



Minutes of an ordinary meeting of Council held in the
Council Chamber on
Wednesday 23 June 2021 at 1:00 PM

Membership

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

Welcome

Chairperson Noone welcomed Councillors, members of the public and staff to the meeting at 1:03 pm. Staff present included Sarah Gardner (Chief Executive), Nick Donnelly (GM Corporate Services), Gwyneth Elsum (GM Strategy, Policy and Science), Gavin Palmer (GM Operations), Richard Saunders (GM Regulatory and Communication), Amanda Vercoe (GM Governance, Culture and Customer), Dianne Railton (Governance Support), Mike Roesler (Manager Corporate Planning), Sarah Harrison (Manager Finance – Revenue), Garry Maloney (Manager Transport), Joanna Gilroy (Manager Consents), Marianna Brook (Senior Advisor Mayoral Forum), Helen Manly (Team Leader Water), Julie Everett-Hincks (Manager Science), Andrea Howard (Manager Biosecurity & Rural Liaison), Murray Boardman (Performance & Delivery Facilitator) and Ryan Tippet (Media Communications Lead).

1. APOLOGIES

There were no apologies. Cr Laws joined the meeting via electronic link.

2. PUBLIC FORUM

No public forum was held.

3. CONFIRMATION OF AGENDA

The agenda was confirmed as published.

4. CONFLICT OF INTEREST

Cr Forbes advised of a possible conflict of interest for the Carbon Zero paper.

5. CONFIRMATION OF MINUTES

Resolution

That the minutes of the (public portion of the) Council meetings held on 27 May 2021 be received and confirmed as a true and accurate record.

Moved: Cr Noone

Seconded: Cr Wilson

CARRIED

Resolution

That the minutes of the (public portion of the) Council meeting held on 9 June 2021 be received and confirmed as a true and accurate record.

Moved: Cr Hope

Seconded: Cr Deaker

CARRIED

6. ACTIONS (STATUS OF COUNCIL RESOLUTIONS)

The status report on the resolutions of the Council Meeting was reviewed. Gwyneth Elsum advised that the Harbour Plan paper will come to Council in August 2021.

7. MATTERS FOR CONSIDERATION

7.1. Adoption of Long Term Plan 2021/31

The report presented the final version of the Otago Regional Council Long-term Plan 2021 -31 (LTP) for Council adoption. Nick Donnelly (GM Corporate Services), Mike Roesler (Manager Corporate Planning) were present to speak to the report and respond to questions.

Mr Donnelly tabled the final LTP document and draft Auditors Letter. He said that the LTP consultation assumed ORC would move to new premises in Dunedin in Year 4, but the timing will now be in Year 3, so it is the same transaction for the building, just moving the date forward 12 months.

Resolution CM21-113: Cr Malcolm Moved, Cr Calvert Seconded

That the Council:

- 1) **Adopts** the Revenue and Financing Policy as included in the Long-term Plan 2021-31 (attached as Attachment 1).

Motion Carried

Resolution CM21-114: Cr Malcolm Moved, Cr Calvert Seconded

That the Council:

- 1) **Adopts** the Fees and Charges Schedule as included in the Long-term Plan 2021-31 (attached as Attachment 1). Note on page 101 under Schedule of Fees and Charges 'These are subject to the RMA, i.e. need to be a fair and reasonable test'.

Motion Carried

Resolution CM21-115: Cr Malcolm Moved, Cr Calvert Seconded

That the Council:

- 1) **Resolves** that it is financially prudent to have an annual operating deficit in the first three years (2021/22, 2022/23 and 2023/24) of the Long-term Plan 2021-31.

Motion Carried

Resolution CM21-116: Cr Malcolm Moved, Cr Calvert Seconded

That the Council:

- 1) **Delegates** authority to the Otago Regional Council Chairperson to sign the Audit Representation Letter on behalf of Council once the External Auditors have provided their report and clearance on the Long-term Plan 2021-31

Motion Carried

Resolution CM21-117: Cr Malcolm Moved, Cr Calvert Seconded

That the Council:

- 1) **Adopts** the Otago Regional Council Long-term Plan 2021-31 as amended post Council deliberations and as tabled at the 23 June 2021 Council meeting.

Motion Carried

Resolution CM21-118: Cr Malcolm Moved, Cr Calvert Seconded

That the Council:

- 1) **Notes** the Long-term Plan 2021-31 includes the Financial Strategy, Infrastructure Strategy and Significance and Engagement Policy as required under the Local Government Act 2002.

