



Our Ref A610586

Committee meetings Wednesday 9 March 2016

Following are the agendas for the Committee meetings to be held on Wednesday 9 March commencing at 8.30 am. The venue is the Council Chamber, 70 Stafford Street, Dunedin, and members of the public are welcome to attend.

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

Committee agendas

	<i>Page Nos.</i>
Finance and Corporate Committee	2 - 39
Technical Committee	40 - 48
Policy Committee.....	49 - 77
Communications Committee.....	78 - 88
Regulatory Committee	89 - 112

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

Janet Favel
Committee Secretary

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

OTAGO REGIONAL COUNCIL

**Agenda for a meeting of the Finance and Corporate Committee
to be held in the Council Chamber, 70 Stafford Street, Dunedin
on Wednesday 9 March 2016 commencing at 8:30am**

Membership:

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

Apologies:

Leave of absence:

In attendance:

Please note that there is an embargo on agenda items until 8.30 am on Monday 7 March.

CONFIRMATION OF AGENDA

PUBLIC FORUM

MINUTES

Minutes of the public portion of the meeting held on 27 January 2016, having been circulated, for adoption.

Matters arising from minutes

PART A - PRESENTATION

Item 1 **Port Otago Ltd Interim Six Month Report**

PART B – RECOMMENDATIONS

Item 2

2016/0667 **Draft Annual Plan and Consultation Document.** DCS, 24/2/16

This report sets out the proposed work programme for the 2016/17 year, along with estimated expenditure and draft financial statements.

Item 3

2016/0672 **Castalia Report for the Lower Clutha and Taieri Flood and Drainage Schemes.** DCS, 26/2/16

This report presents the work undertaken by Castalia to complete an economic assessment of the public versus private benefits generated from flood and drainage scheme in the Taieri and Lower Clutha area. The Final Castalia Economic Assessment report is attached.

Item 4

2016/0681 **ORC Head Office Accommodation.** DCS, 1/3/ 2016

This report outlines the findings of an independent consultant on the long term accommodation needs for ORC and the further development options.

Item 5

2016/0680 **Passenger Transport Regional Ticketing Update.** DCS, 1/3/16

This report provides an update on recent developments relating to the development of a national programme for the delivery of public transport ticketing system/s in New Zealand.

Item 6

2016/0678 **Passenger Transport Patronage Update.** DCS, 1/3/16

This report provides an update to Council on the declining patronage trends in recent years for the Otago region and throughout New Zealand

Item 7

2016/0674 **Environmental Enhancement Fund.** DPPRM, 26/2/16

This report details the purpose and principles of the Environmental Enhancement Fund, and the process for allocating financial support to eligible projects.

Item 8

2016/0665 **Executive report.** DCS, 25/2/16

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

PART C - EXCLUSION OF PUBLIC

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

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

	General subjects to be considered	Reason under LGOIMA for passing this resolution	Grounds under S.48 for the passing of this resolution
Item 9	Minutes of the In Committee portion of the Finance and Corporate Committee meeting held on 25 November 2015	To maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to members or officers or employees. S7(2)(f)(i)	S.48(1)(a)(i)
Item 10	Appointment of Port Otago Director	To protect the privacy of natural persons. (S7(2)(a)+	S.48(1)(a)(i)

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

OTAGO REGIONAL COUNCIL**Minutes of a meeting of the Finance and Corporate Committee
held in the Council Chamber, 70 Stafford Street, Dunedin
on Wednesday 27 January 2016 commencing at 11.06 am**

Present:

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

In attendance:

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

CONFIRMATION OF AGENDA

There were no changes to the agenda.

MINUTES

Minutes of the public portion of the meeting held on 25 November 2015, having been circulated, were adopted on the motion of Crs Kelliher and Bell.

Matters arising from minutes

There were no matters arising from the minutes.

PART A - RECOMMENDATIONS

Item 1

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

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

Councillors were pleased to see the increased use of direct debit payments for rates, noting that this was one of the reasons for the drop in the number of penalty notices sent out. Mr Donnelly noted that ratepayers had six to eight weeks to pay their rates before the due date of 31 October.

In response to a question he advised that when property details were updated in the rates database, any direct debit arrangements by the previous owner were automatically removed.

Cr Croot moved
Cr Kelliher seconded

(1) That this report be received.

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

Motion carried

PART B - ITEMS FOR NOTING

Item 2

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

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

In response to a question Mr Donnelly explained that the purpose of current contract negotiations was to agree contract terms to bring the Brockville/Halfway Bush – St Kilda and Normanby - St Clair services within PTOM. He confirmed that commercial services would be absorbed into the PTOM model, as required under the Land Transport Management Act.

It was noted that there was no patronage update in this report, and Mr Donnelly confirmed that this would be provided in future reports.

Proposals had been received and considered by the assessment panel (ORC, DCC and NZTA) for the design of the bus hub and super stops. Details were being finalised with the preferred provider, and there would be a subsequent report to Council once this was completed.

The Wakatipu Network Review and business case development was noted. Cr Woodhead noted that the review had been pulled forward because of the changes in the area with extra flights and increased growth. Roads and bridges were also part of the review.

In response to a question about the SuperGold card funding model review, Cr Woodhead noted that there was still discomfort in the local government sector, and the matter would be discussed at the Regional Sector group meeting on 12 February. MoT and NZTA representatives would be in attendance. There had been reasonable assurances that no ratepayer funds would be required, and councils were budgeting on that basis. Cr Woodhead commented that government had yet to decide whether to retain the current SuperGold card subsidy or reduce it, noting that the current subsidy was 65% of the full fare. He also commented that the government's drive was to push for efficiencies in incorporating the Gold card subsidy into the PTOM model. Any changes should not impact on ratepayers as the subsidy was a national government scheme, not a local scheme.

Cr Shepherd moved
Cr Robertson seconded

That the report be received.

Motion carried

PART C - EXCLUSION OF PUBLIC

Cr Shepherd moved
Cr Woodhead seconded

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

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

	<i>General subjects to be considered</i>	<i>Reason under LGOIMA for passing this resolution</i>	<i>Grounds under S.48 for the passing of this resolution</i>
<i>Item 3</i>	<i>Minutes of the In Committee portion of the Finance and Corporate Committee meeting held on 25 November 2015</i>	<i>To maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to members or officers or employees.</i> <i>S7(2)(f)(i)</i>	<i>S.48(1)(a)(i)</i>

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

Following discussion of Item 3,

Cr Shepherd moved
Cr Kelliher seconded

That the meeting resume in open session.

Motion carried

The meeting closed at 11.46 am

Chairperson

Item 1

**Port Otago Ltd
Interim Six Month Report**

REPORT

Document Id: A884464

Report Number: 2016/0667

Prepared For: Finance and Corporate

Prepared By: Manager Projects

Date: 24 February 2016

Subject: **2016/17 Draft Annual Plan and Consultation Document**

1. Précis

As part of its planning processes, Council has prepared a 2016/17 Draft Annual Plan (draft plan), which sets out the proposed work programme for the year, along with estimated expenditure and draft financial statements.

The purpose of this paper is to present the draft plan to the Finance and Corporate Committee for adoption, highlight the differences between year two of the Long Term Plan (LTP) and the draft plan, and provide some discussion on the estimates.

Changes to the Local Government Act (LGA) mean that council no longer prepares the draft plan for consultation purposes, but instead prepares a consultation document. Following the consultation process, a final Annual Plan will be presented to council for adoption in June. A consultation document has been prepared, and is circulated with this report, for consideration and adoption by the Finance and Corporate Committee.

2. Background

Section 95A of the LGA sets out the purpose of an annual plan consultation document. In summary, the consultation document must identify and explain significant or material differences between the proposed annual plan and the content of the LTP.

The LGA prescribes the content of the consultation document, and states that the document must not have attached to it the draft annual plan, a full draft of any policy, or any detailed information that is not necessary or desirable for meeting the purpose of the document.

It is proposed that our web site will have a copy of the draft plan as supporting information to the consultation documents. The LGA provides that council must adopt the information that is relied upon, before it adopts the consultation document.

3. Consultation document

The consultation document provides some background to our activities, and explains the differences between the LTP and the draft plan. It is intended that the document will be distributed to all households, in the same manner as our "Otago Wide" publication.

The consultation document will present six broad activities of council, and provide financial and rating information, to enable our community to understand the changes we are proposing and the financial impacts of those changes.

A summary of the differences presented in the consultation document are discussed below:

3.1 Hazards, Emergency Management, and Flood and Drainage Schemes

3.1.1 Natural Hazards

The LTP proposed that council would lead the development of a Natural Hazards Risk Management Strategy for South Dunedin, and investigate and assess options for mitigating groundwater and liquefaction hazards, at a cost of around \$330,000. Of this amount, \$227,000 was for consultants costs. The LTP also provided for the DCC contributing \$150,000 towards this work. After discussions with the DCC, it has been agreed that we will take a support role including providing hazard analysis. Costs of \$38,000 are now budgeted, and made up of staff time only. There will be no contribution from the DCC for this work.

In the draft plan, we have recognised that we need additional resources to assist completing our natural hazards work programme, and so we have budgeted additional costs to do so, which will be general rate funded. Our programme includes working with territorial authorities monitoring and providing information on natural hazards, investigating and assessing risks associated with landslide features, known geological faults in Otago, flooding risk in Milton, and between Pukeuri and the Waitaki Bridge.

3.1.2 Emergency Management

We are required by legislation to provide a welfare function for civil defence. Our draft plan therefore provides for a welfare manager/emergency management officer position to assist undertaking our emergency management responsibilities for the Otago region. This position was not provided for in the LTP. The effect of this is an increase in our general rate requirement.

3.1.3 Flood and drainage schemes – Castalia review

In 2015/16, ratepayers from the Lower Taieri flood protection scheme, and the West Taieri and East Taieri drainage schemes, asked that council undertake an independent economic assessment of the public versus private benefits of the schemes. Council agreed to their request, and decided that the review should also be extended to include the Lower Clutha flood and drainage scheme.

Castalia were engaged to undertake the review, and their draft report has been received. Castalia's findings on the allocation of benefits are shown in the table below.

Scheme	Castalia Public private ratio	Current public private ratio
Lower Taieri flood	17:83	4:96
West Taieri drainage	8:92	0:100
East Taieri drainage	8:92	0 100
Lower Clutha flood	16:84	2:98
Lower Clutha drainage	6:94	0:100

The impact of the Castalia review is that there should be a switch of \$284,000 of funding from targeted rates to general rates. Castalia's view is that there are greater benefits from our flood and drainage schemes to the wider community than is being recognised in our current revenue policy.

Castalia considers that the public benefit for the drainage schemes should be funded by the district in which the schemes sit. For the Lower Taieri flood scheme, they have suggested that of the 17% public benefit, 4% should be funded from the region and 13% from Dunedin city.

For the Lower Clutha flood scheme, 12% should be funded from the region and 4% from the Clutha district.

The impact of these changes on general rate payers in Dunedin and Clutha are estimated to be as follows:

Capital value	Dunedin Additional General Rates	Clutha Additional General Rates
\$250,000	\$2.54	\$2.98
\$500,000	\$5.07	\$5.97
\$5,000,000	\$50.73	\$59.70

Council has discussed the report and has confirmed that this reallocation of funding as proposed by Castalia be included in the consultation document.

3.1.4 Harbour management

A review of our responsibilities in this area is in progress. Recognising that we have some responsibilities, our draft plan provides for a dedicated harbour master position, which is expected to be filled half way through the year. The cost of the harbour master will be funded half from Dunedin City, and half from the region. This recognises that the harbour master's role and responsibilities will be wider than for just the Dunedin harbour.

3.2 Democracy and Community Engagement

3.2.1 Regional economic development strategy

The development of a regional economic development strategy for Otago is a new initiative for 2016/17, is estimated to cost \$100,000, and is to be funded from reserves. Its purpose is to identify key economic drivers for the region, the barriers to achieving economic growth, and identifying ways those barriers may be overcome.

3.2.2 Regional signs

Provision has been made for regional boundary signage, advising road users that they are entering the Otago region. The estimated cost of \$150,000 is to be funded from reserves.

3.2.3 Consent processing

There has been a shift in time budgeted for consents staff, from consent processing to public enquiries, to meet the demand for dealing with general consent enquiries. The effect of this is that approximately \$95,000 of costs previously funded by fees and charges are now to be funded from general rates.

3.3 Land and Biodiversity

3.3.1 Wilding trees

During 2015/16, council undertook an online poll to find out what the views of the community were with respect to a possible involvement in assisting with wilding trees. Following on from this, council is proposing to include in the draft plan a new initiative to provide a funding contribution of \$100,000 towards the eradication of wilding trees in Central Otago and Queenstown. The consultation document will provide two options for funding this initiative as follows:

- Option 1** Uniform targeted rate 50% regional
 Uniform targeted rate 25% Central Otago district
 Uniform targeted rate 25% Queenstown Lakes district

	Regional	Queenstown Lakes	Central Otago	Total (incl. GST)
50% regional	\$0.54	\$0.54	\$0.54	\$57,500
25% Queenstown		\$1.28		\$28,750
25% Central			\$2.27	\$28,750
Rates payable per rating unit	\$0.54	\$1.82	\$2.81	\$115,000

- Option 2** Uniform targeted rate 100% regional

	All ratepayers
Rates payable per rating unit	\$1.07

Our preference is Option 1, as it will provide better flexibility should there be any changes to which areas will receive the funding, and the amount of funding that may be provided.

The consultation document will ask the community if they support the funding provision of \$100,000 and what funding option they prefer.

3.3.2 Biodiversity strategy

The draft plan provides for the development of a biodiversity strategy that was not included in our LTP. This is being resourced through the reallocation of time from other activities.

3.4 Transport

3.4.1 Stock truck effluent disposal (STED)

The draft plan provides for the construction of a new STED in Central Otago. This was not provided for in the LTP. The STED are estimated to cost \$426,000 and will be funded \$217,000 by New Zealand Transport Agency and \$209,000 from general reserves.

3.4.2 Public passenger transport

The LTP assumed that the construction of a bus hub in Dunedin would commence in 2015/16 and be completed in 2017/18. It also assumed that an electronic ticketing system would be implemented during the 2015/16 year. There have been delays in implementation of both projects, and so approximately \$3.4 million of costs are being deferred from 2015/16 into the 2016/17 year. These costs are funded from the transport reserve and so there is no impact on rating.

3.5 Water

3.5.1 Rural water quality rate

In 2015/16 a new rural water quality rate was introduced. At the time the revenue policy was established, consideration was given to those who should be charged the rate. Land owners with rural land use categories on their properties, and lifestyle blocks 4ha and over were

charged the rate. Consideration has now been given to including lifestyle block owners 2ha and above, as these sized properties are commonly used for purposed that can have an impact on rural water quality.

There are approximately 2,400 ratepayers in the 2ha to 4ha lifestyle block category, and the median value of these properties is \$455,000. This group of ratepayers would contribute approximately \$59,000 of the rural water quality rate requirement. The rural water quality rate for a median valued property is estimated to be \$19.90. Sample rates payable for 2ha to 4ha property owners is shown in the table below.

Capital value	2ha to 4ha Lifestyle block rates
\$250,000	\$11.00
\$500,000	\$22.00
\$5,000,000	\$220.00

3.5.2 Rural water quality

The budget for the rural water quality project has been increased by approximately \$110,000 for a new resource to assist in the implementation of this very important work. This is a new cost to council in the 2016/17 year.

3.5.3 Dairy inspection rate

The targeted rates for dairy inspections are proposed to increase from \$235 (incl. GST) in 2015/16 to \$325 in 2016/17. The revenue policy provides for 100% cost recovery through fees and charges from all dairy farms, noting that all farms will have one dairy inspection undertaken during the year. The 2015/16 charge of \$235 was insufficient to recover all costs.

3.6 Air

While there are no changes proposed for this activity, the consultation document discusses the air quality issues we have in parts of Otago, and talks about the proposed development of an Air Strategy for Otago. It also refers to our Clean Heat, Clean Air initiative undertaken in Airzone 1 and Milton, and invites people to visit our web site for details on how to apply for a subsidy for clean heating appliances. We are no longer charging a targeted rate for this activity, but will instead use the reserves that have accumulated from unspent rating in the past.

4. Other matters

Other changes made to the provisions of the LTP that are not discussed in the consultation documents are presented below:

4.1 Flood and drainage schemes

With respect to the Leith scheme, the LTP provided for the sale of properties in the Lindsay Creek area in 2016/17, the proceeds of which were netted off against construction costs. These sales are now taking place in the current year, and so the estimates for 2016/17 reflect the full cost of construction.

The LTP provided for the construction of a weighting blanket in the Lower Taieri in 2015/16. This work has been deferred and is now provided for in the 2016/17 year.

4.2 Pest contracting work

Pest contracting work has been reduced in the draft plan, because of the decision to not continue with TbFree possum contracting work, and encouraging the market to also undertake rabbit control work. The budget for this work is approximately \$300,000 lower than that provided for in the LTP. This work was to be funded by fees and charges.

4.3 Research and development – Pest control

The LTP provided for approximately \$100,000 to be spent on research and development into new methods for non-biological pest control tools. A decision was made to not continue with this initiative, as it was considered that the market is undertaking this work. This work was to be funded by reserves.

4.4 Public information and awareness

The LTP had included an initiative to fund the development of a toolkit of methods to bring about social change. This project, estimated to cost \$129,000, has been reconsidered. Its focus has changed and scaled down. A portion of the costs have been reallocated to other projects including rural water quality and water and deemed permit renewals, the funding being used for initiatives such as holding a water forum.

5. Financial Implications

A summary of the estimated cost of completing our activities (both operating and capital) is shown in the table below:

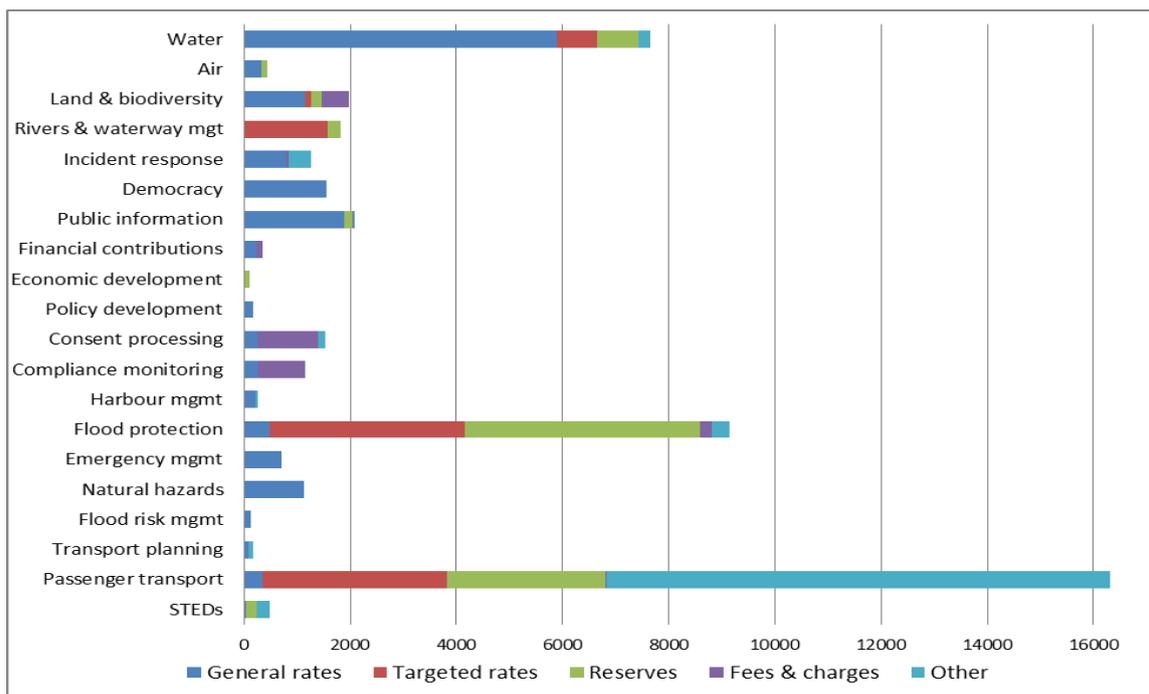
LTP 2015/16 \$000s	Activity	Draft plan 2016/17 \$000s	LTP 2016/17 \$000s
Environmental			
7,498	- Water	7,652	7,710
440	- Air	451	368
2,085	- Land	1,982	2,181
1,958	- Rivers & waterway management	1,821	1,991
1,116	- Environmental incident response	1,262	1,222
Community			
1,375	- Democracy	1,548	1,560
1,934	- Public information and awareness	2,087	2,039
504	- Financial contributions	350	361
-	- Regional economic development	100	-
Regulatory			
434	- Policy development	176	152
1,860	- Consent processing	1,531	1,906
1,197	- Compliance monitoring	1,163	1,326
319	- Harbour management	273	300
Flood protection and control works			
8,303	- Flood and drainage schemes	9,150	8,481
Safety and hazards			
428	- Emergency management	702	520
1,172	- Natural hazards	1,130	1,096
451	- Flood risk management	130	462
Transport			
123	- Regional transport planning	168	129
13,988	- Public passenger transport	16,319	12,922
52	- Stock truck effluent disposal	495	64
45,238	Total Expenditure	48,489	44,791

The variations in activities have been discussed in section 3 of this report.

