

COUNCIL MEETING PUBLIC AGENDA

Wednesday 26 September 2018

1:00PM, Council Chambers

Level 2 Phillip Laing House, 144 Rattray 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>
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Disclaimer

Please note that there is an embargo on agenda items until 48 hours prior to the meeting. Reports and recommendations contained in this agenda are not to be considered as Council policy until adopted.

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Summary of recommendations for Council Decision for 26/9/18

11.1. Annual Report

Recommendation:

- a. *That this report be received.*
- b. *That Council approves and adopts the Annual Report and Financial Statements for the year ended 30 June 2018.*
- c. *That Council authorises the Chairperson and Chief Executive to sign the Representation Letter on behalf of Council.*

11.2. Leith Flood Protection Scheme – Dundas Street Stage

Recommendation:

1. *This report is received and noted.*
2. *The Finance and Corporate Committee be delegated the authority to award a contract for construction of the Dundas Street Bridge stage of the Leith Flood Protection Scheme.*

11.3. Peninsula Bus Service - Hearing Panel recommendations

Recommendation:

That Council receive this report.

That Council adopt "The Otago Regional Council Regional Public Transport Plan 2014 Addendum: Peninsula Route Variation – August 2018" attached as Appendix 1.

11.4. The Good Water Project

Recommendation:

For the proposal to be ratified by Council, that:

- (a) *The findings of the survey and risk assessment be noted.*
- (b) *The findings of this work inform the draft Good Water Implementation Plan.*

1. APOLOGIES

Cr Sam Neill

2. LEAVE OF ABSENCE

Leave of Absence noted for Cr Lawton

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

7. PRESENTATIONS

8. CONFIRMATION OF MINUTES

Recommendation

That the minutes of the (public portion of the) Council meeting held on 15 August 2018 be received and confirmed as a true and accurate record.

Attachments

2. Public Council minutes - 15 August 2018 **[8.1.1]**

9. ACTIONS (STATUS OF COUNCIL RESOLUTIONS)

Report	Action	Status
Delegations – Resource Management Act (Council 27/6/18)	<i>An independent review of the Council's consenting functions be undertaken</i> <i>That the Chief Executive prepares a brief on the requirements of the review for Council consideration.</i>	In progress
Peninsula Bus Service RPTP Implications (Council 27/6/18)	<i>That staff consult with the roading authority, the bus company and targeted consultation is undertaken to the community in a timely manner.</i>	CLOSED. Item 11.3 Council 26/9/18
Zero Carbon Emission Bill – discussion document (Council 27/6/18)	<i>That the submission is brought back to the next Policy Committee meeting</i>	OPEN
Representation Review 2018 (Council 15/8/1)8	<i>That Council hear submissions on the recommended representation proposal. (on a date yet to be determined, but likely to coincide with the October 2018 committee round)</i>	In progress

Attachments

Nil

10. CHAIRPERSON'S AND CHIEF EXECUTIVE'S REPORTS

Prepared for: Council
Activity: Governance Report
Prepared by: Cr Stephen Woodhead, Chairperson
Date: 21 September 2018

1. **Mayoral Forum**

District Health Board Commissioner Cathy Grant updated the forum on activities. Cathy noted there are 83 GP practices across the south; they are working to support the delivery of enhanced services by GP's.

A regional economic development and Provincial Growth Fund update from the project group which was formed early 2018 and is made up of the economic development managers from councils. The aim is to progress the development of a regional framework to identify strengths, weaknesses, opportunities and threats across the region, provide a basis for engagement with stakeholders and identify possible themes. A draft framework is due in November.

The terms of reference for a South Island Destination Management Plan was discussed. The purpose is to develop a visitor destination management plan that aims to quantify and understand current and future visitor flows, understand visitor experience expectations, and identify and prioritise current and future infrastructure needs to support sustainable tourism.

Mike Theelen is a member of the LGNZ Three Waters Reference Group. Discussion on the Government's and DIA work programme identified the need for evidence to ensure an informed debate. Concern was expressed at some of the messaging that the only option is aggregation of infrastructure.

2. **Emergency Management Otago Joint Committee**

Held in Central Otago, local Emergency Management Officer, Matt Alley attended the meeting.

Discussion on community response plans acknowledged the need for all Councils' emergency management liaison staff to have input into which communities need response plans. Not all communities need a plan.

A copy of the current year's budget was provided. It was agreed financial reports monitoring expenditure against the annual business plan will in future be presented to group meetings. The group will discuss resourcing needs early in the financial year to include any proposed changes early in planning cycle. Further discussion on resourcing resulted in acknowledgement that Emergency Management shared services agreement was two years old and a review of the agreement was timely. The Chief Executive Group is progressing that. A chart comparing staff resourcing across the country was part of the agenda; Otago was in the middle of the pack with one staff member per 17,000 population. It was noted that it was assessed by population and did not take into account visitor numbers. How to have some flexibility to use existing staff across the region was also discussed.

A paper on the Standard Operating Procedure for declarations received feedback and needs further revision. It will come to the next meeting following being tested with Ms Graham and Ms Jacobs.

A survey of 1,700 residents about their awareness of hazards, their understanding of the impacts that hazards can have, and their preparedness for emergencies, provides good baseline data. Results show hazard awareness was high; 72% said they were somewhat prepared for an emergency, 84% said they would use a radio for information during an emergency, 78% who had a coastal evacuation zone map had checked it, although there was some confusion what the different colours identified. There are several areas to focus work plans and communications on, e.g. coastal evacuation zones as a result. The survey will be repeated every three years.

The group plan was referred back for further review prior to being presented to the November Joint Committee meeting. A workshop was held recently to edit the document. Nationally, the National Disaster Resilience Strategy is due for release for consultation mid-October.

3. Queenstown Transport Governance Group

Mr Donnelly, Crs Kempton and Lawton and I attended the Queenstown Transport Government Group meeting.

Remarkables Park representatives updated on their gondola plans and the potential for a link with a water ferry service at Remarkables Park.

Queenstown Airport Company updated on the noise boundary consultation. They are proposing to make some changes to the current noise boundaries in the District Plan. Submissions closed late August.

NZTA and QLDC are looking at options for the SH6/SH84 intersection at Wanaka for active travel. An underpass is the likely option.

