in the conduct of the local authority's business, a local authority may delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority any of its responsibilities, duties, or powers except;

- (a) The power to make a rate; or
- (b) The power to make a bylaw; or
- (c) The power to borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Council Community Plan; or
- (d) The power to appoint a chief executive; or

- (f) The power to adopt policies required to be adopted and consulted on under this Act in association with the Long Term Council Community Plan or developed for the purpose of the local governance statement; or
- (g) The power to warrant enforcement officers.”

Other statutes also confer or limit the ability for the Council to delegate decision-making powers and duties. Of particular note is section 34 [*Delegation of functions etc by local authorities*] and section 34A [*Delegation of powers and functions to employees and other persons*] of the Resource Management Act 1991.(RMA)

Section 34 and 34A of the RMA state:

“34. Delegation of functions, etc, by local authorities

- (1) A local authority may delegate to any committee of the local authority established in accordance with the Local Government Act 2002 any of its functions, powers, or duties under this Act.
- (2) A territorial authority may delegate to any community board established in accordance with the Local Government Act 2002 any of its functions, powers, or duties under this Act in respect of any matter of significance to that community, other than the approval of a plan or any change to a plan.
- (3) Subsection (2) does not prevent a local authority delegating to a community board power to do anything before a final decision on the approval of a plan or any change to a plan.
- (4), (5) and (6) Repealed.
- (7) Any delegation under this section may be made on such terms and conditions as the local authority thinks fit, and may be revoked at any time by notice to the delegate.
- (8) Except as provided in the instrument of delegation, every person to whom any function, power, or duty has been delegated under this section may, without confirmation by the local authority, exercise or perform the function, power, or duty in like manner and with the same effect as the local authority could itself have exercised or performed it.
- (9) Every person authorised to act under a delegation under this section is presumed to be acting in accordance with its terms in the absence of proof to the contrary.
- (10) A delegation under this section does not affect the performance or exercise of any function, power, or duty by the local authority.

Subsection 11 relates to Auckland Council

34A. Delegation of powers and functions to employees and other persons

- (1) A local authority may delegate to an employee, or hearings commissioner appointed by the local authority (who may or may not be a member of the local authority), any functions, powers, or duties under this Act except the following:

- (a) the approval of a policy statement or plan:
- (b) this power of delegation.

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- (1A) If a local authority is considering appointing 1 or more hearings commissioners to exercise a delegated power to conduct a hearing under Part 1 or 5 of Schedule 1, -
 - (a) The local authority must consult tangata whenua through relevant iwi authorities on whether it is appropriate to appoint a commissioner with an understanding of tikanga Maori and of the perspectives of local iwi or hapu; and
 - (b) If the local authority considers it appropriate, it must appoint at least 1 commissioner with an understanding of tikanga Maori and of the perspectives of local iwi or hapu, in consultation with relevant iwi authorities.
- (2) A local authority may delegate to any other person any functions, powers, or duties under this Act except the following:
 - (a) the powers in subsection (1)(a) and (b):
 - (b) the decision on an application for a resource consent:
 - (c) the making of a recommendation on a requirement for a designation.
- (3) Repealed.
- (4) Section 34(7), (8), (9), and (10) applies to a delegation under this section.
- (5) Subsection (1) or subsection (2) does not prevent a local authority delegating to any person the power to do anything before a final decision on a matter referred to in those subsections.”

2.3 Principles, Terms and Conditions

It should be noted that no delegation relieves the local authority, member, or officer of the liability or legal responsibility to perform or ensure performance of any function or duty. Bearing this in mind, the Council and/or Chief Executive Officer in their determination as to duties, responsibilities and powers to be delegated should have regard to the following principles and conditions:

- (i) Wherever possible, delegations to staff have been made to promote the most effective and efficient implementation and delivery of Council's policies and objectives.
- (ii) Delegations have generally been made to the lowest level of competence, commensurate with the degree of responsibility and difficulty involved in the undertaking of the task delegated.
- (iii) In deciding what is the lowest level of competence for each delegation, particular attention has been paid to the fact that, along with the powers and duties contained in the delegation go the responsibilities and accountability for its correct and effective implementation and any reporting requirements.

- (iv) No delegations shall limit the power of Council or other delegator to exercise a function, duty or power in substitution for a delegatee.
- (v) In the exercise of any delegation, the delegatee will ensure they act in accordance with:
 - Any binding statutory authority (in relation to each delegations, relevant sections of the Act will be identified); and
 - Any relevant Council policy or procedural documents (including reporting and recording) requirements.
- (vi) In relation to delegations to officer level, every delegation will be to a stated office and will be exercised in relation to the duties of that position as identified in the Job Description or when an officer has been appointed in an acting capacity.
- (vii) Decisions, other than on minor or routine matters, made under delegated authority will be reported to the Council or a relevant Committee.
- (viii) A delegation once made cannot be further sub-delegated.
- (ix) The Council may, at any time, revoke, suspend for a period, or amend the terms and conditions in relation to any delegation it has made. Where this occurs, it will be recorded by resolution of Council.
- (x) The Chief Executive may revoke or suspend for a period, or amend the terms and conditions in relation:
 - Any delegation to subordinates that he has made; or
 - Any delegation to the Chief Executive that Council has revoked or suspended.

The delegations below were last updated in 2016. Any changes since then are shown as underlined additions, and anything deleted is ~~struck out~~.

3. Abbreviations

| | |
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| CE | Chief Executive |
| RCtee | Regulatory Committee |
| CS | Committee Secretary |
| CSO | Consent Support Officer |
| CO | Consent Officer |
| DCS | Director Corporate Services |
| DEMO | Director Environmental Monitoring and Operations |
| DEHS | Director Engineering Hazards & Science |
| DPPRM | Director Policy Planning and Resource Management |
| EPA | Environmental Protection Authority |
| LC | Legal Counsel |
| MA | Management Accountant |
| MC | Manager Consents |
| MES | Manager Environmental Services |
| ME | Manager Engineering |
| MF | Manager Finance |
| MPP | Manager Policy and Planning |
| MWQP | Manager Water Quantity Planning |

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| PA | Policy Analyst |
| PCO | Principal Consent Officer |
| RPL | Resource Planner Liaison |
| RMPP | Resource Manager Procedures and Protocols |
| SCSO | Senior Consent Support Officer |
| SCO | Senior Consent Officer |
| SPA | Senior Policy Analyst |
| TLIE | Team Leader Investigations and Enforcement |

4. Delegations under the Resource Management Act 1991.

The following table shows those functions under the RMA that require delegated authority in order to exercise them. The "Officers" to which the delegations are made are listed above.

To ensure the continuity of Council operations, the delegations to the stated "Officers" includes delegation to any person that has been appointed as an Officer in an "Acting" capacity.

| Section | Description of Function | Delegated to | Comments |
|----------------------|--|--|---|
| S34A(1)(1A) 357AB | Authority to appoint commissioners to hear and /or determine consent applications, <u>objections</u> and regional plans and plan changes. | Commissioner Appointment Sub Committee (a subcommittee of Regulatory committee) | <u>An objector may ask for an independent commissioner - s357AB</u> |
| S34A(1), 99A | Appointment of mediators for consent applications. | Commissioner Appointment Sub Committee | |
| S35(2A) | Prepare a report on monitoring activities undertaken by Council in the course of exercising its functions under the RMA | DPPRM, CE; DEHS (s35(2)(a); | S35 |
| S36(3 5) | Power to require payment of additional charges to those fixed to enable the recovery of actual and reasonable costs. | DCS or CE or DPPRM | S357 objection, and appeal rights apply |
| S36(3A 6) | Power to approve an estimate of any additional charges likely to be imposed where requested by a person liable to pay an additional charge under Section 36(3 6). | PCO or MC or RMPP or DPPRM or CE | |
| S36AAB(1) | <u>Power to remit the whole or any part of a charge fixed under Section 36</u> | <u>DCS, or CE</u> | |
| S36AAB(2) | <u>Power to suspend actions to which a charge relates on non-payment of charges</u> | <u>MC, or RMPP, or DPPRM or CE</u> | |
| S37(1)(a) and (b) | To extend the time period or to waive failure to comply with requirements for the time and method of service of documents and to extend time limits relating to resource consent processing. | Any two of PCO, MC, RMPP, DPPRM, CE, or the Hearing panel or Commissioner sole appointed to hear and determine the | |

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| | | particular application(s) | |
| S37(2)(a) and (b) | The power to waive compliance with a requirement or to direct the terms on which the omission or inaccuracy of any information required under the Resource Management Act, regulation or plan, or a procedural requirement that was omitted, shall be rectified relating to resource consent processing. | Any two of PCO MC, RMPP, DPPRM, CE or the Hearing panel or Commissioner sole appointed to hear and determine the particular application(s) | |
| S37(1)(a) and (b) | To extend the time period or to waive failure to comply with requirements for the time and method of service of documents and to extend time limits relating to a plan proposal. | Any two of MPP, MWQP, DPPRM, CE, or the Hearing panel or Commissioner sole appointed to hear and determine the particular plan proposal. | |
| S37(2)(a) and (b) | The power to waive compliance with a requirement or to direct the terms on which the omission or inaccuracy of any information required under the Resource Management Act, regulation or plan, or a procedural requirement that was omitted, shall be rectified relating to a plan proposal. | Any two of MPP, MWQP, DPPRM, or CE; or the Hearing Commissioners appointed to determine the particular plan proposal | |
| S38 | Power to appoint enforcement officers with any or all the powers of enforcement Officer and to issue warrants. | CE | |
| S39, 40, 41A, 41B, 41C (all subsections) | To determine the procedures for the conduct of a hearing. | The Hearing panel or Commissioners, or Commissioner sole appointed to hear and determine the particular plan proposal or consent application | |
| <u>S41D</u> | <u>To strike out part or all of a submission</u> | <u>Any two of MC, RMPP, MC, MWQP, DPPRM</u> | Objection rights apply |
| S42 | Authority to determine on behalf of the Council to make an order to protect sensitive information. | The Hearing panel Commissioners, or Commissioner sole appointed to determine particular proposal or consent application | |

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| S42A(1) | Authority to produce a report on a consent application, Regional Policy Statement or Regional Plan. | CO, CSO, MC, MPP, MWQP, PA, SCO, PCO, SCSO, SPA, RPL, RMPP, DPPRM, CE | |
| S42A(1) | Prepare a report on a proposed regional policy statement, regional plan or plan change. | MPP, MWQP, PA, SPA, DPPRM, CE | S42A |
| S42A(1AA) (b) | Authority to commission a report on a consent application. | Any two of PCO MC, RMPP, DPPRM, CE | |
| S42A(1AA) (b) | Authority to commission a report on a proposed regional policy statement, regional plan or plan change. | Any two of MPP, MWQP, DPPRM, CE | S42A |
| S42A(5) | Authority to waive compliance with S42A(3) if satisfied there is no prejudice to any person who should have been sent a copy of a report under the above section. | Any two of PCO, MC, RMPP, MWQP, MPP, DPPRM, CE | |
| S43A | Power to review under Section 128 all or any water, coastal or discharge permit as required by regulation when relevant national environmental standards have been made under Section 43. | Any two of PCO, MC, RMPP, DPPRM, CE | Exercise of delegation to be reported to Council or Consents Committee |
| S44, S46A | Make a submission on a proposed National Policy Statement, National Environmental Standard, NZ Coastal Policy Statement or amendment | DPPRM or CE | |
| S44A, | Prepare an amendment to a plan or proposed plan to give effect to a national environmental standard | MPP, MWQP, PA, SPA, DPPRM, CE | S44A, |
| S49 | Authority to make a submission to a board of inquiry. | Policy Committee or CE or DPPRM | Exercise of delegation to be reported to Council or Policy Committee |
| S55 | Prepare an amendment to a plan or proposed plan to give effect to a national policy statement | MPP, MWQP, PA, SPA, DPPRM, CE | |
| <u>S58I (1)(2)(3)</u> | <u>Power to amend an RPS/proposed RPS or Regional Plan/proposed Plan on the direction of an operative National Planning Standard</u> | <u>MPP, MWQP, PA, SPA, DPPRM, or CE</u> | |
| S82 | Referral of disputes between authorities to the Environment Court | CE | |
| S86 | Power to acquire land | CE | |

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| S87BB | Determine that an activity is a marginal or temporary permitted activity and give notice thereof. To return an application that is a deemed permitted activity | Any two of PCO, MC, RMPP, DPPRM, CE | |
| S87E | Decision on a request from a consent applicant for determination of the application by the Environment Court | DPPRM or CE | |
| S87F | Produce a report for the Environment Court on a matter that has been referred to it | DPPRM or CE | |
| S88(1) | Power to apply for resource consent on behalf of the Regional Council | DEMO, DEHS or CE | |
| S88(3) | Power to determine that an application for a resource consent is incomplete and the reasons for that determination. | CO, CSO, MC, SCO, PCO, SCSO, RMPP or DPPRM or CE | S357 objection and appeal rights apply |
| S91 | Determine not to proceed with processing an application pending applications for additional consents. | PCO or MC or RMPP or DPPRM or CE | S357 objection and appeal rights apply |
| S92 | Require an applicant to provide additional information. | SCO, PCO or MC or RMPP or DPPRM or CE | |
| S92(2) | To commission a report and to postpone notification or hearing of the application pending receipt. | Any two of PCO, MC, RMPP, DPPRM, CE | |
| S92A(2), 92B(2) | To determine the time within which further information requested under S92 must be provided. | CO or SCO, PCO or MC or RMPP or DPPRM | |
| S93 | To decide that a controlled activity does not have to be notified. | PCO, MC or RMPP or, DPPRM or CE | This section repealed |
| S95, 95A, 95B, 95C | Authority to determine whether the adverse effects of an activity on the environment will be minor, and if an application must be limited or publicly notified; | Any two of PCO, MC or RMPP or DPPRM or CE | |
| S95D | Forming an opinion on whether adverse effects are minor or more than minor. | Any two of PCO, MC or RMPP or DPPRM or CE | |
| S95B | To provide written approval of a resource consent application on behalf of Council as an adversely affected party. | CE or a relevant Director | |
| S95E | Power to form an opinion for the purposes of Section 94(1) as to who may be adversely affected by a consent application activity. | CO and SCO or PCO or MC; or RMPP or DPPRM or CE | |

