

**Community & Services Committee**  
**12 November 2024**  
**Report for Agenda Item | Rīpoata moto e Rāraki take [1]**

**Department: Community Services**

**Title | Taitara: Otago Regional Council air quality monitoring station lease in Kawarau Falls Reserve**

Purpose of the Report | Te Take mō te Pūroko

The purpose of this report is to consider recommending to Council to grant a new lease to the Otago Regional Council for an air quality monitoring station on Kawarau Falls Reserve, Frankton.

Recommendation | Kā Tūtohuka

That the Community & Services Committee:

1. **Note** the contents of this report;
2. **Recommend to Council** to grant a new lease, in accordance with section 54(1) of the Reserves Act 1977 to the Otago Regional Council over Lot 88 DP 19735 subject to the following terms and conditions:

Commencement	1 November 2024
Term	10 years
Renewal	Two rights of 5 years by agreement of both parties
Rent	\$1.00 + GST (if charged)
Insurance	Requirement to have public liability insurance of \$2 million

3. **Delegate** remaining lease conditions and signing authority to the General Manager Community Services.

**Prepared by:**

**Name:** Matthew Judd  
**Title:** Parks Property Planner  
11 October 2024

**Reviewed and Authorised by:**

**Name:** Kenneth Bailey  
**Title:** General Manager Community Services  
17 October 2024

## Context | Horopaki

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1. The Otago Regional Council (ORC) is expanding its air quality network and seeks a lease to install an air quality monitoring station in the Kawarau Falls Reserve which is located on the corner of Remarkables Crescent and Alta Place, Frankton, shown in **Attachment A**.
2. Under the National Environmental Standard-Air Quality (NES-AQ) ORC is required to monitor the ambient air quality in the greater Queenstown urban area.
3. The instrument will monitor levels of particulate matter in the air; tiny particles that are a harmful pollutant emitted by combustion.
4. Frankton was chosen based on results from previous studies that showed it had the some of the highest concentrations of particulate matter within the Queenstown airshed. It is important for ORC to monitor the most polluted parts of an airshed, and the site in the Kawarau Falls Reserve has been identified as an ideal location for the instrument due to the emission sources and geography of Frankton.
5. If approved, the new Frankton monitoring station will join an existing network of seven monitoring sites across Otago. These include Milton, Mosgiel, Dunedin, Alexandra, Clyde, Cromwell and Arrowtown. Once operational, the air monitoring data from this instrument will be publicly available online.

## Analysis and Advice | Tatāritaka me kā Tohutohu

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6. ORC is proposing to install the minimum necessary infrastructure and equipment for long term air quality and meteorological monitoring at this location. A mast of 4-6 metres will be erected to mount the required sensors. An artistic impression of the on-site equipment is shown on Attachment B. The chosen location is preferred as it is flat with good environmental exposure, close to a power supply, and least likely to interfere with access to the reserve.
7. The site will be set up to remotely monitor the small particulate matter that is less than 2.5 micrometres. These are the air pollutant particles that can most effectively get into people's lungs and cause health issues. To compliment measurement of this parameter ORC will also measure meteorological parameters that provide context to the pollutant data.
8. The instrument will also measure the following parameters using various individual sensors:
  - Air temperature
  - Barometric pressure
  - Humidity
  - Solar radiation
  - Wind direction
  - Wind speed

9. A 10-year lease is sought along with two rights of renewal of 5 years. This will give the ORC the security to gather important data over an extended period. We have referenced the standard terms and conditions for community leases and licences approved by Council. Although not technically a community organisation, ORC has been treated as such, with an understanding between councils of not charging one another for rent in these situations. The length of term sought is consistent with the indicative standard terms above, offering a slightly longer initial term to provide certainty, with Council still maintaining some control through the two shorter renewal periods.
10. As there is no reserve management plan for the Kawarau Falls Reserve and in order to issue a lease over recreation reserve, Council must first publicly advertise the intention to grant a lease, and hear any submissions received. This has been undertaken and no submissions were received.
11. Option 1 To recommend to Council to grant a lease to ORC for an air quality monitoring station subject to the terms and conditions outlined above:

Advantages:

- Monitoring of the air will enhance the region's knowledge of the air quality and may ultimately assist in generating positive environmental outcomes.
- The location is the most feasible and will have minimum impact and effects on the public's use of the reserve.

