

# Council Meeting Agenda 26 February 2020

Meeting is held in the Council Chamber, Level 2, Philip Laing House  
144 Rattray Street, Dunedin



## Members:

Hon. Marian Hobbs, Chairperson	Cr Gary Kelliher
Cr Michael Laws, Deputy Chairperson	Cr Kevin Malcolm
Cr Hilary Calvert	Cr Andrew Noone
Cr Michael Deaker	Cr Gretchen Robertson
Cr Alexa Forbes	Cr Bryan Scott
Cr Carmen Hope	Cr Kate Wilson

Senior Officer: Sarah Gardner, Chief Executive

Meeting Support: Liz Spector, Committee Secretary

26 February 2020 01:00 PM

## Agenda Topic

## Page

### 1. APOLOGIES

No apologies were received prior to publication of the agenda.

### 2. ATTENDANCE

Staff present will be identified.

### 3. 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.

### 4. 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.

### 5. PUBLIC FORUM

Requests to speak should be made to the Committee Secretary on 0800 474 082 or [liz.spector@orc.govt.nz](mailto:liz.spector@orc.govt.nz) at least 24 hours prior to the meeting; however, this requirement may be waived by the Chairperson. No such requests were received prior to distribution of the agenda.

### 6. PRESENTATIONS

There are no presentations scheduled for this meeting.

### 7. CONFIRMATION OF MINUTES

The Council will consider minutes of previous Council Meeting(s) as a true and accurate record.

#### 7.1 Minutes of Previous Council Meetings

##### 7.1.1 [Minutes of the 22 January 2020 Council Meeting](#)

The Council will consider minutes of the 22 January 2020 Council meeting as a true and accurate record with or without changes.

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Minutes of an ordinary meeting of Council held in the  
Council Chamber, 144 Rattray St, Dunedin on  
Wednesday 22 January 2020 at 3:00 pm

**Membership**

Hon Marian Hobbs

*(Chairperson)*

Cr Michael Laws

*(Deputy Chairperson)*

Cr Hilary Calvert

Cr Alexa Forbes

Cr Michael Deaker

Cr Carmen Hope

Cr Gary Kelliher

Cr Kevin Malcolm

Cr Andrew Noone

Cr Gretchen Robertson

Cr Bryan Scott

Cr Kate Wilson

**Welcome**

Hon Marian Hobbs welcomed Councillors, members of the public and staff to the meeting at 03:01 pm.

*For our future*

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## 1. APOLOGIES

There were no apologies. Councillor Scott attended the Council meeting via teleconference.

## 2. 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>
Richard Saunders	<i>(General Manager Regulatory)</i>
Gwyneth Elsum	<i>(General Manager Strategy, Policy and Science)</i>
Amanda Vercoe	<i>(Executive Advisor)</i>
Liz Spector	<i>(Committee Secretary)</i>

Also in attendance were: Anita Dawe (Acting Manager Policy), Peter Constantine (planning consultant), Joanna Gilroy (Manager Consents), Eleanor Ross (Manager Communications Channels), Ryan Tippet (Media Communications Lead), Tom De Pelsemaeker (Team Leader Freshwater and Land), Lisa Hawkins (Team Leader RPS, Air and Coast), Kyle Balderston (Team Leader Urban Growth and Development) along with several other staff from the Strategy, Policy and Science teams.

## 3. CONFIRMATION OF AGENDA

The agenda was confirmed as circulated.

## 4. CONFLICT OF INTEREST

No conflicts of interest were declared at this point of the meeting.

## 5. PUBLIC FORUM

No public forum was held.

## 6. RESOLUTION TO EXCLUDE THE PUBLIC

### Resolution

*That the public be excluded from the following parts of the proceedings of this meeting, namely:*  
**Item 7.1 Short-Term Water Permits Plan Change: Overview of Options**

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: Sec 7(2)(g), to maintain legal professional privilege.

Moved: Cr Hobbs  
Seconded: Cr Hope

**FAILED**

Cr Laws then moved:

### Resolution

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- 1) **That** the meeting move into public excluded session to receive legal advice only and resolve to move back into public session to conduct deliberations on options for the short-term Water Permits Plan Change.
- 2) **That** the reports provided to Councillors on the Short-Term Water Permits Plan Change have all legal advice and references to such legal advice redacted to prior to public release.

Moved: Cr Laws

Seconded: Cr Calvert

CARRIED

The meeting moved into public-excluded to receive legal advice on item 7.1 Short-Term Water Permits Plan Change: Overview of Options at 3:10 p.m. under LGOIMA 48(1), S7(2)(g).

During the public-excluded portion of the meeting, Councillor Gary Kelliher and Councillor Kate Wilson removed themselves from consideration of item 7.1 Short-Term Water Permits Plan Change: Overview of Options as they each had pecuniary interests.

## **7. MATTERS FOR COUNCIL DECISION**

### **7.1. Short-Term Water Permits Plan Change: Overview of Options**

Cr Hobbs made a motion to resume the Council meeting in public. The motion was seconded by Cr Laws and put to the vote. The motion carried and the meeting resumed in public at 4:25 p.m.

Chief Executive Sarah Gardner reviewed the Short-Term Water Permits Plan Change overview report with the Councillors. She said three options within the confines of the Minister's recommendation for a short-term plan change were provided for consideration.

Mrs Gardner said Option A is the simplest option, providing minimal options for what most consent holders have; a maximum take giving some environmental benefit, is a controlled activity, and must be granted. She said there is a level of comfort with this approach from stakeholders. She said it is consistent with the National Planning Standards for Freshwater Management (NPSFM), and addresses the Minister's recommendations of being low-cost, simple and short-term.

Mrs Gardner said Option B provides a second pathway with a slightly longer consent term for applicants who demonstrate less than minor long- or short-term effects as part of their applications. She said it moves away from a one-size-fits-all approach, taking regional considerations into account, and does meet many of the Minister's recommendations.

She said drawbacks are consents will be more complex and costly and will likely result in some catchments having more favourable consent terms than others.

Mrs Gardner said Option C is similar to Option A, in that it is a one-size-fits-all approach but provides a straight discretionary activity to consider each application case by case with very little guidance from Council. She said it would be the most expensive and time-consuming option and reduces simplicity and certainty.

After lengthy discussions of the various options, Cr Hobbs asked each Councillor to state which plan they felt was the most consistent with the Minister's recommendations and took into account feedback they had received from experts, stakeholders and the community. After each Councillor spoke, Cr Scott moved approval of Option A to be developed as the Deemed Permit Plan Change. He also requested a Division should the motion be put. Cr Forbes seconded, and Cr Hobbs put the motion.

### Resolution

*That the Council:*

- 1) **Receives** this report.
- 2) **Approves Option A**, to be developed as the Deemed Permit Plan Change (DPPC), with associated Section 32 Report developed.

Moved: Cr Scott

Seconded: Cr Forbes

**CARRIED:** The vote was tied 5-5. Chairperson Hobbs voted For the resolution using her casting vote per ORC Standing Orders 19.3 and the motion was carried.

**A division was called:**

### Vote

For: Cr Deaker, Cr Forbes, Cr Hobbs, Cr Robertson, Cr Scott

Against: Cr Calvert, Cr Hope, Cr Laws, Cr Kevin Malcolm, Cr Noone

Abstained: nil

Casting  
Vote: Chairperson Hobbs - For

*Cr Kelliher and Cr Wilson did not participate and were not present as they declared Conflicts of Interest.*

*Cr Noone left the meeting at 04:59 pm.*

*Cr Noone returned to the meeting at 05:08 pm.*

*Cr Forbes left the meeting at 05:08 pm.*

*Cr Forbes returned to the meeting at 5:10 pm.*

*Cr Laws left the meeting at 05:09 pm.*

*Cr Laws returned to the meeting at 05:11 pm.*

## 7. CLOSURE

There was no further business and Cr Hobbs declared the meeting closed at 05:47 pm.

Chairperson

Date

DRAFT MINUTES





Minutes of an ordinary meeting of Council held in the  
Council Chamber on  
Wednesday 12 February 2020 at 1:00 pm

**Membership**

Hon. Marian Hobbs

*(Chairperson)*

Cr Michael Laws

*(Deputy Chairperson)*

Cr Hilary Calvert

Cr Alexa Forbes

Cr Michael Deaker

Cr Carmen Hope

Cr Gary Kelliher

Cr Kevin Malcolm

Cr Andrew Noone

Cr Gretchen Robertson

Cr Bryan Scott

Cr Kate Wilson

**Welcome**

Hon. Marian Hobbs welcomed Councillors, members of the public and staff to the meeting at 01:05 pm.

*For our future*

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## 1. APOLOGIES

### Resolution

*That the apologies for Cr Forbes and Cr Hope be accepted.*

Moved: Cr Hobbs  
Seconded: Cr Calvert  
CARRIED

## 2. ATTENDANCE

Sarah Gardner (Chief Executive)  
Nick Donnelly (General Manager Corporate Services and CFO)  
Gavin Palmer (General Manager Operations)  
Sally Giddens (General Manager People, Culture and Communications)  
Richard Saunders (General Manager Regulatory)  
Gwyneth Elsum (General Manager Policy, Strategy and Science)  
Amanda Vercoe (Executive Advisor)  
Liz Spector (Committee Secretary)

Also present were: Eleanor Ross (Manager Comms Channels), Ryan Tippet (Media Communications Lead), Andrea Howard (Manager Good Water Programme), Garry Maloney (Manager Transport) and Frederique Gulcher (Public Transport Brand Lead).

## 3. CONFIRMATION OF AGENDA

The agenda was confirmed. Cr Hobbs noted the report entitled Omnibus Plan Change - Options for Consideration had been pulled from the agenda the day prior to the meeting.

## 4. CONFLICT OF INTEREST

No conflicts of interest were advised.

## 5. PUBLIC FORUM

No public forum was held.

## 6. CONFIRMATION OF MINUTES

The minutes of the 22 January 2020 will be presented for Council approval at the 26 February 2020 Council Meeting per a discussion with the Council.

### Resolution

*That the minutes of the Council meeting held on 29 January 2020 be received and confirmed as a true and accurate record.*

Moved: Cr Deaker  
Seconded: Cr Robertson  
CARRIED

## 7. MATTERS FOR COUNCIL DECISION

### 7.1. Appointment of Hearings Committee for Regional Public Transport Plan Variation

Dr Gavin Palmer (General Manager Operations) and Garry Maloney (Manager Transport) were present to answer questions about the recommended appointment to the Hearings Committee for the Regional Public Transport Plan Variation for the proposed ferry service at Lake Wakatipu. After a discussion, Cr Robertson moved the recommendation.

#### Resolution

*That the Council:*

- 1) **Receives** this report.
- 2) **Agrees** to appoint **Mr Brian Baxter** to the hearings committee, established by Council on 29 January 2020 to hear any submitters on the proposed variation to the Regional Public Transport Plan.

Moved: Cr Robertson

Seconded: Cr Deaker

CARRIED

## 8. RECOMMENDATIONS ADOPTED AT COMMITTEE MEETINGS

### 8.1. Recommendations of the 26 July 2019 Regional Transport Committee Meeting

Garry Maloney (Manager Transport) was available to answer questions about the resolution of the 26 July 2019 Regional Transport Committee meeting. Cr Wilson noted she was a member of the committee when this resolution was adopted. The resolution before the Council was agreeing to the RTC approval to add the Otago State Highway Speed Management Guide Implementation as a variation to the Otago Regional Land Transport Plan. The resolution also noted this was not a significant variation. After a brief discussion, Cr Wilson moved the recommendation.

#### Resolution

That the resolutions adopted at the 26 July 2019 Regional Transport Committee meeting be adopted.

Moved: Cr Wilson

Seconded: Cr Calvert

CARRIED

## 8. CLOSURE

There was no further business and Cr Hobbs declared the meeting closed at 01:25 pm.

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Chairperson

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Date

**Outstanding Actions from Resolutions of the Council Meeting**

2019-2022 triennium	2016-2019 triennium
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REPORT TITLE	MEETING DATE	RESOLUTION	STATUS	UPDATE
11.3 Delegations	3 April 2019	Direct CE to bring a review of delegations for Council decision.	IN PROGRESS - Regulatory/Governance	Underway for reporting in early 2020.
11.3 Disposal of Poison Services Assets	15 May 2019	ORC to consult with community on proposed sale of poison services assets and include the Galloway land as part of a proposed sale	ASSIGNED - Operations	Part of 2020/21 Annual Plan process.
11.3 Finalise Biodiversity Action Plan	26 June 2019	Develop business case options for resourcing biodiversity and biosecurity activities to inform the next LTP (2021 - 2031) and enable implementation of the Biodiversity Action Plan.	IN PROGRESS - Operations	Underway for reporting in March 2020.
10.5 Lake Hayes Culvert	25 Sept 2019	Invite QLDC, DoC and NZTA to co-fund with ORC scoping investigation and establishment of a target water level range for Lake Hayes and scoping the investigation, consenting, design, construction, maintenance and funding of infrastructure to manage the lake level to that range. This will require incorporation of activity and funding of ORC's share of the costs into draft Annual Plans.	IN PROGRESS -Operations	Consultant preparing cost estimate for scoping exercise.
10.8 Delegation of Harbourmaster Duties	25 Sept 2019	Conduct a review and amendment of the ORC Navigational Safety Bylaw 2019, noting date of relinquishment of transfer agmt will be the same as the effective date of the amended bylaw.	COMPLETE - Regulatory	Report included on 26 Feb Council agenda.

Council Meeting Agenda 26 February 2020 - ACTIONS (Status of Council Resolutions)

REPORT TITLE	MEETING DATE	RESOLUTION	STATUS	UPDATE
9.1 Decision Making Structure	13 Nov 2019	That a review of the committee structure including membership be reviewed at 6-months.	ASSIGNED - Governance	Report will be brought to Council in May 2020.
3.1 Port Otago Ltd Shareholder Meeting (PE)	11 December 2019	That the Finance Committee review the Port Otago constitution and rules to ensure the director appointments procedure reflects best practice and report back to Council on options.	COMPLETE – Corporate Services	Report on 26 Feb 2020 Finance Committee agenda (Port Otago Limited Constitution).
10.3 Ratifying Otago Local Authorities Triennial Agmt	29 January 2020	That issues for potential consideration by the Mayoral Forum be considered at the next Strategy and Planning meeting.	IN PROGRESS – Governance	Report will be included in the 11 March 2020 Strategy and Planning Agenda.

## 9.1. Chairperson's Report

**Prepared for:** Council  
**Activity:** Governance Report  
**Author:** Cr Marian Hobbs, Chairperson  
**Endorsed by:** Cr Marian Hobbs, Chairperson  
**Date:** 18 February 2020

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- [1] Since the last ordinary meeting of Council, I have been involved in the following meetings and issues.
- [2] We had our first meeting of Connecting Dunedin, hosted by the DCC. The three partners were in attendance: NZTA, ORC and DCC. It was the first of four meetings this year. Basically, we are preparing for the Regional Public Transport Plan which will go out for consultation in February 2021. To reach that stage we are beginning work on an initial Plan review.
- [3] Waitangi Day saw a team from ORC welcomed onto Ōtākou marae for a wonderful celebration, including a lecture from a group of historians on the signatories to the Treaty at Ruapuke, and Ōtākou.
- [4] On Friday 7 February we had the only meeting of the year between all the Mayors and Chairs in Otago and Southland.
- [5] The weekend of 8 and 9 February saw me meeting with the Upper Clutha Lakes Trust. This involved understanding the work done by farmers in this area surrounding Lake Wanaka, and most of Lake Hawea. It also included an investigation of major slips into the Clutha River south of Albert Town, the slips and cycle trail destruction in the Hikuwai Reserve, and then looking at lagarosiphon in Lake Wanaka through the use of the mats, and a discussion on Lake Snow.
- [6] On Tuesday 11 February I met with Chris Ford, Senior Kaituitui, Disabled Persons Assembly (DPA) Dunedin & Districts.
- [7] Thursday 13 February saw me attending most of the NZTA Information Session, trying to get my head around the writing of Transport Plans.

### RECOMMENDATION

*That the Council:*

- 1) **Receives** this report.

### ATTACHMENTS

Nil

## 9.2. Chief Executive's Report

**Prepared for:** Council  
**Activity:** Governance  
**Author:** Sarah Gardner, Chief Executive  
**Date:** 13 February 2020

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### KEY MEETINGS ATTENDED

- [1] 31 January – site visit to North Otago Irrigation Company (NOIC) with Gwyneth Elsum.
- [2] 11 February – regular catch-up meeting with Kevin Winders, Chief Executive of Port Otago Limited.
- [3] 13 February – attended the Regional and Unitary Chief Executive Officers Group meeting held in Wellington.
- [4] 13 February – attended the Chief Executives' Economic and Environment Forum in Wellington.
- [5] 20 February – regular catch-up meeting with Aaron Fleming, Regional Manager for Department of Conservation.
- [6] 20 February – Emergency Management Otago CEG Strategic Workshop.
- [7] 21 February – attended the LGNZ Regional Sector meeting held in Wellington.

### RECOMMENDATION

*That the Council:*

- 1) *Receives this report.*

### DISCUSSION

#### NOIC Visit

- [8] At NOIC's invitation, Gwyneth Elsum, General Manager Policy, Strategy and Science and I met with the new Chief Executive of NOIC and some of his team. It was an opportunity to look at the scheme, some scheme properties, some local issues and projects. We commenced the visit with a familiarisation of the intake from the Waitaki River (very high after rain) and the first major pump station for the scheme. As we drove around parts of the scheme area, we also visited sites relevant to issues like the definition of a river, sediment trap cleaning and water drainage impediment. Our last stop was to an irrigated farm where we saw the infrastructure on farm and how the scheme and farm infrastructure interact. From there we visited a wetland restoration project that is more than a decade in the making, and filters drainage and provides a biodiverse haven for a variety of native species.
- [9] Our thanks to the NOIC Team and the property owners who kindly facilitated our visit and provided their experience and insight into the various issues and challenges faced in the Waitaki area.

### **Recent Flooding**

- [10] My thanks to our ORC team and our colleagues in local government and other response agencies across the region for the recent flood response over the week of Waitangi Day. These events are always difficult for the communities impacted and their safety is paramount. We wear two hats in such events as Otago Regional Council and in our shared role with other agencies as Emergency Management Otago.
- [11] Our work is continuing post flood while we assess damage to schemes and infrastructure, and assess information to establish any changes to our system capacity or performance as a consequence of the event.

### **Pandemic Planning**

- [12] Coronavirus is top of mind because of impacts on sectors of our community and also as we ensure we are sufficiently providing for the health and wellbeing of our staff. Pandemic planning is currently being addressed through Emergency Management Otago and also organisationally through our Health and Safety function. We have adopted the advice of the Ministry of Health and continue to actively monitor changes and updates.

### **ATTACHMENTS**

Nil



### 10.1. Proposed Change to the Regional Public Transport Plan

**Prepared for:** Council  
**Report No.** PT1903  
**Activity:** Transport: Transport Planning  
**Author:** Garry Maloney, Manager Transport  
**Endorsed by:** Gavin Palmer, General Manager Operations  
**Date:** 20 February 2020

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#### PURPOSE

- [1] The purpose of this report is to seek Council direction on changing the Regional Public Transport Plan (RPTP) to enable a Lake Wakatipu ferry service to be trialled. That will require a decision to accept the recommendation from the Commissioner that heard the submitters to the proposed Plan change.

#### EXECUTIVE SUMMARY

- [2] In January 2020, the Council resolved to consult on a proposed change to the Regional Public Transport Plan (RPTP or Plan) to enable a Lake Wakatipu ferry service to be trialled.
- [3] Following the decision, public input was sought, submissions received, and submitters heard in front of a Commissioner.
- [4] The Council received 137 submissions. The Council also received a copy of the Keep the Wakatipu Ferry on the Water Petition (with 1,907 signatures) as an attachment to one of the submissions.
- [5] Of the 137 submissions, 135 supported the proposed Plan change.
- [6] As a result of hearing submitters and considering the submissions, the Commissioner has recommended to Council that it approve the Plan change.

#### RECOMMENDATION

*That the Council:*

- 1) **Receives** this report.
- 2) **Adopts** the proposed variation to the Regional Public Transport Plan as consulted, to enable a Lake Wakatipu ferry service to be trialled.

#### BACKGROUND

- [7] At the Council meeting on 29 January 2020, the Council resolved to:

*“Approve the proposed variation to the Regional Public Transport Plan and consultation timeframe as set out in this report to enable a Lake Wakatipu ferry service to be trialled in the short to long term.”*

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- [8] In accordance with Council's decision, public feedback was sought on the proposed Plan change.
- [9] By the time submissions closed (12 February 2020), the Council had received 134 submissions via the online platform and three via e-mail. The Council also received, as an attachment to the Kelvin Peninsula Community Association submission, its 'Keep the Wakatipu Ferry on the Water Petition' (with 1,907 signatures).
- [10] All the submissions including the petition are attached.
- [11] Of the 137 submissions received (not including the petition), four were heard on 17 February 2020.
- [12] 135 submissions supported the proposed Plan change. The two that did not support the Plan change did not elaborate why they opposed the proposed change.
- [13] The submitters were heard for Council by Brian Baxter of Brian Baxter Consultants and his report is attached. Mr Baxter has recommended:
- *"given the overwhelming support for the proposed RPTP variation, and the fact that the variation fits within the criteria set out in the RPTP itself, that the RPTP be varied as proposed by ORC."*

#### **SUBMISSION THEMES**

- [14] As noted above, almost all the submitters supported changing the Plan to enable the trialling of a Lake Wakatipu Frankton Arm water ferry service, primarily because:
- the projected population (both resident and visitor) growth of the area will place more demand on the land transport system and in turn, demand an effective multi-modal land transport system;
  - they recognised the need for a further mode to help tackle vehicle traffic congestion on the main arterials;
  - the current service was quicker than travelling to the same destination by road and removed the need to find and pay for car-parking for those travelling to Queenstown CBD by car; and
  - they were concerned that the removal of the ferry would worsen traffic levels on those arterials.
- [15] In addition to the proposed Plan change feedback, a range of other operational matters were also raised, including:
- the need for a more frequent service (such as every 30 minute) and/or larger vessel;
  - the need for the current timetable service gaps to be filled;
  - questions about the adequacy of some wharf infrastructure both from a customer and vessel accessibility perspectives;

- integration with other modes;
- integration with current ticketing pricing and systems.

[16] The matters above are outside the scope of the proposed Plan change. However, they will help inform the design of the service that is proposed to be tendered for a start in 2021, subject to the 2020/21 Annual Plan process.

### **HEARING OF SUBMISSIONS**

[17] The hearing of submissions took place on 17 February 2020, at the Queenstown Resort College in front of Mr Brian Baxter (the Commissioner), with Council staff in support.

[18] While a number of submitters initially indicated they wished to be heard, on the day, only four submitters presented. They were:

- Sir Eion Edgar;
- Mr D Mayhew, Kelvin Peninsula Community Association;
- Mr A Stephens; and
- Mr A Mason, Shaping our Future.

[19] A record of the Hearing is attached.

### **OPTIONS**

[20] Council has two options:

[21] Option 1 – approve the proposed Plan change; or

[22] Option 2 – not approve the proposed Plan change.

[23] Option 1 is recommended by Mr Baxter, who heard the submitters and considered the submissions.

### **CONSIDERATIONS**

#### **Policy Considerations**

[24] Should Council resolve to finalise the proposed Plan change, from a policy position, the way is clear to enable it to contract a Lake Wakatipu Frankton Arm water ferry service, subject to the 2020/21 Annual Plan process and New Zealand Transport Agency (NZTA) investment.

#### **Financial Considerations**

[25] There are no additional (to the January Council decisions) financial considerations arising from the decision to approve the proposed Plan change.

[26] Financial matters relating to the cost and funding of contracting a water ferry service will be a part of 2020/21 Annual Plan decisions.

### **Significance and Engagement**

- [27] The significance of the proposed Plan change was assessed as part of Council's consideration of this matter in January 2020 (attached). At that time, it agreed that the variation was not significant.
- [28] In order to vary the Plan, the Council was required to undertake a consultation in line with Local Government Act principles and processes, including providing for those that are consulted to make submissions and be heard, if so desired.
- [29] In order to consult the community in a timely fashion, Council used its digital 'Have Your Say' platform to seek feedback, as well as proactively writing to stakeholders (for example the Queenstown Lakes District Council, Queenstown Airport Corporation, Chamber of Commerce, businesses adjacent to the Frankton Arm, etc) advising them of the proposed change and opportunity to have input.
- [30] As noted above, the hearing was held in Queenstown on 17 February 2020.

### **Legislative Considerations**

- [31] Should Council resolve to finalise the proposed Plan change, from a legislative compliance position, the way is clear to enable it to contract a Lake Wakatipu Frankton Arm water ferry service, subject to the 2020/21 Annual Plan process and NZTA investment.
- [32] Should Council not agree with Mr Baxter, it would preclude it contracting for a water ferry service if it was to comply with the Land Transport Management Act 2003 (because in order for Council to fund a public transport service it must be specified in the RPTP).

### **Risk Considerations**

- [33] Should Council resolve to finalise the proposed Plan change, the risk of the ferry service being discontinued in the short term is reduced.

### **NEXT STEPS**

- [34] The next steps include:
- publish the amended Plan;
  - publish the submissions and Commissioner's report on the proposed change;
  - as necessary, negotiate a short-term agreement to continue to provide a Frankton Arm water ferry service to 30 June 2020;
  - seek investment support from the New Zealand Transport Agency;
  - continue work to further improve the ferry detailed business case; and
  - test the community's appetite to fund a longer trial service through the 2020/21 Annual Plan process.

**ATTACHMENTS**

1. RPTP Variation Submissions [**10.1.1** - 46 pages]
2. B Baxter RPTP variation hearing recommendation report [**10.1.2** - 3 pages]
3. RPTP Variation Hearing Record [**10.1.3** - 6 pages]
4. RPTP Significance Policy [**10.1.4** - 3 pages]

Q1 (Name)	Q5 (Do you support the change to the amendment?)	Q6 (Do you wish to be heard in support of your submission?)	Q10 (Other comments)
Emma hansen	1	Yes	
Ian Anstiss	1	Yes	
Craig Smith	1	Yes	Seems crazy with all Queenstowns traffic issues to get rid of the water taxi, it's the perfect transport option!
Blair Impey	1	Yes	The ferry is fantastic. Saves fuel and Carparking and removes taxi fares after a few drinks. It would be nice if it was on the hour every hour from 6am to midnight.
Philip Mulvey	1	Yes	
Eion Edgar	1	Yes	I am a regular user of the ferry and would strongly recommend it be on a half hourly basis from 7am to 11pm
Athol Stephens	1	Yes	<p>I strongly support the expansion of ORC's policy to provide water based public transport on the Frankton Arm of Lake Wakatipu.</p> <p>Our experience of the limited services that have grown up over the last five or six years is that they have become more and more heavily used by residents and visitors. This has occurred for three reasons. The first is that it is much faster and and efficient to travel into central Queenstown by boat. From the Bayview jetty to Queenstown Bay it is 8 minutes.</p> <p>The second is that the Frankton Road has become congested and parking spaces in central Queenstown are expensive and hard to find. Prior to this it was possibly more convenient to drive, even if the travel time was slightly longer.</p> <p>Thirdly, there are many more residents and visitors wishing to use the water taxi service other than the Hilton Hotel. Not to be discounted is the number of visitors staying regularly at the Christian Camp in Bayview. And then there are the AirBnB visitors. I have seen twenty waiting on the Bayview Jetty but when the water taxi arrived there was room for only three. Our neighbour told us recently of a late afternoon when he and his wife were the only two on the jetty but the taxi was full and could not pick them up.</p> <p>At the Queenstown Bay end it is not uncommon for the 9:45pm departure to leave a number of customers unable to board because of insufficient capacity.</p> <p>It never used to be a problem but at peak times it now is. And it has to be said that the bus option from Queenstown to Kelvin Heights, via Frankton, is a very poor option. Indeed, my recommendation would be to scale back the Bus service to and from Kelvin Heights and use the savings to invest in a water based system of public transport.</p> <p>To summarise, if NZTA, QLDC, ORC and the community wish to reduce traffic on Peninsula and Frankton Roads, a water taxi or ferry service is the obvious way to do it. And we are prepared to pay for it provided we residents can purchase multi trip tickets at reduced prices. Our Queenstown rates have increased a lot in the last two years in order to support the \$2 bus service. Visitors have contributed nothing.</p> <p>My wife and I, and our children and grandchildren, strongly support the ORC's proposed Lake Wakatipu Water Ferry Amendment.</p> <p>Athol Stephens</p>

Warren Skerrett	1	Yes	I would prefer how They operated the schedule before go orange acquired the business. You could book the ferry to be collected or dropped off at various wharves. Go orange only had 4 pickup /drop off points meaning they were to far apart and you had to drive which is contrary to the objective of keeping cars off the road or more importantly they wouldn't use it at all,because it was to far to walk from your drop off point. There are plenty of appropriate wharves in the Francton basin. Also if you do drive there is the issue of car parks. I strongly suggest that you retain the existing scheduled pickup drop off points and add additional discretionary wharves ie these could be named or numbered And booked by phone or in the case of drop off , requested with the captain. These discretionary wharves are easily identifiable as they are adjacent to public tributary access tracks linked directly to the main road allowing easy access to the service from wider community. I also suggest a new wharfe be erected at Francton beach as this is a large population that are not using the ferry due to my arguments above  Happy to help if needed
Jannette Highsted	1	Yes	I believe this service is vital for reducing traffic and reducing drunk driving
Micka McDnald	1	Yes	I would support this service and hope it would still make the same stops like Kelvin Heights and The Rees Hotel.
Richard Arnold	1	Yes	
Marley Brown Mueller	1	Yes	Our water taxi ferry service is at present very accessible, comfortable and a frequent service that is an integral part of our transport service. I'm in favour of keeping this up and running. More links are needed to allow us all to travel to Kingston and Jack's Point. Traffic management should be aimed to keep less cars on the road and more alternative public transport choices. KEEP THIS GOING!!
Trish	1	Yes	Would be great to have this service, much faster and keeps off already busy roads and delays in bus services when there is an events on.
AJ Mason	1	Yes	[via separate email]
Agata Kurdziel	1	Yes	
Kelvin Peninsula Community Association	1	Yes	The existing Ferry service is a good start for a publicly supported ferry service; but it will need to go further in terms of frequency and hours to encourage long term commuter use. It is clear there is overwhelming support for such a service: see the results of the KPCA Petition: <a href="https://our.actionstation.org.nz/petitions/keep-the-wakatipu-ferry-on-the-water?share=ee40c59e-ebec-45fc-8917-3bb8d912560a">https://our.actionstation.org.nz/petitions/keep-the-wakatipu-ferry-on-the-water?share=ee40c59e-ebec-45fc-8917-3bb8d912560a</a> . A list of signatories and postal codes will be sent to ORC by email.
Luke Taylor	1	No	
Jenny nicholson	1	No	The water taxi is a great way of getting into town for locals and tourists. Keeps traffic of the roads And a lot quicker and easy than catching the bus. Plus with the limited parking in town it keeps More spaces free
Lilly Mannerswood	1	No	
Pam Shaw	1	No	The service I feel is vital for the area and expansion to other areas. Possibly a more eco friendly and non petrol powered vessel would further improve the service. Apparently, there are eco ferries running on the Brisbane River. Taking a look at what other areas do might be a good idea!
Poppy Scarborough	1	No	
Belle Ash	1	No	
Hannah Lorraine Gropper	1	No	Yes! I think that a ferry on the lake IS a great public service. Please allow this to continue as part of our public works.

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chris duffy	1	No	I use the Ferry service from Bayview to Queenstown often. Every time I use the service I t takes one car off the road and requires 1 less park in town
Eoin Orr	1	No	The water ferry is an essential part of the public transport system around QUEENSTOWN.
Fleur Caulton	1	No	
Angela	1	No	This is an excellent addition to the public transport transformation that Queenstown needs to undertake. The buses are great but they are still travelling on the same congested roads that the cars are. Water is the only viable option to reduce this congestion. Needs to be frequent and reliable to be supported as a long term transport option.
Fiona	2	No	
Louise Brown	1	No	With the amount of traffic on the roads to get into queenstown a water ferry is important for kelvin heights residents to commute into queenstown
Lauren Christie	1	No	
Alicia Hebbend	1	No	The ferry is essential to the locals of Kelvin Heights. It connects us to our local township. The alternative driving Frankton Road has currently proven to be deadly, congested and time consuming. The bus alternative is an amazing asset price wise but often can take over an hour to get into town. We suggest the ferry to our Airbnb guests as it lowers stress of driving roads that do not have the set up for the numbers and limited parking. Continuing the ferry will take numbers of the road, create safer transport in a timely matter. I agree with any way of making this happen so if it needs to be contracted out so be it.
Ben	1	No	
Sally O'Donohue	1	No	The ferry service is essential to help keep road congestion down as much as possible.
Brent O'Donohue	1	No	Ferry service is essential to keep frankton rd traffic down and provide an option when there are road closures.
Skinner	1	No	Vital service as roads get overloaded. Also a tourist attraction. Makes CBD more accessible.
Lisa Counsell	1	No	I was taking the ferry 4 days a week (sometimes 5 days) to work for a year until the early stop from Bayview into Queenstown was cancelled. I wholeheartedly support a ferry service on Frankton Arm.
Kate Helem	1	No	
Sylvie Scarborough	1	No	This ferry service is more important than ever with Queenstown growing fast. Our town would seem to go backwards if the ferry stopped. Think of cities like Sydney: they have used ferries for decades.
Jayne White	1	No	It would be a disaster to loose the ferry service. We and several other KH residents support this as much as we can and I don't know how many times we are on a full water ferry service or see people at Bayview get turned away as the boat is full and they have to get in their car and drive to town. Such a shame and some of these people are elderly. Here we are supporting local services and get turned away at the wharf!!
renee wedd	1	No	
Dawn Palmer	1	No	The Ferry Service seems to provide a short, logical and helpful contribution to local transport options where services are shared in order to help reduce congestion on Frankton Road and as a shared service providing for a shorter commute I hope there is a reduced fuel emission benefit as well. I support the retention of a Ferry Service as a public transport option for the Queenstown Lakes District.
Maria Noonan	1	No	The development of a ferry service in the Frankton Arm will make a great contribution to decongestion of the roads in the Queenstown area.



Russell King	1	No	A dedicated ferry service connecting the Frankton arm to Queenstown has to be part of any future plan. If anything it gets cars out of Queenstown. It's a great service and I use it frequently.
Jade Hansen	1	No	
Christine J McIntosh	1	No	It is very important for services eg Water Ferry and bus options remain, to give an alternative to the terrible road transport problems we face commuting along Frankton Road. This congestion will only increase as the area expands and this funding must be supported for everyones sanity!!!
Norman and Jenny Elder	1	No	We use the existing service on a regular basis to go to work in our Queenstown office and for normal social occasions. The service is always reliable and for our part quick. We get on at the boat ramp at Kelvin Grove and are within the QT Bay in under 10 minutes. This avoids a drive around the peninsular and into QT which can take 45 minutes at the best of times and longer in peak traffic and then parking becomes an issue. The service is excellent in holiday times when there is extra pressure on the road traffic. We would be happy to subsidise the service in our rates as it provides the Peninsular and QT with a viable and efficient alternative to road transport. I believe most residents at Kelvin Heights would agree with the subsidy, especially the Hilton. We fully support the continuation of the service and would be disappointed if it did not get local support. If anything GO Orange requires a bigger boat at peak times as it is always near capacity
Brad Rowe	1	No	
Olivia Dunstan	1	No	
Anna Mickell	1	No	<p>The Queenstown Chamber of Commerce supports active travel and mode-shift initiatives undertaken by ORC, QLDC and NZTA and supports the proposed amendment of the current Otago Regional Public Transport Plan to allow the continuation of the ferry trial on the Frankton arm of Lake Wakatipu.</p> <p>Over the longer term, The Chamber notes that the Regional Public Transport Plan is currently under review and wishes to ensure that the updated plan will accurately resource the most effective way to provide public transport across the district, including the opportunity costs of providing the ferry service, at the expense of extension of the bus network.</p> <p>We remain concerned that commuter bus services remain unpredictable and continued investment in improving the quality of our bus services, shelter and routes remains a priority. We support a continuation of good planning processes and opportunities for early and informed stakeholder engagement in this process.</p> <p>It is our expectation that the ferry trial will not just include quantitative measures of success (number of passengers), but qualitative data including the type of passengers (international versus commuter or residential), reliability, including proportion of trips commenced on time, and other quality of service metrics. Additionally, to assess the impact of this service, a review of the visitor and resident's awareness of this service should be undertaken.</p> <p>The Chamber notes the recent requirement from the Minister of Transport that travel demand management planning, with a view to encourage mode-shift, is undertaken for the Queenstown area and this should be included in the Regional Land Transport Plans and that these are also currently under review. We trust that this trial will also inform this planning process.</p>
Alex	1	No	

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Alison Dench	1	No	Subsidised water transport is essential to an effective public transport strategy in the Wakatipu Basin.
Stephen Mciean	1	No	Gives options for travel into town and must help congestion on Frankton Road and help the increasingly difficult parking situation in Queenstown itself.
Eddie Gapper	1	No	
Simon Jones	1	No	As a long term Kelvin Heights resident & frequent user of the water taxi from Bayview stop, we are very keen to see the service continue. We are a family of 4 & all use the water taxi on a regular basis, as much quicker & easier then catching the bus {3 bus changes from Kelvin Heights to town]
David Palmer	1	No	Essential for maintaining transport options. Relieves pressure on roads and a vital link. Enhances amenity
campbell read	1	No	Love the Ferry, it means we can leave a car or bike at Kelvin Heights to avoid congestion in town. thx
Mark & Dawn Green	1	No	Given the worsening traffic issues surrounding Queenstown a subsidised ferry service is a no brainer. We fully support such a service.
Jez Leftley	1	No	Please could we extend service to include Kingston arm perhaps linking in Homestead bay ' Jacks Point
John Macdonald	1	No	This is essential
Anthony King	1	No	to be properly effective, the ferry needs to run every half hour, in both directions, from about 7.30am to 11pm, 7 days a week.
Michelle King	1	No	I am a user of the existing water ferry service. Due to current capacity and schedule limitations there are often times when I plan to use the service only to find the ferry is full and unable to transport me and others causing frustration and a last minute need to travel by road. A larger capacity service together with increased frequency and extended operating hours would enable me to utilise this transport option more frequently and with greater certainty of reaching my destination as planned/on time and therefore reduce my use of private car transport.
Deanie Johnstone	1	No	I love the ferry to town and if my partner and I go into town at night it is always our mode of transport and at other times occasionally due to the fact that most of what we need can be bought t Frankton I put all my visitors on it and it gives them another perspective of queenstown Please change the plan we love the ferry
Hamish Edgar	1	No	
Richie O'Meara	1	No	I support the continuation of the Ferry Service and further suggest it be half hourly from 7am to 11pm.
Rik Van Dijk	1	No	Can you please make the ferry service every half hour between 7am-11pm. Thank you
Hanlin johnstone	1	No	The ferry service should be continued from Frankton to Qtwn bay.
Ricky Bennett	1	No	
Kathryn Burns	1	No	
Carol liddell	1	No	
Geoff Thomas	1	No	The continuation and extension of the Ferry Service is an essential part of our community life. As well as being a convenience factor it reduces road traffic , parking problems and substantially contributes to a safer and more efficient community
Tania Carter	1	No	
Sue Gain	1	No	It is essential to have the ferry service as the roads are at their limit.
Colin Tanne	1	No	

Mike Gain	1	No	Desperately needed as traffic to Queenstown is horrendous. A service every half hour would be excellent.
We need the Ferry/Taxi to service to serve all the Kelvin Heights Residents	1	No	We need this Ferry Service to be able to get the Residents of Kelvin Heights into the QUEENSTOWN Town Centre and help to relieve the Frankton Road Traffic Chaos that now exists.
Sandra Whiting	1	No	
Robert Dickison	1	No	A reliable ferry service is critical given the current bus service to Queenstown is infrequent and slow. This should be subsidised like the bus is to make it affordable for locals
Samuel Stafford-Bush	1	No	
P Stafford-Bush	1	No	enabling forms of public transport is a great idea...means more cars off the congested roads.... but it will need to be a frequent and reliable service
Susan Sims	1	No	The ferry is a vital link every time I visit Queenstown (many times each year) I use it to ensure that I don't add another vehicle to the congestion on the roads in the centre of Queenstown, and the roads to and from there.
Brian Stafford-Bush	1	No	Service should have multiple port stops QT central, Frankton, Kelvin Heights and possibly Jacks Point in the future. Will need to be regular and reliable, catering for workers, residents and day trippers.
Adam Geekie	1	No	Please keep a regular ferry service as it is well supported.
Sally Stockdale	1	No	Encouraging use of an affordable ferry service will give a bit of relief on Frankton Road into and out of Queenstown. The concession card currently seems affordable at \$4.90/trip, especially if purchased as a one-off. If using the same size vessel, it would be great if we can reserve a seat for a particular time. Getting to the jetty to find it is full, isn't reliable enough for most. Thanks!!
Charlie Phillips	1	No	
Cam Pyke	1	No	
celine Austin	1	No	This will work towards less cars on the road and a better sustainability
Kezia Evans	1	No	Roads are becoming congested and dangerous, the ferry is a great way to ease general traffic into Queenstown. Such a nice way to travel in the summer. Its important there are plenty of stops to give people options along the Kelvin Heights track. It would be great if the Ferry's had the ability to take bikes in addition to passengers
Nick Hart	1	No	half hourly from 7am to 11pm would be ideal
Marianna Norton	1	No	The Ferry is essential for our community. It will be a massive loss if the ferry service is no longer available.
Chris	1	No	Great progress!
Lauren Keith	1	No	The Frankton Arm is the lifeblood of the Queenstown area and it's use as a form of public transport with a regular meaningful ferry service integrated into the overall ORC transport plan is vital to easing congestion and creating a pleasant and realistic alternative public transport option.
Sophie Pyke	1	No	ORC should support / subsidise the previous ferry timetable with 6 stops starting at 7.30am
Marion Borrell	1	No	An affordable (=subsidised) ferry service on the Frankton Arm will enable more use of the lake as a transport route. This will reduce the traffic congestion on Frankton Road. I applaud ORC for giving consideration to subsidising a ferry. The ORBUS buses have been a great benefit.
Matthew Judd	1	No	I am in support of a subsidised ferry service for the Frankton Arm. It is a fast and convenient mode of transport, takes vehicles / congestion off roads, pressure off carparking in central Queenstown and also provides a mode transport should roads be blocked / closed (due to accidents or natural disaster).
Margaret Blanshard	1	No	

Georgia McChlery	1	No	Queenstown needs another form of transport to get the tourists and locals off the roads. The water taxi needs to stay and be subsidised to make it viable for the water taxi company and affordable for customers. Hope this service gets the funding asap.
Carmel Sealey	1	No	
Mark	1	No	<p>We support a ferry.</p> <p>A ferry is great because it's an alternative to private cars. The oversaturation of private cars causes many problems in Queenstown. Congestion, injuries, deaths, loss of public space, isolation, pollution, sedentary lifestyles, urban sprawl, and expensive roads to name a few.</p> <p>How will it be funded? Please seek alternatives to rates to fund the cost. For example, a local surcharge on fuel, or toll cameras. Tolls or fuel surcharges would reduce the appeal of private cars while increasing the appeal of the ferry. A fuel surcharge would also encourage alternatives to combustion engines - private cars but also the ferry itself. Consider the electric ferry being built in Wellington right now. Queenstown has declared a climate emergency, after all.</p> <p>I've used the ferry, notably as part of a group of eight, moving from accommodation near The Boatshed to the Hilton, and back. It was convenient, punctual and fast. If it wasn't available, we would've needed two cars (so four car journeys in total), sober drivers &amp; parking at Hilton (I believe there is a cost for this too). The ferry was well worth while.</p> <p>Also, we used the ferry service in a private charter to reach Cecil Peak for hiking. I hope such a service will still be available in future.</p>
R Thomas	1	No	Fully support the Queenstown Water Ferry as part of the public transport solution for Queenstown. The lake is an under utilized asset and should be favorably considered for public transport and the ferry provides that.
Sarah O'Donnell on behalf of Destination Queenstown	1	No	Destination Queenstown supports the proposed amendment of the current Otago Regional public transport plan to allow the continuation of the ferry trial on the Frankton Arm of Lake Wakatipu.
Tim Mueller	1	No	A frequent ferry service between Queenstown, and Frankton with several stops (e.g the Golf course, Bayview, the Reese, Frankton Marina and the Hilton) must be considered as an absolute minimum in the greater public transport network. Associated infrastructure and operational expenditure must also be included to support the increased frequency and levels of service for the ferry network. I also support expanding the service to Jack's Point and Hanley's Farm developments.
Elisabeth Kleinjan	1	No	I would like to see an introduction of a concession card which can be used by different people in one family.
Robert Atherton	1	No	A park and ride service may be an idea to reduce traffic on Frankton road, with a hub similar to the bus hub in Frankton, however this would require sufficient space, parking and more frequent water taxis.
Matt	1	No	
Matt Barnett	1	No	
David pearse	1	No	There needs to improvements to both bus and water taxi services. Bus stops need to be added to hanleys farm ASAP, not in a years time. Water taxi service from jacks point would be massively beneficial not just Frankton arm
James Black.	1	No	
Sara Roy	1	No	I support the inclusion of a ferry service in the public transport network. I would support an extension of the existing service to include more areas and suburbs with lake/river access. I support ORC & QLDC subsidizing public transport through rates - but I don't support residential rate payers subsidizing tourists.