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| S95A(4 9), 95B(10) | Authority to require notification of an application if special circumstances exist in relation to the application. | Any two of PCO, MC, RMPP, DPPRM, CE | |
| S95F | Decide if a customary rights group is an affected customary rights group | Any two of PCO or MC or RMPP or DPPRM or CE | |
| S95G | Decide if a customary marine title group is an affected customary marine title group | Any two of MC or RMPP or DPPRM or CE | |
| S96 | Make submissions to another consent authority in respect of a consent application. | DPPRM or DEHS or CE | |
| S99 | Authority to decide the parties who should be invited to pre-hearing meetings. | Any two of SCO, PCO, MC, RMPP, DPPRM, CE | |
| S99 | Authority to decide the parties who will be required to attend a pre-hearing meeting. | Any two of PRO, MC RMPP, DPPRM, CE | |
| S99 | Authority to decide who will chair a pre- hearing meeting. | DPPRM or CE and either the PCO or MC or RMPP | |
| S99 | Authority to determine that a person does not have a reasonable excuse for not attending a pre- hearing meeting when required to do so. Authority to decide not to process an application, or disregard a submission where the relevant applicant or submitter failed to attend the pre-hearing meeting. | DPPRM or CE and either the PCO or MC or RMPP | S357 objection and appeal rights apply |
| S99A | To decide that there should be mediation for parties to a consent application. To identify who should be invited to attend mediation. | Any two of PCO or MC, RMPP, DPPRM, CE | |
| S100 | To determine that a hearing is necessary if not requested. | Any two of PCO or MC, RMPP, DPPRM, CE | |
| S100A | Appoint commissioner to hear consent application on request of applicant or submitter | ORC - Commissioner Appointment Sub-Committee | |
| S101 | To fix a date, time and place for a hearing. | PCO or CS or MC or RMPP or DPPRM or CE. | |
| S102 & S103 | To exercise the Council's discretion's concerning the holding of joint hearings with other authorities and or combined hearing of two or more applications | Any two of PCO, MC, RMPP, DPPRM, CE | |
| S104 S104A S104B | To make decisions on applications for resource consents including determining conditions for non-notified | Any two of PCO, MC, RMPP, DPPRM, CE | |

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| <p>S104C S104D S104F S105 S107 S108 S217</p> | <p>and notified resource consents for controlled and discretionary and non-complying activities where:</p> <ul style="list-style-type: none"> - no submissions are received; or - any remaining submissions are neutral or in support of the application and no request is made for a hearing; or - the need for a hearing has been avoided by a submission being withdrawn or by the submitter agreeing with the proposed conditions of consent <p>Authority to decide non-notified resource consent applications to install or alter a bore.</p> | <p>PCO or MC or RMPP or DPPRM or CE</p> | |
| <p>S104 S104A S104B S104C S104D S104F S105 S107 S108 S217</p> | <p>To make decisions for resource consents including determining conditions, for consent applications where any submitter opposes the application, or an applicant and/or submitter wishes to be heard.</p> | <p>The Hearing panel or Commissioner sole appointed to hear and determine the particular application(s)</p> | |
| <p>S108</p> | <p>Authority to decide what conditions should be included in a resource consent that is to be granted.</p> <p>Authority to decide what conditions should be included in a non-notified consent to construct or alter a bore.</p> | <p>Any two of PCO, MC RMPP, DPPRM, CE or The Hearing panel or Commissioner sole appointed to hear and determine the particular application(s)</p> <p>PCO or MC or RMPP or DPPRM or CE</p> | |
| <p>S108A</p> | <p>Implementation of requirement in a resource consent for a bond to secure the performance of consent conditions.</p> | <p>Any two of PCO, MC, RMPP, DPPRM, CE, DCS or The Hearing panel or Commissioner sole appointed to hear and determine the</p> | |

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| | | particular application(s) | |
| S109 | Ascertain whether work carried out for the purposes of a resource consent bond condition has been completed satisfactorily and, in cases where work has not been completed, determine to undertake the work and recover costs from the consent holder out of money or securities deposited with the consent authority or bond. | Any two of PCO, MC, <u>MES</u> , RMPP, DPPRM, CE, LC | |
| S110 | Determine to retain any portion of a financial contribution paid, where a resource consent activity does not proceed. | Any two of PCO, RMPP, MC, DPPRM, CE, DCS | |
| S114 | To determine the most appropriate manner of notifying a decision. | MC or RMPP, SCO, PCO or DPPRM or CE or | |
| S120 | Authority to lodge an appeal, not to lodge an appeal, or to withdraw an appeal made, to the Environment Court on a resource consent application decision. | DPPRM or CE | Exercise of delegation to be reported to Council or Regulatory Committee |
| S124 | To permit an applicant to continue to operate pending determination of an application for a replacement consent as provided for S124(b). | Any two of PCO, MC, RMPP, DPPRM, CE | S357 objection and appeal rights apply |
| S125 | To extend time within which a consent must be exercised before it lapses. | PCO or MC or RMPP or DPPRM or CE | S357 objection and appeal rights apply |
| S126 | Authority to give written notice to cancel a resource consent which has been exercised but has not been exercised during the preceding 5 years unless otherwise expressly provided. | PCO or MC or RMPP or DPPRM or CE or LC | S357 objection and appeal rights apply |
| S126(2) | Power to revoke a notice of cancellation of a resource consent. | PCO or MC or RMPP or DPPRM or CE or LC | |
| S127 | To exercise the Council's discretion re non-notification of applications for minor variation to consents. | Any two of PCO, MC, RMPP, DPPRM, CE | |
| S128, 129 | Authority to serve notice of intention to review the conditions of a resource consent and to propose new conditions. | Any two of PCO, MC, RMPP, DPPRM, CE | S357 objection and appeal rights apply |
| S130 | Authority to determine whether to dispense with notification of a notice of review of the conditions of a resource consent. | Any two of PCO, MC, RMPP, DPPRM, CE | |
| S131, S132 | Authority to make decisions on a review of resource consent conditions. | Any two of PCO, MC, RMPP, | |

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| | | DPPRM, CE or The Hearing panel appointed to hear and/or decide on the particular application(s) | |
| S133A | Authority to issue an amended consent that corrects minor mistakes or defects in the consent. | CSO or SCSO or PCO or MC or RMPP or DPPRM or CE | |
| S136(1) or 136(2)(a) | Authority to update records to show the transfer of a resource to another consent holder at the same site. | CSO, or SCSO or CO or SCO, or PCO or MC or RMPP or DPPRM or CE | |
| S136(2)(b) & 136(4) | Authority to approve the transfer of a water permit in whole or in part to another person on another site or to another site. | Any two of PCO, MC, RMPP, DPPRM, CE | |
| S137 (1)(2) | Authority to update records to show the transfer of discharge permits to new owners. | CSO, or SCSO or CO or SCO, PCO MC or RMPP or DPPRM or CE | |
| S137 3)-(7) | Authority to allow the transfer of a discharge permit to a new site | Any two of PCO, MC, RMPP, DPPRM, CE. | Our Regional Plans must provide for this before this delegation can be exercised. |
| S138 | To accept or refuse the surrender of a resource consent, and to direct that a person need not complete any work to give effect to the consent. | Any two of PCO, MC, RMPP, DPPRM, CE | |
| S139, S139A | To grant or decline a Certificate of Compliance or existing use certificate | PCO or MC or RMPP or DPPRM or CE. | S357 objection and appeal rights apply |
| S142 | Request that a consent application is called in by the EPA | CE | |
| S142(4) | Provide views of ORC to the minister | DPPRM or CE | |
| S149, S149B | Provide a report or documents to the EPA on a matter that has been called in or referred to it. | SCO, PCO, MC, RMPP, SPA, MPP, MWQP, DPPRM | |
| S149E, S149F, S149O | Make a submission to the EPA on a matter that has been called in or referred to it. | DPPRM, CE | |
| S149K | Provide suggestions to the Minister for members of a Board of Inquiry | DPPRM or CE | |
| S149G | Prepare a report for the EPA on key planning matters relating to a called in application | MC or RMPP or MPP or MWQP or DPPRM or CE | |
| S 149M S149N | Provide comments or information to EPA on proposed plans or plan changes | DPPRM or CE | |

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| S149Q | Make comments on draft report produced by the EPA | DPPRM, CE | |
| S149V, S299 | Decide to appeal decision of EPA or Environment Court to the High Court or higher Courts on points of law | CE | |
| S149Z | Make application for costs to EPA | DCS or DPPRM, or CE | |
| S165D | Authority to refuse to receive an application for a coastal permit. | MC, RMPP, DPPRM, CE | S165D |
| S165L(2) | Request Minister to approve method to allocate common marine & coastal area | DPPRM or CE | To be reported to Regulatory Committee |
| S165P | Publicly notify an offer of authorisation by the Minister for a coastal permit for the occupation of space | MC, RMPP, DPPRM, CE | S165P |
| S165X | Accept offers for authorisations in common marine and coastal space area | Any two of DCS, DPPRM, CE | |
| S165ZB | Request Minister to suspend applications for coastal permits for aquaculture and give public notice thereof | DPPRM or CE | To be reported to Regulatory Committee |
| S165ZF | Request that Minister directs coastal permits for aquaculture to be processed and heard together | DPPRM or CE | |
| S165ZFE(2) | Give notices of process requirements | PCO or MC or RMPP or DPPRM or CE. | |
| S165ZFE(4) | Decide whether to grant applicants' request that all applications be determined by the Environment Court | PCO or MC or RMPP or DPPRM or CE. | |
| S168 | Authority to give a notice of requirement for a designation to a territorial authority | CE, or DEHS or DPPRM | To be reported to Council |
| S172 | Power to make a decision on a recommendation on a notice of requirement for a designation. | CE or DEHS or DPPRM | |
| S174 | Authority to appeal a decision of the territorial authority relating to a designation | CE | |
| S176 and 178 | Power to approve activities on land affected by designation | CE, or DEHS or ME | |
| S176A | Prepare an outline plan to be constructed on designated land | CE, or DEHS or ME | |
| S181 | Authority to amend a designation | CE, or DEHS or DPPRM | |
| S182 | Authority to remove a designation | CE | To be reported to Council |
| S184 | Power to seek extension of a designation before lapsing | CE | |
| S186 | Authority to compulsorily acquire land | CE | To be reported to Council |

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| S195 | Authority to appeal a matter subject to a heritage order | CE | |
| S205, 209, | Authority to make a submission to a special tribunal on a water conservation order; or appeal to the Environment Court; | DPPRM, CE | |
| S211 | Authority to decide to appear at proceedings before the Environment Court and call evidence for the Council as a local authority. | CE or DPPRM and LC | Exercise of delegation to be reported to Council |
| S216 | Power to apply to vary or revoke a Water Conservation Order | CE | |
| S237D | Transfer of land to Regional Council | CE | |
| S245 | Authority to approve or decline a plan of survey of reclamation. | CE | Requires Council seal |
| S267 | To participate in Environment Court conferencing | MC or RMPP or MPP or MWQP or DPPRM or CE | |
| S267, <u>S268A</u> | Request an Environment Judge to convene a conference. Authority to make decisions in a Court ADR process, or seek leave to not participate in an ADR process | RMPP or MC or MPP or MWQP DPPRM or CE | ADR is alternative dispute resolution |
| S268 | Request or consent to additional dispute resolution. | RMPP or MC DPPRM or CE | Procedural matter only |
| S274 | Authority to give notice or to decide not to give notice to the Environment Court under Section 274 of the Resource Management Act that the Council wishes to be a party to an appeal, reference or inquiry hearing on a decision on a matter to which the Council made a submission. | CE or DPPRM or LC | |
| S274, <u>275</u> , <u>277A</u> | Authority to decide to appear at proceedings before the Environment Court and call evidence or <u>new evidence</u> for the Council as a local authority. | CE or DPPRM and LC, <u>MC, RMPP, MPP, MWQP</u> | Exercise of delegation to be reported to Council or Regulatory Committee |
| S281 | To deal with waivers and directions from Environment Court in respect of proceedings related to procedural matters. | RMPP or MC or DPPRM or LC or CE | Procedural matter only |
| S292 | Authority to remedy a defect in a regional plan on the direction of the Environment Court. | MPP, MWQP, DPPRM, CE | S292 |
| S294 | Apply to the Environment Court for a rehearing of its proceedings where after the Court's decision, new and important evidence becomes available. | CE | Exercise of delegation to be reported to Council or Regulatory Committee |

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| S299 & S305 | To initiate an appeal to the High Court on a question of law. | A relevant Committee of ORC or CE | Exercise of delegation to be reported to Council or Regulatory Committee |
| S301 | Give notice of intention to appear in the High Court on any appeal against an Environment Court decision, report or recommendation. | CE | |
| S308 | To initiate an appeal to the Court of Appeal on a question of law | A relevant Committee of ORC or CE | Exercise of delegation to be reported to Council or Regulatory Committee |
| S311 | To seek and/or respond to a declaration. | A relevant Committee of Council or CE | Exercise of delegation to be reported to Council or Regulatory Committee |
| S314 S316 S318 S320 S321 | To seek and/or respond to an enforcement order. To seek and/or respond to an interim enforcement order. To seek and/or respond to a change or cancellation of an order. | A relevant Committee of Council or CE | Exercise of delegation to be reported to Council or Regulatory Committee |
| S322 | To decide to serve an abatement notice. | Any two of LC, MES, CE | Appeal rights to the Environment Court exist |
| S325A | Authority to cancel an abatement notice. | Any two of CE, MES, TLIE or LC | An abatement notice shall not be cancelled by the officer who issued the notice |
| S325B | Apply to the Environment Court for an Enforcement Order. | CE or LC | Exercise of delegation to be reported to Council or Regulatory Committee |
| S329 | To issue, amend or revoke a water shortage direction. | DPPRM or CE | Exercise of delegation to be reported to Council or Regulatory Committee |