The sources of revenue budgeted to cover the cost of our activities are as follows:

LTP 2015/16 \$000s	Revenue Source	Draft plan 2016/17 \$000s	LTP 2016/17 \$000s
5,354	General rates	6,340	5,600
9,092	Targeted rates	9,600	9,824
8,197	Grants	9,575	7,270
7,300	Dividends	7,400	7,400
3,564	Fees & charges	2,967	3,660
7,711	Reserves	8,307	6,766
4,020	Interest & Other income	4,300	4,271
45,238	Total revenue	48,489	44,791

Below is a graph showing the funding sources for each activity for the 2016/17 financial year.



5.1 General rates

The general rates above include the impact of the Castalia review. The general rate increase is \$986,000, or 18.4%, as shown below:

	Draft annual plan 2016/17 \$000s	Long term plan 2016/17 \$000s	Annual Plan 2015/16 \$000s
General rates for activities	15,355	14,952	14,541
Switch from targeted rates to general rates (flood & drainage schemes)	284	-	-
Total general rates	15,693	14,952	14,541
Less investment income	(9,353)	(9,352)	(9,187)
General rates payable	6,340	5,600	5,354
% increase on 2015/16	18.4%	4.6%	

Note is made that general rates are subsidised by the Port Otago dividend of \$7.4 million and interest and investment income of approximately \$2 million. The increase in gross general rates before the subsidy is applied compared to the gross rates in 2015/16 is 7.9%.

The LTP had provided that our general rates would increase by \$246,000. The primary reasons for the additional increase in rates of \$740,000 above that provided for in year two of the LTP are as follows:

	\$000s	Reason for increase
Emergency Management	180	Additional staff resource budgeted
Natural hazards	170	Additional resources to carry out planned work.
Rural water quality	110	Additional resource re project management.
Castalia review	284	Re allocation of funding the Taieri and Lower Clutha flood and drainage schemes expenditure between targeted and general rates.

The general rate impact on individual properties in dollar terms is small. For example, it is estimated that a \$250,000 home in Dunedin will be charged general rates of \$45 compared to \$39 in 2015/16, an increase of \$7; a \$500,000 home in Queenstown will be charged \$57 compared to \$49 in 2015/16, an increase of \$8.

The table below shows the general rates that we estimate are payable for the capital values shown within each district of Otago.

General Rates	Capital value \$250,000	Capital value \$600,000	Capital value \$4,000,000
Central Otago district	\$39.86	\$71.79	\$381.97
Clutha district	\$40.06	\$72.28	\$385.25
Dunedin City	\$44.64	\$83.27	\$458.49
Queenstown Lakes district	\$36.86	\$64.60	\$334.05
Waitaki district	\$38.20	\$67.82	\$355.49

Council's financial strategy sets rates affordability benchmarks, in terms of total rates and rate increases. The strategy advises that general rates will not exceed \$6.2 million in each year of the LTP, and that general rate increases will be capped at 6.9% per annum. Council will not comply with its financial strategy for the 2016/17, and this will require disclosure in its 2016/17 Annual Report. Note is made that the rate limit of \$6.2 million will also be exceeded in the 2017/18.

5.2 Targeted rates

Targeted rates are made up as follows:

	16/17 Draft Plan \$000s	LTP 2016/17 \$000s	LTP 2015/16 \$000s
Air quality	0	100	100
Water quality	639	604	507
Dairy inspection	129	106	103
Transport – Dunedin	3,429	3,427	3,296
Transport - Queenstown	55	55	50
Wilding trees	100	0	0
River Management Rates			
Central Otago District	300	300	225
Clutha District	265	265	225
Dunedin City	150	150	150
Wakatipu	200	200	200
Wanaka	167	167	167
Waitaki District	350	350	260
Flood & Drainage Scheme Rates			
East Taieri Drainage*	390	439	399
Leith Flood	1,275	1,275	1,192
Lower Clutha*	548	643	585
Lower Taieri*	640	722	668
Lower Waitaki District	145	145	145
Shotover Delta	250	250	250
Tokomairiro	80	80	60
West Taieri Drainage*	488	545	510
Total	9,600	9,823	9,092

With respect to the air quality rate, rather than continuing to rate Airzone 1 and Milton properties, the clean heat initiative of providing subsidy for clean heating appliances is now being funded from its reserve.

*The targeted rates for these schemes have been adjusted to reflect the Castalia findings.

Ratepayers will be able to visit our web site and view our rate calculator which will provide rates payable for their properties, by rate type and in total.

6. Balancing the budget

We are required to ensure that our estimated revenue is sufficient to cover our estimated operating costs. We can however set our revenue at a different level, if Council resolves that it is financially prudent to do so. It is estimated that for the 2016/17 year, the estimated revenue will not cover estimated operating costs. We are estimating an operating deficit of approximately \$3.9 million.

The primary reason for the shortfall in revenue is the use of reserves to fund operating expenditure. General reserves are to be used for:

Regional economic development	\$100,000
STED's	\$209,000
Research & development	\$265,000
Restoration (biodiversity)	\$250,000
Regional signs	\$150,000
Total general reserves	\$974,000

The Dunedin Transport Reserve has funds available of approximately \$4.6 million. Approximately \$1.1 million of these reserves are going to be used to implement the new electronic bus ticketing system, and approximately \$800,000 will be used to develop a bus hub in Dunedin city. Further, a decision was made during the LTP process to smooth targeted rates for Dunedin public transport, and as such a further \$900,000 is being used from the transport reserve. The transport reserve has been established to fund operating revenue, and its use in these circumstances is considered prudent.

7. Fees and Charges

The schedule of fees and charges has been reviewed to update the scale of charges in relation to the actual cost of staff time, make minor amendments to the charges for performance monitoring, and introduce a proposed administration charge for water regulation implementation. The amendments proposed are as follows:

	Proposed 2016/17	Actual 2015/16
Scale of Charges:	\$	\$
Staff time per hour:		
* Executive	235.00	235.00
* Senior Technical/Scientist	180.00	160.00
* Technical/Scientist	115.00	110.00
* Field staff ¹	100.00	-
* Administration	92.00	80.00
Performance Monitoring Charges: (amendments only)		
<i>Discharge to Water, Land and Coast</i>		
Return of flow/discharge records ²	60.00	-
<i>Water Takes</i>	\$	\$
Annual assessment report ³	50.00	-
Administration fee – water regulations ⁴	100.00	-

Notes:

1. This new hourly rate is for staff who are out in the field undertaking work such as compliance audits, inspections, and follow up of pollution incidents. Previously these staff were charged out at the Technical/Scientist rate.
2. This charge is for discharge permits in respect of septic tank consent holders, which is not covered under the existing schedule of charges.
3. This annual assessment report for water takes was missing from the existing schedule of charges.

4. This is a proposed new administration fee to assist recovering our costs in getting water take consent holders compliant with the water regulation requirements for having a water meter. It is proposed that this would be an annual charge, and once a meter is installed the charge would cease, and the consent holder would then be charged our scheduled performance monitoring fees.

8. Consultation

The communication strategy for the consultation document and the opportunity for the community to have its say include the following:

- Mass communication – an Otago Wide consultation publication going to every home, radio advertising, website and social media.
- Scheme public meetings – in Taieri and Clutha areas
- Detailed briefings – with key media, territorial authorities, and key stakeholders.

It is recommended that a sub committee be formed to consider all submissions received. Submissions will close on 6 May and hearings will be held during the week commencing 16 May 2016.

9. Recommendations

That;

1. the Draft Annual Plan be adopted as the information relied upon to support the consultation document, and that it be made available on council's web site.
2. the consultation document be adopted for consultation purposes, subject to any minor editorial amendments.
3. the changes to the Revenue Policy be adopted for consultation purposes.
4. it is financially prudent to have an operating deficit in the 2016/17 year.
5. submissions on the consultation document close on 6 May 2016, and that hearings will be held during the week commencing 16 May 2016.
6. a Hearing sub-committee be appointed.

Nick Donnelly
Director Corporate Services

REPORT

Document Id: A885264

Report Number: 2016/0672

Prepared For: Finance and Corporate Committee

Prepared By: Manager Projects

Date: 26 February 2016

Subject: **Report from Castalia - Lower Clutha and Taieri flood and drainage schemes**

1. Précis

In September 2015, Castalia, a consultancy firm in Wellington, were appointed to undertake an economic assessment of the public versus private benefits generated from flood and drainage schemes in the Taieri and Lower Clutha areas.

The purpose of this report is to present to the Finance and Corporate Committee, their report.

2. Background

During consultation on Council's 2015-25 Long Term Plan, ratepayers from the Taieri area asked that an independent economic assessment of the level of public benefit generated from the flood and drainage schemes in the Taieri area be obtained. Council agreed to their request and decided that this assessment should be undertaken for the Lower Clutha flood and drainage scheme also, to ensure that a consistent approach is applied.

In September, requests for proposal were invited, and as a result Castalia were engaged to undertake a review.

Part of Castalia's assessment involved holding two meetings, where the public were invited to meet with staff from Castalia, and give their feedback on the benefits generated from the schemes. Ten people attended the meeting in Balclutha, and approximately 50 people attended the meeting in Outram. A survey was also made available for public feedback on this issue, and approximately 50 surveys were completed on line.

Castalia has completed the assessment, and their report is attached.

3. Draft Annual Plan

The findings of the Castalia report have been incorporated into the draft annual plan. These are discussed fully in the report to the Finance and Corporate Committee, "2016/17 Draft Annual Plan and Consultation Document" (Report number 2016/0667).

In summary, Castalia has assessed there to be a higher level of public benefit generated from the schemes than provided for in the current revenue policy for each scheme as follows:

Scheme	Castalia assessment Public private ratio	Current public private ratio
Lower Taieri flood	17:82	4:96
West Taieri drainage	8:92	0:100
East Taieri drainage	8:92	0:100
Lower Clutha flood	16:84	2:98
Lower Clutha drainage	6:94	0:100

The impact of the Castalia review is that there should be a switch of \$284,000 of funding from targeted rates to general rates.

The draft annual plan's consultation document presents their findings along with the financial implications, and is seeking feedback from the community on this matter.

Planning is underway to hold two public meetings in March, one in Lower Clutha and one in the Taieri area and Castalia has been invited to attend these meetings, to present their findings to the communities.

4. Recommendations

1. That this report be received.
2. That the Castalia Final Economic Report be received.

Nick Donnelly
Director Corporate Services

REPORT

Document Id: A886104

Report Number: 2016/0681

Prepared For: Finance and Corporate

Prepared By: Manager Support Services

Date: 1 March 2016

Subject: **ORC Head Office Accommodation**

1. Précis

Council has been considering its head office accommodation needs for a number of years. In 2015 Council engaged independent consultants to provide advice on its long term accommodation needs. In addition to that advice Chalmers Properties Limited was engaged to identify accommodation options, those options were presented to Council at a workshop on 10 February 2016.

It has been identified that continued use of the existing premises will not provide for the efficient and effective operation of Council into the future.

Further work is being undertaken to develop options to a more detailed level and to explore options for reuse of existing buildings (including heritage buildings) of sufficient size within Dunedin. Staff have therefore included funding from the building reserves to allow for planning, design, and necessary statutory approvals for new or refurbished premises within the draft Annual Plan.

2. Background

For a number of years Council has been considering its overall accommodation needs including for its Dunedin based staff. Over recent years a number of temporary measures have been put in place to allow for the continued use of the existing building while Council assessed its options for its long term accommodation needs including the development of temporary Council Chambers in the parking area.

As part of its ongoing investigations a review of Council's accommodation needs was undertaken by independent consultants in April 2015. The review focused on identifying the space requirements for existing and predicted needs, it confirmed the limitations of the existing buildings and site constraints.

The review identified;

- a space need of approximately 2800m² plus parking;
- that for optimum operating efficiency one level is desirable but two levels would be an acceptable compromise; and
- the benefits of open plan offices

As a result of the April 2015 review Council sought the assistance of Chalmers Properties Limited (Chalmers), due to its expertise in property development, to undertake further investigation with regard to meeting Council's long term accommodation needs including an investigation into alternative brown field and green field sites.

3. Chalmers Properties Limited

Chalmers were engaged to identify accommodation options that could realistically be delivered in a maximum three year timeframe. The interim findings were presented to Council at a workshop on 10 February 2016.

The key findings that were discussed at the workshop were;

- 3.1 The need to address the Council's long term accommodation needs as a priority.
- 3.2 The existing building does not meet the current needs and will not provide for an efficient and effective operating environment.
- 3.3 Redevelopment of the existing site would present significant operational issues including potentially a medium term relocation of a significant number of existing staff.
- 3.4 The desirability of ownership as opposed to lease.
- 3.5 Further work is required to identify opportunities for potential reuse of existing buildings including options for heritage building reuse.

Staff have subsequently asked Chalmers to facilitate the additional work required to further develop the options recommended in its initial investigations.

Staff have also asked Chalmers to facilitate further investigation into key finding 3.4 and the opportunities identified in 3.5 above. Chalmers have been asked to report back on these matters by 31 March 2016

4. Draft Annual Plan

Council has previously set aside funding for building replacement and/or refurbishment. Either option will be a significant investment and requires consultation. At this stage staff have included in the draft Annual Plan sufficient funding, from the building reserve, to allow for planning, design, and necessary statutory approvals.

5. Recommendations

That:

- 1) Council confirm its long term accommodation needs will not be met by its existing premises in Stafford Street, Dunedin; and
- 2) Council plan to vacate the existing premises within the next 3 year; and
- 3) Council include in its draft Annual Plan funding to allow for planning, design, and necessary statutory approvals for new or refurbished premises.
- 4) Staff continue to work with Chalmers Properties Ltd to develop concepts for the sites identified in its initial review presented to Council workshop on 10 February 2016; and
- 5) Staff continue to work with Chalmers Properties Ltd to identify opportunities for potential reuse of existing buildings including options for heritage building reuse.

Nick Donnelly
Director Corporate Services

REPORT

Document Id: A886093

Report No: 2016/0680

Prepared For: Finance and Corporate Committee

Prepared By: Manager Support Services

Date: 1 March 2016

Subject: Passenger Transport Regional Ticketing Update

1 Précis.

This report provides an update on recent developments relating to the development of a national programme for the delivery of public transport ticketing system/s in New Zealand. The new approach was presented and endorsed by the Regional Sector Group on 12 February 2016, but requires the further endorsement of the Councils' and Auckland Transport.

To avoid unnecessary delay, programme work groups are being formed and the development of a national programme roadmap has commenced.

Subject to Council's endorsement of the new approach staff will continue to be actively involved in the programme.

2 Background

In 2013 nine Councils representing the bulk of the Approved Organisations outside of Auckland, Wellington and Canterbury, formed a collaborative consortium (regional consortium) to manage a path forward in their collective interest.

In late 2013 the regional consortium put in place service level agreements (SLA's) to support the existing end of life ticketing systems and allow a replacement system to be procured. The term of the SLA was three years which, at the time, was considered sufficient to allow NZTA to refine the National Integrated Ticketing Standard (NITIS), and the consortium to develop system requirements, procure, and implement a new system that would be integrated with the Auckland Integrated Fare System (AIFS) more commonly known as HOP.

Since 2013 the Regional Consortium and NZTA have been actively working together developing system requirements, scheme estimates, and securing necessary funding. The Regional Consortium has been operating under the guidance of a Governance Group (GG), consisting of nominated executives from seven of the Councils and representatives from NZTA and latterly, New Zealand Transport Ticketing Ltd (NZTTL).

A technical working group (WG) consisting of staff and technical advisors was also formed.

3 Regional consortium procurement background

Early in the process NZTA gave clear indications that they wished to make use of the central system components of the Auckland Integrated Fare System (AIFS).

NZTA advised that the Auckland central system was procured with the view of extending it to accommodate a national ticketing platform for reuse by other Councils. NZTA subsequently developed high level system architecture that would allow the Auckland central system components to be upgraded and reused. This architecture required development of a system interface to allow third party vendors to integrate their own ticketing equipment, and fares and topology systems with an upgraded Thales platform (Hybrid option).

To accommodate this approach NZTA commenced a review of the National Integrated Ticketing Interoperability Standard (NITIS). The review took much longer than NZTA had initially anticipated and was shared with those industry members that sought to participate in late 2014.

At that time NZTA had advised that NITIS would be available in sufficient detail for the market process by end of March 2015. Completion of that review was subsequently deferred and it remains outstanding.

Also in 2014 the regional consortium prepared tender documentation that underwent both technical and commercial reviews.

In June 2015 NZTA advised that it was reviewing its approach to the regional consortium's procurement including the proposed architecture. As a result of this advice the consortium actively sought contract extensions to the SLA's with the main existing supplier to a maximum of May 2018.

The review resulted in NZTA forming a view that an extension of AIFS without the previously anticipated regional procurement of ticketing equipment would represent the best value for money nationally. This view was conveyed to Council's nationally in November 2015 and raised significant concerns for councils both in and outside the consortium.

As a result of the sometimes conflicting messages, changing direction, and the need for a clear roadmap, it was agreed between Greater Wellington Regional Council (GWRC), the Consortium, and NZTA that the existing frame work could no longer continue. It was further agreed that whatever the outcome of a national scheme/programme might be, that all parties needed to buy into an overall programme including in particular Environment Canterbury and Auckland Transport (AT).

Appended to this report (Appendix 1) is a paper presented to and endorsed by the Regional Sector Group (RSG) on 12 February 2016. All regional councils are now being asked to endorse the way forward for working with NZTA to procure electronic ticketing systems for New Zealand (and acknowledge that the Regional Consortium may need to progress an interim solution to stabilise existing platforms in the short to medium term).

4 Programme Structure and Timing

As a result of the RSG endorsement considerable work has been undertaken to set the revised programme structure in place, to avoid any further slippage in time.

Work has commenced on developing a National Programme Roadmap and programme teams are being formed for the various project components.

Until the Roadmap is completed and endorsed timelines cannot be confirmed.

5 Comment

As noted above, details of the proposed approach are set out in the paper to the Regional Sector Group (Appendix 1).

Staff have been actively involved in setting up the new partnership approach, and (subject to the endorsement of this Committee) will continue to play an active role.

6 Recommendation

That the Finance and Corporate Committee;

1. Receive this report.
2. Endorse the proposed partnership approach to development of a national ticketing programme.
3. Note that a roadmap for the national ticketing programme is expected to be recommended to agencies by the National Ticketing Board at the end of March 2016.

Appendix 1

Partnering for a National Ticketing Programme

Date: 8 February 2016

Prepared by: National Ticketing Programme Steering Group

1. Purpose

The purpose of this report is to advise on and seek endorsement of a proposed partnership approach being taken by local government transport authorities and the NZ Transport Agency for the development of a National Ticketing Programme.

Attachment One shows this proposed partnership structure.

2. Context

As co-investor in regional ticketing schemes, the New Zealand Transport Agency (NZTA) has led a national ticketing programme with the intention of maximising national value for money through regional scheme investments¹.

Since 2009, NZTA's intent has been to re-use elements of the investment in the Auckland Integrated Fares System (AIFS, now 'Hop'). Making use of existing assets – while meeting regional needs, meeting procurement rules and maintaining potential supplier interest – led to an evolving series of system architecture proposals since that time.

However, the lack of a coherent national ticketing framework supported by all agencies, and the regions' own needs for replacement of ageing systems, prevented agreement on a way forward. In addition, public transport ticketing and payments technologies are evolving rapidly, and therefore presented a risk of future inflexibility in development, "old technology", and proprietary lock-in.

In November 2015, NZTA Board advised that regional ticketing solutions would be progressed through extension of the existing Auckland 'Hop' ticketing system. Subsequent communication with Regional Chief Executive Officers noted that alternative regional approaches for which National Land Transport Funding support was required, would be subject to a number of specific funding conditions.

