

REGULATORY COMMITTEE AGENDA

Wednesday 28 November 2018

1:00 pm, Council Chamber,
Level 2 Philip Laing House, 144 Rattray Street, Dunedin

Membership

Cr Bryan Scott

(Chairperson)

Cr Sam Neill

(Deputy Chairperson)

Cr Graeme Bell

Cr Doug Brown

Cr Michael Deaker

Cr Carmen Hope

Cr Trevor Kempton

Cr Michael Laws

Cr Ella Lawton

Cr Andrew Noone

Cr Gretchen Robertson

Cr Stephen Woodhead

Disclaimer

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

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1. APOLOGIES

Cr Kempton

2. LEAVE OF ABSENCE

Leave of Absence noted for Cr Woodhead

3. ATTENDANCE

4. CONFIRMATION OF AGENDA

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

5. CONFLICT OF INTEREST

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

6. PUBLIC FORUM

7. PRESENTATIONS

8. CONFIRMATION OF MINUTES

Recommendation

That the minutes of the meeting held on 17 October 2018 be received and confirmed as a true and accurate record.

Attachments

1. Regulatory Minutes 17 Oct 2018 [8.1.1]

9. ACTIONS

Status report on the resolutions of the Regulatory Committee

11.3 Managing the use of coal for domestic heating in Otago and New Zealand (Technical Committee)	31/1/2018	<i>That the matter of the ability to enforce the current Regional Air Plan Air Zone 1 provisions be considered by the Regulatory Committee</i>	IN PROCESS
10.1 Review of Council's Consents Function	17/10/18	<i>Staff appoint a consultant/s to undertake the review.</i> <i>That the Committee approves the brief attached as Appendix 1 for the Review of Council's Resource Consents Function, subject to the suggested edits outlined (Best Practise, shared services)</i>	
11.1 Compliance Activity for 2017/18	17/10/18	<i>That a case study be undertaken on the Kaikorai Stream with a view to informing future work on urban waterways and other waterways of concern.</i> <i>That this paper be reframed and represented with analysis of trends and of highlights and issues governance should be address</i>	
11.2 Director's Report on Progress Lagarosiphon control – Lake Dunstan		<i>That an effectiveness review of lagarosiphon control on Lake Dunstan be brought to next committee round</i>	

Attachments

Nil

10. MATTERS FOR COUNCIL DECISION

Nil

11. MATTERS FOR NOTING

11.1. Director's Report on Progress

Prepared for: Regulatory Committee
Report No. EMO1835
Activity: Governance Report
Prepared by: Scott MacLean, Director Environmental Monitoring, and Operations
Date: 9 November 2018

1. Précis

This report describes regulatory activity during the period 4 October – 9 November 2018

2. Compliance

2.1 Consent Inspection Audits

Four Consent audit inspections have been conducted over this period. One consent was graded non-compliant significant (no effects) as a WEX had not been applied for prior to measuring being installed. The remaining consents were graded non-compliant minor (actual or potential effects), due to no measuring installed and data not being supplied for a telemetered water take. A discharge consent (wastewater) was also graded non-compliant minor, due to exceedances of discharge limit & failing to supply their annual report.

2.2 Forestry

Twelve Forestry Management Plans have been assessed against the requirements of the NES-PF. 6 Plans were assessed as non-compliant, one lacked sufficient detail, the remainder were non-compliant due to not supplying within the required timeframe. 18 further notifications of works were received over the reporting period, bringing the total number of forestry sites to be inspected to 186. The workload associated with the implementation of the NES – Plantation Forestry has significant resourcing implications for this Council, which will need to be addressed in the next Annual Plan.

2.4 Dairy

55 dairy inspections have been conducted so far this season with the focus being in North Otago/Waitaki Plains. 50 of these were found to be compliant on the day of the inspection. Three properties have been graded non-compliant minor, due to minor ponding of leachate with no discharge to water, two properties have been graded non-compliant major due to significant ponding of effluent. Enforcement action is underway for these properties. Compliance staff are working with Communications staff regarding targeted messaging around the commonly observed dairy effluent management non-compliances. There is currently a focus on dairy inspections and in particular, effluent management in the Waitaki area in response to on-going *E-coli* spikes being recorded in the Waitaki aquifer.