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| S330 | To undertake emergency works. | CE or any two Directors | Exercise of delegation to be reported to Council or Regulatory Committee |
| S330A | Power to apply for retrospective consent for emergency works | DEMO, DEHS or CE | |
| S331 | To seek enforcement order for reimbursement of costs associated with emergency works. | CE | Exercise of delegation to be reported to Council or Regulatory Committee |
| S334 | To seek a search warrant. | LC or CE | Exercise of delegation to be reported to Council or Regulatory Committee |
| S338 | To initiate and withdraw a prosecution for an offence against the Act. | CE | Exercise of delegation to be reported to Council or Regulatory Committee |
| S343B | To decide that an infringement notice should be served or withdrawn | Any two of MES, LC or CE | |
| S343C | To commence proceedings for a defended infringement notice | CE | |
| S355B | Power of Regional Council to act against unlawful reclamations | CE | |
| S356 | To seek an order for a consent related issue to be determined by arbitration. | CE | |
| S357 S357A S357B | Authority to consider and decide any objection made under any provision of Section 357 of the Resource Management Act, where the consent holder is satisfied with a recommendation and does not wish to be heard. | Any two of MC, RMPP, DPPRM and CE, not being the two who made the decision being objected to | |
| S357 S357A S357B | Authority to consider and decide any objection made under any provision of Section 357 of the Resource Management Act, where consent holder wishes to be heard. | The Objections Committee | Subject to appeal |
| S388 | To require a person to supply information relating to the exercise of a consent. | LC or MC or MES or RMPP or DPPRM or CE | |

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| S417 | To sign off a certificate that defines the line of a water race on land, as authorised by a relevant mining privilege. | Any two of RMPP, DPPRM, DCS and CE | |
| <u>1st Schedule, Clause 1A, 4A</u> | <u>Consult with iwi and provide documents on proposed RPS or Regional Plan under any applicable Mana Whakahono a Rohe</u> | <u>DPPRM or CE or MPP or MWQP</u> | |
| <u>1st Schedule Clause 7(3)</u> | <u>Service notice on persons where decision made to have limited notification of a Policy Statement or Plan</u> | | |
| <u>1st Schedule Clause 6 and 8,</u> | <u>Make a submission and further submissions on a regional planning document of another region</u> | DPPRM, CE | |
| <u>1st Schedule Clause 6 and 8</u> | <u>Make a submission and further submissions on a district planning document of a territorial authority.</u> | DPPRM, CE | |
| <u>1st Schedule Clause 38</u> | <u>Give notice of proposed plan change</u> | <u>MPP or MWQP or DPPRM or CE</u> | |
| <u>1st Schedule Clause 43</u> | <u>Give public notice of Collaborative Group and its terms of reference</u> | <u>MPP or MWQP or DPPRM or CE</u> | <u>Collaborative group membership and terms of reference decided by Council</u> |
| <u>1st Schedule Clause 45</u> | <u>Give public notice of a Collaborative Group's report</u> | <u>MPP or MWQP or DPPRM or CE</u> | |
| <u>1st Schedule Clause 47</u> | <u>Provide draft Policy Statement or Plan to iwi</u> | <u>MPP or MWQP or DPPRM or CE</u> | |
| <u>1st Schedule Clause 48</u> | <u>Prepare evaluation report</u> | <u>MPP or MWQP or DPPRM or CE</u> | <u>Reference Panel appointed by Council</u> |
| <u>1st Schedule Clause 49</u> | <u>Publicly notify an Policy Statement or Plan change</u> | <u>MPP or MWQP or DPPRM or CE</u> | |
| <u>1st Schedule Clause 51</u> | <u>Prepare analysis of submissions and provide to parties/take action under 51 (2)</u> | <u>MPP or MWQP or DPPRM or CE</u> | |
| <u>1st Schedule Clause 55</u> | <u>Prepare evaluation report under (4)</u> | <u>MPP or MWQP or DPPRM or CE</u> | |
| <u>1st Schedule Clause 57</u> | <u>Give notice of decisions under Clause 55</u> | <u>MPP or MWQP or DPPRM or CE</u> | |
| <u>1st Schedule Clause 76</u> | <u>Provide further information to Minister</u> | <u>MPP or MWQP or DPPRM or CE</u> | |
| <u>1st Schedule Clause 81</u> | <u>To request a time extension from the Minister</u> | <u>MPP or MWQP or DPPRM or CE</u> | |
| <u>1st Schedule Clause 83</u> | <u>Prepare and provide reports and documents to the Minister</u> | <u>MPP or MWQP or DPPRM or CE</u> | |
| <u>1st Schedule Clause 90</u> | <u>Give public notice of Minister's decision and serve on parties</u> | <u>MPP or MWQP or DPPRM or CE</u> | |

5. Regional Plan: Water for Otago

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| Rules: 12.1.2.4, 12.1.2.5, 12.2.2.2, 12.2.2.5 and 12.2.2.6 | To suspend permitted activity takes of water as provided for in the Regional Plan: Water for Otago. | CE | Exercise of delegation to be reported to Council or Regulatory Committee |
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It is noted that the Council resolved on 4 June 2013 *“that the Chief Executive is authorised on behalf of the Otago Regional Council to initiate, prosecute, withdraw and do all other things necessary to conduct appeals as follows:*

- (1) *Environment Court to the High Court*
- (2) *District Court to the High Court*
- (3) *High Court to the Court of Appeal*
- (4) *Court of Appeal to Supreme Court”*

6. Water and Soil Conservation Amendment Act 1971 (carried over by S413 RMA)

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| S12 | Issue a certificate of priority. | CSO or SCSO or CO or SCO or MC or RMPP | |
| S14(1)(d) | Direct privilege holder to stop water running to waste. | MES or DPPRM or CE or warranted enforcement officer under the RMA | |
| S14(1)(g) | Require structures permitting private or public access over water races to be kept in good repair, order and condition. | MES or DPPRM or CE or warranted enforcement officer under the RMA | |
| S14(1)(h) | Require privilege holder to record and report to the Board information concerning the exercise of the privilege. | MES or DPPRM or MC or RMPS or CE | |
| S14(2) | Give directions for the repair, strengthening or otherwise of dams. | MES or DPPRM or DEHS or CE | |
| S16(2) | Determination of what is a reasonable quantity of domestic needs of animals or for fire-fighting. | MES or CO or SCO or PCO or MC or DPPRM or RMPP or CE | |
| S30 | Provide certified copies of privileges. | CSO or SCSO or RMPP | |

7. Soil Conservation and Rivers Control Act 1941

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| S126 | To carry out its functions under the Act, including the power to construct, reconstruct, alter, repair, and maintain works to control or regulate water or to prevent or lessen the | DEHS | |
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| | overflow or breaking of banks of any watercourse. | |
| S132 | Power to enter land for survey and investigation | DEHS or ME |
| S133 | Maintenance and improvement of watercourses and defences against water | DEHS |
| S135 | To exercise the incidental powers of Boards associated with works required under this Act. | DEHS |
| S136 | Notice to authority before interfering with roads etc. | DEHS |
| S137 | Notice in respect of works to be undertaken on private land | DEHS |
| S138 | To apportion cost of works with owners of lands | DEHS |
| S139 | To purchase land on a system of time payment (if approved by the Minister) | DEHS |

8. Delegations related Crown Minerals Act 1991 (CMA)

The Crown Minerals Act provided transitional provisions for mining licences issued under the Mining Act 1971 which was repealed in 1991. There is now only one residual section left in schedule 1 of the Crown Minerals Act 1991 that refers to Regional Councils

| Section | Description of function | Delegated to | Comments |
|-----------------|---|--------------|----------|
| Schedule 1 (16) | Require the holder of a coal mining right to increase the amount of bond or deposit | DCS or CE | |
| Schedule 1 (16) | To make a determination whether the holder of an existing mining privilege has complied with the terms and conditions of the privilege. | DCS or CE | |

9. Delegations related to the Building Act 2004

The functions, powers and duties listed in the table below account for the recent changes to the Building Act 2004 arising from the Building Amendment Act 2013. It is noted that the table lists only those functions, powers and duties where some discretion as to how the Building Consent Authority/Regional Authority should act exists. It does not list those where there is no discretion.

The abbreviations in the table have the following meanings:

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| CE | Chief Executive |
| CSO | Consent Support Officer |
| DCS | Director Corporate Services |
| DEHS | Director Engineering Hazards and Science |
| DPPRM | Director Policy Planning and Resource Management |
| LC | Legal Counsel |
| MA | Management Accountant |
| MC | Manager Consents |
| MES | Manager Environmental Services |
| PCO | Principal Consents Officer |
| SCO | Senior Consents Officer |

| Statutory ref | Description | Delegated to |
|----------------------|---|-------------------------|
| | Project Information Memoranda | |
| S33(1)(b) or (c) | Further information required where a PIM has been applied for | SCO or PCO or SIE or MC |
| S34(4) | Re-issue of a PIM in certain circumstances | MC or DEHS or DPPRM |
| S37(1) | Deciding whether to issue a certificate | SCO or PCO or SIE or MC |
| | Building consents | |
| S45(1)(c) | Specifying the information that the BCA “reasonably requires” to be lodged with a building consent application or application for a minor variation | SCO or PCO or SIE or MC |
| S45A | Deciding to grant a minor variation to building consent | DEHS or DPPRM or CE |
| S47(3) | Proceeding to determine a building consent application without an NZFSC memorandum | SCO or PCO or SIE or MC |
| S48(1) | Deciding on a building consent application or an application for a minor variation | DEHS or DPPRM or CE |
| S48(2) | Deciding whether further information is required | SCO or PCO or SIE or MC |
| S49 | Deciding to grant a building consent | DEHS or DPPRM or CE |
| S49(2) | Declining to grant a building consent until any charges or levies payable are paid | DEHS or DPPRM or CE |
| S50 | Refusing the application for building consent | DEHS or DPPRM or CE |
| S51(3) | Deciding whether to grant a building consent in the absence of a PIM | SCO or PCO or MC |
| S52(b) | Allowing a lapse period beyond 12 months for a building consent | DEHS or DPPRM or CE |
| | Building Levies | |
| S53(2) | Determining the estimated value of building work for the purposes of calculating levies | SCO or PCO or SIE or MC |
| S62(2) | Recovery of unpaid levies from building consent applicant | MA or DCS or CE |

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| | Waivers and Modifications | |
| S67(1) and (2) | Decision to grant an application for a building consent subject to a waiver or modification and to impose any conditions | DEHS or DPPRM or CE |
| | Construction of dams on land subject to natural hazards | |
| S71(2) | Determining whether adequate provision has been made in respect of certain aspects relating to natural hazards | SCO or PCO, or SIE or MC |
| S72 | Determining whether the matters in s72 relating to natural hazards are satisfied | SCO or PCO, or SIE or MC |
| S74(3) | Determining whether the matters in s74(3) apply | SCO or PCO, or SIE or MC |
| S83(3) | Deciding to approve the removal of entry on a certificate of title | SCO or PCO or SIE or MC |
| | Code compliance certificates | |
| S93(1), S93(4) and S94 | Deciding whether to issue a code compliance certificate | DEHS or DPPRM or CE |
| S93(2) | Agreeing on a period beyond two years for an application for a code compliance certificate | MC or DEHS or DPPRM |
| S93(4) | Requiring further information in relation to an application for a code compliance certificate | SCO or PCO, or SIE or MC |
| | Certificates of acceptance | |
| S96(1) and S98(1) | Deciding whether to issue a certificate of acceptance | DEHS or DPPRM or CE |
| S97(c) | Specifying the information that the regional authority “reasonably requires” to be lodged with an application for a certificate of acceptance | SCO or PCO or SIE or MC |
| S98(2) | Requiring further information in relation to an application for a certificate of acceptance | SCO or PCO or SIE or MC |
| S99(2) | Qualifying a certificate of acceptance to the effect that only parts of the building work were able to be inspected. | DEHS or DPPRM or CE |
| | Compliance schedule | |
| S102(2) | Charging of a fee for the issue of a compliance schedule | MA or DCS or CE |
| S106(3) | Specifying the information that the regional authority “reasonably requires” to be lodged with an application for an amendment to a compliance schedule | SCO or PCO or SIE or MC |

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| S106(4) | Deciding whether to amend a compliance schedule in response to an application to do so | DEHS or DPPRM or CE |
| S107(2) | Deciding whether to amend a compliance schedule on the regional authority's own initiative | DEHS or DPPRM or CE |
| | Annual Building Warrant of Fitness | |
| S109(c) | Decision to accept a recommendation to amend a compliance schedule arising from the annual building warrant of fitness | DEHS or DPPRM or CE |
| S110(c) | Requirement to produce compliance schedule reports under s110(a) | MEDP or MES or CE |
| S111(1) | Decision to inspect building work or specified systems where a compliance schedule has been issued | MEDP or MES or DEHS or CE |
| S111(2) | Charging of a fee for inspections under s111(1) | MA or DCS or CE |
| | Alterations to existing buildings | |
| S112 | Decision to grant building consent for an alteration to an existing building | DEHS or DPPRM or CE |
| S113 | Dealing with buildings with less than a 50 year life | DEHS or DPPRM or CE |
| | Change of Use, extension of life and subdivision of land | |
| S115 | Decision to allow the change of use of a building | DEHS or DPPRM or CE |
| S116(1) and S116(3) | Decision to allow the extension of life of a building | DEHS or DPPRM or CE |
| | Note that Sections 134 to 156 are only activated with regulations, that have not been enacted. | |
| | Classification of Dams | |
| S134A(1) | Requiring owner to classify a referable dam | MEDP or DEHS or DPPRM or CE |
| S136(1) and S136(2) | Decision to approve or refuse a dam classification | MEDP or DEHS or DPPRM or CE |
| S138(1) | Requiring re-audit of a classification | MEDP or DEHS or DPPRM or CE |
| S138(2) | Specifying a period beyond 15 working days for a dam classification re-audit | MEDP or DEHS or DPPRM or CE |
| | Dam safety assurance programmes | |

