



Minutes of an ordinary meeting of Council held at
The Gate Hotel Conference Room, 6 Barry Avenue, Cromwell
on Wednesday 9 November 2022 at 1:00pm

Membership

Cr Gretchen Robertson *(Chairperson)*
Cr Lloyd McCall *(Deputy Chairperson)*
Cr Alexa Forbes
Cr Gary Kelliher
Cr Michael Laws
Cr Kevin Malcolm
Cr Tim Mephram
Cr Andrew Noone
Cr Bryan Scott
Cr Alan Somerville
Cr Elliot Weir
Cr Kate Wilson

Welcome

Chairperson Robertson welcomed Councillors, members of the public and staff to the meeting at 1:01pm. Staff present included Pim Borren, (interim Chief Executive), Nick Donnelly (GM Corporate Services), Anita Dawe (GM Policy and Science), Gavin Palmer (GM Operations), Richard Saunders (GM Regulatory and Communications), Amanda Vercoe (GM Governance, Culture and Customer), Dianne Railton (Governance Support Officer), Mike Roesler (Manager Corporate Planning), Sean Geary (Management Accountant) and staff present electronically were Andrea Howard (Manager Executive Advice), Fleur Matthews (Manager Policy), Francisco Hernandez (Principal Advisor Climate Change), and Warren Hanley (Senior Planner Liaison).

1. APOLOGIES

Resolution: Cr Malcolm Moved, Cr Laws Seconded:

That the apology for Cr Kelliher be accepted.

MOTION CARRIED

2. PUBLIC FORUM

There were three requests to speak at the Public Forum:

1. Mr Pierre Marasti spoke regarding Climate Change and the climate crisis on behalf of Extinction Rebellion and responded to questions from Councillors.
2. Mr Graye Shattky informed Council of Central Otago Heritage Trust's role and contribution to preserving Otago's rich heritage legacy and its vulnerability. Mr Shattky responded to questions from Councillors.
3. Ms Zella Downing spoke of the proposed airport near Tarras on behalf of Stop Central Otago Airport (SCOA). Ms Downing tabled a document to be circulated to Councillors.

3. CONFIRMATION OF AGENDA

Chair Robertson requested that the late paper Committee Structure 2022-2025 be considered.

Resolution: Cr Malcolm Moved, Cr Noone Seconded

That the Council

- 1) **Accept** the late Committee Structure 2022-2025 paper for consideration.

MOTION CARRIED

4. CONFLICT OF INTEREST

Cr Noone advised that he will sit back from the table for item 6.5 Recommendation for ORC Submission on National Direction for Plantation and Exotic Carbon Afforestation, due to a possible conflict of interest.

5. CONFIRMATION OF MINUTES

Resolution: Cr Wilson Moved, Cr Forbes Seconded

That the minutes of the (public portion of the) Council meeting held on 19 October 2022 be received and confirmed as a true and accurate record.

MOTION CARRIED

6. MATTERS FOR CONSIDERATION

6.1. Committee Structure 2022-2025

The paper was provided for Council to consider and adopt a committee structure for the Otago Regional Council for the 2022-2025 triennium. This structure can be reviewed at any point during the triennium. Chair Robertson spoke to the proposed Committee Structure and acknowledged working with the Governance team on the Committee Structure paper. She noted that the Public Transport Committee representatives were incorrectly listed in the attachment, and the names should be Cr Noone and Cr Forbes.

Cr Wilson asked if the Committee names could be changed at the next Council Meeting to make it easier for the community to understand the Committee's purpose.

Resolution CM22-266: Cr Wilson Moved, Cr Weir Seconded

That the Council:

- 1) **Notes** this report.

MOTION CARRIED

Resolution CM22-267: Cr Wilson Moved, Cr Weir Seconded

That the Council:

- 1) **Adopts** the new committee structure attached to this report.

MOTION CARRIED

Resolution CM22-268: Cr Wilson Moved, Cr Weir Seconded

That the Council:

- 1) **Approves** the appointment of co-chairs to the committees as listed in the attachment.