We updated on the latest bus patronage data and improvements planned in the LTP. Increasing frequency to 30 minutes for Shotover Country in the peak for afternoons was supported.

QLDC are working through a spatial planning/future development strategy, a vision for 2050 to be delivered during 2019.

Updates were received on the detailed business cases for Wakatipu active travel. Queenstown town centre, SH6A, traffic modelling, water transport, parking buildings and Queenstown/Frankton parking strategy have all been scoped with most being advanced to the stage of procurement. It is good to see planning for the future occurring, and as a result of so much work to be done, the need for a programme manager has been agreed. The programme manager will lead the relevant proposed projects and coordinate the reporting. NZTA will present options to the Transport Governance Group.

4. Network Waitaki

At the request of Network Waitaki, Cr Robertson, Mrs Gardner and I met with Dr Helen Brookes, Chairperson of the Waitaki Power Trust, Chris Dennison and Graham Clark, Chair and Chief Executive of Network Waitaki Ltd. They have an electricity supply issue with the national grid and are wanting our support to apply for funding. Initially, we are going to coordinate a delegation, including the Mayor of Waitaki, to visit the Minister of Electricity, Dr Megan Woods, to seek assistance from the Crown.

5. Other Meetings Attended

- Tangi for Rewi Anglem at Arowhenua Marae in Temuka.
- Ed Chignall and Rhys Miller, Predator Free New Zealand.
- Environmental Monitoring and Research meeting.
- Regional Sector Group meeting.

6. Recommendation

That this report be received.

Endorsed by: Cr Stephen Woodhead
Chairperson

Attachments

Nil

Prepared for: Council
Activity: Governance Report
Prepared by: Sarah Gardner, Chief Executive
Date: 21 September 2018

1. Key Meetings

I have attended the following meetings and events. A more detailed summary of those most relevant is included below.

- Friday 17 August – met with the Hon David Parker to discuss the transfer of deemed permits to resource consents by 2021.
- Monday 20 August – regular catch-up teleconference with Steve Hill, Chief Executive of Clutha District Council.
- Monday 20 August – met with John Cooney, The Vanguard Method – discussion on improving engagement with the community.
- Monday 20 August – Waterfront Stakeholders meeting.
- Tuesday 21 August – met with Ed Chignall, Chief Executive of Predator Free Ltd.
- Thursday 23 August – met with Tahu Potiki, Chief Executive, Aukaha.
- Friday 24 August – attended the Otago Mayoral Forum and Civil Defence Joint Committee in Alexandra.
- Tuesday 28 August – met with the Mayor and Chief Executive of Queenstown Lakes District Council in Queenstown.
- Wednesday 29 August – teleconference with Keith Manch, Maritime New Zealand.
- Wednesday 29 August – regular catch-up teleconference with Sanchia Jacobs, Chief Executive of Central Otago District Council.
- Thursday 30 August – regular catch-up teleconference with Mike Theelen, Chief Executive of Queenstown Lakes District Council.
- Thursday 30 August – spoke at WasteMINZ Event – Local Government Leadership, held in Dunedin.
- Friday 31 August – Regional Sector Group meeting in Wellington.
- Thursday 6 September – met with Dr Helen Brooks (Chairman of Waitaki Power Trust), Graham Clark (Chief Executive of Network Waitaki), Mr Chris Dennison (Chairman, Board of Directors), Ms Cornel van Basten (Regulatory Manager, Network Waitaki) – issues relating primarily to irrigation in the Waitaki District, and to seek Regional Council support with respect to a proposed solution.

- Friday 7 September – guest of Phil Ker, Otago Polytechnic at the Cancer Society Spring Ball.
- Friday 14 September – Otago Region Manager and Deputy Chair of CEG David Guard, Fire & Emergency New Zealand.
- Friday 14 September – Claire Richardson, Chief Operating Officer, Ministry for the Environment.
- Monday 17 September – CDEM Otago Group Plan meeting with Dunedin City Council.
- Tuesday 25 September – attended Aukaha Board meeting by invitation.
- Tuesday 25 September – regular teleconference with Sanchia Jacobs, Chief Executive of Central Otago District Council.

2. Regional Sector Group Meeting – 31 August 2018

Matters discussed included:

- Feedback from LGNZ conference – workshop feedback was more positive than that on keynote speakers.
- Remuneration Authority decisions, professional standards for elected members and diversity concerns re Councillors e.g. 6% of New Zealand Councillors are under 40 years old.
- Waste – five remits from LGNZ Conference, two have now had Government response i.e. plastic bags and product stewardship.
- Government messaging/policy – Councils need to be proactive when this kind of information is available.
- Three waters – LGNZ CEO Malcolm Alexander and the Minister for Local Government the Hon Nanaia Mahuta discussed three waters reform. The focus is on four key areas:
 - i. Effective oversight, regulatory settings and institutional arrangements.
 - ii. Funding and financing mechanisms.
 - iii. Capacity and capability of decision makers and suppliers.
 - iv. Information for transparency, accountability and decision making.

It is understood that further progress will be reported to Cabinet in October 2018. The scope of Government thinking extends to environmental regulation, compliance, investment, source protection for drinking water and leakage.

- Freshwater – Regional Chief Executives outlined the need to better understand, align and communicate freshwater improvement and ensure that implementation effort is targeted, particularly with the Government's focus on "at risk catchments", i.e. catchments at a tipping point where intervention could bring them back from the brink.
- Climate Change – Regional Chief Executives explained that the focus for the sector needs to be on adaptation.

- Billion Trees – the Sector Chief Executives are looking at how to ensure afforestation is aligned to environmental/economic/climate change challenges and opportunities.
- Compliance, monitoring and enforcement – a survey is with Councils to provide further information on these areas of business. It was noted that communications about these activities is very important. The survey will cover the scope and scale of non-compliances, monitoring, resources, enforcement actions and policy etc.
- Sector Biodiversity Think Piece – components of the think piece have been picked up and the terms of reference for the New Zealand Biodiversity Strategy refer to the think piece and its thoughts on active management which is also a component of the Predator Free 2050 Plan being prepared for the Government. The Biodiversity Strategy is likely to be consulted on in mid-2019.
- Wilding Conifers – South Island is top priority. Commitment is to investment of \$16 million over four years. Approximately 1.5 million hectares have been cleared to date. Support from the sector is considered very important.
- National Policy Statement on Indigenous Biodiversity – local government is an active observer on the collaborative group putting this NPS together. The group is looking at the problem definition, roles and responsibilities for indigenous biodiversity and how the NPS would be implemented.