3. Harbour Master activity

3.1 Navigational Safety Bylaws

Some minor amendments to the draft Navigational Safety Bylaws have been made in response to public submissions received. These will be presented to Council for their consideration. Following that, the next step is to arrange for hearings to be held.

3.2 Harbour safety

Eastern channel marks from Vauxhall to Grassy Point and the cross channel have now been lit and painted providing clear visual indication of the channel both day and night. This has greatly improved the safety for all harbour users.

One harbour incident of note occurred during this reporting period. Two yachts collided during a race start, with one suffering a significant breach of the hull. The swift response of other participants saved the vessel from sinking and no persons were injured. The incident was reported to Maritime New Zealand for follow up.



Yacht damaged during race event incident Otago Harbour

The national 'No Excuses' campaign has now commenced. The 'No Excuses' campaign will see a maritime officer from Maritime New Zealand spend 5 days alongside the Harbourmaster at designated locations to interact with recreational users on our waterways. This is an educational and enforcement campaign targeting boat operators that do not have a sufficient number of lifejackets aboard their vessel and those that speed in excess of any speed restriction.

The Maritime NZ officer will have the ability to issue infringement fines through the common maritime compliance tool. The 'No Excuses' campaign will last over the summer months.

Safer Boating Week was held between October 12th -19th 2018. This was a targeted national safety campaign aimed at raising awareness of and encouraging, safer boating practices. The Harbourmaster featured in the Otago Daily Times promoting the wearing of lifejackets.

5 knot speed signs have been placed at the boat ramp in Taieri Mouth along with a 5 knot marker buoy in the channel. It is hoped that this will help manage speeding through the moorings and berths in this area and lead to greater safety for all users.

Discussions with the log loading contractor and Port Otago have been ongoing. The accidental dropping of logs into the harbour during loading has been an ongoing issue. Progress is being made in negating this occurring and better processes have been put in place to firstly stop this happening and secondly to recover logs faster when it does occur.

3.3 Harbourmaster General

Following Council approval to purchase a dedicated Harbourmaster's vessel, fabrication of the vessel has commenced at McLay Boats Ltd's factory in Milton.

The Port and Harbour Safety Code (PHSC) is a voluntary national standard. It supports national and local legislation, including safety management systems and navigational bylaws. The objective of the code is to ensure the safe management of ships navigating in New Zealand ports and harbours. Otago will be reviewed at the end of November and we are confident the we will become fully compliant with the code at this time. Compliance with the Code will provide the basis for the ORC to manage the maritime safety environment to a very high standard.