Motion Carried

Resolution CM21-119: Cr Malcolm Moved, Cr Calvert Seconded

That the Council:

- 1) **Delegates** authority to the Council's Chief Executive in consultation with Council's external auditor to make alterations of minor effect or to correct any minor errors to the adopted Long-term Plan 2021-31.

Motion Carried

Resolution CM21-120: Cr Malcolm Moved, Cr Calvert Seconded

That the Council:

- 1) **Notes** the Otago Regional Council Long-term Plan 2021-31 contains the assumption that Council will maintain its role and responsibility for public transport.

Motion Carried

Resolution CM21-121: Cr Malcolm Moved, Cr Calvert Seconded

That the Council:

- 1) **Authorises** the Chair to confirm Council's position regarding public transport in a letter to the Mayor of Dunedin City Council.

Motion Carried

Resolution CM21-122: Cr Wilson Moved, Cr Hope Seconded

That the Council:

Refers the following draft motions to the Implementation Committee:

- 1) **Requests** staff report in December and three monthly thereafter to Council on progress on gravel extraction consents.
- 2) **Requests** staff report three monthly on development of work programmes for the 2022/23 and subsequent annual plans for river management.
- 3) **Requests** staff provide Council with a report on timeframes and process to better develop asset management plans for plantings alongside river banks.

Motion Carried

7.2. Rates Report and Rates Resolution

The report provided details of each of the rates to be set, and to recommend that Council adopts the rates resolution for the 2021-22 financial year. Nick Donnelly (GM Corporate Services) and Sarah Harrisson (Manager Finance - Revenue) were present to speak to the report and respond to questions. Following discussion, Cr Hobbs moved:

Resolution CM21-123: Cr Hobbs Moved, Cr Hope Seconded

That the Council:

- 1) **Receives** this report and the attached Rating and Sample Reports.
- 2) **Adopts** the Rating Resolution for the 2021-22 financial year.

Motion Carried

7.3. Adoption of 2021-31 Regional Land Transport Plan

The report was provided to seek Council approval of the Otago Regional Land Transport Plan 2021-2031 for submission to Waka Kotahi NZ Transport Agency (WKNZTA). Gavin Palmer (GM Operations) and Garry Maloney (Manager Transport) were present to speak to the report and respond to questions. Following discussions Cr Forbes moved:

Resolution CM21-124: Cr Forbes Moved, Cr Wilson Seconded

That the Council:

- 1) **Receives** this report.
- 2) **Approves** the Otago Regional Land Transport Plan 2021-2031 (being those parts of the Otago Southland Regional Land Transport Plans 2021 2031 that apply in Otago).
- 3) **Agrees** to forward the Otago Regional Land Transport Plan 2021-2031 to Waka Kotahi New Zealand Transport Agency by the 30 June 2021.

Motion Carried

7.4. Adoption of 2021-31 Regional Public Transport Plan

The report was provided for the approval of the Otago Regional Public Transport Plan 2021-2031. Gavin Palmer (GM Operations) and Garry Maloney (Manager Transport) were present to speak to the report and respond to questions.

Cr Laws left the meeting at 3:32 pm.

Resolution CM21-125: Cr Deaker Moved, Cr Forbes Seconded

That the Council:

- 1) **Receives** this report.
- 2) **Adopts** the appended Regional Public Transport Plan 2021-2031 as final.
- 3) **Delegates** to the Council Chairperson, the power to approve minor editorial changes to the Draft Regional Public Transport Plan 2021-2031 subsequent to this meeting.
- 4) **Requests** the Chair of ORC meet at an early opportunity with the Mayor of DCC with their respective CE's, to discuss passenger transport and a joint approach going forward.

Motion Carried

The meeting adjourned for a short break at 3.45pm and reconvened at 4.01pm

7.5. Consent Fees Policy

The report was provided to present a policy on Otago Regional Council (ORC) support for resource consent processing fees for environmental enhancement projects. Richard Saunders (GM Regulatory & Communications) and Joanna Gilroy (Manager Consents) were present to speak to the report and respond to questions.

During discussion Richard Saunders was asked what happens if the allocated funds are used. Mr Saunders replied this funding would be included in the quarterly report to the Regulatory Committee.