3. Three Waters – Otago Region

Given the feedback received at the Regional Sector Group our Chair has, in consultation with Mayor Cull of Dunedin City Council, written to all Otago Regional Mayors asking that their Councils take part in a stocktake of current state and future plans for three waters infrastructure. Otago Regional Council will also look at consents, their conditions and compliance. This will allow the region to have a good understanding of its challenges and opportunities and ensure Otago Councils are best placed to respond to government engagement on these issues.

4. Otago Regional Council and Queenstown Lakes District Council Meeting – 28 August 2018

The Chair and I met with Mayor and Chief Executive of QLDC to discuss various matters of shared interest. In particular we canvassed:

- A current and future state for Queenstown and the wider district and what that means in respect to population growth, visitor numbers, and vehicle movements.
- The level of investment required by the District for its future and its LTP commitment to expenditure and borrowing.
- The plan to divert wastewater from four systems in Cardrona to one system, and the reasons why other options were not available.
- Glenorchy wastewater and how it is managed.
- Development of Kingston and the need to consider potable water supply and how wastewater is managed in the township.
- Lake snow and the current position on its management.
- E-coli notifications and the process improvements that could be considered to ensure both Councils do what is best for the community when these situations occur.

- Future development and work being done by the District on its development strategy and how that interfaces with our obligations to include policy on development in our planning instruments.
- Wilding pines and the investment of the District required to replant Coronet Forest.
- Broom infestation on the urban fringe and what management tools are available to clear, including what provisions may be in our new Pest Plan.
- Pests, including the success of the rabbit virus at Lake Hayes and the positive work of the Wakatipu Wildlife Trust.
- Stock Truck Effluent sites and the suitability of a site in the Kawarau Gorge.
- Lake flooding and the principles for management and why those events occur.
- Key topics for discussion when both Councils meet at the end of October 2018.

5. Recommendation

That this report be received.

Endorsed by: Sarah Gardner
Chief Executive

Attachments

Nil

11. MATTERS FOR COUNCIL DECISION

11.1. Annual Report

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

1. Précis

The Council's Annual Report for the period 1 July 2017 to 30 June 2018 has been completed and is presented to Council for adoption.

2. Background

The draft Annual Report was presented to the Audit and Risk Subcommittee on 19 September for review.

The Council's auditor Mr Brett Tomkins from Deloitte is currently the appointed auditor of the Council. Mr Tomkins, Mr Scott Hawkins, an Associate Director for Deloitte, and Ms Heidi Rautjoki, who will succeed Mr Tomkins as the appointed auditor, attended the Audit and Risk Subcommittee meeting.

Mr Tomkins advised that the audit was substantially complete and that following satisfactory clearance of any minor outstanding audit matters, his intention was to issue a clear audit opinion on the Annual Report for the year ended 30 June 2018. The audit opinion will be issued following Council adopting the Annual Report and signing the Representation Letter to the Auditors.

The Audit and Risk Committee endorsed the draft Annual Report and Financial Statements for the year ended 30 June 2018, and subject to any minor editorial and agreed audit amendments, recommended that the Annual Report for the year ended 30 June 2018 be adopted by Council at the Council meeting to be held on 26 September 2018.

The Annual Report for the year ended 30 June 2018 is separately circulated with the Council meeting papers.

The Annual Report includes Statements of Service Performance for each Significant Activity Group and Financial Statements for the Council as a whole and for the Group. The Group comprises the Council and its wholly owned subsidiary, Port Otago Limited, and its subsidiaries.

3. Statement of Service Performance

The Statements of Service Performance for each Significant Activity group include planned levels of service and key activities to be undertaken towards achieving those levels of service. The Statements of Service Performance reports the actual performance achieved against the planned performance targets.

A Funding Impact Statement is included for each Significant Activity, showing the actual and planned sources and applications of operating and capital funding.

The non-financial and financial reporting in the Statement of Service Performance is based on financial and non-financial project information included in the 12-month review that has previously been considered by the Finance and Corporate Committee at its 12 September 2018 meeting.

4. Statement of Comprehensive Revenue and Expense

The Council's reported operating result for the year ended 30 June 2018 is a deficit of \$2.849 million compared to a budgeted deficit of \$1.393 million.

Note 4.1 - Deficit position and reserve funding

The primary reason the budget was in a deficit position rather than a surplus, was the use of reserve funding to meet particular operating expenditure. Reserve funding is not able to be included in the Statement of Comprehensive Revenue and Expenditure, as it does not represent income derived from external sources during the year.

The exclusion of reserve funding contributes to a budgeted deficit position.

The budgeted deficit of \$1.393 million included the application of general reserve funding for activities where there is a general/regional benefit and targeted rate reserves to fund operating expenditure, related to the reserves, such as transport expenditure and river management and flood protection and drainage.

The actual deficit of \$2.849 million is \$1.456 million more than the budgeted deficit of \$1.393 million.

The variance is a net result of operating expenditure being \$0.520 million less than budget, and income from all revenue sources, other net gains and a tax benefit received, being \$1.976 million less than budgeted.

Note 4.2 - Government Subsidies

Subsidy income at \$10.893 million is \$1.033 million less than the budget of \$11.926 million, with the subsidies from the Public Passenger Transport project down \$1.039 million.

The main variance in this activity group is the electronic ticketing system replacement project. The annual budget anticipated the project would be funded from NZ Transport Agency subsidies of \$2,003,000 and drawings on transport reserves. This is a complex project involving a consortium of nine regional councils and the project is running behind the budgeted timeline. Consequently, revenue from government subsidies is down \$1,375,000 on the budget of \$2,003,000.

Note 4.3 - Other Revenue

The amount of other revenue earned of \$10,549,000 is \$2,017,000 less than the budgeted amount of \$12,566,000.

