



Minutes of an ordinary meeting of Council  
held in the Council Chamber on  
Thursday 9 December 2021 at 11:00am

**Membership**

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

**Welcome**

Chairperson Noone welcomed Councillors, members of the public and staff to the meeting at 11:02 am. 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 Communications), Amanda Vercoe (GM Governance, Culture and Customer), Dianne Railton (Governance Support), and Anita Dawe (Manager Policy and Planning), Garry Maloney (Manager Transport), Kyle Balderston (Team Leader Urban Growth and Development), Mike Roesler (Manager Corporate Planning) and Sean Geary (Management Accountant). Also present was Natalie Richards (Versus Research) for the Community Survey Report (via electronic link).

## **1. APOLOGIES**

There were no apologies. Cr Forbes advised she would leave the meeting at 2:00pm. Cr Deaker attended the meeting via electronic link.

## **2. PUBLIC FORUM**

There were two public forum speakers:

- 1) Alan Saville, President of Dunedin Tramways Union  
Mr Saville spoke on behalf of the Dunedin Tramways Union, to express their disappointment about the non-paying of living wage to the bus drivers of Otago.
- 2) Mr Alasdair Morrison, Chairman, Waikouaiti Coast Community Board  
Mr Morrison spoke to the contents of the paper 7.3 2021-24 National Land Transport Programme Outcome, with particular emphasis on the Community Board's request for improvements to bus service Route 1, and the outcome of public consultation with bus users over the past few weeks.

## **3. CONFIRMATION OF AGENDA**

### **Resolution: Cr Noone Moved, Cr Laws Seconded**

Chair Noone requested that the Council meeting move into public excluded at 1:00pm for item 3.2 Clutha/Mata Au River - Depositing of Material on bed of river, to allow Cr Forbes to be present before leaving the meeting at 2:00pm. The meeting would then move back into public for the remainder of the public agenda.

**MOTION CARRIED**

## **4. CONFLICT OF INTEREST**

No conflicts of interest were advised.

## **5. CONFIRMATION OF MINUTES**

### **Resolution: Cr Noone Moved, Cr Laws Seconded**

*That the minutes of the (public portion of the) Council meeting held on 24 November 2021 be received and confirmed as a true and accurate record.*

**MOTION CARRIED**

## **6. ACTIONS (STATUS OF COUNCIL RESOLUTIONS)**

The status report on the resolutions of the Council Meeting was reviewed.

## **7. MATTERS FOR CONSIDERATION**

### **7.1. Review of Flood Protection Management Bylaw 2012**

The report was provided to commence the review process of the Otago Regional Council (ORC) Flood Protection Management Bylaw 2012 ("Bylaw"). Gavin Palmer (GM Operations), Michelle Mifflin (Manager Engineering) and Alison Weaver (Commercial and Regulatory Lead Engineering) were present to speak to the report and respond to questions.

**Resolution CM21-204: Cr Laws Moved, Cr Kelliher Seconded**

*That the Council:*

- 1) **Notes** this report.
- 2) **Adopts** the recommendation that a Bylaw is the most appropriate way of ensuring the integrity and satisfactory performance of the Council's flood protection works.
- 3) **Approves** the recommendation to commence a review of the Flood Protection Management Bylaw 2012.

**MOTION CARRIED**

**7.2. Ministry Review of Wakatipu Basin School Bus Services and Dunedin Changes**

The report updated Council on changes to commercial school bus services in Dunedin and on a proposal from the Ministry of Education to review the school bus services it provides in Queenstown. Gavin Palmer (GM Operations) and Garry Maloney (Manager Transport) were present to speak to the report and respond to questions. Cr Noone advised that he had distributed to Councillors, a letter received from Mayor Jim Boulton on school bus service. Following discussion Cr Forbes moved:

**Resolution CM21-205: Cr Forbes Moved, Cr Robertson Seconded**

*That the Council:*

- 1) **Notes** this report.
- 2) **Authorises** the Chief Executive to approve minor changes to the Dunedin bus network in time for the start of the 2022 school year, to address school connectivity issues that have/may arise, given the cessation of commercial services at the end of 2021.
- 3) **Requests** staff provide and update to the first Implementation Committee of 2022 on the efficacy of the minor changes and any capacity issues that occur from the reduction in bus services provided in Dunedin.