Regional responses to NZTA's position included concerns about the direct appointment of a provider and the need to recognise contemporary trends in ticketing and payments technology that may mean an extension option is not best value for money. As a result of this feedback, there has been a revision of the leadership and governance arrangements for national ticketing programme.

¹ In 2007 a national approach to public transport technology and ticketing was agreed by the then Land Transport New Zealand Ticketing Board.

This paper is to advise of the establishment of a collaborative working arrangement to take forward development of the national ticketing framework and establish an enduring National Ticketing Programme.

3. Proposed partnership arrangements

Collaboration between NZTA, NZTTL (NZ Transport Agency's ticketing entity), and a consortium of nine regional councils, Environment Canterbury, Auckland Transport and GWRC is proposed to be formalised into a programme structure as shown in *Attachment One*.

The proposed structure is considered necessary to define and agree an overall path that will provide certainty for all participants especially with regard to, funding, participation, and confirming the best value for money solution/s.

It is particularly important that the early endorsement of the Programme structure is achieved so that a long term path is identified, confirmed, and necessary agreements to provide certainty for all are put in place to ensure a successful outcomes.

Development of the national ticketing framework is intended to lead to a national ticketing scheme capable of flexibly meeting the differing requirements and constraints of all parties while also capturing economies of scale.

Many decisions need to be made before a national ticketing framework and the procurement implications for regions can be confirmed. Investments in existing systems, their integration with wider business systems and the risks of transition and change will be critical factors in developing a roadmap for the future.

There is also a critical requirement to alleviate a timing constraint resulting from the limited remaining life of the bus ticketing system operated by the consortium of nine regional councils.

4. Issues/comments

4.1 New direction

The new direction in thinking for procurement of a national ticketing scheme recognises significant evolution taking place in international public transport ticketing practice. Notably, there are new technology and payment applications that provide greater benefits for scheme operators (i.e. operational flexibility and the avoidance of proprietary constraints to development or wider integration), and customers (i.e. convenience, flexibility and the ability to personally manage interactions with public transport and fare payment).

In addition to considering building on the Auckland system, a suitable national ticketing scheme capability may be 'account-based' (rather than conventionally card-based) solution. Analysis will also include the potential to incorporate capability for 'open' payments (e.g. customers can use bank cards or mobile phones instead of a proprietary transport card).

4.2 Timing/need for interim solution

It now appears that the chance of meeting needs of all partners in time for the initiation of PTOM contracts, or failure of existing systems, is unlikely.

There is also a critical requirement is for immediate stabilisation of failures in the bus ticketing systems operated by regional consortium member councils, and an interim solution to address services which cease operation in May 2018. Consequently, a suitable temporary or interim solution will need to be put in place for regional consortium councils, and that this will be the focus of initial activity for the collaborative working arrangement.

Greater Wellington has a similar timing issue, requiring a suitable bus ticketing solution to support implementation its PTOM bus contacts from October 2017. Greater Wellington is considering options for a ticketing solution for the interim period.

4.3 Resourcing

An Interim National Ticketing Programme Director has been appointed and has been tasked with co-ordinating the establishment of the National Ticketing Programme. New Zealand Transport Ticketing Ltd (NZTTL) is NZTA's specialist ticketing entity with the core resources and consultant contacts to support the Programme Director.

A resourcing plan is in development, but its detail and the specific resource requirements from NZTTL and regions will depend on the nature of the procurement approach required.

4.4 Funding

The Regional Consortium and Greater Wellington have existing funding arrangements to plan their respective interim solutions. Funding of the solutions and their development will be addressed once an approach is adopted.

The costs of partnership participation will lie where they fall but the National Ticketing Programme will require a funding plan for development, implementation and operations once a roadmap has been developed and recommended to partners by the National Ticketing Programme Board.

5. Recommendations

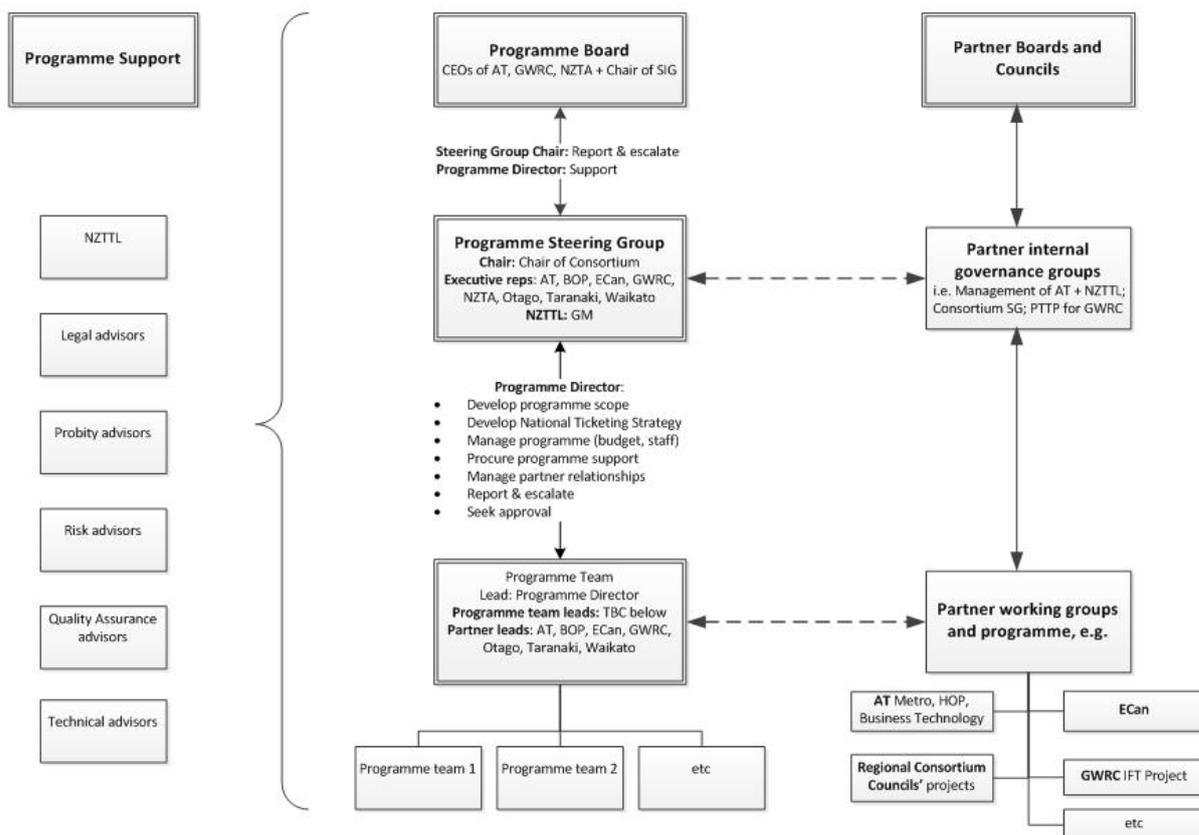
That the Regional Sector Group:

1. Receives this report.
2. Endorses the proposed partnership approach to development of a National Ticketing Programme.
3. Notes the potential timing issues for regions and the resulting implication for interim arrangements for business continuity.
4. Notes that a Roadmap for the National Ticketing Programme is expected to be recommended to agencies by the National Ticketing Board at the end of March 2016.

ATTACHMENT ONE

National Ticketing Programme Partnership Structure

Version: 8/2/16



REPORT

Document Id: A885885

Report No: 2016/0678

Prepared For: Finance and Corporate Committee

Prepared By: Manager Support Services

Date: 1 March 2016

Subject: Passenger Transport Patronage Update

1 Précis.

This report is provided to update Council on declining patronage trends being experienced in Otago and other regions throughout New Zealand over recent years. A sub-group of the Transport Sector Special Interest Group has been formed and has engaged a consultant to investigate and report on the factors influencing the national trend and what interventions might be used to address the decline. Findings from the investigations should be available to Council in April of this year and will be reported to Council accordingly.

2 Patronage

Over recent year's patronage in Otago has been on the decline. Figure 1 below provides a comparative representation between years from 2012-2013 to 2015 - 2016. The graph highlights consistent seasonal trends between years but also clearly shows the continuing decline in overall patronage.

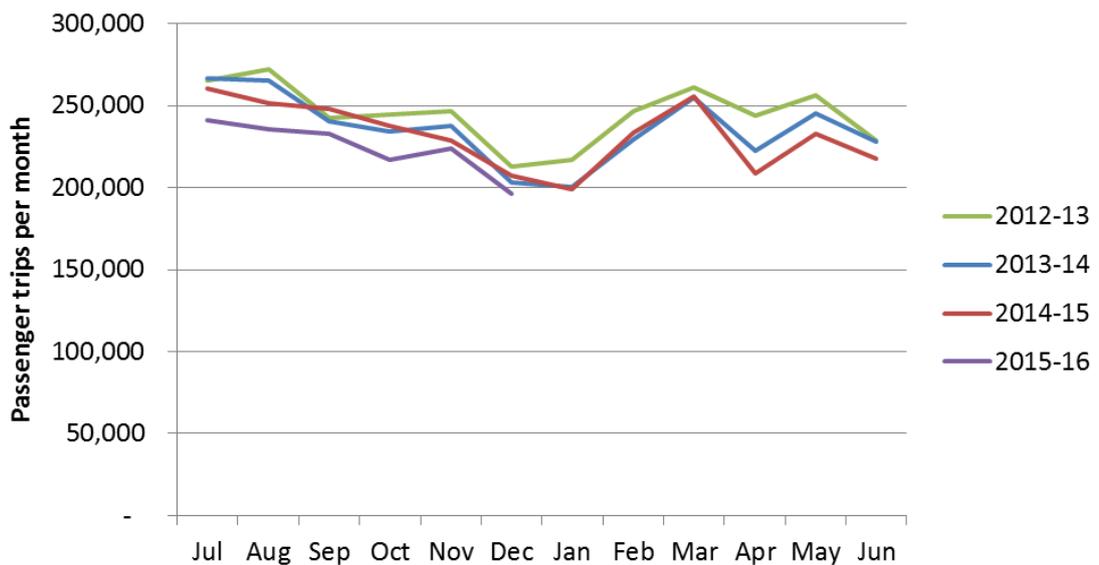


Figure 1

Figure 2 provides a comparative representation of revenue for the same period as Figure 1. Figure 2 shows that despite the decline in patronage, fare box recovery has increased. This is primarily as a result of fare increases in both Dunedin and Queenstown.

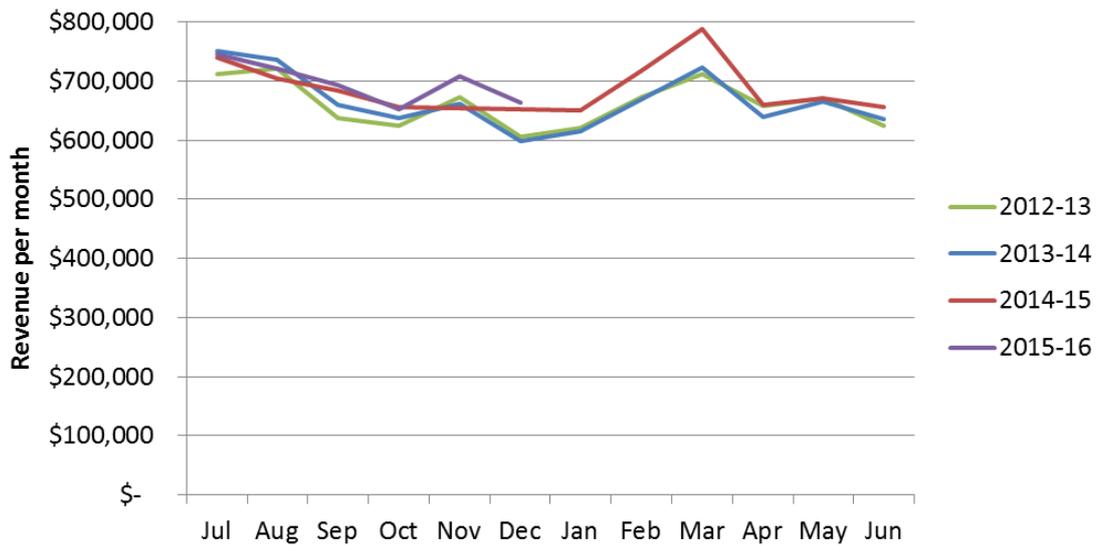


Figure 2

The patronage decline in Otago is reflected in almost all other councils throughout New Zealand. With the exception of Auckland, most councils are experiencing either a decline in patronage, or a decline in patronage growth. There are various factors that may be contributing to the national trend including but not limited to:

- Sustained lower fuel prices
- Lower car ownership costs (Road User Charges and Registration costs)
- Increase in car ownership in each region
- Timing of investment in improvements
- Improvements in other roading infrastructure

At a recent Transport Sector Special Interest Group (SIG) it was agreed that the national trend requires further investigation collectively to confirm the reasons for the trend, and to identify what interventions may assist in arresting the decline. As a result of the SIG discussion a sub-group has been set up and a consultant engaged to assist with this piece of work.

It is expected that the findings of the patronage investigation will be available in April and will be provided to Council accordingly.

3. Recommendation

That this report be received.

Nick Donnelly
Director Corporate Services

REPORT

Document Id: A885315

Report Number: 2016/0674
Prepared For: Finance and Corporate Committee
Prepared By: Director Policy, Planning and Resource Management
Date: 26 February 2016

Subject: **Environmental Enhancement Fund**

1. Précis

Council has developed the Environmental Enhancement Fund and this report details the purpose and principles of the Fund, and the process for allocating financial support to eligible projects. The full Environmental Enhancement Fund document is attached.

Recently Council has undertaken three workshops to develop the objectives, criteria for approval and approval of project eligibility for assistance from the fund. This report presents the purpose and principles of the Fund for approval.

2. Background

Council uses a response regulatory approach to resource management, meaning achieving environmental outcomes uses an advisory, education approach under pinned by rules. In concert with these methods financial support can assist changes in community activities. Council makes an annual allocation from reserves to the Environmental Enhancement Fund to support activities which enable retention of existing values or redress cause of degraded values.

3. Discussion

In supporting specific community activities and developments Council can promote extra efforts to achieve good outcomes, such as provision of access to key areas and fixing long standing problems.

Distribution of funds to projects can increase participation by others and attract additional funding. However, projects may be implemented exclusively by Council or in concert with others.

Funding is provided for activities not to support administration of organisations.

4. Recommendation

That the Finance and Corporate Committee endorse the purpose and principles of the Environmental Enhancement Fund, and the process for allocating financial support to eligible projects.

Fraser McRae
Director Policy, Planning and Resource Management

Otago Regional Council

Environmental Enhancement Fund

1 Fund rationale

1.1 Reason for fund

Otago Regional Council has established the Environmental Enhancement Fund as a method of promoting good environmental outcomes in Otago. The fund provides support to the cost of activities which either retains the existing characteristics of valued natural resources or improves environments which have degraded because of problems in the past. Through annual contributions to the Environmental Enhancement Fund, we are committing to actively supporting the community in maintaining or enhancing areas of our natural environment that are important to them.

The Fund may be fully committed in any one year but any unallocated part of the Fund will be rolled into the following year.

1.2 Vision

Natural resources [air, water and land – fresh and coastal, and their ecosystems] in Otago are in suitable condition to provide for the ecological, social and economic wellbeing of the regional community.

1.3 Objectives of fund

The Fund is established to:

- Promote community support for activities that complement rules relating to resource management
- Respond to community concerns about local environments
- Make investment that improves the environment and ecosystems for the regional community, now and in the future
- Support creative solutions to improve the ecological, social-cultural and economic values of the Otago community
- Increase social, cultural and economic opportunity
- Manage resource use to remedy resulting legacy and recent unacceptable conditions
- Produce an inventory of activities undertaken for the regional community's wellbeing

2 Grants [and Projects]

2.1 Funding Criteria

The ORC fund will be available to:

- Promote public involvement in good environmental management
- Enhance regional relationships and set environmental precedents
- Reduce stress on ecological systems
- Construct and implement environmental solutions
- Address public resources in preference to private property

- Support single rather than multi-stage projects
- Support a project in-whole or as part contribution to support alternative funding
- Preference to support a few larger rather than many small allocations

To qualify, activities must relate to improving the quality of the Otago natural resource base. The activity must:

- Link to resolving causes of unacceptable conditions, to avoid continuance, and not merely give the temporary appearance of a solution
- Fit with other activities; being integral or complementary

2.2 Project eligibility

The Fund is available for discrete projects undertaken by community groups and other organisation to achieve an appropriate outcome. On some occasions the project may be undertaken by ORC at request of the community. The Fund will not provide administrative support or commit to future stages of projects.

Projects will require defined outcomes and evaluation of achievement will be required when the project has been completed.

2.3 Approval Process

Ideas for activities to be resourced from the Fund may come from: current ORC actions including observations, monitoring or studies; submission to long term or annual plans; ad hoc approaches to ORC from groups and individuals.

With a defined topic, an assessment for the proposed activity against the Fund objectives and criteria will be undertaken and a recommendation for eligibility, including reporting on completion.

Assessment may include further study and consultation, but should address:

- Whether effects are permanent or irreversible
- How effects are impacting resources that are valued, rare, or unique
- Are there human health or ecological risks
- Whether solutions are fair and equal in the distribution of costs and benefits

Final decision for resourcing from the Fund will be delegated to the CEO, who will include decisions as part of quarterly report to Council.

REPORT

Document Id: A884282

Report Number: 2016/0665
 Prepared For: Finance and Corporate Committee
 Prepared By: Director Corporate Services
 Date: 25 February 2016

Subject: **Executive Report - March 2016**

1. Annual Plan Update

The Draft Annual Plan and Consultation Document for 2016/17 have been completed and are presented to this Committee for endorsement to release for consultation. Submissions will close on 2 May and hearings on submissions will commence the week starting 16 May. The finalised Annual Plan is due to be adopted at the Council meeting on 22 June.

2. Account Payments

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

Payment Category	January 2016
Trade and general payments	\$1,958,352.00
Payroll	\$601,120.77
Investments	\$0.00
Total	\$2,559,472.77

3. Recommendations

That;

- (1) this report be received.
- (2) the payments and investments summarised in the table above and detailed in the tabled schedule, totalling \$2,559,472.77 be endorsed.

Nick Donnelly
Director Corporate Services

OTAGO REGIONAL COUNCIL

**Agenda for a meeting of the Technical Committee to be held
in the Council Chamber, 70 Stafford Street, Dunedin
on Wednesday 9 March 2016, following the Finance and Corporate
Committee meeting**

Membership:

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

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

Please note that there is an embargo on agenda items until 8.30 am on Monday 7 March 2016

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

The minutes of the meeting held on 27 January 2016, having been circulated, for adoption.

Matters arising from minutes

ITEMS FOR NOTING

Item 1

2016/0621 **Director's Report on Progress.** DEHS, 2/3/16

Topics covered in the report are: Manuherikia Habitat Modelling to inform Minimum Flow setting process, Leith Flood Protection Scheme, and Dunedin District Plan and South Dunedin Natural Hazards and LiDAR Data Survey.

Item 2

2015/1027 **Management flows for aquatic ecosystems in Kaihiku Stream.** DEHS, 25/2/16

A management flow report ("Management Flows for Aquatic EcoSystems in Kaihiku Stream") is circulated separately

OTAGO REGIONAL COUNCIL**Minutes of a meeting of the Technical Committee held
in the Council Chamber, 70 Stafford Street, Dunedin
on Wednesday 27 January 2016 commencing at 10.35 am**

Present:

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

Apologies: **Cr Trevor Kempton** (entered the meeting at 10.39 am)

In attendance:

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

CONFIRMATION OF AGENDA

There were no changes to the agenda.

MINUTES

The minutes of the meeting held on 25 November 2015, having been circulated, were adopted on the motion of Crs Brown and Kelliher.

Matters arising from minutes

There were no matters arising from the minutes.

ITEMS FOR NOTING

Item 1

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

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

Comment was made that bioenergetic modelling could have big implications for the setting of minimum flows, particularly in unreliable low flow rivers. Dr Palmer explained that IFIM (Instream Flow Incremental Methodology) was sufficient on most occasions, and this bioenergetic modelling of the Upper Clutha was an exception. He did not see it as setting a precedent for a method to be applied automatically to other rivers.