The budgeted other revenue income category largely comprises revenue that is directly related to the level of activity undertaken. The projects contributing significantly to the variance, and being largely due to lower levels of activity, are the resource consents and compliance monitoring projects, with a combined variance of \$866,000 against budgets totaling \$2,356,000, and external pest control contracting with a variance of \$350,000 against the budget of \$440,000 due to lower demand in that activity.

Fare revenue in relation to the passenger transport activity is down \$650,000 on the budget of \$7,040,000 due to the timing of service changes being introduced later than planned in the budget. Dunedin network changes were budgeted from 1 July 2017 and introduced in September 2017. The new Council funded service in Queenstown was budgeted from 1 October 2017 and was introduced in November 2017.

Note 4.4 - Dividend Income from Port Otago Limited

The total dividends received during the year amount to \$9.0 million, comprising interim ordinary dividends for the June 2018 year of \$7.0 million, a special dividend of \$1.5 million and a final dividend of \$0.5 million for the June 2017 year received in September 2017.

Note 4.5 – Interest and Investment Income

This revenue line comprises interest earned on term deposits and bank accounts of \$1,069,000.

An increase in fair value of the managed fund portfolio of \$1,529,000, is included in the Other Gains/(Losses) line, as noted in Note 4 to the Annual Report.

The increase in fair value of the managed fund incorporates income received, and changes in the market value of investments due to price changes, and foreign exchange rates where applicable. The overall change in fair value is subject to monthly fluctuations due to movements in the market valuation factors.

Note 4.6 – Investment Property Revaluation Gain

Investment property was revalued by an external valuer as at 30 June 2018, with the valuation of \$11,137,000 resulting in a revaluation gain of \$312,000, reflecting a gain of 2.9% on the previous year valuation amount. The revaluation gain is included in the Other Gains/(Losses) line and has been transferred to the Property Revaluation Reserve.

Note 4.7 – Revaluation Gain on Port Otago Ltd Shares

The Council's 100% shareholding in Port Otago Limited is revalued annually by an external valuer as at 30 June. It is noted that the valuation comprises Port Otago Limited and all entities in which the company has an interest, including Chalmers Properties Ltd.

The June 2018 valuation of \$488.508 million, has resulted in a revaluation gain of \$49.471 million, representing an 11.27% gain on the previous year valuation.

The revaluation gain of \$49.471 million exceeds the budgeted gain of \$10.0 million by \$39.471 million and is the most significant variance in the net comprehensive revenue and expense variance of \$36.808 million.

The revaluation gain has been transferred to the Available-for-Sale Revaluation Reserve.

5. Statement of Financial Position

The Council's Statement of Financial Position shows total equity and reserves of \$639.549 million, compared to \$592.927 million at 30 June 2017, an increase of \$46.622 million.

The main reason for the increase is the revaluation gain of \$49.471 million recorded on the revaluation of the Council's investment in Port Otago Limited as at 30 June 2018, which flows through to the available-for-sale revaluation reserve.

The other significant factor impacting upon the change in equity and reserves is the increased deficit of \$2.849 million on the amount budgeted of \$1.393 million, and as a consequence, the greater drawing on reserves to fund operating expenditure than was budgeted for.

The increase in the valuation of the shares in Port Otago Limited by \$49.471 million is the prime reason for the increase in non-current assets of \$45.632 million.

Current assets of \$57.590 million show an increase of \$7.850 million over the amount budgeted and is largely due to an increase in Cash and Cash Equivalents and Trade and Other Receivables of \$9.783 million.

The receivables amount of \$8.709 million includes receivables and accruals of \$5.257 million in respect of transport operations, comprising NZTA subsidy claims, receivables from Councils associated with the Electronic Ticketing System consortium, and receivables from other Councils and parties in respect of Dunedin and Queenstown transport operations.

Other significant receivables are rates debtors of \$393,000 and a net GST refund of \$1,031,000.

6. Recommendation

- a) *That this report be received.*
- b) *That Council approves and adopts the Annual Report and Financial Statements for the year ended 30 June 2018.*
- c) *That Council authorises the Chairperson and Chief Executive to sign the Representation Letter on behalf of Council.*

Endorsed by: Nick Donnelly
Director Corporate Services

Attachments

1. Annual Report 2017-2018 [11.1.1]

11.2. Leith Flood Protection Scheme – Dundas Street Stage

Prepared for: Council
Report No. EHS1826
Activity: Flood Protection & Control Works
Prepared by: Gavin Palmer, Director Engineering, Hazards and Science
Date: 20 September 2018

1. Précis

Council is constructing the Leith Flood Protection Scheme in stages (Figure 1). The Dundas Street Bridge stage is the last of the flood protection related capital works. This stage will be constructed this Summer, subject to favourable tenders being received and the negotiation of a contract.

The contract value will exceed the financial delegation of the Chief Executive (\$500,000). This paper recommends that the Finance and Corporate Committee be expressly delegated the authority to award a contract for construction of the Dundas Street Bridge stage.



Figure 1 Staging of construction of the Leith Flood Protection Scheme

2. Background

Council is constructing the Leith Flood Protection Scheme in stages. The Dundas Street Bridge stage is the last stage of the flood protection related capital works. The 2018-28 Long Term Plan provides the sum of \$2M for construction of this stage.

Tenders for construction were invited on 14 August 2018 and closed on 10 September 2018. Evaluation is underway.

3. Proposal

The contract value will exceed the financial delegation of the Chief Executive (\$500,000). The decision to award a construction contract can therefore only be made by Council unless the authority for that decision has been delegated by Council.

The project programme would enable a decision on the award of a construction contract to be made at the next meeting of the Finance and Corporate Committee (17 October). This would avoid an unnecessary delay in commencement of the contract, as the next meeting of Council is two weeks later (31 October).

The terms of reference for the Finance and Corporate Committee give the committee delegations that include “*to award or approve contracts and tenders in excess of staff delegations*”. Given the likely financial amount of the Dundas Street Bridge stage contract it is recommended that the Finance and Corporate Committee be expressly delegated the authority to award a contract. Staff would bring a recommendation to Committee on the award of a contract including details of the tender evaluation and the proposed contract, for consideration and decision-making by Committee.