Martin Langford	1	No	The ferry is currently under utilized and should be developed to allow for greater travel and thus assisting to remove traffic from our roads
Kane Bruce	1	No	
Nick Troon	1	No	Support a service from homestead bay to Queenstown
Amy Scott	1	No	
Susan Beale	1	No	Offers an alternative to the park & ride option.
Rachel Rose	1	No	
Kat	1	No	
Steve Brent	1	No	
Melita Richards	1	No	I'm sure the current water taxi service carries more people than the Kelvin Heights bus service does, plus it takes 10 minutes by water to town from Bayview, rather than an hour+ by bus.
Cynthia Winkworth	1	No	Making short trips into the Queenstown CBD via ferry would help take cars off the already heavily congested roads. Buses help and adding another option would be a positive step to getting people out of their cars.
Rebecca Conway	1	No	I support the amendment if there will be a regular ferry service at a subsidised rate between Queenstown, Kelvin Heights and Frankton. I think adding a service for Kingston and Glenorchy to Frankton and Queenstown would greatly improve the heavy traffic and would encourage commuters who have been forced out of Queenstown due to high rental costs to utilise public transport.
Sophie Glover - Public Health South	1	No	<p>It is important a health perspective is taken into account when planning for the growth and development of Queenstown. Population wellbeing should be at the centre of decision making.</p> <p>Reducing the reliance on individual car use and reducing road congestion must be priorities to ensure liveability is retained as the district grows. Furthermore, decreasing road traffic will increase safety for all road users, particularly active transport users.</p> <p>Public Health South strongly advocates for and encourages individuals and their communities to be active. Active transport networks support this goal. Providing transport choices and creating a shift in transport behaviours towards public and active transport has positive benefits for health, the environment and the community. This occurs through increased physical activity to get to/from public transport, improved air quality and fewer greenhouse gas emissions.</p> <p>An affordable, convenient and reliable public transport system is an important component of an equitable and efficient transport system. A perceived lack of safety is a major barrier to using active transport, therefore Public Health South recommend the following for all publicly funded water ferries to further improve accessibility:</p> <ol style="list-style-type: none"> <li>Ensure accessibility of the ferry service for people with limited mobility or disability;</li> <li>Sufficient seating and shelter that meets the needs of all users on the ferries and at the jetties;</li> <li>Ensure adequate lighting to help users feel safe and prevent injuries, such as falls, while utilising the ferry services and at the jetties;</li> <li>Provide bicycle racks at the jetties;</li> <li>Recommendation for smokefree policies on the ferries and at the jetties;</li> <li>Public toilet facilities at the jetties;</li> <li>Ensure the ferries meet the needs of residents in a timely and cost-effective way.</li> </ol>

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Kim	1	No	
Cassino Doyle	1	No	
Cameron Bell	1	No	Can't wait for more transport progress as the buses have been a great asset to the district. If the ferries have more stops and the ability to carry bikes (like the buses) and a transit time between ferry and bus it will be another success. Keep up the great work.
John Coburn	1	No	in it's present form the ferry is unreliable and too infrequent to meet the needs of Kelvin Heights residents and visitors. Often the boat is too full to carry more passengers with no back up. Waiting another hour or maybe 2 is not acceptable, especially if the boarding is at Bay View which for many people is a 20 minute walk to reach. It seems in its present form this service suits the needs of the guests of the Hilton not residents who need reliability to make it work.
Megan Hopper	1	No	I can not express my support strongly enough for a ferry service that is regular, reliable and has facility to transport bikes to encourage active transport in the basin. I have seen locals habits change away from car based transport with the ferry service over the past 12 months and feel that this will only grow as the ferry service becomes more reliable (not so weather dependent), with better capacity and more frequent.
Ella Kinney	1	No	
Ross Lardner	1	No	
penny clark	1	No	We need some relief on our roads and need to orchestrate this move and trial for a couple of years to see the impact
Ashley Fynan	2	No	
Andrew Thompson	1	No	
Salmon	1	No	
mariska	1	No	
amanda gatward-ferguson	1	No	
Monika	1	No	

Do you support the change to the amendment?

Yes	1
No	2

## Keep the Wakatipu Ferry on the water

To: Otago Regional Council

We ask the Otago Regional Council to subsidise the ferry service operation as they do the buses until such time as the Wakatipu Way to Go plan for public investment in an expanded ferry service is implemented: <https://www.orc.govt.nz/news-and-events/news-and-media-releases/2019/february/transport-partnership-developing-lake-wakatipu-water-ferry-business-case>.

### Why is this important?

We have a very effective commercial ferry service operation on Lake Wakatipu which is well patronised by locals and visitors alike. As a resident of Kelvin Peninsula, I regularly use the service when heading to the centre of Queenstown.

However it cannot continue without a similar subsidy to that which the \$2 buses get. The service is scheduled to be shut down at the end of February 2020 to the dismay of the local users: <https://www.odt.co.nz/regions/queenstown/lake-ferry-service-wind>. Once shut down it will be difficult to resume operation.

The Queenstown Lakes Region is facing increasing road congestion caused by exponential growth in local and visitor traffic. Queenstown Lakes District Council, the NZ Transport Agency and the Otago Regional Council have done a great job in moving residents to bus services with a subsidised service which as well as getting cars off the roads, has the added benefit of climate change mitigation.

Water transport is potentially one of the most efficient and climate friendly means of transport for the Wakatipu basin. No roading infrastructure required and currently existing jetties are utilised. Plus the ferry is a really beautiful way to travel. As with all public transport, the ferry service must be reliable, frequent and reasonably priced to encourage use. We have a local commercial operator providing an excellent service for a year now but it is not cost effective for them.

Queenstown Lakes District Council, the NZ Transport Agency and the Otago Regional Council recognise this but are slow in implementing a long term plan. Allowing an existing ferry service to fail through bureaucratic inertia would do the community a huge disservice and set back the momentum for positive change.

As Chair of the Kelvin Peninsula Community Association, I urge the ORC to respond swiftly to this public transport need.

Signed by 1,907 people:

Name	Postcode
David Mayhew	9300
Alyth Townsend	9302
BETTY HANAN	9351
Sally Stockdale	9300
Suzanne Mahaffie	9300

Name	Postcode
Russell McGrouther	9300
Ruth McGrouther	9300
Hinano Bagnis	9300
Eoin Orr	9300
Heather McIntosh	9300
Stu Sharpe	9300
Rita Chen	9300
chris morgan	9300
Erwan Raoult	9300
BRUCE & PAT JEFFORD	9300
Kirsty Sharpe	9300
cath gilmour	9300
Russell King	9300
Ben Sharpe	9300
Josie Cederman	9300
Rosanne Donaldson-sharpe	9033
Lynne Tankard	9300
Lynn McRae	9300
Simone Lehr	9023
Elisabeth Kleinjan	9300
Hanneke Ijsselstijn	9300
Philippa Heddles	9300
Tim Swan	9300
Kim Swan	169907
Alyssandra Skerrett	9300
Janna Grant	1051
Riksta Bos	9300
Matthew Russell	KELVIN HEIGHTS
John Coburn	9300
Anthonie K	9300

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Name	Postcode
Stephen Rooney	9300
Sarah Liddell	9300
Harriet Brinsley	9300
Megan Hopper	9300
Julianne Bowman	9300
emma huddleston	9300
Gail Pickering	9300
Kiersten Bisset	9437
Rosemary Chanel	9300
Lee Saunders	9300
Natakie Edwards	9300
Kylie Brown	9300
John McMillan	9300
Sally Miller	9300
Judy Moore	9300
Carmen Burgi	9300
Olivia Dunstan	9300
Marama Schnitker	9300
Leah White	9300
Anna Pepper	9300
James O'Hagan	9300
Joanne Downer	9304
Like McKerrow	9300
Hilary O'Hagan	9300
Blair Impey	9300
Amy Kirk	9349
Jess Willow	9300
Graham McLellan	9300
Duncan Bold	9300
Maria Caram	9300
Sue Gain	9300
Mathew Paterson	9300

Name	Postcode
Athol Stephens	9300
Richard Pope	9300
Naomi Richards	9300
Kate Warren	9300
Steve Deering	9300
Carla Zacarelli	9300
Louise Garthwaite	9300
Andrew Liddell	1071
Fiona Lu	9300
Andy Du	9300
Virginie Vandenhove	9300
Tara Nathan	9300
Max Gerk	9300
Nadia Hughes	9371
Veronika Dosoudilova	9300
Sharon Paterson	9300
Simon Boland	9300
Tom Liddell	3030
Theresa Dickson	9710
Ann maree Reed	9776
Mairi Dickson	9300
Vanessa Mensch Garcia	9300
Barbara Bourque	9778
Sharon Gower	9304
R and B Carter	9300
Olivia Wensley	9300
Dianne Mckeown	9779
Renee Wedd	9300
Fraser Mackenzie	9300
Richie Lambert	9300



Council Meeting Agenda 26 February 2020 - MATTERS FOR DECISION

Name	Postcode
Fernanda Pereira de moraes	9300
Bronwyn Cairns	9710
Michael Mckeown	9300
Amy Bayliss	9371
Gemma Carter	9371
Alenka Butturini	9300
Tania Dickson	9300
Ross Paterson	9775
Henrique Ambrozio Pereira	9300
Sebastien Guyotdelapomme raye	9300
Logan Dickson	9300
Janet Rutherford	9300
Peyton Dickson	9300
Alicia Hebbend	9300
Steph Paterson	9775
Rick Pettit	9300
Vivien Dickson	9300
lily Wiapo	9300
Frances Mcfarlane	9302
Alex McCrossin	9304
Helen Skudder	9300
Rachel Judd	9300
Michael Skudder	9300
Karla Wilson	9300
Haley Mackenzie	9300
John Halse	9300
Claudia Salvetti	93*4
Ingred Moreira	9300
Sharn Asher	9300
Katy Lee	9035

Name	Postcode
Blair McGrouther	9300
Julie McClain	9371
Patricia Kitson	9033
Chris Kent	9300
Kate Liddell	1071
Alan Townsend	9302
Dylan Bailey	7614
Rebekah Key	9330
Gayle Marlow	9300
Alan & Dunbar	9300
Neil Drouet	9300
Clare Phillips	9300
NICKY TOMPKINS	9300
Hannah McInally	9300
Ania Drouet	9300
Paula Jones	9300
Kerry Ross	3112
Sophie Tavernier Sawyer	9300
Anna Robbie	9300
Annabel Ingoldby	9300
Jen Stack-Forsyth	9300
May Cast	9300
Emma Liddell	AB41 7LZ
Veronika Hirtentreu	9300
Dayle Jones	7000
Sam McKeown	9300
Justin Liddell	1021
Aabhimanyu Sekar	9300
Dee Howkins	TD124SJ
William Taylor	9300
Trisha Cody	9300

Council Meeting Agenda 26 February 2020 - MATTERS FOR DECISION

<b>Name</b>	<b>Postcode</b>
Pam Richards	9300
John Mahaffie	9300
Jane Paterson	9349
Nicola Richards	9302
Rebecca Tanner	9300
Colin Tanner	9300
Paulette Fink	81615
Richard Lee	9010
Jan Butson	9349
Anna Boland	9300
Monika Fry	9302
Lisa Counsell	9300
Janet Robertson	1071
Richard Stringer	9014
Tina Fuller	9394
John Clephane	9300
Daniela Padovani Mariano	9403
David Stringer	9348
Kerie Stewart	9304
Jihane Sato	9300
Pippa Hogg	6012
Anne Miller	9774
Kevin Dibley	9349
Natalie Urbani	9300
Jan Edgar	9300
Jannette Highsted	9300
Shane Thompson	9302
Rafael Mariano	9304
Joanne Johnson	1050
Rebecca Roycroft	9300
Anne-Marie McCrostie	9300

<b>Name</b>	<b>Postcode</b>
Brigit Van der Kaag	9300
Carrie Shores	9300
Mckenzie Edgar	9300
Elisabeth Ford	7987
Ainslie Smaill	1950
Mark Hyland	9371
Mike Archer	0632
Trudy Boniface	9300
andrew Bellamy	9044
Mary Mansell	9310
Kirsty Jamieson- Gough	9304
Abi Mackenzie	9371
Angela Robertson	9300
Deborah Clearwater	9371
Nancy Wang	9300
Amanda Byrne	1061
Hugh Skinner	9300
Janine Macdonald	9300
Rachael Clarke	9371
Steph Bond	9300
Graeme Blair	9371
Alan Stewart	8041
Carolyn Rooney	9341
Rachel Taylor	9371
Carol Nicoll	4110
Dan Oconnor	1024
Eunice Borrie	9371
Stephen Counsell	9300
Jacqui Burridge	9371
Tracy Galbraith	9371
Wendy Rees	9451

Council Meeting Agenda 26 February 2020 - MATTERS FOR DECISION

Name	Postcode
Kathryn Burns	9300
Elisabeth Smith	9300
Bronwyn Kelly	9300
Adam Geekie	9300
Kerri Foote	2120
Tracy Henderson	9810
Mikkel Johannessen	9371
Caroline Abbiss	9371
Ellice Soper	9300
Gerard Oudhoff	9300
Dee Molnar	9300
Hamish Disbrowe	9349
Alan Harper	9302
Janette Cody	9783
Chaz Monaghan	9304
Fraser Mackenzie	9347
Andrea Edghill	9300
Carol Hayes	9349
James Nicholson	9304
Shane Jennings	7843
Andi P	9300
Miles Nathan	1052
Peter Corney	3114
dan king	1050
Lana Cruickshank	9300
Pete Lawson	1022
Keith McIntosh	9300
Anna Edgar	0624
Michelle King	9300
Malcolm Liddell	9010
Oanita Collins	7011
Anthony King	9300

Name	Postcode
Kathryn Ostrer	9010
Rachel Rose	9300
Jason Hopper	9300
Colin Kelly	9300
Charlie Phillips	9348
Anne Humphries	9300
Barbara Swan	9300
Kyle Paterson	9300
Lisa Wild	0832
Elaine Lyons	9012
Peter and Beryl Willsman	9300
Helga Bartholomeusz	9304
Maggie Ennis	9300
Noela Wilson	9440
ben Hunt	2061
Pascale Lorre	9300
Stephen Hebbend	9300
Austin Bragg	9300
Jackie Phillips	9300
Nicola Hollyer	9300
Andrew Bragg	1010
Jenny Liddell	9010
Jasmine Edghill	9300
Maria Wyndham	9300
Rowan W	8013
Rebecca Freeman	9300
Charlotte Svendsen	9300
andrew Bagnall	1011
Kristi Crawford	9300
Camille Coppola	9300
Mike Eyles	9304

Council Meeting Agenda 26 February 2020 - MATTERS FOR DECISION

Name	Postcode
Max Patte	6923
Jane Cockburn	9810
Kate Boe	9371
Serena Shakes	4880
Damo Yorg	9300
Jenny Parkes	9348
Priscila Ferreira Da Silva	9300
Morgan Nevill	9300
Emily Quinn	9300
Alex Devereux	1011
Poppy Jefferies	9300
Tim Thomas	9300
Gus Wood	9173
Jenna Barratt	9300
Barry Patton	9300
Rose Larter	0000
Cindy Holden	7011
Hayley Finlay	9300
Barbara Larson	9300
esther whitehead	9300
Rachael Anderson	9302
Guy Carter	9349
Pearly McGrath	9300
Abbe Moffatt	9304
Barry John MAISTER	AVONHEAD 8042
Sarag Cole	9300
Mikayla Beattie	9300
Dexter Hirst	9300
Priya Krishnamoorthy	520857
Fofoa Temese	6051
Jacquie Hood	9300

Name	Postcode
Jed Anderson	9371
Richard Hogan	9300
Mark Banham	9300
Bonnie shepard	9810
Andrew Halton	7010
Anita Stewart	9300
Kerri Mckinnon	4228
David Lumsden	9305
Roy Campbell	9793
Raewyn Robson	9810
Angela Spackman	9300
Karren Molnar	3338
Clarice Rout	9304
Zoe Quick	2043
Ellice Rooney	9300
Tim Francis	9348
Tom Mee	9349
Arvid Petersen	2088
Jane Wright	9371
Raewyn Wensley	8912
Gillian Macleod	9300
Philip Burridge	9349
Kate Ide	9300
Flora Ou	9300
Lisa Te Raki	9012
Simon Russell	9300
Helen Curtin	7614
Kristie Macaulay	9012
David Boyd	9304
kelly Mcateer	9731
Tony Campbell	3900
Kent Chaplin	259785

Council Meeting Agenda 26 February 2020 - MATTERS FOR DECISION

Name	Postcode
Cisca McNay	9304
Andrew Smith	6022
Stephanie Bouillon	9300
Lisa Hayden	9371
Ann Nichol	9073
Susan Scott	9774
Kezia Evans	9371
Sharron Payne	9300
Neville Todd	6011
Anna Gardner	9440
Marie Attridge	9305
Kirsty McLellan	9372
Julie Elstone	9300
David Graham	9300
Gillian Allan	9300
Jim Huffstutler	9304
Christine Flowers	9300
Rosemary Kent	NP8 1HD
Rose Strettell	9300
Laurel Breen	9371
Neil Jackson	9349
Rachel Ralston	9304
Matt Groves	9300
ash whitaker	9310
Amber Dent	9371
Jan Martin	9300
Mary Joyce	9300
Jennifer Pope	4504
Shana Gordon	6011
Rod Shields	8242
Bill Payne	89052 (US)
Gary Stewart	9300

Name	Postcode
John Thompson	9300
Craig Elliott	9305
Helen Keith	9710
Craig S	1071
David Nathan	1052
Kirsty Burnnand	9371
Bruce Robertson	6012
Graeme Hansen	1050
Gerard Bligh	9300
Bruce McGechan	5032
Dan Green	0202
Charlotte Blakeley	9300
Steven Blakeley	9300
Ian Bourgeois	0600
Grant Collie	1022
Derek Bulman	9300
David Beeche	1050
Rachael Smith	9371
Guy Steel	9300
Charlotte Steel	9371
Christina Duthil	0604
Carroll Finlayson	1071
David Darling	9016
Maria Kuzmenkova	9371
Cliff Abraham	9010
Dawn Palmer	9300
Victoria Edgar	1050
Lisa Cooke	9300
Helen Graham	9300
Marion Borrell	9371
Alan Millar	9300

Council Meeting Agenda 26 February 2020 - MATTERS FOR DECISION

Name	Postcode
simon jones	9300
Gaynor Webb	9300
Nate Hedwig	9300
David Palmer	9302
Brody Petersen	2026
Jan Bohse	9300
Stephen McAteer	9300
Heidi Farren	9371
Kylie Archer	6011
Guy Blundell	9371
David Byrne	6011
Kathleen Cochrane	9230
R Cronk	9300
Alexandra Allemand	9300
Grant Cleary	1149
Graeme Allan	9300
Graeme Thompson	9305
Doug Reid	9371
Andrew Grant	9302
Sarah Mitchell	9300
Nigel Soper	9300
Graeme Edwards	0947
Damian Green	9340
Anne Londdale	9300
Alison Brownlie	9304
Angie Howard	9300
Bill Holland	3110
Graeme Wong	9304
Megan Ide-Neill	9300
Clare Saville	9300

Name	Postcode
Margaret Blanshard	9371
Kerry Archer	9812
Mary Thompson	9371
Ange Murray	9349
Nadia Laurie	9300
David Ross	1140
david kilpatrick	7019
Nathan Gibbon	9300
Clark Scott	9300
Jenny Stephens	9500
Fiona Young	9302
mary smathers	5A389LZ
JEMMAH SHELLING	AL9 7QW
Lucas McQuaig	9300
Chris Alpe	USA 90291
Kathryn Hutchison	9300
Joshua Alford	4216
Shannon Wild	0832
Elizabeth Cooper	94123
Hannah Keller	80401
janet charlesworth	9304
Mairi Humphreys	9371
Kate Caldwell	9300
Bill McDonald	1071
graeme avery	4120
Fleur Caulton	9300
Max Caulton	9300
Rachelle Greene	9300
Stuart Anderson	8081
David Wallace	9305

Council Meeting Agenda 26 February 2020 - MATTERS FOR DECISION

Name	Postcode
Chelsea Wallace	9305
Suzi Frew	9300
David McInnes	8025
Sandy Briggs	28712
Jase John	9300
Grant Bulling	9810
Dickson Jardine	9348
Katie Clulow	9350
Adam Childs	9310
Norman McNay	9304
Glen Sinclair	9013
Marcus White	9300
Nigel AVERY	4172
Jayne White	9300
Brad Simmons	9300
David White	9300
Emma R	9300
Joan Harnett-Kindley	9305
Diane Lobley	9349
amanda gatward-ferguson	9300
Donald Fulton	4410
Helen Paterson	9300
Sandra Whiting	9300
Candice Stewart	9300
Dean Spicer	5018
Tessa Stokes	9300
Franki Romanik	9300
Honor Carter	1050
Carolyn Hill	9300
Tom Blakey	9300
Graeme Blake	3240

Name	Postcode
Dylan Nazer	9304
Mary Kate Kelly	9300
Taylor Stewart	9300
Elizabeth Roughley	9300
Ben Griffiths	9348
Sarah Gudsell	9304
Diana McIlwrick	9300
Brett Gamble	8052
Hélène TAYLOR	9300
Brian McGill	9300
Maria Shaw	9300
Sue Harcombe	9300
Glenda Davis	9302
Humphrey Nisbet	0622
Jules Tapper	9371
Stephanie Wells	9300
Graham Dillon	9300
Blair Allen	9300
Diane Brash	9302
Jack Stobart	9147
Nick Strettell	8053
Chris Williams	9300
Michelle Townsend	9303
Kiran Caffery	9300
Mary Day	9300
Jill Barr	9300
Lane Mohi	5013
Janeen Wood	9384
Jillian Friedlander	1050
Jennifer Belmont	9302
Sarah Mcilwrick	9371

Council Meeting Agenda 26 February 2020 - MATTERS FOR DECISION

<b>Name</b>	<b>Postcode</b>
Jake Millar	8024
Roger Atkinson	7608
John Hilhorst	9300
Maria Scsmmell	9720
Julie Walker	9300
Gretchen Nightingale	9384
Jacqueline Macalister	9371
Alice Ham	9348
John Spencer	5035
Nancy Tugano	2077
John Gehl	54545
Benedikt Bouillon	9300
Sir John Wells	1050
Sandra Challoner	9300
Pel Arnott	9300
Jannah Strettell	2024
Dr Hylton LE GRICE	1050
Wayne Shaw	9300
Tania Strettel	8053
Emma Strettell	2026
Jonathan Bitcheno	9300
John Gosney	1024
Hamish Edgar	1050
Hetty Van Hale	9305
Joel Brandon	9300
Geoff Ricketts	1052
Patrick Tuira	7910
John Nichol	3216
John Tierney	0630
Vicki Murphy	9783

<b>Name</b>	<b>Postcode</b>
Kathleen Scully	9300
John Paine	1020
Annette Tulloch	9776
Geoff Thomas	9010
Hadley van Schaik	9300
Jo Daley	9672
Sabina Wong	9300
William Allen	9731
Kaye Parker	9300
David Lloyd	6035
Michael Parker	9300
Eliesa Fifita	6021
John david M Powles	0622
Douglas Cleary	9300
Jillian McKenzie	7630
Helen Thomas	9010
Ralph Hanan	9371
Jan White	9310
Jane Allen	8052
Ken Swain	7391
Linda Robertson	9371
Blake Reid	9305
Emma Hansen	9300
Francis Brundell	9371
ED CRUIKSHANK	9371
Lana Winders	9881
Gail Trapp	1081
James H	8014
Adam Preston	7730
Debra Thomson	9300
Christopher Izon	9300



Council Meeting Agenda 26 February 2020 - MATTERS FOR DECISION

Name	Postcode
Nane Bruenner	9300
Lee Robinson	8011
David Openshw	1022
Anna Langford	9300
Merrill Holdsworth	9300
Mark Williams	9371
Sarah Philp	1022
Michael Arthur	01
Mark Rose	9302
Michael Williams SC	NSW2010
Hugh Bartholomeusz	9371
M Robins	1142
John Zinzan	3330
Marco Marinkovich	1010
Fran McMeekin	1071
Michael Sidey	9305
Joran Laird	7400
Gaye Gardner	1050
Irene Mosley	9092
Jan Edward	3015
Louise Eckhoff	1050
Matthew Sale	0772
Mark O'Connor	6011
Angels Lindsay	1050
Sam Shaw	9300
Annabelle Wallace	9305
John Hawk	TW20 0YD
Graeme Henebry	E34 AX93
Brendon W	9300
Professor Murray Meikle	CB3 9LE

Name	Postcode
Lee Garlington	9349
Dylan Foley	9300
Marlene Poynder	10282
Michael Thomas	9302
Margaret McHugh	7220
Humphry Rolleston	8014
Lindsay Stirling	9303
Jan Lorentz	1050
Colin Maber	9300
Philip Sallis	1010
John Tingey	1071
Jane Burdon	9302
Maling Dillon	1050
Pat Treacy	8042
Paul Carrad	4660
Peter Huljich	1073
Chris Canning	0746
Paul Kendrick	1081
John Forrest	7024
Peter Fennessy	9058
Deanie Johnstone	9300
Jon h	6011
Neville Horne	9305
Anneli McBride	9305
Kaye Crowther	9810
Russell Henderson	9300
Nadia Bagrie	9371
Mark Quickfall	9300
Lee Paterson	9471
Joanne Rewi	9300
Cornelia Bryant	9300

Council Meeting Agenda 26 February 2020 - MATTERS FOR DECISION

Name	Postcode
Mark Rewi	9300
Paul Norling	1011
Nik Posa	0610
Richard Leggat	1052
Norm Thompson	9348
Paul Lockey	9371
Mikayla Smyth	9371
Justine Smyth	9371
Peter Wardell	9345
Helen & Oke Blaikie	7011
kevin phillips	9011
Richard Coon	7281
Raymond Key	9371
Noel Flahive	9302
Stephanie Lamont	2120
Byron Smith	0602
Bryan Henderson	9300
Britta Taylor	9300
Ralph Reeves	1050
Louise Barber	9300
penny clark	9300
Ken Mullarkey	0481
Nova Henderson	9300
Neville Kelly	9300
Noel Barkley	1010
Mel Patterson	9371
Amanda Cushen	9371
Pam Shaw	9300
Nick Smith	8014
Dean Hamilton	9371
Tricia Lund- Jackson	9300

Name	Postcode
Caroline Hutchison	9300
Raymond Webb	0942
Roz Greig	9300
Nathan Pitcher	9018
Richard Cathie	6011
Roger Smith	2016
David Stock	8041
Robert Barry	2025
Joan Kiernan	9348
Emily Hughes	9300
Roger Sharp	9371
Michael Belmont	9302
josie mariu	9522
Judy Stephens	9300
Shaughn J.	9300
Mark Fesq	2041
Toni Stockham	9300
Richard Bowman	9371
Tane Vink	9300
jill clissold	9300
Susan Berry	9371
Rob Ottrey	9016
Richard Taylor	1050
Peter Thorne	1050
Ross McRobie	9412
Rachael Jackson	9371
Simon Small	9300
Roger Brennand	5028
Mark Taylor	9348
Robin & Jacqui Stubbs	9300
Peter Truman	9054

Council Meeting Agenda 26 February 2020 - MATTERS FOR DECISION

Name	Postcode
Pete Sygrove	9304
Hamish Russell	9300
Heidi Bulling	9300
Josh Blakeley	9300
Ethan Blakeley	9300
Ben Blakeley	9300
Christine Taylor	1050
Annette Macalister	9371
Dean Carleton	9720
Simon Wilson	1071
SIMON DAVIES	9348
Rosie Clark	9013
Sarah Lyttle	9371
Peter Thompson	1050
Kevin Peterson	9300
Stuart Bolwell (Queenstown Home Owner)	9371
Peter Robertson	0611
Graham Molloy	9720
Simon Flood	9371
Kirsty Sinclair	9300
Paul Spackman	1010
Brent Ogilvie	1143
Holly Ward	9300
Judy Ramsay	9371
David Smith	9300
Richard Thomas	9300
Gerald Wyber	9300
Anna Muir	1021
Craig Dow	9300
Paul Wilson	9300
Ross George	1052

Name	Postcode
Diana Somerville	9305
Vicki Robinson	9300
Colin Johnson	9371
Sean McMahon	9300
Nicholas Casely Parker	9300
HRobert Wilson	9013
katie deans	9349
Richard Somerville	9343
Shaun Drylie	9810
Rosemarie Nye	0632
Mark Francis	1011
Susan Mawhinney	9371
Richard Goldie	1010
Michael Stockham	9371
Shelley Wilson	1071
Steffan Rolfe	9010
Tim Smithells	3200
Warwick Cambridge	9300
Adrian Young	9300
James Smithells	7042
Kate Hazlett	9571
Tracey Roxburgh	9300
Susie Johnstone	9230
TERRY STEVENS	9371
Barbara Gillian Skinner	9300
Yvonne Bannerman	9710
Tony Falkenstein	1071
Fiona Bell	9384
Ross Bell	9384

Council Meeting Agenda 26 February 2020 - MATTERS FOR DECISION

Name	Postcode
Justine Cranfield	9304
Brittany Dumber	9300
simon barnett	9300
Jeff Bryant	9300
Sally Patchett	9300
Mark Smithells	3015
Rick Palmer	0245
Susan Paterson	1050
Claire Green	0624
John Bristed	6011
Christine McIntosh	9300
Lee Vandervis	9010
Stewart Macpherson	5391
Hamish Walker	9010
Paul Galloway	NSW 2650
Fiona Woodham	9300
James Murdoch	9300
Judy Fotheringham	9810
Murray Higgs	1052
Robert Storey	1050
Rosie Ferris	9350
Anthony Hardy	1050
Roger John Shallard	9300
Ken Muir	9893
Stuart Cooke	9300
Stuart Grant	1051
Roger House	SP54HQ
Terry Shubkin	6011
Philippa House	SP54HQ
Fiona Stevens	1050

Name	Postcode
Shelley Aitcheson	9013
Sarah Bannerman	4121
Hamish Storey	1052
Will T	9371
Quentin Rewi	9300
Sally McChesney	9300
Erin Taylor	9300
James Hyndman	9300
Dave Kennedy	8053
Lois Martin	9304
Nina Stephens	7920
Patsy Barltrop	5019
Scott O'Donnell	9810
Randal Barrett	9300
Billie Parvin	9300
Michael Norman	SS88BG
Chris Laidlaw	6012
Howard Baldwin	3110
Richard Dwyer	8014
Alison Walker	9300
Craig Collie	9300
Nigel Phillips	SA3 5PS
Toby McDonald	4121
Wayne Burt	OX49 5AN
marion Marquand	9300
John Subritzky	93188
Carol Healy	2094
Rachael Farrar	9300
Scott Rewi	5022
John MacDonald	9300
Sue Brewster	0782
Katie Obermoser	9300

Council Meeting Agenda 26 February 2020 - MATTERS FOR DECISION

Name	Postcode
Michael Stanley	0914
Justin Wright	9302
Nick Farrell	7477
Leah Fitzpatrick	9371
Simon Bowden	6022
Juliana Smithells	3200
Kris Farrier	9302
Mark Bregman	94941
Michel Afflerbach	9300
Miles Andrews	8081
Barry Moore	9300
Norman Geary	9300
John Veale	8014
Katherine Dedo	9305
Martin Bonifant	6143
Gerard DeCourcy	9304
Tim Preston	0741
Dan Alpe	1011
Roger Brough	9371
Simon Berkett	3118
Cate Bardwell	9018
chris paget	0620
Stuart Brooker	6012
Tim Alpe	1071
Stephen Jeffery	9441
Lyndon Thomas	9300
Christie Wilson	9300
Antony Sproull	9300
Chris Jackson	9300
Norman Elder	9810
Lisa Strang	9371
colin brazier	9300

Name	Postcode
Neville Andrews	9349
Elizabeth Oliver	1050
Karen Mackenzie	0620
Nick Madden	9300
Simon Sproull	8053
Stephen Fisher	1011
Scott Power	9300
Eleanor Sale	9300
Liam Kernaghan	9300
Emmanuelle Montagnat	9300
Nick Main	0793
Jo Blair	8140
Tim Pollock	9010
Moxy Smith	9012
Tracey Presland	1071
Colin Strang	9300
Tom Vincent	9300
Laura McPhail	9371
Tony Mcquilkiln	9371
anthony malkin	9371
Paul Blackwell	0622
Simon Berry	9492
marc ellis	1011
Shelagh Murray	9013
Clare van Eeden	7010
Amber Carr	9300
Paul Tuckey	9879
Simon Hayes	9300
Bruce Cotterill	0622
Tim Coltman	9305
Geoff Stevens	9300
marie osborne	9330

Council Meeting Agenda 26 February 2020 - MATTERS FOR DECISION

Name	Postcode
Philip Muivey	1011
Robert King-Scott	9300
Graeme Dingle	0757
Mark Holdsworth	6021
Richard Seton	1053
Raylene Mcqueen	9300
Stuart Mcqueen	9300
Michael Herrick	4175
Simon Higgs	9381
Ann Cowan	9371
James Rhodes	9371
Shelly Joyes	0626
Ellen Rhodes	9300
Emily Mulvey	1011
Peter Nelson	9302
tom pryde	9071
Will Clarke	9584
Trevor Gile	9371
Michael Glading	0622
Belinda Crichton	9300
Priscilla Uhrle	9300
Chelsey Koberstein	9300
Matthew Holdridge	9016
Russell Cull	8025
Simon McMahon	9300
Alan Macalister	9371
Carol Warren	6160
Tom Dowling	981
Alexcia Corbett	0626
Kate McMahon	9300
Graham Plowman	1022

Name	Postcode
Edith McLeod	9010
Jonty Kelt	11937
jules silk	0627
Suzanne Rose	9348
Mindy Swigert	9300
Jillian Jardine	9348
Malcolm Brown	WELLINGTON
Nicky Hartvigsen	9586
Thom Bentley	9371
Helen Pfahlert	8022
Brad Rowe	3110
Mary Hall	9300
Craig Douglas	9300
Andy Nicholls	2094
Trevor Taylor	5013
laurie martin	9348
Phillip Smith	9305
Donna Jones	9011
Mark Hughes	5040
Sonja Kooy	9371
Rick Christie	6011
Chris Lewis	9300
John Mowbray	5036
Mark Dunphy	1010
Karen Gemming	4564
TC McG	7910
Adrian Burr	1010
John bostock	4175
Bret Jackson	0793
Ross Pedder	5024
Rob Cameron	9342
Patricia Muir	9300

Council Meeting Agenda 26 February 2020 - MATTERS FOR DECISION

Name	Postcode
kevin malloy	1023
Tim Savage	1052
Susan Stevens	9371
Jono Browne	9304
Nock Tapper	9349
Wendy Johnston	9302
Matthew Houtman	1050
Susan Sims	9010
Paula Denton	9349
Misha Wilkinson	9310
Hugo Dunphy	1051
Jodie Lynes	9371
Keith Neylon	9300
David Grove	1024
Nikky Young	9349
Alice Cleary	4101
Lucy Laitinen	4172
Tom Bates	9016
Felicity Bunny	6021
Maddie Ferguson	9300
Eliot Pryor	1021
Heather Verry	5036
Andrew Higgott	0626
Lynette Weir	9300
Robert Stansbury	4110
Helen Hamilton	9300
Jim Syme	1050
Kay Turner	9300
Chris Maister	8042
Trent Yeo	9348
Tegan S	9300
jane Guy	9371

Name	Postcode
Gareth Bull	9300
Keri Tait	7608
Bianca Watson	9300
Megan Knight	4573
Duncan Fea	9300
Rebecca von Dadelszen	9371
Lloyd Richardson	9300
Vincent Pooch	8053
Flick Wallace	9305
Jasmine Crichton	9300
John Philp	9034
Laura Moore	9300
Elisabeth Mariu	9522
Barbara Stewart	8052
Phillipa Cook	9300
Steph Cook	9010
Jeanet Witterman	9399
James McConachie	9300
Mark Woodward	7300
Tristan Franklin	9371
Marg Forde	3283
E.Peter Walker	8052
Kathryn Omond	7282
Simone Flight	9300
Kyla Page	9300
Dennis Behan	9371
Helen Maber	9300
Patricia Lacey	NG10 4BL
Alan Gaunt	9300
Alastair McKechnie	9300
Sue Clifton	ME17 1PS

Council Meeting Agenda 26 February 2020 - MATTERS FOR DECISION

<b>Name</b>	<b>Postcode</b>
Jackie Blue	7448
Regan Hillyer	1050
Emma Wilson	9300
chris wilson	0624
Emma Newman	8014
Iain Forrest	9304
Louise Brown	9300
Tineke Enright	9300
Kim Stewart	9302
Judith Ostronic	9349
Robyn Shearwood	9304
Quentin Glover	3450
Rob Greig	9300
Roger Shallard	9300
Vicky Wills	9382
Andrew Greig	9300
Tracy Ilton	8051
Clare Evans	9300
Fergus Brown	5050
jonty edgar	9300
Adrienne Hawthorn	1071
Sarah Thomson	9371
Jeni Sparks	7400
Andrew McMillan	2022
Jimmy Sygrove	9302
Anne Hailes	9300
Annie Cain	8081
Christopher Cooney	9300
Ruth Holden	9810
Dan Bush	0616
Graeme McConachie	9781

<b>Name</b>	<b>Postcode</b>
Steven Benford	9013
Lisa Guy	9371
Lynley Soper	9672
Damien O'Connell	9300
Martin Langford	9300
Warren Leslie	1052
Anna Johansson	9300
Sharron Holland	9300
Daniel Ryan	4060
Janelle Crosbie	9300
Katrina Guy	5011
Roger Macassey	9305
Tania Carter	9300
Maureen Ayre	2066
Christine Jackson	9300
Simon Petre	9300
Brian Calcinai	4141
Peter Kerr	2230
Lucy Phillips	9300
Nicola Adamson	9371
Marian Scott-Rowe	6012
vic mules	0622
Jane Miedema	9781
Lindsay Stephenson	9781
Katarina Norris	4069
Stephen Dawkins	9012
Neil Gubby	7730
Alf Bell	9371
Dick Hubbard	9300
Yvonne Gray	9300
Rick Wellington	9012



Council Meeting Agenda 26 February 2020 - MATTERS FOR DECISION

Name	Postcode
Jennifer Mason	9300
Alistair Smith	2226
Heather Brown	9300
Josh emett	1071
Frank Perry	1050
Roger Lampen	0624
Judith Wolianson	9300
Sandra Nilsen	9371
James Wilson	4051
Melita Gizilis	9300
Hugh Wilson	9016
JANE HANAN	4870
Gerard Clearwater	9777
Liza Devine	9349
Fraser Wilson	9300
Helen Quinn	9300
Paul Griffin	9359
Elaine Wells	9300
Pip McCann	9371
Wayne Hulls	9302
Anna van Wichen	0273265933
Ross Blackman	0202
Sam Dickie	1011
David Thomson	1010
graham malaghan	1071
Tyree Birch	9300
Lorraine Knowles	9305
Angus Buchanan	9310
Eric J van Eeden	9840
Don Millar	9371
Derek Roth-Blester	9371

Name	Postcode
Paula Ramage	9302
Jenny McPherson	9371
Malcolm Skipworth	9300
Siobian Smith	9300
Tanya Larson	9300
Anna Dunsdon	9302
craig sengelow	6021
Michael Smith	9300
Dylan O'Neill	9305
John Petre	9300
Neill & Barb Simpson	9300
Anne Oliver	9300
Debra Haraldsen	0112
Natasha Davis	9304
Cam Pyke	9300
Shron Hargest	9390
Debbie Williams	9300
Alison Beaumont	9300
Graham Beggs	9782
Emily Hogan	9300
Carl Beaumont	9300
Sammy Duffin	9300
Bridget Studholme	7977
Sherri Gibb	9304
Heather Black	9300
Lauren Major	9300
Sophie Pyke	9300
Moira Appleby	9300
Chris James	7901
Michael Gibb	9304
Peter Sim	9300

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<b>Name</b>	<b>Postcode</b>
Kathryn Savage	9748
Mike Gain	9300
Andrew Smith	W1U4PA
Joel Gebbie	9371
Kari Magee	3144
Paula McCall	9300
Lorraine McCrohan	SY6 7AW
Chris Callen	1021
Pippa Hyne	9300
Carl Street	9500
Colleen Linnrell	7400
Ana Ide	9300
Larissa Morais	9300
Heidi Cochran	9300
Thomas Ibbotson	9300
Neha Gosalia	9300
Jeremy McPherson	9300
Mark Wyborn	1010
John Hutton	6012
Claire Adams	6024
Adela Muchova	9300
Glenda Lancaster	3188
Edith Owen	LL40 2TA
Georgia McChlery	9300
Glyn Lewers	9300
Heather Hutton	6012
Stephen Thompson	9300
Liz Emily	9300
Cameron Klaus	10003
Brad Saville	9300
Rhianon Roberts	9300

