



Minutes of a meeting of the
Regulatory Committee held in the Council Chamber at 144
Ratray St, Dunedin on Wednesday 12 June 2019,
commencing at 2:35 p.m.

Membership

Cr Bryan Scott

(Chairperson)

Cr Sam Neill

(Deputy Chairperson)

Cr Graeme Bell

Cr Doug Brown

Cr Michael Deaker

Cr Carmen Hope

Cr Trevor Kempton

Cr Michael Laws

Cr Ella Lawton

Cr Andrew Noone

Cr Gretchen Robertson

Cr Stephen Woodhead

Welcome

Cr Scott welcomed Councillors, members of the public and staff to the meeting.

For our future

1. APOLOGIES

No apologies were made.

2. LEAVE OF ABSENCE

No leaves of absence were requested.

3. ATTENDANCE

Sarah Gardner	<i>(Chief Executive)</i>
Nick Donnelly	<i>(General Manager Corporate Services and CFO)</i>
Gavin Palmer	<i>(General Manager Operations)</i>
Sally Giddens	<i>(General Manager People, Culture and Communications)</i>
Peter Winders	<i>(Acting General Manager Regulatory)</i>
Andrew Newman	<i>(Acting General Manager Policy, Science and Strategy)</i>
Liz Spector	<i>(Committee Secretary)</i>
Joanna Gilroy	<i>(Manager Consents)</i>
Eleanor Ross	<i>(Manager Communications Channels)</i>
Richard Lord	<i>(Team Leader Biosecurity and Biodiversity)</i>

4. CONFIRMATION OF AGENDA

The agenda was confirmed as tabled.

5. CONFLICT OF INTEREST

No conflicts of interest were advised.

6. PUBLIC FORUM

No public forum was held.

7. PRESENTATIONS

No presentations were held.

8. CONFIRMATION OF MINUTES

Resolution

That the minutes of the Regulatory Committee meeting held on 1 May 2019 be received and confirmed as a true and accurate record.

Moved: Cr Scott

Seconded: Cr Neill

CARRIED

9. ACTIONS

Status report on the resolutions of the Regulatory Committee

11.3 Managing the use of coal for domestic heating in Otago and New Zealand	31/1/2018 (Technical Committee)	<i>That the matter of the ability to enforce the current Regional Air Plan AirZone 1 provisions be considered by the Regulatory Committee</i>	IN PROCESS
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11.1 Compliance Activity for 2017/18	17/10/18	<p><i>That a case study be undertaken on the Kaikorai Stream with a view to informing future work on urban waterways and other waterways of concern.</i></p> <p><i>That this paper be reframed and represented with analysis of trends and of highlights and issues of governance should be addressed.</i></p>	IN PROCESS – paper presented on 12 June. To be provided to DCC staff for review and comment.
Wallaby Control	28/11/18	Cr Scott requested that the action item for a Memorandum of Understanding (MOU) with Environment Canterbury for wallaby control be reinstated to the action list and provide an update on the success of the wallaby control programme.	IN PROCESS
Lagarosiphon mgmt report	21/03/19	Cr Woodhead requested to have LINZ make a presentation to Council in the future re lagarosiphon management.	IN PROCESS: 1 August Presentation

10. MATTERS FOR COUNCIL DECISION

Nil

11. MATTERS FOR NOTING

11.1. General Manager's Report on Progress

GM Regulatory Peter Winder, Manager Consents Joanna Gilroy and Manager Communications Channels Eleanor Ross were present to answer questions on the General Manager's Report on Progress. The report provided an update to the Committee on regulatory activity undertaken during the period 13 April through 29 May 2019. Some of the updates reviewed were consent inspection audits, contaminated site, compliance improvement plan and actions, Harbourmaster activity, and presentation of an urban waterway case study on the Kaikorai Stream. After a lengthy discussion, the Councillors requested the Kaikorai Stream report be shared with Dr Simon McMillan and also requested the report be provided to Dunedin City Council staff for comment. Cr Scott asked for a motion.