4. Biosecurity

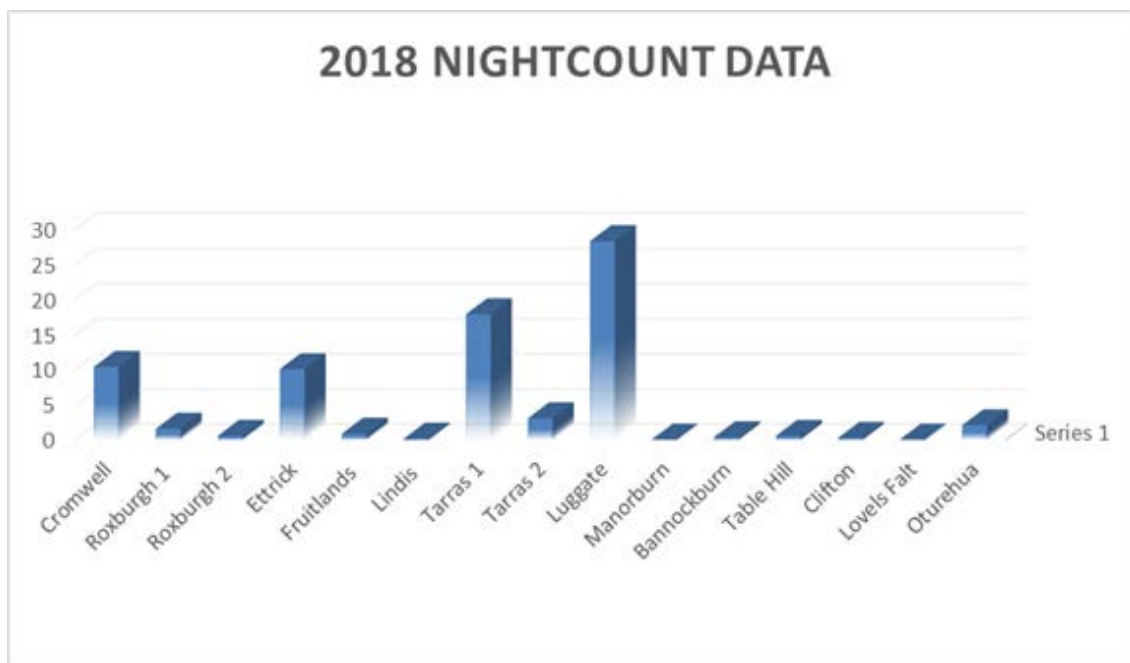
4.1 2018 Rabbit Night Count routes

2018 night counts have provided an overview of rabbit levels in Otago. These results are important in showing long term rabbit trends in the region and are an essential part of the Councils rabbit monitoring programme, providing advanced warning of rabbit problems throughout the region when assessed against previous data sets.

Night count results show rabbit levels currently range from very low populations through to high populations, which is representative of the majority of properties in the region. It should be noted that there are areas where rabbit numbers are very high and some areas where numbers are very low. Staff are currently looking at expanding the range of count routes to provide a more comprehensive and representative data set. This will assist in tracking the effectiveness of the (proposed) Regional Pest Management Plan, over the life of the plan.

The range of results of rabbits spotlighted per kilometre between sites is to be expected given that the monitoring sites cover a wide range of rabbit prone country and differences in landholder's commitment to rabbit control. This wide range of results, from 0.1 rabbits seen per km through to just over 28 rabbits per km allows Council staff to record the impacts of various factors operating in rabbit management. These factors

include the breeding season, RHDV, different control practices, the frequency of applying these methods and changes to rabbit habitat.



In areas where rabbit control is undertaken rabbit levels remain low at 0.1 to 2 rabbits per km. However, where little or no control is undertaken, we can see an increase in rabbit numbers. This year we can see this with the Luggate site where numbers have increased from 21 to 28 rabbits per km.

We can also see at the Etrick site, where primary poisoning was undertaken, numbers dropped from 20.1 rabbits per km to 2.1 post poison and this year numbers have increased, to 10.1 rabbits per km. This is a result of a change of farm management with an associated lack of secondary control.

All the trends observed will inform compliance programmes and educational and awareness campaigns.

4.2 Wallaby Activity

During this period there has been some increased activity recorded with the wallaby programme in the Naseby / St Bathans locality.

- October 4th – Adult Male wallaby found by specialist indicator dog and shot by ORC staff near Wedderburn.
- October 11th – Wallaby sign confirmed in the catchment of the Near Undaunted stream close to Naseby. Sign of multiple animals were observed with a poison operation underway.
- October 15th – Wallaby shot and lost by farmer, Kyeburn Station.
- October 28th – Wallaby reported at St Bathans which is under investigation.

5. Hydrometric State of the Environment Data Capture

Throughout the Otago region the Environmental Monitoring Hydrology team maintain and operate a network of hydrometric stations at strategic locations.

These monitoring stations provide data for a variety of Council activities such as flood monitoring, State of the Environment reporting, technical report cards and real time information to the public through the ORC webpage, LAWA and other platforms.