Support was noted for minimum flows on water short tributaries of the Clutha, but it was queried when the decision was made to apply a minimum flow to the Clutha main stem. There was a concern that a minimum flow on the Clutha would be to the detriment of people in Central Otago.

It was noted that the schedule of minimum flow work had been set some time ago. Bioenergetic modelling was part of the information required for informing a minimum flow process, and in this instance replaced IFIM. The minimum flow process for the Clutha would be different because of the size of the river, with a good deal of it being rooted in the economic potential for the region from Clutha water. The river was important environmentally and economically, including for hydro.

Dr Palmer explained that the bioenergetics modelling was best done now to get it off the critical path of the project, and he noted that it was determined as part of LTP progress. Mr McRae commented that there was nothing in the Water Plan around the values of the Clutha. He also noted that there was a default minimum flow on the river through the hydro consents, and Lake Dunstan provided limited storage in the upper Clutha. There was possible tension between irrigation and hydro power needs.

The amount of work needed on the Clutha minimum flow process was noted, and it was queried whether the work needed to be reordered to fit in with next year's Annual Plan process. A workshop was needed soon, and there needed to be clear engagement with the community.

Mr McRae commented that the information already presented to Council on the potential for irrigation throughout Central Otago would be useful for this project.

Cr Kempton returned to the meeting at 10.39 am

Cr Croot moved
Cr Woodhead seconded

That the report be noted.

Motion carried

The meeting closed at 11.05 am.

Chairperson

REPORT

Document Id: A806142
Report Number: 2015/1027
Prepared For: Technical Committee
Prepared By: Dean Olsen, Manager Resource Science
Date: 25/2/2016
Subject: **Management Flows for Aquatic Ecosystems in Kaihiku Stream**

1. Précis

Kaihiku Stream is a small stream draining an agricultural catchment near Balclutha. The headwaters of the catchment are in the Kaihiku Range where the catchment is dominated by exotic forestry and agriculture, while most of the remaining catchment is intensively farmed. There is currently a single consented water take in the Kaihiku catchment, but water demand in south Otago has risen in recent times and the Kaihiku catchment is unlikely to be an exception. It is desirable to have technical information on aquatic ecosystems available to the public to inform future discussions on the setting of a minimum flow or residual flows.

A management flow report (“Management Flows for Aquatic Ecosystems in Kaihiku Stream”) has been prepared presenting hydrological information and assessing the ecological flow requirements for Kaihiku Stream. This assessment was informed by work undertaken for ORC by Golder Associates. Golder Associates carried out in-stream habitat modelling in Kaihiku Stream along with several other catchments. The results of this modelling are presented in Golder Associates (2009)¹.

In-stream habitat modelling was conducted to determine how changes in flow affect habitat for the fish species present in Kaihiku Stream. It is suggested that a flow of 105 l/s during the period December-April will maintain an appropriate level of habitat for juvenile and adult trout and koaro, while a flow of 120 l/s is suggested to protect trout spawning habitat over the period May-November.

The results from the technical report should be used as part of community consultation on the potential future water management decisions and will be helpful in informing any future resource consent assessments (e.g. residual flow conditions).

2. Recommendation

That this report and the technical report ‘Management flows for Aquatic Ecosystems in Kaihiku Stream’ are received and noted.

Gavin Palmer
Director Engineering, Hazards and Science

¹ Golder Associates (2009). Minimum flow assessment for three Otago waterways: Waipahi River, Kaihiku Stream and Welcome Creek. Prepared for Otago Regional Council. Report No. OTARC-OTA-009. 26 p. plus appendices.

REPORT

Document Id: A881196

Report No: 2016/0621

Prepared For: Technical Committee

Prepared By: Dean Olsen, Manager Resource Science
Rachel Ozanne, Acting Manager Natural Hazards
Chris Valentine, Manager Engineering

Date: 2 March 2016

Subject: Director's Report on Progress

1. Manuherikia Habitat Modelling to Inform Minimum Flow-Setting Processes

NIWA has begun fieldwork to inform instream habitat modelling in the upper Manuherikia River between Dunstan Creek and Falls Dam. The initial survey has been completed, and NIWA is awaiting higher flows to complete follow-up surveys.

2. Leith Flood Protection Scheme

Construction works are well underway on the true right bank south of Dundas Street Bridge. There have been numerous archaeological finds of interest in the area, including pottery and bottles dating back to the 1880s. A number of established Rhododendrons had to be removed as part of the flood protection works in this area, six of which have been carefully transplanted to temporary storage planters for later replanting along Montgomery Avenue. The Sorbus tree on the corner of Dundas Street and Montgomery Avenue has been retained subject to an expert arborist's assessment of the trees stability and viability after the bulk earthworks are completed. The initial assessment indicates that no structural roots have been cut with the trees prospect of survival is considered high.



Figure 1 Dundas Street to St. David Street Reach of the Water of Leith showing Relocated Rhododendrons and Bulk Earthworks

Earthworks on the southern end of Montgomery Avenue have started with a ramp down to the riverbed and removal of the existing concrete wall. Cofferdams for three river diversions are being installed. The design maintains fish passage and reduces the risk to the project and the environment if a rain event results in high flows in the Water of Leith.

3. Dunedin District Plan and South Dunedin Natural Hazards

ORC has continued to assist the Dunedin City Council with the natural hazards provisions of the Second Generation District Plan (2GP). All submissions pertaining to natural hazards have been reviewed by ORC natural hazards staff. The review of submissions has resulted in the commissioning of some additional work related to land instability and flooding, involving the refinement of hazard overlay maps. This work is primarily being conducted in house, with additional work scheduled to be undertaken by GNS Science.

4. LiDAR Data Survey

The purchase of LiDAR data and aerial photography at 11 locations (Figure 2) across Otago to inform activities was identified as a target in the 2015-25 Long Term Plan. A tender process was undertaken and a preferred supplier has been selected (Aerial Surveys) to provide the required deliverables. The data will inform the investigation of natural hazards.

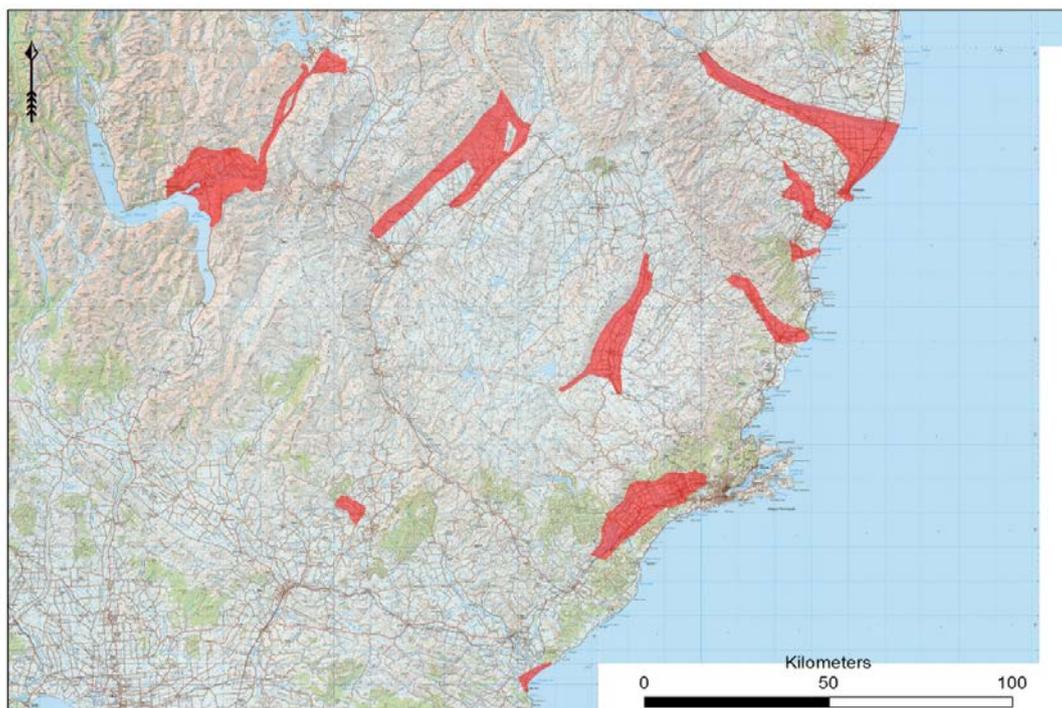


Figure 2 LiDAR Collection Extent

5. Strath Taieri and Pomahaka River Management Plans

Morphological analysis has been completed and suggested river corridor boundaries have been mapped. An opportunity for the public to consider this information and the values associated with the rivers is underway. Two drop-in sessions have been held in Tapanui for the Pomahaka, with a formal presentation

to the wider community scheduled for 9 March. The public submission process will then run until March 22. Drop in sessions for the Strath Taieri are scheduled in early March.

6. Recommendation

That this report is noted.

Gavin Palmer
Director Engineering, Hazards and Science

OTAGO REGIONAL COUNCIL

**Agenda for a meeting of the Policy Committee to be held in the
Council Chamber, 70 Stafford Street, Dunedin on
Wednesday 9 March 2016 following the Technical Committee meeting**

Membership:

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

Apologies:

Leave of absence:

In attendance:

Please note that there is an embargo on agenda items until 8.30 am on Monday 7 March.

CONFIRMATION OF AGENDA

PUBLIC FORUM

MINUTES

The minutes of the meeting held on 26 January 2016, having been circulated, for adoption.

Matters arising from minutes

FOR NOTING

Item 1

2016/0659 **Director's Report on Progress.** DPPRM, 26/2/16

The report gives an overview of significant activities undertaken by the Policy section since the last meeting of the Policy Committee. A review of the LGNZ Blue Skies Resource Management Submission is attached.

OTAGO REGIONAL COUNCIL**Minutes of a meeting of the Policy Committee held in the
Council Chamber, 70 Stafford Street, Dunedin on
Wednesday 27 January 2016 commencing at 9.29 am**

Present:

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

In attendance:

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

CONFIRMATION OF AGENDA

There were no changes to the agenda.

MINUTES

The minutes of the meeting held on 25 November 2015, having been circulated, were adopted on the motion of Crs Deaker and Kelliher.

Matters arising from minutes

There were no matters arising from the minutes.

FOR NOTING

Item 1

2016/0577 **Director's Report on Progress.** DPPRM, 15/1/16

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

Mr McRae noted that a lot of material had been received from government departments before Christmas, and staff were working on responses.

A question was raised as to the stakeholder requests which had delayed the hearing of Proposed Plan Change 5A (Lindis: Integrated water management). Mr McRae advised that the primary request for the delay came from the farming community, who cited a clash with on farm work, and availability of consultants and counsel.

In response to a question about marine protected areas consultation, Mr McRae noted that he had been nominated by Council for membership of the local group, but this had not been taken up. Government was considering banning commercial fishing in the Marlborough Sounds and Hauraki Gulf. Mr Bodeker advised that this had been raised with the local DoC representative, and recommendations would be made soon to the Otago/Southland community.

Cr Croot moved
Cr Neill seconded

That the report be noted.

Motion carried

The meeting closed at 9.35 am.

Chairperson

REPORT

Document Id: A884860

Report Number: 2016/0670

Prepared For: Policy Committee

Prepared By: Dale Meredith, Manager Policy

Date: 25/02/2016

Subject: **Minimum flow and aquifer allocation work programme**

1. Précis

The Long Term Plan (LTP) sets out ORC's work programme for setting minimum flow and aquifer allocation regimes. This report summarises progress being made within the Annual Plan W1.

2. Requirement to manage water quantity

The National Policy Statement for Freshwater Management 2014 (NPSFM) requires ORC to set environmental flows and/or levels for all freshwater management units in the region. This includes an allocation limit and a minimum flow (or other flow) for rivers, and an allocation limit and minimum water level for all other freshwater management units (lakes and aquifers).

The Regional Plan: Water for Otago (Water Plan) has included provisions relating to minimum flows, water levels and allocation since it was made operative on 1 January 2004. This framework enables the NPSFM to be given effect, and this work programme provides for river and aquifer specific water quantity regimes to be added to the relevant Water Plan policy, rule, schedule and map.

Setting a regime involves a stage process, being:

1. Initial meeting with the local community to exchange knowledge and define values.
2. Development of options with assessment of effects on values.
3. Consultation with community on options and effects to detail preferred option.
4. Undertake plan change process, RMA First Schedule.

3. W1: Water Plan work programme

The purpose of the various projects within W1 is to undertake a series of plan changes to ensure that the Water Plan meets community expectations and statutory requirements for water management.

The priority is to have the water quantity management regime for those major river systems and aquifers affected by deemed permit taking, operative by 2018. This will provide certainty regarding the relevant regime, so that those needing to replace deemed water permits with resource consents before October 2021 will know what is expected. It is also a priority to complete regimes for other catchments where plan change work has already commenced.

The proposed 3-year priority work programme is set out below in Table 1.

Table 1: 3-year priority work programme

Project	2015/16 year [Year 1]	2016/17 year [Year 2]	2017/18 year [Year 3]
Lindis River & connected aquifers	<ul style="list-style-type: none"> Notify plan change Hearing Mar/Apr 2016 	<ul style="list-style-type: none"> Complete plan change 	
Manuherikia River & connected aquifers	<ul style="list-style-type: none"> Stage 1 of development: start Identify catchment values IFIM study Align Manuherikia Water Strategy Audit: dams, multiple flow sites 	<ul style="list-style-type: none"> Stages 2 and 3: options & consult on suggested regime 	<ul style="list-style-type: none"> Complete plan change [Year 4]
Clutha Mata Au main stem	<ul style="list-style-type: none"> Stage 1: start Identify catchment values Bioenergetics study [Science] Dammed river management options [Science] 	<ul style="list-style-type: none"> Stages 2 and 3: options & consult on suggested regime 	<ul style="list-style-type: none"> Complete plan change [Year 4]
Cardrona River & connected aquifer	<ul style="list-style-type: none"> Stage 2: options Investigate continuous flow option: managed aquifer recharge? [Science] 	<ul style="list-style-type: none"> Model naturalised flows Stage 3: consult on suggested regime Notify plan change 	<ul style="list-style-type: none"> Complete plan change
Hawea aquifer	<ul style="list-style-type: none"> Stage 2: options On hold while more refined aquifer model developed 		<ul style="list-style-type: none"> Develop more refined groundwater model Complete plan change [Year 4]
Queensberry/Pisa aquifers	<ul style="list-style-type: none"> Stage 1 of development started 	<ul style="list-style-type: none"> Report on Pisa Flat Aquifer study [Science] Stages 2 and 3: options & consult on suggested regime 	<ul style="list-style-type: none"> Complete plan change [Year 4]
Benger Burn & Ettrick Aquifer	<ul style="list-style-type: none"> On hold while more sophisticated aquifer model developed Report on revised aquifer model 	<ul style="list-style-type: none"> Stage 3: consult on suggested option Notify plan change 	<ul style="list-style-type: none"> Complete plan change [Year 4]
Waikouaiti River	<ul style="list-style-type: none"> On hold while estuary study is undertaken 	<ul style="list-style-type: none"> Report on estuary study Consult on suggested regime Notify plan change 	<ul style="list-style-type: none"> Complete plan change [Year 4]
Waiwera River	<ul style="list-style-type: none"> Mediation completed Make operative 1 March 2016 		

The second priority is to set regimes for other tributaries to the Clutha Mata Au, and other aquifers, where a tailored water quantity management regime may be more appropriate than the default provisions in the Water Plan. Before work commences on this suite of work, an assessment will be made of the need for a river/aquifer specific regime. No provision is made in the current financial year to advance this work

Table 2 sets out the work programme for the second priority of work.

Table 2: Second priority work programme

Project	2016/17 year [LTP Year 2]	2017/18 year [LTP Year 3]	2018/19 – 2024/25 [LTP Years 4-10]
Lowburn	<ul style="list-style-type: none"> Stage 1: start Identify catchment values 	<ul style="list-style-type: none"> Stage 2: options Stage 3: develop suggested regime Consult on suggested regime Notify plan change 	<ul style="list-style-type: none"> Complete plan change [Year 4]
Arrow	<ul style="list-style-type: none"> Stage 1: start Identify catchment values 	<ul style="list-style-type: none"> Stage 2: options 	<ul style="list-style-type: none"> Complete plan change [Year 5]
Bannockburn	<ul style="list-style-type: none"> Stage 1: start Identify catchment values 	<ul style="list-style-type: none"> Stage 2: options 	<ul style="list-style-type: none"> Complete plan change [Year 5]
Fraser	<ul style="list-style-type: none"> Stage 1: start Identify catchment values 	<ul style="list-style-type: none"> Stage 2: options 	<ul style="list-style-type: none"> Complete plan change [Year 5]
Teviot	<ul style="list-style-type: none"> Stage 1: start Identify catchment values 	<ul style="list-style-type: none"> Stage 2: options 	<ul style="list-style-type: none"> Complete plan change [Year 5]
Wakatipu Basin Aquifer	<ul style="list-style-type: none"> Stage 1: start Identify aquifer values 	<ul style="list-style-type: none"> Stage 2: options 	<ul style="list-style-type: none"> Complete plan change [Year 5]
Roxburgh Aquifer	<ul style="list-style-type: none"> Stage 1: start Identify aquifer values 	<ul style="list-style-type: none"> Stage 2: options 	<ul style="list-style-type: none"> Complete plan change [Year 5]
Inch Clutha Gravel Aquifer	<ul style="list-style-type: none"> Stage 1: start Identify aquifer values 	<ul style="list-style-type: none"> Stage 2: options 	<ul style="list-style-type: none"> Complete plan change [Year 5]
Glenorchy Aquifer	<ul style="list-style-type: none"> Stage 1: start Identify aquifer values 	<ul style="list-style-type: none"> Stage 2: options 	<ul style="list-style-type: none"> Complete plan change [Year 5]
Kingston Aquifer	<ul style="list-style-type: none"> Stage 1: start Identify aquifer values 	<ul style="list-style-type: none"> Stage 2: options 	<ul style="list-style-type: none"> Complete plan change [Year 5]
Gibbston Aquifer		<ul style="list-style-type: none"> Stage 1: start Identify aquifer values 	<ul style="list-style-type: none"> Complete plan change [Year 5]
Clydevale-Wairuna Aquifer		<ul style="list-style-type: none"> Stage 1: start Identify aquifer values 	<ul style="list-style-type: none"> Complete plan change [Year 5]
Wairuna Aquifer		<ul style="list-style-type: none"> Stage 1: start Identify aquifer values 	<ul style="list-style-type: none"> Complete plan change [Year 5]

The third priority is to set regimes for other river systems and aquifers where a tailored water quantity management regime may be more appropriate than the default provisions in the Water Plan. No provision is made in the current financial year to advance this work.

Table 3 sets out the work programme for the third priority of work. It was not envisaged that plan change work would commence for these rivers and aquifers over the next three years.

Table 3: Third priority work programme

Project	2018/19 – 2024/25 [LTP Years 4-10]
Default minimum flow regime for all other rivers	<ul style="list-style-type: none"> Commence & complete plan change [Years 4-5]
12 Mile Creek	<ul style="list-style-type: none"> Commence & complete plan change [Years 6-7]
Alpha Creek	<ul style="list-style-type: none"> Commence & complete plan change [Years 6-7]
Tuapeka River	<ul style="list-style-type: none"> Commence & complete plan change [Years 6-7]
Kuriwao River	<ul style="list-style-type: none"> Commence & complete plan change [Years 6-7]
Tokomairiro River	<ul style="list-style-type: none"> Commence & complete plan change [[Years 6-7]
Strath Taieri Aquifer	<ul style="list-style-type: none"> Commence & complete plan change [Years 6-7]
Lower Taieri Aquifer	<ul style="list-style-type: none"> Commence & complete plan change [Years 6-7]
Lower Waitaki Plains Aquifer	<ul style="list-style-type: none"> Commence & complete plan change [Years 6-7]
Papakaio Aquifer	<ul style="list-style-type: none"> Commence & complete plan change [Years 6-7]

Finally, the full review of the Water Plan is scheduled for Years 8-10. A provision that has been reviewed within the past ten years does not need to be included in this review.

4. Recommendation

That the report is received.

Fraser McRae
Director Policy Planning and Resource Management

REPORT

Document Id: A886995

Report Number: 2016/0689

Prepared For: Policy

Prepared By: Director Policy, Planning and Resource Management

Date: 4 March 2016

Subject: **Further Submissions on DCC 2nd Generation District Plan**

1. Précis

Two further submissions were lodged, on Council's behalf, on submissions made on the Dunedin City Council's Proposed 2nd Generation District Plan. The submissions are appended to this report for Council's endorsement.