**MOTION CARRIED**

Crs Hope and Kelliher voted against the motion and asked that their votes be recorded.

**7.3. 2021-24 National Land Transport Programme Outcome**

The report was provided to advise Council on the success of its 2021-24 National Land Transport Programme bid and seek a direction in regard to Long-term Plan (LTP) activity. Gavin Palmer (GM Operations) and Garry Maloney (Manager Transport) were present to speak to the report and respond to questions.

**Resolution CM21-206: Cr Scott Moved, Cr Forbes Seconded**

*That the Council:*

- 1) **Notes** this report.

**MOTION CARRIED**

**Resolution CM21-207: Cr Scott Moved, Cr Forbes Seconded**

*That the Council:*

- 1) **Notes** Waka Kotahi NZ Transport Agency has not approved co-investment in the 2021–2024 National Land Transport Programme for improvements to Dunedin bus route 1.

**MOTION CARRIED**

**Resolution CM21-208: Cr Scott Moved, Cr Forbes Seconded**

*That the Council:*

- 1) *Approves an improvement to Dunedin bus route 1 within the constraints of the ORC's local share funding as budgeted in the 2021-31 Long-Term Plan.*

A division was called:

**Vote**

For:	Cr Calvert, Cr Deaker, Cr Forbes, Cr Noone, Cr Robertson and Cr Scott
Against:	Cr Hope, Cr Laws, Cr Kelliher, Cr Malcolm and Cr Wilson
Abstained:	Nil

**MOTION CARRIED (6 votes for, 5 votes against)**

**Resolution CM21-209: Cr Scott Moved, Cr Forbes Seconded**

*That the Council:*

- 1) *Approves the form of the service improvement for Dunedin bus timetable route 1 to be based on the feedback of the Waikouaiti Coast Community Board.*

**MOTION CARRIED**

**Resolution CM21-210: Cr Scott Moved, Cr Forbes Seconded**

*That the Council:*

- 1) *Approves postponing the Year 2 Long-term Plan proposed Dunedin bus service improvement (new service from Green Island to the City via South Dunedin) to Year 3.*

**MOTION CARRIED**

*The meeting adjourned at 12:40pm for a break, followed by the public excluded paper 3.2 Clutha/Mata Au River - Depositing of Material on bed of river, as resolved in the confirmation of agenda under LGOIMA Section 48(1)(a), Section 7(2)(a).*

*The public meeting reconvened at 2:20pm.*

**7.4. Community Survey Report**

The report presented the results of the Otago Regional Council (ORC) Perceptions Survey for 2021. Richard Saunders (GM Regulatory and Communications), Eleanor Ross (Principal Advisor - Internal Communications) and Natalie Richards (Versus Research - via electronic link), were present to speak to the report and respond to questions.

**Resolution CM21-211: Cr Wilson Moved, Cr Hope Seconded**

*That the Council:*

- 1) **Notes** this report.
- 2) **Requests** that staff develop an action plan in response to the survey and report back to the Governance, Communications and Engagement Committee on 10 March 2022.

**MOTION CARRIED**

### **7.5. FMU Liaison Councillor Nominations**

The report was provided to confirm the Councillor liaisons for each Freshwater Management Unit (FMU) and rohe, to support the community through the development of the Land and Water Regional Plan (LWRP).