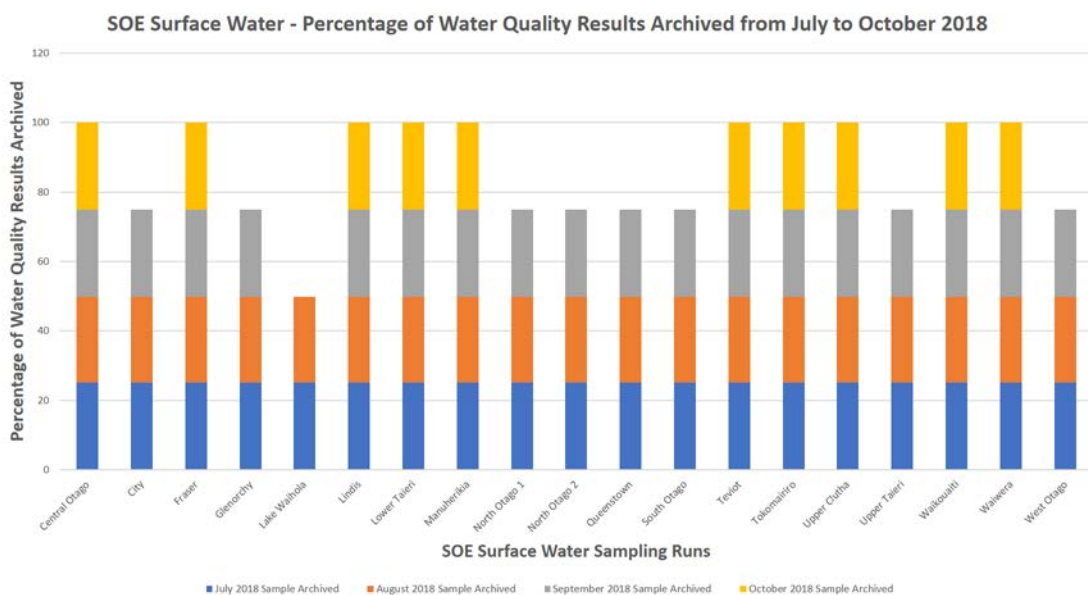
Flow data is continuously monitored which informs water quantity work streams, low flow situations, flood monitoring and some will operate as “reference flow sites” for water quality when discharge rules become operative in 2020.

For water quality, 118 SOE sites are sampled on a recurring monthly cycle and 24 SOE sites which are sampled weekly. Contact recreation sampling is also undertaken over the summer period at popular swimming locations.

Data-capture, refers to the amount of data that can be captured at any one site. This is represented as a percentage with 100% being all possible data being obtained by the measuring technology.

The water quantity data-capture rate for the period 17/18 year was very high at 99.24%. This was over 134 sites measuring surface water, groundwater, rainfall and water temperature. The 0.76% of data not captured (or “missing”) relates to loss of power at a measuring site or data logger malfunction, however the quantity of data “missing” is so minimal as to have no material consequence.

The water quality data capture rate was measured at 91% across 213 sampling sites. The remaining 9% relates to sampling not yet complete (programmed for completion by the end of November 2018), this includes sampling for both surface and ground water SOE monitoring and surface water quality projects such as in the Bannockburn, Lake Hayes, Manuherikia and Waipiata.



As part of the National Environmental Monitoring Standards (NEMS) recommendations for quality assurance, our sites are quality coded to show data applicability and usefulness. These are also used to show network performance and management as an operational tool.

The 91% of data collected and measured to date, for the 17/18 year has been quality coded at QC500 and above which means the data product is of 'very good or better' quality and can be used for 'applications with confidence'.

5. Attachments

6. Recommendations

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

Endorsed by: Scott MacLean
Director Environmental Monitoring & Operations

11.3. Consents and Building Control

Prepared for: Regulatory Committee
Report No. EMO1839
Activity: Resource Consent, Deemed Permits and Building Act Activity
Prepared by: Kylie Galbraith, Acting Manager Consents
Date: 8 November 2018

1. Précis

This report covers consents and building control and deemed permit replacement progress for the period 15 September 2018 to 2 November 2018.

2. Consent Processing

2.1. Public Notification

There have been no publicly notified consents during this period.

2.2. Limited Notification

There have been no limited notified consents during this period.

2.3. Objections

The one objection to consent conditions and costs has been resolved with the objector. The objection was dismissed.

There is one objection to consent costs that has been received during this reporting period. The objection is being assessed and correspondence will occur with the objector. A hearing may be required by the Objections Committee.

2.4. Appeals

RM17.229 – Peter Ronald Graham – an application to occupy the coastal marine area with a pontoon for operating a ‘Hole in one’ golf challenge.

The appellant is an unincorporated society comprised of submitters on the application. They are appealing the decision to grant the consent for a wide variety of reasons.