4. Recommendations

- 1. This report is received and noted.*
- 2. The Finance and Corporate Committee be delegated the authority to award a contract for construction of the Dundas Street Bridge stage of the Leith Flood Protection Scheme.*

Endorsed by: Gavin Palmer
Director Engineering, Hazards & Science

Attachments

Nil

11.3. Peninsula Bus Service - Hearing Panel recommendations

Prepared for: Council
Report No. CS1857
Activity: Transport: Public Passenger Transport
Prepared by: Regional Public Transport Plan Hearings Subcommittee
Date: 19 September 2018

1. Précis

This report includes an overview of the hearing panel deliberations and the panel's recommendation to adopt "The Otago Regional Council Regional Public Transport Plan 2014 draft Addendum: Peninsula Route Variation August 2018".

2. Background

The Regional Public Transport Plan 2014 (RPTP) sets out the priorities and needs for public transport services and infrastructure in Otago.

In response to feedback from the community, Council at its June 2018 meeting, endorsed undertaking community consultation on an amendment to the RPTP to vary the Peninsula Route for one inward and one outward service.

At its 27 June 2018 meeting, Council resolved to undertake public consultation on a draft amendment to the RPTP to vary the Peninsula Bus Route Service as follows;

- the standard timing so that the 7.57am scheduled service leaves 10 minutes earlier at 7.47am, and
- the route on the 7.47am (new) inward service is to depart from the standard route on Portobello Rd, travelling along Marne St, Somerville St, and Musselburgh Rise and connecting to the standard route on Andersons Bay Road. and
- the 3.08pm (new) outward service is to depart from the standard route on Andersons Bay Road travelling along Musselburgh Rise, Somerville St and Marne St connecting to the standard route on Portobello Rd.

Consultation on the proposed amendment was undertaken as follows;

- by a targeted flyer available on bus, and via Council's website between 13 and 24 August 2018.

A copy of the Draft Addendum: Peninsula Route Variation August 2018 as consulted on, is attached as Appendix 1.

196 Submissions were received on the proposed Addendum. 4 submissions were late.

The panel considered that the late submissions should be considered and were therefore accepted.

188 favoured the proposal and 8 were opposed to the change.

This report provides a summary and recommendations from the hearing panel.

3. The Hearing

The hearing of submissions was undertaken in accordance with the requirements of the Local Government Act.

Council appointed the following independent commissioner as the hearings panel (panel);

- David Benham

The panel convened to hear submissions at a publicly advertised meeting at 12 noon 18 September 2018 in Dunedin.

Those submitters that had indicated a wish to be heard in support of their submission were invited to present their submissions. 5 submitters presented in support of their submissions.

The panel took the opportunity to ask questions of submitters and where appropriate asked the ORC support staff for clarification and qualification on matters pertaining to the submissions and the proposed RPTP amendment.

The submissions received are attached as Appendix 2.

Upon hearing of the submissions, the panel undertook its deliberations. The deliberations were undertaken in the open public meeting.

Having given regard to the matters raised in the submissions, the panel recommend the adoption of the draft Addendum to the RPTP as published. (Appendix 1).

4. Further Comment

Submitters raised a number of matters that in the panel's view, they either did not require further amendment or were matters outside of what could be considered by the panel.

The panel consider the following matters should be noted;

- *The route follows the variation for all services*
I consider that the Shiel Hill and Waverley services provide an adequate level of service through this area. However, the Council may wish to consider this further when the RPTP is reviewed when more data is available.
- *The new 7.47am and the 3.08pm services be extended to include Harrington Point*
I consider that the services are appropriate and will assist in sharing the potential loading on the service. Again, the Council may wish to consider this further when the RPTP is reviewed when more data is available.
- *Provision of appropriate shelters and seating along the route.*
Staff advised that work is being undertaken in conjunction with the DCC road improvements to improve shelter and access along the extent of this service.

- *Generation Zero*
Generation Zero made a number of points outside the bounds of this hearing. It is suggested that staff arrange to meet with Generation Zero representatives to discuss matters of clarity and provide comment back to Council in preparation for the review of the RPTP.
- *Future minor variations*
It was noted by two submitters that by making minor adjustments to the RPTP that the fundamental essence of the plan may be altered.

5. Panel's (Commissioners) Recommendation

- a) *That Council receive this report.*
- b) *That Council adopt "The Otago Regional Council Regional Public Transport Plan 2014 Addendum: Peninsula Route Variation – August 2018" attached as Appendix 1.*

Endorsed by: David Benham
Hearing Panel

Attachments

Appendix 1 RPTP Addendum – Peninsula Route Services – August 2018. (A1142547)

Appendix 2 – Submissions received

11.4. The Good Water Project

Prepared for: Council
Report No. SHE1815
Activity: Governance Report
Prepared by: Sian Sutton, Director Stakeholder Engagement
Date: 21 September 2018

1. Précis

We have completed initial stages of the Good Water Project, and this report gives an update on the outcomes. The Good Water Project has two purposes:

1. To help people understand their risk when it comes to impacting on water quality and breaching rules in the Water Plan.
2. To enable ORC to understand what actions our rural and lifestyle block community are taking to ensure they are minimising negative effects on water quality.

This report includes:

- **Survey results.** The survey explores the readiness of our community for Water Plan rules that come into effect in 2020 or are in effect already. It reports back on questions asked about water testing, reference flow sites, nitrogen leaching zones, OVERSEER, catchment groups, understanding of the Water Plan rules, understanding what people need to do to be compliant, communication, what information they still need, mitigation measures, and expected level of compliance. The report includes results from five surveys carried out over five years by Versus Research, and some qualitative research undertaken in 2016.
- **Desktop assessments.** ORC staff have assessed around 4,700 properties in Otago (under 10 hectares) to determine if they are high, medium or low risk of non-point source discharges from their properties to waterways. The assessments looked at type of property, land area, irrigation, storage/discharges, effluent, waterways, farm environment plans, stock units and forestry. Questions were also asked about knowledge of the Water Plan, OVERSEER, winter grazing, critical source areas, stock access/crossings, and water sampling. Around 1000 properties are still to be assessed. All will receive a written report, and those deemed high risk may undergo a site inspection.
- **On-site assessments.** A pilot project in the Shag River catchment in North Otago has been undertaken using a contractor. This involved face-to-face visits to help people fully understand how the Water Plan rules relate to them, and what information and support they need from ORC. 116 properties over 10 hectares were visited.