#### **Resolution CM21-212: Cr Wilson Moved, Cr Hope Seconded**

*That the Council:*

- 1) **Notes** this report.
- 2) **Approves** the following Councillor liaisons for each Freshwater Management Unit and rohe:
  - a. Upper Lakes – Cr Kelliher
  - b. Dunstan – Cr Forbes
  - c. Lower Clutha – Cr Hope
  - d. Taieri – Cr Robertson
  - e. Dunedin and Coast – Cr Scott
  - f. North Otago – Cr Malcolm
  - g. Catlins – Cr Wilson
  - h. Roxburgh – Cr Laws
  - i. Clutha Mata-au (main stem) – Cr Deaker

**MOTION CARRIED**

### **7.6. Three Waters Update**

The report updated Council on the current state of Government's Three Waters Reform Programme, with a particular emphasis on potential implications for regional councils. Gwyneth Elsum (GM Strategy, Policy and Science) and Kyle Balderston (Team Leader Urban Growth and Development) were present to speak to the report and respond to questions. Kyle Balderston provided an update, advising that Taumata Arowai is up and running and the Water Services Act has now passed. He said it is a massive change for TAs, and the loss of their staff and control will have implications.

#### **Resolution CM21-213: Cr Wilson Moved, Cr Robertson Seconded**

*That the Council:*

- 1) **Notes** this report which incorporates the Aukaha cultural values statement.

**MOTION CARRIED**

### **7.7. ORC Council Job Descriptions for Chair and Deputy Chair**

The report was provided for Council to consider updated job descriptions for the Chair and Deputy Chair, following a meeting of the working party set up to review the existing drafts.

#### **Resolution CM21-214: Cr Laws Moved, Cr Noone Seconded**

*That the Council:*

- 1) **Notes** this report.
- 2) **Adopts** the attached job descriptions for the Chair and Deputy Chair of the Otago Regional Council.

**MOTION CARRIED**

*The meeting adjourned at for a break at 3:25am and reconvened at 3:41pm.*

### **7.8. Annual Plan 2022-2023: Proposed adjustments to the Long-term Plan**

The report was provided to assist Council to advance the Annual Plan 2022-23 (AP) process. It follows up on the resolutions of the 24 November 2021 Finance Committee meeting directing staff to work within a constraint of 18% average total rates increase for the proposed year 2 financial estimates. Nick Donnelly (GM Corporate Services) and Mike Roesler (Manager Corporate Planning) were present to speak to the report and respond to questions. Mr Roesler provided an overview of the changes made, and following discussion Cr Scott moved:

#### **Resolution CM21-215: Cr Scott Moved, Cr Calvert Seconded**

*That the Council:*

- 1) **Notes** the changes staff have made to draft Annual Plan 2022-23 financial estimates which have reduced the average total rates increase to 19%.
- 2) **Notes** that staff will complete a draft Annual Plan for consideration at the 23 February 2022 Finance Committee meeting based on reducing the average total rates increase to no more the 18% which is in line with year 2 of the LTP.

#### **MOTION CARRIED**

### **7.9. Communication Material: Long-term Plan 2021-31**

The report was provided to inform and enable an opportunity to comment about draft communication material to support Councillors when engaging with the community regarding the Long-term Plan. Nick Donnelly (GM Corporate Services) and Mike Roesler (Manager Corporate Planning) was present to speak to the report and respond to questions.

*Cr Robertson left to the meeting at 4:15pm.*

#### **Resolution CM21-216: Cr Malcolm Moved, Cr Noone Seconded**

*That the Council:*

- 1) **Notes** the draft communication material attached to this report.

#### **MOTION CARRIED**

### **7.10. Annual Plan 2022-23 Rating Considerations**

The paper was provided to report back to Council on the two rating and funding related resolutions made during deliberations for the LTP 2021-31. Mr Nick Donnelly (GM Corporate Services) was present to speak to the report and respond to questions. Chair Noone advised that the report was considered at the November 2021 Finance Committee meeting, where it was laid on the table to be brought back for consideration at a future meeting, due to limited time.