<b>Name</b>	<b>Postcode</b>
Haley Klaus	78703
Bryan Mcchlery	9300
Sheena D	9300
stewart barnett	8052
Graeme Bell	9044
Judy Bell	9044
Julie Barnes	9810
Tink Brinsley	9300
Caroline Curnow	3206
Kim Arnold	9300
Tino Wenzel	9300
Luna Tiew	9300
Frederic Monnier	9300
Dung Nguyen	9300
Facundo Brianza	9300
Ken Bradley	9300
Renee Braakhuis	9304
Cheryl Bainon	9300
K Oel	9300
Brandon Lowery	9300
Annika Worth	9304
Richard Fauli	1142
Luka Vogt	9730
didier Horand	9371
Olivia Nicholson	9300
Michelle Clarke	9300
Garry Bower	9300
erika zoe Sarmiento	9300
Mauro Battaglia	9300
Tong Ha	77040
Ankur Kaushik	9300
Carl Chua	9300

Council Meeting Agenda 26 February 2020 - MATTERS FOR DECISION

Name	Postcode
Tony Oxnevad	9348
James Berryman	9300
Maria Santandreu	9304
Juan Martinez	9304
Ashwani Kumar	9300
Michael Oliver	9304
Sabrina Scaratti	9300
Annie Black	9300
Andre Araujo	9300
Lok lo Lee	9300
Jonty Woods	9012
Ana Bettio	9300
Fysh Rutherford	3186
Ems W	9304
Yurie Shinkai	9304
Janet Turnbull	8024
Annabelle Brown	9300
Darlene Golding	9300
Rutu Joshi	9300
Petar Uzunov	9300
Fabiola Gomez	9300
Tasmin Hepburn	9371
David Tietjens	9347
Alethea Grovermann	9300
Georgia Cleaver	9813
Fiona Laryn	9304
stella charnley	9302
Nethmi Kariyawasam	9300
Haw Man See	9300
Paul Butler	4567
Adam Burrell	9371

Name	Postcode
Jayne Harvie	9013
Kate Helem	8053
Ben Hull	9300
Michelle McElhinney	9810
Fernando Camauer	9300
Valentina Lagos	9300
Edson Nodomi	9300
Markéta Lorencova	9304
Marcos Bustos	9300
Norka Morales	9300
Beverley Coburn	9300
Sadia Hoosen	9300
Renato Daniel	9300
Joana Dela Pena	9300
Mikaela York	9300
Caio Cesar Alves da Silva	9300
Joan Allman	V93R7P1
Omkar Vidwans	9197
Andre Lopez-Turner	NW5 4JN
Helen Mayhew	NW1 9NA
Suna Choi	9300
Caitlin Riach	8083
Sarah Johnstone	9300
Paul Reeve	9300
Sol Wyatt	9710
Janet Hewitt	9300
Laurence Hillyer	9371
Gillian Sim	9300
Kwangae Yoon	9371
Laura Manchester	2093

Council Meeting Agenda 26 February 2020 - MATTERS FOR DECISION

Name	Postcode
John Hynds	1147
Johno Lyons	9304
Donna Johnston	9304
simone jacobs	9371
Lindsay Spurling	9371
Roger Joechen	9300
Richard Taylor	6022
Bridget Johnstone	9300
Tony Marchant	2039
CRAIG HART	9348
John Scobie	9302
Rowan McDonald	9371
Jenny Elder	9300
pat white	9300
alison laing	9300
Haley Adamson	9371
John Bannerman	9710
Rainer Heidtke	9300
alastair wood	9371
Grant Ilton	8061
Mary Strang	9350
Laura Mckernan	9300
Jan Chappell	7430
Ivan Strang	9352
Bruce Copland	3206
Holly Burrige	9010
Jean Marchant	9384
Russell McCullough	0626
Gary Hall	9371
Chris Duffy	9300
Jeanet Witteman	9300
Olive Duffy	9300

Name	Postcode
Elizabeth Taylor	8023
Sophie Wilkins	9371
Kevin Helem	8052
Alfie Duffy	9300
Phil Dawson	9300
Pam Maclean	9300
Marianna Norton	9300
Max Norton	9300
John Mosedale	CF31 2HN
Roger Norton	9300
Sâmela Emanuely Camargo	9300
Elyse Black	9300
Sarah Fahy	1025
Suzanne 9 Ilton	8061
Joyce Yee-Murdoch	9384
Michael Clark	9348
Manon Roche	38300
Jeremy Crichton	9300
Steven Brownlie	9300
Antoneia Tauro	9300
Carlos Tejada	9300
Silvia Martinez	9300
Jeanne Thomas	69008
Phil W	9300
Brenda Norman	SS88BG
Leighton Cassidy	N1 3BZ
Zoë Richards	9300
Geoffrey Cotton	9371
Celine Austin	9304
Lauren Keith	9304
Jan Penny	9300

Council Meeting Agenda 26 February 2020 - MATTERS FOR DECISION

Name	Postcode
Pieta Hyland	9810
Aurelle Coussement	9300
Elaine Vivian	9300
Trond Johansson	9300
Karen Bisacre	9300
Chris White	7901
Susan McDonough	1740
Andrea Timmins	9300
Natalye Pereira	9300
Monica Banhidi	9348
Pat Allen	9076
Samith Jayakody	9300
Patricia Kirchoff	9304
Lauren Hart	0622
Nina Champion	9300
Jan Macpherson	9300
George Heenan	9300
Itzel Flores	9300
James Mulvey	1011
Joe Golden	9305
Thamia Figueiredo	9300
Belén Nuñez	9300
Emma Brookfield	9371
Bridget Mee	9349
Fiona Douglas	9391
Sandy Cooper	9812
Bjorn Houtman	9300
Rahul Khanna	9300
hamish lambeth	9013
Cameron Steele	9300

Name	Postcode
bridget macfarlane	8024
Sarah Barham	9300
Julia van Eeden	9879
Mary Mingins	0930
Viviana Malfatti	9300
Clancy Lyons	9300
Enrico Dominguez	9300
Elliott Allemand	9300
martin mckimming	9348
Prem Comboz	9300
Shoko Suzuki	9300
Louenne Allemand	9300
Franck Allemand	9300
Natasha Stokes	933
Rosemary O'Hagan	4006
Simone Leutellier	9300
Christian Leutellier	9300
Howard Scott	9010
Diana de Koning	9300
Leanna Vaitkus	9300
Paul McDrury	9300
Nicky Mccrostie	9371
Roger Hu	9300
lizanne Bertrand	9300
Michael Richardson	9348
Robert Atherton	9300
Stephen Skegg	1052
Rob Mclean	2026
Neville Crichton	2141

Council Meeting Agenda 26 February 2020 - MATTERS FOR DECISION

Name	Postcode
John Anderson	9300
Jane Anderson	9300
Jeremy Clulow	SA389LZ
Justine Barnett	9371
Michael Hesp	9371
Joan Potts	9300
Kate Stewart	9300
Alice Dunn	1051
Sally Ibbotson	9300
Bill Driver	9018
Dave Maginness	7910
Angela Driver	9024
Sophie Koehler	9300
Christina Clarke	7772
JOHN REID	7580
Jeremy Adamson	7772
Peter Green	3120
Lex Henry	2012
clair st smith	8023
Elixsbeth Duggan	9320
Robynne Williams	9300
Matt Haugh	9587
Lindsay Williams	9300
Jeremy Smith	8023
Jules L	9300
Gerlof Wiersma	9300
Reika Matsuyama	9300
S T	9010
Uta Heidtke	9300
Franzi Heidtke	0911
Fiona McKissock	9300
kathy taylor	9300

Name	Postcode
Alasdair MacArthur	PA10 2AR
E MacArthur	PA10 2AR
Debbie Andrews	9300
Matt Stewart	9300
Marie Denise Manns Genestier	9300
Cristobal Cuevas	9300
Jason He	9371
Dave Gardiner	9300
John McDowell	9300
Brett McKenzie	3122
Rhonda Mabon	9300
Brian Hall	9371
Millie Trautvetter	0820
Holmes Byars	9300
Lilly Mannerswood	9371
Sam Feast	9371
Louise Hall	9371
Michael MacArthur	TN18 4QS
Charlotte Aspin	9016
Peter Hamilton	9300
Julia Berntsen	9300
Jordan Tate	9300
Aled Jones	9300
Louise Allan	9349
Sarah Allen	9018
Darryl Mulvey	9300
Tim Page	9300
Nick Cowdy	8081
Sophie Thompson	9300
Valentine Lefrère	9300

Council Meeting Agenda 26 February 2020 - MATTERS FOR DECISION

Name	Postcode
Paul Scarborough	9300
Jordan Taylor	2000
Tilly Dunn	9300
Jamie Henderson	9300
Martin Chappell	9300
Anna Lawrence	9300
Shona Macpherson	9300
Zac Summers	9300
Paul Wilson	9382
Wendy Van Ileshout	9371
David Marriott	9371
Jacob Marriott	9371
Don Saxton	4178
Sue Knowles	9300
Sheryl Williams	9300
Glenn Stahlhut	9304
Laura Dempsey	9300
Petra Skybova	9304
Trisch Inder	9300
Mike Hawthorne	9300
Eileen van Warners	7364AE
Doug Gordon	0620
Cameron Mackenzie	9300
Simon Maddison	9305
Lyndon Reeve	9300
Paula Cunquero	9300
Liam Glanville	5024
Paul Wright	9100
Melanie Grindell	9304
Ben Hamilton	9300

Name	Postcode
Audrey Tendron	9300
Daniel Thomas	60610
Peter Wilden	6722
Liani Baylis	9300
Rachael Cochrane	9300
Ann MCDowell	9300
Di Ramsey	9300
Mike Fraser	5082
Peter King	9092
Rae Ellis	9300
Nikki Wilson	9317
Nicholas Rodda	9371
Tim Calder	9300
Sean Adnitt	1011
Brendon Lonsdale	9501
Kimberly Ramsey	9300
Hayden Smith	9720
Sally Whitewoods	9300
Claire Stewart	9300
Brooke O'Connor	9874
Stephan Hildebrandt	5028
Michael Ramsay	9300
Rebecca Dillon	9600
Debra Ramsay	9300
Brigid Inder	9304
Tracie Patel	9304
Martin Vaclavu	9304
Camillo Visco	9300
Rebecca Viale	9371
Vivien Courmane	9300
Tyrel Smythe	9300
Brad Devery	9371

Council Meeting Agenda 26 February 2020 - MATTERS FOR DECISION

<b>Name</b>	<b>Postcode</b>
Cameron Marshall	9371
Nicole Micun	9300
Joe Weedon	9300
Charlotte Fleck	9371
Chris Fitzpatrick	9300
Philip Riley	9310
Mike Noonan	9013
Corbin Winiata	9003
Toby Dickson	9302
Max Aversa	1061
Nick Jordan	9371
Jude Grace-Dillon	9300
Morgan Fraise	9300
Warren Carter	9303
Rochelle Dsouza	9300
Alex Hatipov	9300
Nick Davidson	9300
Georgia Avery	9304
Marion Hornbacher	9300
Junya Lapcharoen	9300
Andy Hughson	9300
Alina Kazakova	9300
Emma-Kate Hall	9793
Adrienne Adlington	BA2 0DS
Chris King	9092
Andy Pearson	9350
Simon Botherway	9302
Lauren Griffiths	9304
Steve Ward	9300
Sue Charlesworth	9304
Andre Perko	9300

<b>Name</b>	<b>Postcode</b>
Jules Radich	9012
Lucy Anscombe	9371
Sharon Salmons	9300
Kim Nicolson	9384
Patricia F	9310
Melita Richards	9300
Frances Placun	9300
Thea Follett	9300
Aeri Shin	9300
Aaron Ravenwood	9300
Ashlee Bowman	9071
Ralph Lam	9300
Bruna Vinuesa	9300
Jess Healy	9300
Fiona Whitelaw	9300
Lisa Beckmann	9300
Alan Davies	9348
Jenny Lomas	9350
tamati Umbers	9304
Holly Ratahi	9300
Leonardo Gatti	9302
Fenna Neumann	9300
Matt Barnes	9304
Maria Eugenia Santos	9300
Rachael Shaw	9300
Helen Watson	9304
Steve Harwood	9371
Charlotte Ramsey	9348
Kaitlyn Brown	9304
Ashley Fynan	9300
Lesley Horder	9300



Council Meeting Agenda 26 February 2020 - MATTERS FOR DECISION

Name	Postcode
Francisca Retamales	9300
Steven Stanley	9300
Vanessa Smith	9300
Shane Buckham	9300
Anna Smith	9300
Sally O'Donohue	9300
Emma Lindsay	9302
Megan Cartwright	9300
Jesse Evans	9300
Anna Henderson	9300
Rebecca Kinsella	9300
Glen Marsh	9300
Julie Frazier	9300
Polly Marchesi	9371
Mitchell van Schaik	9300
Jess Warren	9300
Paul Anderson	9300
Andrew Eadie	9300
Jude Gardner	9304
Diane O'Sullivan	9300
Jacqueline Harvey	9349
Callum Beker	9300
Nigel Thompson	9300
Lucas Lopes	9300
Gustavo Cianciulli	9300
Lana Ennis	9300
Sarah Dunan-Hale	9304
Eligijus Zaburas	9300
Sarah Taylor	9371
Patrick Dodson	9793
Rachael Gerard	9304

Name	Postcode
Marie Noire	9300
Claire Buist	9014
Kate Kirkwood	9300
Aakash Parikh	9300
Bree Rudhall - sua	9300
Erin Morgan	9300
Megan George	9300
Margaret O'Hanlon	9300
Ashley Lonergan	9300
Tim Mann	9300
Catherine White	9300
Marie BARTELS	2150
Josephine Spencer	9300
Sara Tully	9300
Sommah Tauwhare	9304
Ross Hoskin	9300
Deborah Fenton	3295
Hannah Lorraine Gropper	9304
Yeshwanth Manjunath	9371
Susan Weir	9300
Arabella McLeay	9600
Nicola Evans	9810
Chay Walbeoff	9300
Johnny Yeo	9304
Charlotte Blair	9371
David Andrews	9300
Annabel Day	9304
Brent O'Donohue	9300
kylee thurlow	9300
Morgan Denny	9810

Council Meeting Agenda 26 February 2020 - MATTERS FOR DECISION

Name	Postcode
Rory Truscott	9371
Ben Wilson	9371
Shannon Nugent	9300
Annette Fea	9300
Hamish Ryan	9300
Josh Fea	9300
Maggie Fea	9300
Jack Wilson	9302
zoey Christensen	9300
Carl Dinnissen	9300
Denis Laird	7053
Yuxin Liu	9300
Emma Hansen	9300
Antonela Comuzio	9300
Grant Richards	9300
Jess Larmont	9371
Jordan Owen	9300
Toby Washer	9304
Scott Whitfield	9300
Federico Gandolfi	9300
Michelle Carpenter	9304
Janet Barraclough	9300
Nicky Wells	9300
Rebecca Odonnell	9300
Francine De salengre	9371
Mathew O'Donnell	9300
Tim Donnan	9300
Ling Lee	9300
Marjolein Oudemans	9300
Fran Freire	9300

Name	Postcode
Lia Freire	9300
Sally Burton	9349
James Phillips	9300
Vanessa De Silvia	9300
Tamara Middleton	9300
Dale Curtis	3067
Phil Lemalu	9010
Min Sheau Kang	9034
Steve Rowlands	IP68SA
Kelly Mccafferty	9300
Adela Masarykova	9300
Rosie Mabin	9300
Shelley Bartlett	9300
Pauline Copland	9390
Mel Rodriguez	9300
Maria Noonan	9013
Helen Gebel	9304
Richard Ruane	9300
Léna Boss	9300
Jade Hansen	9300
Bev Carter	9012
Richard Wells	9300
Hitomi Shimmoto	9300
Matthew Macarthur	9300
Lynne Godden	5032
Trent Watson	9300
Yumi Hirano	9300
Hiro Brown	9300
Claire Paxton	9300
Georgia McMahon	9371
Joe Wood	9300

Council Meeting Agenda 26 February 2020 - MATTERS FOR DECISION

Name	Postcode
Philomena O'Connell-Cooper	9012
Shalaka Parashar	9300
Sam Thurston	9304
Amanda Iva	9304
Wayne Schultz	9300
Joshua Moore	9300
Tom Page	9300
Katie Bowler	9304
Nora Zenasni	9300
Lotte Verhoeven	9300
Jasper Moolj	9300
Kat Denton	9304
Jane Houghton	9300
Alan Garrick	9300
Maja Marshall	9371
Imogen Forbes	9304
Sonia Hegan	9302
Sarah Massey	9371
Sarah Cole	9300
Melanie Seyfort	9302
Gillian King	9300
Barry A Robertson	9300
Chloe McIntosh	9300
Gianni Salvay	9302
lynsey mcdougall	9300
Kimberly A	9300
antonia davison-mcdonald	0900
Damon Williams	9348
Rebecca Murphy	971
Michael Anscombe	9371
Sam Coulson	9302

Name	Postcode
Jodie Johnson	9300
April Mcleod	9300
Thomas Innes	9300
Hana Connolly	9300
wendy sherlock	9300
Vince Lysaght	9300
Darren Byrne	9300
Jason Johnston	9300
Lauren Christie	9300
Saffron Turnbull	9300
Joe Proctor	9300
Rachel Windner	9300
Andrew Maisey	3061
russell johnston	9300
Simone Wiggan	9300
Tierney Horler	9300
Ane Vakalavanua	9300
Ryshae Forbes	9300
Dan Proctor	9300
claire nichols	9300
Trina Holmes	9300
Caron Proctor	7010
Sky Leith	9810
elizabeth nuttall	9300
Josephine Raroa	9300
Tiegan Wilson	9810
Yvonne Wikson	9810
Lucas Leask	9300
Ella Windner	9300
Selina Forbes	9812
Anita Golden	9304
Heidi Shaw	9300

Council Meeting Agenda 26 February 2020 - MATTERS FOR DECISION

Name	Postcode
huey wen chang	9300
Janno Nurme	9300
Carmen Triisa	9300
natasha abbott	9300
Rachel Elder	9710
Mariah Ruri	6105
Rachel Wood	9879
Steve Brundell	9371
Natasha Cusiel	9371
Jill Alexander	9305
Jean Klemp	9300
Vaj Ekanayake	9300
Charmaine Eastgate	9304
David Pearse	9371
Genevieve Coleman	3121
Danielle Ingle	9300
Simone Dekker	9304
Ruth Conder	0600
stephanie swaney	9300
Jakun Trojanek	9300
Roland Urke	9300
H Guild	7572
Tim Lousley	9300
Paul Proctor	9300
Emma Wilson	9300
Zara Kingsbury Hale	9300
Liane Ingberman	9371
Marina Silva	9300
Josh M	9300
Claire Girvan	9300
claire bryceland	9300

Name	Postcode
Nicole McNulty	9300
joel marques	9300
Renee Mcleod	9300
Cayo Ermandes Duarte dos Santos	9304
Sara-Jane Bowness	9300
Ana Sartore	9300
Matt Gray	9010
catherine savage	6012
Lorenzo Visco	37017
Jan-marie Harford-brown	9304
Penelope Sca	9300
Lily Turner	9304
Emily Sanderson	0930
Nina Acland	9300
Remy Scarborough	9300
Denise McNabb	9310
Caroline Gray	1052
Anne Bowman	9300
Amber Cootie	9300
Haley Kelly	9300
Franki Romanik	9300
Indri Gordon	9300
Sophie Pearcey	9300
Alisha Decourcy	9011
Rebecca Reaney	9300
Eleanor Capper	9300
El Ward	9300
Tessa Stokes	9300
John Murphy	9810
Kathryn Mitchell	9300

Council Meeting Agenda 26 February 2020 - MATTERS FOR DECISION

Name	Postcode
FELICITY MCLACHLAN	9302
Todd Schmidt	7800
Jenny Nicholson	9300
Michelle Field	7300
Ebony Jackson	9600
Sarah Graves	9371
Russell Thomas	9300
Charlie Naveseey	9300
John Brownlie	9300
Ronan Dooley	9371
Natalie Thiele	9371
Fiona Boffy	9300
Emma Gould	8051
jing ji	9300
Guido Leek	9348
Victoria Thomson	9300
jonathan chan	9304
Justin Koen	9304
Hayleh McKee	9014
Zoey Richardson	2113
Kathryn Simpson	3120
Alex Berntsen	3120
Luke Taylor	9300
David Dewhurst	9300
Rhys Gould	9300
Gemma Kelly	9300
Rubie McGregor	9300
Joshua Waterman	9300
Nigel Black	9300
Hayley Scott	9300
Emma Schweizer	9600
Brenden Winder	9300

Name	Postcode
Morgan Larkins	9300
Jenny Bond	9300
Robert Dickison	9300
Beth Hawes	9300
Luka Welch	9300
Nathan Long	9300
Sophie Romanik	9300
Mairtin O Confhaola	9300
Anna Loomes	7999
Ian Anstiss	9300
Sue Quirk	6011
Nicola Everett	9300
Ryuichi Hayasaka	9300
Rachel Smart	6021
Darren Willis	9304
Will Murphy	9304
Calum Mould	9371
Victoria FOOTE	9300
Claire Forrester	9300
Kay Riddoch	9600
Rachel White	9600
Rachael Cameron	9371
Chris Scott	9300
Tim Wells	9300
Megan Sarka	9300
Vance Griffiths	9300
Tanis Sarka	9300
Like McKerrow	9300
Laura Weir	9300
Courtney Quintrell	9679
AJ Key	9302

<b>Name</b>	<b>Postcode</b>
Alison Wilkie	7182
Ian Straton	9300
Grant Jackson	9300
Alex Hazlett	9300
Claire Pattinson	9300
Jacquelyn Hermer	9300
Sonya Liggins-Walters	9710
John Dickison	9300
Michal Chudzinski-Pawlowski	1026
Kevin Dibley	9347
Beryl Macey	9302
Sacha Pyke	9300
Grzegorz Pawlowski-Chudzinski	1024
Kat Van Dijk	9300
Rik Van Dijk	9300
Jade Weinbrecht	9300



12/02/2020

Garry Maloney  
Manager Transport  
Otago Regional Council

*By email only:* Transport@orc.govt.nz

Dear Garry

### **REGIONAL PUBLIC TRANSPORT PLAN – LAKE WAKATIPU WATER FERRY AMENDMENT**

Queenstown Airport Corporation (QAC) would like to thank the Otago Regional Council (ORC) for the opportunity to make a submission on the proposed variation to the Regional Public Transport Plan (RPTP) to enable a trial ferry service.

QAC supports the ORC's plans to increase the capacity of the Queenstown Lakes District's public transport infrastructure and commends the ORC's proposal to take steps towards adding a water ferry to its public transport network in Queenstown.

#### **Overview of Queenstown Airport**

Queenstown Airport is the main airport in the Queenstown Lakes District and is a strategic national and regional asset which contributes to the vibrancy and prosperity of New Zealand's economy, its tourism sector and the regional communities served by the airport. The Airport is a domestic and international entry point to Queenstown, one of the world's premium visitor destinations, and direct access to the Southern Lakes region which is home to some of New Zealand's most iconic scenery and experiences.

QAC considers it is important to work alongside local authorities when planning for the future growth and development of the District and Region. As a member of the Regional Transport Governance Group, QAC understands the importance of key agencies working collaboratively to develop short, medium and long-term transportation solutions for the District and wider Otago Region.

It is within this context that QAC provides the following feedback on the proposal to vary the RPTP to enable ORC to support a ferry service.

#### **Proposed amendment to the RPTP**

QAC is supportive of the ORC's proposed amendment to the RPTP to establish if a public ferry service on Lake Wakatipu can enable better access to Queenstown as part of a broader transport solution. QAC further supports ORC's position that a trial Frankton Arm to Queenstown Bay water ferry service is considered an integral service for the purposes of the trial.

Subject to future statutory planning processes and public engagement, QAC is supportive of ORC's position that the trial ferry service will result in a long-term publicly subsidised water ferry service. QAC supports the ongoing funding for the service being included for public engagement through the Annual and Long-term Planning processes.

QAC **does not** wish to be heard in support of its submission and thanks the ORC for the opportunity to make this submission.

Should you wish to discuss this submission further please contact QAC's Senior Planner, Melissa Brook.

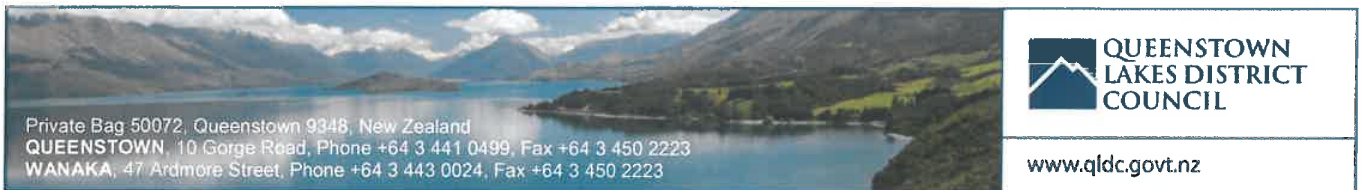
Yours sincerely,

A handwritten signature in black ink, appearing to read 'R Tregidga', written in a cursive style.

Rachel Tregidga

**General Manager Property & Planning  
Queenstown Airport Corporation**





12 February 2020

Via email: [Garry.Maloney@orc.govt.nz](mailto:Garry.Maloney@orc.govt.nz)

Dear Sir / Madam,

**SUBMISSION: LAKE WAKATIPU WATER FERRY AMENDMENT**

Thank you for the opportunity to present our submission on the Lake Wakatipu Water Ferry Amendment to the Regional Public Transport Plan. Queenstown Lakes District Council (QLDC) fully supports the Otago Regional Council's (ORC) intention to trial a water ferry service in the Frankton Arm of Lake Wakatipu.

QLDC's transport and environmental ambitions to provide high quality transport connections encouraging greater use of public transport will certainly be served by a properly trialled ferry service. This trial will allow ORC and QLDC to collect clear data to consider the implementation and operation of a permanent, high quality public transport solution which will work in conjunction with and in addition to the popular \$2 Orbus service.

QLDC is particularly supportive of ORC's intentions to subsidise the existing Queenstown Ferries service to allow for continuity of service. This will ensure that members of the community who rely on this service to commute to and from work are not forced back into their cars increasing the congestion and emissions along the Frankton Road and into Queenstown at peak times.

Thank you again for enabling QLDC to comment and should the opportunity arise, officers may wish to speak to this submission. Please let it be noted that this submission reflects the position of officers and has not been ratified by full council.

Yours faithfully,

Mike Theelen  
Chief Executive

**From:** Matthew Todd <Matthew.Todd@ritchies.co.nz>  
**Sent:** Tuesday, 4 February 2020 3:46 p.m.  
**To:** Garry Maloney <Garry.Maloney@orc.govt.nz>  
**Cc:** Andrew Ritchie <andrew.ritchie@ritchies.co.nz>  
**Subject:** RE: Proposed variation to Regional Public Transport Plan to enable Lake Wakatipu water ferry trial

Thanks Garry,

Ritchies Transport Holdings has no issue with the variation RPTP.

**From:** Garry Maloney <[Garry.Maloney@orc.govt.nz](mailto:Garry.Maloney@orc.govt.nz)>  
**Sent:** Thursday, 30 January 2020 8:57 AM  
**To:** Andrew Ritchie <[andrew.ritchie@ritchies.co.nz](mailto:andrew.ritchie@ritchies.co.nz)>  
**Subject:** Proposed variation to Regional Public Transport Plan to enable Lake Wakatipu water ferry trial

Kia ora.

Please find attached correspondence seeking your feedback on the Otago Regional Council's proposed variation to its Regional Public Transport Plan. The proposed variation is to enable the Council to trial a water ferry service in the Frankton Arm of Lake Wakatipu.

If you have any questions, please don't hesitate to contact me.



**Garry Maloney**  
MANAGER TRANSPORT

Otago Regional Council  
Level 2, Philip Laing House,  
Rattray Street  
Private Bag 1954 Dunedin 9054  
M 021 929 310

P (03) 474 0827, or 0800 474 082

[garry.maloney@orc.govt.nz](mailto:garry.maloney@orc.govt.nz)  
[www.orc.govt.nz](http://www.orc.govt.nz)

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Shaping our Future is an incorporated society founded in 2011, with open membership to all throughout the Queenstown Lakes region. Our Board and Taskforce members are volunteers working to give every person in the community a voice in shaping the future of our district for future generations, not just our children, but grandchildren and beyond. We are independent and apolitical with a process not constrained by institutions or single interest groups.

Through 2015, Shaping our Future ran a process that brought together hundreds of members of the community to discuss and deliberate upon challenges and community priorities in Queenstown transport.

The Shaping our Future Queenstown Transport Report encapsulates the final conclusions and recommendations from that process.

Amongst these are strong recommendations that waterborne public transport, such as is being discussed today, be provided. And not only that it be provided, but incorporated into a coherent, integrated, and multi-modal transport network.

It was recognised that key to this is not only provision of water services themselves, but seamless, painless, and frequent interconnectivity between public water transport and, particularly, other modes of public transport and active travel.

There were a number of use cases where water transport was viewed as appropriate, and one such was certainly Queenstown Bay to Frankton Arm - offering dramatic benefits to transport impacts throughout the Frankton Arm section of the network, but also beyond. Flow on benefits to reducing congestion and travel journey length through utilisation of such a service are seen as significant.

Shaping our Future therefore submits in strong support to the proposed variation, and further would like to emphasise two points which we trust will be included into operational provision of the service going forward:

1. The critical importance of ensuring the service is integrated and interconnected with existing public transport and active travel modes through provision of suitable connectivity infrastructure and/or optimisation of existing public transport, as necessary;
2. Strong support to move the transport network toward carbon zero as rapidly as possible. This support applies across the board, to all modes of public transport envisioned under the Regional Public Transport Plan. Over and above the overall aggregate carbon emissions benefits to PT over private vehicles, we would also hope to see this priority internalised into the ferry service itself as it develops.

Thank you.  
AJ Mason  
Executive Chair  
Shaping Our Future

## Report to Otago Regional Council on Submissions on Proposed Variation to the Otago Regional Passenger Transport Plan

### Introduction

1. My name is Brian Baxter and I am a Public Transport Consultant. I was appointed by ORC on 12 February 2020 as the Hearing Commissioner to hear submissions on a proposed variation to the Otago Regional Public Transport Plan (RPTP) relating to ferry services in Queenstown.
2. This is my report on the submissions. It contains a recommendation regarding the inclusion of the variation into the RPTP.

### Background

3. Queenstown Ferries currently operates a commercial ferry service between Queenstown Bay and Frankton. The ferry company has indicated that it will cease the service on 29 February 2020 because it is losing money. The service does not appear in the Otago RPTP and as such cannot be subsidised by ORC should ORC wish to do that.
4. The current Otago RPTP was adopted by ORC in 2014. ORC now wishes to vary the RPTP by including in the list of services integral to the network (and thus able to be subsidised) a Frankton Arm to Queenstown Bay water ferry service.
5. RPTP's are able to be varied during their lifetime, and the process for that is set out in the Land Transport Management Act 2003. The Act prescribes the process to be followed, and the level of consultation required to be undertaken with the affected community. ORC has followed this process and has undertaken the consultation required.
6. Consultation on the proposed variation began on 30 January 2020 and submissions were invited. Submissions closed on 12 February 2020, and those wishing to speak to their submissions were able to do so in Queenstown on 17 February.
7. 134 submissions were received, along with a petition, organised by Kelvin Peninsula Community Association, signed by 1,907 people in support of the variation. Almost all submissions and the petition signatories were from the Queenstown area.

### The Submissions

8. All but 2 of the 134 submissions were in support of the proposed variation. The 2 opposing submissions provided no detail as to why they opposed the variation.
9. Submissions in support were received from Queenstown Lakes District Council, Queenstown Airport Corporation, and Ritchies Transport Holdings. Ritchies provides bus services in Queenstown under contract to ORC, and essentially provides a bus service which runs parallel to the current Queenstown Bay-Frankton ferry service.

10. A number of submitters asked to be heard and hearings were arranged. However some did not turn up for the hearing, and in the end only 4 submitters spoke to their submissions. All supported the proposed variation to the RPTP. The submitters who did speak had an extensive knowledge of the service, and provided comprehensive details and history of the service and why they thought it should be retained. One of the submitters was the Chair of the Kelvin Peninsula Community Association.

#### **Findings**

11. In my opinion ORC has followed the RPTP variation process set out in the Land Transport Management Act. In addition, the process complies with ORC's own policy (as set out in the RPTP) regarding varying the RPTP.
12. With regard to the submissions, it was clear that there was overwhelming support from submitters for the RPTP variation. Many of the submitters were users of the service.
13. By far the main reason given for the support was the existing and growing congestion along Frankton Road, which parallels the ferry route. The hearing heard that Frankton Road is designed to carry approximately 28,000 vehicles per day and is already at 94% capacity. The population of the area is predicted to almost double in 10-15 years with substantial residential developments underway in the Frankton area. All this, along with increasing tourism numbers, will further add to this congestion. And there is no scope to increase the capacity of Frankton Road.
14. Other reasons given for supporting the RPTP variation included:
  - a. Parking shortages in Queenstown
  - b. Environmental benefits from removing cars from the road, with a ferry seen as an efficient option
  - c. Provides for the future expansion of Queenstown and Frankton
  - d. General connectivity and accessibility benefits for those without cars
  - e. The lack of a suitable alternative bus service (the current alternative bus service can take up to an hour).
15. These reasons all fit within the criteria set out in the RPTP for including a service into the RPTP.
16. **Therefore it is my recommendation, given the overwhelming support for the proposed RPTP variation, and the fact that the variation fits within the criteria set out in the RPTP itself, that the RPTP be varied as proposed by ORC.**

#### **Incidental matters**

17. It was clear from the submissions and the discussions with those that came along to present their submissions, that the existing service could be improved. Some comments were:
  - a. The current timetable provides for an hourly service, and there are some times during the middle of the day when there is no service
  - b. The capacity of the vessel (currently 28 seats plus allowance for 7 people standing) has meant that on some trips the vessel is full and people have to be turned away
  - c. The current stopping points (Queenstown Bay, Bay View and Frankton) could be added to in order to provide better coverage

- d. While fares didn't feature highly in submissions, there were some suggestions that the ferry fares should match the bus fare, or at least be integrated in some way
  - e. Cycles need to be catered for on the ferry
  - f. Boarding the ferry and paying the fare took a lot of time. A card-based fare system was suggested as a time-saver, especially if the timetable required faster turnaround times.
18. It is clear that many tourists use the service, and in fact currently make up the majority of passengers. The Frankton terminal is at the Hilton Hotel jetty and many guests from the hotel use the service to travel into Queenstown and back. Hotel guests pay a discounted fare (\$5 one-way) which is lower than the standard cash fare (\$9 one-way, \$15 return), and about the same price as the fare paid when using a 10-trip ticket (\$4.90). It was suggested that the Hilton paid the ferry company direct for the fare difference i.e. is subsidising the service, but this is unclear. This issue would need to be addressed.
19. These are not matters relevant to the RPTP variation but they are likely to be matters for ORC to address should it proceed to contract the service.

**Brian Baxter**

*Public Transport Consultant*

19 February 2020

## Proposed Variation to the Otago Regional Public Transport Plan - Lake Wakatipu Water Ferry Amendment

### Record of Hearing of Submitters to the Proposed Variation

Hearing held at Queenstown Resort College, 7 Coronation Drive,  
Queenstown, Monday, 17 February 2020

Present: Mr B Baxter, Brian Baxter Consultants, Hearing Commissioner

In Attendance: Mr G Maloney, Manager Transport, Otago Regional Council  
Ms L McRodden, Public Transport Planner, Otago Regional Council  
Ms K Kaspar, Transport Support Officer

The hearing commenced at 1:00 pm.

#### **Sir Eoin Edgar**

Sir Eoin Edgar travelled to the hearing on the ferry at around lunchtime and noted the boat was full. He said travelling on the ferry is pleasurable and offers a different perspective of the lake/town - it is an enjoyable commute.

Sir Edgar thanked the commissioner and Otago Regional Council (ORC) for arranging the submission/ hearing and for responding to the community's request – community engagement is important.

Sir Edgar is a regular user of current service which he believes is an important public service given projected growth in Queenstown.

In his experience driving into town takes at least 30 minutes, taking a bus is approximately 1 hour and the ferry is around 15 minutes. It is pleasant and no parking required. With the population expected to double in 15 – 20 years, congestion will get worse.

The existing ferry is a practical way to view the lake and he noted there is a new hotel planned at Kawarau Falls.

The current service is practical but needs improvements; initially frequency needs to increase from hourly to half-hourly.

The existing service can get over-full and at times people are left behind due to capacity constraints. Costing needs to be consistent with buses – if we want to get people out of buses and cars, fare cost needs to be comparable.

Noted the community survey/petition – nearly 2000 signatures.

Mr Baxter asked Sir Edgar about service interruptions due to weather/maintenance, etc.

As a regular user Sir Edgar was not aware of weather constraints but there were gaps in the middle of the day (12:45 and 2:45 pm from Queenstown; 1:15 and 3:15 pm from the Hilton) that the ferry didn't operate.

From memory Sir Edgar considered perhaps 1 to 2% of trips were cancelled due to very rough weather. He also recounted two recent periods where some jetties couldn't be serviced by the ferry due to high lake levels. Floating jetties (such as at the Hilton) could always be serviced in high water, but stationary jetties were unable to be serviced.

He believed the current company had two larger and two smaller ferries. The company runs a good service with tidy vessels and Sir Edgar believes there has been discussion of bigger boats which would increase capacity.

Mr Baxter asked if the reason for the previous operator passing on the service was known. Sir Edgar responded that he understood that the previous owner had retired. The service has existed in some form for six to eight years, but it can be frustrating due to the hourly service or capacity constraints.

Sir Edgar believed that one boat could do the round trip in 30 minutes. It was usually staffed by the skipper who does the ticketing as well.

The issue of the integration of the new electronic ticketing system was raised.

Sir Edgar noted that the Hilton was a big contributor to passenger numbers – it has a 300-room capacity.

In conclusion – taking people off the road and onto the water is more pleasurable, a great attraction and gives peace of mind (re: parking requirements, being on time, etc).

### **David Mayhew, Kelvin Peninsula Community Association**

Queenstown is seen as a small tourist resort that is turning into an alpine city.

In 28 years, it is expected that 72,000 inhabitants will reside in Queenstown – reflecting extraordinary population and visitor growth which demands effective public transport.

Mr Mayhew reflected that when he arrived in the area some time ago, Queenstown was very different. Currently it is calculated that there is 1 resident to 32 visitors with expected population of 72,000 by 2048. There are approximately 2.1 million passenger movements per annum through Queenstown airport. He believed the projections were for those numbers to grow to over 5 million.

The variation to the Plan will give ORC the necessary authority to trial the ferry service.

Public transport needs to be multi-modal. The current ferry service is a good start but requires support and expansion.



Geographic constraints mean there is not much space for redevelopment on Frankton Road/SH6A and capacity restricted at bridge crossings<sup>1</sup>. The current transport infrastructure crisis can't be solved with more roads. There are major residential developments on the far side of the Shotover River (Lake Hayes Estate and Shotover Country) and recent discussions/announcements regarding bus lanes/ bus priority.

Anecdotally, Mr Mayhew recounted a story of a working mum queuing for 40 minutes to get out of Lake Hayes Estate onto the highway to take her kids to school.

It makes sense to use the lake for transport. Watercraft are the most efficient option from Kelvin Heights and surrounding areas. Buses don't provide enough incentive due to the detour into Remarkables Park then a transfer required to continue into Queenstown central. On the current ferry service, anecdotally approximately 70% of passengers are Hilton guests – we need to encourage public users/commuters.

The ferry is not yet sufficient to provide a reliable commuter alternative – it is not frequent enough. Service gaps at lunchtime are also an issue. The ferry needs to be able to cope with excess demand- if the ferry is full at its first stop, you can't expect passengers at the next wharf to wait an hour until the next service. There should be bigger vessels or back up ferries that could go straight to the second wharf.

There is a need for integrated ticketing systems and fares comparable to bus services. Not everyone on the peninsula is wealthy and able to afford high ticket prices. If there are rates subsidies, other communities without direct access to the ferry still benefit from the ferry through reduced congestion.

Looking longer term there is an obvious need for public investment, for example at Frankton Beach. This may require dredging to facilitate a new wharf.

Mr Baxter asked how fares and tickets worked currently and Mr Mayhew responded that he believed the Hilton guests get a discount by showing their room key. Residents often purchase a ten-trip concession card which gets punched for each trip use.

The service is supported by residents and visitors as represented by the petition.

There are also policy reasons for pursuing a ferry option, such as positive impacts on climate change by reducing single occupancy vehicle use. Mr Mayhew has pointed out to his neighbours/ community that saying they want a ferry isn't good enough – you have to use it, but there is also a chicken and egg situation – in order to increase patronage, there also needs to be increased frequency and affordable fares.

Mr Mayhew also raised the connection to Frankton as a key location. People are not just going into Queenstown centre. There are other amenities and facilities at Frankton, Five-Mile, etc.

### **Athol Stephens**

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<sup>1</sup> Mr Mayhew described bridge locations and bottlenecks to Mr Baxter on a map.

Mr Stephens acknowledged the opportunity to submit. He has local government experience at the Dunedin City Council and was impressed by public presentations that were able to influence political opinion there. He felt it was his civic duty to submit on issues that he felt strongly about and could support his community in that way.

From his perspective, it seems to be generally accepted that there should be water borne transport in Queenstown – the question is what does it look like and where does the funding come from?

Residents have already made a significant contribution to buses via rates. The Kelvin Heights service is under-patronised and always seems to run ahead of schedule. Mr Stephens suggested reducing the Kelvin Heights bus service and using any freed-up funds for a water ferry service.

Some issues already exist with the ferry service but with a private service you need to take what you're offered. These issues include capacity constraints on the existing service; but the bus as an alternative takes a very long time. Today Mr Stephens was speaking to a new resident at the Hilton who is already using the ferry service to get into Queenstown for meetings and business.

Vessel size is an issue because passengers get left behind at Bayview and at Queenstown on occasion when the ferry is full. Mr Stephens acknowledged he was aware that today's hearing was regarding the Plan change but if Council is subsidising the service then there is the ability to frame the service to suit the needs of the community and the size of the current vessel is an issue.

Also, jetties need to be considered. Mr Stephens felt they were satisfactory until recently. A couple of times in December/ January – high water levels meant some jetties were under water for about a week. Floating jetties can be serviced in high water but stationary jetties on piles cannot be.

A reliable, predictable, on-going service will require those infrastructure improvements.

Frequency of service would need to be considered as part of the tender/procurement of a service. Mr Stephens flagged the gaps in the middle of the day as an issue.

He agreed that the Hilton guests were probably the biggest users and believed they were offered a subsidy via the Hotel. Mr Baxter queried whether Hilton guests were likely to drive as an alternative if there were no ferry and, if yes, were they likely to drive during peak travel periods? Mr Stephens thought Hilton guests were unlikely to influence the peak congestion periods.

Mr Stephens touched on ratepayer funding "subsidising" tourists. He supported consideration of ideas such as a "bed tax" as another alternative, but acknowledged that there were wider community benefits from reduced congestion.

The water ferry may not reduce congestion significantly but there were efficiencies in the water taxi service for users that were not available to road users.

There needs to be a massive shift in travel modes to reduce congestion and emissions.

Mr Stephens felt it would be important to integrate the water ferry service with buses – vessels and vehicles would both want a return on investment. The demographics are mixed at Kelvin Heights and there are some school buses in the area but the Kelvin Heights Orbus route is quite circuitous and not attractive as a commuter option due to the required transfer and detour through Remarkables shopping centre.