2. The submissions

Further Submissions on Dunedin City Council's Proposed 2nd Generation District Plan closed on 3 March 2016.

The submissions lodged were:

- as landowner of the property at 15 Birch Street/39 and 49 Kitchener Street, and
- Council as a regional authority.

The submissions are appended to this report for Council's endorsement.

3. Recommendation

1. That Council endorse the appended further submissions on Dunedin City Council's Proposed 2nd Generation District Plan.

Fraser McRae
Director Policy, Planning and Resource Management

FORM 6

**FURTHER SUBMISSION IN SUPPORT OF OR IN OPPOSITION TO SUBMISSIONS ON
PUBLICLY NOTIFIED PROPOSED DUNEDIN CITY DISTRICT PLAN**

Clause 8 of Schedule 1, Resource Management Act 1991

To: Planning Department
Dunedin City Council
PO Box 5045
DUNEDIN 9058

Submission on: Proposed Second Generation Dunedin City District Plan

Submitter name: Otago Regional Council ("**ORC**")

Address: Private Bag 1954
DUNEDIN 9054

1. This further submission is in opposition to or support of submissions on the Proposed Second Generation Dunedin City District Plan ("**Proposed 2GP**").
2. The ORC has an interest in the Proposed 2GP that is greater than the interest the general public has within the District.
3. The ORC will not gain an advantage in trade competition through this further submission.

Further Submission

4. The ORC's further submission is attached as Attachment A.
5. The ORC does wish to be heard in relation to this further submission
6. If others make a similar submission the ORC will consider presenting a joint case with them at any hearing.
7. The ORC seeks the following decision from the Dunedin City Council:

- 7.1. That the relief sought and/or amendments (or those with similar or like effect) outlined in **Attachment A** be accepted;
- 7.2. Such further, consequential or other relief as is appropriate or desirable in order to take account of the matters expressed in this submission.



.....

Peter Bodeker
Chief Executive
Otago Regional Council

Dated at Dunedin this 3rd day of March 2016

Address for service: Otago Regional Council
C/- Mitchell Partnerships
PO Box 489
DUNEDIN 9054

Contact Details:

Attention: Megan Justice
Telephone: 03 477 7884
E-mail: megan.iustice@mitchellpartnerships.co.nz

ATTACHMENT A

Underlined text represents additions; ~~strikethrough~~ text represents deletions

SUBMITTER	SUB. ID	PROVISION	RELIEF SOUGHT	ORC'S POSITION	REASONS
University of Otago	308	Objective 18.2.1.(g)	Amend Objective 18.2.1.(g) by adding "training and education" to the list of activities: <i>(g) an area around Birch and Kitchener Streets and the coast (HE Zone) which provides for the continuation of the existing environment characterized by industrial activity, while allowing for a transition toward a vibrant and attractive place to live, work and visit by also providing for conference, meeting and function, entertainment and exhibition, restaurant, visitor accommodation, <u>training and education</u> and residential activities.</i>	Support	If the Harbourside Edge zone is retained, the ORC supports this submission as the inclusion of 'training and education' reflects the activities that are permitted in the Harbourside Edge Zone.
		Policy 18.2.1.3	Amend Policy 18.2.1.3 to recognise that office and retail may be associated with (ancillary to) permitted activities in the Harbourside Edge zone. <i>Avoid retail and office activities outside of the commercial areas where they are provided for unless:</i> <i>a. it is an ancillary and secondary component of a retail or office activity that is undertaken in a scheduled heritage building as provided for by Policy 13.2.1.9 on the same or adjacent site; or</i> <i>b. there is a significant and sustained increase in the amount of retail activity across the city and it can be demonstrated that as a result there is a medium to longer term under-supply of retail land across all the areas where general retail is provided for; or</i> <i>c. in the HE Zone, it is associated with port, industrial or marine related activities operating in the area <u>and other permitted activities</u>; or</i> <i>d. in the PPH Zone it is associated with campus activities; or</i> <i>e. in the CEC Zone it is associated with campus or hospital activities.</i>	Support in part	The ORC submitted that office activities be provided for in the Harbourside Edge Zone and permitted within the operative South East Character Area. If the Harbourside Edge Zone provisions are retained, the ORC submits that this policy should be amended to provide for some office activities in this zone.

		<p>Rule 18.6.18.2 Standards Harbourside Edge Zone</p>	<p>Retain Rule 18.6.18.2 Standards Harbourside Edge Zone. This standards is set out below:</p> <p><i>18.6.18 Standards Harbourside Edge</i></p> <ol style="list-style-type: none"> 1. <i>Buildings must be built to within 400mm of the road boundary along Birch and Kitchener streets, except for any setbacks required to allow pedestrian entrances.</i> 2. <i>Buildings must:</i> <ul style="list-style-type: none"> ▪ <i>along Birch Street have a minimum height of 6m and maximum height of 20m</i> ▪ <i>along Kitchener Street have a minimum height of 6m and a maximum height of 16m.</i> 3. <i>Buildings must be designed to provide free and unfettered public access (via pedestrian accessways) through sites from Birch and Kitchener streets to the public walkway required in Rule 18.6.18.5. The public accessways:</i> <ul style="list-style-type: none"> ▪ <i>must be within 5m of the locations shown green in the harbourside edge public walkway and access mapped area.</i> ▪ <i>must be available, for public use at a minimum, between the hours of 8am and 10pm; and</i> ▪ <i>may be either external or internal to (through) buildings.</i> 4. <i>Buildings must be setback from the harbour edge an adequate distance to provide for the public walkway required by Rule 18.6.18.5.</i> 5. <i>Prior to the occupation of any new building, a public walkway of a minimum width of 5m must be constructed either:</i> <ul style="list-style-type: none"> ▪ <i>along the wharf, if it is upgraded to a safe standard; or</i> ▪ <i>along the land immediately adjacent to the harbour.</i> 6. <i>The public walkway required by Rule 18.6.18.5 must:</i> <ul style="list-style-type: none"> ▪ <i>be for the length shown red in the harbourside edge public walkway and access mapped area;</i> ▪ <i>be free of buildings or structures;</i> ▪ <i>not be used by vehicles;</i> 	<p>Oppose</p>	<p>In its submission the ORC sought that the recently operative Harbourside Zone should be reinstated in full in the Proposed 2GP, including all provisions, district plan maps and structure plans.</p> <p>In relation to this submission of the University of Otago, specifically, the ORC opposes the following standards:</p> <p><i>18.6.18.1 Buildings must be built to within 400mm of the road boundary along Birch and Kitchener streets, except for any setbacks required to allow pedestrian entrances.</i></p> <p>The ORC considers that this rule is overly restrictive and greater flexibility is sought for building setbacks along Birch and Kitchener streets.</p> <p><i>18.6.18.3 Buildings must be designed to provide free and unfettered public access (via pedestrian accessways) through sites from Birch and Kitchener streets to the public walkway required in Rule 18.6.18.5. The public accessways:</i></p> <ul style="list-style-type: none"> ▪ <i>must be within 5m of the locations shown green in the harbourside edge public walkway and access mapped area.</i> ▪ <i>must be available, for public use at a minimum, between the hours of 8am and 10pm; and</i> ▪ <i>may be either external or internal to (through) buildings.</i> <p>The ORC considers that this rule does not enable sufficient flexibility in the location of the public access and pedestrian access ways (depicted in green) and seeks that the location of these links through to Birch and Kitchener Street be "indicative only".</p> <p>The ORC considers that the public access way that passes across the coastal marine area (across the water) and immediately adjacent to the operational slipway is impractical and may affect the operation of the slipway. The rule should be amended to clarify that the access way is "indicative", and the plan amended so that the Public Walkway avoids the coastal marine area, is "indicative", and shall not occupy the slipway site until such time as operations cease and operational infrastructure is removed.</p> <p><i>18.6.18.5 Prior to the occupation of any new building, a public walkway of a minimum width of 5m must be constructed either:</i></p> <ul style="list-style-type: none"> ▪ <i>along the wharf, if it is upgraded to a safe standard; or</i> ▪ <i>along the land immediately adjacent to the harbour.</i>
--	--	-------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

			<ul style="list-style-type: none"> ▪ <i>be constructed with an asphalt finish or of the same materials as the adjoining sections of walkway, if already constructed; and</i> ▪ <i>be lit to the Lighting for roads and public spaces AS/NZS 1158.3.1:2005, P4 Standard.</i> <p>7. <i>Activities that contravene rules 18.6.18.1 and 18.6.18.2 are a discretionary activity.</i></p> <p>8. <i>Activities that contravene rules 18.6.18.3 to 18.6.18.6 are a non-complying activity.</i></p>		<p>The ORC opposes this rule. This rule requires the upgrading of the wharf, regardless of whether or not the wharf requires upgrading.</p> <p>18.6.18.6 <i>The public walkway required by Rule 18.6.18.5 must:</i></p> <ul style="list-style-type: none"> ▪ <i>be for the length shown red in the harbourside edge public walkway and access mapped area;</i> ▪ <i>be free of buildings or structures;</i> ▪ <i>not be used by vehicles;</i> ▪ <i>be constructed with an asphalt finish or of the same materials as the adjoining sections of walkway, if already constructed; and</i> ▪ <i>be lit to the Lighting for roads and public spaces AS/NZS 1158.3.1:2005, P4 Standard.</i> <p>The ORC opposes this standard as, as worded, it will require the first developer of land within the zone to upgrade the entire length of the public walkway. Further there is a need to ensure the ability to provide for maintenance of the walkway, structures, and buildings. Given the operational slipway is located within this zone, the requirements for the walkway to not be used by vehicles will affect the operation of this slipway, and are therefore opposed by the ORC.</p>
--	--	--	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Port Otago	737	Rule 10.3.3 Setback from Coast or Water Bodies	Port Otago seeks that rule 10.3.3 be deleted, or that an exemption for buildings, structures and earthworks within the Harbourside Edge Zone is provided. In relation to the Harbourside Edge Zone, Rule 10.3.3 Setback from Coast or Water Bodies requires: <i>New buildings and structures, additions and alterations, earthworks - large scale, storage and use of hazardous substances, and network utilities activities must be set back:</i> 1. 20m from mean high water springs (MHWS);	Support	The ORC supports the amendment sought by Port Otago to exempt buildings and structures and earthworks within the Harbourside Edge zone from this rule in order to enable development to occur in this zone that achieves the purpose of this zone, specifically, the development of the public walkway. It is noted that the presence of the seawalls on the coastal margin within the Harbourside Edge zone will manage the potential effects of coastal erosion in this location.
		Rule 11.3.4 Relocatable Buildings	Port Otago seeks that rule 11.3.4 be amended to remove the requirement for relocatable buildings within the Harbourside Edge Zone. Rule 11.3.4 states: <i>Rule 11.3.4 Relocatable Buildings</i> 1. In the hazard 3 (coastal) overlay zone, new buildings to be used for sensitive activities (including residential buildings) must be relocatable. 2. Buildings that do not have people regularly present (for example, garages, carports, and sheds) are exempt from the performance standard for relocatable buildings.	Support	The ORC supports this submission and notes that this submission aligns with the relief sought in its submission on the 2GP, except that the ORC sought that the operative District Plan Harbourside Zone be exempt from this rule.
		Rule 18.5.6 Minimum Car Parking	Port Otago has sought that on-site parking is not required in the Harbourside Edge Zone.	Support	The ORC supports this submission for the following reasons: <ul style="list-style-type: none">The requirement to build up to 400mm of road boundary, will likely result in onsite parking to be contained within a building. This is not a cost-effective option and may deter development.The on-site parking requirements that apply to the Harbourside Edge zone are overly onerous.
		Rule 18.5.7	Port Otago has sought that on-site loading and coach parking is not required in the Harbourside Edge Zone.	Support	The ORC supports this submission for the following reasons: <ul style="list-style-type: none">The requirement to build up to 400mm of road boundary, will likely result in onsite loading and coach to be contained within a building. This is not a cost-effective option and may deter development.
Chalmers Property	749	Policy 2.3.2.3	Chalmers Property seeks Policy 2.3.2.3 is amended to include specific reference to 'office' activities, as set out below: <i>Manage the existing and proposed harbourside edge mixed use areas around the edge of the CBD</i>	Support	The ORC supports this submission as it considers that office accommodation within the Harbourside Edge zone is appropriate and that it should be permitted within the existing South East Character Area.

		<p>through zones that provide for a compatible mix of activities that support rather than detract from the vibrancy and vitality of the CBD and centres (Warehouse Precinct, Princes, Parry and Harrow Street Zone, Smith Street and York Place Zone and Harbourside Edge Zone), and that:</p> <p>...</p> <p>2. for the Harbourside Edge Zone, allow for a transition toward a mixed-use environment, with enhanced public connection to and along the coast, focused on <u>office</u>, residential, visitor accommodation, restaurant and entertainment and exhibition activities, alongside continued use for port-related and other industrial activities.</p>		
	Harbourside Edge Transition Overlay Zone provisions: Objective 12.2.2, Policy 12.2.2.1, and Rules 12.3.2, 12.3.4 and 12.3.5.	Delete all objectives, policies and rules relating to Harbourside Edge Transition Overlay Zone and rezone affected area as Harbourside Edge Zone.	Support	This submission point is in line with ORC submission which sought the reinstatement of the whole Harbourside Zone.
	Rule 10.3.3 Setback from Coast or Water Bodies	<p>Chalmers Property seeks that Rule 10.3.3 be deleted, or that an exemption for buildings, structures and earthworks within the Harbourside Edge Zone is provided.</p> <p>In relation to the Harbourside Edge Zone, Rule 10.3.3 Setback from Coast or Water Bodies requires:</p> <p><i>New buildings and structures, additions and alterations, earthworks - large scale, storage and use of hazardous substances, and network utilities activities must be set back:</i></p> <p>- 20m from mean high water springs (MHWS); ...</p>	Support in part	<p>The ORC supports the amendment sought by Chalmers Property to exempt buildings and structures and earthworks within the Harbourside Edge zone from this rule in order to enable development to occur in this zone that achieves the purpose of this zone, specifically, the development of the public walkway.</p> <p>It is noted that the presence of the seawalls on the coastal margin within the Harbourside Edge zone will manage the potential effects of coastal erosion in this location.</p>
	Rule 11.3.4 Relocatable Buildings	<p>Chalmers Property seeks that rule 11.3.4 be amended to remove the requirement for relocatable buildings within the Harbourside Edge Zone. Rule 11.3.4 states:</p> <p><i>Rule 11.3.4 Relocatable Buildings</i></p>	Support	The ORC supports this submission and notes that this submission aligns with the relief sought in its submission on the 2GP, except that the ORC sought that the operative District Plan Harbourside Zone be exempt from this rule.

		<p>3. In the hazard 3 (coastal) overlay zone, new buildings to be used for sensitive activities (including residential buildings) must be relocatable.</p> <p>4. Buildings that do not have people regularly present (for example, garages, carports, and sheds) are exempt from the performance standard for relocatable buildings.</p>		
Rule 18.5.6 Minimum Car Parking	Chalmers Property has sought that on-site parking is not required in the Harbourside Edge Zone.	Chalmers Property has also sought consequential amendments to Tables 18.3.4, 18.5.6 and 18.5.7 to ensure that on-site car parking, loading and coach parking are not required for the Harbourside Edge Zone.	Support	<p>The ORC supports this submission for the following reasons:</p> <ul style="list-style-type: none"> The requirement to build up to 400mm of road boundary, will likely result in onsite parking to be contained within a building. This is not a cost-effective option and may deter development. The on-site parking requirements that apply to the Harbourside Edge zone are overly onerous.
Rule 18.5.7	Chalmers Property has sought that on-site loading and coach is not required in the Harbourside Edge Zone.	Chalmers Property has also sought consequential amendments to Tables 18.3.4, 18.5.6 and 18.5.7 to ensure that on-site car parking, loading and coach parking are not required for the Harbourside Edge Zone.	Support	<p>The ORC supports this submission for the following reasons:</p> <ul style="list-style-type: none"> The requirement to build up to 400mm of road boundary, will likely result in onsite loading and coach to be contained within a building. This is not a cost-effective option and may deter development .
Rule 18.3.6(5)	Chalmers Property have sought that the prescriptive building standards in this rule be deleted and that the consent requirements pertaining to Buildings under Rule 18.3.6(5) and the assessment matters included at 18.10.3(1) only apply.	<p>Prescriptive standards governing the height, position and length of street frontages of buildings are likely to result in shading and limit design opportunities. Similarly, standards relating to pedestrian accessway location, use of the public walkway and walkway surfaces are prescriptive and limiting. All design and amenity effects can be adequately managed through Rule 18.3.6(5) which requires consent be obtained for all new buildings, additions and alterations to buildings within the Harbourside Edge Zone.</p> <p>Rule 18.3.6(5) states: New buildings and additions and alterations to buildings within the Harbourside Edge Zone:</p>	Support in Part	<p>The ORC supports this submission insofar as it seeks that the prescriptive building standards are deleted from the Proposed 2GP, with the exception of the maximum building height limits, and as set out under the Port Otago submission on this provision above.</p> <p>The ORC also supports the Chalmers Property submission where it states that elevating the activity status to discretionary or non-complying when the prescriptive standards are not met (sub-clauses 7 and 8) is unnecessarily restrictive and will inhibit development of the Harbourside Edge zone.</p>

			<i>New buildings and additions and alterations to buildings that are visible from an adjoining public place, or the harbour are a Restricted Discretionary activity.</i>		
Construction Industry and Developers Association	997	18.3 Activity Status of activities in the Harbourside Edge Zone	Amend activity status of Bulky Goods Retail, Commercial advertising, Food and beverage retail, General retail, Office (not in a scheduled heritage building), Restaurant - drive through, Service stations, Trade related retail and Yard based retail from non-complying to discretionary.	Oppose in part	The ORC opposes in part the submission of Construction Industry and Developers Association insofar as it relates to changing the activity status of office activities in the Harbourside Edge Zone. The ORC considers that office activities, regardless of whether they are located within a scheduled heritage building or not, should be a permitted activity in the Harbourside Edge Zone, in particular in the operative South East Character Area..

RMA Form 6

Further Submission on a publicly notified proposed plan
Clause 8 of First Schedule Resource Management Act 1991

**Otago Regional Council's Further Submission
to the Dunedin City Council
on submissions on the
Dunedin City Council's Proposed District Plan (2GP)**

This is a further submission on the Dunedin City Council's notified Proposed District Plan Review (2GP).

The Otago Regional Council (ORC) lodged an original submission on the proposed district plan. ORC represents a relevant aspect of the public interest and has an interest in the proposed plan greater than the interest that the general public has as it is the regional authority for the Otago Region.

The Otago Regional Council wishes to be heard in support of this further submission.

If others make a similar submission, the ORC will not consider presenting a joint case with them at a hearing.

Signature of submitter (or person authorised to sign on behalf of submitter):



Peter Bodeker
Chief Executive
Otago Regional Council

3 March 2016

Address for service:

Otago Regional Council
Private Bag 1954
DUNEDIN 9054

Telephone:

03 474 0827

Fax:

03 479 0015

Email:

warren.hanley@orc.govt.nz

Contact person:

Warren Hanley, Resource Planner - Liaison

1.0 Further Submission Summary

The Otago Regional Council (ORC) submitted on the Dunedin City Council's (DCC) District Plan Review (2GP) on 24 November 2015.

This further submission relates to matters in the ORC's original submission and to other matters for which the ORC has statutory responsibilities.

REPORT

Document Id: A883750

Report Number: 2016/0659

Prepared For: Policy Committee

Prepared By: Director Policy, Planning and Resource Management

Date: 26 February 2016

Subject: **Director's Report on Policy Progress and Submissions**

1. Policy Responses

1.1 National Policies, Strategies and Plans

The following were received over the six week period to 26 February 2016:

Agency	Number	Details
Ministry for the Environment	2	Proposed changes to NES for Assessing and Managing Contaminated Soils 2016 Next Steps for Freshwater Consultation Document
Maritime New Zealand	1	New Zealand Port and Harbour Marine Safety Code

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

The following were received over the six week period to 26 February 2016:

Agency	Number Received	Document
CODC	1	Consent application
DCC	2	Consent application Summary of decisions requested on 2GP and call for further submissions
QLDC	3	2 consent applications Additional summary of decisions requested on district plan review and call for further submissions
West Coast RC	1	Proposed Coast Regional Plan 2016
Environment Canterbury	1	Proposed Plan Change 5 (Nutrient Management and Waitaki Plan) – Canterbury Land and Water Regional Plan

The following responses were made over the nine week period:

Proposal	Response Type	Issues
DCC District Plan Review (2GP)	Further Submission	The further submission addresses issues raised by submitters that were either not specifically addressed in the original ORC submission (earthworks, urban land supply) or to addresses due new information raised on natural hazard issues.
QLDC District Plan Review (Stage 1)	Further submission #2	Due to QLDC further notifying late submissions, ORC made a second further submission supporting the QLDC's landscape rules for rural zones.
New Zealand Emissions Trade Scheme (MfE) Review	Feedback	Support moving to full cost units under the New Zealand Emissions Trading Scheme
National Policy Statement for Urban Development - Discussion document (MfE)	Submission	ORC advocated that New Zealand would benefit from greater guidance as urban development is a significant long term issue and that there is a relationship between regional transport planning and urban development. For this reason it is important to have integrated planning strategies for urban development.