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| S143(1) | Decision to approve or refuse to approve a dam safety assurance programme | MEDP or DEHS or DPPRM or CE |
| S145(1) | Requiring re-audit of a dam safety assurance programme | MEDP or DEHS or DPPRM or CE |
| S145(2) | Allowing a period beyond 15 working days for a dam safety assurance programme to be re-audited | MEDP or DEHS or DPPRM or CE |
| S146(2)(b) | Requesting a review of the dam safety assurance programme for earthquake-prone or flood-prone dam | MEDP or DEHS or DPPRM or CE |
| S148(a)(iii) | Decision on keeping a dam safety assurance programme in a place agreed by the Regional Council and the owner | MEDP or DEHS or DPPRM or CE |
| | Dangerous dams | |
| S154(1) | Determining that a dam is dangerous in terms of s153 | DEHS or DPPRM or CE |
| S154(1) | Decision to require actions specified in s154(1) in relation to dangerous dams | DEHS or DPPRM or CE |
| S155(1)(b) | Determining whether building consent required in respect of work required by a notice to fix | SCO or PCO or SIE or MC |
| S156(1) | Decision whether to apply to the District Court for an order enabling the regional authority to carry out building work | CE |
| S156(3)(b) | Decision to recover costs of regional authority undertaking building work in accordance with s156(1) | DCS or CE |
| S157(2) | Decision to take action to avoid immediate danger | DEHS or DPPRM or CE |
| S157(3)(b) | Decision to recover costs of regional authority taking action in accordance with s157(2) | DCS or CE |
| S158 | To make an application to the District Court to confirm warrant for emergency work on a dam | DEHS or DPPRM or CE |
| | Notices to fix | |
| S164(1) | Determination that a notice to fix should be issued | LC or DEHS or DPPRM or CE |
| S164(3) | Determination that another authority should issue a notice to fix | LC or DEHS or DPPRM or CE |
| S165(1)(a) and (b) | Determining a reasonable timeframe within which a Notice to Fix must be complied with | LC or DEHS or DPPRM or CE |
| S165(1)(c) and (d) | Determining whether a Notice to Fix should include a requirement to apply for a certificate of acceptance or a building consent (or amendment to an existing building consent) | LC or DEHS or DPPRM or CE |

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| S165(1)(f) | Determining whether a Notice to Fix should include a direction to make the site safe and/or cease building work and, if so, determining if and when work is able to resume | LC or DEHS or DPPRM or CE |
| S167 | Determining whether a Notice to Fix has been complied with and authorising the response in accordance with the Act | LC or DEHS or DPPRM or CE |
| | Determinations | |
| S177 and S180 | Making and withdrawing an application for a determination | CE |
| S182(2) | Commencement of proceedings in the High Court where the matter has been the subject of a determination | CE |
| S185(2)(b) | Agreeing on a period beyond 60 working days for making a determination | CE |
| S189(b)(ii) | Agreement to amendment of a determination for clarification purposes | CE |
| S190(3) | Filing a direction in the District Court as to costs in respect of a determination | CE |
| | Registration as a Building Consent Authority | |
| S194 | Making application for registration as a building consent authority | CE |
| S200 | Responding to complaints about building consent authorities | CE |
| S202 | Commencement of an investigation | CE |
| | Appeals | |
| S208, S209 | Appealing a decision of the CEO of the Ministry responsible for the administration of the Building Act | CE |
| | Carrying out building work on default | |
| S220(2) | Making application to the District Court for an order in respect of building work required to be done | CE |
| S220(4)(b) | Recovery of costs associated with carrying out building work authorised under s220(2) | CE |
| S221(2)(a) | Disposal, sale etc of materials that result from carrying out building work authorized under s220(2) | CE |
| S222 | To authorise persons to carry out inspections under Act | CE |

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| | Responsibilities of a BCA that is not a Territorial Authority | |
| S240(1) | Power to impose fees for performing functions under the Building Act | DCS or CE |
| S240(2) | Refusal to perform functions under the Building Act where fees, charges or levies are unpaid | DEHS or DPPRM or CE |
| S243 | Power to impose fees or charge and recovery costs, and collect levy | DCS or CE |
| | Transfer of functions, duties and powers of a regional authority | |
| S244 | Decision to transfer Building Act functions to/from another regional authority | CE |
| S246(b) | Agreement on the terms and conditions of a transfer of powers under the Building Act | CE |
| S247(1)(b) | Cancellation of transfer of powers under the Building Act | CE |
| S247(2) | Changing or revoking a transfer | CE |
| | Accreditation | |
| S252(4) | Request to change the scope of accreditation | DEHS or DPPRM or CE |
| S253 | Application for accreditation to perform Building Consent Authority functions | DEHS or DPRM or CE |
| | Review | |
| S276(2)(b) | To make submissions on a review of the regional authority | DEHS or DPPRM or CE |
| | Fees and charges | |
| S281A(2) | Deciding how a fee or charge is set | DCS or CE |
| S281A(3) | Deciding whether to impose a fee or charge | DCS or CE |
| S281B | Increasing the amount of a fee or charge to meet the additional cost | DCS or CE |
| S281C | Waiving or refunding a fee in whole or part | DCS or CE |
| | Discipline | |
| S315(1) | Making a complaint about a licensed building practitioner | DEHS or DPPRM or CE |

| | | |
|------------------|---|---------------------------|
| | Offence relating to building control | |
| S363A(2) | Deciding whether to issue a certificate for public use | DEHS or DPPRM or CE |
| | | |
| S363A(5) | Deciding and requesting further reasonable information | SCO or PCO or SIE or MC |
| | Proceedings for infringement offences | |
| S371(2) | Commencement of proceedings where an infringement notice has been issued | CE |
| S371B(2) | Authorising officers to issue infringement notices | CE |
| | Proceedings for offences generally | |
| S377 | Laying informations for offences under the Building Act | CE |
| S381(1) and (2) | Making application to the District Court for an injunction | CE |
| | Regulations | |
| S403(4)(b) | Making submissions as an “interested person” to proposed Orders in Council or regulations | DEHS or DPPRM or CE |
| | Schedule 1 | |
| Part 1, Clause 2 | Deciding whether a building consent is not necessary | MC or DEHS or DPPRM or CE |

10. Resource Management (Measurement and Reporting of Water Takes) regulations 2010

| Regulation | Description | Delegation |
|-------------------|--|-------------------------------------|
| 6(5) | Approving the format of records | Any two of MC, MES, RMPP, DPPRM, CE |
| 7(4) | Determining whether the verifier is suitably qualified | Any two of MC, MES, RMPP, DPPRM, CE |
| 8(4) and (6) | Power to request evidence from the consent holder | Any two of MC, MES, RMPP, DPPRM, CE |
| 9 | Approval to measure water weekly instead of daily | Any two of MC, MES, RMPP, DPPRM, CE |
| 10(1) | Approval to measure water take not at the point of take, | Any two of MC, MES, RMPP, DPPRM, CE |

| | | |
|----|--|-------------------------------------|
| 11 | Revoke approval given under regulation 9 or 10 | Any two of MC, MES, RMPP, DPPRM, CE |
|----|--|-------------------------------------|

11. Marine Transport Act 1994

| | | |
|-------------------|---|------------|
| S33D | appoint a Harbourmaster for any port, harbour or waters in the Otago Region | CE |
| S33G | Appoint enforcement officers | CE |
| S33I | To undertake harbour works for the purpose of ensuring maritime safety | CE |
| S33L | To deal with an abandoned ship | CE or DEMO |
| S200(3A) | To erect, place, and maintain navigational aids | CE or DEMO |
| S318 ¹ | Appoint a regional on-scene commander for the Otago region; and Appoint a person(s) who shall perform the functions and duties of an on-scene commander, should the position be vacant or the on-scene commander absent | CE |
| S33J ² | Removing or dealing with wrecks | CE |

12. Local Government Act 2002 and Otago Regional Council Bylaws

| Section | Description of function | Delegated to | Comments |
|---------|--|--------------|----------|
| S174 | To appoint an "authorised person" for the purposes of exercising functions, powers and duties under the: <ul style="list-style-type: none"> Local Government Act 2002; Building Act 2004; Otago Regional Council Bylaws; Soil Conservation and Rivers Control Act 1941; and Land Drainage Act 1908³. | CE | |
| S162 | To seek an application for an injunction restraining a person committing a breach of a Bylaw or an offence against this Act. | CE | |

¹ Council approved delegation on 20 July 2016 refer report 2016/0898

² Council approved delegation on 20 July 2016 refer report 2016/0898

³ Council approved delegation on 9 December 2015 refer report 2015/1271

| | | | |
|--|--|---------------------------|--|
| S163 | Remove or alter a work or thing that is, or has been, constructed in breach of a Bylaw. To recover costs of removal/alteration. | CE or DEHS | |
| S164 | To seize and impound property not on private land | CE | |
| S165 | To seek a search warrant | CE | |
| S168 | To dispose of property seized and impounded | CE | |
| S173 | To authorise the entry of property in cases of emergency | CE | |
| S175 and 176 | To authorise the recovery of damages | CE | |
| S181 | To authorise the construction of works on private land | CE | |
| S186 | To approve works if owner or occupier defaults | CE | |
| S187 | To approve the recovery of costs | CE or DCS | |
| S189 and S190 | Power to acquire land | CE | |
| S238 and S239 | To initiate and withdraw a prosecution for an offence against this Act. | CE | |
| Flood Protection Management Bylaw ¹ | To approve/refuse or revoke authority under the Bylaw | ME or DEHS or DPPRM or CE | |

13. Biosecurity Act 1993

| Section | Description of function | Delegated to | Comments |
|--------------------|--|--------------|----------|
| Ss70-75, 100H | Prepare and review a regional pest management plan | DPPRM, CE | |
| S78 | Exempt a person from a requirement in a rule in a regional pest management plan. | DPPRM, CE | |
| Ss 90-95, 100H | Prepare and review a regional pathways management plan | DPPRM, CE | |
| S98 | Exempt a person from a requirement in a rule in a regional pathways management plan. | DPPRM, CE | |
| S100M, 100N | Recovery of a levy for a debt due | DCS, CE | |
| S100V | Prepare a small-scale management programme | CE | |
| S154M, S154N, 154O | To initiate and withdraw a prosecution for an offence against this Act. | CE | |

14. Civil Defence Emergency Management Act 2002

| Section | Description of function | Delegated to | Comments |
|---------|--|--|----------|
| S20 | Membership of the CDEM Co-ordinating Executive Group | CE (or a person acting on the CE's behalf) | |

¹ Council approved delegation on 12 February 2014 refer report 2014/0580

15. Land Transport Management Act 2003

The abbreviations in the table have the following meanings:

DCS Director Corporate Services
MSS Manager Support Services

| Section | Description of function | Delegated to | Comments |
|---------------|--|--------------|----------|
| S127 | Power to require information from operators of public transport services, including obligations to public patronage data and disclose other data to a person who is registered by the regional council to tender for the provision of a unit | DCS or MSS | |
| S128 | Power to make decisions on release of information and duty to consult with organisation | DCS or MSS | |
| S133 | Notice of exempt services | DCS or MSS | |
| S134 | Decide on the grounds in section 134 to decline registration or variation of exempt services | DCS or MSS | |
| S136 | Registration of exempt services or variation to exempt services | DCS or MSS | |
| S137 | Decide to deregister an exempt service and removing details of variations | DCS or MSS | |
| S138 | Process for deregistering exempt services or removing details of variations | DCS or MSS | |
| S139(2) & (3) | Withdrawal of exempt services | DCS or MSS | |
| S146-149 | Record and manage offences, including making decisions to prosecute | CE | |

16. General

| | |
|--|----------------------------|
| Authorisation to make decisions concerning the conduct and settlement of proceedings in the Environment Court or of other jurisdictions. | CE or DCS or DPPRM or DEHS |
|--|----------------------------|

17. Conclusions

The Council is required to administer legislation under the Resource Management Act 1991, Mining Act 1971, Crown Minerals Act 1991, Building Act 2004, Local Government Act 2002, Water and Soil Conservation Amendment Act 1971, Crown Minerals Act 1991, Biosecurity Act 1993, Maritime Transport Act 1994, Soil Conservation and Rivers Control Act 1941, Civil Defence Emergency Act 2002, Land Transport Act 2003, regulations and bylaws. In order to ensure that this requirement is performed efficiently and lawfully, Council officers need to have delegated authority from the Council to make decisions. The above delegations are therefore sought from Council.

18. Recommendation

a) *That Council approve the above schedule of delegations.*

Endorsed by: Tanya Winter
Director Policy, Planning & Resource Management

Attachments

Nil

11.1.10. Peninsula Bus Service RPTP Implications

Prepared for: Council
Activity: Transport – Public Passenger Transport –
Prepared by: Gerard Collings, Manager Support Services
Date: 20 June 2018

1. Précis

This report provides Council with legal advice requested at the 13 June 2018 Finance and Corporate meeting around the significance policy within the Council's Regional Public Transport Plan (RPTP).

2. Background

At the 13 June 2018 Finance and Corporate meeting, the Committee resolved;

That legal comment is sought on the trip point for the significance policy of the RPTP and a report be brought back to the 27 June Council meeting.