Mr Stephens flagged the potential for an additional stop at the jetty at the golf club. The previous service would go to the golf club on a schedule and can still drop off/pick up on request at times.

While extra stops would delay the trip, there were five stops pre-Christmas 2019 and now only three so there should be capacity to service more stops and remain efficient.

The number of residents in Queenstown was increasing. It was not just visitors and holiday makers now. Mr Stephens believed the Hilton got a lot of benefit from the ferry. However, the Hilton users effectively subsidise the residents as high users. If the Hilton had its own boat those passengers would not be contributing to the farebox of the Go Orange ferry.

He believed a \$2 fare would be very popular, but many residents didn't object to the current concession rate at \$4.90.

### **A J Mason, Shaping Our Future**

Supported the proposed plan change.

In response to a question from Mr Baxter, Mr Mason confirmed that when he spoke about being "integrated" he meant both hard infrastructure (e.g. paths, roads, access) and ticketing and service integration (e.g. single ticket, connecting services, etc).

Mr Mason suggested that we need to knock down barriers to deliver a positive user experience. He suggested making it as easy as possible for the user; that is, don't make it hard for the passenger to use the ferry/bus/active modes.

Mr Mason suggested Council start with what is there in the first instance – a Frankton Arm passenger catchment for Queenstown delivery. The integration is probably required at the catchment end. For example, enable cyclists to bike to the jetty, use the ferry then cycle to their end destination.

He also believed that the ferry was a gateway to getting people onto public transport - passengers get used to and enjoy using the ferry as a public transport option then they try the bus.

In response to a question from Mr Baxter Mr Mason noted that he did not think there currently was any indication that people need the ferry due to not having a car. On the Queenstown side of the Frankton Arm, there are parallel bus services that people can utilise if customers miss the ferry. In his view, many people on the Kelvin Heights side don't need to use public transport but the challenge was how to encourage mode shift? He posed the

question, “can we incentivise people to not buy a car or second car just because they live in Kelvin Heights if there are options”.

The commissioner asked about seasonality of the service. Mr Mason advised that in terms of walking to/from the ferry, passengers prefer dry, mild weather, a sheltered place to wait, etc. If lake levels are too high there have been times that some jetties can't be accessed. Often winter in Queenstown is cold and clear so those conditions don't seem to impact use as much, but spring is a bit wetter. The ferry is covered so passengers are indoors when onboard meaning the journey experience is less impacted than for walking/waiting connections.

The hearing closed at 3:45 pm.

## RPTP Significance Policy and Assessment

### ***“9.1 Significant variations – requires full public consultation***

*The following variations are significant and require full public consultation:*

- *any change to this significance policy*

Proposed variation does not relate to the significance policy.

- *any change with a more than minor impact on the ORC’s ability to*
  - *achieve its public transport goals*
  - *achieve the strategic direction and guiding principles of the Plan*
  - *achieve the objectives of the Plan, or the Regional Land Transport Plan*

Assessed in the next section.

*When assessing the significance of any proposed variation, ORC will consider:*

- *the reasons for the variation*

The proposed variation to the Plan will enable a legislatively compliant and timely ferry passenger transport trial that will help to establish the degree to which such a service is integral to the Wakatipu Basin public transport network.

- *consistency with, or effect upon, the overall strategic direction, affordability and integrity of this plan, including how the variation might affect the overall strategic direction, affordability and integrity of the RLTS, the RLTP or ORC’s LTP (whether proposed or adopted)*

		Assessment
<b>RPTP Goal</b>	"Viable passenger transport meeting the needs of Otago's communities."	Being met - some members of community are availing themselves of the current commercial service.
<b>RPTP Objectives &amp; Measures</b>	Supports well-being	Basic level of service linking all communities on arterial roads with shopping, medical and recreational facilities
	Provides an alternative to car travel	Steady increase in the number of trips being made on public transport region-wide
	Offers choice in travel mode (in urban areas)	Steady increase in the number of trips being made on public transport in Dunedin and the Wakatipu Basin
	Ensures community resilience	Monitor public transport patronage levels region-wide
	Encourages residential development	New subdivisions are located and designed to ensure quality walking access to public transport
	Fully accessible public transport	Proportion of super low floor vehicles in the public transport networks
	Space is available for public transport	District and city councils monitor the standards in subdivisions and developments
	Idling of buses does not affect public health	Air quality in the main streets of Dunedin and Queenstown where buses idle is within acceptable limits for health
	Realistic levels and quality of service	Service levels are defined and well publicised
	Users are willing to pay	Farebox recovery is between 46% - 51%
<b>RLTP Objectives - Passenger transport that:</b>	• supports community wellbeing through mobility, building social integration and participation, and assisting economic development	Being met - offers a further choice in travel mode.
	• provides an alternative to car travel in urban areas and along key corridors to benefit as a whole the communities in which those services operate	Being met - offers a further choice in travel mode.
	• offers those in urban areas personal choice in travel mode, assisting the transport disadvantaged and people with disabilities and catering to those studying/working on the tertiary campuses	Being met - offers a further choice in travel mode.
	• helps to ensure community resilience when external events (such as a rapid rise in the price of oil or a shortage of fuel) disrupt normal travel patterns	Being met - additional mode increases resilience.
	• serves (through its existence) to encourage intensive residential development in areas where growth can be adequately supported, by providing opportunity for people to be less car-dependant if they choose	Being met - offers a further choice in travel mode.
	• provide fully accessible public transport in urban areas and along key corridors	N/A
	• ensures that space is available for public transport	N/A
	• ensures that idling of buses does not pose unnecessary health risks to the	N/A
	• realistic levels and quality of service	TBD through trial.
	• public transport users are willing to pay an adequate proportion of costs needed to operate services viably.	Being met - current users are willing to pay a fare.

- *whether the matter has already been publicly consulted upon by ORC*

While the matter has not been publicly consulted upon by the Regional Council, public feedback was received on the Lake Wakatipu ferry as part of Way to Go consultation. Council is a partner in Way to Go. In general, the feedback on ferries received through that engagement was supportive. Similarly, when Go Orange announced its ferry service was to cease, Council received several e-mails supporting the retention of the service.

- *those persons likely to be affected by the variation*

Addressed in the Council agenda paper for January 2020 meeting.

- *options available to ORC, their costs and benefits.*

Addressed in the Council agenda paper for January 2020 meeting.

## **9.2 Non-significant variations – without full public consultation**

*The following changes are not deemed significant and thus do not require full public consultation. They may instead involve targeted community consultation:*

- *Service reviews*

*As a service review may only affect a small portion of the region, or a city, full consultation is not required. Key stakeholders may be included in discussions and targeted public engagement is likely when preferred options are available.*

Not applicable.

- *Minor changes in delivery of services*

*Minor changes in delivery of services to improve efficiency have only a local impact. In these cases, any engagement will be targeted to the affected community, and with operators and district/city councils involved.*

Not applicable.

- *Trial services*

*Implementing bus services as a trial service may only affect a small portion of users. Targeted public engagement is suitable for this purpose.*

Proposed variation is to enable a trial.

- *Other variations*

*Any proposals for changes that affect a small sector of the community or the industry (i.e. Total Mobility or a vehicle quality standard) may be worked through with those most likely to be affected and relevant stakeholders.*

Proposed variation is to enable a trial of a service that currently primarily serves a small sector of the community (Kelvin Heights).

*This policy does not prevent ORC from undertaking more comprehensive consultation for any variation to this Plan.”*

## 10.2. Navigation Safety Bylaw Update 2020

**Prepared for:** Council  
**Report No.** EMO1870  
**Activity:** Regulatory: Policy Development  
**Author:** Steve Rushbrook, Harbourmaster  
**Endorsed by:** Richard Saunders, General Manager Regulatory  
**Date:** 29 January 2020

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### PURPOSE

- [1] To consider options for an updated Otago Regional Council Navigational Safety Bylaw with a view to endorsing a preferred option for public consultation.

### EXECUTIVE SUMMARY

- [2] The Otago Regional Council Navigational Safety Bylaw 2019 (the Bylaw) was approved by Council on 29 March 2019. The bylaw covered the entire Otago Region with the exception of Lake Dunstan and the Queenstown Lakes District Council (QLDC) area. Harbourmaster functions in these areas were delegated to Central Otago District Council (CODC) and QLDC respectively.
- [3] In 2019 CODC wrote to Otago Regional Council (ORC) requesting that the delegation of harbourmaster functions to CODC be reversed. On 25 September 2019 Council passed a resolution approving the reversing of the transfer of delegation.
- [4] In order for the ORC Harbourmaster to fulfil his functions an update to the Bylaw is required. This report seeks approval for staff to undertake a special consultative procedure for an updated Navigational Safety Bylaw.

### RECOMMENDATION

*That the Council:*

- 1) **Receives** the report
- 2) **Approves** the proposed Statement of Proposal for the amended Otago Regional Council Navigational Bylaw 2019 for public consultation.
- 3) **Approves** the Proposal to Reverse Transfer of Powers for consultation.
- 4) **Appoints** Councillor Robertson, Councillor Kelliher and the Southland Harbourmaster to hear from submitters, consider all submissions received, deliberate and make recommendations to Council in relation to the amended Otago Navigation Safety Bylaw.

### BACKGROUND

- [5] In 2019 Council approved the Otago Regional Council Navigational Safety Bylaw. This bylaw covered the entire region with the exception of Lake Dunstan and the Queenstown Lakes area.



- [6] Harbourmaster responsibilities for Lake Dunstan were transferred to Central Otago District Council in 2006. In 2019 CODC wrote to ORC requesting that this delegation be reversed.
- [7] On the 25<sup>th</sup> of September 2019 Council passed a resolution accepting the request of CODC to reverse the delegation. Staff then commenced the process reversing the delegation as set out in the 2006 transfer.

## DISCUSSION

- [8] In order for the ORC Harbourmaster to give effect to his functions the Bylaw needs to be updated to include Lake Dunstan. This update must be completed prior to the formal reversal of the delegation occurring.
- [9] Previously activities on Lake Dunstan have been controlled by the Central Otago District Council Navigational Safety Bylaw 2017. The current bylaw review seeks to merge the relevant parts of this bylaw with the existing ORC Navigational Safety Bylaw to create a single bylaw.
- [10] A review of the existing CODC navigational safety bylaw was undertaken. In the most part this bylaw is consistent with the proposed changes to the Otago Regional Council bylaw. The key differences in the proposed bylaw are:
  - a. **Lifejackets.** The current CODC bylaw requires lifejackets to be worn at all times. The ORC bylaw proposes that lifejackets must be worn but can be removed at the discretion of the skipper.
  - b. **Vessel Identification.** The bylaw will introduce the need for vessel identification
- [11] The amended bylaw will also provide for an infringement regime to be established in the future. This requires a separate process with the Ministry of Transport to establish the infringements but must be included in the bylaw to enable infringements to be issued. Infringements would be a last resort regulatory tool where there are intentional, repeated or significant breaches of the bylaw.
- [12] In addition to the changes required to incorporate Lake Dunstan staff have identified minor changes to the previously approved ORC bylaw which have been included in this proposal.
- [13] Consultation on the updated bylaw will be undertaken in accordance with the Special Consultative Procedure set out in the Local Government Act. If required hearings will be held in both Dunedin and Cromwell to cater for both Central Otago and Dunedin residents. A Statement of Proposal for the amended bylaw is included as Attachment A. A copy of the draft amended bylaw is included as Attachment B.
- [14] In addition to consultation on the amended Bylaw the Maritime Transport Act requires ORC and CODC to consult of the proposed transfer of delegation. This consultation will be carried out concurrently. A Proposal to Reverse Transfer of Powers is included as Attachment C.

- [15] The final dates for consultation will be confirmed following Council approval of the consultation documents. The period will be in accordance with the Local Government Act requirements for consultation. Should hearings be required they will be held in both Dunedin and Cromwell to provide for Coastal and Central Otago residents.
- [16] Councillor Robertson, Councillor Kelliher and the Southland Harbourmaster are proposed to be appointed to the hearing panel.

### **OPTIONS**

- [17] The recommended option is to approve the Statement of Proposal and draft Otago Regional Council Navigational and Safety Bylaw 2020 for consultation.
- [18] An alternative option is not to approve the updated bylaw for consultation. This option would delay the reverse of transfer of powers further.

### **CONSIDERATIONS**

#### **Financial Considerations**

- [19] There are no direct costs associated with this decision. Any costs associated with the bylaw changes will be met from the existing Harbourmaster budget.

#### **Significance and Engagement**

- [20] Consultation on the proposed amendments to the bylaw will follow the Special Consultative Procedure as set out in the Local Government Act.

#### **Legislative Considerations**

- [21] Consultation will be carried out in accordance with the Local Government Act.

#### **Risk Considerations**

- [22] Council is required to update the bylaw to give effect to the resolution to reverse the transfer of harbourmaster responsibilities from CODC to ORC. Without an update to the Bylaw the Harbourmaster will not be able to fulfil his function.

### **NEXT STEPS**

- [23] If the recommended option is approved staff will progress consultation on the proposed bylaw.

### **ATTACHMENTS**

1. ORC Amended Navigational Safety Bylaw 2019 - SOP (version 3)\_ [10.2.1 - 8 pages]
2. ORC Navigation Safety Bylaw 2019 FINAL [10.2.2 - 44 pages]
3. Proposal to reverse transfer of powers - Feb 2020 [10.2.3 - 4 pages]



**Statement of Proposal:**

**Proposed Amendment to  
ORC Navigation Safety  
Bylaw 2019**

**Feb 2020**

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# 1. Introduction

## Introduction and background

1. Under the Maritime Transport Act 1994 (“MTA”), Otago Regional Council (“ORC”) has the authority to regulate ports, harbours, waters and maritime-related activities in the Otago Region.
2. Under section 33M of the MTA, ORC has the power to make bylaws for the purpose of ensuring maritime safety in the region.
3. In 2019 ORC adopted the Navigation Safety Bylaw 2019 (“the Bylaw”) which covered all areas in Otago with the exception of Lake Dunstan and the Queenstown Lakes District Council area. The Bylaw came into force on 1 May 2019.
4. Responsibility for managing maritime safety in waters of the Queenstown Lakes District and Lake Dunstan has previously been transferred by ORC to Queenstown Lakes District Council (“QLDC”) and to Central Otago District Council (“CODC”) respectively.
5. The ORC received a request from CODC to reverse the transfer of powers for Lake Dunstan (“the Transfer”). When the Transfer is complete ORC will be responsible for managing maritime safety for Lake Dunstan.
6. To ensure that navigation safety and associated matters for Lake Dunstan are provided for when the Transfer is complete, ORC has undertaken a review of the Bylaw and the current Lake Dunstan Navigation Safety Bylaws 2017.

## The Proposal

7. It is proposed that upon the reversal of the Transfer, the Bylaw is amended to incorporate:
  - 7.1. all the waters of the Clutha River and tributaries that form Lake Dunstan (and being upstream of Clyde Dam); and
  - 7.2. specific rules for the Lake Dunstan area;
  - 7.3. provision for future infringement fees; and
  - 7.4. additional bylaw rules.
8. A copy of the proposed amendments to the Bylaw is attached.
9. The ORC is using the special consultative procedure in the Local Government Act 2002 (LGA) to consult the public regarding the proposed amendment to the Bylaw.

10. The ORC is not proposing to consult on the full content of the Bylaw. It is seeking input from the public in relation to the proposed amendments to the Bylaw.
11. This Statement of Proposal has been prepared in accordance with the requirements of sections 83 and 86 of the LGA, and includes:
  - 11.1. The reason for the proposal;
  - 11.2. Consideration of whether a bylaw is the most appropriate way to address the perceived problem;
  - 11.3. Consideration of whether the proposed bylaw is the most appropriate form of bylaw;
  - 11.4. Consideration of any implications under the New Zealand Bill of Rights Act 1990;
  - 11.5. A draft of the proposed amended Bylaw.

## 2. Reasons for the Proposal

12. On 25 September 2019, the ORC resolved to:
  - 12.1. commence the process to reverse the transfer of responsibilities, functions, duties and powers associated with navigation safety and associated matters on all the waters of the Clutha River and tributaries that form Lake Dunstan from CODC to ORC; and
  - 12.2. Notes that a review and amendment of the Otago Regional Council Navigational (sic) Safety Bylaw 2019 will be required and that the date of relinquishment of the deed of transfer agreement will be the same date the amendment of the bylaw come into effect.
13. The ORC considers that with the reversal of the transfer it is necessary to ensure navigational safety and associated matters are adequately provided for in relation to the waters of the Clutha River and tributaries that form Lake Dunstan.
14. The ORC considers that the amended Bylaw will enable greater consistency across the Otago region with respect to navigation and associated matters as a single bylaw would replace two bylaws containing different regulations.
15. The Harbourmasters have proposed new rules within the amended Bylaw to further provide for maritime safety throughout Otago.

## 3. Consideration by ORC under section 155 of the Local Government Act 2002

16. Under Section 155 of the LGA, local authorities are required to determine whether a bylaw is the most appropriate way of addressing a perceived problem, whether the bylaw is in the most appropriate form, and whether it gives rise to any implications under the New Zealand Bill of Rights Act 1990.

17. There are three current bylaws which regulate navigation safety in Otago:

- 17.1. The Bylaw;
- 17.2. Lake Dunstan Navigation Safety Bylaws 2017; and
- 17.3. Queenstown District Council Navigation Safety Bylaw 2018.

Together, these bylaws cover the entire Otago region.

18. Upon reversal of the transfer to ORC, CODC will no longer have the responsibilities, functions, duties and powers associated with navigation safety for Lake Dunstan.

19. To ensure that maritime safety for Lake Dunstan is maintained, the ORC considers the most appropriate way of doing so is with a bylaw.

### **Is the proposed bylaw the most appropriate bylaw?**

20. In considering whether a bylaw is the most appropriate, ORC has considered the following options:

- 20.1. Option 1 – Do nothing
- 20.2. Option 2 – Amend the Bylaw
- 20.3. Option 3 – Create a new bylaw for Lake Dunstan only

Option 1 – Do nothing

21. If ORC does nothing, there will be a void in regulation for the Lake Dunstan area. Upon reversal of the transfer to ORC, CODC will no longer have the responsibilities, functions, duties and powers associated with navigation safety for Lake Dunstan.

Option 2 - Amend the Bylaw

22. The ORC could amend the Bylaw to ensure regulation of navigation safety and associated matters for Lake Dunstan continues.

23. The ORC considers that the amendment will provide greater for consistency to navigation rules across the Otago region.

24. This option is the preferred option of both ORC and CODC

Option 3 - Create a new bylaw for Lake Dunstan only

25. The ORC could create a new bylaw for Lake Dunstan however the ORC considers this approach may create confusion by having two separate ORC navigation safety bylaws which contain different rules. The ORC considers that this option will incur additional administrative costs, which would be passed onto ratepayers.

### **Are there any implications under the New Zealand Bill of Rights Act 1990?**

26. The Council considers the amended Bylaw is consistent with the New Zealand Bill of Rights Act 1990.

## **4. Have your say**

25. The ORC welcomes your input into:
- the development of the amended Otago Regional Council Navigation Safety Bylaw 2019.

We invite any member of the public or organisation to make a submission on either or both matters. Submissions should be directed towards matters that are within the draft Bylaw.

### **Timetable for consultation to the proposed amendments to the Bylaw**

28 February 2020	Public notice of draft bylaw – submissions open
3 April 2020	Submissions close
30 April & 1 May 2020	Subcommittee Hearing
XXXXXXXXXXXXX	ORC considers outcome of consultation process
XXXXXXXXXXXXX amend the Bylaw)	Public notice of final decision (if ORC resolves to

### **How to make a submission**

26. Any person or organisation can make a submission on the draft Bylaw. Submissions can be made via post or online.



27. ORC intends to hold hearings on 30 April and 1 May 2020 in Central Otago and Dunedin. If you would like the opportunity to speak to your written submission, please note this in your submission.

Either post submissions to:

**[Otago Bylaw Submissions]**  
Otago Regional Council  
Private Bag 1954  
Dunedin 9054

Or online at: [www.yoursay.orc.govt.nz](http://www.yoursay.orc.govt.nz)

Submissions must be received by **[insert time]** on **[insert date]**.

28. Every submission made to the ORC will be acknowledged in accordance with the LGA 2002, will be copied and made available to the public, and every submission will be heard in a meeting that is open to the public.

**[NOTE – ATTACH PROPOSED DRAFT BYLAW]**

# **OTAGO REGIONAL COUNCIL NAVIGATION SAFETY BYLAW 2019**



That pursuant to section 33M of the Maritime Transport Act 1994 and the Local Government Act 2002, the Otago Regional Council resolves that the Navigation Safety Bylaw 2019 adopted on 3rd April 2019, is hereby confirmed, and shall come into force on 1 May 2019.

The common seal of the Otago Regional Council was hereunto affixed on 3rd April 2019 in the presence of:

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Councillor

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Councillor

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## Part 1. Preliminary Provisions

### 1. Title and commencement

- 1) This Bylaw is the Otago Regional Council Navigation Safety Bylaw 2019.
- 2) This Bylaw comes into force on 01 May 2019.

### 2. Application

- 1) This Bylaw applies to all waters in the Otago Region including the territorial sea and all inland waters apart from:
  - (a) The navigable waters in the Queenstown Lakes District Council area, which are administered by that council as shown in Appendix A.
  - ~~(b) Lake Dunstan and the Kawarau River which are administered by Central Otago District Council as shown in Appendix B.~~

### 3. Interpretation

- 1) In this Bylaw, unless the context otherwise requires:

“**Accident**” means an occurrence that involves a vessel and in which

  - a) a person is seriously harmed as a result of -
    - i. being on the vessel or
    - ii. direct contact with any part of the vessel, including any part that has become detached from the vessel, or
    - iii. direct exposure to the was of the vessel or interaction (other than direct contact) between two vessels; or
    - iv. being involved in the salvage of any vessel, except where the injuries are self-inflicted or inflicted by other persons, or when injuries are to stowaways hiding outside areas normally available to passengers and crew: or
  - b) the vessel sustains damage or structural failure that: -
    - i. adversely affects the structural strength, performance, or seaworthiness of the vessel or
    - ii. would normally require major repair or replacement of the affected component; or
    - iii. poses a threat to the safety of people on board the vessel or
  - c) there is a complete or partial failure of machinery or equipment that affects the seaworthiness of the vessel:
  - d) there is a loss of, or damage to, or movement of, or change in the state of the cargo if the vessel which poses a risk to the vessel or other vessels or
  - e) there is a significant loss of, or significant damage to, property (not being the cargo carried by the vessel) or the property of any person (whether or not on board the vessel), whether or not the loss or damage arises from an interaction between two vessels or
  - f) there is a loss or escape of any substance or thing that
    - i. may result or has resulted in serious harm to any person or
    - ii. may pose a risk, or has resulted in damage to the vessel or other vessels or

- iii. may pose a risk, or has resulted in any damage to any property (whether or not on board the vessel): or
- g) a person is lost overboard (whether or not subsequently found), or is missing or
- h) the vessel is foundering, capsizing or being abandoned, stranded or been in a collision, or has a minor fire on board

“**Act**” means the Maritime Transport Act 1994.

“**Access Lane**” means an area declared as an access lane under clause 20.

“**Anchoring**” means the temporary securing of a vessel to the bed of the waterway by means of an anchor, cable or other device, that is normally retrieved from the water and stored on the vessel on departure.

“**Beacon**” means an aid to navigation identified with a beacon symbol as shown on Land Information New Zealand Chart 6612 Otago Harbour. Beacon numbers are as shown on Chart 6612.

“**Council**” means the Otago Regional Council.

“**Commercial Port Area**” means areas defined as a Coastal Development Area or a Coastal Harbourside Area in the Regional Coastal Plan for the Otago and Oamaru Harbours as shown in the maps in Appendix C and Appendix G.

“**Competent Person**” when used in relation to the inspection and/or maintenance of moorings means a person or organisation who has demonstrated to the satisfaction of the Harbourmaster that they are suitably experienced and/or qualified to undertake inspections and/or maintenance of moorings.

“**Enforcement Officer**” means a person appointed by Council under section 33G of the Act.

“**Flag A**” means flag A of the International Code of Signals (the divers flag) being a swallow tailed flag, or a rigid equivalent, coloured in white and blue with white to the mast, of not less than 600mm by 600mm.

“**Flag B**” means the flag B of the International Code of Signals being a swallow tailed flag, or a rigid equivalent, coloured in red of not less than 600mm by 600mm.

“**Dunedin Wharves**” means the Commercial Port Area of Otago Harbour at Dunedin located west of beacon 67.

“**Halfway Islands Safety Zone**” means the area identified in Appendix F.

“**Harbour Area**” means Otago Harbour or Oamaru Harbour.

“**Harbour Control**” means the Otago Harbour vessel traffic control centre operated by Port Otago Limited.

*Explanatory note: Harbour Control is staffed at all times and may be contacted on VHF Channel 14. Alternative contact information for Harbour Control; Telephone: 472 9882; Email: [harbourcontrol@portotago.co.nz](mailto:harbourcontrol@portotago.co.nz).*

“**Harbourmaster**” has the same meaning as in [section 2](#) of the Act.

“**Incident**” means any occurrence, other than an accident, that is associated with the operation of a vessel and affects or could affect the safety of operation.

“**Lake Waihola**” means the lake area shown in Appendix H.



**“Landing Place”** means a wharf, jetty, dock, quay, landing, pile mooring, pier, pontoon, boat ramp, slipway or other facility, where vessels can be or may be moored, launched or retrieved, but does not include a mooring.

**“Large Vessel”** means any vessel 40 metres or greater in Length Overall, or 500 gross tonnage or greater. If a tug and tow or composite vessel, gross tonnage shall be the sum of gross tonnage for all of the connected vessels.

**“Length Overall”** has the same meaning as ‘length overall’ as defined in Maritime Rule Part 40C. If a tug and tow, Length Overall shall be the combination of the tug and object(s) towed but not the length of the towing medium.

*Explanatory note: Maritime Rule Part 40C defines length overall as “the length of the ship measured from the foreside of the head of the stem to the aftermost part of the transom or stern of the ship. Fittings (such as beltings, bowsprits, platforms, gantries, trim tabs, jet and outboard drive units) projecting beyond these terminal points must not be included in the length overall. Structures (such as bulbous bows, deckhouses, free flooding bait tanks and buoyancy tubing) projecting beyond these terminal points must be included in the length overall ...”.*

*Explanatory note: The Advisory Circular to Maritime Rule Part 40A has further guidance and interpretation of this definition.*

**“Local Notice to Mariners”** means a notice related to maritime safety in Otago which is available to the public from the Council website.

**“Marine Mammal”** has the same meaning as in Section 2 of the Marine Mammal Protection Act.

**“Manoeuvre”** means actions that change the direction of a vessel.

**“Master”** means any person (except a pilot) having command or charge of any ship.

**“Medium Vessel”** means any vessel more than 15 metres but less than 40 metres in Length Overall and under 500 gross tonnage.

**“Mishap”** means an event that—

- (a) causes any person to be harmed; or
- (b) in different circumstances, might have caused any person to be harmed.

**“Mooring”** means any weight or article placed in or on the foreshore or seabed or the bed of a water body for the purpose of securing a vessel, raft, aircraft, or floating structure, and includes any wire, rope, buoy, or other device attached or connected to the weight, but does not include an anchor that is normally removed with the vessel, raft, aircraft, or floating structure when it leaves the site or anchorage.

**“Mooring Area”** means an area, where vessel moorings may be placed, identified by the Council as a mooring area in the Regional Coastal Plan.

**“Moving Prohibited Zone (MPZ)”** means the space of water in the Otago Harbour Shipping Channel extending:

- a) For a Large Vessel, 100 metres astern and 100 metres to each side of the vessel, and continued at such width to 1,000 metres ahead when that vessel is underway.
- b) For a tug in attendance of a large vessel, 100 metres all around the tug, in addition to the MPZ around the large vessel.

**“Navigable”** means able to be navigated by a vessel on, through, over or under the water.

**“Navigational Channel”** means the Otago Harbour Shipping Channel, or the principal access to any other harbour area, or the principal navigational channel of an inland water.

**“Oamaru Harbour”** means the Commercial Port Area located at Oamaru as shown in Appendix G.

**“Otago Harbour”** means the area comprising all waters enclosed by a line from Trig at Heyward Point then bearing 20 degrees for three nautical miles then bearing 126 degrees for 1.75 nautical miles then bearing 200 degrees for 3 nautical miles to Howletts Point, as published in the New Zealand Gazette Vol II July 1930 p.2233 and p.2234.

**“Otago Harbour Shipping Channel (OHSC)”** means the marked channel extending through Otago Harbour from the Fairway Beacon at the Channel Entrance through the gap between the Halfway Islands (Goat Island and Quarantine Island) to a line extending due south of Beacon 67 at the Dunedin Wharves.

**“Otago Region”** means the area to which this Bylaw applies as listed in clause 2 of this Bylaw and shown in Part 87 (the map).

**“Owner”:**

- (a) when used in relation to any vessel, has the same meaning as in the Act
- (b) when used in relation to any landing place, means the person holding a coastal permit under the Resource Management Act 1991 for the landing place and shall include a lessee of the landing place
- (c) when used in relation to Port Areas of Otago Harbour means Port Otago Limited
- (d) when used in relation to Commercial Port Areas of Oamaru Harbour means the Waitaki District Council, or a port company established by the Waitaki District Council.

**“Personal Flotation Device”** means any serviceable buoyancy aid that is designed to be worn on the body and that is certified by a recognised authority as meeting

- (a) type 401, 402, 403, 404, 405, or 408 in NZ Standard 5823:1989 or NZ Standard 5823:2001 or type 401, 402, 403, 404, 405 or 406 in NZ Standard 5823:2005; or
- (b) a national or international standard that the Director is satisfied substantially complies with types 401, 402, 403, 404, 405, or 408 of the NZ Standard 5823:1989 or NZ Standard 5823:2001 or type 401, 402, 403, 404, 405 or 406 in NZ Standard 5823:2005:

**“Personal Water Craft”** means a power-driven vessel that—

- (a) has a fully enclosed hull; and
- (b) does not take on water if capsized; and
- (c) is designed to be operated by a person standing, sitting astride, or kneeling on it, but not seated within it

**“Pilot”** means any person, not being the master or a member of the crew of the ship, who has the conduct of the ship.

**“Pleasure Craft”** means

- (a) a vessel that is not offered or used for hire or reward, and is used exclusively for—
  - (i) the owner’s pleasure or as the owner’s residence; or
  - (ii) recreational purposes by—
    - (A) the members of a club that owns the vessel:

- (B) the beneficiaries of a trust that owns the vessel:
  - (C) the members of an incorporated society that owns the vessel; but
- (b) excludes a vessel that is—
- (i) provided for transport, sport, or recreation by, or on behalf of, an institution, hotel, motel, place of entertainment, or other establishment or business:
  - (ii) used on a voyage for pleasure if the vessel is normally used, or intended to be normally used, as a fishing vessel or for the carriage of passengers or cargo for hire or reward:
  - (iii) operated or provided by—
    - (A) a club, incorporated society, or trust for non-recreational purposes; or
    - (B) a business

**“Port Company”** has the same meaning as “port company” in the Port Companies Act 1988.

**“Power-driven vessel”** means any vessel propelled by machinery.

**“Regional Coastal Plan”** means the Council’s Regional Plan: Coast for Otago.

**“Reserved Area”** means an area declared as being reserved for a specified maritime safety purpose under Maritime Rules Part 91 or clause 20 of this Bylaw.

*Explanatory note: For the avoidance of doubt the only reserved areas in the Otago Region having legal status are those authorised under this Bylaw. All reserved areas authorised by previous bylaws, rules, or regulations made under any act have been revoked by this bylaw (or a previous bylaw) and have no effect or legal status.*

**“Restricted Visibility”** means any condition in which visibility is restricted by fog, mist, falling snow, heavy rainstorms, sandstorms, or other similar causes.

**“River”** includes a stream and any natural, modified or artificial watercourse; but does not include any part of a river within the ebb and flow of the tide at ordinary spring tides:

**“Sailboard”** means any type of board including a windsurfer or kiteboard that is propelled by any type of sail and intended to be navigated by a person standing upright on the board.

**“Ship”** has the same meaning as Vessel.

**“Shore”** when referring to distance from shore, means distance from the water’s edge.

**“Speed”** means

- (a) On the sea or lakes the speed through the water; or
- (b) On rivers and estuaries, the speed through the water if travelling with the current, or speed over the ground if travelling against the current.

**“Small Vessel”** means any vessel 15 metres or less in Length Overall.

**“Special Speed Zone (SSZ)”** means an area of water where the speed limit has been set under clause 19 or clause 33 of this Bylaw.

*Explanatory note: Under Maritime Rule Part 91 speed limits are generally 5 knots within 200m of shore or a structure, and within 50m of a person in the water.*

**“Specified MPZ”** means a Moving Prohibited Zone specified for any vessel by the Harbourmaster in accordance with clause 295(4) of this bylaw.

**“Support Vessel”** means any vessel used for coaching, marshalling and rescue attendance for training, regattas and competitions.

*Explanatory note: For the sake of clarity, this definition relates to recreational and sporting activities and does not include port company vessels engaged in normal port operations.*

**“Surfboard”** means any type of board that is used for surf riding.

**“Territorial Sea”** means the territorial sea of New Zealand which comprises those areas of the sea having, as their inner limits, the baseline described in sections 5 and 6 and 6A of the Territorial Sea, Contiguous Zone, and Exclusive Economic Zone Act 1977 and, as their outer limits, a line measured seaward from that baseline, every point of which line is distant 12 nautical miles from the nearest point of the baseline.

**“Underway”** means a vessel not at anchor, or made fast to the shore, or aground.

**“Unseaworthy”** means, in the opinion of the Harbourmaster not being in a fit condition or readiness to navigate safely on the water.

**“Vessel”** means every description of ship, boat or craft used in navigation, whether or not it has any means of propulsion; and includes—

- a) a barge, lighter, or other like vessel:
- b) a hovercraft or other thing deriving full or partial support in the atmosphere from the reaction of air against the surface of the water over which it operates:
- c) a submarine or other submersible:
- d) a seaplane while it is on the surface of the water.
- e) and shall include but is not limited to, a sledge, surfboard, sailboard, stand-up paddle board, raft, personal water craft or any other object intended or used to carry or support a person in or on the water.

**“VHF”** means maritime very high frequency two-way radio on channels in the frequency range between 30 MHz and 300 MHz.

**“Waters”** means

- (a) all the sea area including in estuaries, inlets or harbours and coastal waters, the outer boundary being the seaward limit of the territorial sea and the inner boundary being the water’s edge; and
- (b) all inland navigable waters of the Region.

*Explanatory note: The seaward limit of the territorial sea is approximately 12 nautical miles from shore, the exact limits may be found on the Land Information New Zealand (LINZ) website. Inland waters includes all rivers lakes and ponds regardless of whether or not they are accessible to the general public.*

**“Water Skiing”** means being towed barefoot or on an object of any kind other than a vessel.

**NOTE**

- 2) To avoid doubt, compliance with this Bylaw does not remove the need to comply with all other applicable Acts, regulations, bylaws, Maritime Rules, rules in any District or Regional Plan and rules of law.
- 3) Unless the context requires another meaning, a term or expression that is defined in the Act or a Maritime Rule and used in this Bylaw, but not defined, has the meaning given by the Act or Maritime Rule.
- 4) Any explanatory notes are for information purposes only and do not form part of this Bylaw, and may be made, amended and revoked without formality.

**4. Revocation**

- (1) This Bylaw revokes all existing speed uplifts or increases and restricted areas in the Otago Region previously authorised by the Otago Regional Council or its predecessors.

## Part 2. General Navigation Safety Requirements

### 5. Notification of maritime accidents, incidents and mishaps

- 1) The person owning or having responsibility for, or in charge of, or having conduct of any vessel, Port Company property, other maritime facility, structure or object that:
  - a) has been involved in any accident, incident, or mishap involving a vessel; or
  - b) in any manner gives rise to a navigational hazard;

Shall, as well as complying with any accident reporting requirements of Maritime Rules and the Act, immediately report the occurrence to the Harbourmaster.
- 2) For accidents incidents or mishaps in Otago Harbour the Harbourmaster shall be notified by a VHF radio call to Harbour Control immediately, where VHF communication is available after the incident.
- 3) For other accidents incidents or mishaps the Harbourmaster shall be contacted within 24 hours of the incident by phone call or by email.

*Explanatory note: Harbourmaster email address is [harbourmaster@orc.govt.nz](mailto:harbourmaster@orc.govt.nz)*

- 4) Persons reporting accidents under the Maritime Rules and the Maritime Transport Act should provide to the Harbourmaster a copy of the appropriate Maritime New Zealand report form within 24 hours of submission to Maritime New Zealand.  
<https://services.maritimenz.govt.nz/incident/>
- 5) The Harbourmaster may contact the owner of any vessel or property involved in any such accident, incident or mishap.

### 5.6. Person in charge of the vessel

- 1) The person in charge of a vessel is responsible for the safety and wellbeing of every person on board and for the safe operation of the vessel.
- 2) No vessel owner shall permit the vessel to leave the shore or any anchorage or mooring unless a person in charge of the vessel has been nominated.
- 3) Any person in charge of a vessel fitted with a kill cord must ensure that the kill cord is fitted correctly at all times whilst underway.

### 6.7. Carriage of personal flotation devices

- 1) A person in charge of a pleasure craft must not operate it unless there are sufficient personal flotation devices for each person on board at all times that the vessel is underway.
- 2) Personal flotation devices must be:
  - a) in a readily accessible location on board the vessel;
  - b) of an appropriate size for each person on board;
  - c) an appropriate type for the activity being undertaken; and
  - d) in good operative condition.

## **7.8. Exemptions to the compulsory carriage of personal flotation devices**

- 1) Clause 7 does not apply to:
  - (a) any person on a surfboard or stand up paddle board when the board is attached to the person by means of a tether;
  - (b) any sailboard activity, if a wetsuit is worn at all times;
  - (c) a diver on a vessel of 6 metres length or less that is used for recreational diving within five nautical miles of shore, when a full body wetsuit is worn at all times;
  - (d) a person training for or participating in a sporting event, if the training or the event is supervised in accordance with a safety system approved by the Harbourmaster.

*Explanatory note: The Harbourmaster may approve a sporting organisation if that organisation has in place a safety system that the Harbourmaster is satisfied provides an equivalent level of safety to the carriage or wearing of personal flotation devices.*

- (e) a sporting event, training activity, ceremonial or other authorised customary event if:
  - (i) a support vessel that is capable of providing adequate assistance in the event of an emergency remains in the immediate vicinity of the vessel and the vessel and support vessel in combination carry personal flotation devices or buoyancy aids of an appropriate type and size for every person on board in the event of any danger to the health and safety of occupants of the vessel; or
  - (ii) the Harbourmaster has approved a prior written exemption.

*Explanatory note: The Harbourmaster may approve an exemption for a specified period if satisfied that adequate safety precautions are made for rescuing any person participating in the event or activity.*

### **8.9. Wearing of personal flotation devices on vessels**

- 1) Every person on board vessels 6 metres or less length overall must wear a properly secured personal flotation device of an appropriate size for that person at all times.
- 2) Subclause 9(1) does not apply if the person in charge of the vessel, after assessing all circumstances and determining there would be no reduction in safety, expressly authorises any person on board to not wear a personal flotation device.
- 3) Subclause 9(1) does not apply to a person who is below deck of the vessel unless expressly instructed to wear a personal flotation device by the person in charge of the vessel.
- 4) Subclause 9(1) shall not apply to a person training or participating in or for any trick water skiing/wake boarding element of a sporting event supervised in accordance with the safety system of a national sporting organisation approved by the Director of Maritime New Zealand pursuant to part 91 of the Maritime Rules.

3)

4)5) All persons must wear a properly secured personal flotation device of an appropriate size for that person when:

- (a) in circumstances where tides, river flows, visibility, rough seas, adverse weather, when crossing a bar, in emergencies, or other situations that may cause danger or a risk to the safety of persons on board, or;
- (b) being towed by a vessel.

Explanatory note: circumstances and activities that could result in people inadvertently being in the water includes the activity being undertaken by a person, the type of vessel, the activity the vessel is engaged in, adverse weather or sea conditions, and other nearby vessel activity that could result in collision. A person must wear and secure a suitable personal flotation device whilst on a vessel if instructed to do so by the Harbourmaster.

### **9.10. Minimum age for operating power-driven vessels**

- 1) No person under the age of 15 years shall be in charge of, or navigate, a power-driven vessel that is capable of a speed exceeding 10 knots unless he or she is under the direct supervision of a person over the age of 15 years who is in immediate reach of the controls.
- 2) The person in charge of a power-driven vessel that is capable of a speed exceeding 10 knots must not allow any person who is under the age of 15 years to navigate that vessel in contravention of subclause 10(1).
- 3) Subclause 10(1) does not apply to any person who has a written approval from the Harbourmaster. Written approvals may be given for training, competitions or other sporting events, and the Harbourmaster, when considering whether or not to grant such an approval, shall have regard to the competence of the person, the level of supervision, and awareness of other relevant navigation safety matters.

### **10.11. Navigation on rivers**

- 1) A person in charge of a vessel on a river must:
  - a) Ensure that the vessel keeps to the starboard side of the navigable channel where safe and practicable; and



- b) When going upstream, give way to any vessel coming downstream; and
- c) Not navigate the vessel unless it is safe to do so and weather conditions are considered to permit safe navigation of the vessel; and
- d) Not exceed a speed of 5 knots on any river unless in an area designated as a SSZ, or a Reserved Area or an Access Lane.

*Explanatory note for subclause 1)c): For example, not navigate immediately downstream of dams that are spilling.*

#### **11.12. Fishing or swimming or diving around landing places**

- 1) No person shall fish, jump, dive or swim:
  - a) From, or within 50 metres from, a landing place in a manner that interferes with the berthing or departure of any vessel, or
  - b) In Commercial Port Areas without the permission of the owner and shall comply with all conditions of that permission, or
- 2) Subclause 12(1) does not apply to activities conducted by, on behalf of, or approved by a marine facility owner within the relevant Commercial Port Area.

#### **12.13. Obstructions that may constitute or become a danger to maritime safety**

- 1) No person may place any obstruction, including any fishing apparatus, in any waters that is likely to—
  - (a) restrict navigation; or
  - (b) cause injury or death to any person; or
  - (c) cause damage to any vessel or any property.

#### **13.14. ~~Vessels to be adequately secured~~**

- 1) ~~The person in charge of a vessel must ensure that it is securely anchored or moored, and secured while left unattended.~~
- 2) ~~In securing the vessel, the person in charge of the vessel must only use rope, chain or other means of anchoring or mooring a vessel that is fit for purpose.~~
- 3) ~~No person shall secure a vessel to any post, wharf, ring, fender, buoy or any other structure not fit for that purpose.~~
- 4) ~~No person shall leave any vessel or other property in a place where it may create a navigation hazard or nuisance where it may interfere with the normal use of the waters by other persons.~~
- 5) ~~No person shall set a vessel adrift or interfere with her moorings or fastening.~~

#### **14.15. Vessels to be seaworthy**

- 1) No person shall navigate any vessel in circumstances where the vessel is unseaworthy, except to remove the vessel from the water or to move it to a safe area.