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

The s274 party's updated response to the mediation proposal is due mid-March 2016.

2. ORC: Policy, Plans and Strategies

2.1 Review of Regional Policy Statement

Hearings for the proposed Regional Policy Statement concluded on 30 November 2015 and the Commissioners are now in deliberations. Their recommendations are likely to be released mid-year.

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

The hearing of submitters on Proposed Plan Change 5A will be held in Wanaka and commences on Thursday 31 March 2016, continuing to Thursday 7 April. The hearing schedule is posted on the website, and expert evidence will also be posted online immediately prior to the hearing commencing.

2.3 Minimum flow and aquifer allocation work programme

A separate report is presented to this committee which outlines the proposed work programme for the next five years, to 2021.

2.4 Comprehensive water quality strategy

Work is now commencing on a comprehensive water quality strategy which will complement the rural water quality strategy. It will provide an overall approach to managing other contaminant discharges to fresh or coastal water, including of wastewater, stormwater, hazardous substances and other industrial and trade discharges. It will not review the approach to managing diffuse discharges set out in the rural water quality strategy.

2.5 LGNZ Blue Skies Resource Management Submission

Review of the LGNZ Blue Skies Resource Management Submission is attached to this report.

3. Recommendation

That this report is noted.

Fraser McRae

Director Policy Planning and Resource Management

A blue skies discussion about NZ's resource management system

1 Introduction

Many of the underlying concerns relate to poor practice or inadequate methods in planning and resource management and are promoted from a perspective that a no-planning-system is a viable alternative. Many of the concerns are generic and arise in response to any planning system being not unique to RMA. Consequently, the major response should be development of new methodologies across many related disciplines to support RMA rather than greatly altering RMA systems and processes

ORC supports of retaining the current RMA planning frame and aligning it with LGA and LTMA. Such an approach can address many of the stated issues while retaining general certainty of roles, functions, processes, systems and purposes of the acts. The alternative creates wide spread uncertainty – remember back to the learned debate around the meaning of *while* in s5 of the RMA.

Government needs to remain focused on developing a system that enables sustainable growth while managing the resource management issues of the day.

2 NZ resource management system

The original drivers behind the RMA are still relevant today, just as they were in 1991. For example, the level playing field, one stop shop, recognition of the market within defined limits, and most importantly, effects based regulation.

Essentially, poor knowledge and understanding of the above system drivers, and access to tools that advance those ends means that behaviour, actions and achievements have not fulfilled the opportunity created by the RMA.

Key problems arise as a result of an overly specific process emphasis, a lack of methods to address the uncertain, complex and knowledge short reaityl of predictive planning in a dynamic and interconnected world. Equally, regulatory interaction with property rights, distribution of cost and benefits, and dealing with uncertainty have all been poorly managed.

This criticism is not of the RMA itself but rather the many players involved in the implementation and administration of planning and management under the Act. There is a real need for development of tools to address these gaps and enable the potential of the RMA to be achieved.

Aligning related acts, LGA, RMA and LTMA, is supported.

The effects based approach under the RMA has not been embraced with most plans retaining an activity direct and control approach. This approach alone means reporting on relevant criteria such as environmental quality, economic wellbeing, or community health and safety difficult.

The single planning, management regime for NZ is to be applauded and retained. However, the roles and functions of regional and district councils need to be considered when making changes as adding further detail for particular issues can have consequences elsewhere resulting from their functions.

3 Current and emerging context

3.1 The system is critical to NZ economic advantage

There is a need to retain a focus on reducing transaction costs in planning and resource management, and this is delivered by a responsive system which is able to accommodate the dynamic and complex context within which decisions are made.

The urban drift of labour, services and economic activity will continue but the necessity for retaining rural/regional economic activity still remains. Our national reliance on primary resource activities [primary production, tourism] for national economic success is not well described by GDP criteria. Planning requires retention of opportunities for provision of labour and services to support those primary based activities. These matters appear mostly as urban issues – but are not uniquely urban

Planning must be able to create opportunities, including provision of strategic infrastructure and special housing areas but must be able to protect that approach from inconsistent approaches. The relationship between community shared benefits and community costs with private direct benefits needs to be robustly addressed. For example, where spatial planning and housing areas have imposed community cost through provision of strategic infrastructure council should be able to resist inconsistent private development that does not utilise the community sunk costs.

There is an inherent conflict within RMA, simply put: a cultural ethical paradigm which encapsulates the Maori world view of unbounded connectedness and a values base; and rational science which is derived from empirical investigation to describe and define components and connections. The former paradigm seeks good outcomes and the later the right outcome. Successful resource management needs the cultural ethical paradigm to define issues while the rational science paradigm is essential for the development of solutions. These conflicting paradigms are behind many of the outcome issues attributed to RMA.

3.2 Operating in a dynamic and complex context

Many of the current processes and systems do not understand, relate to or address the changing context, imperfect knowledge base or predictive nature of planning and resource management. While certainty is a laudable concept, certainty of process can be defined but certainty of decision or outcome is less likely in a future, dynamic and complex world. Changes to RMA need to allow future systems to accommodate such a world.

3.3 Common goal of NZers

Designers of our planning system need to understand the common goal of NZers, but those with an oversight need to understand the inherent conflict between this goal and allowing change to occur. Development creates conflict between private and public, direct and indirect costs and benefits, between shared and whole apportionment of costs and benefits, and especially between community shared costs and private whole benefits – when the developer gets all the benefit and the community pays all the cost.

4 Key perspectives and views [section 4]

Performance of the planning system poorly monitored or addressed, such as simply counting the number of consents or tracking processes, has little relevance to assessment against s5 Purpose of RMA. There is a burning need for development of methodologies to assess the effectiveness and efficiency of planning and management systems, such that a learning cycle of improvement can be implemented at central, regional and local government – including social, economic and environmental communities. This requires an approach that identifies and addresses root causes of problems rather than symptoms of bigger problems. Additionally, problems which have an anti-planning root cause should be carefully assessed and the question, “is there any solution?” asked.

Within the wider NZ planning system there are both rational-science and cultural-ethical paradigms having constructs of right and wrong, and good and bad respectively. Consequently, specificity, exactness and easy measuring and assessment are very difficult. Easily made measurements fall short of expressing plan achievements. These opposing world views mean processes are complex and open to abuse meaning the time and cost for all parties can appear unnecessary or excessive.

Consenting processes are unnecessarily complex and being made more complex as amendments are made to address issues. While the intention is fine the practice becomes increasingly complex and in itself subject to project fatal challenge. It would be better to provide more generic expectations of processes with criteria to drive individual process decisions. This would allow local government to seek efficiency in process rather than covering against challenge of systems.

Anticipating certainty of decisions by councils, courts and boards is to deny the complexity of the decision being made. The decision is multi-disciplinary, future focused, predictive and lacking full knowledge all in a complex and changing context. This requires new decision making processes involving an inquisitorial function that recognise these limitations rather than the current adversarial approach which assumes a stable and predictable context with full knowledge.

The emphasis of the planning system should be on achieving sustainability planning and resource management outcomes rather than adherence to increasingly complex processes.

5 Evolution of resource management systems [section 5]

Building on the above, topic such as climate change, carbon emissions, mineral resource, irrigation development, and water storage, quality and quantity when treated in isolation create conflict and tension around priority. This is counter to a system which is equipped to achieve a higher goal of resource management in a complex and dynamic world.

Systems have been purpose built in Auckland, Canterbury and Waikato to address planning issues which have arisen. The issues requiring these changes [urgency, streamlined process and limit appeal on merit of decisions] are common to all councils so it would be sensible to extend these same systems to all other councils and prevent the very same issues occurring elsewhere.

There is much said about alternative planning processes, such as collaboration, but the First Schedule process well implemented is equally effective in addressing community concerns.

Valuing ecosystem services, like cultural-ethical considerations, require new methodologies if some form of detailed analysis is anticipated. The current methods are not able to address many of the criteria, characteristics and contexts of the decisions needing to be made.

6 Fit for purpose system

6.1 Suggested scope of options and stepped approach

Recognising that resource change is certain, whether we act or not, means planning is about managing the rate, scale and location of change and the impacts of the change on community agreed values.

It is essential that the role of hearing panels [within councils, the Environment Court, EPA or other] has an inquisitorial role and is able to make comprehensive predictive decisions while addressing the many and varied conflicting and complementary matters. ORC acknowledges the benefits of training and accreditation for decision makers that is now required. Linking this to the LGA and LTMA would be useful. This supports development of new methodologies but also results in consistent and interdependent processes.

Well administered and suitably refined RMA can unlock resource management potential. However, for the many matters discussed, a comprehensive planning and resource management system should be able to produce an integrated response - rather than separate systems which emphasise conflict between matters. Integration is necessary to avoid conflicting specific objectives and priorities which compromise achievement of high order outcomes.

An effective system can address conflicts in resource use: rural v urban; primary production v landscape and biodiversity; soil quality and land use; water supply and aquatic habitat.

6.2 Reform program and 2015 Bill proposals

Many of the suggestions seek to retain the same core system and processes without a good understanding of the overall impact on transaction costs of enabling economic activity access to necessary resources. Decisions constrain negative impacts on sustainability of those essential underlying resources.

Planning systems especially Regional Policy statements and plans have a key role to play in the way the balance between national and regional directions are embedded. Uncertainty will always be present as future needs of future generations are considered.

ORC supports the necessity for evidence based policy and this means investment in research to develop methods and capture new information to support decision makers.

The impact of new research to support outcome matters such as "social licence to operate" features in overseas resource management. Clearly, communities and their voices are an important aspect of the balance to be found in legislation and process.

Finally, ORC accepts centralised definition of outcomes for resource management but seeks an assurance that the increasing centralisation of process/tactics decision making should be avoided.

Future changes to RMA should address methodologies to enable decision making for a complex, integrated, future world, rather than increase system process complexity.

OTAGO REGIONAL COUNCIL

**Agenda for a meeting of the Communications Committee to be held in
the Council Chamber, 70 Stafford Street, Dunedin on
Wednesday 9 March 2016 following the Policy Committee meeting**

Membership:

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

Apologies:

Leave of absence:

In attendance:

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

CONFIRMATION OF AGENDA

PUBLIC FORUM

MINUTES

The minutes of the meeting held on 27 January 2016, having been circulated,
for adoption

Matters arising from minutes

FOR NOTING

Item 1

2016/0622 **Stakeholder Engagement Report.** Manager Communications/ Manager Community Liaison and Education. DSE, 23/2/16

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

OTAGO REGIONAL COUNCIL**Minutes of a meeting of the Communications Committee held in the
Council Chamber, 70 Stafford Street, Dunedin on
Wednesday 27 January 2016 commencing at 9.09 am**

Present:

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

In attendance:

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

CONFIRMATION OF AGENDA

There were no changes to the agenda.

MINUTES

The minutes of the meeting held on 25 November 2015, having been circulated, were adopted on the motion of Crs Bell and Croot.

Matters arising from minutes

There were no matters arising from the minutes.

FOR NOTING

Item 1

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

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

Councillors commended the information circulated on the recent low flow period. In response to a question Mrs Rowe advised that the CLEO team had contacted irrigation groups regularly in relation to the dry conditions.

The recent meeting of the Otago Overseer group was noted, and the progress of the group was queried. Mrs Rowe was to follow up and report back to the next committee meeting.

With students returning for the 2016 year, a question was raised about communication with the University in relation to the Leith Flood Protection Scheme works through the campus. Mrs Rowe advised that current contact with the University focused on protection of the life in the stream, and the University was interested in doing a clean up of the Leith through the campus. Explanation of the Flood Protection Scheme works could be incorporated into these communications should they proceed.

In response to a question about the presentation of World War One books to schools, Cr Woodhead advised that several schools had contacted him to express their thanks for the books. Mrs Rowe was to check on other responses received and advise Councillors.

Concern was expressed about those invited to attend meetings of the low flow stakeholder group, more appropriately termed 'agency briefings'. It was noted that Federated Farmers did not represent all farmers, and that irrigators were not invited to the meetings. Mrs Rowe advised that Irrigation NZ had been invited to the next agency briefing. She noted that while this organisation did not represent all irrigators, it was the best agency to represent the Region's irrigators at this point. It was likely that irrigator representation would be discussed at the upcoming Irrigators Conference.

It was suggested that a report be prepared for Councillors on a communications strategy for 6A, covering groupings and irrigation collectives, and clarifying the 6A message.

Cr Brown advised that the Kakanui River Management Strategy was launched on 10 December. The meeting was well attended, with reasonable consensus, and he had received positive feedback on the strategy. He considered this would be a good template for other river management strategies.

Cr Croot moved
Cr Robertson seconded

That the report be noted.

Motion carried

The meeting closed at 9.28 am.

Chairperson

REPORT

Document Id: A881223

Report Number: 2016/0622
Prepared For: Communications Committee
Prepared By: Manager Community Liaison and Education
Manager Communication

Date: 23 February 2016

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

This report records stakeholder engagement activity between 9 January and 19 February 2016.

1.0 Water Quality

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

1.1 Dairy Focus

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

Staff hosted a North Otago Dairy Working Group (DairyNZ, Fonterra, Federated Farmers, Oceania, NOIC) meeting at the ORC Oamaru Office on 20 January. ORC staff provided feedback to the group on findings from the dairy compliance visits thus far, highlighting several farms at risk of non compliance that the group could work with. The group also discussed producing a script document for members of the group to follow when contacting farms. The next step is for various members of the group to meet with the farm owners and sharemilkers. The next meeting will be in March 2016.

CLE and EMO staff met with dairy representatives on the 19th February to formally start the South Otago Dairy Working Group. The group's function and direction was discussed, and how the group could effectively work together to help solve some of the common compliance issues within the dairy industry.

1.2 Forestry

On the 2nd February, Cr Brian Scott, Environmental Monitoring Officer, Shane Pointon and CLE staff attended the Pathway for the Pomahaka Forestry Field day. It was an informative day for the community to learn

sediment mitigation options in a forestry setting. 18 forestry industry reps and local community members attended.

On 15th February CLE staff met with members of the forestry working group to explore succession planning options for the Forestry working group to work alongside ORC. Connections between ORC Compliance teams and the forestry industry were made so that further liaison between the two groups can happen to explore mutually beneficial opportunities in the continuing development of the forestry component of ORC's compliance strategy.

1.3 North Otago

Staff facilitated a meeting with the North Otago Irrigation Company (NOIC) at the ORC Dunedin Office on 15th February. The meeting was held under the collaborative spirit of the Memorandum of Understanding signed between the two parties, and generally met the following aims:

- For each party to gain better understanding of issues from each other's perspective;
- To flesh out possible future management options for the Waiareka Creek;
- To provide guidance on information requirements for future decision-making.

Next steps will include collaboration with NOIC around the inclusion of a Compliance/Science intensive water quality catchment project in next year's LTP.

Council staff hosted a Landcare Kakanui Community Catchment Project (KCCP) Steering Group meeting on 18 February in the ORC Oamaru Office. The purpose of the meeting was to collaborate on data and information sharing between contributing organisations to build a picture of where extension effort is best aimed. Provision of on-farm extension services to small groups of farmers with 6A questions was discussed. This may be a more effective approach in a catchment where attendance at larger field days is patchy.

Staff gave a presentation to a group of 10 Aoraki CPIT Agri-business students at the Aoraki Polytechnic in Timaru on 17th February. The students were studying sustainability in the farming context and required practical examples of sustainability in action. The ORC's management of the Kakanui River (6A, minimum flow regime, form and function) provided a great real-life example.

1.4 South Otago

A Pathway for the Pomahaka Stakeholders meeting was held in the Washpool catchment on the 16th February alongside Resource Science and EMO staff. Over 50% of the farmers in the catchment, alongside 15 stakeholders attended. CLE staff presented the results of the intensive sampling program

in the Washpool catchment, and helped to map out the next steps needed to improve poor water quality within the catchment.

1.5 Other

Draft resource application for clearing out waterways. This has now been forwarded to consents for crafting into a specific application form.

1.6 Communications Water Quality activity

Water quality report card sheets were developed for 29 catchment areas. Work is underway with the Communications team to translate water quality 'report card' fact sheets into a more dynamic, user friendly web resource. The aim is to allow land users to select their geographic location using a map to access information specific to their catchment. Live data links (Water Info) will be incorporated to allow users to see current flow data necessary. This will enable land managers to have up to date knowledge of the river flow for their representative flow site. Sampling for schedule16 is valid when the river flow for the representative is at or less than the median flow for that site.

1.7 Rural Water Quality Advisory Group

An outcome of the Plan Change 6A mediation was that ORC would establish an external advisory group to promote engagement at a national level so that knowledge and achievement from Council's unique approach to rural discharge management would be shared nationally. The purpose of the group has been proposed to:

- Regionally promote the learning and achievement from implementation of the new water quality provisions.
- Represent Otago landholders, conservationists, recreational users, local iwi, and tourism in the implementation of the water quality provisions in the plan.
- Provide feedback on progress within stakeholder sectors and identify gaps in implementation.
- Be a conduit for information flow between their organisations and ORC.

At a Council meeting in June 2015, Council agreed to the concept of the Advisory Group but there was some debate regarding the membership of the group in particular the split between national and regional representation. Council asked that a more Otago, rather than National, group be established and membership was work-shopped with Council in August 2015. It was agreed by council that Cr Woodhead, Brown and Kelliher would approve the final membership of the group. The Director of Stakeholder Engagement sought and was given approval from the aforementioned councillors for the below membership:

Organisation	Position	Name
Otago Regional Council	Chair	Stephen Woodhead
Otago Regional Council	Deputy Chair	Gretchen Robertson
Otago Regional Council	CE	Peter Bodeker
Federated Farmers	Otago President	Phil Hunt
MPI	Senior Policy Analyst (Dunedin)	Anne Sutton
Southern Wood Council	Director of Forest Industry Engineering Association	Brent Apthorp
Department of Conservation	Director of Conservation Partnerships	Barry Hanson
NZ Fish and Game	Otago CE	Neill Watson
Kai Tahu ki Otago Ltd	Manager	Chris Rosenbrock

Organisation	Position	Name
Tourism Industry Association of New Zealand	Advocacy Manager	Stephen Hanrahan
Irrigation NZ	CE	Andrew Curtis
Horticulture NZ	Advisor, Natural Resources & Environment	Angela Halliday
Fertiliser Association of NZ	CEO	Dr Philip Mladenov
Central Otago Winegrowers Association		Natalie Wilson
Ministry for the Environment	Director (TBC)	TBC
Te Ao Marama	CE	Michael Skerett

2.0 Water Quantity

Inventory assessment of which rivers have information relating to aquatic surveys. This will be part of the information to be passed on to water user groups under the 1C project. This will allow irrigators to see where any gaps are in aquatic assessments that they will need to carry out.

The 'User's Manual' for deemed permit holders is now in an editing and design phase due for printing in March.

3.0 Low flow preparations

Engagement activity in response to the dry conditions and low river flows has continued.

An agency briefing was held in February and a summary briefing was provided to councillors. The next meeting is scheduled for March 4, where Marian Weaver will also be available to talk to those present about our planned work programme for 1C. This has come about at the request of agencies present.

Low flow advisories have been distributed during the period and our low flow webpages kept updated. Online advertising on ODT and Stuff has continued.

Liaison with key irrigation contacts has continued during this period both via CLE and EMO staff.

4.0 Hazard, Science and Engineering

4.1 Signage was installed for the next phase of the Leith flood protection scheme, being carried out from Dundas Street to St David Street.

4.2 The report on Seismic Hazards in the Queenstown Lakes District has been distributed

4.3 CLEO and Communications support was given to the public engagement required for the Pomahaka River Management Strategy. Two public meetings were held to gather the community values for the river. These will be incorporated into the strategy the Hazards team are leading. The next river management strategy to be developed is the Strath-Taieri which Communications is supporting the Hazards team with.