The applicant and appellant have been corresponding prior to any formal mediation process. They have reached agreement and are currently preparing a Consents Order for the Environment Court to uphold the decision with the agreed changes. A copy of the Consents Order will be circulated to the Council for agreement prior to sending it off to the Environment Court. The Director Policy Planning and Resource Management has the delegation to agree to the suggested changes, ensuring they do not impact on Council’s functions and jurisdiction.

RM17.084 - Kyeburn Catchment Limited – an application to take and use surface water from various locations on the Swinburn and Kyeburn for the purposes of irrigation, storage, stock water, firefighting, curling and hydro-electricity generation.

The appellant is appealing the decision to grant the consents for a wide variety of reasons.

Mediation has occurred, and the applicant and appellant have been corresponding since to reach agreement. They are currently preparing a Consents Order for the Environment Court to uphold the decision with the agreed changes. A copy of the Consents Order will be circulated to the Council for agreement prior to sending it off to the Environment Court. The Director Policy Planning and Resource Management has the delegation to agree to the suggested changes, ensuring they do not impact on Council's functions and jurisdiction.

2.5. Consent Statistics

For the reporting period, all decisions on consents were given within Resource Management Act 1991 (the Act) mandated timeframes. Three Certificate of Compliances were also issued during this time period.

For the year to date all decisions on consents, except one application with two consents granted, were given within the Act mandated timeframes. The exception exceeded the timeframes by three working days.

The current number of consents lodged for processing is 169. The number lodged during this reporting period is 57. The median number of consents lodged per week for during this reporting period is 8.1

The summary of consents statistics is set out in Appendix 1 to this report.

3. Deemed Permit Replacement.

There are currently 367 deemed permits left.

There were originally 754 deemed permits that included 'paper' or unexercised permits. There are currently 347 deemed permits that are current or possibly live. This figure includes:

- deemed permits that are likely to be replaced;
- deemed permits that are not likely to be replaced; and
- deemed permits that have obtained a replacement consent but have not yet surrendered their deemed permit. If the deemed permit is not expired, it will remain current until 1 October 2021.

It is estimated that approximately 2/3 (i.e. approx. 230) of the current deemed permits are yet to apply for a replacement consent.

During the period 15 September 2018 to 2 November 2018 one replacement application for four deemed permits was received. No replacement consents for deemed permits were granted during this period. Furthermore, no deemed permits were surrendered, cancelled or expired during this reporting period.

The breakdown of deemed permits per catchment are set out in Appendix 2 to this report.

4. Consent Administration

24 transfers were received and issued during this reporting period. The median number of transfers per week for the year to date is 3.3.

The summary of consents administration statistics is set out in Appendix 3 to this report.

5. Building Consent Authority (BCA) Administration

Very little activity has occurred in the building consent applications arena. One application has been granted in this reporting period. Furthermore, only one application has been received for the year to date.

The summary of BCA statistics is set out in Appendix 4 to this report.

6. Public Enquiries

300 enquiries were received during this reporting period. The median number of public enquiries per week for the year to date is 48.5.

Details are set out in Appendix 5 to this report.

7. Review of Council's Resource Consenting Function

Stephen Daysh from Mitchell Daysh, and Philip Maw from Wynn Williams Lawyers have been engaged to undertake this review. Philip and Stephen will be in Dunedin in December to conduct a series of interviews with Council staff, elected members, hearing commissioners, iwi, key stakeholders, applicants and consultants.

8. Recommendation

a) *That this report is noted.*

Endorsed by: Tanya Winter
Director Policy Planning and Resource Management

Appendix 1 – Consents Statistics

Table 1: Consents Statistics Summary

Reporting Period	Lodged			Rejected	Decision Given		
	Consents	Variations			Consents	Variations	
		Regular	Water reporting date*			Regular	Water reporting date*
15/9 to 2/11 2018	57	5	1	1	56	6	1
18/19 YTD	169	11	1	3	142	17	2

* Means the date water metre and/or flow records are to be provided to the Council.