2. Background

In addition to the combined findings from the Good Water Project, we've received feedback and queries from the community about certain parts of the water plan they find ambiguous. With that said, Otago Regional Council stands behind the intent of the plan.

We've listened to the community, and staff have been directed to work on a detailed implementation plan to create more clarity and a clear path forward.

The implementation plan will help us clear up some ambiguous areas of the Water Plan that the community has raised with us and provide a clear direction to the community about how ORC will approach compliance, enforcement, consenting and education/support.

The key themes being addressed at this point include:

- 1) Education and collaboration (formalising how we work together and looking at new ways to achieve good water together)
- 2) Compliance – rule clarification, compliance process and protocol
- 3) ORC consenting regime (provision of more clarity)
- 4) Communication and key messages (clearing up long-standing community questions)
- 5) Science (providing clarity on limit setting)
- 6) OVERSEER (how will it be used)
- 7) Schedule 16

These themes raised by the community echo the findings from the Good Water Project (see below summary).

Our approach will be one of shared problem solving, and we want to engage key stakeholders in the development of this implementation plan.

3. Summary of the Good Water Project – survey and on-site assessments

Survey:

The following are findings from the Versus Survey results:

- ORC continues to be a trusted source of information.
- OVERSEER. The high number of people who are not aware of OVERSEER is concerning, because the requirement to collect information for OVERSEER has been in place since 2014. This survey result is supported by queries we get from the community.
- Nitrogen leaching zone/rate. The high number of people who are unaware of their nitrogen leaching zone or nitrogen leaching rate correlates with the OVERSEER data. We have work to do to clarify this, so we can increase understanding and action.
- Catchment groups. The survey shows that catchment groups are effective. Those in catchment groups have a higher level of understanding of their responsibilities and what needs to be done to be fully compliant. We propose formalising how ORC supports catchment groups (see recommendation).
- Land management plans. These are not required under the Water Plan yet over 50% of those surveyed have them. This is worth investigating further.
- Water sampling. 28% of those surveyed are doing water testing, yet there is confusion over where to take the tests from. Targeted communications can address this and provide clarity.
- Mitigation measures. A mitigation measure is not defined in the Water Plan. We can use the survey results of what mitigation measures people are taking to provide guidance through education/communication, and will also look into potential measures that are not being done.
- Expected compliance. It is concerning that higher levels of engagement and understanding do not necessarily equate to higher levels of expected compliance. This is particularly relevant for those in the diary sector. Further investigation may be required.

- Level of understanding. This has sat around the 50% mark for a number of years, which suggests people need more clarity on aspects of the rules. This is supported by 20% of those surveyed indicating they want more general information, 11% wanting relevant guidelines/checklists, and 15% wanting 'something else' (undefined). This is also supported by the queries we get from the community (farmers and industry).

On-site assessments:

- Feedback from those involved with the on-site assessments found it valuable. They appreciated the approach that it was voluntary, and that compliance action would not be taken because the purpose of the assessments was to gather information.
- There was a high level of participation, with the majority of landowners seeing the value in getting the on-site assessment carried out. This is a great result considering it was voluntary.
- Many respondents did not understand the requirement for them to collect information for OVERSEER, with a number commenting they did see how it was relevant for them. This supports the Versus Survey results, and more work is needed in this area.
- Only six landowners had done any water testing.
- Most respondents felt they had enough knowledge of the Water Plan.
- Issues outside the Water Plan were identified (e.g. offal pits, burning). We will look into addressing this.
- Comments echo the survey results, particularly in that there is ambiguity around OVERSEER requirements. There was also uncertainty whether land environment plans would be needed by ORC.

Desktop assessments:

- These assessments looked at slope of the property, nitrogen leaching risk, draining on the property and drainage risk, and whether there are waterways on the property.
- Waitaki district, Dunedin and Queenstown district assessments have been completed, with Clutha and Central Otago still underway.
- As mentioned earlier, every land owner will receive a written report, and high-risk properties may undergo a site inspection for further validation and discussion with landowners.

4. Recommendation

For the proposal to be ratified by Council, that:

- The findings of the survey and risk assessment be noted.*
- The findings of this work inform the draft Good Water Implementation Plan.*

Endorsed by: Sian Sutton
Director Stakeholder Engagement

Attachments

1. Good Water Project Final Report [11.4.1]
2. ORC Good Water Project: The Survey Excl. Lifestyle Block [11.4.2]
3. Environmental Desktop Risk Assessments - Sept 2018 [11.4.3]

12. MATTERS FOR NOTING

12.1. Plan Review and Change Process

Prepared for: Council
Report No. PPRM1830
Activity: Governance Report
Prepared by: Lisa Hawkins, Senior Policy Analyst
Date: 29 September 2018

1. Précis

The purpose of this paper is to set out the process a council must follow when undertaking a plan review or plan change under the Resource Management Act 1991. The paper sets out the legislative requirements, national direction and identifies key elements for Council's future work program required for Council to meet these requirements. A presentation has been prepared in support of this paper (attachment 1).