4.4 Reports on the scientific work on the Lindis Catchment 2008-2015 and water quality update were published.

5.0 Annual Plan

5.1 The Communications team and have been supporting Corporate Services in the development of the Annual Plan consultation document and associated engagement activity. The consultation approach has been work-shopped with council and the consultation document is included in the Finance and Corporate Committee papers.

6.0 Media Monitoring Summary

Over the report period there were 83 mentions of the Otago Regional Council in the print media and 11 media mentions in broadcast media.

7.0 Web Developments and Traffic Summary

7.1 There have been 44 278 visits to our website during this period, with total users up 8.6% on the same time last year.

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



7.2 Most popular pages have been as follows:

- About us – Job vacancies (2,507 page views)
- Information and Services – Bus pages (87,449 page views)
- Publication and Reports – Regional Plan Water (1,159 page views)
- News and Notices – Media Releases (876 page views)

7.3 Top documents download:

- Bus timetable (5,741)
- Environmental Data Officer job (71)
- Regional Plan Water Rules: Water Take, Use and Management – 105

7.4 Social Media

We have 987 page likes to date on our facebook account. There were 40 new posts or shares during this reporting period. The largest facebook reach was ODT Article: Swimming beach monitoring resumes which saw 2100 people reached. This was followed by a Dunedin Bus Advisory which reached 1700.

We have 529 followers on Twitter. There were 47 new tweets or retweets during this period.

8.0 Recommendation

That this report is noted.

Caroline Rowe
Director Stakeholder Engagement

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

Membership:

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

Apologies:

Leave of Absence:

In attendance:

Please note that there is an embargo on agenda items until 8.30 am on Monday 7 March.

CONFIRMATION OF AGENDA

PUBLIC FORUM

MINUTES

The minutes of the meeting held on 27 January 2016, having been circulated, for adoption

Matters arising from minutes

PART A – ITEMS FOR NOTING

Item 1

2016/0623 **Biosecurity and RMA Monitoring Report.** DEMO, 23/2/16

Reporting on water, air, pest, and contaminated site environmental monitoring and incidents for the period 19 December 2015 to 19 February 2016.

Item 2

2016/0668 **Consent processing, consent administration and Building Control Authority update.** DPPRM, 23/2/16

Detailing consent processing, consent administration and building control authority activity for the period 11 January to 19 February 2016.

Item 3

2016/0644 **RMA, Biosecurity Act and Building Act Enforcement Activities.**
DPPRM, 22/2/16

Detailing Resource Management Act 1991, Biosecurity Act 1993 and Building Act 2004 enforcement activities undertaken by the Otago Regional Council for the period 9 January to 19 February 2016.

Item 4

2016/0669 **Progress Report on Implementation of RPW Plan Change 1C.**
DPPRM, 25/2/16

This report notes progress on Project 1C implementation of the RPW policies

OTAGO REGIONAL COUNCIL

Minutes of a meeting of the Regulatory Committee held in the Council Chamber, 70 Stafford Street, Dunedin on Wednesday 27 January 2016 commencing at 9.36 am

Present:

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

Apologies: Cr Kempton (from 9.45 am))

In attendance:

- Peter Bodeker
- Nick Donnelly
- Fraser McRae
- Scott MacLean
- Gavin Palmer
- Caroline Rowe
- Janet Favel

CONFIRMATION OF AGENDA

There were no changes to the agenda.

MINUTES

The minutes of the meeting held on 25 November 2015, having been circulated, were adopted on the motion of Crs Bell and Shepherd.

Matters arising from minutes

Item 1, Principles for low flow event management:

- A question was raised as to how often targeted flow gauging was carried out, and how long gaugings stayed in place before they were

re-audited. Mr MacLean explained that some were done on an as required basis, to verify that the current information was accurate; others were carried out to ensure that water use was justified.

- The principles did not encompass orcharding, and Mr McRae was requested to check the Water Plan to determine how the needs of this sector of the community could be met.
- It was noted that most orchards had their own water storage, predominantly for use for frost fighting and irrigation. The difficulty arose when water was needed for both at the same time. An irrigation company supported orchards where it could if the orchards had their own irrigation, but there could be requests to an irrigation company from orchards where replenishment was needed.

PART A – ITEMS FOR NOTING

Item 1

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

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

Cr Kempton left the meeting at 9.45 am.

Concern was raised about 29% of significant non compliance in water quality and quantity audit and inspection monitoring. Mr McLean explained that this figure related to 15 inspections (one-third of the total). A number of non compliances related to water metering data during the low flow event. There were still problems with the supply, installation and verification of water meters. Some consents had been surrendered or cancelled, and some consent holders were yet to advise Council of their progress in this regard.

Comment was made on the increase in the number of rabbits, and Councillors were pleased to note that aerial surveillance of gorse and broom free areas would incorporate surveillance for rabbits. Mr McLean advised that rabbit audits were concentrating on the Wanaka/Criffel/Mt Barker/Wanaka airfield areas, and farm plans had been requested from land owners. Some properties were non compliant following the winter programme.

Cr Deaker expressed concern at the ongoing difficulty in locating and installing water meters.

Cr Deaker moved
Cr Bell seconded

That the Chief Executive report as soon as possible on ways of catching up on the water meter supply/installation backlog to ensure farmers source and install the equipment.

Motion carried

It was noted that a workshop on rabbit control, compliance and related matters was scheduled for March.

Cr Croot moved
Cr Robertson seconded

That the report be noted.

Motion carried

Item 2
2016/0582

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

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

Matters raised included:

- Mt Campbell Station Ltd hearing - in response to a question Mr McRae advised that the report had been provided to the commissioners, and once they had given it their final approval, it would be distributed.
- Borst Holdings Ltd – comment was made that there were two, not three commissioners, and the timing of the hearing was queried. Mr McRae explained that the Water Plan was in place, and the applicant had applied for a consent, which had to be processed. He advised in response to a question that the Council as regulatory agent had not submitted on the application.

Cr Eckhoff moved
Cr Robertson seconded

That the report be noted.

Motion carried

Item 3
2016/0567 **RMA, Biosecurity Act and Building Act Enforcement Activities.**
DPPRM, 8/1/16

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

Cr Kelliher moved
Cr Croot seconded

That the report be noted.

Motion carried

Item 4
2016/0580 **Appointments by Commissioner Appointment Subcommittee.**
DPPRM, 14/1/16

The report listed hearing commissioners appointed for the period to 21 January 2016.

Cr Croot moved
Cr Woodhead seconded

That the report be noted.

Motion carried

The meeting closed at 10.11 am.

Chairperson

REPORT

Document Id: A881390

Report Number: 2016/0623

Prepared For: Regulatory Committee

Prepared By: Director Environmental Monitoring and Operations

Date: 23 February 2016

Subject: **Biosecurity & RMA Monitoring Report 18 December 2015 to 19 February 2016**

Précis

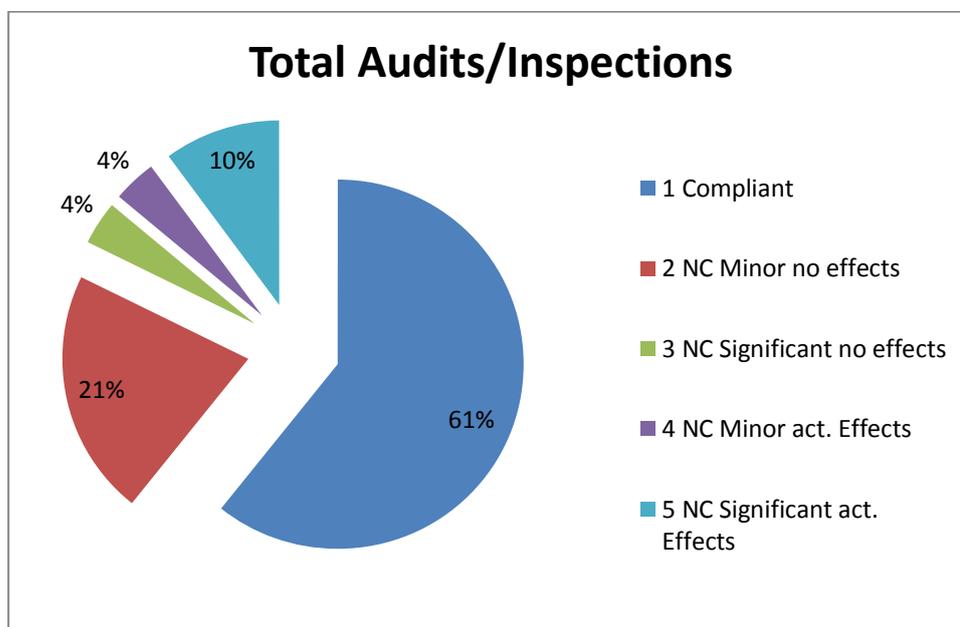
This report describes the Regulatory activity for the reporting period 18 December 2015 to 19 February 2016.

1. Water Quality and Quantity

1.1 Regional Plan: Water and Resource Consent Monitoring

1.1.1 Audit & Inspection Monitoring

79 consent audits/inspections were conducted over this reporting period, with 58 inspections of water measuring equipment and water takes, and 21 other structure, bore and discharge consent inspections.

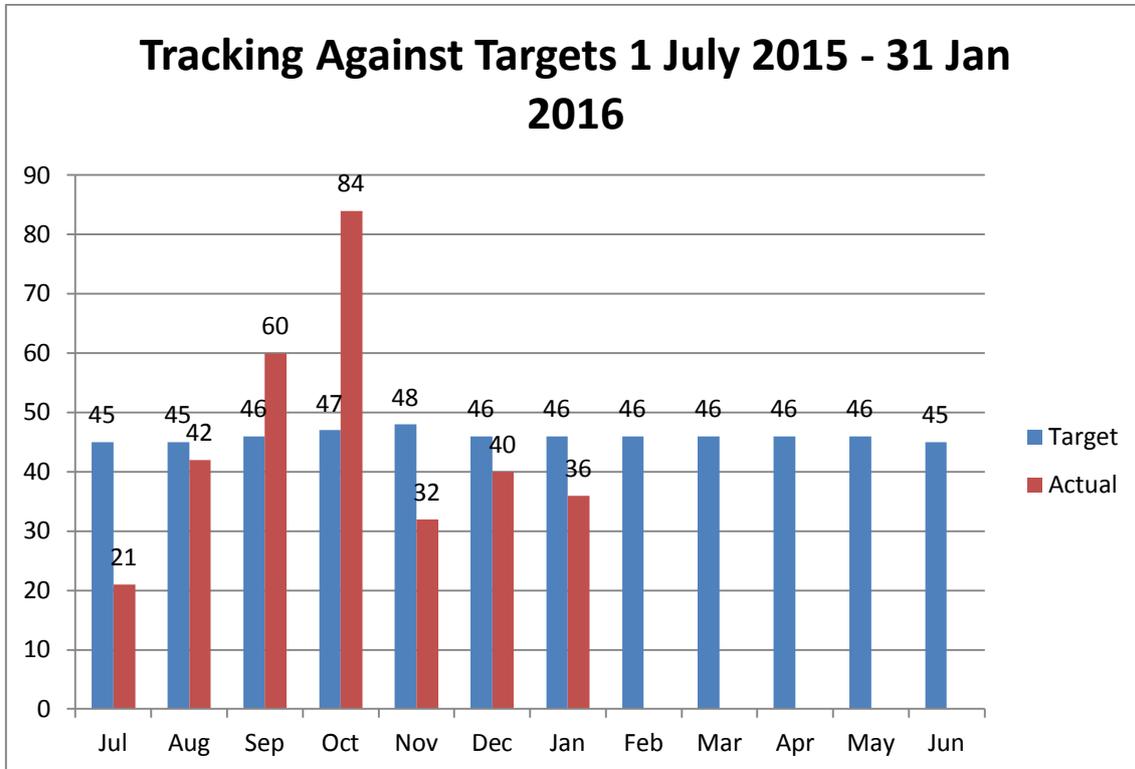


An explanation of the gradings are:

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

The grade 5 non-compliant inspections related to:

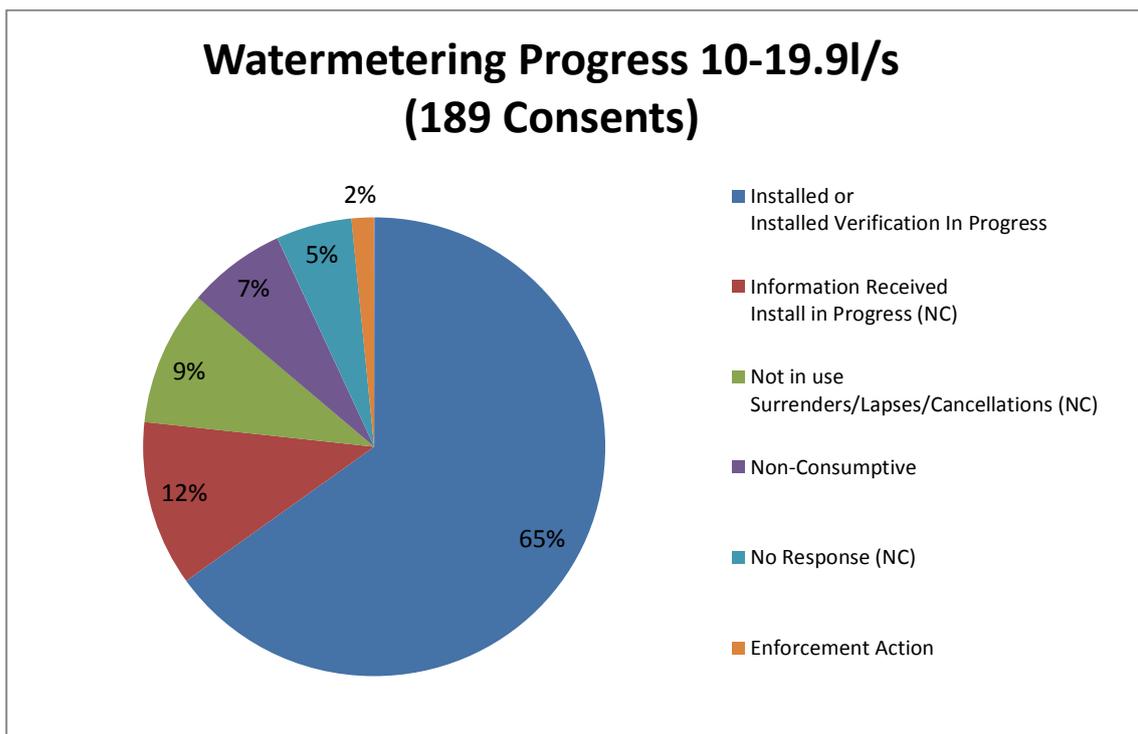
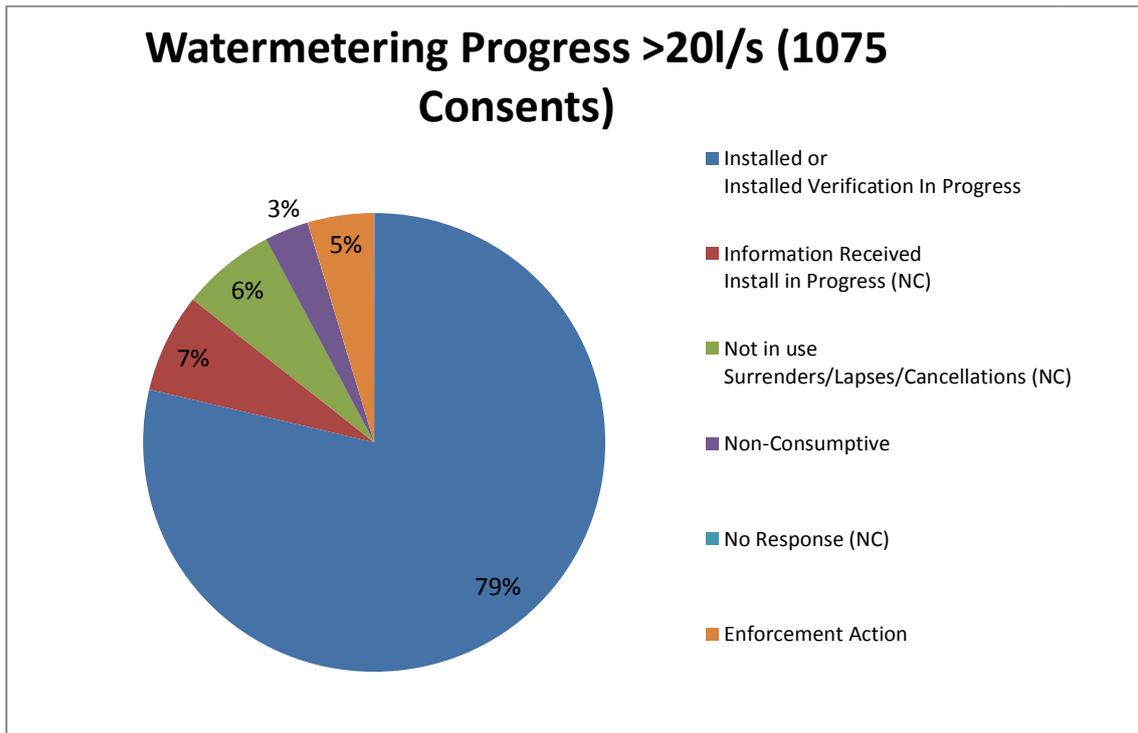
- Water Permits – no measuring installed, incorrect placement of measuring equipment, no verification, no data returns to Council on a daily basis as required, an unconsented location of point of take, and breach of residual and minimum flows;



1.1.2 Water Metering – RMA Regulations

Over this reporting period a number of water permits have been reviewed for enforcement action both in the >20l/s and 10-20l/s categories; 5% under enforcement action for >20l/s and 2% under enforcement action 10-20l/s. Some of these will require a site visit before being progressed further.

A number of consents are being assessed for lapse and cancellation due to no evidence of use over the past 5 years, or within the 2 year lapse period specified on the consent. Some of these require a site visit to confirm that the consent is not being exercised.



1.1.3 Low Flow Monitoring

A cross directorate team has been monitoring river flows and climatic conditions throughout the region since October 2015.

A number of rivers have gone in and out of minimum low flow conditions since 1 October 2015. They include:

Shag river	29 days with a 22 day continuous maximum
Taieri at Waipiata	43 days with a 15 day continuous maximum
Taieri at Tiroiti	4 days with a 3 day continuous maximum
Taieri at Sutton	3 days with a 3 day continuous maximum
Taieri at Outram	4 days with a 3 day continuous maximum
Pomahaka at Burkes ford	5 days with a 5 day continuous maximum
Luggate Creek at SH6	27 days with a 15 day continuous maximum
Mill creek at Fish Trap	43 days with a 20 day continuous maximum

Council staff have undertaken regular data checks on all telemetered data associated with catchments that have gone into minimum low flow and assessed for compliance. In some situations irrigation during a minimum low flow on a river has occurred which has resulted in some minor enforcement response.

Regular liaison has been undertaken with a number of irrigator leaders to discuss river flows, irrigation practice, how they roster when a river is in minimum low flow and general information. In most situations river rostering is well managed by those communities affected by a minimum low flow site. A number of irrigation groups are operational or nearly formed and are managing their rosters very well.

The following Compliance inspections and actions have been completed during this period.

River	Residual Flow Checks	Min Flow Breachs	Action taken	SW Inspections	GW Inspections
Waianakarua	0	4	Phone calls to holders breaching min flow	11	0
Taieri	17 - compliant	13*	Phone calls to holders breaching min flow	43	3
Shag	1 - compliant	8	One formal warning, multiple minor min flow	4	0
Pomahaka	0	19**	Phone calls to holders breaching min flow	0	0
Kakanui	1 - compliant	1	Phone calls to holders breaching min flow	14	1
Cardrona	2 - compliant	0		7	12
Lindis	1 - non compliant	0	One formal warning,	2	0
Manuherikia	11 - compliant	0		19	0
North Otago				3	8
South Otago				2	0
Other	0	0		14	10
TOTAL	33	45	0	119	34
				153	
* Mostly due to delays in checking flows					
** Minor breaches mostly taking for stockdrinking water ~1l/s					
In the first instance a phone call was made to the consent holder advising of the breach & to check minimim flows on website more frequently, particularly when fluctuating about the min flow level.					