Table 2: Breakdown of Granted Consent Type

Notification Group	Consent Type	Without Hearing			Total
		S37 Extension	Within Timeframe	Total	
Non Notified	☐ Certificate	-	3	3	3
	☐ Coastal Permit	7	-	7	7
	☐ Discharge Permit	3	10	13	13
	☐ Land Use Permit	6	19	25	25
	☐ Water Permit	12	6	18	18
Total		28	38	66	66
Total		28	38	66	66

Appendix 2 – Deemed Permits Breakdown Per Catchment up to 2 November 2018

Catchment	Original Number of Deemed Permits	Number of Current or Possibly Live Deemed Permits
Unnamed Trib's of Kawarau River	3	2
Quartz Creek	1	1
Manuherikia Catchment	189	71
Crook Burn (2)	4	2
Camp Creek (1)	3	2
Taieri Catchment	209	76
Long Gully (1)	4	1
Unnamed Trib's of Clutha River above Tuapeka Mouth	20	8
Lowburn Creek	18	13
Waikerikeri Creek	6	3
Arrow River	16	12
Bendigo Creek	3	2
Five Mile Creek (1)	3	1
Coal Creek	8	7
Toms Creek	3	2
Lindis River	41	19
Luggate Catchment	13	12
Teviot River	2	2
Unnamed Trib's of Lake Hawea	5	2
Shingle Creek	13	10
Unnamed Trib's of Clutha River above Lake Dunstan	6	3
Cardrona River	40	14
Tima Burn	3	0
Albert Burn (1)	5	4
Schoolhouse Creek	1	1
Kidd Creek	1	1
Nevis River	2	2
Bannock Burn	23	9
Pipeclay Gully	4	1
Basin Burn	4	4
Tinwald Burn	4	3
Roaring Meg	6	4
Outside catchment areas	0	0
Butchers Creek (1)	2	2
Chapmans Gully	1	1
Fraser River	10	8
Rees River	2	1

Devils Creek	2	0
Amisfield Burn	9	5
Park Burn	7	3
Quartz Reef Creek	4	3
Goat Camp Creek	2	0
Kakanui Catchment	2	0
Unnamed Trib's of Lake Whakatipu	1	0
Donaldsons Creek	4	0
Unnamed Trib's of Lake Dunstan	3	1
Pomahaka River	3	3
Lake Hayes Catchment	2	0
Black Jacks Creek	2	1
Wanaka Township	3	2
Shotover River	1	1
Frankton Arm	1	0
Burn Cottage Creek	5	5
Unnamed Trib's of Clutha River above Lake Roxburgh	2	2
Franks Creek	2	2
Washpool Creek (1)	5	4
John Bull Creek	2	2
Leaning Rock Creek	1	0
Elbow Creek	1	1
Poison Creek	1	1
School Creek	1	0
Beaumont River	1	1
Stony Burn	2	0
Mt Pisa	1	0
Wye Creek	1	0
Ripponvale Road	2	2
Unnamed Trib's of Lake Wanaka	1	0
Waitahuna Catchment	1	1
Cambells Creek	1	1
Totals:	754	347

Appendix 3 – Consent Administration

Table 3: Consent Administration Statistics

Reporting Period	Transfers Received	Transfers Issued	s417 Certs Received	s417 Certs Issued
15/9 – 2/11 2018	24	24	0	0
18/19 YTD	59	59	1	0

Appendix 4 – Building Consent Authority (BCA) Administration

Table 4: Building Act Statistics

Reporting Period	Building Permits		Certificate of Acceptance		Code Compliance Certificate	
	Received	Issued	Received	Issued	Received	Issued
15/9 – 2/10 2018	0	1	0	0	0	0
18/19 YTD	1	1	0	0	0	0

Appendix 5 – Public Enquiries

Table 5: Public Enquiries Statistics

Period	Number of Enquiries
17/18	2415
15/9 – 2/11 2018	300
18/19 YTD	850

Table 6: Resource Consent Public Enquiries Report for Period 15 September 2018 to 2 November 2018

Type of Enquiry	No.	% of Total
Property Enquiries	41	13.67%
Permitted Activities	54	18.00%
Current Consents	121	40.33%
Pre-application	47	15.67%
Other	24	8.00%
Transfers	7	2.33%
Mining Privileges	6	2.00%