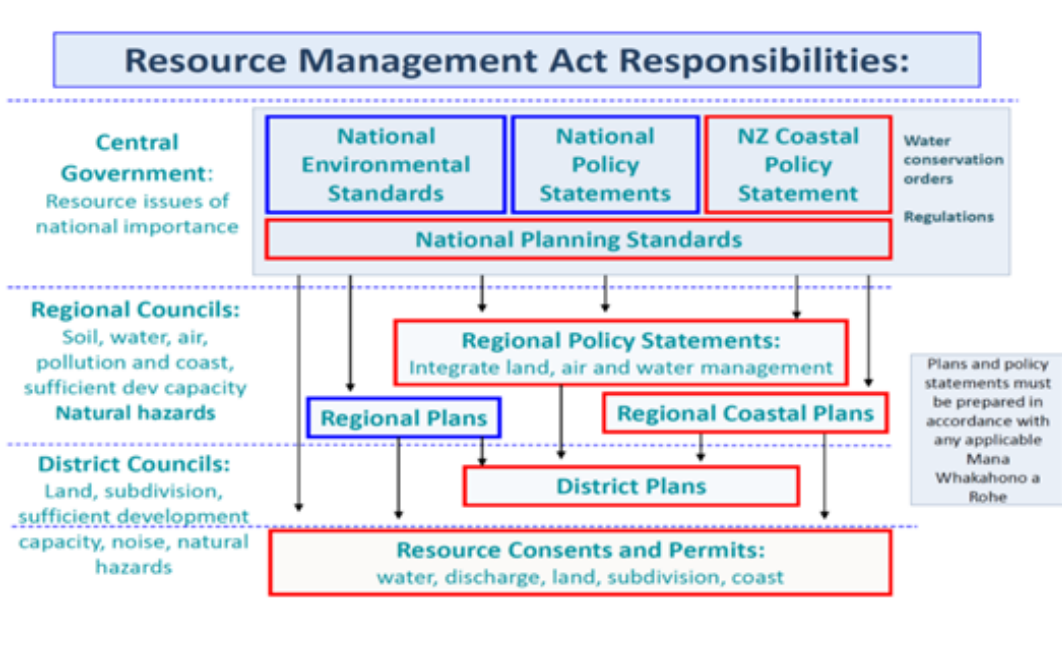
2. Background

2.1. Council functions under the Resource Management Act 1991 (RMA)

Section 30 of the RMA sets out the functions of a Regional Council. The Regional Policy Statement sets out the Region's issues of regional significance and sets out how integrated management of the natural and physical resources of the region is to be achieved, through objectives, policies and methods. The Council must have an RPS and a regional coastal plan and may have other regional plans which set out objectives, policies and rules on how the s30 functions will be achieved.

2.2. Legislative Hierarchy

There is a legislative hierarchy which Council operates within in preparing, amending and implementing its plans. This hierarchy is set out below:



2.3. National Direction

Central Government provides direction to Regional and Territorial authorities on issues that are deemed to be of national significance. In preparing Council's plans, we must give effect to these documents. Central Government prepares both National Policy Statements and National Environmental Standards, and are listed below:

National Policy Statements: states objectives and policies for matters of national importance	
<ul style="list-style-type: none"> NZ Coastal Policy Statement NPS for Freshwater Management NPS Renewable Electricity Generation 	<ul style="list-style-type: none"> NPS Urban Development Capacity NPS Electricity Transmission Draft NPS Indigenous Biodiversity
National Environmental Matters: prescriptive standards for environmental matters	
<ul style="list-style-type: none"> NES Air Quality NES Drinking Water NES Telecommunications Facilities 	<ul style="list-style-type: none"> NES Electricity Transmission NES Soil Contamination for Human Health NES Plantation Forestry

2.4. National Policy Statement for Freshwater Management (NPSFM)

Of specific relevance to work currently underway for Council's Regional Plan: Water (Water Plan) is the NPSFM. Amongst other things, the NPS requires Council, in consultation with the community and key stakeholders, to set objectives for the state of freshwater bodies (Freshwater Management Units / FMUs), and to set limits on resource use to manage these objectives. A summary of the NPSFM is provided in Attachment two.

In demonstrating how Council will give effect to the NPSFM a Progressive Implementation Programme (PIP) needs to be prepared. Council must give effect to the NPSFM by 2025, or if this is not achievable by 2030. Council is required to approve the PIP before it can be notified.

2.5. Plan Review/Change Processes

Any changes to any of Council's plans must be undertaken through a Plan Review/Change process. Three different processes for undertaking a plan review/change process are set out in the RMA:

Standard (Sch 1)	Rigorous analysis and transparent process lead by Council. Council prepares the whole process, including s.32 analysis.
Collaborative	Council establishes a collective community group to provide consensus recommendations which must be given effect to in the proposal plan change. Council prepares the plan change and s.32 based on recommendations from collaborative group.
Streamlined	A tailored plan making process applied under certain circumstances, upon application to the Minister. Council submits plan change to the Minister within a specified timeframe. Minister approves / declines / requests reconsideration of the plan change.

3. Proposal

3.1. Future work policy work program

Council needs to ensure the Water Plan gives effect to the NPSFM, and that it meets obligations under s.79 of the RMA which requires a review of any provision in a plan that has not been subject to a review or plan change in the previous 10 years. Despite the RPW having had a series of plan change reviews since it became operative, a full s.79 review is necessary to ensure it is fit for purpose, and aligns with the NPSFM. Staff are currently preparing a work program to undertake the review and will bring this program to Council for consideration upon completion.

4. Recommendation

- a) *Receive this report*
- b) *Note this report*

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

Attachments

- 1. Presentation to Council 26 September 2018 PDF [12.1.1]
- 2. Summary of NPSFM [12.1.2]

13. REPORT BACK FROM COUNCILLORS

14. NOTICES OF MOTION

15. RECOMMENDATIONS ADOPTED AT COMMITTEE MEETINGS HELD ON 12 SEPTEMBER 2018

15.1. Recommendations of the Policy Committee

10.1 Minimum Flow Plan Change Update

Resolution

That Council:

- 1) **Receive** this report.
- 2) **Note** this report.

Moved: Cr Woodhead

Seconded: Cr Noone

CARRIED

10.2 Minimum Flows for priority catchment - scope and process and overview of Regional Plan Water Review

Notice of Motion:

“For the purposes of ensuring both constructive policy-making and good faith communications with those most likely to be adversely affected by any proposed plan change relating to imposing minimum flows upon the Arrow, Cardrona and Manuherikia catchments;

Resolution

1. *That any proposed minimum flow change follow the full process outlined in the National Policy Statement on Freshwater Management. This to include identifying appropriate Freshwater Management Unit’s (FMU’s), catchment management objectives, environmental flows and allocation limits;*

2. *That water allocation limits for the above catchments also be included in any proposed plan change;*

Moved: Cr Laws

Seconded: Cr Bell

Motion was won 6/5

CARRIED.

For: Cr Bell, Cr Hope, Cr Kempton, Cr Laws, Cr Lawton, Cr Neill, Cr Noone

Against: Cr Brown, Cr Kempton, Cr Robertson, Cr Scott, Cr Woodhead

Motion 3. was retracted.

