

OTAGO REGIONAL COUNCIL

Minutes of an ordinary meeting of Council held in the Council Chamber, 70 Stafford Street, Dunedin on Wednesday 7 December 2016, commencing at 9:00 am

Membership:

- Cr Stephen Woodhead (Chairperson)
- Cr Gretchen Robertson (Deputy Chairperson)
- Cr Graeme Bell
- Cr Doug Brown
- Cr Michael Deaker
- Cr Carmen Hope
- Cr Trevor Kempton
- Cr Michael Laws
- Cr Maggie Lawton
- Cr Sam Neill
- Cr Andrew Noone
- Cr Bryan Scott

Cr Woodhead welcomed staff and public forum guests to the meeting.

Apologies: The apology for Cr Deaker was accepted on the motion of Crs Woodhead and Hope at 11:15am.

Leave of Absence: Cr Trevor Kempton

In attendance:

- Peter Bodeker (CEO)
- Nick Donnelly
- Gavin Palmer
- Fraser McRae
- Scott MacLean
- Caroline Rowe
- Lauren McDonald (minute taker)
- Gerard Collings
- Sharon Bodeker (*for Item 7*)

CONFIRMATION OF AGENDA

The agenda was confirmed as circulated.

CONFLICT OF INTEREST

No conflicts of interest were advised.

PUBLIC FORUM

BusGo Dunedin presentation of a petition on behalf of residents in regard to the services of the Belleknowes, Arthur Street to Cannongate/City Rise and Waverley bus routes.

Ms Liz Angelo and Ms Jeanette Robinson-Tromop spoke to the petitions presented to Council at the meeting.

Ms Robinson-Tromop spoke on behalf of the Waverley bus route petition. She advised the meeting that she had met the co-presidents of BusGo Dunedin in regard to the then bus route change in Waverley, which she advised affected many people. The petition to Council contained 385 signatures as it was felt that the change had severely impacted the lives of regular bus users, in particular the elderly, when the bus terminus changed from Braeburn St. Ms Robinson-Tromop confirmed the action taken by Council in returning the terminus back to its original location was much better and appreciated by the bus users. She offered her thanks to Council for the action taken which has allowed the commute for bus users to be much easier.

Ms Angelo spoke on behalf of the bus users of the Arthur Street, Cannongate/City Rise area. She referred to the newspaper items and text she presented to the meeting and spoke of the impact of the #19 bus, (which was known as the # 59-60) for herself and many others who were not able to be present at the meeting. The petition being presented to Council contained 150 signatures. Ms Angelo advised that the difference between Arthur St and Cannongate was the lack of bus service. The signed petition requested a reinstatement of the bus stop to Arthur Street South. She advised that currently City Rise did not have a bus service and that a decision was impacted by the previous term of Council in cancelling this service.

Ms Angelo referred to City Rise as being the older part of Dunedin with a mix of residences from cottages to mansions, which is also in a low income and high density zone. She outlined the difficulties faced by the bus users due to the steep hill terrain and the huge impact of this on the mature, disabled or parents with babies in the area.

Ms Angelo questioned why the service would be taken away from this low service, high density area, which she considered needed buses frequently to meet the needs of the residents. She gave an example of vulnerable gold card users and the difficulties faced by them in getting into town and return and the lack of adequate and accessible bus shelters on the route. She expressed her concern for people becoming isolated with the change in service route due to decreased bus frequency and access, including the impact on students and staff no longer having a bus service to the university.

Ms Angelo expressed her frustrations in getting the issues for the City Rise/Cannongate area for a direct bus route (as detailed in the petition) addressed by Council. She concluded by requesting a more frequent, direct bus service, and the return to the now defunct bus route, to rectify a situation which she considered as very unfair.

An audience member spoke in regard to the GoBus journey planner advising it was difficult to use and that the preferred option for bus users was therefore to walk from the Princes Street area rather than trying to use the planner.

Cr Woodhead thanked the speakers and received the petition.

The Public Forum presentation concluded at 9:14am.