In line with the committee resolution, staff have sought legal advice on the necessary consultation required to implement the changes resolved at the 13 June Finance and Corporate meeting (attached appendix 1).

3. Next Steps

Having received the legal advice requested, staff seek a direction from Council on how it wishes to proceed with the proposed changes to the Peninsula Service, in particular, the level of consultation it wishes to undertake.

4. Recommendation

a) That this report be received.

Endorsed by: Nick Donnelly
Director Corporate Services

Attachments

Appendix 1

Appendix 1

ROSS DOWLING MARQUET GRIFFIN
BARRISTERS AND SOLICITORS

Telephone: (03) 477-8046
Facsimile: (03) 477-8988
Website: www.rossdowling.co.nz
Postal Address: P.O. Box 1144, Dunedin 9054, New Zealand
DX YR80015
Office Address: Second Floor, Savoy Building, 50 Princes Street,
Dunedin 9016, New Zealand
Trust Account: Westpac, 030903 0231264 00
Partners: Alistair Logan BA LLB (Hons)
Simon Anderson LLB (Hons)
Nathan Laws BA LLB
Andrew Hancock BSc LLB
Associates: Clare Toomey LLB
Adam Keith BA LLB

19 June 2018

Otago Regional Council
Private Bag 1954
DUNEDIN 9054

Email: Gerard.Collings@orc.govt.nz

For: Gerard Collings

Dear Gerard

Peninsula Bus Service

Introduction

- 1 The Council is considering three changes to the Peninsula Bus Service:
 - 1.1 Timetable: a bus leave Portobello 10 minutes earlier at 7.47am;
 - 1.2 Timetable: a bus leave City Centre at 3.08pm; and
 - 1.3 Alter the route of both these trips to travel along Shore Street and Musselburgh Rise.

Issue

- 2 The issue is what process requirements, if any, are triggered under the Land Transport Management Act and Regional Public Transport Plan if the Council were to consider adopting those changes.

Regional Public Transport Plan

- 3 The provision of public transport services in Dunedin is governed by the Regional Public Transport Plan ("RPTP").
- 4 There are three relevant themes in the RPTP:
 - 4.1 Adherence to set routes;
 - 4.2 Adherence to set frequencies of services;
 - 4.3 Disengagement from the provision of school services.

Routes

- 5 *"A key element of the network is the stability of routes ... the routes will be stable all day, night and weekend. There will be no variations to routes at any time to ensure that passengers know and can rely on their route of travel"*¹.

¹ Page 49

- 6 Simplifying routes is one of the objectives of the RPTP².
- 7 Accordingly the network is designed to eliminate or minimise variations to routes³. Routes are to be as direct as possible without unnecessary deviation or variation⁴.
- 8 Policy 14 is that all services follow the same basic route⁵. The basic principle is that routes are set, but this principle is not absolute.

Frequency

- 9 The Peninsula service operates at 30-minute intervals during peak times and 60-minute at off peak⁶.
- 10 Regular frequencies, which are stable and easy to remember are a repeated theme in the RPTP⁷.
- 11 Policy 14 is that all services follow the same basis route with regular timing, subject to affordability⁸.
- 12 The proposal deviates from this principle.

School Children

- 13 Dedicated school services are to be phased out.
- 14 The general public transport network is designed to enable school pupils to access their school of choice without the need of separate services⁹.
- 15 Policy 12 is (in part) to ensure that public transport functions as one system (without services tailored to different customers) successfully catering to the majority of potential customers, through operational economies of scale and progressive optimisation of the network¹⁰.
- 16 Policy 12 also provides for enabling of route and timetable changes to ensure attractiveness to potential users and to grow patronage to support community wellbeing and resilience¹¹.
- 17 Policy 17 is preference for routes, timetables and capacity in the integrated networks to accommodate school travel in services planned for general public use¹².
- 18 The use of the word "*preference*" should be noted.

Assessment

- 19 The proposal cuts across the goals set out in the RPTP for stable routes and fixed frequencies of service.

² Pages 56 and 57
³ Page 47
⁴ Page 47
⁵ Page 74
⁶ Page 58
⁷ Pages 7, 47, 56, 57 and 92
⁸ Page 74
⁹ Pages 7, 59
¹⁰ Page 74
¹¹ Page 74
¹² Page 75

- 20 This is reflected in the identification of routes and frequencies contained in the RPTP itself.
- 21 However, some flexibility is provided for in the accompanying text.
- 22 Changes to routes and services however are departures from the routes and frequencies set out in the RPTP.
- 23 They are variations.
- 24 The process for making variations is determined by their significance.
- 25 The RPTP contains a policy for assessing significance¹³.
- 26 Non-significant variations may be made without full public consultation.
- 27 Non-significant variations include minor changes in the delivery of service to improve efficiency and having only a local impact and other variations that affect a small sector of the community or industry.

Conclusion

- 28 The changes proposed come within the scope of minor variations which do not require full public consultation. They do require targeted community consultation. The affected community includes the operator, other patrons of the service and the road controlling authority.
- 29 Users of the current services will be affected by the change in timetable and change in route for those trips. Effort should be made directly and indirectly to canvas their views. There is an inconvenience factor in the bus leaving Portobello early. There is the further consideration of the journeys being lengthened by 5 to 10 minutes.
- 30 While taken on their own, the three adjustments to the Peninsula service may be seen as minor.
- 31 If there is a risk of a precedent effect to accommodate other schools, the implications for the integrity of the Regional Public Transport Plan are wider and significant. Full public consultation should be undertaken in that case.

Please contact me if you wish to discuss.

Yours faithfully

ROSS DOWLING MARQUET GRIFFIN

Per

A J Logan
Partner

Email: alastair.logan@rossdowling.co.nz

¹³ Pages 94 to 95

11.1.11. Zero Carbon Emission Bill Discussion Document

Prepared for: Council
Activity: Community - Response to External Proposals
Prepared by: Dale Meredith, Manager Policy
Date: 19 June 2018

1. Précis

The paper informs Council of the proposed Zero Carbon Bill discussion document and recommends a process to enable Council's endorsement of ORC's submission before it is lodged.

2. Background

The Zero Carbon Emission Bill discussion document *Our Climate Your Say!* has now been released by the Ministry for the Environment, with submissions closing on Thursday 19 July 2018. It is appended as Attachment 1 to this report.

It is one of a suite of papers being discussed nationally relating to climate changes responses, including:

- The Minister for Climate Change's *Adapting to Climate Change in New Zealand* May 2018 report (Attachment 2)
- The NZ Productivity Commission's paper *Low Emissions Economy* Draft Report April 2018

The *Adapting to Climate Change in New Zealand* report identifies recommendations for the actions New Zealand needs to take to build resilience to the effects of climate change while growing the economy sustainably. The report recommendations come from the Climate Change Adaptation Technical Working Group (CCATWG). Dr Gavin Palmer was a member of the CCATWG.

One of the immediate actions recommended in that report is:

"Implement actions 1,2,3,4 and 5 using the proposed Zero Carbon Bill to give a consistent and clear legislative mandate for climate change adaptation" (Action 19)

3. Zero Carbon Bill

The most recently released discussion document *Our Climate Your Say!* proposes the Zero Carbon Bill set a clear emissions target. The options promoted are:

- Net zero carbon dioxide by 2050
- Net zero long-lived gases and stabilised short-lived bases by 2050
- Net zero emissions by 2050.

Stepping stones to achieve each option are described and include establishment of a Climate Change Commission.

The discussion document also proposes ways of adapting to the impacts of climate change, including by:

- Improving co-ordination between agencies, legislation and regulatory regimes;

- Improving and sharing information on the impacts of climate change, for example, on our health, pest plants and animals, biodiversity and culture over time;
- Providing tools for decision-makers to consider the risks to the whole of society and the economy.

The Government proposes that the Zero Carbon Bill includes the following provisions:

- A national climate change risk assessment;
- A national adaptation plan;
- Regular review of progress towards implementing the national adaptation plan;
- An adaptation reporting power.

4. Next steps

In preparing its proposed response, staff will liaise with other regional councils.

The significance of the climate change response is such that any submission warrants Council endorsement. As the submission must be received before the next full meeting of Council (15 August 2018) it is proposed that the draft is circulated and comments channelled through the Policy Committee Chair, who would review and endorse the ORC submission, prior to lodgement.

5. Recommendation

- a) That Council appoint the Policy Committee Chair to review and approve the submission to the Ministry for the Environment on the proposed Zero Carbon Bill;*
- b) That the submission is reported back to the next Policy Committee meeting on 1 August 2018.*

Endorsed by: Tanya Winter
Director Policy, Planning & Resource Management
Dr Gavin Palmer
Director Engineering, Hazards and Science

Attachments

Nil

11.1.12. Lower Waitaki Plains Aquifer Plan Change

Prepared for: Council
Activity: Environmental - Rural Water Quality
Prepared by: James Adams, Policy Analyst
Date: 18 June 2018

1. Précis

At a recent workshop, Council considered options for managing the discharge of nitrogen to land over the Lower Waitaki Plains Aquifer, in the light of a recently completed groundwater study and to give effect to the 2014 Memorandum of Understanding with the Lower Waitaki Irrigation Company Limited (LWIC) and the Waitaki Irrigators Collective Limited. This report presents the options that were considered and recommends not to proceed with a plan change for the Lower Waitaki Plains Aquifer.

2. Background

2.1 Context

In 2012, the Council notified Proposed Plan Change 6A (Water Quality). Amongst other matters, rules to manage diffuse rural contaminants were introduced. These included a rule to manage the discharge of nitrogen to land through use of a model¹ to estimate the loss of nitrogen to groundwater.

LWIC and WIC were submitters, and subsequently appellants, on plan change 6A. They were concerned that LWIC farms on the Lower Waitaki Plains would be unable to achieve the proposed nitrogen leaching rates.

During appeal mediation on the proposed plan change, LWIC and WIC agreed to drop their appeal, and instead signed a Memorandum of Understanding (MoU) with Council in 2014.

2.2 Memorandum of Understanding 2014

Council, LWIC and WIC agreed to “work together to implement the Regional Plan: Water, and to develop an agreed approach to monitoring the quality of the Waitaki Plains aquifer, and future consenting requirements in relation to border-dyke irrigation techniques” (see Attachment 1).

The Council’s specific actions under the MoU are to:

- “1. Assist LWIC in the development of its farm environmental management programme.
2. Monitor trends of ground and surface water quality in the Waitaki Plains and share this information with LWIC and WIC (subject to Council planning and budgetary constraints).
3. Work with LWIC to identify the source of issues in relation to water quality and identify potential solutions to such problems.
4. Actively engage with LWIC and WIC in the development of an aquifer concentration limit for the Waitaki Plains aquifer.”

2.3 Liaison and Compliance

¹ Rule 12.C.1.3, using OVERSEER version 6

Since 2014, Liaison Specialist staff have worked with Irricon (LWIC consultants) to review the farm plan programme. This programme has now been rolled out to the Lower Waitaki farmers (MoU Action 1). LWIC prepared farm plans for all their farms, including overseer reports, with a plan to audit every year.

Annual dairy compliance visits have been undertaken by Compliance staff, and any issues have been brought to the attention of the Dairy Working Group, which includes a representative from LWIC. This group has then worked with farmers to address the issues identified (MoU Action 3).

2.4 Groundwater Study

In accordance with the MoU, ORC undertook a groundwater study from 2016 to 2018 (MoU Actions 2 and 4) to supplement understanding of the aquifer gained through Council's ongoing groundwater State of the Environment monitoring work.

Nitrogen levels, which had been fairly stable since the mid-1990s, were trending upwards slightly. However, nitrogen levels have consistently remained below the NZ Drinking Water Standards Maximum Acceptable Value (MAV) for Nitrate-N.

The study also monitored for *E. coli*, which was found in the aquifer.

This report is being finalised and will be presented to the Technical Committee in due course.

2.5 Drinking Water

Under the National Environmental Standards for Sources of Human Drinking Water Regulations 2007 (NES-SHDW), regional councils have responsibilities for the protection of specified human drinking water sources.

Under the NES-SHDW, regional councils must ensure that any water or discharge permit upstream of an abstraction point (for registered drinking water supplies to no fewer than 501 people who are supplied water for no less than 60 days each year) is not likely to pollute that water source.

Under Schedule 3 of the operative Water Plan, the Lower Waitaki Aquifer is valued for:

- Human consumption without treatment;
- Stock drinking water supply and farm dairy water.

The elevated *E coli* levels from the groundwater study were a concern as some groundwater takes from the Lower Waitaki Aquifer are for the purpose of human drinking water supply. The NZ Drinking Water Standards MAV for *E coli* is less than 1 cfu/100 ml. Accordingly, Public Health South were notified when breaches were detected and bore water takers informed of the need to treat their supply.

3. Regional Plan: Water

Over the past two years, the possibility of a plan change specifically tailored for the Lower Waitaki Aquifer, drawing from the groundwater study findings, has been discussed with LWIC.

These meetings have been reported in previous Director's Reports to the Policy Committee (April and May 2017, March and May 2018).

3.1 Options

At the recent workshop in May, three options for managing discharges over the Lower Waitaki Aquifer were presented to Council:

- *Option 1: No plan change*
Any proposal that did not meet permitted activity standards would require consenting under the current rules
- *Option 2: Lower Waitaki Aquifer plan change*
A plan change introducing a new restricted discretionary rule for the discharge of nitrogen to land with measured nitrogen thresholds (instead of using OVERSEER) and setting aquifer outcomes in Schedule 15.3 Aquifer Concentration Limits for nitrogen concentration and *E. coli* limits
- *Option 3: Policy guidance for discharge of nitrogen*
A plan change setting out policies to guide consenting for nitrogen discharges to land which would apply across the region.