Resolution CM21-126: Cr Hope Moved, Cr Calvert Seconded

That the Council:

- 1) **Receives** this report.
- 2) **Approves** the ORC Financial Support for Resource Consent Processing Fees - Environmental Enhancement Projects Policy – 2021, referred to as Option 1 in the paper, and its implementation from 1 July 2021
- 3) **Approves** an update to the Otago Regional Council Delegations Manual to reflect the new Policy and delegate under the policy to the General Manager Regulatory and Communications
- 4) **Notes** that staff will report quarterly to the Regulatory Committee on the implementation of this Policy
- 5) **Requests** that staff review the policy at the end of the 2021/2022 year and report back to Council on any recommended changes

Motion Carried

7.6. Zero Carbon 2030 Alliance Memorandum of Understanding

The was provided for Council's approval for the Memorandum of Understanding (MOU) for the Dunedin City Zero Carbon 2030 Alliance. Amanda Vercoe (GM Governance, Culture & Customer) and Marianna Brook (Senior Advisor - Mayoral Forum) were present to speak to the report and respond to questions.

Cr Forbes sat back from the table for this item due to a possible conflict.

Resolution CM21-127: Cr Noone Moved, Cr Wilson Seconded

That the Council:

- 1) **Notes** the Council agreed on 24 February 2021 to participate in a founding group developing a Memorandum of Understanding and Terms of Reference for the Dunedin City Zero Carbon 2030 Alliance.
- 2) **Approves** the attached Dunedin City Zero Carbon 2030 Alliance Memorandum of Understanding, thereby making ORC a formal member of the Alliance.
- 3) **Delegates** authority to the Chair to incorporate any amendments to the Memorandum of Understanding sought by other members, and to sign the final version on the Council's behalf.
- 4) **Notes** that should Council agree to sign up to the Alliance, staff will provide reporting to Council on how the Alliance discussions and activities are progressing.

Motion Carried

Cr Forbes returned to the table.

7.7. Science Programme to Inform the Land and Water Plan

The report summarised the Freshwater Management Unit (FMU) based science and research programme to gather land and water information which will be used to inform the new Land and Water Regional Plan (LWRP). Gwyneth Elsum (General Manager Strategy, Policy & Science), Helen Manly (Team Leader Water), Julie Everett-Hincks (Manager Science), Ben Mackey (Team

Leader - Land) and Pete Ravenscroft (Team Leader - Biodiversity) were present to speak to the report and respond to questions.

Gwyneth Elsum advised that the science will be communicated so that it is more accessible to people and easier to understand and said that Richard Saunders is in discussion with Communications & Engagement and others about how best we can do that. Following further discussion, Cr Kelliher moved:

Resolution CM21-128: Cr Kelliher Moved, Cr Hope Seconded

That the Council:

- 1) **Receives** this report
- 2) **Notes** the broad scale regional approach taken by ORC Science to underpin the Land and Water Regional Plan.

Motion Carried

Cr Robertson left the meeting at 4:53 pm.

7.8. 2021-2022 Regional Pest Management Plan Biosecurity Operational Plan

The report was provided for Council's approval to adopt the Otago Regional Council's Regional Pest Management Plan - 2021/2022 Operational Plan. Gavin Palmer (GM Operations) and Andrea Howard (Manager Biosecurity and Rural Liaison) were present to speak to the report and respond to questions. Following discussion, Cr Calvert moved:

Resolution CM21-129: Cr Calvert Moved, Cr Noone Seconded

That the Council:

- 1) **Receives** this report.
- 2) **Approves** the Otago Regional Council's Regional Pest Management Plan - 2021-2022 Operational Plan.
- 3) **Agrees** to provide a copy of the Otago Regional Council's Regional Pest Management Plan – 2021/2022 Operational Plan to the Minister for Biosecurity as required under Section 100B of the Biosecurity Act 1993.
- 4) **Notes** that staff will report back to Council any response from the Minister for Biosecurity.

Motion Carried

8. RECOMMENDATIONS ADOPTED AT COMMITTEE MEETINGS

8.1. Recommendations of the Data and Information Committee

Resolution CM21-130: Cr Calvert Moved, Cr Forbes Seconded

That the Council:

- 1) **Adopts** the resolutions of the 9 June 2021 Data and Information Committee meeting.

Moved: Cr Calvert

Seconded: Cr Forbes

CARRIED

8.2. Recommendations of the Finance Committee

Resolution CM21-131: Cr Calvert Moved, Cr Forbes Seconded

That the Council:

- 1) **Adopts** the resolutions of the 26/27 May 2021 Finance Committee meeting.

Moved: Cr Calvert

Seconded: Cr Forbes

CARRIED

8.3. Recommendations of the Implementation Committee

Resolution CM21-132: Cr Calvert Moved, Cr Forbes Seconded

That the Council:

- 1) **Adopts** the resolutions of the 9 June 2021 Implementation Committee meeting.