Resolution

That the Council:

- 1) **Receives** this report.
- 2) Forward Kaikorai Stream report to Dunedin City Council for consideration and feedback.

Moved: Cr Noone
 Seconded: Cr Woodhead
 CARRIED

11.2. Consents and Building Control

Manager Consents Joanna Gilroy spoke to the Consents and Building Control report. The report was provided to give a high-level overview of the consents and building control activity of Council and the deemed permit replacement progress for the period 30 March 2019 to 17 May 2019. The items reviewed included consent processing, objections, and appeals lodged. In addition, deemed permit replacement and a summary of consents administration statistics were summarised. Staff recommended a two-year extension of current transfer provisions for Environment Southland and West Coast Regional Council Building Act functions to 30 June 2021. After a general discussion, Cr Scott asked for a motion.

Resolution

That the Committee:

- 1) **Receives** this report.
- 2) **Recommends** to Council agree to extend the transfer of Building Act functions with the Southland Regional Council and the West Coast Regional Council for a period of two years.

Moved: Cr Woodhead

Seconded: Cr Deaker

CARRIED

11.3. Biosecurity Update

Dr Gavin Palmer, General Manager Operations and Richard Lord, Team Leader Biosecurity and Biodiversity addressed the Biosecurity Update report. The report summarised the national bid for wallaby funding, a collaboration with Environment Canterbury on wallaby control, the national bid for wilding conifer funding and a proposed Pest Management Plan and Biosecurity Strategy for Otago. After a discussion, the Councillors asked Dr Palmer to report back to the 31 July Regulatory Committee meeting about progress made with the ECan wallaby control collaboration. There was no further discussion and Cr Scott asked for a motion.

Resolution

That the Council:

- 1) **Receives** this report.

Moved: Cr Hope

Seconded: Cr Deaker

CARRIED

11.4. Enforcement Action

A report detailing Resource Management Act 1991, Biosecurity Act 1993 and Building Act 2004 enforcement activities undertaken by the Otago Regional Council during the period 13 April 2019 to 29 May 2019 was provided for the Committee's review. Cr Laws noted that one of the current prosecutions appeared to have been omitted from Table 8. General Manager Regulatory Peter Winder was asked to follow that up. No further discussion was held and Cr Scott asked for a motion.

Resolution

That the Council:

- 1) *Receives this report.*

Moved: Cr Woodhead
Seconded: Cr Hope
CARRIED

12. RESOLUTION TO EXCLUDE THE PUBLIC

Resolution

Moved: Cr Robertson
Seconded: Cr Hope
CARRIED

The following resolution is made in reliance on sections 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 7 of that Act.

On the grounds that matters will be prejudiced by the presence of members of the public during discussions on the following items, it is **resolved**:

1. *That the following items are considered with the public excluded:*

Meeting Item	Grounds for excluding the public
<i>1.1 Minutes of the 1/05/2019 Public Excluded Regulatory Committee Meeting</i>	LGOIMA Section 6 (a) to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial; To protect the privacy of natural persons 7(2)a; to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any 7(2)(c)(i) and 7(2)(c)(ii); and, to maintain legal professional privilege, 7(2)(g). Section 48(1)(a); Section 48(1)(d) Section 6(a) Section 7(2)a; 7(2)(c)(i);
<i>3.1 EMO1865 Enforcement Action - Detail</i>	Good reason for withholding official information exists, for the purpose of section 5, if the making available of that information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial – Section 6(a)

Resolution

That the meeting resume in public session at 03:55 pm.

Moved: Cr Noone
Seconded: Cr Robertson
CARRIED

13. NOTICES OF MOTION

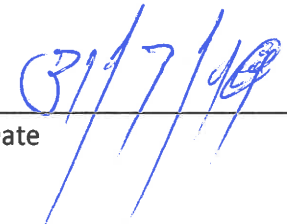
No Notices of Motion were submitted.

14. CLOSURE

There was no further discussion and Cr Scott declared the meeting closed at 03:55 pm.



Chairperson



Date