In response to a question Mr Bodeker advised if Council requested that staff could provide a report with recommendations on the petition and the matters raised by public forum discussion back to Council. Mr Bodeker confirmed that the bus route had gone through both a consultation and hearing process, resulting in the bus routes now in place.

Moved Cr Law
Seconded Cr Lawton

That the petition be received and for the staff responsible come to the next committee round of Finance and Corporate Committee for the purpose of deliberations.

Cr Woodhead confirmed that the BusGo Dunedin group would be notified on what the next step in the process would be and confirmation of any action taken by Council would be advised back to them.

Motion carried

MINUTES

The minutes of the public portion of the meeting of Council held on 2 November 2016, having been circulated, were adopted on the motion of Crs Bell and Hope.

The minutes of the Extraordinary meeting of Council held on 23 November 2016, having been circulated, were adopted on the motion of Crs Bell and Hope.

Matters arising from the minutes

There were no matters arising.

PART A – CHAIRPERSON’S AND CHIEF EXECUTIVE’S REPORTS

Item 1

2016/1178 Chairperson’s report. Chair, 30/11/16

Providing an overview of the Chairperson’s activities for the period to 30 November 2016.

Cr Woodhead summarised his report and further discussion was held on the LGNZ imposing of an annual subscription to all Councils for the LGNZ Excellence programme.

Cr Woodhead confirmed that in the 2013-2016 triennium that ORC had decided not to be part of inaugural round of the programme, however LGNZ had still applied a flat fee. Mr Bodeker confirmed he has protested this fee with LGNZ. Cr Woodhead advised the ORC position is that it should have been its own decision whether to be involved as inaugural members in the LGNZ Excellence Programme. He advised that

Council may consider joining in the second round of programme and then make payment of fees due at that point.

Mr Bodeker advised the background to the Local Government Excellence programme in providing an audit and ranking (by an external set of auditors) around the processes of the Local Government, e.g. a Best Practise. Mr Bodeker confirmed he was a staff member on development committee and that one of tenets was 'users payers' and that there would be no general subsidy applied.

Cr Woodhead commented the remainder of the costs should come out of LGNZ budget, and was expected to be approximately \$8,000, as a top up to the cost. Mr Bodeker advised the total cost of the audit would be \$40,000 - \$60,000 if completed independently.

Moved Cr Woodhead
Seconded Cr Noone

That the Chair's report be received and that Council does not pay the LGNZ excellence fee.

Motion Carried

Item 2

2016/1181 Chief Executive's Report, CE, 1/12/16

The report provided an overview of the Chief Executive's activities for the period to 1 December 2016. Mr Bodeker spoke further on the following matters:

Otago CDEM - Mr Bodeker provided a background to the Civil Defence independent programmes run in Otago and agreement to combine the civil defence activities in CDEM Otago.

Mr Bodeker confirmed a number of ORC staff have assisted in the national response, for Kaikoura, including Mr Hawker, Mrs Rowe and currently the CDEM Otago Welfare Officer, Mr Martin. He advised this has been a valuable exercise for Council staff.

Health & Safety report – Mr Bodeker advised he believed the H&S activities within Council were well managed. He acknowledged that Council did have risks due to the regulatory role undertaken by staff working in and around water, with gauging and sampling. He advised in light of this, the results of near misses and incidents were low and were reflected in the relationship between ACC and incidents, which was included in the report as a reference.

14 November Kaikoura earthquake - In response to a question, Mr Bodeker advised a debrief report with feedback from attending staff with learnings and improvements to systems and communications to the public, from the 14 November 2016 earthquake event would be provided to Council at an upcoming workshop.

A concern was raised in regard to having earthquake and tsunami warning information communicated out effectively to the public.

Mr Bodeker responded that it will be a “self responsibility” approach for members of the public with a national civil defence campaign underway with the earthquake messaging of ‘*If its long, or strong, be gone*’ so the public does not rely on an external agency to be sending action information in the initial stages of an event. He confirmed that the ORC natural hazards team will be working with the Otago CDEM to look at the impact of various wave heights on coastal areas of Otago, which he emphasized as a substantial piece of work.

Moved Cr Brown.
Seconded Cr Lawton

That the Chief Executive’s report be received.