Moved: Cr Calvert

Seconded: Cr Forbes

CARRIED

8.4. Recommendations of the Regulatory Committee

Resolution CM21-133: Cr Calvert Moved, Cr Forbes Seconded

That the Council:

- 1) **Adopts** the resolutions of the resolutions of the 10 June 2021 Regulatory Committee.

Moved: Cr Calvert

Seconded: Cr Forbes

CARRIED

8.5. Recommendations of the Otago Southland Regional Transport Committee

Resolution CM21-134: Cr Calvert Moved, Cr Forbes Seconded

That the Council:

- 1) **Adopts** the resolutions of the 11 June 2021 Otago and Southland Transport District.

Moved: Cr Calvert

Seconded: Cr Forbes

CARRIED

9. CHAIRPERSON'S AND CHIEF EXECUTIVE'S REPORTS

9.1. Chairperson's Report

Cr Kelliher said there had previously been discussion about Environment Southland's lack of funding for the Rescue Helicopter. He asked if Environment Southland have included funding for the Rescue Helicopter in their Long-term Plan, and if not, reminded Chair Noone that this was to be actioned.

Resolution

That the Council:

- 1) **Receives** the Chairperson's report.

Moved: Cr Hope
Seconded: Cr Forbes
CARRIED

9.2. Chief Executive's Report

Cr Forbes said she received very good feedback from Wai Wanaka, acknowledging Andrea Howard's work with Wai Wanaka and the recent meeting between ELT and Wai Wanaka.

Resolution

That the Council:

- 1) **Receives** the Chief Executive's report.

Moved: Cr Hope
Seconded: Cr Forbes
CARRIED

10. RESOLUTION TO EXCLUDE THE PUBLIC

Resolution

That the Council excludes the public from the following part of the proceedings of this meeting (pursuant to the provisions of the Local Government Official Information and Meetings Act 1987) namely:

- 1.1. Minutes of the 14 April 2021 public excluded Council Meeting
- 1.2 Minutes of the 27 May 2021 public excluded Council Meeting
- 3.1. Approval to Proceed with Funding Agreements
- 3.2. Facilitation of Landholder Access to Poisoned Rabbit Bait
- 4.0 Approve recommendations of the 12 May 2021 public-excluded Strategy and Planning Committee

Moved: Cr Hobbs
Seconded: Cr Forbes
CARRIED

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
<i>1.1. Minutes of the 14 April 2021 public excluded Council Meeting</i>	To protect information where the making available of the information— would be likely unreasonably to prejudice the commercial position of	

	<p>the person who supplied or who is the subject of the information – Section 7(2)(b)(ii)</p> <p>To protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information— would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied – Section 7(2)(c)(i)</p> <p>To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities – Section 7(2)(h)</p> <p>To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) – Section 7(2)(i)</p>	
<p><i>1.2 Minutes of the 27 May 2021 public excluded Council Meeting</i></p>	<p>To protect the privacy of natural persons, including that of deceased natural persons – Section 7(2)(a)</p> <p>To protect information where the making available of the information— would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information – Section 7(2)(b)(ii)</p> <p>To protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information— would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied – Section 7(2)(c)(i)</p> <p>To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial</p>	

	<p>activities – Section 7(2)(h) To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) – Section 7(2)(i)</p>	
<p><i>3.1. Approval to Proceed with Funding Agreements</i></p>	<p>To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities – Section 7(2)(h)</p> <p>To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) – Section 7(2)(i)</p>	<p>Section 48(1)(a) - Subject to subsection (3), a local authority may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on 1 or more of the following grounds: (a) that the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist,</p>
<p><i>3.2. Facilitation of Landholder Access to Poisoned Rabbit Bait</i></p>	<p>To maintain legal professional privilege – Section 7(2)(g)</p> <p>To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) – Section 7(2)(i)</p>	<p>Section 48(1)(a) -Subject to subsection (3), a local authority may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on 1 or more of the following grounds: (a) that the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.</p>
<p><i>4.0 Approve recommendations of the 12 May 2021 public-excluded Strategy and Planning Committee</i></p>	<p>To protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information— would be likely otherwise to damage the public interest – Section 7(2)(c)(ii)</p> <p>To enable any local authority holding the information to carry on, without prejudice or disadvantage,</p>	<p>Section 48(1)(a) -Subject to subsection (3), a local authority may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on 1 or more of the following grounds: (a) that the public conduct of the whole or the relevant part of the proceedings of</p>

	negotiations (including commercial and industrial negotiations) – Section 7(2)(i)	the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.
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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 after each item.

11. CLOSURE

There was no further business and Chairperson Noone declared the meeting closed at 5:12 pm.



 Chairperson

25 August 2021

 Date