3.2 Assessment of options: benefits and risks

| Options Considered | Benefits | Risks |
|--|---|--|
| <p><i>1. No plan change</i> Consenting under the current rules – the current regime has the tools to provide a workable approach</p> | <ul style="list-style-type: none"> • Follows 6A approach, in particular the principle “dilution is not the solution”. Respects the integrity of the plan and is consistent. • Global consent and management by measured nitrogen concentration, rather than modelling, is still available through full discretionary rule. • Private plan change may be applied for. • MoU is still in force; ORC continues to provide information and advice on practice and consenting. | <ul style="list-style-type: none"> • Current upward trend for nitrogen contamination may not continue – MoU and Water Plan require “maintenance”. • Time frames for farmers to organise consent applications by 2020 are now pressured. • Farmers have acted on the assumption that a plan change would be forthcoming. • Only alternative control for nitrogen is now seen as de-stocking or changing land use, as farm plans have addressed other alternatives. • Community wellbeing may be affected if farmers are unable to comply. • Potential for high volume of consents. • LWIC and WIC reduced trust in ORC |
| <p><i>2. Lower Waitaki Aquifer plan change</i> A new rule allowing the Lower Waitaki Plains aquifer to be managed to nitrogen and <i>E. coli</i></p> | <ul style="list-style-type: none"> • Sets clear water quality outcome for managing the aquifer. • Provides clear consenting path. • Meets expectations under MoU. | <ul style="list-style-type: none"> • Creates a precedent for exception from 6A which other farms over gravel aquifers may follow. • May be seen as a licence to pollute, and to use water inefficiently – |

| | | |
|--|---|---|
| thresholds, under a common consent. | <ul style="list-style-type: none"> • Avoids perverse outcomes from OVERSEER model assumptions. • ORC is seen to act collaboratively • Drinking water quality outcome is clear | <p>there is not a guarantee that water quality can be maintained.</p> <ul style="list-style-type: none"> • No guarantee that the plan change process will provide the regime LWIC and WIC want following community consultation. |
| <p><i>3. Policy guidance for discharge of nitrogen</i> Revising the Water Plan policies on nitrogen discharges to land that guide consenting</p> | <ul style="list-style-type: none"> • Provides more clarity for consent expectations, • Could provide for a wider range of solutions to nitrogen discharge issues, including that measured nitrogen could be used as a consent condition instead of OVERSEER • ORC is seen to act collaboratively | <ul style="list-style-type: none"> • Creates a precedent for exception from 6A • Generalises a solution to a specific issue. • Could provide a road for consents that do not support environmental outcomes. |

3.3 Workshop discussion

During the workshop in May, Council considered the options and provided direction to staff that a plan change was not appropriate because:

- The plan change would create a precedent for exception from the rural water quality rules developed under Plan Change 6A (Water Quality)
- During development of that plan change, dilution was considered a poor solution to water quality issues as it failed to address cumulative effects. The primary responsibility for dealing with contaminants should rest with the polluter. The proposed plan change contravened this principle by considering water inefficient techniques, such as border-dyke irrigation or managed aquifer recharge, to manage the nitrogen concentration in the aquifer.
- The national direction for water quality is towards universal improvement. Providing for increased nitrogen discharges runs counter to this.
- There were concerns about drinking water safety.

The forthcoming review of the Regional Plan: Water was also discussed briefly. This review provides a mechanism to address some of the matters identified with respect to water outcomes for aquifer management, the use of OVERSEER and improving consent guidance.

4. Recommendation

- a) *That Council does not proceed with a plan change to the Regional Plan: Water for Otago, tailored to the Lower Waitaki Plains Aquifer at this time.*

Endorsed by: Tanya Winter
Director Policy, Planning & Resource Management

Attachments

Memorandum of Understanding with LWIC and WIC.

12. MATTERS FOR NOTING

12.1. Three Water Reforms

Prepared for: Council
Activity: Community – Response to External Proposals
Prepared by: Dale Meredith, Manager Policy
Date: 18 June 2018

1. Précis

This report updates Council on the national and regional work being undertaken by Local Government New Zealand (LGNZ) with respect to the Government's Three Water Reforms, its scope and implications. This paper draws from material circulated by LGNZ to all councils over the past week.

2. Scope of the review

The review is structured around four workstreams below, with advice under each currently scheduled to go to Cabinet in October 2018:

1. Effective oversight, regulatory settings and institutional arrangements;
2. Funding and financing mechanisms;
3. Capacity and capability of decision-makers and suppliers; and
4. Information for transparency, accountability and decision making.

The Minister of Local Government has been quite open about both the scope, possible options and her desire to work collaboratively with local government on options.

3. Possible policy options and implications for water service delivery

Under the four workstreams above the Government also has presented aggregation of water services as being one of the policy options under consideration. LGNZ's current view is that discussion on the "form" of any changes to water service delivery is premature until we consider the wider policy objectives and options under 1 and 2 above, particularly regulatory settings.

LGNZ also has highlighted, as part of its Water 2050 work, that the Government's central policy development and oversight are currently fragmented and that refinement should be made as part of work on regulation and oversight. LGNZ will be proposing this when it publishes further work on governance in the middle of this year.

4. Next steps and developing a sector position – sector reference group

Under National Council oversight, LGNZ has formed a 13-strong Three Waters Review LGNZ Reference Group and, with the Minister and officials' agreement, this group is now receiving information and informing the Department of Internal Affairs (DIA) development of policy options. The first meeting of this group was on Tuesday 12 June. The next meeting is scheduled for 6 July.

The members of the LGNZ Reference Group (representative of all Sectors and Zones) are:

- Brian Hanna (Chair), Mayor, Waitomo District Council
- Richard Kempthorne, Mayor, Tasman District Council
- Bede Carran, Chief Executive, Timaru District Council
- Clive Manley, Chief Executive, Ruapehu District Council

- Don McLeod, Chief Executive, Matamata-Piako District Council
- Kevin Lavery, Chief Executive, Wellington City Council
- Mike Theelen, Chief Executive, Queenstown Lakes District Council
- Miriam Taris, Chief Executive, Western Bay District Council
- Monique Davidson, Chief Executive, Central Hawke's Bay District Council
- Pat Dougherty, Chief Executive, Nelson City Council
- Rob Forlong, Chief Executive, Whangarei District Council
- Vaughan Payne, Chief Executive, Waikato Regional Council
- Malcolm Alexander, Chief Executive, LGNZ

This group will also be used to inform a wider local government sector position, which ultimately will be referred to LGNZ's National Council for decision. While the Reference Group will provide advice to officials, LGNZ will, if necessary, take an alternative position to the Government on various matters.

Some councils are approaching DIA directly to input their point of view. DIA has asked that to manage its workload within a challenging timeframe, that councils should wherever possible utilise the members of the LGNZ Reference Group to input their point of view. If a council chooses not to do so, DIA will do its best to interact with them and are doing so, but timing is pressing and the LGNZ Reference Group has been established as a mechanism to facilitate input, at least at this stage of policy development. DIA also will look to utilise all upcoming Sector and Zone meetings to ensure that as much engagement as possible occurs.

LGNZ's work underway through its Water 2050 project is also being used to support the sector's input into the policy process.

LGNZ has committed to providing regular member communications on this and the Government's policy development work. A number of papers and presentations have been made available to facilitate this discussion locally.

5. Key matters

The key matters for consideration, that LGNZ would like every council to discuss are:

- The future regulation of water including the potential for an independent regulator and whether its scope will be limited to drinking water or will also cover wastewater, stormwater and economic issues; and
- How can the Government's outcomes be achieved through the design of the regulatory framework; and what alternatives there may be to aggregation of service delivery.

LGNZ will continue to keep members informed and are willing to answer any questions.

6. Recommendation

a) *That the report is noted.*

Endorsed by: Gavin Palmer
Director Engineering, Hazards & Science
 Tanya Winter
Director Policy, Planning & Resource Management

Attachments

Nil

12.2. Priority Catchment Minimum Flows

Prepared for: Council
Activity: Minimum Flows for priority catchments and residual flows Plan Change
Prepared by: Lisa Hawkins, Senior Policy Analyst
Date: 20 June 2018

1. Précis

Historically a number of water quantity plan changes have been undertaken on an individual catchment by catchment basis. A revised process pulls together minimum flow setting for the Arrow River, Upper Cardrona River and Manuherikia River and a revision of the Water Plan's residual flows provisions into one plan change. This will allow Council to make its best possible efforts to achieve minimum flow setting in these catchments ahead of deemed permit replacement. This report provides an explanation on the details of this plan change, the process involved, current status and next steps.

2. Background

2.1 Why the plan change is needed

The National Policy Statement for Freshwater Management 2017 (NPSFM) sets out objectives to direct Local Government to manage water in an integrated and sustainable way, whilst providing for economic growth within set water quantity and quality limits. The following objectives are specific to this plan change:

Objective B1 – to safeguard the life-supporting capacity, ecosystem processes and indigenous species including their associated ecosystems of freshwater, in sustainably managing the taking, using, damming, or diverting of fresh water.

Objective B4 – to protect significant values of wetlands and of outstanding freshwater bodies.

Objective B5 – to enable communities to provide for their economic well-being, including productive economic opportunities, in sustainably managing fresh water quantity, within limits.

Setting a minimum flow for the catchments included in this plan change will help achieve these objectives, whilst also addressing Policy B1 of the NPSFM, which requires all regional plans to set environmental flows to give effect to the objectives.

Whilst Council have until 2025 to be compliant with the NPSFM, the deemed permit renewal process that is currently underway, in which all deemed permits expire in October 2021 results in a focus on those priority catchments where deemed permits are present. Setting a minimum flow for these catchments will ensure that consenting decisions are made within the limits that provide for environmental flows and the values assigned to the catchments by the community.

In imposing minimum flows on consents, those who have held deemed permits are likely to need to restrict their water takes, for example by reducing or ceasing abstraction at times of low flow. This is a significant change for those who take water now because they may not be able to take the same amount of water at the frequency they have relied on in the past. The economic considerations of such change are accounted for in consideration of how water will be used within limits.

With regard to residual flows, another management tool available to ensure the sustainable taking and use of water, the changes proposed in the plan change seek to improve and clarify existing provisions in the Water Plan.

2.2 Scope of the plan change

What is in

The Minimum Flow Plan change incorporates the Arrow, Upper Cardrona and Manuherikia Catchments. It also includes changes to the existing residual flow provisions in the Water Plan.

The objective for incorporating these catchments into the plan change is – *To set minimum flows in priority catchments for consistency in the replacement of the deemed water permits.* The Arrow catchment has 14 deemed permits, Upper Cardrona 12 deemed permits and Manuherikia 71 deemed permits.

These catchments have been selected as the priorities, based on a number of criteria, including the number of deemed water permits present, if a minimum flow would assist in evaluating deemed water permit replacements, and if sufficient science exists.

Amendments to the existing residual flow provisions are also included in this plan change. These provisions enable a residual flow condition to be set on individual consents to ensure the aquatic ecosystem and natural character associated with the water take is maintained. However, the current implementation of the residual flow provisions is unclear and can lead to long drawn out negotiations with affected parties during the consent process. With the impending deemed permit renewals this plan change seeks to improve clarity and consistency in residual flow setting.

A residual flow is different to a minimum flow as they apply as a condition on a consent, only applicable to that consent, or a group of consents as specified. A residual flow is therefore calculated at the time of granting a consent, and will differ from consent to consent depending on the values present that need to be managed. A residual flow is often, but not exclusively, set on water takes from tributaries. Whereas a minimum flow is set at a catchment level, is measured most often on the main stem of the catchment and applies to all consents in that catchment, or specific areas identified within in the catchment by the management regime that applies.

What is out

A number of elements relating to water quantity planning and setting of minimum flows are not incorporated in this plan change. These include the following:

- Catchments which haven't been identified as a priority catchment for deemed permit renewals are not included in this plan change. These catchments may still require a minimum flow to be set, or may be best managed by other methods, including the setting of residual flows on individual consents. Consideration of the remaining catchments will be part of scoping the Water Plan review and compliance with the NPSFM.
- Groundwater, other than that which is connected and managed as surface water, is not included in this plan change, as minimum flows do not apply to groundwater.
- The setting of allocation limits and addressing over-allocation is not included in this plan change. In accordance with Objective B1, the life-supporting capacity, ecosystem processes and indigenous species of a freshwater body will need to

considered in sustainably managing water takes and hence setting allocation. The economic well-being of the communities (Objective B5) will then need to be considered within these limits, including any minimum flow that may be in place. Whilst there is work that will need to be done to ensure the Water Plan gives full effect to the NPSFM, more time is needed for investigations and discussions with the community on this matter. As such allocation will be incorporated into the program for a full Water Plan review. Whilst subject to the Water Plan review, the existing policies in the Water Plan do provide a framework for allocation to be considered as part of the deemed permit replacement process.

In accordance with NPSFM a progressive implementation program must be prepared by December 2018. These considerations listed above will form part of the investigations in developing this plan and where appropriate will be part of future plan changes.

3. Proposal

Set out below is the current status of work on the plan change.

3.1 Information sessions

On Thursday 7 June and Monday 11 June a consultation session with Schedule 1 parties and information sessions with industry bodies, key stakeholders, irrigation companies and the general community were held regarding the new process for the plan change. Details of the work undertaken to date and draft minimum flow numbers and residual flow provisions were also presented. These sessions were attended by over 100 people.

Some of the key questions that were raised during these sessions that apply across the whole plan change are set out below:

Q: What complaints / issues have been raised in each catchment that the minimum flows will address?

Minimum Flows are not set based on complaints or issues that are received. We set minimum flows to provide a management regime that will look after the values of a river during periods of low flow. Low flow periods pose a “crunch time” for aquatic ecosystems as habitat and food availability for many aquatic organisms tends to decrease. Minimum flows alleviate the additional, or unnatural, stress caused by human users during these “crunch times” in order to provide for aquatic values. By doing this we achieve the objectives of the NPSFM in safeguarding life-supporting capacity, ecosystem process and indigenous species.