#### **Resolution CM21-217: Cr Malcolm Moved, Cr Calvert Seconded**

*That the Council:*

- 1) **Notes** this report.
- 2) **Endorses** the proposed approach to the two rating matters raised during deliberations for the Long-Term Plan 2021-31 being:
  - a. To not undertake rating reviews of any flood and drainage schemes for the Annual Plan 2022-23.
  - b. To not amend the current water quality improvement funding policy for the Annual Plan 2022-23.

- 3) **Notes** that both of the above rating matters will continue to be worked on as part of a wider review of rating leading into the Long-Term Plan 2024-34.
- 4) **Resolves** to set up a working party of Finance staff, Engineering staff, the Finance Co-Chairs and Molyneux Councillor Wilson, to report back to the first Finance Committee of 2022 on ways to pilot a review of the Taieri drainage and flood schemes rates.

**MOTION CARRIED**

**7.11. Regional Shared Services**

The report was provided to seek Council's endorsement of Council becoming a shareholder in a proposed regional sector shared services organisation and seek approval to prepare documentation to undertake consultation on that proposal. Nick Donnelly (GM Corporate Services) was present to speak to the report and respond to questions. Mr Donnelly gave an overview of framework of the new Council Controlled Organisation (CCO), and ORC being involved as a shareholder or standing alone, and said that it is a high-level, in principle decision.

**Cr Wilson Moved, Cr Calvert Seconded**

*That the Council:*

- 1) **Notes** this report.
- 2) **Endorses** in principle the establishment of a regional sector shared services organisation.
- 3) **Endorses** in principle Council becoming a shareholder in a regional sector shared services organisation once that entity is established.
- 4) **Approves** the preparation of consultation documentation as required under the Local Government Act 2002 to enable consultation to be undertaken on Council becoming a shareholder in a new regional sector shared services organisation.
- 5) **Authorises** the Chief Executive to provide a letter to Regional Services Holdings Limited, indicating Council's intent to become a shareholder in the proposed new regional sector share services organisation.

Following lengthy discussion, the motion was withdrawn with agreement of the mover and seconder the motion.

**Resolution CM21-218: Cr Hope Moved, Cr Kelliher Seconded**

*That the Council:*

- 1) **Request** the report lie on the table until the 23 February 2022 Council meeting.

**MOTION CARRIED**

**8. RECOMMENDATIONS ADOPTED AT COMMITTEE MEETINGS**

**8.1. Recommendations of the Public Portion of the Finance Committee**

**Resolution CM21-219: Cr Calvert Moved, Cr Malcolm Seconded**

*That the Council adopts the resolutions of the 24 November 2021 Finance Committee (public).*

**MOTION CARRIED**

## 9. CHAIRPERSON'S AND CHIEF EXECUTIVE'S REPORTS

### 9.1. Chairperson's Report

**Resolution: Cr Scott Moved, Cr Hope Seconded**

*That the Chairperson's report be received.*

**MOTION CARRIED**

### 9.2. Chief Executive's Report

**Resolution: Cr Noone Moved, Cr Laws Seconded**

*That the Chief Executive's report be received.*

**MOTION CARRIED**

## 10. RESOLUTION TO EXCLUDE THE PUBLIC

**Resolution: Cr Noone Moved, Cr Laws Seconded:**

*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:*

- *Clutha/Mata Au River – Depositing of Material on bed of river*

**MOTION 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 24 November 2021 public excluded Council Meeting</i>	To protect the privacy of natural persons, including that of deceased natural persons – Section 7(2)(a).	
<i>3.1 Port Otago Resolution in Lieu of Annual Shareholders Meeting</i>	To protect the privacy of natural persons, including that of deceased natural persons – Section 7(2)(a); To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities – Section 7(2)(h).	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:
<i>3.2 Clutha/Mata Au River – Depositing of Material on bed of river</i>	To protect the privacy of natural persons, including that of deceased natural persons – Section 7(2)(a).	(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.
		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.
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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 shown above after each item.

**11. CLOSURE**

There was no further business and Chairperson Noone declared the meeting closed at 5:16pm.

Andrew Noone  
 Chairperson

23 February 2022  
 Date