Enquiry Location	No.	% of Total
Queenstown Lakes District Council	80	26.67%
Dunedin City Council	36	12.00%
Central Otago District Council	94	31.33%
Unspecified	46	15.33%
Waitaki District Council	22	7.33%
Throughout Otago	7	2.33%
Clutha District Council	14	4.67%
Outside Otago	1	0.33%

Method of Enquiry	No.	% of Total
Email	166	55.33%
Counter	12	4.00%
Telephone	109	36.33%
Letter	1	0.33%
Internet	12	4.00%

11.4. Resource Management Act 1991 Biosecurity Act 1993 and Building Act 2004 Enforcement activities from 23 September 18

Prepared for: Regulatory Committee
Activity: Environmental - Investigations and Enforcement Action
Prepared by: Peter Kelliher, Legal Counsel
Date: 9 November 2018

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 29 September 2018 to 9 November 2018.

2. Resource Management Act 1991

a) Resource Consents

Table 1. Infringement Notices

Details	Period – 29 September 2018 to 9 November 2018	Total – from 1 July 2018
Taking water in breach of resource consent conditions	1	1
TOTAL	1	1

b) Complaint Response

Table 2. Infringement Notices

Details	Period – 29 September 2018 to 9 November 2018	Total – from 1 July 2018	Complaints Received ¹
Discharge of contaminants to land in a manner where it may enter water - sediment	0	3	4
Discharge of contaminants to air in breach of a regional rule – burning prohibited material	0	3	2
Discharge of contaminants to air in breach of a regional rule – odour	0	3	7
Disturbing the bed of a river - pugging	0	2	4
TOTAL	0	11	17

¹ Number of complaints received by Council for the matters that have been subject to enforcement action.

Table 3. Abatement Notices

Details	Period – 29 September 2018 to 9 November 2018	Total – from 1 July 2018	Complaints Received
To cease discharging contaminants to air from a domestic heating appliance in breach of a regional rule	0	1	1
To cease discharging contaminants in breach of a regional rule - sediment	0	1	3
To remove a dead animal from a river	0	1	1
To cease discharging contaminants from a farm landfill in breach of a regional rule	0	1	1
To remove debris / slash from the bed of a river	0	2	2
To cease diverting water in breach of a regional rule	0	1	2
To cease diverting/discharging water which is likely to cause an adverse effect on the environment.	0	1	6
TOTAL	0	8	16

Table 4. Authorised Legal Proceedings

Details	Period – 29 September 2018 to 9 November 2018	Total – from 1 July 2018	Complaints Received
Discharge of contaminants to land in a manner where it may enter water - sediment	0	1	3
TOTAL	0	1	3

b) Inspections

Table 5. Authorised Legal Proceedings

Details	Period – 29 September 2018 to 9 November 2018	Total – from 1 July 2018
Discharge of contaminants to land in breach of a regional rule – effluent	0	1
TOTAL	0	1

3. Infringement Fees

Resource Management Act (“RMA”) infringement fees are set by the Resource Management (Infringement Offences) Regulations 1999. Under the Regulations, infringement fees range from \$300 to \$1,000, depending on which section of the RMA has been contravened.

From 1 July 2018, Council has issued 12 infringement notices totalling \$7,650 in infringement fees.

4. Building Act 2004

One prosecution was authorised during the above period. The matter relates to non-compliance with two Notices to Fix. The Notices were issued for building work that did not comply with the New Zealand Building Code.

5. Recommendation

That this report be noted.

Endorsed by: Scott MacLean
Director Environmental Monitoring and Operations

12. RESOLUTION TO EXCLUDE THE PUBLIC

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

Item Enforcement – Current Matters

12. PUBLIC EXCLUDED POSTAMBLE

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Enforcement – Current Matters	LGOMIA Section 6 (a) to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial;	Section 48(1)(a); Section 48(1)(d)

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

Item - Enforcement – Current Matters.

Section 6 (a)

to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial;

I also move that Mr MacLean be permitted to remain at this meeting after the public has been excluded, because of his knowledge of the matters subject to the recommendations.

13. NOTICES OF MOTION

14. CLOSURE