- ~~4)2)~~ No person shall operate any vessel in circumstances where persons on board have been advised by the Harbourmaster or an enforcement officer that the vessel is unseaworthy, except to comply with the directions of the Harbourmaster or enforcement officer to proceed to a safe area.

### ~~15.16.~~ Vessels to be identified

- 1) No person shall navigate a ~~Personal Water Craft or other craft 6m or more length overall~~vessel unless it displays an identifying name or number displayed above the waterline on each side of the vessel.
- 2) The identifying name or number shall;
  - (a) consist of letters of the Roman alphabet or numbers that are not the vessel's brand, make or model; and
  - (b) be unique to that vessel; and
  - (c) unless complying with the requirements of an organisation listed in subclause ~~15(23)~~(a), be a minimum height of 90 millimetres and be readable to the naked eye by day from a distance of at least 50 metres.
- 3) The identifying name or number referred to in subclause ~~15(1)~~(1) shall be:
  - a) a registration or identification approved by and conforming to the requirements of:
    - (i) Maritime New Zealand (MNZ) or an equivalent foreign authority (e.g. a MNZ number or vessel's registered name); or
    - (ii) A sporting body as may be approved from time to time by the Harbourmaster and listed on the Council's website; or
  - b) the vessel's radio call sign; or
  - c) for any trailer borne vessel without a registration or identification listed in subclauses (a) or (b), the registration number of its trailer; or
  - d) for non-trailer borne vessels, an identifying name or number otherwise complying with the requirements of subclause ~~16(1)~~(1), or
  - e) for sail vessels the identifying name or number may be the vessel's sail number.
- 4) Other vessels under 6m length shall be marked with the current owner's name and contact details somewhere on the vessel.

*Explanatory note: For the sake of clarity, "trailer borne vessel" refers to a vessel transported on a road-going trailer that is, or is required to be, registered. It does not include vessels stored on/launched from haul-out trailers – such vessels fall into the "non-trailer borne vessel" category.*

### ~~16.17.~~ Navigational aids

- 1) No person shall erect, maintain or display any sign, beacon, light, mark, buoy or other device that has the characteristics of a navigational aid and/or which may be used or mistaken as a navigational aid or warning, without the prior written approval from the Harbourmaster.
- 2) No person shall tie a vessel to any beacon, navigation marker, navigation buoy, light or other navigation structure, without the prior written permission of:
  - (a) The Harbourmaster if it is operated by the Council; or

| (b)The Director of Maritime New Zealand if it is operated by Maritime New Zealand.

4)3)

*Explanatory note: Approval from the Director of Maritime New Zealand may be required as well.*

### Part 3. Speed Limits, Reserved Areas and Access Lanes

#### ~~17.~~18. General speed limits

- 1) No person may, without reasonable excuse, propel or navigate a vessel (including a vessel towing a person or an object) at a speed exceeding 5 knots:
  - a) within 50 metres of any other vessel, raft, or person in the water; or
  - b) within 200 metres of the shore or of any structure; or
  - c) within 200 metres of any vessel or raft that is flying Flag A of the International Code of Signals (divers flag).
- 2) No person may propel or navigate a powered vessel at a speed exceeding 5 knots while any person has any portion of his or her body extending over the fore part, bow, or side of that vessel.
- 3) No person may cause himself or herself to be towed by a vessel (whether or not on a water ski, aquaplane, or other similar object) at a speed exceeding 5 knots in any circumstances specified in subclause [17\(1\)](#).
- 4) No person in charge of a vessel may permit the vessel to continue onwards, after any person being towed by that vessel has dropped (whether accidentally or otherwise) any water ski or similar object which may cause danger to any other person or vessel, without first taking appropriate action to immediately recover that water ski or similar object, unless the person has taken measures adequate to ensure that the dropped ski or similar object is clearly visible to other water users.
- 5) Subclause [17\(1\)](#) (a) shall not apply to:
  - a) a vessel over 500 gross tonnage, if the vessel cannot be safely navigated in compliance with this subclause; or
  - b) any vessels while participating in a yacht race or training administered by—
    - (i) a club affiliated to Yachting New Zealand; or
    - (ii) a non profit organisation involved in sail training or racing; or
  - c) a craft training for or participating in competitive rowing or paddling; or
  - d) a tug, pilot vessel, harbourmaster vessel, emergency response craft or police vessel, if the vessel's duties cannot be performed in compliance with this clause; or
  - e) a vessel operating in accordance with a Special Speed Zone established under Clause 19 [or clause 33](#) of this Bylaw.
- 6) Subclause [18\(1\)\(b\)](#) shall not apply to:
  - a) a vessel operating in an access lane or a reserved area for the purpose for which the access lane or reserved area was declared, unless, in the case of a reserved area, a navigation bylaw provides otherwise; or
  - b) a vessel operating in accordance with Special Speed Zone established under Clause 19 [or clause 33](#) of this Bylaw, or
  - c) a vessel over 500 gross tonnage, if the vessel cannot be safely navigated in compliance with this clause; or

- d) a craft training for or participating in competitive rowing or paddling; or
- e) a tug, pilot vessel, harbourmaster vessel, emergency response craft or police vessel when the vessel's duties cannot be performed in compliance with this clause.

*Exemption:*

- 7) Vessels shall be exempt from compliance with the general speed limit specified in Clause 18 (1)b) provided that navigation is conducted in a safe manner and is authorised by
  - a) an approval to use SSZs pursuant to clause 19 (2) or clause 33 of this Bylaw provided that the vessel speed does not exceed the specified maximum speed for the vessel concerned in that SSZ; or
  - b) a Reserved Area or Access Lane pursuant to clause 20 or clause 32 of this Bylaw; or
  - c) the Harbourmaster for specific vessels.

*Requirement for safe and considerate navigation:*

- 8) No person is permitted by any provision of this Bylaw or any Maritime Rule to navigate a vessel in a manner that is likely to endanger any person or vessel.

*Wake and Drawoff:*

- 9) No person may operate a power-driven vessel at a speed or in a manner that any wake or draw-off endangers persons or property.

*Speed over bars*

- 10) The person in charge of a vessel may navigate a vessel at any speed required to enable the safe crossing of a river mouth bar.

## **18.19. Special Speed Zone (SSZ)**

- 1) Each of the waters shown in Appendix E is declared under this bylaw as a Special Speed Zone (SSZ).
- 2) An approval to use an SSZ identified in any controls specified by the Harbourmaster under this Bylaw, is approved for all persons from the date of commencement of the Bylaw for the period in which the Bylaw remains in force except where approval is restricted or revoked under either subclause 18(3) or subclause 18(4).

*Ability to restrict or revoke approval to use SSZs*

- 3) The Harbourmaster may at any time restrict or revoke an approval given under subclause (2) in relation to any person if that person is, in the opinion of the Harbourmaster:
  - a) Using the SSZs in an unsafe manner;
  - b) In breach of the Bylaw in a manner that justifies restriction or revocation of the person's approval to use the SSZs.

*Harbourmaster may restrict use of SSZ*

- 4) The Harbourmaster may at any time restrict the use of an SSZ to any degree the Harbourmaster sees fit, for a period of up to one year, if the Harbourmaster is of the opinion that the SSZ is not safe or that such restriction is necessary for a special event.

*Explanatory note: Changes to the extent and permitted use of any SSZ will be posted on the ORC website in advance of any change.*

## 19.20. Reserved Areas and Access Lanes

- 1) Locations of Reserved Areas and Access Lanes are identified in Appendix F and Appendix H.
- 2) Any other waters may be reserved for an Access Lane or other specified maritime safety purpose or activity either:
  - a) by the Council issuing a written approval; or
  - b) by the Harbourmaster,
- 3) The Harbourmaster may specify controls and suspension of the use of the Reserved Area by issue of a Local Notice to Mariners.

*Explanatory note: The controls made under the Otago Regional Council Navigation Safety Bylaw 2019 contain maps showing areas of navigable water permanently reserved by Council for specified purposes and use. Local Notices to Mariners will be posted on the Council web site.*

- 4) No person may operate a vessel in a reserved area other than in accordance with any condition imposed by the Harbourmaster for the reserved area.
- 5) No person may enter a reserved area for any other purpose than that specified by the Harbourmaster.
- 6) While a reserved area is in use for the purpose specified by the Harbourmaster, no person may obstruct that use, or be in the specified area for any other purpose without prior approval of the Harbourmaster.

## 21. Water Skiing, Parasailing, Paragliding and Towing

### 1) Speed of Towed Object or Watercraft

(a) No person, (whether or not on a water ski, aquaplane, or similar object), shall cause or allow themselves to be towed by a vessel at a proper speed exceeding 5 knots in any circumstances specified in clause 17.1 (a) and (c). (Note that speed limits for water skiing may be uplifted in reserved areas).

### 2) Dropping of Skis or Other Objects

(a) No person in charge of a vessel shall permit the vessel to continue onwards, after any person being towed by that vessel has dropped, whether accidentally or otherwise, any water ski or similar object that may cause danger to any other person or vessel, without taking immediate action to recover that water ski or similar floating object, unless the person has taken measures to ensure that the dropped ski or similar object is clearly visible to other water users.

### 3) Lookouts Required on Vessels used for Water Skiing and Towing

(a) No person in charge of a vessel shall use it or allow it to be used to tow any person on a vessel, surfboard, windsurfer, sailboard, water ski or skis, toboggan, aquaplane, wakeboard or other object, at a speed exceeding 5 knots, unless there is on the towing vessel, in addition to the person in charge, at least one other person aged 10 years or over who is acting as a lookout for immediately notifying the person in charge of the towing vessel of any loss of control, letting go, or any other mishap that occurs to the person who is being towed.

(b) No person, whether on a vessel, water ski or skis or other objects or not, shall cause or allow themselves to be towed by any vessel, at a speed exceeding 5 knots, unless

there is on the towing vessel, in addition to the person in charge, at least one other person aged 10 years or over who is acting as a lookout for immediately notifying the person in charge of the towing vessel of any loss of control, letting go, or any other mishap that occurs to the person who is being towed.

**4. No Water Skiing at Night**

(a) No person may operate a vessel that is towing any person on a water ski or skis, an aquaplane, toboggan, surfboard, windsurfer, sailboard or similar object, or who is barefoot skiing, between sunset and sunrise.

(b) No person on a water ski or skis, and aquaplane, toboggan, surfboard, windsurfer, sailboard or similar object, or who is barefoot skiing, shall cause or allow themselves to be towed by any vessel between sunset and sunrise.

**22. Divers to Display Flag Alpha**

- 1) The Master of every vessel from which underwater dive operations are in progress must ensure that Flag A of the International Code of Signals is displayed in such a manner that it can be clearly identified from another vessel at a distance in excess of 200 metres.
- 6)2) Every person diving from a vessel or independent of a vessel must ensure that Flag A is displayed in such a manner that it can be clearly identified from another vessel at a distance in excess of 200 metres.

**20.23. Special events**

- 1) A person that intends to conduct a sporting event, training activity, ceremonial or customary event or any other organised water activity on navigable water must obtain approval from the Harbourmaster if the activity is likely to affect normal operation of another vessel or any other user of the water, or:
  - a) requires temporary suspension of the relevant speed clause(s) and any other relevant clause of the Maritime Rules or this Bylaw;
  - b) requires an area to be temporarily reserved for a specific area for the purpose of the event; or
  - c) requires the temporary suspension of a reserved area or access lane; or
  - d) requires temporary installation of course markers or similar such structures in the water.
- 2) An application to temporarily reserve an area of navigable water may be approved or refused at the discretion of the Harbourmaster, upon such terms and conditions as the Harbourmaster thinks fit. Such conditions may include temporary suspension of use of defined waters by all other users, if reasonably required for maritime safety purposes in the opinion of the Harbourmaster.

*Explanatory note: Temporary Reservations will be published by Local Notice to Mariners on the Council's website.*

**21.24. Conduct near marine mammals**

- 1) In the vicinity of marine mammals, the person in charge of each vessel shall;
  - a) travel no faster than idle or 'no wake' speed within 300m of any marine mammal
  - b) approach whales and dolphins from behind and to the side
  - c) not circle them, obstruct their path or cut through any group.
  - d) keep at least 50m from whales (or 200m from any large whale mother and calf or calves).
  - e) idle slowly away. Speeds may be gradually increased to out-distance dolphins and should not exceed 10 knots within 300m of any dolphin.

*Explanatory note: the presence of marine mammals tends to attract vessels into a small area of water for viewing purposes. It is important for maritime safety that vessels operate in a consistent and predictable manner.*

- 2) Masters of large vessels are not obliged to comply with Clause 23 (1) if necessary for navigational safety reasons.

*Explanatory note: Masters of Large Vessels should slow down as much as conditions allow while keeping sufficient speed for control of the vessel to maintain navigational safety within the confines of the navigable waters.*

## Part 4. Anchoring and Mooring

### 22.25. Anchoring

- 1) No small or medium vessel shall anchor in a Navigational Channel without approval from the Harbourmaster. A large vessel may anchor in a Navigational Channel at the direction of the Pilot.
- 2) No vessel shall anchor in a manner that obstructs moorings or moored vessels.
- 3) No vessel shall remain anchored within the same or proximate location for longer than 14 consecutive days in any six month period without the prior approval of the Harbourmaster.
- 4) An anchored vessel may not be left unattended for more than 24 hours without the owner, or their representative checking that the vessel remains secure.
- 5) Vessels are permitted to anchor in Oamaru Harbour in the area shown in Appendix G provided that clauses (2) to (4) above are complied with.

### 23.26. Vessels to be adequately secured

- 6) The person in charge of a vessel must ensure that it is securely anchored or moored, and secured while left unattended.
  - 7) In securing the vessel, the person in charge of the vessel must only use rope, chain or other means of anchoring or mooring a vessel that is fit for purpose.
  - 8) No person shall secure a vessel to any post, wharf, ring, fender, buoy or any other structure not fit for that purpose.
  - 9) No person shall leave any vessel or other property in a place where it may create a navigation hazard or nuisance where it may interfere with the normal use of the waters by other persons.
  - 10) No person shall set a vessel adrift or interfere with her moorings or fastening.
- 5)6)

### 24.27. Moorings



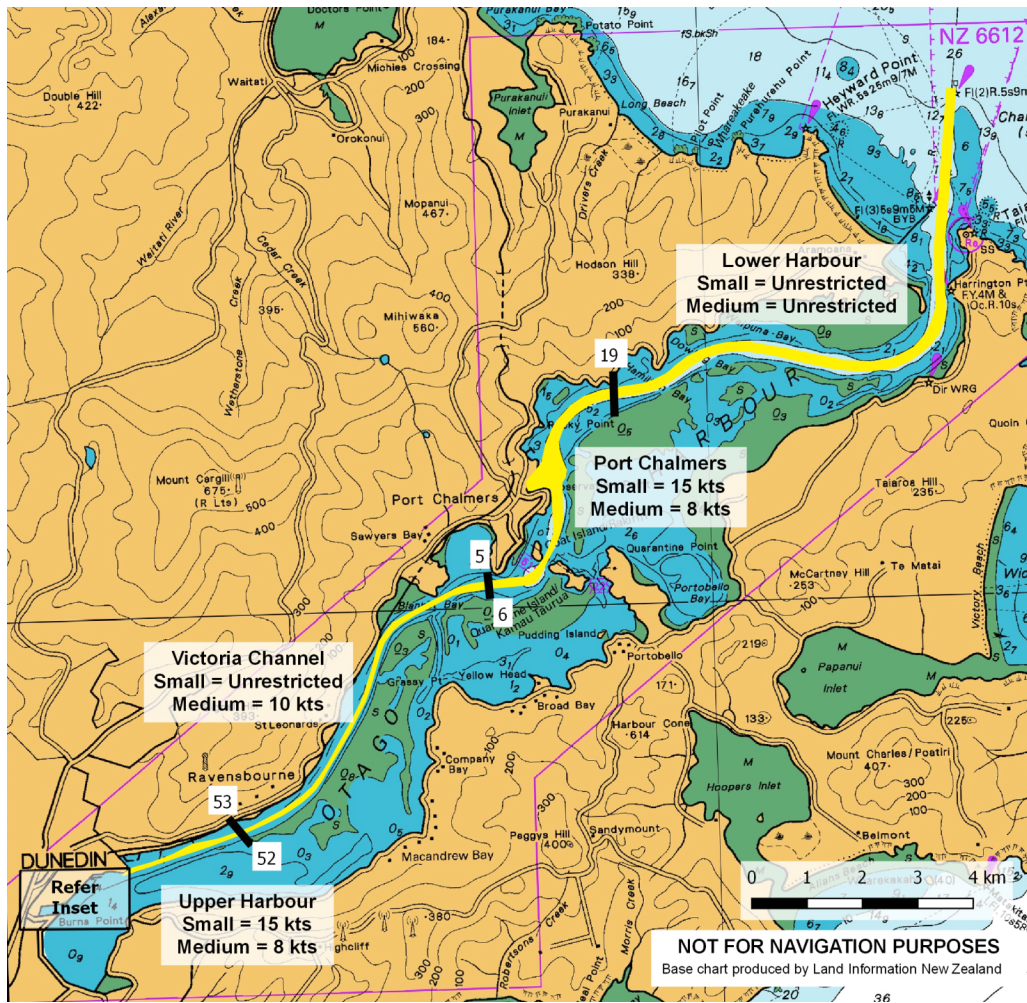
- 1) No person shall lay, or move, a mooring unless:
  - a) that person holds a coastal permit for that mooring from Council; or
  - b) the mooring is a permitted activity in the Regional Coastal Plan.
- 2) No person shall secure a vessel to a mooring that exceeds the length, displacement, or draught specified in the coastal permit or in licencing arrangements with the coastal permit owner.
- 3) If at in any time in the opinion of the Harbourmaster any mooring is or may be in an insufficient state of repair the Harbourmaster may require the mooring to be:
  - (a) inspected by a competent person approved by the Harbourmaster; and
  - (b) repaired to a standard specified by the Harbourmaster.within a period specified by the Harbourmaster.

## **Part 5. Special Controls-Provisions on Activities in Otago Harbour**

### **25-28. Communication requirements for vessels in the Otago Harbour Shipping Channel**

- 1) All vessels over 6m in length shall carry an operational marine VHF radio and maintain a radio watch on Channel 14 whilst navigating along the Otago Harbour Shipping Channel.
- 2) Between sunset and sunrise, or in conditions of restricted visibility, all vessels shall contact Harbour Control before entering or transiting along the Otago Harbour Shipping Channel.
- 3) The person in charge of all Medium Vessels and Large Vessels must contact Harbour Control before navigating along the Otago Harbour Shipping Channel.

### **29. Speed Limits Otago Harbour**



3)

### 26.30. Moving Prohibited Zone (MPZ)

- 1) No person shall navigate a vessel so as to be within an MPZ without the approval of the Harbourmaster.
- 2) Subclause 29(1) shall not apply to tugs or pilot vessels while they are carrying out towage or pilotage duties in relation to a vessel for which a MPZ applies.

*Explanatory note: The MPZ is defined to only apply to waters within the Otago Harbour Shipping Channel. Small and Medium Vessels may pass a Large Vessel transiting the Otago Harbour Shipping Channel provided that they pass outside the channel. Provided it is safe to do so, Small and Medium vessels travelling inbound may need to cross to the port-hand side to bypass an MPZ outside of the marked channel, where the waters to starboard of the channel lie within 200m of shore.*

- 3) Subclauses 29(1) and 29(2) shall not apply where the approval of the Harbourmaster has been obtained for a vessel to be within a MPZ or to pass another vessel in the Otago Harbour Shipping Channel.
- 4) A Specified MPZ may be declared by the Harbourmaster by Local Notice to Mariners to apply to any vessel for such times and duration as the Harbourmaster considers necessary.

**27.31. \_\_\_\_\_ Vessel movements in proximity to ships**

- 1) Vessels may come within 200 metres of a berthed tanker showing Flag B when necessary to navigate past provided they maintain the largest separation that can be safely achieved.

*Explanatory note: There is insufficient room for vessels using the Otago Harbour Shipping Channel to maintain the minimum 200m separation required under Maritime Rules for tankers berthed at the Dunedin Oil Jetty or LPG terminal.*

- 2) A master must not cause any vessel to manoeuvre within 200 metres of a berthed tanker flying Flag B unless required to by the operation of the tanker.

*Explanatory note: refer to Interpretation section for definition of manoeuvre.*

- 3) No vessel may berth or come alongside within 100 metres of a berthed tanker flying Flag B.
- 4) No vessel shall approach or manoeuvre within 25 metres of a large vessel without the prior permission of the large vessel or the Harbourmaster.

*Explanatory note: Being in the vicinity of a Large Vessel will be unsafe at times due to the lack of visibility of vessels in close and due to activities such as cargo loading, release of mooring lines, and operation of the ship's propulsion systems.*

**28.32. \_\_\_\_\_ Fishing in Otago Harbour Shipping Channel**

- 1) Drift fishing and trolling using handheld rods or lines, either held in hand or placed in rod holders is permitted in the Otago Harbour Shipping Channel except when an MPZ applies in accordance with clause 30. Special restrictions apply in the vicinity of Halfway Islands in accordance with subclause [31\(2\)](#).
- 2) The Halfway Islands Safety Zone is established as a Reserved Area for the area shown in Appendix F. The person in charge of any vessel that is fishing in the Halfway Islands Safety Zone must:
  - a) if intending to fish in the Halfway Islands Safety Zone, call Harbour Control on VHF Channel 14 prior to entry into the Zone, and
  - b) call Harbour Control on VHF Channel 14 upon exit from the Halfway Islands Safety Zone, or upon the cessation of fishing activity, and
  - c) maintain a radio watch on VHF Channel 14 while fishing in the Halfway Islands Safety Zone and immediately vacate the channel if:
    - (i) a large vessel approaches the Safety Zone; or
    - (ii) a long blast is given from a ship's whistle; or
    - (iii) the vessel indicates that it requires sea room by means of 5 short blasts on the ship's whistle, or a light signal of 5 rapid flashes, or call via VHF; or
    - (iv) if advised by Harbour Control; or
    - (v) if directed by the Harbourmaster.

**Part 6. Special Provisions for Lake Dunstan Area Maritime Safety Administrative Matters**

**29. Notification of maritime accidents, incidents and mishaps**

- 1) ~~The person owning or having responsibility for, or in charge of, or having conduct of any vessel, Port Company property, other maritime facility, structure or object that:
 
  - a) ~~has been involved in any accident, incident, or mishap involving a vessel; or~~
  - b) ~~in any manner gives rise to a navigational hazard;~~
 Shall, as well as complying with any accident reporting requirements of Maritime Rules and the Act, immediately report the occurrence to the Harbourmaster.~~
- 2) ~~For accidents incidents or mishaps in Otago Harbour the Harbourmaster shall be notified by a VHF radio call to Harbour Control immediately, where VHF communication is available after the incident.~~
- 3) ~~For other accidents incidents or mishaps the Harbourmaster shall be contacted within 24 hours of the incident by phone call or by email.~~

*Explanatory note: Harbourmaster email address is harbourmaster@orc.govt.nz*

- 4) ~~Persons reporting accidents under the Maritime Rules and the Maritime Transport Act should provide to the Harbourmaster a copy of the appropriate Maritime New Zealand report form within 24 hours of submission to Maritime New Zealand. <https://services.maritimenz.govt.nz/incident/>~~
- 5) ~~The Harbourmaster may contact the owner of any vessel or property involved in any such accident, incident or mishap.~~

Note:

The following access lanes are specified in accordance with Clause 19 for the purpose of landing or launching vessels and landing or launching persons towed by those vessels on water skis or other objects:

The following reserved areas are specified under Clause 19. Notwithstanding the reservation of areas for a particular purpose or type of vessel, the safety of the vessel, toboggan, windsurfer, sailboard and its occupants, or any person being towed, when operating within or in the vicinity of any reserved area is the responsibility of the master of the vessel, toboggan, windsurfer or sailboard.

The following areas are set out on the map of Lake Dunstan in appendix B

**32. Lake Dunstan - Reserved Areas**

All watersports prohibited except use by anglers or waterfowl hunters—

Bendigo Wildlife Area being the area shown as shaded on the map in Schedule 1 being the area north of a line extending across Lake Dunstan from Rocky Point and marked by black posts with white horizontal bands.

Areas reserved for swimming and within which no person shall navigate a powered vessel

=

Weatherall Creek

Dairy Creek Swimming Area

Sander's Inlet

Bannockburn Inlet (Part)

Lowburn Inlet (Part)

Lowburn Raft

Pisa Moorings

Old Cromwell

Fernbrook area

Deadmans Point to first pier of Bridge (True Right side of lake)

The areas are marked by black posts with white horizontal bands and yellow buoys and are bound by lines extending from the shore as marked by the posts and buoys at the positions denoted on the map in appendix B

Areas reserved for wildlife and within which no person shall navigate a powered vessel –

Pisa Moorings

The areas are marked by black posts with white horizontal bands and yellow buoys and are bound by lines extending from the shore as marked by the posts and buoys at the positions denoted on the map in appendix B

### **33. Lake Dunstan Area – Special Speed Zones**

For the following areas the speed limits specified in Clause 17.1(a) and Clause 20.1(a) shall not apply, and subject to Clause 32, the following proper speed limits shall apply –

Clutha Arm - From Deadmans Bridge to northern point of Pisa Moorings – 5 knots within 50 metres of any vessel, raft or person in the water other wise no speed limit.

Dunstan Arm – 5 knots within 50 metres of any vessel, raft or person in the water other wise no speed limit.

Kawarau Arm – 5 knots within 50m of any other vessel,raft or person in the water other wise no speed limit.

Kawarau River – no speed limit upstream of footbridge at Goldfields Mining Centre for 4,100 metres.

From the northern point of Pisa Moorings to the Bendigo Wildlife area 5 knots within 200 metres of shore.

That part of the Lowburn Inlet that does not comprise the area within which no person shall operate a powered vessel as set out in Clause 9.1 – 5 knots.

Bendigo Wildlife Area – 5 knots within the reserve being the area shown as shaded on the map in Schedule 1 being the area north of a line extending across Lake Dunstan from Rocky Point and marked by black posts with white

horizontal bands. Notwithstanding the stated speed limit of 5 knots in this area vessels may access the Clutha River via the main river channel at a speed greater than 5 knots subject only to any other provision of this bylaw stipulating a maximum speed.

McNulty Inlet – 5 knots.

The areas are marked with black posts with white horizontal bands.

## **Part 7. Maritime Safety Administrative Matters**

### **30-34. Written approvals**

- 1) Any person may make application to the Harbourmaster for written approval as allowed under this bylaw. Applications must be:
  - (a) in a form and manner prescribed by the Harbourmaster; and
  - (b) be accompanied by any required fee.
- 2) Written approval may be granted or refused and if granted subject to conditions.
- 3) Any written approval required by this Bylaw shall be displayed as required by its terms and conditions and must be produced forthwith on request by the Harbourmaster, an Enforcement Officer or a Constable.
- 4) No written approval, required by this Bylaw shall have effect until any fee required for it has been paid.

### **31-35. Offences and penalties**

- ~~1) It is an offence under section 33N of the Act to contravene this Bylaw.~~
- ~~2) It is an offence under the Act to, without reasonable excuse, fail to comply with a direction or requirement given or imposed by a Harbourmaster under section 33F of the Act.~~

#### **Offences**

- ~~1) 3) Every person commits an offence against this bylaw who contravenes or permits a contravention of this bylaw.~~

#### **Penalties**

- ~~2) Every person who:~~

~~(a) commits an offence against this bylaw will be liable under the Act;~~

~~(b) commits an infringement offence, set out in any applicable regulations created under the Act is liable to an infringement fee prescribed in the regulations made under the Act.~~

## **36. Enforcement**

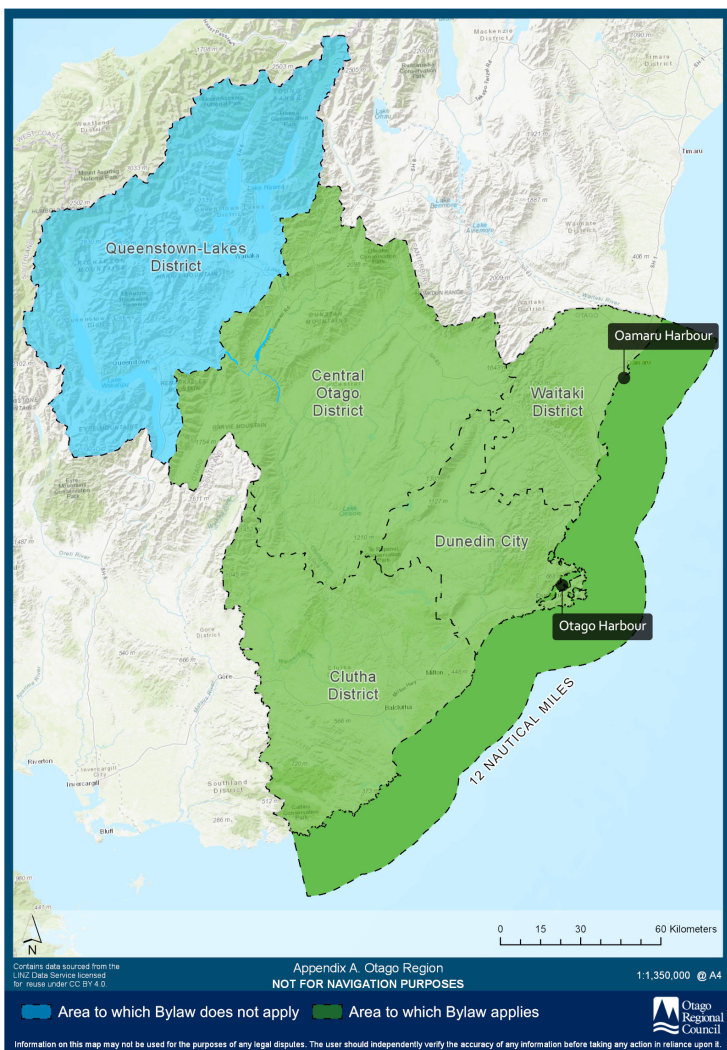
**General enforcement powers of the Harbourmaster**

- 1) In any case where the Harbourmaster is not satisfied adequate precautions have been taken to ensure the health or safety of any person or the public or to avoid damage to any vessel, structure or the environment, the Harbourmaster may prohibit or restrict the activity until satisfied adequate precautions have been taken.
- 2) The Harbourmaster, enforcement officer or police officer may use powers under the Act and maritime rules and regulations to enforce this bylaw.
- 3) The Harbourmaster, or enforcement officer may direct any vessel or person to take any action they deem necessary to ensure compliance with the maritime rules or this bylaw.
- 4) Where any provision in this bylaw imposes an obligation to pay a fee, the owner of the vessel is liable for that fee on the date that payment falls due.

**Part 7. Part 8. Appendices**

Appendix A. **Otago Region**

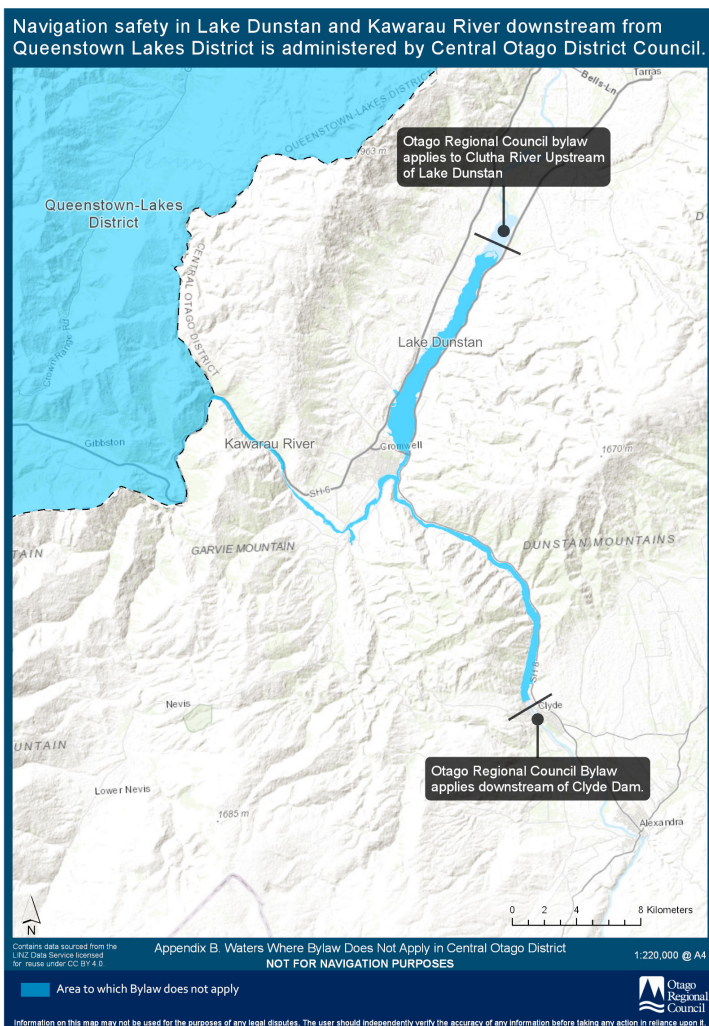
Commented [JG1]: Update this to show Lake Dunstan as Green and under ORC. Just leaving QLDC highlighted blue.



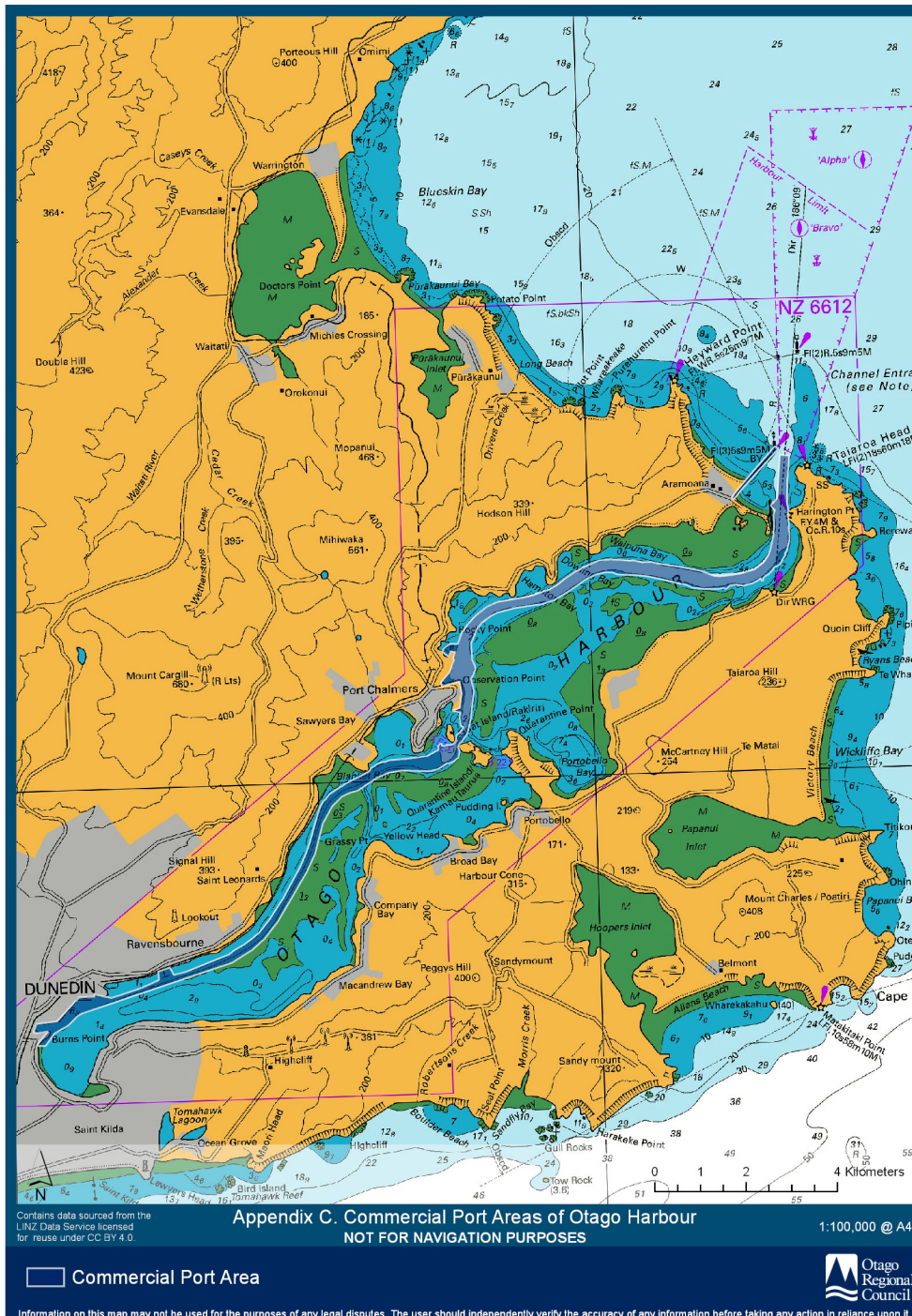


**Appendix B. Waters Where Bylaw Does Not Apply in Central Otago District**

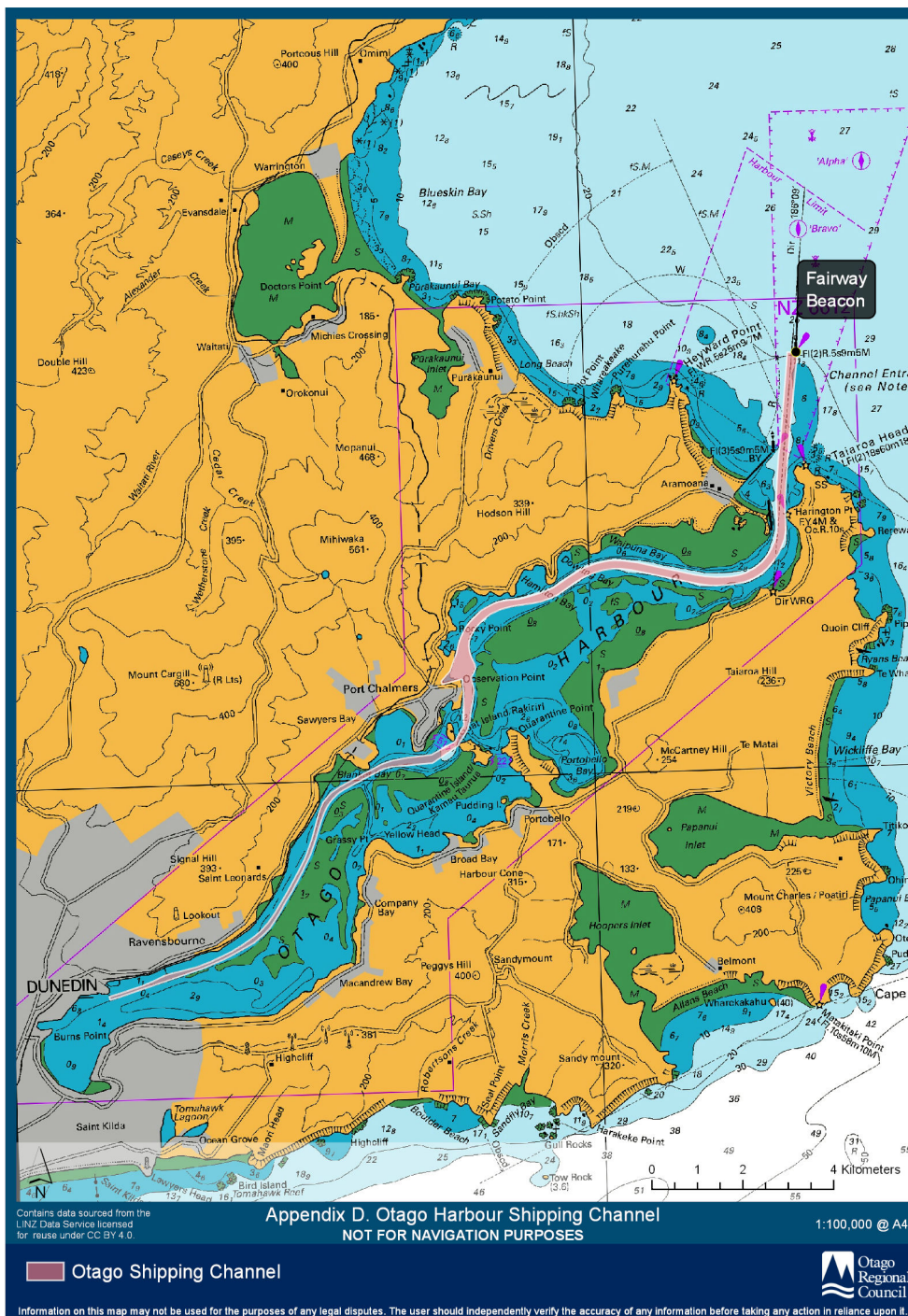
**Commented [JG2]:** ADD Map for Lake Dunstan schedule Change appendix B for new Lake Dunstan Map being worked on now and to be inserted.