Motion carried

PART B – RECOMMENDATIONS

Item 3

2016/1182 **Standing Orders and Code of Conduct**, DCS, 30/11/16

The report outlined Standing Orders and Code of Conduct for adoption by Council, including the staff recommendations:

1. *That the Otago Regional Council Standing Orders attached, as amended, be adopted and the Common Seal affixed.*
2. *That the Otago Regional Council Code of Conduct attached be adopted and the Common Seal affixed*
3. *That Council meetings be recorded and these recordings be made available on Council’s website.*

Code of Conduct – Mr Donnelly advised that the LGNZ favoured an independent person overseeing a code of conduct matter, including mediation.

An option was suggested to resolve a code of conduct complaint by mediation without the appointment of an independent investigator as an addendum to Clause 12.2 of the code.

Moved Cr Laws
Seconded Cr Noone

That where there is a Code of Conduct complaint, the complainant and defendant parties may agree to mediation to resolve any outstanding issues related to the Code of Conduct.

Discussion was held on the benefits and costs of mediation by an independent assessor or whether it was a role that could be undertaken by the Chairperson.

It was advised that a process for Council handling mediation internally, if this option was favoured, would need to be developed. It was also suggested to amend the current clause to replace the word “must” to “may” engage an independent investigator to allow for internal mediation. Mr Donnelly suggested that clause 12.3 (Appendix B) be reviewed and a mediation process defined.

The recommendation and motion for the Code of Conduct were left to lie on the table until receipt of a redraft of the Code of Conduct clauses 12.2 and 12.3 is brought to Council for decision.

Moved Cr Scott

Seconded Cr Brown

That:

- 1. The Otago Regional Council Standing Orders attached amended be adopted and the Common Seal affixed.*
- 2. Council meetings be recorded and these recordings be made available on Council's website.*

Motion carried

Item 4

2016/1183 **Committee Terms of Reference** DCS, 1/12/16

The Terms of Reference together with the proposed Terms of Reference for other Committees and Subcommittees in the structure were tabled before Council for approval.

The following amendments were agreed:

- remove the delegation “to appoint commissioner(s) for hearing and deciding consent applications under S34A.” from the Terms of Reference for the Commissioner Appointment Subcommittee due to its deletion from Statute.
- Terms of Reference for the Otago Civil Defence Emergency Management Group – reporting procedures to included as per Members’ responsibilities (as contained in the Terms of Reference for the Regional Transport Committee).
- The appointment of Cr Laws to the Audit & Risk Subcommittee.

Cr Laws left the room at 10:19am

Moved Cr Scott
Seconded Cr Lawton

That the terms of reference for Council Committees and Subcommittees be adopted.

Motion carried.

Cr Laws returned to the room at 10:22am

Item 5

2016/1179 **Council Appointments**, Chair, 30/11/16

The Chair's report proposed appointments to various groups and committees.

Cr Woodhead summarised the workload for each group and the meeting schedules. Discussion was held with amendments or additions noted as:

Reference Groups -

- Cr Scott and Cr Laws to be added as members of the Pests Reference Group
- Cr Lawton confirmed as a member of both the Biodiversity and Urban Water Quality reference groups
- Cr Lawton and Cr Laws able to swap between the Pests and Urban Water Quality groups, as required.
- More reference groups to be formed as required, e.g. Rural Water Quality

Moved Cr Woodhead
Seconded Cr Neill

That the appointments listed with the amendments below be confirmed.

1. *The draft reference group terms of reference are adopted.*
2. *Reference Groups for Pests, Biodiversity, Coast, Building and Urban Water Quality be formed.*
3. *Membership of groups:*
Pests: Cr Noone (Chair), Cr Brown, Cr Bell, Cr Hope, Cr Laws and Cr Scott
Biodiversity: Cr Robertson (Chair), Cr Deaker, Cr Lawton, Cr Kempton, Cr Laws
Coast: Cr Neill (Chair), Cr Kempton, Cr Robertson, Cr Scott.
Building: Cr Brown (Chair), Cr Bell, Cr Deaker, Cr Woodhead.
Urban Water Quality: Cr Scott (Chair), Cr Hope, Cr Lawton, Cr Robertson, Cr Woodhead, Cr Laws

The meeting adjourned at 11:00am and recommenced at 11:16am.