MOTION CARRIED

Cr Laws and Cr Malcolm voted against the motion and asked that their votes be recorded.

Resolution CM22-269: Cr Wilson Moved, Cr Weir Seconded

That the Council:

- 1) **Approves** inviting mana whenua to nominate two representatives to be members of the Environmental Policy and Science Committee, including one as co-chair (nominations will be brought back to Council for confirmation).

MOTION CARRIED

Cr Laws and Cr Malcolm voted against the motion and asked that their votes be recorded.

Resolution CM22-270: Cr Wilson Moved, Cr Weir Seconded

That the Council:

- 1) **Approves** inviting mana whenua to nominate one representative to be a member of the Regional Leadership Committee (nomination will be brought back to Council for confirmation).

MOTION CARRIED

Cr Laws voted against the motion and asked that his vote be recorded

Resolution CM22-271: Cr Wilson Moved, Cr Weir Seconded

That the Council:

- 1) **Approves** the Chair nominating an independent member to Co-Chair the Audit and Risk Subcommittee (nomination will be brought back to Council for approval).

MOTION CARRIED

Resolution CM22-272: Cr Wilson Moved, Cr Weir Seconded

That the Council:

- 1) **Notes that** a further list of Council appointments to various internal and external working groups will be presented for consideration at the December 2022 Council Meeting.

MOTION CARRIED

Resolution CM22-273: Cr Wilson Moved, Cr Weir Seconded

That the Council:

- 1) **Notes** the updated name, membership, delegations, and terms of reference for each committee are brought back to a future Council Meeting.

MOTION CARRIED

Resolution: Moved Cr Robertson, Seconded Cr Wilson

Cr Robertson moved that the meeting adjourn for formal Council photographs at 2.22pm

MOTION CARRIED

6.2. Councillor Remuneration Pool Allocation

The paper was provided for Council to consider the allocation of the ORC Councillors remuneration pool, as provided for by the Remuneration Authority's Determination. Cr Robertson spoke to the paper and responded to questions.

Chair Robertson advised the Chair's remuneration is set by the Remuneration Authority and recommended that the remuneration pool be split with the Deputy Chair receiving \$84,869 and remaining Councillors each receiving \$65,000.

Resolution CM22-274: Cr Noone Moved, Cr Wilson Seconded

That the Council:

- 1) **Notes** this report.
- 2) **Notes** the Chair's remuneration set by Remuneration Authority is \$152,881.
- 3) **Notes** the ORC's governance remuneration pool is set at \$734,869, with the minimum Councillor remuneration at \$50,833.
- 4) **Recommends** allocating the governance remuneration pool using the attached spreadsheet.
- 5) **Requests** the Chief Executive to send the attached spreadsheet to the Remuneration Authority by 16 November 2022, to be included in the Authority's pre-Christmas amending determination.

MOTION CARRIED

6.3. Proposal for Participating in a Regional Sector Shared Services Council Controlled Organisation

To approve the proposal document for public consultation regarding ORC becoming a shareholder in a regional sector shared services organisation (RSHL – Regional Software Holdings Limited). Nick Donnelly (GM Corporate Services) and Andrea Howard (Manager Executive Advice) were present to speak to the report and respond to questions.

Mr Donnelly provided an overview of the progress to date and the consultation process. Cr Wilson and Cr Weir both indicated they would be available to review any submissions received.

Resolution CM22-275: Cr Noone Moved, Cr Wilson Seconded

That the Council:

- 1) **Approves** the proposal for public consultation, as required under the Local Government Act 2002, on ORC becoming a shareholder in a new regional sector shared services organisation.
- 2) **Appoints** Cr Wilson and Cr Weir to review any submissions received via the public consultation process.

MOTION CARRIED

6.4. Refresh of Councillor Liaisons for FMUs and Sponsors for Region Wide Topic Consultations

The paper was provided to assign Councillors as liaisons for freshwater management units (FMUs), and the sponsors of region wide topics for the development of the Land and Water Regional Plan (pLWRP). Anita Dawe (GM Policy and Science) was present to speak to the report and respond to questions.