3. *That the historical Schedule 2A primary allocation limit of 3,200 litres/second for the Manuherikia catchment be disregarded as a policy goal, and the allocation for that catchment be considered only after all the required scientific, hydrology, economic, social and environmental reports are collated.”*

11.1 Director's Report on Progress

Resolution

- a) *That this report be noted.*

Moved: Cr Woodhead

Seconded: Cr Brown

CARRIED

11.2 Report on Land and Water Forum advice May 2018

Resolution

- 1) *This report be received and noted.*

Moved: Cr Woodhead

Seconded: Cr Brown

CARRIED

15.2. Recommendations of the Regulatory Committee

11.1 Director's Report on Progress

Resolution

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

Moved: Cr Noone

Seconded: Cr Lawton

CARRIED

11.2 Enforcement Activities from 7 July to 19 August 2018

Resolution

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

Moved: Cr Scott

Seconded: Cr Robertson

CARRIED

11.3 Consents and Building Control

Resolution

- a) *That this report is noted.*

Moved: Cr Scott

Seconded: Cr Woodhead

CARRIED

15.3. Recommendations of the Communications Committee

10.1 SHE1812 ECO Fund Decision Panel

Resolution

For the proposal to be ratified by Council, that:

(a) Councillors appoint a Chair for the ECO Fund decision panel. Cr Deaker (the Chair will remain the same)

(b) Councillors appoint three Councillors to be part of the first decision panel for the funding round 1-20 September 2018 (the three Councillors will revolve for each funding round)

Moved: Cr Scott

Seconded: Cr Hope

CARRIED

10.2 SHE1813 ORC Values & Pillars

Resolution

a) That the vision, purpose statements, values and 'strategy on a page' are formally adopted and endorsed for operational implementation.

Moved: Cr Lawton

Seconded: Cr Robertson

CARRIED

11.1 SHE 1811 Director's Report on Progress

Resolution

a) *That this report is noted.*

Moved: Cr Deaker

Seconded: Cr Noone

CARRIED

15.4. Recommendations of the Technical Committee

11.1 Director's Report on Progress

Resolution

That this report be received and noted.

Moved: Cr Robertson

Seconded: Cr Lawton

CARRIED

11.2 State of the Environment: Surface Water Quality in Otago (2006-2017)

Resolution

That this report be noted.

Moved: Cr Robertson

Seconded: Cr Lawton

CARRIED

15.5. Recommendations of the Public Portion of the Finance and Corporate Committee

10.1. CS1847 Director's Report

Resolution

a) *That this report is received.*

b) *That the payments summarised in the table above and detailed in the payments schedule, totalling \$7,301,001.35 be endorsed.*

Moved: Cr Woodhead

Seconded: Cr Noone

CARRIED

10.2. CS1841 Annual Return of Inactive Subsidiaries 2018

Resolution

- a) *That it shall not be necessary for Regional Services Limited to hold an Annual General Meeting under section 120 of the Companies Act 1993.*
- b) *That no auditors be appointed for Regional Services Limited under section 196 (2) of the Companies Act 1993.*
- c) *That it shall not be necessary for Regional Pest Services Limited to hold an Annual General Meeting under section 120 of the Companies Act 1993.*
- d) *That no auditors be appointed for Regional Pest Services Limited under section 196 (2) of the Companies Act 1993.*
- e) *That it shall not be necessary for Regional Monitoring Services Limited to hold an Annual General Meeting under section 120 of the Companies Act 1993.*
- f) *That no auditors be appointed for Regional Monitoring Services Limited under section 196 (2) of the Companies Act 1993.*

Moved: Cr Woodhead
Seconded: Cr Noone
CARRIED

10.3. CS1843 Wanaka Depot leasing proposal

Resolution

That the Council:

- 1) **Receives** this report.
- 2) **Agree** in principle to an arrangement to lease Council's Wanaka depot to the Alpine Lakes Research and Education Centre Board to establish an alpine lakes research and education centre in Wanaka.
- 3) **Authorise** the Chief Executive to negotiate, agree and finalise commercial terms and conditions of lease with the Alpine Lakes Research and Education Centre Board to establish and operate an alpine lakes research and education centre in Wanaka.

Moved: Cr Noone
Seconded: Cr Deaker
CARRIED

10.4. CS1846 Passenger Transport Update

Resolution

c) That the Finance and Corporate Committee appoint an independent commissioner, Mr David Benham, to hear submissions and make recommendations on all submissions on the proposed variation to Regional Public Transport Plan 2014 for the Peninsula bus route to Council.

Moved: Cr Woodhead
Seconded: Cr Noone
CARRIED

Resolution

- a) That this report be noted.*
- b) That Waverley – Belleknowes week day off peak frequency be advanced to coincide with the bus hub becoming operational, subject to the operator confirming it can meet the timing requirement.*
- c) (taken as a separate motion)*
- d) That the Lake Hayes Estate – Jacks Point service afternoon frequency be increased to 30 minutes as soon as practicable.*
- e) That the Finance and Corporate Committee support the World Car Free Day initiative with the provision of free scheduled services on Saturday 22 September 2018.*

Moved: Cr Brown
Seconded: Cr Noone
CARRIED

11.1. CS1842 12 Month Review to 30 June 2018

Resolution

- a) That the '12 Month Review to 30 June 2018' report be received.*

Moved: Cr Brown
Seconded: Cr Robertson
CARRIED

11.1. CS1839 Financial Report to 30 June 2018

Resolution

- a) That this report is received.*

Moved: Cr Brown
Seconded: Cr Robertson
CARRIED

11.2. CS1849 Property Update

Resolution

That the Committee:

- 1) Receives this report.**

Moved: Cr Scott
Seconded: Cr Noone
CARRIED

11.3. CS1840 Ladies Mile - Special Housing Area

Resolution

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

Moved: Cr Brown
Seconded: Cr Noone
CARRIED

16. RESOLUTION TO EXCLUDE THE PUBLIC

Nil

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

Regional Integrated Ticketing

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>2.0 Report CS1856 Regional Integrated Ticketing</i>	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)	Section 48(1)(a); Section 7(2)(h) 7(2)(i)

This resolution is made in reliance on [section 48\(1\)\(a\)](#) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by [section 6](#) or [section 7](#) of that Act or [section 6](#) or [section 7](#) or [section 9](#) of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows:

2.0 Report CS1856 Regional Integrated Ticketing

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