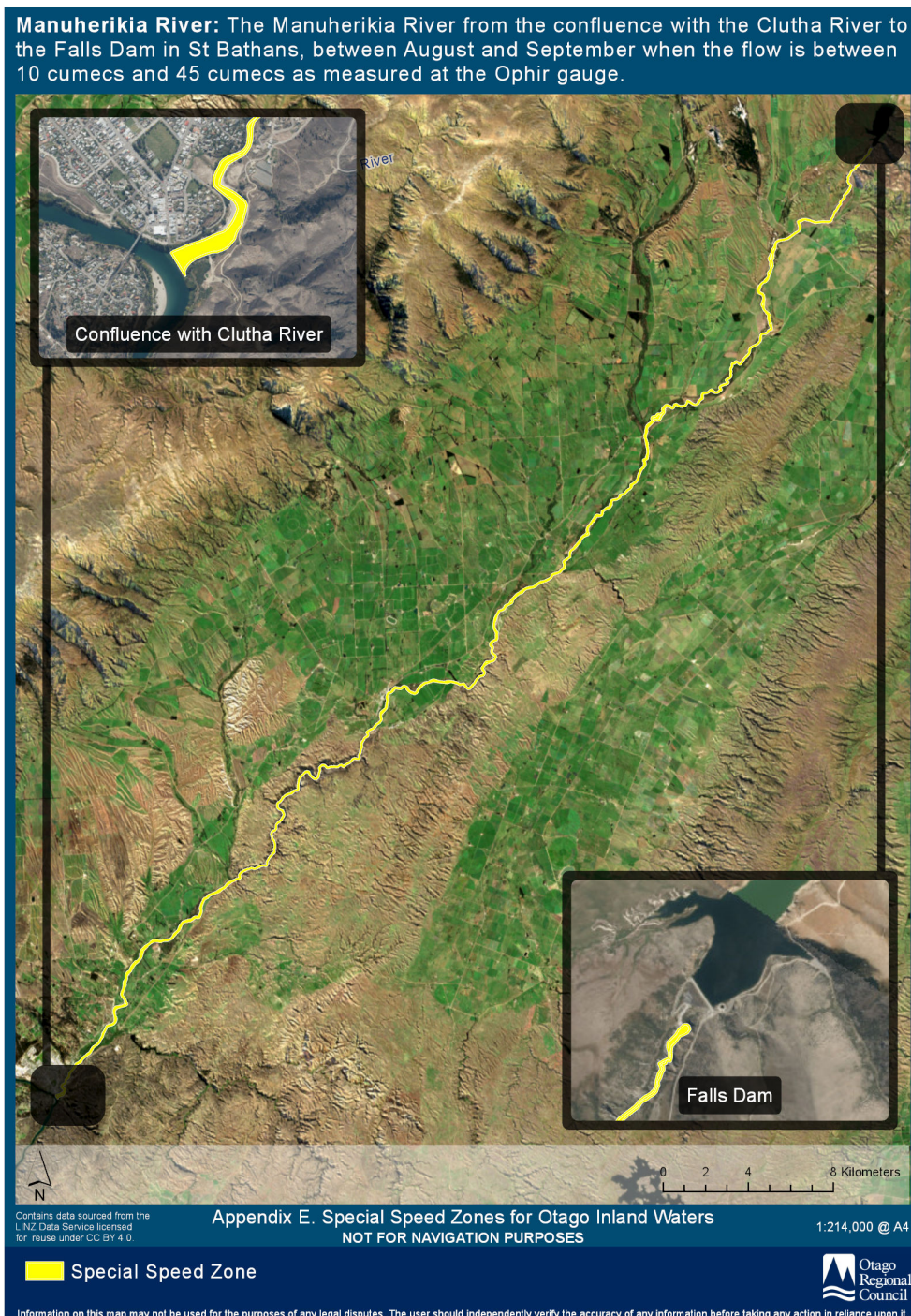
## Appendix C. Commercial Port Areas of Otago Harbour

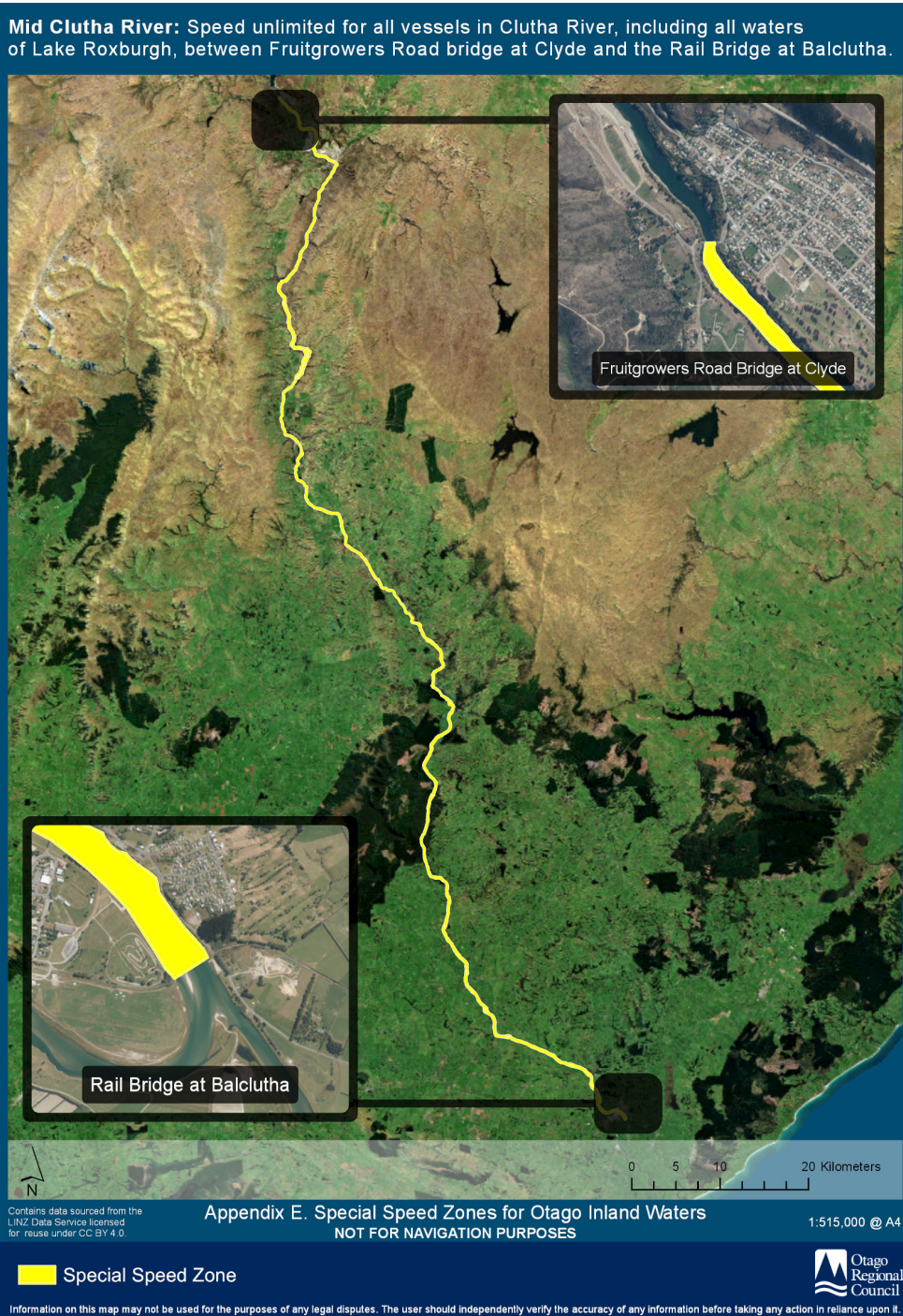


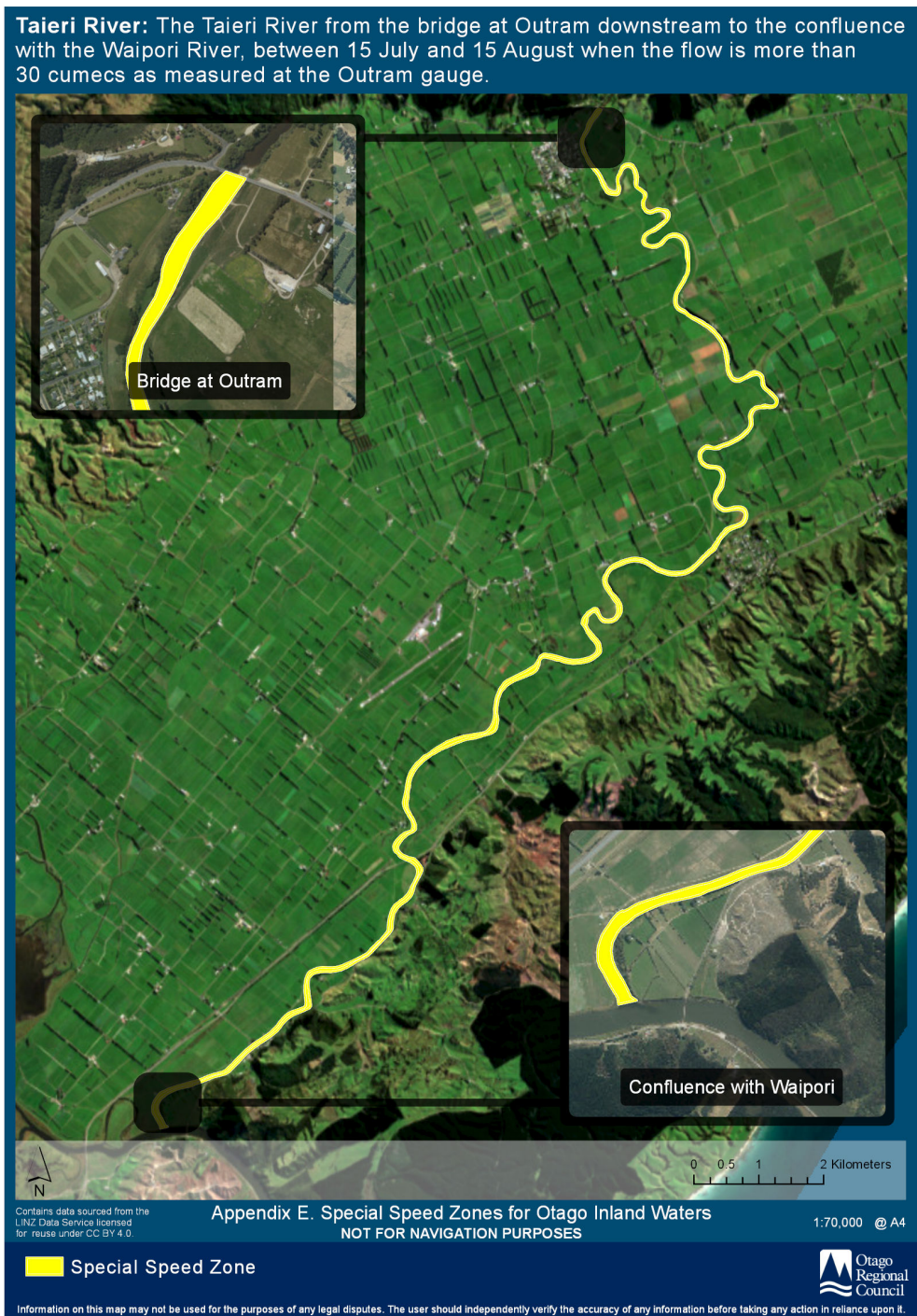
## Appendix D. Otago Harbour Shipping Channel



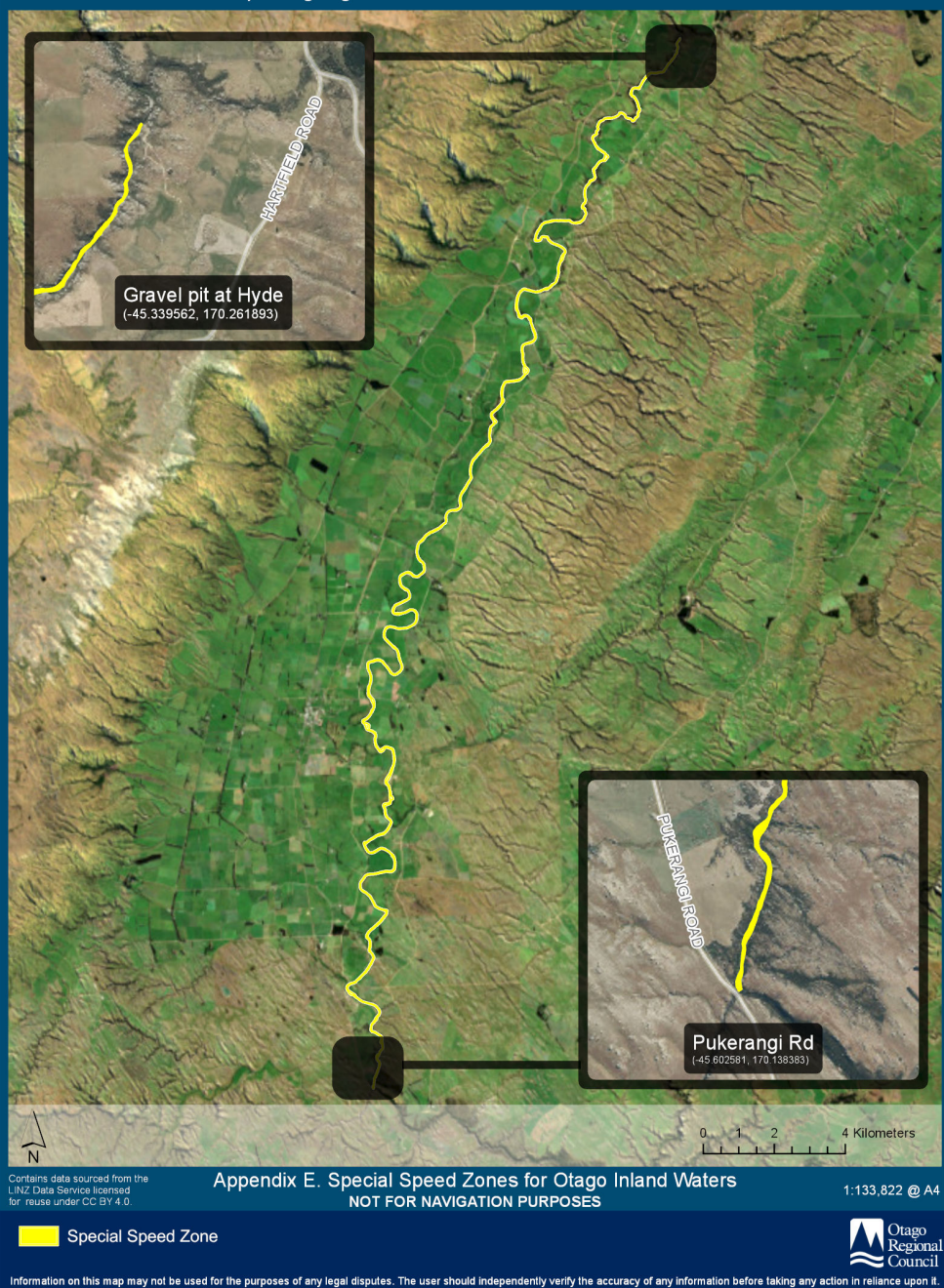
## Appendix E. Special Speed Zones for Otago Inland Waters

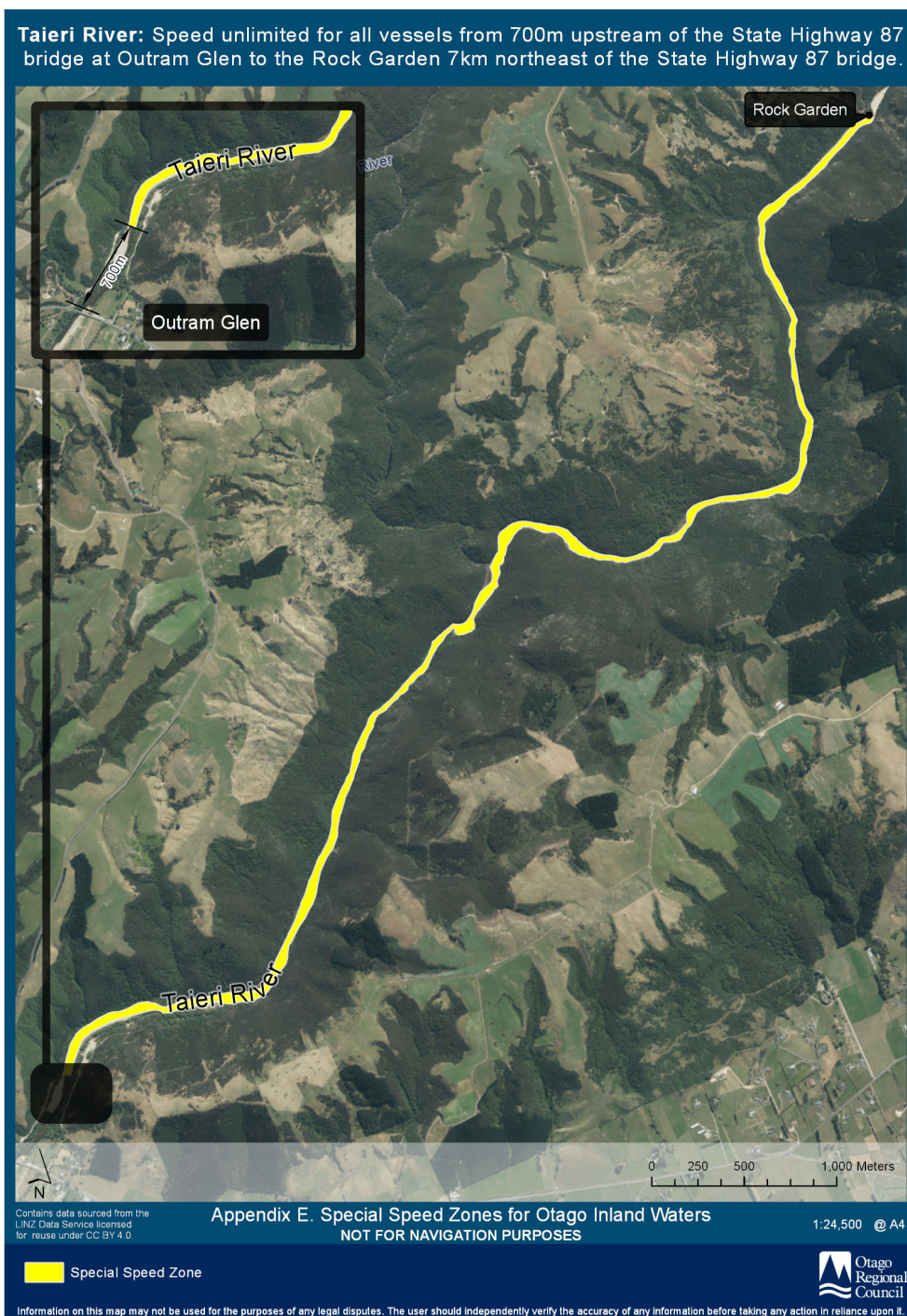






**Taieri River:** The Taieri River from the Gravel Pit at Hyde downstream to the Pukerangi Road Bridge in Pukerangi, between August and September when the flow is more than 20 cumecs as measured at the Waipiata gauge.





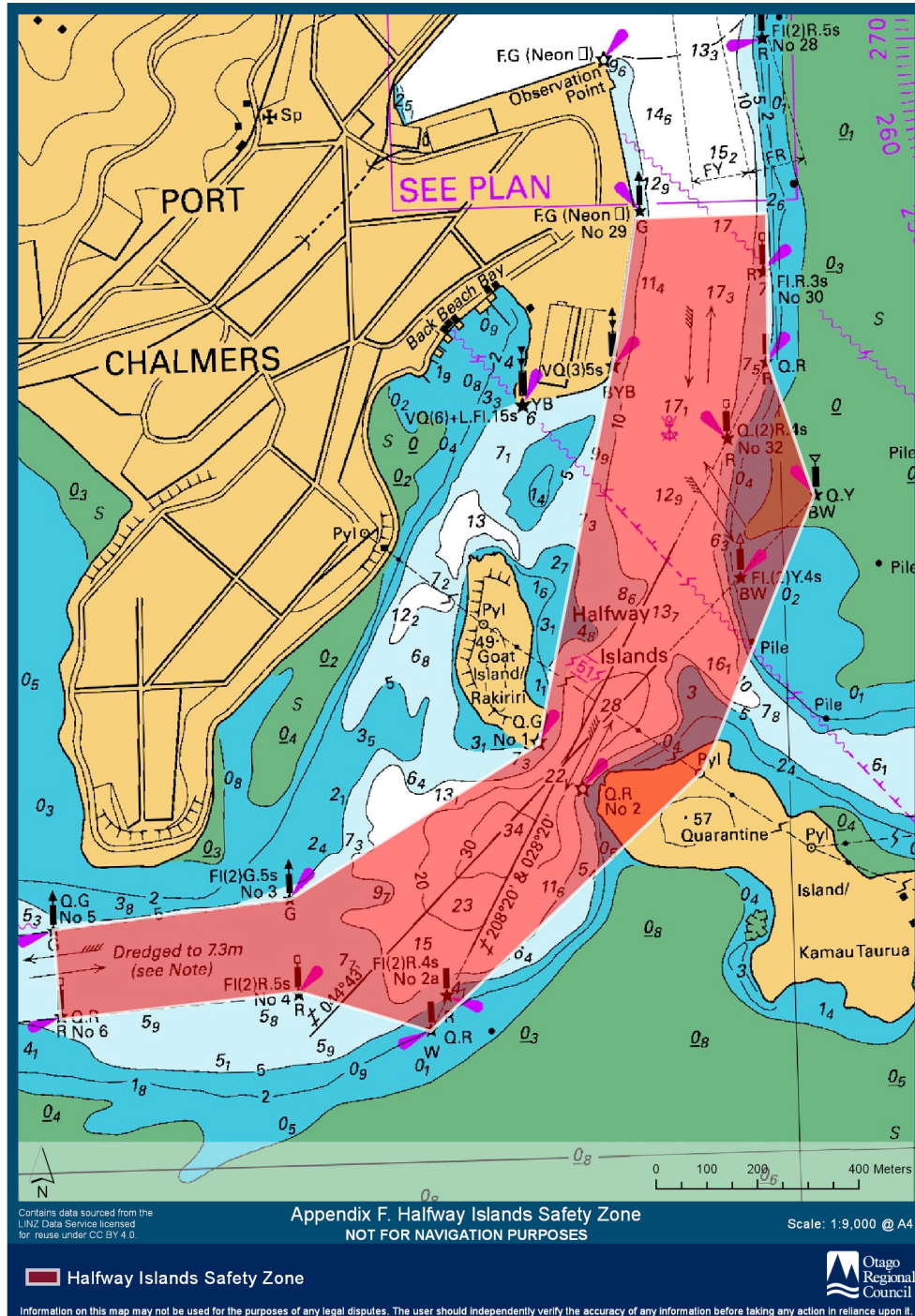




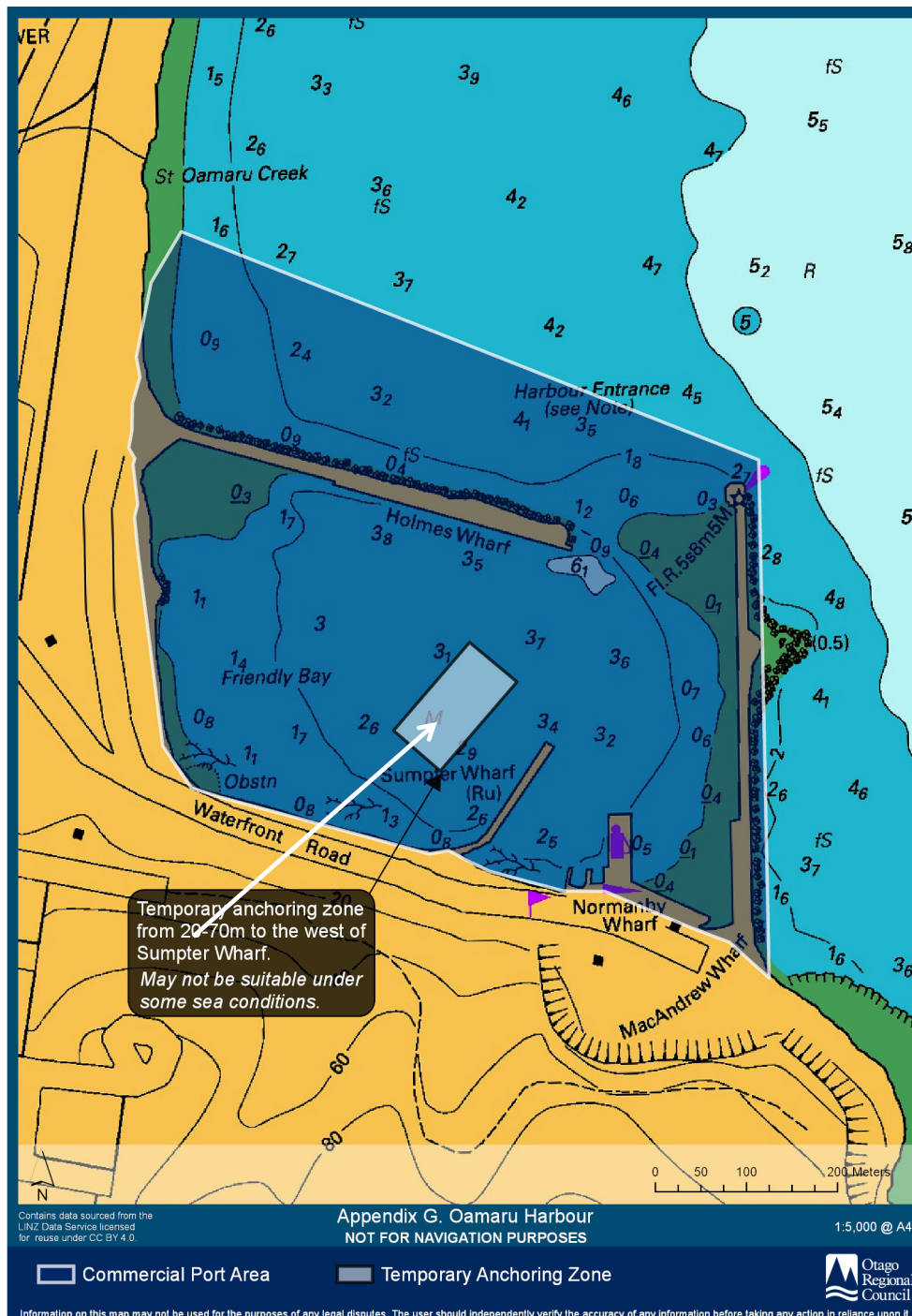


Pukerangi Road Bridge  
(-45.602581°, 170.138383°)

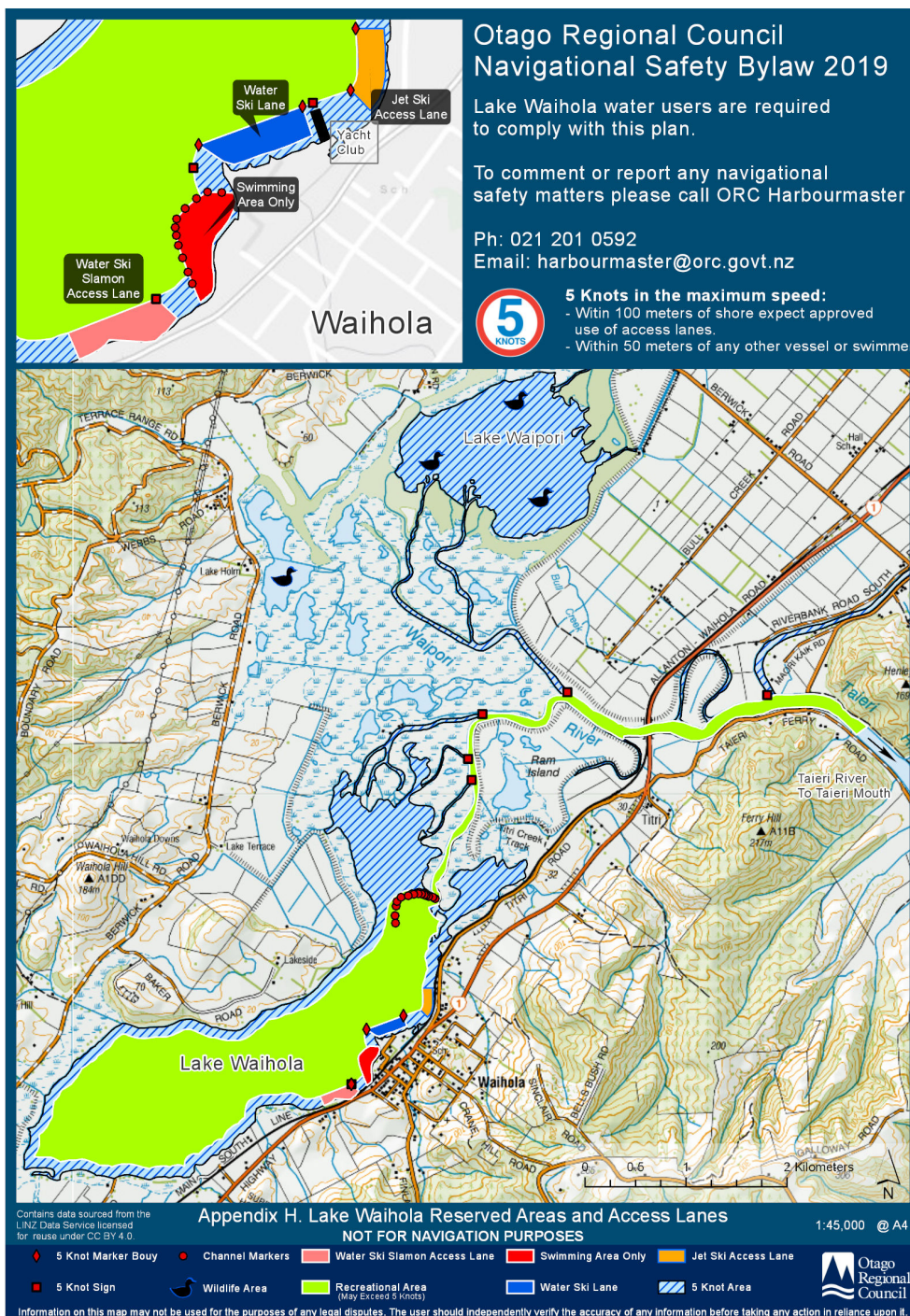
### Appendix F. Halfway Islands Safety Zone



## Appendix G. Oamaru Harbour



## Appendix H. Lake Waihola Reserved Areas and Access Lanes



## **Proposal to reverse transfer of powers – Joint Consultation between Otago Regional Council and Central Otago District Council**

### Background

1. In 2006 Otago Regional Council (“ORC”) transferred responsibilities, functions, powers under part 39A of the Local Government Act 1974 (LGA 1974) to the Central Otago District Council (“CODC”). This transfer applied only to the area known as Lake Dunstan (“2006 Transfer”).
2. CODC administers activities on Lake Dunstan under the ‘Central Otago District Council Lake Dunstan Navigation Safety Bylaws 2017’.
3. On 20 August 2019, ORC received a request in writing from CODC to relinquish the 2006 deed of transfer. The request sought that the process to relinquish functions was completed prior to the 2019/20 summer season. CODC recognised the establishment of a dedicated Harbourmaster unit within ORC and saw benefit in the consistency that would be achieved in having services provided by this team.
4. On 25 September 2019, ORC approved the commencement of the process to reverse the transfer of responsibilities, functions, duties and powers associated with navigation and associated matters on all waters of the Clutha River and tributaries that form Lake Dunstan from CODC to ORC.

### Process

5. The process to reverse a transfer of functions is set out in the Maritime Transport Act 1994. In summary:
  1. The parties to the transfer must agree on the terms of the proposed transfer (reversal);
  2. The parties must notify the of the proposed transfer (reversal);
  3. The transfer cannot be agreed unless the parties, after consultation in accordance with section 82 of the Local Government Act 2002, agree that the benefits of the proposed transfer outweigh the negative impacts of the proposal.
6. ORC and CODC have agreed in principle to the terms of a transfer, which includes the transfer of CODC assets<sup>1</sup>.

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<sup>1</sup> Approximately 130 marks/moorings and signs

Proposal

7. CODC and ORC wish to reverse the 2006 Transfer. This will mean CODC no longer has the responsibilities, functions, duties and powers associated with navigation safety for Lake Dunstan. The responsibilities, functions, duties and powers would revert back to the ORC.

Options

8. The ORC cannot refuse the reversal of the transfer, ORC's rights are limited to requiring a proper process and agreement to terms.

ORC Capacity

9. The ORC employs a full-time harbourmaster and deputy harbourmaster ("the Harbourmasters") who exercise powers and duties under the MTA for the purpose of ensuring maritime safety in relation to the ports, harbours, or waters for which they have been appointed.
10. The Harbourmasters currently have jurisdiction over any port, harbour or waters in the Otago region excluding:
  1. All the waters of the Clutha River and tributaries that form the lake known as Lake Dunstan and being upstream of Clyde Dam; and
  2. Navigable rivers and lakes within the district of Queenstown Lakes District Council.
11. CODC employs an education and enforcement officer over the summer, who fulfils many of the harbourmaster roles on Lake Dunstan, but in a part time capacity.
12. Upon reversal of the transfer, the Harbourmasters will provide harbourmaster expertise for Lake Dunstan throughout the year. The Harbourmasters will be available 24/7 year around which will provide a greater level of service than the current situation. The ORC also intends to appoint enforcement officers to monitor and enforce (where appropriate) maritime rules.

Navigation Bylaws

13. The ORC is currently consulting on an amendment to its Navigation Safety Bylaw 2019 ("the amended Bylaw") to include all the waters of the Clutha River and tributaries that form the lake known as Lake Dunstan and being upstream of Clyde Dam.
14. The amended Bylaw includes rules from the current Lake Dunstan Navigation Safety Bylaws 2017.

15. It is anticipated that the reversal of the transfer and the commencement of the amended Bylaw will take place at the same time.

Consistency

16. The reversal of the transfer will provide consistency with the rules across the region, particularly across Central Otago where there is currently two navigation safety bylaws in place, one for Lake Dunstan and the other for the balance of the Central Otago district.

Have your say

17. The ORC and CODC welcomes your input into the reversal of the 2006 transfer.
18. We invite any member of the public or organisation to make a submission on this matter.

Timetable for consultation

28 February 2019	Public notice– submissions open
3 April 2019	Submissions close
30 April & 1 May 2019	Subcommittee Hearing
XXXXXXXXXXXX	ORC considers outcome of consultation process
XXXXXXXXXXXX	CODC considers outcome of consultation process
XXXXXXXXXXXX	Public notice of final decision

**How to make a submission**

19. Any person or organisation can make a submission on the proposal. Submissions can be made via online or by post.
20. ORC and CODC intend to hold hearings on 30 April and 1 May 2020 in Central Otago and Dunedin. If you would like the opportunity to speak to your written submission, please note this in your submission.

Either post submissions to:

**[Lake Dunstan Transfer Submissions]**  
Otago Regional Council  
Private Bag 1954  
Dunedin 9054



Or

Lake Dunstan Transfer Submissions  
Central Otago District Council  
P O Box 122  
Alexandra 9340

Or online at: [www.yoursay.orc.govt.nz](http://www.yoursay.orc.govt.nz)

Submissions must be received by [insert time] on [insert date].

21. Every submission made to the ORC or CODC will be acknowledged in accordance with the LGA 2002, will be copied and made available to the public, and every submission will be heard in a meeting that is open to the public.

DRAFT

### 10.3. Taumata Arowai - The Water Services Regulator Bill Submission

<b>Prepared for:</b>	Council
<b>Report No.</b>	P&S1819
<b>Activity:</b>	Environmental: Land Environmental: Water
<b>Author:</b>	Kyle Balderston, Team Leader Urban Growth and Development
<b>Endorsed by:</b>	Gwyneth Ellum, General Manager Strategy, Policy and Science
<b>Date:</b>	18 February 2020

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#### PURPOSE

- [1] To seek Council endorsement to submit on Taumata Arowai – the Water Services Regulator Bill.

#### EXECUTIVE SUMMARY

- [2] Following the Government Inquiry into Havelock North Drinking Water, and as part of the Three Waters Review, Taumata Arowai – the Water Services Regulator Bill proposes to create a single national drinking water regulatory body (Taumata Arowai) as a Crown agent, and to establish its objectives, functions, operating principles and governance arrangements.
- [3] Further Bills are expected to be forthcoming outlining in more detail, the powers of the regulator, and technical details of the drinking water regulatory system it will directly enforce. Alignment of this further legislation is expected with the Three Waters Review, Te Mana o Te Wai principles and other water reforms including Essential Freshwater, other legislation and national direction.
- [4] In summary, Taumata Arowai is intended to:
- a. oversee, administer and enforce (regulate) the new drinking water regulatory system (including management of risks to source waters), and
  - b. undertake complementary roles of improving the regulation, transparency and environmental performance of wastewater and stormwater systems.
- [5] It will achieve these outcomes via a combination of:
- a. being a single, focussed regulator with considerable technical capability, and a strong focus on engagement and relationship building, including with consumers, regulated parties and Maori;
  - b. for water supply, undertaking direct regulation, compliance and enforcement; and
  - c. for drinking water, stormwater and wastewater performance, a combination of coordination, national level oversight, education, advocacy, and practical assistance and support.
- [6] Staff advice is that Council consider making a submission, in general support of the intent of the Bill and objectives of the regulator, with suggestions for improvements, particularly to definitions, and to clarify any potential overlap with regional council
-

functions under the Resource Management Act 1991. The aim of the submission will be to assist the eventual development of the more detailed 'technical' legislation which will need to align with the refined definitions and clearer scope of the regulator (or at least do so with awareness of other regulators and regulations).

- [7] The definitions changes suggested in the draft submission are related to two main issues:
- a. The regulator should have the scope to cover all water supply, wastewater and stormwater infrastructure (irrespective of ownership or scale) but it is appropriate to separate by scale to allow for the right sizing of future regulatory responses in the definitions (for example, separating single dwelling domestic onsite systems from large industrial on-site systems or reticulated town schemes);
  - b. Definitions, to align as far as appropriate to existing RMA definitions and caselaw.
- [8] Further points in the draft submission largely relate to clarifying the respective roles and responsibilities of Taumata Arowai, and functions and duties of regional councils under the Resource Management Act 1991, particularly with respect to:
- a. land use management (with respect to drinking water quality and source protection), and
  - b. the environmental performance of stormwater and wastewater discharges.

## RECOMMENDATION

*That the Council:*

- 1) **Receives** this report.
- 2) **Approves** the Chief Executive on or before 5pm on 4 March 2020 to:
  - a. Lodge the attached draft submission as a staff submission; or
  - b. Lodge the attached draft submission, subject to any changes made today, under delegation from the Otago Regional Council.

## BACKGROUND

### Havelock North Drinking Water Inquiry

- [9] The Government Inquiry into the Havelock North Drinking-water Outbreak investigated the widespread outbreak of gastroenteritis in Havelock North in August 2016 during which more than 5000 people were estimated to have fallen ill, with up to four deaths associated with the outbreak.
- [10] Stage One of the Inquiry focused on identifying the direct causes of the gastroenteritis outbreak. Stage Two examined the wider regulatory context and made recommendations to reduce the likelihood of such an outbreak occurring again.
- [11] The Inquiry released its Stage Two findings in December 2017. The Inquiry found widespread systemic failure of water suppliers to meet the high standards required for the safe supply of drinking-water to the public. It found that 80 percent of people served

by network supplies that serve 100 people or more have access to water that meets all current standards but raised concerns about the other 20 percent.

- [12] It also found that the enforcement of statutory obligations on water suppliers was not as effective as it should be. It concluded that the present system of regulation does not ensure that water suppliers comply with the law and New Zealand's drinking-water standards and recommended significant reform.
- [13] The Stage Two Inquiry made 51 recommendations, with 62 action items to improve the safety of drinking-water, the main ones being that all water supplies should be treated and that a dedicated drinking-water regulator should be established.
- [14] The Government has already responded to many of the recommendations, including some of the more urgent ones, for example by:
- a. reinforcing the existing requirements of the Health Act 1956 with respect to drinking water standards,
  - b. Setting up greater coordination between and resourcing at Ministry of Health and DHBs (the existing drinking water regulator);
  - c. Further amending the drinking water requirements of the Health Act 1956 (Health (Drinking Water) Amendment Bill) to:
    - i. remove consultation requirements (for treatment) and changes to the Drinking Water Standards for New Zealand;
    - ii. clarify that drinking water safety plans must include implementation timetables; and
    - iii. a range of other minor and technical amendments.
- As a result of the above the number of people receiving un-disinfected water from *water suppliers*<sup>1</sup> dropped quickly from an estimated 600,000 in December 2017 to less than 90,000 by mid-2018<sup>2</sup>.
- [15] Many of the issues around how drinking-water is managed and regulated extend across all of the 'three waters' services – drinking-water, wastewater and storm water. This system as a whole is facing several challenges. These include funding pressures, higher environmental and public health standards, climate change and seasonal pressure from tourism.
- [16] This Bill reflects a fundamental change to the way drinking water is managed and regulated, by establishing Taumata Arowai as the national drinking water regulator for the new Drinking Water Regulations. (This will largely replace the existing Health Act 1956 based approach). The Bill also establishes Taumata Arowai as an advocate, source of technical expertise and practical assistance to improve water supply, stormwater and wastewater networks performance and environmental outcomes.

### Three Waters Review

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<sup>1</sup> Being those supplying 100 persons or more

<sup>2</sup><https://www.health.govt.nz/our-work/environmental-health/drinking-water/government-inquiry-havelock-north-drinking-water-outbreak>

- [17] Parallel to the Havelock North Enquiry, The Three Waters Review was established in mid-2017 by Government, as a cross-agency initiative led by the Department of Internal Affairs (DIA) to look into the challenges facing our three waters system; and to develop recommendations for system-wide performance improvements.
- [18] The Review seeks several major outcomes:
- a. Safe, acceptable (taste, colour and smell) and reliable drinking water.
  - b. Better environmental performance from our water services.
  - c. Efficient, sustainable, resilient and accountable water services.
  - d. Achieving these aims in ways our communities can afford
- [19] A number of key challenges were also identified by this Review, that are all relatively pertinent to Otago:
- a. The regulation, ownership and governance of related assets and their management and service delivery make up a complex interconnected three waters system.
  - b. Meeting community expectations for water quality, treatment and management e.g. issues such as storm and wastewater discharge onto mahinga kai.
  - c. Meeting regulatory requirements for water quality, treatment and management.
  - d. The ability to replace ageing infrastructure or fund and manage new infrastructure (by local authorities but also for rural communities including marae and papakāinga).
  - e. Declining rating bases in some areas, high growth in others.
  - f. High seasonal demand in small tourism centres.
  - g. Adapting for climate change (including water shortages) and more frequent adverse natural events.
- [20] The Three Waters Review is separate from but related to, the Ministry for the Environment's Essential Freshwater programme, which is a key driver of ORCs current regulatory efforts in the freshwater space. The role of Three Waters systems in contributing to Essential Freshwater aims is relatively obvious, as these systems largely but not entirely encompasses urban areas' physical impacts on water quantity and quality. This includes impacts from demand for water for drinking, runoff from rooves and paved surfaces and landform modification, and wastewater treatment and disposal.
- [21] The intended relationship between these two interrelated workstreams is:
- a. Essential Freshwater is focused on establishing an integrated freshwater management system that ensures all discharges and water users are contributing to the achievement of agreed catchment and regional-level freshwater outcomes.
  - b. Three waters questions relate to how best to achieve safety and improved environmental outcomes in relation to largely, but not exclusively, council-controlled drinking water, wastewater and stormwater systems.
  - c. Emerging three waters regulatory proposals will be designed to be consistent with Essential Freshwater policy options. However, immediate concerns about the safety of drinking water and insufficient oversight of the three waters regulatory system require some proposals to be progressed as part of the Three Waters Review, as agreed by Cabinet.

## TAUMATA AROWAI – THE WATER SERVICES REGULATOR BILL

- [22] The Bill is relatively concise, and its explanatory notes and background documentation describe that further legislation and regulation is forthcoming, containing some more technical aspects of Taumata Arowai such as the specific drinking water regulations they will be responsible for enforcing. As noted above, this is expected to largely replace the existing decentralised and devolved Health Act 1956 based approach.
- [23] The Key parts of the Bills structure are laid out below
- a. Part 1: Preliminaries: Including definitions and interpretation of certain terms (Clause 4)
  - b. Part 2, Subpart 1: Establishes Taumata Arowai as a Crown agent, and sets out its statutory Objectives (Clause 10) and Functions (Clause 11)
  - c. Part 2, Subpart 2: Sets out the requirements of the Board and establishes a Maori Advisory Group to advise the board on Maori interests and knowledge including how to give effect to Te Mana o Te Wai
  - d. Part 2, Subpart 3: Operations including operating principles
  - e. Part 3: Miscellaneous provisions
- [24] The key aspect to note in the Objectives and Functions is that Taumata Arowai is primarily established to be a *regulator and enforcer* of the new (and yet to be announced) drinking water regulatory system, but has a complementary *interest* in improving stormwater and wastewater environmental performance, via leadership, oversight and support.
- [25] The direct impacts on ORC will be relatively minimal in the short term, with local council (and others: See submission) water supply functions being specifically targeted for direct regulation.
- [26] However, the implications for ORC's water management functions, including how that relates to use for human consumption will need to be considered, and having a central government agency that can advocate and provide practical assistance to local authorities with respect to environmental performance of wastewater and stormwater is considered to be largely beneficial.
- [27] There may be some costs to ORC in amending regulations, consents or practices in order to contribute to and meet the higher standards, or new practices and in collaboratively working with the new regulator including information supply and liaison, including in relation to ORCs existing drinking water related regulatory functions and monitoring capability.
- [28] However, the bulk of any potential cost of actually meeting these higher standards will largely fall on the regulated water service providers (and potentially wastewater and stormwater service providers), and ultimately their consumers, either through general rates or user charges. Background documentation has been developed to estimate these direct costs by DIA and they are substantial. As a matter of first principle it generally accepted that the overall social economic and environmental cost to communities of poor water quality is likely to be far higher than the capital outlay needed to bring water supply networks up to standard. However, the financial challenge for many communities

will be significant, especially when wastewater and stormwater environmental performance improvements are also required.