Chair Robertson spoke to the proposed appointments and following discussion, Cr Wilson then moved:

Resolution CM22-276: Cr Wilson Moved, Cr Noone Seconded

That the Council:

- 1) **Notes** this report.
- 2) **Appoints** Councillors to act as FMU liaisons:

<i>Upper Lakes Rohe:</i>	<i>Michael Laws</i>
<i>Dunstan:</i>	<i>Alexa Forbes</i>
<i>Manuherikia:</i>	<i>Kevin Malcom, Tim Mephram</i>
<i>Lower Clutha:</i>	<i>Andrew Noone, Alan Somerville</i>
<i>Taieri:</i>	<i>Gretchen Robertson, Lloyd McCall</i>
<i>Dunedin and Coast:</i>	<i>Bryan Scott, Elliot Weir</i>
<i>North Otago:</i>	<i>Kevin Malcom, Elliot Weir</i>
<i>Catlins:</i>	<i>Kate Wilson, Lloyd McCall</i>
<i>Roxburgh:</i>	<i>Gary Kelliher (Kate Wilson as alternate)</i>
<i>Clutha Mata-Au (Main stem):</i>	<i>Kate Wilson (Bryan Scott as an alternate)</i>
<i>Arrow and Cardrona:</i>	<i>Bryan Scott</i>
- 3) **Appoints** Councillors to act as sponsors of regionwide topics that will inform the proposed Land and Water Regional Plan, including attending key stakeholder discussions as observers, and if named sponsors aren't available then the Chair can name an alternative.
Add Alan Somerville to Damming and Diversion
And Tim Mephram to Other Discharges
Add Elliot Weir to Stormwater and Wastewater Discharges
Add Lloyd McCall to Landfills and Cemeteries

MOTION CARRIED

6.5. Recommendation for ORC Submission on National Direction for Plantation and Exotic Carbon Afforestation

The paper was provided to advise Councillors on the Ministry for Primary Industries' (the Ministry) current consultation: "National direction for plantation and exotic carbon afforestation" (the consultation) and to consider options for a response from ORC. Anita Dawe

(GM Policy and Science), Fleur Matthews (Manager Policy), and Warren Hanley (Senior Resource Planner Liaison) were present to speak to the report and respond to questions.

Cr Noone sat back from the table due to a possible conflict of interest.

Chair Robertson advised that Councillors received the draft submission due to the short timeframe available. Following discussion Cr Forbes moved:

Resolution CM22-277: Cr Forbes Moved, Cr Weir Seconded

That the Council:

- 1) **Notes** this report
- 2) **Notes** the draft submission, circulated on 8 November 2022.
- 3) **Delegates** to Chair Robertson the final approval of the submission, which will be lodged with the Ministry for Primary Industries on its proposed 'National direction for plantation and exotic carbon afforestation' before the close of submissions on 18 November 2022

MOTION CARRIED

Cr Noone returned to the table.

Cr Laws returned to the meeting at 3.22pm

6.6. Recommendation for ORC Submission on QLDC Proposed Variation to the Proposed District Plan for Inclusionary Housing Contributions

The paper was provided to advise Councillors on the Queenstown Lakes District Council's (QLDC) a proposed plan variation "Inclusionary Housing Plan Change' (the proposed variation) to the proposed District Plan (PDP) and recommend options for an ORC response. Anita Dawe (GM Policy and Science) and Warren Hanley (Senior Resource Planner Liaison) were present to speak to the report and respond to questions.

Resolution CM22-278: Cr Wilson Moved, Cr Forbes Seconded

That the Council:

- 1) **Notes** this report.
- 2) **Approves** the draft Otago Regional Council submission (attached), subject to any changes, to be lodged with Queenstown Lakes District Council on its proposed variation to the Proposed District Plan 'Inclusionary Housing Plan Change' before the close of submissions on 24 November 2022.