Monitoring for algae and cyanobacteria has also occurred. In the Cardrona a toxic cyanobacteria bloom was confirmed. Signs have been placed on the river at some key entrance points. Algae growth on Luggate Creek was also found however, this was not toxic.

Discussions will occur with irrigators in both catchments on how water can be better managed in an attempt to reduce the likelihood of further occurrences of algae blooms. In the case of Luggate Creek, discussions around managing to the newly imposed minimum low flow water plan change will also occur.

1.2 Rural Water Implementation

1.2.1 Rural Water Quality Advisory Group

The Otago focussed external advisory group for rural water quality is now established and a recommended membership has been approved. The next step is to invite participants to join the advisory group then set the first meeting date and agenda. For more information, refer to section 1.7 of the Communications Committee report 2016/0622.

1.2.2 IT Systems

To support Council engagement with land users throughout Otago, the installation of the full version of AgriBase (register of farms) is complete and available for staff use.

1.2.3 Programme Management

Suzanne Watt has commenced as Programme Manager for Rural Water Quality.

2. Pest Management Strategy Implementation and Biosecurity Compliance

2.1 Pest Management Strategy

2.1.1 Rabbits

Audit inspections for compliance with Rabbit Control Programmes under the Pest Management Plan, have continued through this period predominantly in the Cromwell/Upper Clutha area.

A good breeding season has continued, with favourable dry conditions persisting which has seen rabbit numbers showing a larger than normal seasonal increase during this period. Auditing of rabbit control plans will continue to ensure planned control works has taken place. A number of landholders took advantage of the dry conditions and undertook successful summer oat poisoning operations reducing numbers of rabbits on those properties to compliant levels. Further oat work is planned over the coming weeks if conditions permit.

Property inspections in the Coastal Otago are due to be completed during March.

2.1.2 Wallabies

Inspections have been undertaken on the western end of the Hawkdun Range on both private and DOC administered lands. No animals found and no animal sign seen. Inspections in the Hawea Conservation area, east of Timaru Creek, have not yielded any animals or sign, however it should be noted that in this location there have been two positive identifications made. These included one of a wallaby that was shot and another of a dead wallaby being found. We are continuing to work closely with farmers in the area and also with DOC. Landowners in this area are being very proactive with their own surveillance and are keeping in touch with staff for regular updates.

A live wallaby sighting was reported near Macraes Flat. This was followed up with an inspection of the area where the sighting was reported. The inspection did not reveal any animals. Surveillance will continue in the area and will be combined with rabbit property inspections in that area.

As surveillance activities and public awareness increase on the wallaby issue more people are contacting ORC to report possible sightings. While most of these reported sightings have not yielded any animals or sign as yet, it is important Council continues to respond promptly to reinforce our commitment to the community to attempt to prevent this destructive pest becoming established in Otago.

3.2 Plant Pests

3.2.1 Gorse and Broom Surveillance

[Pest Management Strategy for Otago 2009 Rule 4.2.4 Gorse and broom rules:

- (i) *Occupiers in the Gorse and Broom Free Areas must destroy all gorse and broom on their land.*
- (ii) *Occupiers outside the urban areas, and outside the Gorse and Broom Free Areas, must destroy gorse and broom within 10 metres of a property boundary where the neighbouring property is clear of gorse and broom within 50 metres of that boundary (triggered by complaint only)]*

A number of calls received regarding gorse/broom control, most have been in residential areas where there are no control measures in place. Three properties will be-inspected shortly following non-compliant notices being sent out

3.2.3 Old Man's Beard

There have been a total of 395 inspections carried out during the above period:

- 62 properties were found to be compliant
- 152 properties were found to be non-compliant (136 minor and 16 major)
- 159 sites were also identified on DCC land. These sites have been passed on to the DCC, with a large proportion already controlled. Re-inspections ongoing
- 73 properties have been re-inspected so far, with 60 found to be compliant, and 13 still remaining non-compliant. Further re-inspections required with some properties to be issued with a Notice of Direction

3.2.4 Lagarosiphon

The Lake Wanaka Lagrosiphon Management Group has recently approved its second 10 year plan for Lake Wanaka. A Hui on the lake was held to observe the successful works completed over the last ten years and to acknowledge the shifting of the current management containment line. This line is an improvement over our Pest Strategy containment line. Of particular note is that eradication of Lagrosiphon over half of the Lake has been achieved which is a positive milestone for the project.

Control has been carried out on both Lake Wanaka and Lake Dunstan during February 2016 including aerial and boat spraying, plus suction dredging. The next round of inspections will include Lake Wakatipu, with special focus on the Frankton Arm.

3.2.5 Low incident plants

Bomarea

25 properties have been re-inspected, with 18 found to be compliant, and 7 still remaining non-compliant, with further action to be taken

Cape Ivy

2 new sites have been identified while inspecting for Old Man's Beard. Both sites were sprayed at time of inspection

Boneseed

21 properties were inspected based on historical data. Ten properties were found to be compliant, with 11 non-compliant. All accessible plants were controlled at the time of inspection, with the exception of a few plants located on cliffs at Waipuna Bay and Portsmouth Drive due to accessibility. The remaining locations have had GPS details recorded and will be controlled at a later date.

Perennial Nettle

Three properties were inspected and controlled in the Lawrence area. The two properties where the Perennial Nettle was still present were controlled at time of inspection.

Six properties were also inspected (2 at Kaitangata and 4 at Te Houka along the Clutha River), with the 2 Kaitangata properties compliant, and all 4 Te Houka found to be non-compliant. Some of the sites were controlled at the time of inspection, and the remaining sites have had GPS details recorded and scheduled to be controlled in the coming fortnight

Spartina

Spraying has been carried out so far in the Waikouaiti estuary, with further work to be carried out, as well as in the pleasant River estuary in the coming fortnight

African Love Grass

Spraying has been carried out at several sites in Central Otago with only 20% of the 320 plants sprayed having seed. Numbers of plants found were well down on last year. The remaining sites will be checked and sprayed within the next 2 weeks.

Nassella Tussock

Further inspections on three properties at known sites were carried out in the Cardrona for Nassella tussock. A total of 480 seeding tussocks were removed along with 880 non-seeding and seedling tussocks.

4 Environmental Incident Response

4.1 Contaminated Sites

Fifty-one enquiries regarding the land-use history or contamination status of specific properties were received.

4.1.1 Remediation Projects

The Contaminated Sites Remediation Fund (CSRF) application to assist the Dunedin City Council with remediation planning for the former Dunedin City Gasworks was approved by the Ministry for the Environment. Up to \$54,500 of central government funding is available

to assist with the development of remediation options for the South Dunedin site over the next year.

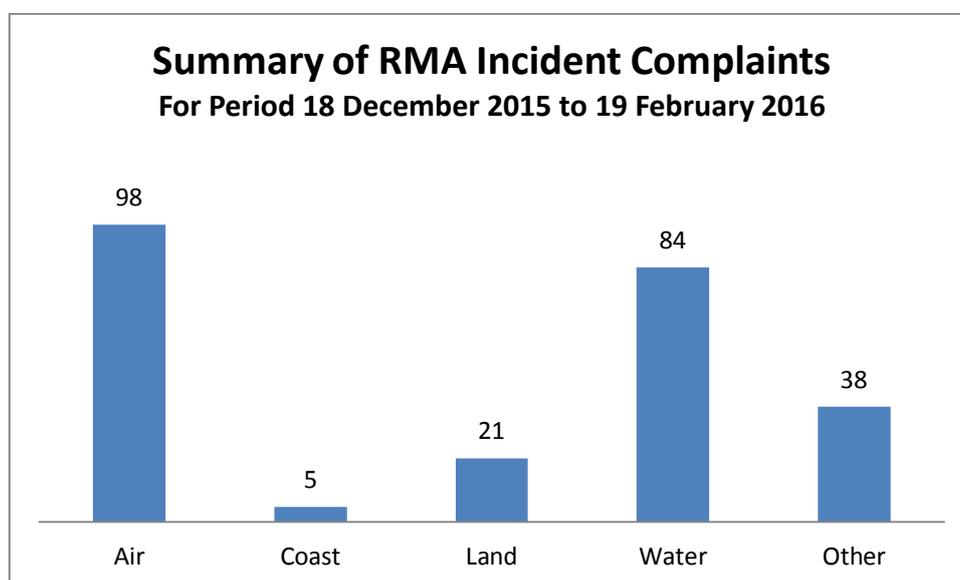
4.1.2 Investigations

One Underground Petroleum Storage System (UPSS) removal report was received during the reporting period. The report has been assessed, and found to comply with Ministry for the Environment Guidelines. Work was carried out in accordance with industry best practice and ORC has no concerns about any environmental effects.

4.1.2 Data Management

A full audit of contaminated land data is being completed. 213 out of 1360 site records have been reviewed and updated in accordance with current best practice.

4.2.1 Environmental Incidents



Half of the air incidents can be attributed to odour. This was followed by domestic chimneys, back yard burnings and farm burn offs. The coastal incidents were mostly in regards to Marine Pollution. The majority of land incidents were from disturbances and deposits. Concerns about fresh water pollution were the cause of the majority of water investigations. The other types of incidents were varied however most of them were in regard to the impacts of pest animals or man-made structures failing.

5. Recommendation

That this report be noted.

Scott MacLean

Director Environmental Monitoring and Operations

Summary of RMA Incident Complaints (General Location)

From 18 December 2015 to 19 February 2016

General Location	Row Summary	AIR							COAST					LAND				WATER				OTHER			
		Backyard burning	Burning	Domestic chimneys	Dust	Industrial air discharge	Odour	Spray Drift	Coastal structures	Marine oil spill	Marine pollution	Reclamation	Removal	Deposit	Disturbance	Land contamination	Mining	Abstraction	Damming	Diversions	Fresh water pollution	Stormwater	Noise	Other	Staff performance
Catlins	4	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	2	0	
Central Otago	32	1	0	0	2	1	1	1	0	0	0	0	1	0	0	0	3	1	0	11	1	0	9	0	
Clutha Plains	10	3	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	4	0	0	1	0	
Dn - Abbots/Green Is	5	2	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	
Dn - Coast North	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3	0	0	1	0	
Dn - Coast South	6	0	2	1	0	0	0	0	0	0	1	0	0	0	1	0	0	0	0	0	0	0	1	0	
Dn - Inner City	71	3	2	12	1	1	32	0	0	0	0	0	4	0	2	0	0	0	1	5	2	0	6	0	
Dn - Mosgiel	13	1	1	2	0	0	2	0	0	0	0	0	0	2	0	0	0	1	0	2	0	0	2	0	
Dn - Otago Harbour	9	0	0	0	0	0	0	0	0	1	0	0	0	2	0	0	0	0	0	4	0	1	1	0	
Dn - Peninsula	6	0	1	1	0	0	0	0	1	0	1	0	0	0	0	0	0	0	0	2	0	0	0	0	
Dn - West Harbour	3	0	2	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	
East Otago Uplands	9	0	0	0	0	0	1	0	0	0	0	0	0	1	1	0	1	0	1	2	0	0	2	0	
Lakes	44	0	0	0	1	2	2	1	0	0	0	0	2	2	1	0	1	2	0	23	2	0	3	0	
Maniototo	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
North Otago	21	0	0	0	0	0	7	0	0	0	1	0	0	0	1	0	1	0	1	4	0	0	6	0	
Roxburgh	3	0	0	0	0	0	2	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
South West Otago	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0	
Strath	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Taieri Plains	6	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3	0	0	2	0	
TOTALS	248	10	9	18	4	5	49	3	1	1	3	0	0	8	8	5	0	6	6	3	64	5	1	37	0

REPORT

Document Id: A885548

Report Number: 2016/0668
Prepared For: Regulatory Committee
Prepared By: Marian Weaver
Date: 23 /02/2016

Subject: Consent and Building Act Report January 11 to February 19, 2016

1. Consent Processes

1.1 Consent applications where status has not changed since the last report are summarised in Appendix 1.

1.2 Notified Applications

There has been one suite of applications publicly notified during the period:

RM15.361 Kokiri Lime Company Ltd

Consents are sought for establishing and operating an open pit alluvial gold mine and associated activities. Works include the creation of a mine pond, drilling and relocation of bores, the diversion of watercourses in the mine area, management of discharges from mining activities to air, land and water, and the management and disposal of contaminated land in the mine path. The proposed activity is approximately 163 hectares and covers an area from the south of Coal Creek to the north of Roxburgh adjacent to and including an area of the Fruitlands - Roxburgh Road (SH8). The applications were publicly notified on 6 February and submissions close on 7 March.

There were no applications that went to limited notification during the period. There were 11 decisions by staff under delegation on limited notified applications.

RM15.202 Borst Holdings Limited

The application is for leaching of nitrogen at farms near the Kakanui River. The application had limited notification. Iwi are opposed to the application and a hearing began on the 9th February. Independent commissioners have been appointed and their decision is pending.

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

The application is for the construction of two dams in a tributary of Bickerstaff Creek and Mt Campbell Creek near Alexandra. The hearing was in Alexandra on 30 November and the decision was given to grant consents for both dams. The decision has been appealed by the Department of Conservation. All parties have agreed to court assisted mediation and a date for this is awaited.

3. Consent Statistics

Table 1. Consents Statistics Summary

Reporting Period	Lodged			Rejected	Decision Given		
	Consents	Variations			Consents	Variations	
		Regular	Water reporting date			Regular	Water reporting date
14/15 year total to date	348	33	24	10	356	54	31
1 Jul – 14 Aug 15	47	5	4	0	44	3	4
16 Aug – 25 Sept 15	51	2	0	2	40	6	0
28 Sept – 6 Nov 15	36	6	1	2	36	4	1
9 Nov 15- 8 Jan 16	68	5	0	1	52	9	0
11 Jan – 19 Feb 16	37	3	0	0	55	7	0
15/16 YTD	239	21	5	5	227	29	5

All decisions on consents were given within RMA allowed timeframes.

4. Consent Administration

Table 2. Consent Administration Statistics

Reporting Period	Transfers Received	Transfers Issued	S417 Certs Received	S417 Certs Issued
14/15	89	91	2	6
1 Jul – 14 Aug 15	30	29	0	0
16 Aug – 25 Sept 15	25	17	0	0
28 Sept – 6 Nov 15	23	26	0	0
8 Nov 15 – 9 Jan 16	18	20	1	1
11 Jan – 19 Feb 16	8	10	2	0
15/16 YTD	94	90	3	1

The consents processes were audited by Telarc in December and the ISO accreditation was renewed in January with no conditions to comply with.

5. Building Consent Authority (BCA) Administration

5.1 In Progress:

Dam Building Consents	6
Code Compliance Certificates	0
PIM	0
Certificate of Acceptance	2

6. Public Enquiries

Appendix 2 shows that 297 enquiries were received during the reporting period.

Table 3. Public Enquiries Statistics

Period	Number of Enquiries
14/15 year	2259
1 Jul - 14 Aug 15	366
16 Aug - 25 Sept 15	264
28 Sept – 6 Nov 15	289
8 Nov 15 – 9 Jan 2016	367
11 Jan – 19 Feb 16	297
YTD 15/16	1583

7. Recommendation

That this report is noted.

Fraser McRae
Director Policy Planning and Resource Management

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

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

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

Pending Applications of Interest

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

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

Appendix 2
Resource Consent Public Enquiry Report
 For period from 11 January to 19 February 2016

Total Number of Enquiries **297**

Enquiry Type	No.	% of Total
Current Consents	116	39.1 %
Mining Privileges	1	0.3 %
Other	36	12.1 %
Permitted Activities	65	21.9 %
Pre-application	41	13.8 %
Property Enquiries	27	9.1 %
Transfers	11	3.7 %

Enquiry Location	No.	% of Total
Central Otago District Council	91	30.6 %
Clutha District Council	16	5.4 %
Dunedin City Council	34	11.4 %
Outside Otago	5	1.7 %
Queenstown Lakes District Council	42	14.1 %
Throughout Otago	6	2 %
Unspecified	76	25.6 %
Waitaki District Council	27	9.1 %

Enquiry Method	No.	% of Total
Counter	11	3.7 %
Email	189	63.6 %
Fax	2	0.7 %
Internet	1	0.3 %
Letter	3	1 %
Telephone	91	30.6 %

REPORT

Document Id: A882767

Report Number: 2016/0644

Prepared For: Regulatory Committee

Prepared By: Peter Kelliher, Legal Counsel

Date: 22/2/2016

Subject: **Resource Management Act 1991, Biosecurity Act 1993 and Building Act 2004 Enforcement Activities from 9 January 2016 to 19 February 2016**

1. Précis

This report details Resource Management Act 1991, Biosecurity Act 1993 and Building Act 2004 enforcement activities undertaken by the Otago Regional Council during the period 9 January 2016 to 19 February 2016.

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

Details	Period – 9 January 2016 to 19 February 2016	Total – from 1 July 2015
Discharge of contaminants to land in breach of a regional rule – effluent	2	12
TOTAL	2	12

Table 2. Authorised Legal Proceedings

Details	Period – 9 January 2016 to 19 February 2016	Total – from 1 July 2015
Discharge of contaminants to land in breach of a regional rule – effluent	0	1
Disturbing the bed of a river - pugging	0	1
TOTAL	0	2

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

Details	Period – 9 January 2016 to 19 February 2016	Total – from 1 July 2015
Discharge of contaminants to air – outdoor burning	2	5
Discharge of contaminants to land in breach of a regional rule – effluent	0	1
Disturbing the bed of a river - pugging	0	2
Diverting water in breach of a regional rule	1	1
Disturbing the bed of a river – mechanical excavation	1	3
TOTAL	4	11

Table 4. Authorised Legal Proceedings

Details	Period – 9 January 2016 to 19 February 2016	Total – from 1 July 2015
Discharge of contaminants to land in breach of a regional rule – effluent	0	1
Disturbing the bed of a river – mechanical excavation	0	1
TOTAL	0	2

Table 5. Abatement Notices

Details	Period – 9 January 2016 to 19 February 2016	Total – from 1 July 2015
To cease damming water within a river in breach of a regional rule	1	2
To cease discharging a contaminant in breach of a regional rule– septic tank	1	1
TOTAL	2	2

3. Building Act 2004

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

4. Recommendation

That this report be noted.

Fraser McRae
Director Policy Planning and Resource Management

REPORT

Document Id: A884740

Report Number: 2016/0669

Prepared For: Regulatory Committee

Prepared By: Marian Weaver

Date: 25/02/2015

Subject: Progress Report on Implementation of RPW Plan Change 1C

1. Background

Plan change 1C promotes the replacement of deemed permits and other water permits that expire in 2021 to be held and operated by water management groups. Project 1C implements the RPW policies and this report notes progress with that implementation.

2. Planning

Community liaison staff have had training on the mining privileges and the water allocation provisions of the RPW. Meetings with priority water user groups are being set up.

Inventory assessment of which rivers have information relating to aquatic surveys is being done. This will be part of the information to be passed on to water user groups under the 1C project. This will allow water users to see where any gaps are in aquatic assessments that they will need to carry out.

The 'User's Manual' for deemed permit holders is now in an editing and design phase due for printing in March.

3. Liaison

Stakeholders of the Low Flow liaison group have asked for an update on the 1C project approach and this will be provided to the next meeting scheduled for 4 March.

An ORC stall is booked for the Irrigation NZ conference that is to be in Oamaru in the first full week of April.

Marian Weaver will be speaking at law society meetings in Dunedin and Central Otago over the next couple of months about deemed permit renewal

4. Objectives**Performance Measure 1:**

Water taken under deemed permits are replaced by resource permits (water permits) by 2021, less any cancelled or surrendered.

Performance Target 2:

50% of the volume of water taken in Otago under consents is being managed by groups at 1 October 2021; 50% of water permits are managed through groups or water allocation committees.

All deemed permits are replaced or have applications lodged by 31 March 2021.

Progress on Objectives:

For reporting purposes a “group” includes existing irrigation companies and Territorial Authorities.

Table 1. Allocated Surface Water

	Total	Groups	TLA	Other	%Held by Groups & TAs
l/sec	322,154	69,508	5,685	246,961	23.3%
No. Permits	1,152	131	71	950	17.5%

The water measuring regulations became operative in November 2012 for permits greater than 20 l/sec. This prompted a number of surrenders of water permits and deemed permits that were not being used. In addition 16 deemed permits that were not being used have been cancelled in the last 3 years. Some deemed permits have also been replaced with water permits. As a result the number of deemed permits has decreased:

In April 2014 there were 458 current deemed water permits.
On Feb 26 there were 413 current deemed water permits.

Fraser McRae
Director Policy Planning & Resource Management