- [29] Other RMA based regulation and reform is also expected to be forthcoming, directly targeting environmental performance, including of wastewater and stormwater networks, some of which has already been foreshadowed in the Essential Freshwater package and the NPSFM and supporting standards, some of which ORC is already starting to implement.

#### **SUBMISSION POINTS ON BILL**

- [30] Staff have focussed the draft submission on modifying two general aspects of the Bill (the remainder of the Bill is largely supported). The reasons for this focus is outlined in the discussion below, and in the appendices:

- a. Clause 4: Definitions –
  - i. some be amended to be consistent with RMA terminologies and caselaw; and
  - ii. separating single dwelling domestic scale systems from commercial or larger schemes to enable right sized regulation in the future;
  - iii. don't limit oversight to council operated systems
- b. Clause 10: Objectives and Clause 11: Functions – to clarify the roles and responsibilities of Taumata Arowai with respect to regional council functions, while welcoming the practical assistance and advocacy that such a body can bring to deliver our shared objectives around integrated management and improved water quality.

- [31] Detail of the suggested changes are included in the Draft Submission (**Attachment 1**), and **Attachment 2** outlines some of the context to the existing situation (at a very high level) in the Otago Region, outlining the contextual basis for the submission and the points made.

- [32] For the most part, but certainly not exclusively, reticulated three waters networks are provided by the respective local authority, (District or City Council's), who therefore will be most affected directly by the proposed Regulator and regulations pertaining to drinking water.

- [33] However, there are significant consented water supply, stormwater and wastewater discharges that are not from Council operated schemes, and therefore the regulator should have the potential to influence and support the performance of these systems. This will require a change to the proposed definitions in the bill to remove the narrow focus on council owned systems.

- [34] In contrast to TAs who all own and operate water supply, wastewater and stormwater systems, ORC's role is more limited in the operations side of the three waters space, and focussed largely on regulation and consenting takes and discharges, generally consenting only larger schemes (as most domestic schemes are permitted). ORC works closely with three waters service providers (including non-TA operators) to improve their environmental outcomes and participates in a number of industry related forums, including the Southern Drinking Water Reference Group (set up in response to

one of the Havelock North Inquiry recommendations – membership includes the Southern DHB, ORC and Environment Southland, 7 TAs, and over 200 registered water suppliers) that is actively exploring better ways of working together to improve practice and water quality<sup>3</sup>.

- [35] ORC also has responsibilities via consenting and plan making functions to maintain the existing quality of existing consented takes for drinking water supply when plan making and consenting under the National Environmental Standard for Drinking Water Standards 2008. In summary this NES means any take or discharge upstream (consented or by way of rule or plan change) must not decrease existing quality of drinking water takes or impact existing drinking water treatment requirements.
- [36] ORC also has other regulatory responsibilities under the existing Health Act 1956 based approach including acting to ensure quality of supply, including duties such as information provision to suppliers and timely direct action to ensure quality is maintained or resumed as quickly as possible. For example, ORC is already responding vigorously to breaches of current drinking water standards in the lower Waitaki Plains due to elevated E.Coli identified in regular aquifer water samples from which many people draw drinking water from private bores<sup>4</sup>.
- [37] The Havelock North Inquiry also highlighted that regional council regulatory and duty of care failings were contributory to that situation. Therefore, it is possible that the historically light touch approach, especially to single site domestic water takes and wastewater will need to change, and a more proactive approach to drinking water source protection especially for community sources is anticipated.
- [38] The ORC does also directly operate a number of flood protection and land drainage schemes, (in some cases overlapping in form, function or location with other three waters systems, and having a range of impacts on natural water quantity and quality) and some of these schemes are used as drinking or stock water sources. A number of consented land irrigation schemes (under a variety of ownership models) and electricity dams (run by the major electricity companies) also operate partly as water suppliers, including as main town supplies.
- [39] Because of the variety, complexity and overlap between the three waters systems and natural water systems and cycles, the definitions used in the Bill should be broad. However, there should be surety around the respective regulatory responsibilities of Taumata Arowai as a new regulator and regional council functions under the RMA to ensure efficiency and effectiveness, and importantly, clarity for those being regulated.

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<sup>3</sup> <https://www.odt.co.nz/regions/cool-clear-safe-water-groups-aim>

<sup>4</sup> Eg <https://www.orc.govt.nz/news-and-events/news-and-media-releases/2018/june/e-coli-found-in-lower-waitaki-plains-aquifer-bores>



- [40] The discussion above and background context justify alterations to the definitions in the Bill to account for the following points:
- a. Three waters services are often highly integrated and the boundaries between network purpose and use are not always definitive,
  - b. Three waters services are not always council provided;
  - c. Small systems are generally more costly to run, maintain and replace on a per capita basis, and generally perform worse over time (largely due to cost per capita pressures)
  - d. Single site domestic systems should be recognised and regulated, but different approaches are needed to deal with the individually small but cumulatively important contribution they make.
- [41] The issues below require highlighting to ensure even though there is overlap in interest, there should be clarity in who and what is regulated:
- a. Consenting, monitoring and enforcement, of water quality and quantity as well as allocation of water issues are relatively technical and complex, and largely appropriately allocated to Regional Councils who can integrate this requirement into existing planning, consenting and monitoring, and Territorial Authorities who can best manage infrastructure and land uses;
  - b. The assistance of a dedicated source of technical expertise with the ability to provide direct assistance to system providers would be beneficial.
- [42] Further detail of how the Bill is submitted to be amended is included in the Draft Submission.

#### **ATTACHMENTS**

1. Draft Submission on the Taumata Arowai Bill [**10.3.1** - 7 pages]
2. Background Context for Taumata Arowai [**10.3.2** - 6 pages]



Our Reference: A1319927

XX February 2020

Committee Secretariat  
Health Committee  
Parliament Buildings  
**Wellington 6160**  
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Dear Committee Secretariat

**Otago Regional Council submission on Taumata Arowai – the Water Services Regulator Bill**

Otago Regional Council welcomes the chance to comment on Taumata Arowai – the Water Services Regulator Bill and is in general support of the proposed functions of the new regulator and looks forward to working constructively with Taumata Arowai, particularly on practical actions to improve water quality.

However, a number of aspects of the Bill suggest that the definitions used to define the scope of Taumata Arowai's interests maybe unnecessarily narrow. This suggestion is balanced by some concern at overlap in Taumata Arowai's role and function with regional councils roles and functions under the RMA, and the submission focuses on highlighting these so they may be clarified, either in this Bill, or in the further Bills as foreshadowed in the Bill's Explanatory Notes and other supporting documentation.

Otago Regional Council will not appear before the committee to speak in support of the submission. Contact details are included at the end of this submission.

The Otago region contains a huge diversity of housing situations, from intensive urban settlements to isolated rural dwellings across diverse and outstanding environments and landscapes. Arrangements for water supply, stormwater management and wastewater treatment for these settlements and dwellings follow a similarly diverse pattern reflecting Otago's long history of human settlement and activity.

Some of Otago's urban areas are growing extremely rapidly (e.g. Queenstown), some are experiencing a recent growth spurt (e.g. Dunedin) and others may remain relatively static or even decline, which brings its own distinct problems. Significant production growth is also being experienced in rural areas, often based on irrigation, that alongside increasing need for workers accommodation and increasing demand for rural lifestyle developments (necessitating water supplies and onsite wastewater treatment) all place pressure on Otago's water resources.

The popularity of the Otago region for visitors seeking to explore the region's outstanding environment and experiences, often focussed on outstanding water bodies, also creates opportunities and challenges.

These challenges extend to managing competing demands in striking a sustainable balance between the ecological functioning, human use, and economic use and development, of and in Otago's water bodies and settlements and therefore requires integration of management between land uses and other resources including water.

ORC supports approaches that practically address integrated management of resources, and in particular improve water quality.

ORC therefore looks forward to working constructively with Taumata Arowai on matters of common interest for the benefit of the people of Otago and its environment.

However, there are a number of matters in the Bill that unnecessarily limit the scope of Taumata Arowai's ability to assist, particularly non-TA operated systems, limit the ability to right-size regulations, and also create some potential overlap in the proposed functions, roles and responsibilities of Taumata Arowai, and those of regional councils under the RMA in relation to water quality.

The two key points of ORC's submission are:

- There are a number of aspects of the Bill that appear to exclude or potentially exclude Taumata Arowai from considering aspects of water supply, wastewater or stormwater operations or outcomes that have no obvious justification and seem at odds with the wider purpose and objectives of the Bill and Taumata Arowai. These comments largely relate to the definitions in Clause 4: Interpretation where some specific suggestions are made.
- There are areas of potential regulatory overlap that need to be resolved to avoid duplication, ensure efficiency and effectiveness for regulators, and clarity for those being regulated. These comments largely relate to the objectives and functions in Clauses 10 and 11: Functions of Taumata Arowai.

In particular, ORC submits (following the order of the Bill):

**Clause 4 Interpretation:**

All scales and forms and ownership structures of drinking water, stormwater and wastewater should be within the potential ambit of Taumata Arowai.

However, it is appropriate for the future application of regulatory standards, enforcement and educative approaches to separate single dwelling domestic scale systems (water supply and wastewater) from multisite or commercial systems.

ORC's planning framework for single site, or relatively small-scale water takes for potable supply, stormwater, and wastewater discharges has been permissive, requiring no consent subject to certain provisions being met (including max volumes, rates, specific area characteristics etc.)

The purpose has been to reflect that the scale of these activities needed minimal regulatory processes. It is timely that ORC will be reviewing all such rules in the near future to determine if this approach will complement the functions, objectives and requirements of Taumata Arowai.

Some consideration should also be given to refinement of the definition of stormwater networks to limit the application to 'networks', (including where they do not exist but probably should), but avoid a requirement to for Taumata Arowai to have to consider regulating every farm or roadside drain (even though collectively these 'small' or 'rural' drain systems can have significant impacts on overall water quality and or quality).

***Storm-Water Network***

***...(b) does not include drainage works in a non-urban area***

- Submit that this specific exclusion be removed
- Unclear on the reasoning for this exclusion, if "drainage works" has a specific meaning then that requires a further definition. Most stormwater system components are by definition drainage works. In Otago there are a number of instances where the 'boundaries' between land drainage schemes, flood protection works, natural watercourses and urban stormwater systems overlap or intersect. Given these interdependencies both functional and natural including this definition may introduce unneeded confusion or limitations on Taumata Arowai's interests or regulatory abilities.
- Impacts on the environment by the concentration and diversion of surface water in non-urban areas, may be more dispersed or less obvious as generally activities are less dense and have lower overall impervious coverage, but this is not always the case (many industrial or infrastructure activities occur in non-urban areas), and they should be subject to the same standards as other infrastructure;
- Urban Stormwater networks may have components (e.g. quality or quantity treatment devices, pipes, channels or even natural watercourses used as part of the network) that are located, traverse or effect extend well beyond the urban area it relates to.
- As a matter of practice, Taumata Arowai can prioritise its interests to avoid minor disconnected components of modified natural drainage systems such as road culverts or farm diversions or drains, where they make no discernible difference to water quality rather than being statutorily limited by a potentially inappropriate and unclear (and therefore challengeable) definition.

***Wastewater Network***

- Submit that this definition needs changing
- The definition as worded would appear to encompass onsite wastewater treatment, as all of the listed features are usually part of such systems.
- **ORC supports** this interpretation, but in order to appropriately separate the level of oversight and regulation between large multi-user or urban schemes and single site systems, an approach similar to that outlined in *drinking water supplier* is suggested.

**Wastewater Network Operator –**

- Submit that the definition needs amending
- The definition should relate to the *function* of wastewater network operation, and not be restricted to particular *ownership* arrangements, particularly given other regulatory developments in relation to other aspects of urban development including alternative funding and delivery models (e.g. Special Purpose Vehicles under the Infrastructure Funding and Finance Bill, or infrastructure taken over or installed and operated by Kainga Ora within a Specified Development Project under the Urban Development Bill).
- This definition would exclude onsite wastewater treatment devices (unless it is on a site owned by one of the noted organisations). Given the breadth of ownership of large-scale systems by parties as diverse as industrial site operators, offshore installations, defence and other civic or public infrastructure providers, it is the facilities not the owner that should all be subject to the same regulations and oversight. ORC has a number of consented wastewater discharges to both fresh water and the coast (and to land) within its region that would not be able to benefit from Taumata Arowai's assistance, advice and oversight if the current definition were maintained. Council ownership does not seem to be a suitable defining quality for determining regulatory oversight, and it could be argued that non-TA operated networks would benefit the most from Taumata Arowai's assistance and advice, given these systems do not form part of the operators core day to day business but are secondary to it.
- Scale: The treatment of wastewater onsite from individual properties could have significant individual or cumulative effects on drinking water supply (e.g. for nearby or downstream properties taking bore or surface water) and water quality generally including groundwater, rivers and estuaries. ORC has undertaken research on this matter and while it can be difficult to determine direct causative effects, it is feasible that such impacts could arise, and limiting such potential for impacts is the entire basis of existing standards<sup>1</sup>. Therefore it is submitted they should be within the possible ambit of Taumata Arowai, particularly as education, best practice and advocacy (including to Local Authorities who are directly responsible for regulation) are key means by which the ongoing performance of these individually small but cumulatively significant existing systems can be improved, over and above the regulation of the design and operation of newly installed systems.
- Suggest that wastewater definition is drafted in a similar way to that used for drinking water supplier (noting also comments relating to the non-exclusion of regulation of single-site systems)

**Potential Areas of Duplication or Overlap with Regional Council Functions under the RMA.**

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<sup>1</sup> See for example the now withdrawn proposed National Environmental Standard for On-Site Wastewater: <https://www.mfe.govt.nz/publications/rma/nes-onsite-wastewater-systems-discussion-jul08>

ORC has no specific changes to suggest but wishes to point out the role and function of regional councils and how this may interface with Taumata Arowai's Objectives and Functions.

ORC submits that any consequential changes or recommendations the committee sees necessary to give effect to these points, or to clarify the respective roles of Taumata Arowai and regional councils to ensure efficiency and effectiveness for both regulators and clarity for those being regulated.

For the most part, other than in relation to drinking water where the Bill proposes a direct regulatory role, Taumata Arowai's functions with respect to wastewater and stormwater regulation, monitoring and environmental performance are largely coordinative and advisory, including monitoring and provision of information and promotion of understanding. **ORC supports these functions.**

However, these functions also highlight aspects of the Bill where the roles and responsibilities of Taumata Arowai and Regional Councils potentially overlap, including in the regulation, monitoring and environmental performance of wastewater and stormwater networks.

ORC notes that Clause 11 **Functions of Taumata Arowai**, covering a range of matters, and includes a subclause (k) which is a general catch all for anything else Taumata Arowai might wish to do in accordance with its objectives, "*except functions or activities performed by any central government agency or another regulator*".

Given the specific Objectives listed Clause 10 and specific Functions elsewhere in Clause 11, it seems that the exception in Subclause 11(k) above only applies to the '*any other functions that are consistent with its objectives*' and not to the other functions and objectives in the Bill.

In particular these overlaps relate to the environmental performance of wastewater and stormwater networks which are also regional council functions under the RMA, relating to water quality and quantity, diversion of surface water, discharges to land, water, or the coast that are generally managed under Water, Land, or Coast Plans, and District Plan rules that give effect to or are not inconsistent with the Regional Policy Statement, respectively.

In addition, ORC operates a number of Flood Protection Schemes and Land Drainage Schemes that operate, at least in part in some locations, as components of urban stormwater networks, and may also provide a source of irrigation, stock or human drinking water. In addition, a number of private irrigation schemes and dams also provide drinking water to a number of communities including as town supplies. This highlights that the definitions need to be broad to enable Taumata Arowai to influence outcomes appropriately, but within a framework where there are overlapping regulators.

In respect of drinking water suppliers, these schemes are usually operated or managed by territorial authorities or subsidiaries (or private companies – see also comments on the definitions relating to water supply), but do need consents for diversion of water or take from

the regional council in most cases. (ORC does not expect that this water take consenting function would conflict or overlap with Taumata Arowai's functions).

Source protection is also generally managed by the drinking water supplier, where possible often by direct control (ownership of the majority of the land surrounding the reservoir for example) or designation, but there will be many instances where the source, or its catchment(s) overlaps with private land uses, and ORC has responsibilities under the Health Act 1956 to act positively to react to information and ensure quality can be maintained. Regulations under the RMA such as the NES on Drinking Water Standards also require ORC to consider existing water quality not be degraded by plan making or consenting activities but these are relatively reactive and passive approaches and do not enable improvements specifically for human drinking water. RMA S14(3) also expressly allows the take of water for 'reasonable domestic purposes' (including drinking water) and for animal drinking water meaning that these takes are not regulated or managed, and ORC has little information on them.

Groundwater sources are particularly susceptible to impacts from land uses and discharges (including from onsite wastewater treatment and other discharges to land, but also from increased urbanisation and associated impervious surface creation and stormwater systems affecting recharge rates, and abstraction for rural and urban uses), including groundwater used by domestic self-suppliers (e.g., bore water).

The effect of land use including road dust, agricultural spraying, domestic heating and other particulates can also impact on the quality of water obtained via stormwater roof capture for domestic self-suppliers.

This highlights that Taumata Arowai will necessarily have an interest in quite specific aspects of land use, discharges, water take and quality, and potentially road and transportation management, in order to fulfil its objectives and functions, which are split across regional and territorial authority functions under the RMA.

ORC is of the view that having Taumata Arowai as a strong regulator of drinking water standards is likely to have some implications for how District and Regional Councils manage aspects of their land use and water planning functions, and this is appropriate given the need to ensure quality drinking water is available and suitable for human use with the least possible treatment.

Having Taumata Arowai as an advocate, educator, and source of practical assistance to TAs and RCs in relation to stormwater and wastewater network performance is also supported. However, because of the strong integration between the need for, performance and growth of these networks and their impacts, will need ongoing discussions between all parties to minimise duplication of regulatory efforts, even though there will inevitably be some overlap in interests.

ORC is of the view that regional councils are best placed to allocate water resources, and manage aquifers – to implement these functions effectively, the ability to sustainably manage surface flows (impervious surfaces, diversions, recharges) and takes via regulation should also sit with regional councils.

Territorial authorities are also best placed to manage the impacts and effects of land uses (such as impervious surfaces, dust, earthworks and detailed design of onsite wastewater systems including decisions on zoning and density) on these matters consistent with the regional directions, via their resource consenting and plan making functions.

ORC would welcome the practical assistance, best practice guidance and strong advocacy of Taumata Arowai in facilitating a greater level of integration of these concerns into local authority decision making. This is likely to require Taumata Arowai take a direct role as an interested party, submitter and appellant as necessary, consistent with its Objectives and Functions in both the plan making and consenting process.

Yours sincerely

<TBD>

Hon. Marian Hobbs

**Chairperson**

Sarah Gardner

**Chief Executive**

<TBD>

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**ATTACHMENT 2: Background Information: Taumata Arawai – The Waters Services Regulator Bill**

- [1] This appendix provides some background and context to the current state, and regulatory framework (by the ORC) of Water Supply, Wastewater and Stormwater systems in Otago.

**Current Regulation of Water Supply, Wastewater and Stormwater systems in the Otago Region**

- [2] The paragraphs below briefly outline ORCs current regulation and consenting role with respect to three waters systems

- a. **Water Supply:** Regulating, allocating and consenting water takes and dams including by permitted activity standards and consents. Water takes for an individuals 'reasonable domestic needs' and animal drinking water are also expressly enabled by RMA s14(3).

ORC is also required to implement the National Environmental Standard on Drinking Water Standards 2008 which imposes requirements on discharges and takes (when rule making and when granting consents) upstream of existing authorised drinking water abstraction points (and only those serving more than 500 persons for more than 60 days per year) that may impact on existing water quality or affect current treatment approaches.

Irrespective of this requirement, the authorised water taker end user (ie the water supplier) remains responsible for determining the water is suitable for the intended end use themselves, and treating it accordingly, and the NES does not retrospectively apply to any existing consents or plans (its intention is to prevent further decline rather than drive improvement).

A number of consented irrigation schemes and/or electricity dams also operate or provide water supply for domestic uses including town supply as secondary aspects to their main operations, partially for historic reasons and more recently, as part of the mitigation package offered for adverse impacts on local communities.

In Summary, ORC's current role is relatively limited to managing water quality generally by consenting the take or diversion of water and discharges into it, but does not certify or directly control its suitability any given end use, including that the water taken meets, or will continue to meet human drinking water standards. It must however undertake these consenting and plan making functions with an awareness of the impact of takes or discharges on water quality for drinking where this is a known water use. When monitoring and reporting ORC also has an obligation to inform water suppliers about known issues, and take positive actions including cooperation with other agencies to ensure drinking water safety.

- b. **Wastewater:** Regulating and managing discharges from wastewater, including by permitted activity standards (domestic wastewater only) or by consents under Water Plan (S12.A) or Coast Plan (s10.5).

QLDCs recent highly publicised consent application highlights some of the issues that rapid growth exceeding infrastructure capacity and investment can cause, though similar issues are evident over almost all urban wastewater systems in NZ, including areas with limited growth. This occurs for a range of reasons, that are all largely traceable back to a lack of sufficient investment in maintenance and/or renewals necessary to ensure system performance relative to increasing standards and expectations.

- c. **Stormwater:** Regulating and managing discharges to water, particularly certain specified waterbodies from stormwater networks. (Refer Water Plan, Section 12.B, and for coastal discharges, Coastal Plan Section 10.5.3)

The diversion of rainwater from impervious surface creation and the concentration of contaminants (for example from galvanised roofs, copper guttering and downpipes or heavy metals from roads) is not specifically regulated, only the discharge of those contaminants, and only if it is directly to water. For example unless the stormwater discharges directly into specified water bodies, results in visible clarity issues, contamination or foaming, or otherwise causes significant adverse effects, it is permitted.

Lack of clarity about the definition of rivers, and water in pipes (technically not water under the RMA) and the thresholds and boundaries between them, including ORC managed flood protection schemes and council managed urban stormwater networks (which often intertwine with natural stream systems) can also contribute to a lack clarity about lines of responsibility that can frustrate integrated management.

- d. **Other Water Schemes and Systems:** ORC also operates a number of Flood Protection and Land Drainage Schemes under the Land Drainage Act 1908, that are located primarily in rural locations, but with urban interfaces. The Flood Protection Schemes can interact, at least in part with key components of an urban stormwater network, as well as being constructed to protect urban and rural lands from the worst impacts of design flood events. For example, the Water of Leith Flood Protection Scheme is almost entirely within the urban area of Dunedin City.

Changes in existing urban areas, as well as urban growth and development can lead to flow changes that exceed the design parameters of flood protection schemes, negatively impacting its primary function of land drainage and flood protection. (Stormwater runoff from existing and expanding Mosgiel primarily discharges (ultimately) into the Taieri Flood Protection Scheme). Urban and rural runoff may also impact on the quality of water flowing within the schemes which may also serve a secondary purpose as stock water and/or as an irrigation network, especially where stormwater runoff is untreated, or is mixed with wastewater (which may occur in high rainfall or flood events).

#### Otago in the National Context – Background documents to the Bill

- [3] The DIA lead Three Waters Review has generated a significant number of technical reports relating to three waters network governance, management and status. They are available in full here: [https://www.dia.govt.nz/three-waters-review#Reports\\_and](https://www.dia.govt.nz/three-waters-review#Reports_and) provide some useful information on Otago's relative positioning within the national context, which is summarised below.
- [4] Figure 1 below shows the total number and receiving environment of wastewater treatment plants (WWTP) identified in the National WWTP Stocktake report. This table highlights that while there are a small number of larger municipal schemes, given the total number of schemes and Otago's relatively small population and wide dispersal, Otago's WWTPs are likely to be of a smaller scale, and a high proportion of these discharge directly to freshwater.

[5]

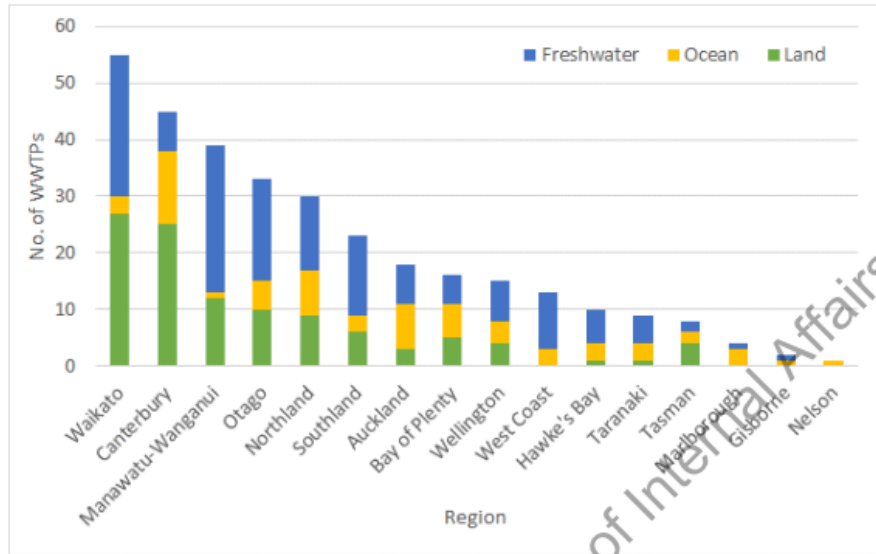


Figure 1: WWTPs within each region and their receiving environments: Source: p11 [https://www.dia.govt.nz/diawebsite.nsf/Files/Three-waters-documents/\\$file/Report-1-National-Stocktake-of-Municipal-WWTPs.pdf](https://www.dia.govt.nz/diawebsite.nsf/Files/Three-waters-documents/$file/Report-1-National-Stocktake-of-Municipal-WWTPs.pdf)

- [6] An earlier Report 'Cost Estimates for Upgrading Wastewater Treatment Plants to meet Objectives of the NPS Freshwater – Final Report September 2018'<sup>1</sup> confirms this general description, of smaller underperforming plants: of the 35 in Figure 1, only 5 served populations larger than 10000 persons, and none of which discharged directly to freshwater<sup>2</sup>, or needed upgrade to meet the NPS standards for Freshwater Attribute B. – This highlights that larger plants tend to be better performing, for a range of reasons not least of all because the ability to train and retain the highly qualified staff require to operate them.
- [7] Of the 20 schemes in Otago identified in the reports that do discharge directly to freshwater, all 20 needed upgrades to meet the NPS standards for Freshwater Attribute B. These 20 schemes were all 'smaller', serving an estimated total population of 23,590, and had an estimated capital upgrade cost in the range of \$120-180 (Millions, \$2018) with an annual cost for each affected household (including Opex) in the range of \$1400-\$2000 p.a. These figures clearly highlights the affordability challenge to smaller communities of improving outcomes from their WWTPs, especially with respect to water quality.
- [8] The report does note however this is not nationally unusual – of the 152 WWTP discharging to freshwater, only 7 were not identified as needing upgrades to meet the NPS standards.

<sup>1</sup> [https://www.dia.govt.nz/diawebsite.nsf/Files/Three-waters-documents/\\$file/Costs-of-wastewater-upgrades-GHD-Boffa-Miskel-Final-report-Oct-2018.pdf](https://www.dia.govt.nz/diawebsite.nsf/Files/Three-waters-documents/$file/Costs-of-wastewater-upgrades-GHD-Boffa-Miskel-Final-report-Oct-2018.pdf)

<sup>2</sup> Technically, the Queenstown WWTP discharges to land not water. The recent QLDC consent application was for unplanned discharges from the network itself, (such as from wet weather overflows, flooding, blockages or damage) rather than from the WWTP. The largest WWTP in the region, the recently upgraded Tahuna WWTP in

- [9] In summary this information confirms the nature of the challenges facing many treatment plants in Otago:
- a. They are often smaller serving small populations
  - b. They discharge to water in ways that don't meet current (or future standards) or align to iwi values
  - c. The direct cost of upgrades is high, but wider cost of continuing to operate as current is also high

[10] Figure 2 below highlights the (re)consenting timeline, which is when new higher standards tend to be implemented (through the application of new planning requirements and/or planned upgrades). Increasingly network providers are starting to anticipate these step-change impacts and are anecdotally much better at starting early on planning and investment programmes, not least of all because the local urban (and rural) communities are also demanding better environmental outcomes. It also highlights that some 13 of 35 (or just over 1/3) of the WWTPs in the region are currently or soon to come in for re consenting, but also that the other 2/3<sup>ds</sup> have long terms to run before they are re consented. Improving the performance of these existing consented discharges via the RMA system can be difficult.

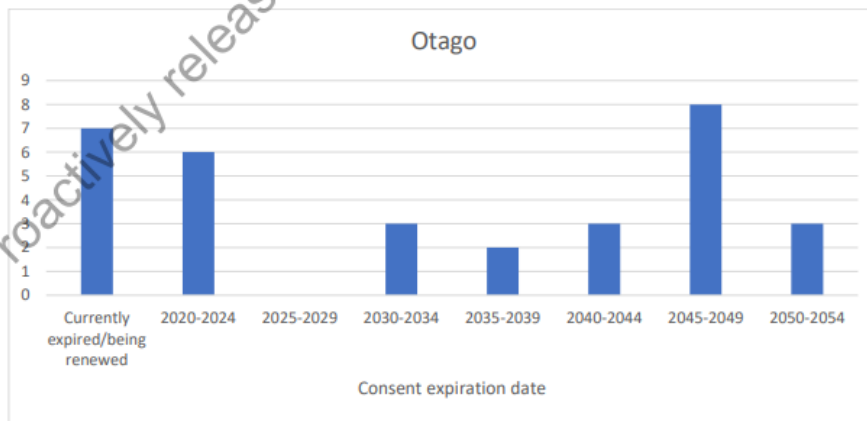


Figure 2: Wastewater Treatment Plant Expiry Dates: Source Appendix 2 [https://www.dia.govt.nz/diawebsite.nsf/Files/Three-waters-documents/\\$file/Report-1-National-Stocktake-of-Municipal-WWTPs.pdf](https://www.dia.govt.nz/diawebsite.nsf/Files/Three-waters-documents/$file/Report-1-National-Stocktake-of-Municipal-WWTPs.pdf)

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Dunedin discharges tertiary treated WW to the sea via a pipeline some 2km offshore from St Kilda/Tomahawk Beach.

- [11] These reports have focused on municipal WWTPs, but the impact of onsite wastewater from domestic systems may be significant, particularly where they are not maintained, or designed incorrectly for the soil conditions. This may be a compounding issue where they are becoming increasingly concentrated, and where domestic water supply is also sourced from underlying aquifers from private bores. In Otago most domestic systems are permitted, recognising that individually they make little impact individually on environmental qualities. However cumulative impacts may be generated and these are more difficult to manage. Also, the approach to many small discharges managed by homeowners will require a different approach to that taken to network systems managers. For this reason, an amendment to the definitions to clarify that include onsite domestic systems are included but that they be separately defined will allow Taumata Arowai to consider their role and right size their responses.

**Consenting Practice and Information at ORC**

- [12] While ORC has rules regarding domestic single dwelling Onsite Wastewater and Groundwater takes, they are designed to avoid the need for resource consent in most circumstances. For example, only the construction of the bore hole requires consent, but not the take (either the volume or end use, so long as it is for domestic purposes and meets all rule provisions, including not being greater than a certain volume per day). The permitted activity rule provisions (for takes or discharges) do not require the user to notify the ORC of their take activity or location. Therefore, ORC does not have records that enable the identification of relative concentration or overlap between existing domestic onsite wastewater systems and domestic ground water takes. This ‘light touch’ approach may need to change in the future, depending on the nature of future regulations and the approach of Taumata Arowai to these issues, and ORCs own response to the findings of the Havelock North Enquiry regarding regional council responsibilities.
- [13] A search of the ORC Consents database for current stormwater and wastewater related discharges to Coast or Fresh Water<sup>3</sup> to determine the nature of the applicants (i.e. are they Territorial Authorities or not?) – this data is summarised below in Table 1.

Count of Current Consents		Applicant Type	
Plan Rule/System	Consent Type	TA	Other
Stormwater	Coastal Discharge Permit	10	
	Discharge to Water Permit		6
	<b>Total SW Permits</b>	<b>10</b>	<b>6</b>
Wastewater	Coastal Discharge Permit	4	
	Discharge to Water Permit	8	2
	<b>Total WW Permits</b>	<b>12</b>	<b>2</b>

Table 1: Current Consents specifically for WW or SW by Applicant Type

<sup>3</sup> Figures vary from the Beca/GHD reports which counts individual WWTP’s, vs the consents database that may bundle several discharges into single consents, excludes non-current consents (including those in processing or lapsed), and possible variations or issues in the specific search terms used).

- [14] This data shows that all (100%) of the current discharge to water permits for stormwater discharges were from applicants that were not Territorial Authorities. This does not mean that there are no discharges to water (or land) from stormwater systems operated by TAs, but rather that discharges from non-TA sources are more likely to exceed the permitted activity standards requirements, and therefore require consent.
- [15] For wastewater related discharges to fresh water, 20% of current permits were from non-TA applicants.
- [16] Despite the potential limitations in the data, this is sufficient to highlight that the current definition in the Bill (limiting Taumata Arowai's interest to TA operated systems) is unlikely to be wide enough to ensure capture of a significant proportion of existing discharges. Furthermore, discharges managed by non-TA applicants are likely to disproportionately benefit from the practical assistance offered by Taumata Arowai as they are likely to be secondary to the main business of the applicant (in contrast to TA's day to day business being concentrated in infrastructure services and operations).
- [17] The discussion above, while largely focussed on WWTPs, largely confirms the broader issues identified in the Three Waters Review do largely apply to Otago, and that having a dedicated regulator and national advocate to assist local councils with expertise and support, including the possibility of financial assistance, and also providing support to ORC in its consenting and regulatory function to improve environmental performance of wastewater and stormwater could be beneficial. It also highlights that the three waters are highly integrated, including with natural functioning and rural land uses and it will be important to ensure clear boundaries between the respective roles of two regulators in this complex space.

#### 10.4. ECO Fund Decision Panel - March 2020

**Prepared for:** Council  
**Report No.** GOV1893  
**Activity:** Governance Report  
**Author:** Lisa Gloag, Manager Communications and Engagement  
**Endorsed by:** Sally Giddens, General Manager People, Culture and Communications  
**Date:** 19 February 2020

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#### PURPOSE

- [1] To inform the timelines of the March 2020 funding round of the ECO Fund and the requirement that three Councillors are selected for the ECO Fund decision panel, prior to the funding round.

#### RECOMMENDATION

*That the Council:*

- 1) **Approves** a change to the ECO Fund decision panel Terms of Reference to allow the Chair of the ECO Fund to appoint a decision panel of three additional Councillors for each round of funding.
- 2) **Notes** that once the panel members have accepted their appointment, staff will contact the selected Councillors to initiate the process for the March 2020 funding round.

#### BACKGROUND

- [2] ECO Fund applications for the March 2020 funding round will be open from 1-20 March 2020. An ECO Fund decision panel needs to be established, so that a date can be set in early April 2020 for the decision panel to meet. Recommendations from the decision panel will be brought to the Council meeting on 29 April 2020.
- [3] As in the ECO Fund Terms of Reference, individual panel member's names will not be made available and will be redacted from any documents provided in response to an OIA request.

#### ATTACHMENTS

1. ECO Fund Decision Panel Terms of Reference 2020 update [10.4.1 - 3 pages]



## TERMS OF REFERENCE

### ECO Fund Decision Panel

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#### **Purpose and function of the decision panel**

- Assess all ECO Fund applications and give them a score according to the assessment checklist
- Provide recommendations to full council on which applications should receive funding (recommendations made by the panel are not final and must be agreed upon by the full council)
- Maintain a relationship with Communications and Engagement team
- Provide feedback on this process when the ECO Fund is reviewed yearly

The decision panel will comprise four members of council, with a permanent Chair and three other councillors who will rotate each funding round so councillors are given the opportunity to be on the decision panel. A Deputy Chair will take over the Chair's duties if they are unable to fulfil them for any reason.

The Chair of the ECO Fund decision panel will appoint three councillors to the decision panel each round.

~~Communications and Engagement~~sStaff will manage the administration of the applications and do an initial check of applications against the criteria and terms & conditions. Staff will work with the Chair to coordinate a meeting for the ECO Fund decision panel and will also attend the meeting.

#### **How the decision panel operates**

The ECO Fund decision panel will meet after each funding round has concluded but prior to the following council meeting.

- Funding round one: 1-20 October
- Funding round two: 1-20 March

The length of meetings will depend on the amount of applications received. Four hours should be put aside and the date, time and location of meetings will be managed through the Chair in collaboration with the Communications and Engagement team.

As the ECO Fund amount of \$250,000 per year is split into two funding rounds there is \$125,000 available in each round. Panel members should seek to make decisions according to this number.

#### **Reporting**

The ECO Fund Decision Panel will report to council at the next meeting following each application round.





### **Timeframe**

The ECO Fund will be reviewed yearly. This review will determine whether the decision panel as agreed in this document will still stand or amendments are made.

### **Please remember the following principles as you assess applications to the ECO Fund:**

**Definition of the fund as advertised: "Otago Regional Council's (ORC) ECO Fund supports community-driven projects that protect, enhance and promote Otago's environment"**

- The applications must remain confidential. They may have commercial sensitivity and are the intellectual property of the organisation making the proposal.
- The work of the selection panel will be subject to both the Privacy Act 1993, and the Local Government Official Information and Meetings Act 1987. Proposers can request information about the process and about any information pertaining to them. Individual panel members' names will not be made available and will be blanked out of any papers provided in response to an OIA request. However, members should be aware that comments on score sheets and in meeting minutes are discoverable.
- Full and proper consideration against ECO Fund criteria be given to each and every proposal.
- A record of our rankings and comments will be kept, and collective discussions and decisions regarding the ranking of each proposal will be recorded.
- Should an application be unsuccessful but re-considered in a subsequent funding round, rankings will be amended according to any further information provided.
- Declare any conflicts of interest i.e. any involvement or relationship that may reduce your objectivity about any proposal. If you are not sure, declare and your concern can be considered.
- Do not accept hearsay as a basis for decision making. Your judgement is to be based on what you find in the written proposal, not on any other information.
- Personal knowledge should also be excluded from the panel's deliberations. It is expected that selection will be based only on what's in the proposal.
- It is important for you to bear in mind that you are making recommendations for expenditure of public funds, and you should consider best value.
- It is important that the panel arrives at a consensus or common understanding on each assessed item, by the end of the selection meeting. You can, however, agree to disagree and this bringing together of disparate views will be recorded.

### **Conflicts of Interest**

Decision panel members will maintain a clear separation between their personal interests and their duties as elected members in order to ensure that they are free from bias (whether real or perceived). Members therefore must familiarise themselves with the provisions of the Local Authorities (Members' Interests) Act 1968 (LAMIA).

Members will not participate in any Council discussion or vote on any matter in which they have pecuniary interest, other than interest in common with the general public. This rule also applies where the member's spouse/partner/family member contracts with the authority or has a pecuniary interest. Members shall make a declaration of interest as soon as practicable after becoming aware of any such interests.



If a member is in any doubt as to whether or not a particular course of action (including a decision to take no action) raises a conflict of interest, then the member should seek guidance from the Chair immediately. Member may also contact the Office of the Auditor General for guidance as to whether they have a pecuniary interest, and if so, may seek an exemption to allow that member to participate or vote on a particular issue in which they may have pecuniary interest. The latter must be done before the discussion or vote.

*Please note:* Failure to observe the requirements of the LAMIA could potentially invalidate the decision made, or the action taken, by the Council. Failure to observe these requirements could also leave the elected member open to prosecution. In the event of a conviction, elected members can be ousted from office.

- Declaration of conflict
  - Members and observers are responsible for declaring any real or potential conflict of interest to the Chairperson, as soon as the conflict arises.
- Management of conflict of interest
  - Conflicts of interest will be enforced by the Chair or if a conflict of interest arises involving the Chair, the Deputy Chair will step in. In the case of a conflict of interest arising, the affected Councillor will be asked to step aside from conversation within the decision panel.

### 10.5. Request for Ministerial Call-In

**Prepared for:** Council  
**Report No.** P&S1822  
**Activity:** Governance Report  
**Author:** Anita Dawe, Acting Policy Manager  
**Endorsed by:** Gwyneth Elsum, General Manager Strategy, Policy and Science  
**Date:** 20 February 2020

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#### PURPOSE

To consider requesting the Minister for the Environment call in Plan Change 7 – Water Permits, and Plan Change 8 – Discharge Management under section 142 of the Resource Management Act 1991(the Act).

#### EXECUTIVE SUMMARY

- [1] The ORC currently has three water plan changes and one waste plan change underway. These plan changes are interim steps in the development of a fully “fit-for-purpose” planning framework.
- [2] Three of these plan changes will be coming to Council before the end of March 2020 for approval to be notified. Staff believe these proposed plan changes potentially meet the criteria for a Ministerial call-in under section 142 of the Resource Management Act 1991(the Act).
- [3] This paper provides the reasoning and analysis behind the proposal to Council to request the Minister for the Environment call in Plan Change 7 – Water Permits, and the Omnibus Plan Change, comprising Plan Change 8 – Discharge Management and Plan Change 1 – Dust Suppressants and Landfills, under section 142 the Act.

#### RECOMMENDATION

*That the Council:*

- 1) **Receives** this report.
- 2) **Approves** the recommendation to request the Minister for the Environment call in Water Plan Change 7 – Water Permits, for the reasons set out in this report; and
- 3) **Approves** the recommendation to request the Minister for the Environment call in Water Plan Change 8 – Discharge Management and Waste Plan Change 1 – Dust Suppressants and Landfills; and
- 4) **Recommends** that the Chair write to the Minister, requesting a call in of the Plan Change(s), in accordance with the letters attached to this report; or
- 5) **Recommends** that the Chair write to the Minister, requesting a call in of the Plan Change(s), in accordance with the letters attached to this report, and any amendments as a result of today’s meeting.

## **BACKGROUND**

- [4] In December last year, the Otago Regional Council (ORC) agreed to a programme of work, identified by the Minister for the Environment as a result of his investigation into the Planning framework in Otago. This programme of work includes a series of plan changes to the Regional Plan: Water to be notified by 31<sup>st</sup> March 2020 and a review of the Regional Policy Statement to be notified by November 2020.
- [5] The first part of that work programme was to continue to progress Water Plan Change 6AA which extends the dates that discharge rules come into effect. In addition, the work programme identified the development of a plan change for a short term, relatively low-cost consent process to manage deemed permits (the Water Permits Plan Change), and an Omnibus Plan Change to address water quality in response to policy gaps created by Plan Change 6AA.
- [6] Council approved the adoption of the decisions on Plan Change 6AA in January this year, and the decision was publicly notified on Saturday 8 February. The decision is currently in the appeal phase.
- [7] The development of a water plan change for the short term consent process for deemed permits, and the development of the omnibus plan change are the next phases in the agreed work programme, and those two pieces of work are the subject of this paper.