MOTION CARRIED

6.7. Recommendation for ORC Submission on Second Tranche of Drinking Water and Wastewater Network Environmental Performance Measures

The paper was provided to advise Councillors on Taumata Arowai's consultation "Second Tranche of Drinking Water and Wastewater Network Environmental Performance Measures' (the consultation); and provides options for an Otago Regional Council (ORC) response. Anita Dawe (GM Policy and Science) and Warren Hanley (Senior Resource Planner Liaison) were present to speak to the report and respond to questions.

There was discussion on appointing a small group of Councillors who would meet to discuss the submission before giving their final approval of the submission.

Resolution CM22-279: Cr Robertson Moved, Cr Wilson Seconded

That the Council:

- 1) **Notes** this report
- 2) **Notes** the draft submission, circulated on 8 November 2022.
- 3) **Delegates** to Chair Robertson, Cr Laws and Cr Scott the final approval of the submission, which will be lodged with Taumata Arowai on its proposed 'Second Tranche of Drinking Water and Wastewater Network Environmental Performance Measures' before the close of submissions on 25 November 2022.

MOTION CARRIED

Cr Laws left the meeting at 3.42pm.

6.8. Agricultural Emissions Consultation

This report provided information to Council on the ongoing Government consultation to put a price on agricultural emissions, and outlines at a high level some potential implications of the proposed Government policy to the Otago region. Anita Dawe (GM Policy and Science), Francisco Hernandez (Principal Advisor Climate Change), Andrea Howard (Acting Manager Strategy) and Warren Hanley (Senior Resource Planner Liaison) were present to speak to the report and respond to questions.

Ms Dawe advised that ORC doesn't have a policy position on agricultural emissions. During discussion Cr Wilson suggested having a small working group to work on a submission that meets the objectives that already exist with Council.

Cr Scott left the room at 3.53pm.

Resolution CM22-280: Cr Forbes Moved, Cr Wilson Seconded

That the Council:

- 1) **Notes** this report
- 2) **Delegates** to Cr Wilson, Cr Malcolm and Cr McCall the final approval of the submission, before the close of submissions on 18 November 2022.

MOTION CARRIED

7. CHAIRPERSON'S AND CHIEF EXECUTIVE'S REPORTS

7.1. Chairperson's Report

Cr Robertson spoke to her report, and thanked Councillors and staff who have attended the FMU meetings.

Resolution: Cr Noone Moved, Cr Weir Seconded

That the Chairperson's report be received.

MOTION CARRIED

7.2. Chief Executive's Report

Resolution: Cr Noone Moved, Cr Weir Seconded

That the Chief Executive's report be received.

MOTION CARRIED

8. RESOLUTION TO EXCLUDE THE PUBLIC

Resolution: Cr Malcolm Moved, Cr Wilson Seconded:

Chair Robertson moved that the public be excluded from the following parts of the proceedings of this meeting, (pursuant to the provisions of the Local Government Official Information and Meetings Act 1987) namely:

- 1.1 Quarter One Financial Forecast
- 1.2 Amendments to the Delegation Manual
- 1.3 Zero Carbon Alliance
- 1.4 Public Transport Operations and Funding Options for the Future
- 1.5 CE Recruitment Update

MOTION CARRIED

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
1.1 Quarter One Financial Forecast	<p>Section 7(2)(h) To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities.</p> <p>Section 7(2)(i) To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p>	<p>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:</p> <p>(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>
1.2 Amendments to the Delegation Manual	<p>Section 7(2)(g) To maintain legal professional privilege.</p>	<p>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:</p> <p>(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>
1.3 Zero Carbon	<p>Section 7(2)(g) To maintain legal</p>	<p>Subject to subsection (3), a</p>

<i>Alliance</i>	professional privilege.	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.
<i>1.4 Public Transport Operations and Funding Options for the Future</i>	<p>Section 7(2)(b)(ii) 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.</p> <p>Section 7(2)(h) To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities.</p> <p>Section 7(2)(i) To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p>	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.
<i>1.5 CE Recruitment Update</i>	Section 7(2)(i) To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	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.

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.

9. CLOSURE

There was no further business and Chairperson Robertson declared the meeting closed at 4:07pm.

Chairperson

Date

DRAFT MINUTES