Q: Is it just the environmental bottom line, is that what we are working to?

In setting the minimum flows we have to ensure the flows achieve the NPSFM objectives, which predominately relate to ecological and human health outcomes (Objectives B1 and B4). Objective B5 provides recognition of providing for the economic well-being of the communities but this is subject to ensuring water management takes place within the limits of the minimum flow set to safeguard life-supporting capacity, ecosystem processes and indigenous species.

Q: Why can't we consider a variable minimum flow to provide flexibility in the driest years?

The minimum flow is set at a value where safeguarding the life-supporting capacity, ecosystem process and indigenous species of a river during low flow is managed. It reflects a point where it is no longer socially, culturally and environmentally acceptable

to continue to abstract water from the river. As a result, a staged minimum flow that reflects dry years is not considered appropriate because the driver for such an approach is allocation and not setting a limit that gives effect to NPSFM objectives.

3.2 Plan change details

Each of the catchments is at a different stage in development and as such different levels of investigations have informed the draft flow numbers that have been calculated. Set out below is a summary of each catchment, and the current status of work that has informed the numbers presented.

Arrow catchment

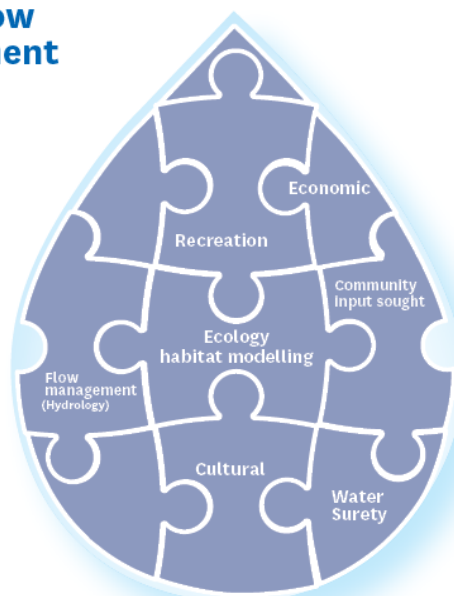
A minimum flow at Cornwall Street is proposed at 800 litres per second. This level is similar to the lowest flows experienced in 2015/16. A minimum flow at this level provides for habitat retention for trout, as well as managing the growth of nuisance algae. These were both important values identified by the community.

In addition, a supplementary minimum flow of 1050 litres per second is proposed. A supplementary minimum flow allows for supplementary water takes to be granted. This enables these water takes to occur when the river is experiencing higher flows. The supplementary takes will be subject to the supplementary minimum flow, and will be restricted from taking when the river reaches that flow. This therefore allows primary water takes to continue until the primary minimum flow is reached and restrictions are in place. The methodology which applies in setting the supplementary flow for the Arrow River is – Supplementary minimum flow = primary minimum flow (800 l/s) + allocation block of 250l/s.

All technical reports which inform the minimum flow limits have been completed for the Arrow catchment.

Inputs required for Arrow Catchment

- Incomplete
- Completed



Key Statistics

| | |
|--|-----------|
| 7-day Mean Annual Low Flow (MALF) | 1,440 l/s |
| Number of water takes (includes deemed permits) | 22 |
| Number of deemed permits | 14 |
| Number of deemed permit replacements currently being considered by ORC | 0 |

Upper Cardrona catchment

The Cardrona River has three distinct reaches:

- a neutral reach located upstream of the Mt Barker flow monitoring site, in the part of the catchment referred to as the upper catchment
- a losing/drying reach located between the Mt Barker flow monitoring site, where surface flow is lost to the Wanaka Basin-Cardrona Gravel Aquifer; and
- a gaining reach located downstream of SH6, where the Cardrona River receives inflows from Wanaka Basin Cardrona Gravel Aquifer at a recharge rate that is currently estimated to be 300 L/s.

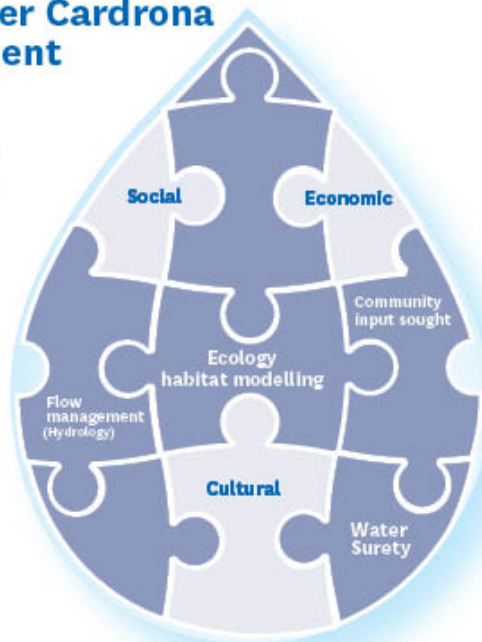
Surface flows and important values (aquatic ecosystems, natural character and amenity values, cultural values and recreational values) that exist in the upper Cardrona can be managed in an effective manner by setting a minimum flow at the Mount Barker flow monitoring site. This will apply to surface water takes and connected groundwater takes upstream of the Mt Barker flow monitoring site.

Downstream of the Mt Barker flow monitoring site, in the so-called losing and gaining reaches, the hydrology is much more complex due to the river's interaction with groundwater in the Wanaka Basin-Cardrona Gravel Aquifer. Hence, further work is required to develop an appropriate management regime. This is likely to involve minimum flow and residual flow restrictions and will need to consider allocation limits for the aquifer. We are currently collecting more flow data and groundwater level data.

Dual minimum flows at Mt Barker are proposed for the Upper Cardrona catchment. A summer minimum flow of 700 litres per second, from 16 November to 15 May; and a winter minimum flow of 2000 litres per second, from 16 May to 15 November. This dual approach recognises the need to maintain flow variability across seasons, an important aspect of the natural character of this river. The summer minimum flow will safeguard the visual appeal and natural characteristics of the river above Mt Barker and will provide for 70 per cent trout habitat retention in this reach. The winter minimum flow enables flow continuity across the entire main stem of the Cardrona outside of the peak irrigation season in summer. A supplementary minimum flow of 3100 litres per second is proposed. Social, economic and cultural reports are yet to be completed for the Upper Cardrona catchment.

Inputs required for Upper Cardrona Catchment

Incomplete
 Completed



Key Statistics

| | |
|--|------------------------------|
| 7-day Mean Annual Low Flow (MALF) | 1,180 l/s |
| Number of water permits for full catchment | 43 (incl. 14 deemed permits) |
| Number of water permits above Mt Barker | 35 (incl. 8 deemed permits) |
| Number of water permits below Mt Barker | 9 (incl. 8 deemed permits) |
| Number of deemed permit replacements currently being considered by ORC | 0 |

Manuherikia catchment

A range of minimum flow limits, have been provided for three flow sites within the Manuherikia catchment:

- 400 to 600 litres per second at Dunstan Creek
- 1500 to 1750 litres per second at Ophir
- 1250 to 1600 litres per second at Campground

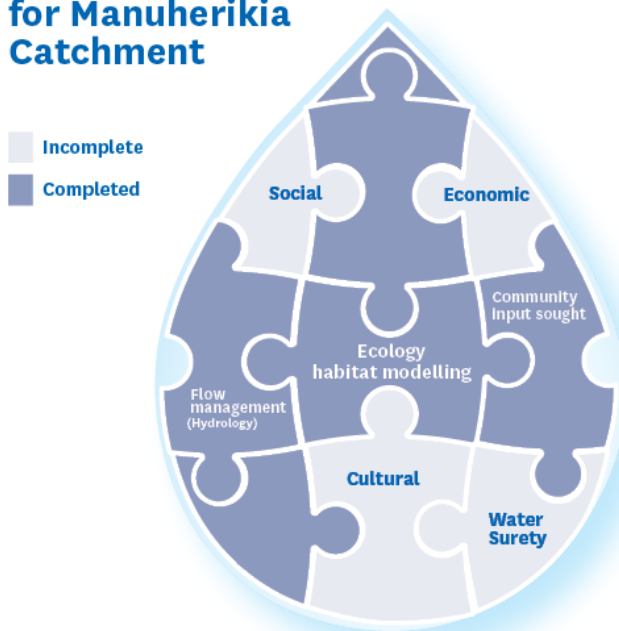
These numbers have been informed by hydrology and ecology work that has been completed, with an increase in trout habitat at the sites being identified for these flows. The management approach that would currently apply in setting these minimum flows is:

- Ida Valley is excluded from being subject to any minimum flow for the Manuherikia River, with the exception of water that is delivered to the Ida Valley from the Manuherikia River.
- Water takes from Dunstan Creek will be subject to the Dunstan Creek minimum flow only.
- All water takes above Ophir (both main stem and tributary takes) will be subject to the minimum flow at Ophir and Campground (with the exception of Dunstan Creek).

- All water takes between Campground and Ophir (both main stem and tributary takes) will be subject to the minimum flow at Campground.

Irrigation and water surety have been identified as key values from the community. Social, economic and cultural reports are yet to be completed for the Manuherikia catchment. At the moment the minimum flows for each flow site in the Manuherikia catchment are presented as ranges. As these reports are finalised the minimum flow limit will be narrowed down for each flow site to provide a final figure for notification.

Inputs required for Manuherikia Catchment



Key Statistics

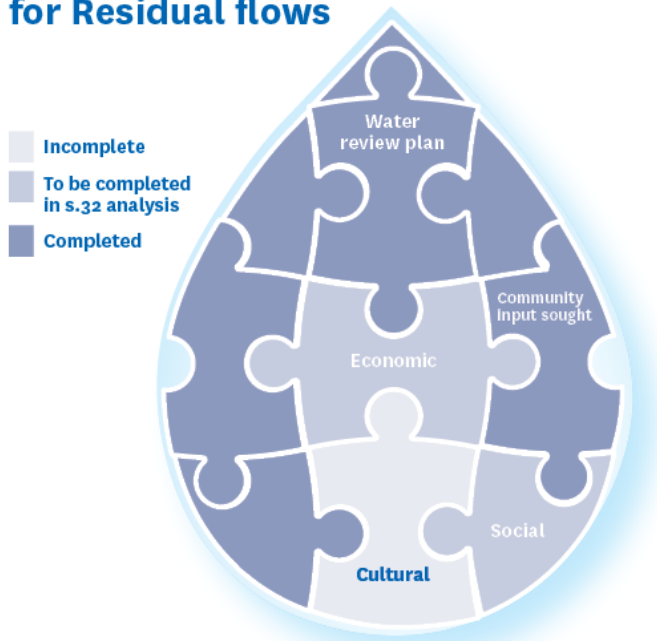
| | |
|--|---|
| 7-day Mean Annual Low Flow (MALF) | Ophir 2,600 – 3,200 l/s Campground 3,100 – 4,700 l/s |
| Number of water takes (includes deemed permits) | 220 |
| Number of deemed permits | 71 |
| Number of deemed permit replacements currently being considered by ORC | 3 |

Residual Flows

The provision to set residual flow conditions on consents already exists within the Water Plan. Feedback from stakeholders and the consents team has prompted a review of these provisions to ensure they are effective and efficient. This review focussed on the following – ensuring the values considered are appropriate; providing flexibility to support group applications and the location where a residual flow is set and measured, and provide clarity on what is being considered when setting a residual flow.

This review has resulted in proposed changes to the wording of the existing policy to provide for the desired flexibility, confirmation of the existing values around aquatic ecosystems and natural character, and introducing a method by way of a list of parameters that identify what is and isn't considered when setting a residual flow. We are currently seeking cultural input from Iwi on the proposed changes, specifically on whether the existing values adequately address cultural considerations.

Inputs required for Residual flows



3.3 Resolution of Council meeting 13 June 2018

At the Council meeting 13 June 2018, the following resolution was made:

- That 31 August is confirmed for notification subject to Minimum Flow figures and missing section 32 components being completed and brought to the Council and brought to the communities.

This resolution guides the next steps in the process as set out in the section below.

3.4 Next steps

Catchment Focus discussions

A series of Catchment Focus Discussions with targeted members of the community and stakeholders have been planned and will explain the technical details (science) behind the minimum flow numbers that have been set for the catchment. The sessions will be supported by ORC Policy Staff. These discussions will provide an opportunity for in depth conversations around key elements that may be of concern for the interested parties, along with providing the opportunity for information and data sharing with Council. The summary program of these discussions is identified in the table below:

| Catchment / Stakeholder Group | Date and Location |
|---------------------------------|--------------------------|
| Stakeholder and interest groups | 29 June 2018 - Dunedin |
| Arrow catchment | 3 July 2018 - Arrowtown |
| Cardrona catchment | 2 July 2018 - Cardrona |
| Manuherikia catchment | 4 – 5 July 2018 - Omakau |

Further work required

As identified in section 3.2 of this report, a number of reports are required to finalise the assessment for minimum flows. These reports as set out below are underway at the moment and we expect them to be completed over the coming months.

Residual Flows:

- Input from Iwi on cultural values.

Cardrona catchment:

- Economic and social assessment

Manuherikia catchment:

- Cultural assessment
- Water surety assessment
- Economic assessment – (dependant on the completion of the water surety assessment)
- Social assessment – (dependant on the completion of the economic assessment)

In accordance with the resolution from Council meeting 13 June, at the completion of these reports they will be presented to Council for discussion. These documents will also be made available to the community as they are completed.

The finalisation of these reports, in particularly the water surety work for the Manuherikia assessment, may require further information and hence this may have implications for the timeline for notification. Best endeavours remain to achieve notification by the end of August, however there are a number of factors that could influence this.