## **ISSUE**

- [8] The development of a short term, relatively low-cost consent process, called Plan Change 7 – Water Permits (WPPC) is intended to be notified on Wednesday 18<sup>th</sup> March, subject to Council approval to notify on Wednesday 11<sup>th</sup> March. The WPPC has undergone the first statutory consultation process, which is the Clause 3 (First Schedule) consultation, and is currently in the second statutory consultation process, which is the Clause 4A (First Schedule) consultation with iwi authorities. The Clause 4A consultation concludes on Wednesday 26 February.
- [9] The Omnibus Plan Change - which is effectively two plan changes – Plan Change 8 to the Regional Plan: Water, called Discharge Management, and Plan Change 1 to the Regional Plan: Waste - is intended to be notified on Tuesday 31<sup>st</sup> March, subject to Council approval to notify on Wednesday 25<sup>th</sup> March. The Omnibus Plan Change is currently in the first statutory consultation process, which is the Clause 3 (First Schedule) consultation.
- [10] Both of these plan change processes, being the WPPC and the Omnibus plan change are important steps in progressing Otago's water management framework, and both go some way to giving effect, in part, to the NPSFM (ORC's Progressive Implementation Programme provides for giving effect to the NPSFM in stages).
- [11] Generally, plan change(s) are subject to the full First Schedule consultation process, and once notified, a local authority must have made decisions on those plan changes within two years of the date of notification. This process provides for submissions, further submissions, a hearing (if there are submissions) and then decisions. Substantive appeals to the Environment Court may then follow the decision notification.

- [12] If a standard plan change runs through a typical First Schedule process, and has appeals to the Environment Court, a decision, in practice, is generally more than three years from the original notification date. For matters that have urgency or are particularly significant, utilising an alternative approach can be more appropriate.
- [13] Given that ORC is developing a new Land and Water Regional Plan (LWRP), to be notified by 2023, having three outstanding plan changes undecided would not be particularly efficient, nor helpful for the overall LWRP framework. Staff therefore believe there is merit in assessing whether the above plan changes meet the criteria for a Ministerial call-in.
- [14] Section 142 of the Act provides a mechanism for the Minister for the Environment to call in a matter that is, or is part of, a proposal of national significance. There are a range of criteria to support a call in to the Minister, as outlined in Section 142(3)(a) of the Act.

**142 Minister may call in matter that is or is part of proposal of national significance**

*[(3) In deciding whether a matter is, or is part of, a proposal of national significance, the Minister may have regard to—*

- a) any relevant factor, including whether the matter—*
  - i) has aroused widespread public concern or interest regarding its actual or likely effect on the environment (including the global environment); or*
  - ii) involves or is likely to involve significant use of natural and physical resources; or*
  - iii) affects or is likely to affect a structure, feature, place, or area of national significance; or gives effect to a national policy statement and is one that is specified in any of paragraphs (c) to (f) of the definition of matter in section 141; or]]*
  - iv) affects or is likely to affect or is relevant to New Zealand's international obligations to the global environment; or*
  - v) results or is likely to result in or contribute to significant or irreversible changes to the environment (including the global environment); or*
  - vi) involves or is likely to involve technology, processes, or methods that are new to New Zealand and that may affect its environment; or*
  - vii) is or is likely to be significant in terms of section 8; or*
  - viii) will assist the Crown in fulfilling its public health, welfare, security, or safety obligations or functions; or*
  - ix) affects or is likely to affect more than 1 region or district; or*
  - x) relates to a network utility operation that extends or is proposed to extend to more than 1 district or region; and*
- b) any advice provided by the EPA.]*

**DISCUSSION**

- [15] Satisfying the criteria in section 142(3) to enable the Minister to consider a call-in, is the first matter to be addressed. Table 1 below analyses the WPPC against the relevant criteria. Based upon this analysis, the WPPC **would satisfy** the criteria for a call-in under section 142.

Criteria	WPPC
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<p><i>Has aroused widespread public concern or interest regarding its actual or likely effect on the environment (including the global environment)</i></p>	<p><b>Meets this criterion.</b> The management of deemed permits and transition to water permits are issues that have aroused widespread public concern, from every sector of Otago. The proposal to transition from deemed permits, and manage all water permits, until a new LWRP is developed will affect all water permit holders who need to renew their permits and will also affect opportunities for uses of water for cultural and recreational purposes. ORC has been actively engaged in the Manuherekia, Arrow and Cardrona catchments and the Lindis catchment on deemed permit issues and the level of public concern and interest across those catchments has been significant. Given that deemed permits are located more widely across Otago than just those catchments, the level of interest for the plan change is anticipated to be widespread, as evidenced by the abovementioned catchments.</p>
<p><i>Involves or is likely to involve significant use of natural and physical resources</i></p>	<p><b>Meets this criterion.</b> The WPPC will affect any person who wishes to apply for a water permit and any person who holds a current permit that requires replacement. The availability or otherwise of freshwater as a resource, in the face of competing uses, is significant in some catchments in Otago.</p>
<p><i>Affects or is likely to affect a structure, feature, place or area of national significance</i></p>	<p><b>Meets this criterion.</b> This plan change will affect, or likely affect the Taieri Scroll Plain, which is a large wetland in the Maniototo and Styx Basins, and the only one of its kind in New Zealand. The Taieri River also has several internationally and nationally recognised geological and landform features.<sup>1</sup></p> <p>In addition, Otago is home to a suite of nationally important non-migratory <i>Galaxias</i> taxa. Two have nationally critical threatened status, five are nationally endangered, and five are nationally vulnerable<sup>2</sup>. Changes to the water management framework is likely to affect these places of national significance.</p>
<p><i>Gives effect to a national policy statement and is one of the matters specified in paragraphs c to f of the definition of matter</i></p>	<p><b>Meets this criterion.</b> The main purpose of the plan change is to develop a framework for managing deemed permits and their transition to water</p>

<sup>1</sup> Appendix 9 of the Otago CMS Significant Geological features landforms and landscapes lists the Taieri Scroll Plain is a geopreservation site of national and/or international significance; the Upper Taieri scroll plain as an outstanding natural feature or landscape;

<sup>2</sup> Correspondence to ORC, in response to Clause 3 First Schedule Consultation, Department of Conservation.

<i>in section 141</i>	permits. However, the WPPC will also, in part, give effect to the NPSFM and particularly Objectives B2, B3, and B5.
<i>Affects or is likely to result in or contribute to significant or irreversible changes to the environment (including the global environment)</i>	<b>Does not meet this criterion</b>
<i>Involves or is likely to involve technology, processes, or methods that are new to New Zealand and that may affect its environment</i>	<b>Does not meet this criterion</b>
<i>Is or is likely to be significant in terms of section 8</i>	<b>Meets this criterion.</b> Section 8 requires all persons exercising functions and powers under this act, in relation to managing the use, development, and protection of natural and physical resources, to take into account the principles of the Treaty of Waitangi. Some of those principles <sup>3</sup> are the principle of partnership, including the duty to act reasonably, honourably and in good faith, to ensure the needs of both Māori and the wider community are met, which will require compromise on both sides, the principle of mutual benefit or mutual advantage as a cornerstone of the Treaty partnership, the principle of choice/options, and the principle of tino rangatiratanga which includes management of resources and other taonga according to Māori cultural preferences. Managing water, including providing choices and managing according to cultural preferences are important aspects of freshwater in Otago.
<i>Will assist the Crown in fulfilling its public health, welfare, security, or safety obligations or functions</i>	<b>Does not meet this criterion</b>
<i>Affects or is likely to affect more than 1 region or district</i>	<b>Meets this criterion.</b> The WPPC affects deemed permit holders in at least the Dunedin City, Queenstown Lakes, and Central Otago Districts. The permits are for a variety of uses – including irrigation, domestic, stock drinking and hydroelectricity.
<i>Relates to a network utility operation that extends or is proposed to extend to more than 1 district or region</i>	<b>Meets this criterion.</b> Network Utility Operators <sup>4</sup> includes an electricity operator or electricity distributor, or someone who undertakes or proposes to undertake the distribution of water for supply (including irrigation). Trustpower, Contact Energy and Pioneer Energy hold either

<sup>3</sup> <https://waitangitribunal.govt.nz/assets/Documents/Publications/WT-Principles-of-the-Treaty-of-Waitangi>

<sup>4</sup> Defined by s166 RMA

	deemed permits or water permits and are NUO in Otago. They distribute power across Otago and feed into the National Grid.
<i>Any advice provided by the EPA</i>	<b>Does not meet this criterion</b>

[16] Table 2 below undertakes a similar analysis of the Omnibus Plan Change against the criteria. While not satisfying as many criteria as the WPPC, the Omnibus Plan Change **could** satisfy the criteria for a call-in.

<b>Criteria</b>	<b>Omnibus</b>
<i>Has aroused widespread public concern or interest regarding its actual or likely effect on the environment (including the global environment)</i>	<b>Does not meet this criterion.</b> The Omnibus plan change is not widely known, and therefore does not meet this criterion however the implications will be widespread, across rural and urban Otago. Stakeholder engagement to date has been with key stakeholders rather than the broader community.
<i>Involves or is likely to involve significant use of natural and physical resources</i>	<b>Does not meet this criterion.</b>
<i>Affects or is likely to affect a structure, feature, place or area of national significance</i>	<b>Does not meet this criterion.</b>
<i>Gives effect to a national policy statement and is one of the matters specified in paragraphs c to f of the definition of matter in section 141</i>	<b>Meets this criterion.</b> The Omnibus Plan change will address some known water quality gaps in the Regional Water Plan: Otago framework. It also will provide some alignment with parts of the proposed NES for Freshwater.
<i>Affects or is likely to result in or contribute to significant or irreversible changes to the environment (including the global environment)</i>	<b>Does not meet this criterion.</b>
<i>Involves or is likely to involve technology, processes, or methods that are new to New Zealand and that may affect its environment</i>	<b>Does not meet this criterion.</b>
<i>Is or is likely to be significant in terms of section 8</i>	<b>Meets this criterion.</b> Section 8 requires all persons exercising functions and powers under this act, in relation to managing the use, development, and protection of natural and physical resources, to take into account the principles of the Treaty of Waitangi. Some of those principles <sup>5</sup> are the principle of partnership, including the duty to act reasonably, honourably and in good faith, to ensure the needs of both Māori and the wider community are met, which will require compromise on both sides, the principle of mutual benefit or mutual advantage as a

<sup>5</sup> <https://waitangitribunal.govt.nz/assets/Documents/Publications/WT-Principles-of-the-Treaty-of-Waitangi>



	cornerstone of the Treaty partnership, the principle of choice/options, and the principle of tino rangatiratanga which includes management of resources and other taonga according to Māori cultural preferences. Managing water, including providing choices and managing according to cultural preferences are important aspects of freshwater in Otago.
<i>Will assist the Crown in fulfilling its public health, welfare, security, or safety obligations or functions</i>	<b>Does not meet this criterion.</b>
<i>Affects or is likely to affect more than 1 region or district</i>	<b>Meets this criterion.</b> The Omnibus will affect all of Otago, including all the districts. Controls on intensive winter grazing, and residential development have region wide implications. Landfill rules are likely to affect all territorial authorities across Otago.
<i>Relates to a network utility operation that extends or is proposed to extend to more than 1 district or region</i>	<b>Does not meet this criterion.</b>
<i>Any advice provided by the EPA</i>	

[17] If Council is satisfied that there are sufficient grounds to request a call-in, it also needs to outline a process to recommend to the Minister. The process for managing a plan change would be either to refer it to a Board of Inquiry (BoI) or a direct referral to the Environment Court. Both these options mean that no appeals would be available to the Environment Court and appeals on points of law only would be available to the High Court.

## OPTIONS

[18] Section 142(2) of the Act provides that if the Minister considers that a matter is or is part of a proposal of national significance, the Minister may call in the matter by making a direction to either refer the matter to a Board of Inquiry for decision or refer the matter directly to the Environment Court.

[19] Staff believe, given the importance of the two planning processes above, their widespread impact, and the importance of a time efficient process, Council should write to the Minister and ask for him to consider calling in the applications, and recommend that, should be request be successful, a BoI process would be preferable.

[20] Staff consider that a Board of Inquiry process would be the most appropriate process of the two options. The reasons for this are that a BoI has a statutory time frame within which to make a decision as compared to the Environment Court that is not time bound. In addition, because of the structure and makeup of a BoI panel, it is more akin to a local hearing process and therefore more accessible to the general public.

[21] The BoI panel would be appointed by the Minister, with the local authority asked to make recommendations for potential Panel members. The BoI panel is required to be at least three members and no more than five members. Requirements of Board members

include knowledge of the law, expertise in the subject matter, expertise in tikanga, an ability to effectively manage the witnesses, including cross - examination, and knowledge of the local area.

- [22] If the request for call-in was approved, the process would then be set out, once the plan changes were notified.
- [23] The Minister is not obliged to initiate a call-in, and if he chose not to do so, the process would revert to a standard First Schedule process and be managed by ORC.
- [24] If the request was not approved, ORC would need to bring together an appropriate hearing panel(s) to hear and decide on the plan changes. Given the workloads across freshwater planning around the country, having suitably qualified persons to sit on a panel may be problematic. This point should also be illustrated to the Minister, in order that he is fully aware of any operational constraints.

## **CONSIDERATIONS**

### **Policy Considerations**

- [25] Having the ability to run a BoI process for the plan change(s) will result in a timelier process. This provides benefits in terms of clarity for the community on planning provisions sooner than otherwise would occur.
- [26] Finalising plan changes fast allows focus and efforts for both ORC and the community on delivering the reviewed RPS and in the medium term, on developing robust water management solutions through the LWRP rather than focusing on the temporary “quick fixes”.
- [27] The NPSFM provides for Councils to stage their response to giving effect to it, provided they have a Progressive Implementation Programme (PIP). Both these planning processes will give partial effect to the NPSFM, and the NPSFM will be fully given effect to once the new LWRP is developed.

### **Financial Considerations**

- [28] Both these planning processes were unplanned and hence unbudgeted however there was some expectation of plan change processes and the budget assigned to that will offset the costs associated with these processes.
- [29] The full cost of the process, irrespective of whether it is through a BoI or the standard First Schedule process is funded by the local authority.

### **Significance and Engagement**

- [30] Both these processes are considered to be significant and affect a wide spectrum of the community. Because they will go through some public participatory process, either a call-in, or a First Schedule process, this is considered to satisfy the Significance and Engagement Policy.

### **Legislative Considerations**

- [31] Section 142 of the Act provides a pathway for proposals that are nationally significant, to be managed in such a way that the process can be more streamlined, efficient and timely. The criteria for national significant are met or exceeded for both processes, and a request would be able to be considered by the Minister.
- [32] The Act also outlines that, should the request not be accepted, the processing reverts to one managed by the relevant local authority.

### **Risk Considerations**

- [33] There are several risks associated with this process, and this paper. Council could decide to agree to request a call-in, but then not approve one or all the plan changes for notification later in March. This would undermine ORC's ability to comply with the work programme directed by the Minister.
- [34] There may be a risk that the general public feel a BoI process is not fully participatory or is less accessible than a local hearing process. While this is not the case and the same rights to submit by any person are available, Council could elect to appoint a 'friend of the submitter' to assist lay people to understand the process, expectations and format of any BoI hearing.
- [35] There are obvious risks that the Minister declines one, or all the requests for a call-in. Given the time frames for a First Schedule process outlined above, this would create risk for the integrity of the LWRP once it is developed as there may be outstanding plan changes being resolved when the new framework is notified.
- [36] There is a financial risk in that a BoI process will be more costly than a standard hearing (due to the expertise and number of members) however this is offset by a reduction in costs by having no appeals to the Environment Court. Costs for a BOI process will fall upfront, rather than falling through litigation.

### **NEXT STEPS**

- [37] Formally request the Minister consider a call-in for the plan changes identified above.
- [38] If the Minister chooses not to call any or all of the plan changes in, then the next steps will be to appoint a hearing panel(s) to hear and consider the plan change(s) once notification of each plan change has occurred.

### **ATTACHMENTS**

1. Letter to Minister Parker re WPPC [**10.5.1** - 2 pages]
2. WPPC Comparison [**10.5.2** - 2 pages]
3. Letter to Minister re Omnibus [**10.5.3** - 2 pages]
4. Omnibus Comparison [**10.5.4** - 2 pages]

Hon David Parker

Minister for the Environment

Address

Address

27 February 2020

BY EMAIL

Dear Hon Mr Parker

**Request to Consider Using Ministers Powers under Section 142(2) of the Resource Management Act 1991 – Plan Change 7 – Water Permits**

In December 2019 the Otago Regional Council (ORC) committed to an agreed work programme in response to your recommendations on the Skelton Investigation which includes, in the short term, two plan changes. The plan changes will address the transition from deemed permits to water permits over the next five years, and policy gaps in water quality, particularly while our new Land and Water Regional Plan is prepared.

Plan Change 7 – Water Permits (WPPC) is intended to be notified on 18 March 2020 to ensure we remain on track to meet your expectations under S24A of the Resource Management Act 1991, and is subject to Council approval to notify on 11<sup>th</sup> March. The Plan Change has completed both statutory pre-consultation stages, being Clause 3 (First Schedule) and Clause 4A (First Schedule), and all feedback received during those stages has been considered.

When you wrote to us with your recommendations in November 2019, you outlined a willingness to meet with ORC to discuss how you could best assist ORC to achieve the plan changes within the recommended timeframes. We are now seeking your assistance and request that you consider a Ministerial Call-In for this Plan Change for consideration by a Board of Inquiry.

ORC has considered the significance of the WPPC and believes that it meets several criteria outlined in section 142(3) of the Act, noting that previous decisions under S142 may have met only one of the criteria. In particular, the WPPC satisfies seven of the 11 criteria, including generating widespread concern or interest, affecting more than one district, and likely to be significant in terms of section 8 of the Act. A full assessment of the proposal against the criteria in section 142(3) is attached to this letter.

Of particular importance, catchments affected by deemed permits across Otago are home to particularly vulnerable *Galaxias* taxa, two of which are nationally critical, five of which are nationally endangered, and five of which are nationally vulnerable.<sup>1</sup> Otago is also home to the Taieri River and

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<sup>1</sup> Correspondence to ORC in response to Clause 3 consultation, Department of Conservation

Taieri Scroll Plain which may be impacted by the WPPC. The Taieri Scroll plain is an internationally and nationally significant geopreservation site and an outstanding natural feature.

In addition to meeting the criteria for nationally significant proposals, ORC is mindful of the longer-term goal of developing a new framework to manage freshwater quality and quantity, and manage land uses through the LWRP. We are concerned that running a traditional process to facilitate an operational Plan Change will not meet your expectations or those of our community. We do not want to be in a position where we have outstanding plan changes still in the appeals phase at the time that our new Land and Water Regional Plan is notified.

ORC has considered the two pathways available for a plan change that has been called in, and if asked to identify a preference, would prefer a Board of Inquiry process. This is because:

- it is time bound, and therefore removes some of the risks associated with still being engaged in litigation when the LWRP is notified;
- it is an inquisitorial process and has a slightly reduced formality than a matter heard in the Environment Court; and
- the composition of the panel is required to have some knowledge of the local area, which is important the communities of Otago.

If we do need to follow a traditional process for this Plan Change, we are very concerned about the current availability of Commissioners with suitable skills to hear this Plan Change. As a Board of Inquiry has assistance from the Ministry of Justice through the Environment Court or High Court (retired judges), some of those pressures could be addressed.

We thank you for considering our request. If you would like to discuss any matters raised in this letter, or any point would benefit from further clarification, please contact Sarah Gardner, Chief Executive ORC at [sarah.gardner@orc.govt.nz](mailto:sarah.gardner@orc.govt.nz).

Marion Hobbs (Chair)

## Assessment of WPPC Against s 142(3) Criteria for Call In

Criteria	WPPC
<i>Has aroused widespread public concern or interest regarding its actual or likely effect on the environment (including the global environment)</i>	<b>Meets this criterion.</b> The management of deemed permits and transition to water permits are issues that have aroused widespread public concern, from every sector of Otago. The proposal to transition from deemed permits, and manage all water permits, until a new LWRP is developed will affect all water permit holders who need to renew their permits and will also affect opportunities for uses of water for cultural and recreational purposes. ORC has been actively engaged in the Manuherekia, Arrow and Cardrona catchments, and the Lindis catchment on deemed permit issues and the level of public concern and interest across those catchments has been significant. Given that deemed permits are located more widely across Otago than just those catchments, the level of interest for the plan change is anticipated to be widespread, as evidenced by the abovementioned catchments.
<i>Involves or is likely to involve significant use of natural and physical resources</i>	<b>Meets this criterion.</b> The WPPC will affect any person who wishes to apply for a water permit and any person who holds a current permit that requires replacement. The availability or otherwise of freshwater as a resource, in the face of competing uses, is significant in some catchments in Otago.
<i>Affects or is likely to affect a structure, feature, place or area of national significance</i>	<b>Meets this criterion.</b> This plan change will affect, or likely affect the Taieri Scroll Plain, which is a large wetland in the Maniototo and Styx Basins, and the only one of its kind in New Zealand. The Taieri River also has several internationally and nationally recognised geological and landform features. <sup>1</sup>  In addition, Otago is home to a suite of nationally important non-migratory <i>Galaxias</i> taxa. Two have nationally critical threatened status, five are nationally endangered, and five are nationally vulnerable <sup>2</sup> . Changes to the water management framework is likely to affect these places of national significance.
<i>Gives effect to a national policy statement and is one of the matters specified in paragraphs c to f of the definition of matter in section 141</i>	<b>Meets this criterion.</b> The main purpose of the plan change is to develop a framework for managing deemed permits and their transition to water permits. However, the WPPC will also, in part, give effect to the NPSFM and particularly Objectives B2, B3, and B5.

<sup>1</sup> Appendix 9 of the Otago CMS Significant Geological features landforms and landscapes lists the Taieri Scroll Plain is a geopreservation site of national and/or international significance; the Upper Taieri scroll plain as an outstanding natural feature or landscape;

<sup>2</sup> Correspondence to ORC, in response to Clause 3 First Schedule Consultation, Department of Conservation.

## Assessment of WPPC Against s 142(3) Criteria for Call In

<i>Affects or is likely to result in or contribute to significant or irreversible changes to the environment (including the global environment)</i>	<b>Does not meet this criterion</b>
<i>Involves or is likely to involve technology, processes, or methods that are new to New Zealand and that may affect its environment</i>	<b>Does not meet this criterion</b>
<i>Is or is likely to be significant in terms of section 8</i>	<b>Meets this criterion.</b> Section 8 requires all persons exercising functions and powers under this act, in relation to managing the use, development, and protection of natural and physical resources, to take into account the principles of the Treaty of Waitangi. Some of those principles <sup>3</sup> are the principle of partnership, including the duty to act reasonably, honourably and in good faith, to ensure the needs of both Māori and the wider community are met, which will require compromise on both sides, the principle of mutual benefit or mutual advantage as a cornerstone of the Treaty partnership, the principle of choice/options, and the principle of tino rangatiratanga which includes management of resources and other taonga according to Māori cultural preferences. Managing water, including providing choices and managing according to cultural preferences are important aspects of freshwater in Otago.
<i>Will assist the Crown in fulfilling its public health, welfare, security, or safety obligations or functions</i>	<b>Does not meet this criterion</b>
<i>Affects or is likely to affect more than 1 region or district</i>	<b>Meets this criterion.</b> The WPPC affects deemed permit holders in at least the Dunedin City, Queenstown Lakes, and Central Otago Districts. The permits are for a variety of uses – including irrigation, domestic, stock drinking and hydroelectricity.
<i>Relates to a network utility operation that extends or is proposed to extend to more than 1 district or region</i>	<b>Meets this criterion.</b> Network Utility Operators <sup>4</sup> includes an electricity operator or electricity distributor, or someone who undertakes or proposes to undertake the distribution of water for supply (including irrigation). Trustpower, Contact Energy and Pioneer Energy hold either deemed permits or water permits and are NUO in Otago. They distribute power across Otago and feed into the National Grid.
<i>Any advice provided by the EPA</i>	<b>Does not meet this criterion</b>

<sup>3</sup> <https://waitangitribunal.govt.nz/assets/Documents/Publications/WT-Principles-of-the-Treaty-of-Waitangi>

<sup>4</sup> Defined by s166 RMA

Hon David Parker

Minister for the Environment

Address

Address

27 February 2020

BY EMAIL

Dear Hon Mr Parker

**Request to Consider Using Ministers Powers under Section 142(2) of the Resource Management Act 1991 - Omnibus Plan Change**

In December 2019 the Otago Regional Council (ORC) committed to an agreed work programme in response to your recommendations on the Skelton Investigation which includes, in the short term, two plan changes. The plan changes will address the transition from deemed permits to water permits over the next five years, and policy gaps in water quality, particularly while our new Land and Water Regional Plan is prepared.

The Omnibus Plan Change, which comprises Water Plan Change 8 – Discharge Management and Waste Plan Change 1 – Dust Suppressants and Landfills is intended to be notified on 31 March 2020, subject to Council approval to notify on 25<sup>th</sup> March. The Plan Change has completed the first statutory pre-consultation stages, being Clause 3(First Schedule) and Clause 4A (First Schedule) consultation is due to commence on 9<sup>th</sup> March for one week.

When you wrote to us with your recommendations in November 2019, you outlined a willingness to meet with ORC to discuss how you could best assist ORC to achieve the plan changes within the recommended timeframes. We are now seeking your assistance and request that you consider a Ministerial Call-in of this Plan Change for consideration by a Board of Inquiry.

ORC has considered the significance of the Omnibus Plan Change and believes that it meets the criteria outlined in section 142(3) of the Act. In particular, the Omnibus satisfies three of the 11 criteria, including generating widespread concern or interest and affecting more than one district. A full assessment of the proposal against the criteria in section 142(3) is attached to this letter.

Of particular importance, the Omnibus Plan Change will improve standards for landfill management, will require on-farm storage of Farm Dairy Effluent for the first time in Otago, and will prohibit the use of waste oil as a dust suppressant, among other things. These changes to the *Regional Plan: Water* and the *Regional Plan: Waste* will affect the territorial authorities across Otago, and all dairy farmers in the region.

In addition to meeting the criteria for nationally significant proposals, ORC is mindful of the longer-term goal of developing a new framework to manage freshwater quality and quantity, and manage land uses through the LWRP. We are concerned that running a traditional process to facilitate an operational Plan Change will not meet your expectations or those of our community. We do not want



to be in a position where we have outstanding plan changes still in the appeals phase at the time that our new Land and Water Regional Plan is notified.

ORC has considered the two pathways available for a plan change that has been called in, and if asked to identify a preference, would prefer a Board of Inquiry process. This is because:

- it is time bound, and therefore removes some of the risks associated with still being engaged in litigation when the LWRP is notified;
- it is an inquisitorial process and has a slightly reduced formality than a matter heard in the Environment Court; and
- the composition of the panel is required to have some knowledge of the local area, which is important the communities of Otago.

If we do need to follow a traditional process for this Plan Change, we are very concerned about the current availability of Commissioners with suitable skills to hear this Plan Change. As a Board of Inquiry has assistance from the Ministry of Justice through the Environment Court or High Court (retired judges), some of those pressures could be addressed.

We thank you for considering our request. If you would like to discuss any matters raised in this letter, or any point would benefit from further clarification, please contact Sarah Gardner, Chief Executive ORC at [sarah.gardner@orc.govt.nz](mailto:sarah.gardner@orc.govt.nz).

Marion Hobbs ( Chair)

## Assessment of Omnibus Plan Change against criteria in Section 142(3) for Call In

<b>Criteria</b>	<b>Omnibus</b>
<i>Has aroused widespread public concern or interest regarding its actual or likely effect on the environment (including the global environment)</i>	<b>Does not meet this criterion.</b> The Omnibus plan change is not widely known, and therefore does not meet this criterion however the implications will be widespread, across rural and urban Otago. Stakeholder engagement to date has been with key stakeholders rather than the broader community.
<i>Involves or is likely to involve significant use of natural and physical resources</i>	<b>Does not meet this criterion.</b>
<i>Affects or is likely to affect a structure, feature, place or area of national significance</i>	<b>Does not meet this criterion.</b>
<i>Gives effect to a national policy statement and is one of the matters specified in paragraphs c to f of the definition of matter in section 141</i>	<b>Meets this criterion.</b> The Omnibus Plan change will address some known water quality gaps in the Regional Water Plan: Otago framework. It also will provide some alignment with parts of the proposed NES for Freshwater.
<i>Affects or is likely to result in or contribute to significant or irreversible changes to the environment (including the global environment)</i>	<b>Does not meet this criterion.</b>
<i>Involves or is likely to involve technology, processes, or methods that are new to New Zealand and that may affect its environment</i>	<b>Does not meet this criterion.</b>
<i>Is or is likely to be significant in terms of section 8</i>	<b>Meets this criterion.</b> Section 8 requires all persons exercising functions and powers under this act, in relation to managing the use, development, and protection of natural and physical resources, to take into account the principles of the Treaty of Waitangi. Some of those principles <sup>1</sup> are the principle of partnership, including the duty to act reasonably, honourably and in good faith, to ensure the needs of both Māori and the wider community are met, which will require compromise on both sides, the principle of mutual benefit or mutual advantage as a cornerstone of the Treaty partnership, the principle of choice/options, and the principle of tino rangatiratanga which includes management of resources and other taonga according to Māori cultural preferences. Managing water, including providing choices and managing according to cultural preferences are important aspects of freshwater in Otago.
<i>Will assist the Crown in fulfilling its public health,</i>	<b>Does not meet this criterion.</b>

<sup>1</sup> <https://waitangitribunal.govt.nz/assets/Documents/Publications/WT-Principles-of-the-Treaty-of-Waitangi>

Assessment of Omnibus Plan Change against criteria in Section 142(3) for Call In

<i>welfare, security, or safety obligations or functions</i>	
<i>Affects or is likely to affect more than 1 region or district</i>	<b>Meets this criterion.</b> The Omnibus will affect all of Otago, including all the districts. Controls on intensive winter grazing, and residential development have region wide implications. Landfill rules are likely to affect all territorial authorities across Otago.
<i>Relates to a network utility operation that extends or is proposed to extend to more than 1 district or region</i>	<b>Does not meet this criterion.</b>
<i>Any advice provided by the EPA</i>	<b>Does not meet this criterion.</b>

### 11.1. Otago: UN Regional Centre of Expertise (RCE) for Sustainability

<b>Prepared for:</b>	Council
<b>Report No.</b>	P&S1821
<b>Activity:</b>	Community: Governance & Community
<b>Author:</b>	Amanda Vercoe, Executive Advisor
<b>Endorsed by:</b>	Gwyneth Elsum, General Manager Strategy, Policy and Science
<b>Date:</b>	21 February 2020

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#### PURPOSE

- [1] To inform the Council that Otago was confirmed as a Regional Centre of Expertise (RCE) on education for sustainable development under the United Nations University in late January 2020 and note the Otago Regional Council will continue to be involved as a partner.

#### EXECUTIVE SUMMARY

- [2] In 2019 the Otago Regional Council agreed to support the Otago-Polytech led bid for the Otago region to become an RCE on education for sustainable development. The bid was successful and announced publicly at the end of January.
- [3] Sustainable development, the core driver for the RCE, is a key part of several ORC work programmes, including, water management, climate change and urban development.
- [4] The Otago Regional Council has been asked to co-chair the Working Group on Water and will remain engaged as a partner for the RCE. The co-chair role is a technical role requiring expertise in water management and sustainable development.
- [5] This is an exciting opportunity for Otago to lead the way in sustainable practice across a variety of sector groups in our community.

#### RECOMMENDATION

*That the Council:*

- 1) **Receives** this report.
- 2) **Notes** the Otago region has been confirmed as a Regional Centre of Expertise (RCE) on education for sustainable development under the United Nations University.
- 3) **Notes** the Otago Regional Council will remain involved as a partner and will co-chair the Working Group on Water.
- 4) **Notes** that updates will be provided to Council, and there will be opportunities for Councillors to be involved if they wish.

## **BACKGROUND**

- [6] At a meeting of the Otago Regional Council Communications Committee on 20 March 2019 the Council agreed to support the application led by the Otago Polytech for Otago to be a Regional Centre of Expertise and sent a letter of support to accompany the application.
- [7] There are approximately 167 RCEs globally. An RCE is awarded title by the United Nations University. An RCE is a network of existing formal, non-formal and informal organisations that facilitate learning and action towards sustainable development in local and regional communities. NZ is a signatory to the UN Sustainable Development Goals (SDG).

## **ISSUE**

- [8] The Otago Regional Council is a partner for the recently confirmed RCE Otago and will remain closely engaged in the project, given the strong links sustainability has with our work. This includes our logo being used as a partner on promotional material and co-chairing the Water Group.

## **DISCUSSION**

- [9] Otago Polytech will be the host of the RCE-Otago.
- [10] Current partners for the RCE are Mayors of Otago, Kāi Tahu, University of Otago, Otago Regional Council, Otago Chamber of Commerce, Naylor Love, Contact Energy, Queenstown Resort College, Untouched World Foundation, Tourism Industry Aotearoa, Wanaka Tourism, and other businesses and groups, including four secondary schools. This is likely to continue to grow.
- [11] Under the RCE Otago there will be working groups focussed on Quality Education, Water Quality, Sustainable Tourism, Sustainable Towns and Cities, and Partnerships.
- [12] The ORC has agreed to co-chair the Water Group with Contact Energy. The co-chair role is a technical role requiring expertise in water management and sustainable development. This group will look at projects around water and education. Waterwise, a youth leadership programme with a focus on water sustainability that ORC sponsors, will be linked into this group. ORC has nominated Gwyneth Elsum, General Manager Strategy, Policy and Science, to fulfil the role of co-chair.
- [13] Staff will keep Councillors updated on activities and projects that come under this working group, and opportunities for Councillors to be involved.

## **CONSIDERATIONS**

### **Policy Considerations**

- [14] The RCE is closely aligned with a number of ORC policy workstreams.

### **Financial Considerations**

- [15] Staff time is involved to co-chair the Water Working Group.

**Significance and Engagement**

[16] Not applicable.

**Legislative Considerations**

[17] Not applicable.

**Risk Considerations**

[18] No significant risks identified for being involved in this project. It is widely supported across the Otago region.

**NEXT STEPS**

[19] Staff will keep Councillors up to date with the progress and activities of the RCE and advise of opportunities for Councillors to be involved in specific aspects of the work.

**ATTACHMENTS**

Nil

## 11.2. Strategic Plan Workshops

<b>Prepared for:</b>	Council
<b>Report No.</b>	P&S1820
<b>Author:</b>	Sylvie Leduc, Senior Strategic Analyst
<b>Endorsed by:</b>	Gwyneth Elsum, General Manager Strategy, Policy and Science
<b>Date:</b>	26 February 2020

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### PURPOSE

- [1] To set out the purpose and scope of ORC's proposed strategic planning approach and to describe how councillors will participate in setting Council's strategic directions.

### EXECUTIVE SUMMARY

- [2] ORC needs clear strategic directions to inform the development of the Long-Term Plan (2021-2031) (LTP). To meet this need it is proposed to develop a Strategic Directions document which clearly identifies the purpose of ORC, its value proposition and the services it will provide.
- [3] This Strategic Directions document will be based on the best available information on the existing and foreseeable issues and opportunities relevant to ORC's activities, and on community's expectations and aspirations.
- [4] Councillor input is essential in clarifying ORC purpose and value proposition and in setting Council's strategic directions. This input will be structured around a series of half-day Strategy and Planning Committee workshops.

### RECOMMENDATION

*That the Council:*

- 1) **Receives** this report.
- 2) **Notes and Approves** the proposed process to develop ORC Strategic Directions document including Councillor participation in the process through a series of workshops.

### BACKGROUND

- [5] ORC is required to review its Long-Term Plan every three years. The next review is due to start in the coming months and will cover the period 2021-2031.
- [6] The operating context for ORC as an organisation is increasingly complex, dynamic and subject to external influences. This poses an increasing challenge for the Long-Term Plan process which drives ORC resource allocation to work programs, projects and activities. In effective organisations such long term planning is underpinned by a transparent strategic framework; one which includes a clear definition of organisational role and purpose; and which can frame its services and business delivery priorities and

approaches in light of both community expectations (outcomes) and the challenges and opportunities facing the region.

- [7] A clear strategic framework also provides a platform for clear communication about ORC purpose, value proposition and priorities, both internally and externally.
- [8] ORC has an opportunity to commence development of a strategic framework which will be fit-for-purpose to inform ORC LTP development, which is imminent. This can be done efficiently in conjunction with Council and staff, utilising some of the previous work on strategic planning, taking advantage of consultation processes for the RPS, and being informed by scanning of emerging strategic issues and opportunities being undertaken by the ORC strategy team.

## **DISCUSSION**

### **Strategic framework**

- [9] The purpose of a strategic framework is to provide a platform for evidence-based and transparent decision-making. This is an increasing expectation of both communities and central government. It can also provide the clarity necessary for development of collaborative approaches and successful strategic partnerships.
- [10] A Strategic Directions document is proposed to be developed as a key component of a strategic framework, which will clearly identify ORC purpose and value proposition (the “why”), the services to be delivered and priorities (the “what”). This can then be further developed in the context of the LTP to encompass a review of the business processes and systems required for delivery (the “how”). Other components of the framework include a prioritisation approach and regular strategic review process.

### **ORC Strategic Directions - purpose and scope**

- [11] The purpose of the ORC Strategic Directions document is to clearly identify ORC purpose, value proposition, and priorities for delivery of services to assist with the preparation of the Long-Term Plan (2021-2031).
- [12] It will be informed by:
  - a. The legislative framework underpinning ORC’s activities;
  - b. Best available information on the regional communities’ four well-beings (as relevant to ORC’s scope of activities), environmental issues, and emerging trends which could impact on ORC’s activities and focus;
  - c. Strategic input from councillors and
  - d. Feedback and input from key stakeholders and the community.
- [13] ORC Strategic Directions will also inform external and internal communications about ORC’s purpose and role, underpin development of resource allocation priorities, and assist staff with development and delivery of an integrated, coherent and efficient work program for Council which is aligned to its purpose.



- [14] It is proposed that the plan be delivered by the end of August 2020. Further consideration of how aspects of it might be delivered can be further discussed as part of LTP development.

### **ORC Strategic Directions and the Regional Policy Statement (RPS)**

- [15] While ORC Strategic Directions will provide an overall picture of the purpose of ORC and the services it will provide, the RPS focuses on resource management issues and objectives for the region. The RPS and its delivery are one important consideration in terms of priorities (the “what”) and how they are delivered (the “how”). Recognising this, there will be active communication and coordination between the strategy and policy teams overseeing the two projects, including sharing information and consultation opportunities.
- [16] In particular, RPS consultation will be co-designed to provide input to ORC’s Strategic Directions and community aspirations. The Strategic Directions also provide the opportunity to frame RPS regulations as part of a more holistic, integrated approach to program delivery.

### **Ongoing strategic review**

- [17] While the ORC’s Strategic Directions document will have a 10-year horizon, there is also a need to recognise and adapt to any change, or foreseeable change, to ORC’s operating environment, and to the region’s issues and opportunities.
- [18] An ongoing strategic review process will be established to alert ORC to any change which may require a review of ORC Strategic Direction, and, as necessary, a variation to the LTP. This process will include:
- a. Regular scanning of emerging issues and trends relevant to ORC;
  - b. Regular community survey and stakeholder engagement, for feedback on ORC’s performance and services; and
  - c. Regular monitoring of key indicators to assess the effectiveness of ORC’s activities in achieving Council’s community outcomes.

### **Councillor input to the Strategic Directions**

- [19] The Strategy and Planning Committee is responsible for “reviewing the strategic plan and recommending updates”: the committee’s input into ORC Strategic Directions will be essential in ensuring it is aligned to Council’s aspirations.
- [20] The committee’s two-monthly meeting schedule will not allow an appropriate level of engagement for the review. Recognising that, the committee’s terms of reference provide for “three to five half day workshops at a minimum of four monthly intervals”<sup>1</sup>.
- [21] The agenda and timing of those workshops will be integrated in the overall review process including staff input and engagement, external engagement, and any

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<sup>1</sup> <https://www.orc.govt.nz/media/7948/council-meeting-11-december-agenda.pdf>

background research. The table below sets out a proposed schedule of committee strategic workshops:

DATE	PURPOSE
12 March 2020	Strategic Workshop on “the why” <ul style="list-style-type: none"> <li>• ORC’s purpose statement</li> <li>• Why does ORC exist?</li> <li>• What is its value proposition</li> </ul>
30 April 2020	Draft community outcomes (from community consultation – integrated with RPS consultation)
27 May 2020	Strategic Workshop on “the what” <ul style="list-style-type: none"> <li>• What services does/should ORC deliver?</li> <li>• What are their values, and how do they relate to the purpose statement?</li> <li>• Could or are those services delivered by other organisations as well?</li> </ul>
22 July 2020	Consolidation <ul style="list-style-type: none"> <li>• Strategic Workshop to review ORC Strategic Directions</li> <li>• Approach to prioritisation</li> </ul>

<sup>[1]</sup> <https://www.orc.govt.nz/media/7948/council-meeting-11-december-agenda.pdf>

## CONSIDERATIONS

### Policy Considerations

[22] N/A

### Financial Considerations

[23] Budget required for this process may be up to \$40,000 and include: \$15,000 for independent facilitation; up to \$20,000 to obtain baseline socio-economic information and set up ongoing indicators for progress monitoring; there may be other costs associated with consultation and engagement (\$5,000). A project plan will be developed which will identify costs in more detail.

### Significance and Engagement

[24] ORC Strategic Directions document is significant in that it is a preliminary step to the development of the LTP 2021-2031. Stakeholder and community engagement will be conducted to ensure the LTP is prepared with a good understanding of community’s aspirations and expectations.

### Legislative Considerations

[25] ORC Strategic Directions will be prepared in compliance with the Local Government Act (2002)’s principles and relevant requirements.

### Risk Considerations

[26] The development of ORC Strategic Directions is low risk. It may be adjusted/revised as the LTP is prepared, and funding matters are closely considered.

**ATTACHMENTS**

Nil

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

- **Minutes of the 11 December 2020 Public Excluded Council Meeting**
- **Minutes of the 22 January 2020 Public Excluded Council Meeting**
- **Minutes of the 29 January 2020 Public Excluded Council Meeting**

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>Minutes of the Public Excluded 11 December 2019 Council Meeting</i>	To protect the privacy of natural persons and to enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities	Section 48(1)(a): Sec 7(2)(a), Sec 7(2)(h)
<i>Minutes of the Public Excluded 22 January 2020 Council Meeting</i>	To maintain legal professional privilege	Section 48(1)(a): Sec 7(2)(g)
<i>Minutes of the Public Excluded 29 January 2020 Council Meeting</i>	<p>Sec 48(2)(a)(i) - Paragraph (d) of subsection (1) applies to any proceedings before a local authority where (i) a right of appeal lies to any court or tribunal against the final decision of the local authority in those proceedings.</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>Sec 48(1)(d); Subject to subsection (3), a local authority may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on one or more of the following grounds:(d) that the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in any proceedings to which this paragraph applies.</p> <p>Section 48(1)(a); 7(2)(i)</p>