Disadvantages:

- The equipment would restrict the use of reserve land in this location, potentially also limiting future planting of vegetation in close proximity.

12. Option 2 To decline a lease to ORC for an air quality monitoring station.

Advantages:

- Would not restrict the use of the reserve land in this location.

Disadvantages:

- Would not be able to provide the region with quality monitoring data from Frankton, reporting on pollution events and reviewing air quality trends over time.

13. This report recommends **Option 1** for addressing this matter, because it will enable equipment to be installed which will assist in the monitoring and management of air quality, benefiting the community.

## Consultation Process | Hātepe Matapaki

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### Significance and Engagement | Te Whakamahi I kā Whakaaro Hiraka

14. This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy 2024 because it involves restricting the use of a public reserve.
15. The persons who are affected by or interested in this matter are the general public and users of the reserve.
16. The Frankton Community Association has been consulted about the application and the proposed location. The Association had concerns about an earlier proposal which indicated a larger container type footprint. The proposal has been adjusted as much as possible to address these concerns with physical equipment onsite being reduced as much as possible.
17. The lease has been publicly notified in accordance with section 119 of the Reserves Act 1977. No submissions were received.

### Māori Consultation | Iwi Rūnaka

18. As this lease is having a minor impact on the reserve, Council has not consulted specifically with Kāi Tahu on this matter.

## Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka

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19. This matter relates to the Community & Wellbeing risk category. It is associated with RISK10023 Disruption event to facility or service within the QLDC Risk Register. This risk has been assessed as having a moderate residual risk rating.
20. The approval of the recommended option will allow Council to implement additional controls for this risk. This will be achieved by imposing conditions within the lease which help limit disruption to the reserve and reserve users.

## Financial Implications | Kā Riteka ā-Pūtea

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21. There are no financial implications to QLDC.

## Council Effects and Views | Kā Whakaaweawe me kā Tirohaka a te Kaunihera

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22. The following Council policies, strategies and bylaws were considered:
  - This item aligns with the Vision Beyond 2050: Our Vision and Mission - QLDC. Specifically, air quality monitoring will assist with progress towards Zero Carbon Communities
  - Reserves Act 1977
  - Community and Funding Policy
  - Local Government Act 2002

- Parks & Open Spaces Strategy 2021

23. The recommended option is consistent with the principles set out in the named policies.

24. This matter is not included in the Long Term Plan/Annual Plan

#### Legal Considerations and Statutory Responsibilities | Ka Ture Whaiwhakaaro me kā Takohaka Waeture

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25. To grant a lease over reserve land, Council must follow the required process set out under the Reserves Act 1977. Minister's approval is required, this being delegated to Council.

#### Local Government Act 2002 Purpose Provisions | Te Whakatureture 2002 o te Kāwanataka ā-Kiaka

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26. Section 10 of the Local Government Act 2002 states the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. The item is assisting environmental well-being by monitoring air quality. As such, the recommendation in this report is appropriate and within the ambit of Section 10 of the Act.

27. The recommended option:

- Is consistent with the Council's plans and policies; and
- Would not significantly alter the intended level of service provision for any significant activity undertaken by or on behalf of the Council or transfer the ownership or control of a strategic asset to or from the Council.

#### Attachments | Kā Tāpirihaka

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A	ORC air quality monitoring station location in the Kawarau Falls Reserve
B	Artistic impression of equipment on-site in Kawarau Falls Reserve



Attachment A – Kawarau Falls Reserve & lease location





**Attachment B - Artistic impression of equipment onsite in Kawarau Falls Reserve**