4. Recommendation

- a) *For Council to note this report.*

Endorsed by: Tanya Winter
Director Policy, Planning & Resource Management

Attachments

Nil

13. REPORT BACK FROM COUNCILLORS

14. NOTICES OF MOTION

15. RECOMMENDATIONS ADOPTED AT COMMITTEE MEETINGS HELD ON 13 JUNE 2018

15.1. Recommendations of the Policy Committee - 13 June 2018

10.1 - Amendment 2 (National Environmental Standards for Plantation Forestry) to the Regional Plan: Water for Otago

Resolution

That Council:

- a) *Amend the Regional Plan: Water for Otago to clarify where stringency applies in relation to the National Standards for Plantation Forestry, as shown in Attachment 3: Amendment 2 (NES Plantation Forestry) to protect ecosystem health values, in particular the viability and habitats of threatened endemic non-migratory fish, such as galaxiid species.*
- b) *Make Amendment 2 (NES Plantation Forestry) operative from 1 July 2018.*
- c) *Publicly notify Amendment 2 (NES Plantation Forestry) on Saturday 30 June 2018.*

Moved: Cr Deaker

Seconded: Cr Brown

CARRIED

10.2 - Air Quality Strategy

Resolution

- a) *Agree on any changes to draft Air Strategy, as proposed in Appendix 2;*
- b) *Subject to any agreed changes, that Council adopt the Air Quality Strategy.*
- c) *That a paper on implementation be brought to the Policy Committee in the next 2-3 months*

Moved: Cr Scott

Seconded: Cr Noone

Cr Laws voted against the motion

CARRIED

10.3 - Draft Biosecurity Strategy – feedback

Resolution

- a) *Agree on any changes to the draft Biodiversity Strategy (see Appendix 3);*
- b) *Recommend, subject to any agreed changes, that Council adopt the Biodiversity Strategy.*
- c) *That a paper on implementation be brought to the Policy Committee in the next 2-3 months*

Moved: Cr Robertson
Seconded: Cr Hope
CARRIED

10.4 - National Drinking Water Regulations

Resolution

- a) *That the report is noted.*

Moved: Cr Deaker
Seconded: Cr Hope
CARRIED

11.1 – Director’s Report on Progress to 13 June 2018

Minimum Flow

Resolution

- a) *That 31 August is confirmed for notification subject to Minimum Flow figures and missing section 32 components being completed and brought to the Council and brought to the communities.*

Moved: Cr Robertson
Seconded: Cr Laws
CARRIED

Resolution

- b) *That this report be noted.*

Moved: Cr Robertson
Seconded: Cr Laws
CARRIED

Attachments

Nil

15.2. Recommendations of the Regulatory Committee - 13 June 2018

11.1 - Director’s Report on Progress

Resolution

- a) *That this report is received and noted.*

Moved: Cr Noone
Seconded: Cr Brown
CARRIED

11.2 - Enforcement Activities from 5 April 2018 to 18 May 2018

Resolution

a) *That this report be received and noted.*

Moved: Cr Hope
Seconded: Cr Laws
CARRIED

11.3 - Consents and Building Control

Resolution

a) *That this report is noted.*

Moved: Cr Robertson
Seconded: Cr Hope
CARRIED

Attachments

Nil

15.3. Recommendations of the Communications Committee - 13 June 2018

11.1 Director's Report to 13 June 2018

Resolution

a) *That this report is noted.*

Moved: Cr Deaker
Seconded: Cr Hope
CARRIED

11.2 Stakeholder Engagement Strategy

Resolution

a) *That this report be received and noted.*

Moved: Cr Hope
Seconded: Cr Scott
CARRIED

Attachments

Nil

15.4. Recommendations of the Technical Committee - 13 June 2018

10.1 - Shag/Waihemo River and Waianakarua River Morphology and Riparian Management Strategies - Council Committee Hearing

Resolution

- a) *That the report be received; and*
- b) *That the Shag/Waihemo River and Waianakarua River morphology and riparian management strategies are endorsed.*

Moved: Cr Deaker
Seconded: Cr Lawton
CARRIED

10.2 - Leith Flood Protection Scheme Dundas Stage Programme

Resolution

- a) *That this report is received and noted;*
- b) *The request by the University of Otago for ORC to delay construction of the Dundas Street stage of the Leith Flood Protection Scheme is declined.*

Moved: Cr Robertson
Seconded: Cr Neill
CARRIED

11.1 - An assessment of the Clean Heat Clean Air program's effectiveness

Resolution

- a) *That this report be received.*
- b) *That this report be used to inform the review of ongoing financial incentives for Air Quality, proposed for 2018/2019 in the 2018-2028 Draft Long-Term Plan.*

Moved: Cr Lawton
Seconded: Cr Hope
CARRIED

11.2 - Director's Report on Progress

Resolution

- a) *That the report be received and noted.*

Moved: Cr Scott
Seconded: Cr Lawton
CARRIED

11.3 Lake Hayes Restoration

Resolution

- a) *This report is received and noted.*

Moved: Cr Scott
Seconded: Cr Laws
CARRIED

Attachments

Nil

15.5. Recommendations of the Public Portion of the Finance and Corporate Committee - 13 June 2018

10.1 - 2018-2018 Long Term Plan Hearing Committee recommendations

Water Monitoring - extended programme

Resolution

- a) *Amendment - install all three lakes buoys in the next financial year. (Year 1 of the LTP)*

Moved Cr Laws
Seconded Cr Scott
CARRIED

Biodiveristy & Pests

Predator free Dunedin

Resolution

- a) *Approves \$300,000 to Predator Free Dunedin in year 1 LTP funded equally from the environmental enhancement fund and general reserve and that potential funding and funding method for years 2 – 5 is consulted as part of the 2019 Annual Plan.*

Moved Cr Lawton
Seconded Cr Robertson
CARRIED

Lake Dunstan Lagarosiphon

Resolution

- a) *To consider an additional \$25,000 funding in next year's LTP*

Moved: Cr Noone
Seconded: Cr Lawton

CARRIED

Regional Leadership

Resolution

- a) *Direct staff to consider and report back to Council benefits and risks on the establishment of an Alpine Lakes Technical Advisory Group.*

Moved : Cr Noone

Seconded: Cr Deaker

CARRIED

Resolution

- a) *That the CE be asked to report on establishing a water advisory group with technical expertise*

Moved: Cr Laws

Seconded: Cr Scott

CARRIED

Resolution

That the Finance and Corporate Committee:

- a) *Receives the public submissions to the Consultation Document for Council's Long Term Plan 2018-28 'For Our Future'*
- b) *Notes attachment 4 provides a council staff summary of the public submissions to the Consultation Document for Council's Long Term Plan 2018-28 'For Our Future'*
- c) *Notes attachment 1 provides the Hearing Committee recommended changes to complete the Otago Regional Council Long Term Plan 2018 -28*
- d) *Notes attachment 2 shows the financial impacts of the Hearing Committee recommended changes*
- e) *Endorses the Hearing Committee recommendations contained in attachment 1 of this report (with the changes that have been moved)*
- f) *Directs Council staff to implement the recommendations in attachment 1 along with any amendments decided at the 13 June 2018 Finance and Corporate meeting to complete the Long Term Plan for Council approval at its 27 June 2018 meeting*
- g) *Notes that the Council's external auditors will complete the legal requirement of auditing and reporting on the Long Term Plan 2018-28 based on the recommendations of the 13 June Finance & Corporate Committee meeting*
- h) *Notes that the Council Rates Resolution will be put to the 27 June Council meeting following adoption of the Long Term Plan 2018-28.*

Moved: Cr Brown

Seconded: Cr Noone

CARRIED

10.2 - Director's Report

Peninsula Bus Service

Resolution

- a) *Council grant the ten-minute timetable change 7:47am bus from Portobello as soon as practicable.*
- b) *That Council make a small route adjustment as requested in option B of the petition for the now 7:47am bus and for the new 3:08 pm bus when implemented.*
- c) *That the introduction of 3:08pm service is investigated further including undertaking negotiations with the operator and seeking NZTA funding approval and do this as soon as practicable.*

Moved: Cr Neill
Seconded: Cr Scott
CARRIED

Resolution

- a) *That this report is received.*
- b) *That the payments summarised in the table above and detailed in the payments schedule, totalling \$2,972,999.77, be endorsed.*

Moved Cr Noone
Seconded Cr Scott
CARRIED

Resolution

- a) *That legal comment is sought on the trip point for significance policy of the RPTP and a report be brought back to the 27 June Council meeting.*

Moved Cr Laws
Seconded Cr Scott
CARRIED

10.3 - Wanaka Depot leasing proposal

Resolution

- a) *That this report is received, and*
- b) *That Council considers whether it wishes to financially support community groups such as ALREC either financially or in-kind, and*

Motions c,d and e

That the motion be left to lie on the table and is discussed at next meeting round.

Moved Cr Laws
Seconded Cr Deaker

CARRIED

10.3 - Passenger Transport Update

Resolution

- a) *That this report be received.*
- b) *That no further action be taken on the development of a central city bus loop and the DCC advised of this decision and provided a copy of the attached report.*

Moved: Cr Brown
Seconded: Cr Noone
CARRIED

11.1 - Financial Report to 30 April 2018

Resolution

- a) *That this report is received.*

Moved: Cr Noone
Seconded: Cr Robertson
CARRIED

Attachments

Nil

15.6. Recommendations of the Regional Transport Committee - 8 June 2018

Item 1 - RLTP Programme Update - May 2018

Resolved:

Moved Cr O'Malley, seconded Cr Thomas that the Regional Transport Committees write to NZTA requesting the Mataura Intersection Improvements be brought forward, for the reasons raised in the points above. Carried

Resolved:

Moved Cr Bell, seconded Cr McPhail that the Regional Transport Committees note the report and provide direction on any actions they require, based on the information provided. Carried

Item 2 - Road Safety Influencing Group Project Update

Resolved:

Moved Cr Wills, seconded Cr Thomas that each Regional Transport Committee notes the report and provides its views and to the Road Safety Influencing Group to assist with the latter's coming discussions on the next steps for the project. Carried

Item 3 - Key Government transport documents & RTCs' forward work programme

Resolved:

1. Moved Cr Thomas, seconded Cr Wills that the Committees note the updates on Government Policy Statement on Land Transport 2018 (GPS1 and GPS2), draft outcomes framework for transport, draft Investment Assessment Framework (IAF), and draft Transport Agency Investment Proposal 2018-2027 (TAIP); Carried

2. Moved Cr Bell, seconded Cr McPhail that the Committees note that the Transport Agency expects there will be a number of variations to Regional Land Transport Plans during the three-year period to take advantage of the opportunities provided by the GPS 2018/19-2027/28; Carried

3. Moved Cr Wills, seconded Cr O'Malley that the Committees note the further work likely to be needed by both RTCs, together, to give effect to the GPS 2018/19-2027/28, and to the second stage GPS and national road safety strategy both of which the Government is preparing. Carried

4. Moved Cr McPhail, seconded Cr Thomas that the Committees provide formal feedback to the Transport Agency on the Draft TAIP 2018-2027 and ask Environment Southland and Otago Regional Council staff to prepare this as soon as possible, with the assistance of the Technical Advisory Group, with the final feedback to be endorsed by the Chairs of each RTC (or in their absence, the deputy Chairs). Carried

5. Moved Cr Bell, seconded Cr O'Malley that the Committees recommend that the South Island RTC Chairs Group ask its Officials Group to scope the business case for identifying and modelling a South Island-wide strategic network in order to assist truly integrated planning. Carried

Item 4 - Update of 2015-2021 Otago and Southland RLTPs

Resolved:

1. Cr O'Malley moved, Cr Wills seconded that the Otago Regional Transport Committee adopts the recommendations of the combined Hearing Sub-committees on submissions and changes to the combined RLTPs document. Carried

2. Cr O'Malley moved, Cr Bell seconded that the Otago Regional Transport Committee agrees to vary the pertinent 2015-21 RLTP to add the new transport planning projects proposed by Approved Organisations plus the other projects/activities listed in table 1, the latter being projects that were not included in the proposed RLTPs variations that the RTCs publicly consulted on. Carried

3. Cr Wills moved, Cr O'Malley seconded that the Otago Regional Transport Committee allocates to the new improvement projects listed in table 1, as amended, the priority ratings shown in that table. Carried

4. Cr Wills moved, Cr O'Malley seconded that the Otago Regional Transport Committee determines that the variation to the RLTPs, which is required to add items 5 to 14, inclusive, in Table 1 to the 2015-2021 Otago and Southland RLTPs document in Attachment 1, is not significant under the RTCs significance policy and therefore does not require further public consultation. Carried

5. Cr O'Malley moved, Cr Bell seconded that the Otago Regional Transport Committee varies the 2015-2021 Otago Southland RLTPs by replacing the current 2015-2021 RLTPs document with the updated one in Attachment 1, subject to those editorial changes marked as unfinished being completed by staff. Carried

6. Cr Wills moved, Cr O'Malley seconded that the Otago Regional Transport Committee lodges the updated RLTPs document with ORC or ES, as appropriate, for approval. Carried

Attachments

1. Minutes - Otago Southland RT Cs meeting 8 June 2018 [15.6.1]

16. RESOLUTION TO EXCLUDE THE PUBLIC

That the public be excluded from the following parts of the proceedings of this meeting, namely:

Head Office Building Update

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under [section 48\(1\)](#) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

| General subject of each matter to be considered | Reason for passing this resolution in relation to each matter | Ground(s) under section 48(1) for the passing of this resolution |
|--|--|---|
| <i>Head Office Building Update</i> | <p>To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities – Section 7(2)(h)</p> <p>To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) – Section 7(2)(i)</p> | <p>Section 48(1)(a); Section 7(2)(h) 7(2)(i)</p> |

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 follows:

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To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities – Section 7(2)(h)

To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) – Section 7(2)(i)

17. CLOSURE