Cr Scott absent from the room.

Moved Cr Woodhead
Seconded Cr Hope

To accept the apology from Cr Deaker for this meeting.

Motion carried

Cr Scott entered the room at 11:17am

Item 6

2016/1134 **Delegations under the Resource Management Act 1991, Soil and Rivers Control Act 1941, Crown Minerals Act 1991, Building Act 2004, Marine Transport Act 1994, Local Government Act 2002, Biosecurity Act 1993, Civil Defence Emergency Management Act 2002, Land Transport Management Act 2003, Regional Plan: Water for Otago, Measurement of Reporting of Water Takes, Council's Bylaws and other enactments, CE, 28/11/16**

The report outlined the schedule of delegations for approved by Council.

Moved Cr Brown
Seconded Cr Hope

That Council approve the above schedule of delegations.

Motion carried

PART C – ITEMS FOR NOTING

Item 7

2016/1185 **4 month review to 31 October 2016, DCS, 1/12/16**

The covering report summarised the formal review of progress on all projects undertaken at 4, 8 and 12 months as detailed in the full report entitled “4 Month Review to 31 October 2016”.

A request was made for staff reports to governance to include details on strategic outcomes, i.e. achievements against strategic goals and not just achievement of targets set in the reports.

Mr Bodeker confirmed he supported the reporting of achievement against strategic goals.

Mr Bodeker clarified that this item was for the 4 month reporting of the operational against financial. He suggested that Council may consider development of annual

reporting on the key strategic measurements for each plan, and this to be provided separately to the quarterly reviews.

Moved Cr Noone
Seconded Cr Bell

That the report and the “4 Month Review to 31 October 2016” report be received.

Motion carried

Item 8

2016/1114 **Financial Report to 31 October 2016**, DCS, 29/11/16

The report provided information in respect of the overall Council finances for the four months ended 31 October 2016.

Moved Cr Brown
Seconded Cr Noone

That the report be received.

Motion carried

Item 9

Reports from Councillors

Cr Neill – Outlined the background to the ongoing discussions re the sand depletion at Te Rauone Beach by natural and shipping causes. He advised that the Te Rauone Beach Care community group have been in negotiations with Port Otago Ltd for re nourishment of the beach for a number of years. He acknowledged the movement in discussions with Port Otago since their attendance at the Council meeting in September 2016, in regard to the establishment of groynes to stabilise and retain sand placed at the beach.

Cr Neill confirmed he together with Crs Woodhead and Robertson intend to meet with the Chair of Port Otago Ltd on 8 December to progress the matter and he would bring an update to next Council meeting.

Cr Bell:

- Attended a meeting of the Te Rauone Beach Committee on the invitation of Cr Woodhead with Crs Robertson and Cr Neill also in attendance. He advised he would like to ensure this Council continue to support a workable solution for this beach
- Attended a meeting of the Otago Southland joint Regional Land Transport Committee meeting on 1 December, with Cr Kempton taking the role of acting chairperson. The discussion points were:

- induction of new members.
 - Queenstown transport problems with an invitation was extended to QLDC to make a presentation at the next RTC committee to bring members up to date on the issues being faced.
 - STED site maintenance, the result being agreement that a letter be sent to both ORC and Environment Southland on behalf of the joint committees requesting a policy 'in common' for the Councils.
 - Moeraki Hampden situation road accidents, with the committee supporting a letter from WDC to the NZTA to urgently address the safety issues action at this location (e.g. traffic lights, signage).
 - Will be attending a public meeting in regard to the Beaumont Bridge at the Beaumont Hall on 15 December to discuss options. The bridge built date is set for 2021.
- Cr Bell gave an update from an article he has read to advise that the K5 virus is to be introduced in Australia on 600 sites in March 2017. He has also provided information to Mr MacLean on "rabbit scan" as a management tool by the Australian Department of Primary Industries would could be of interest to ORC.

Cr Scott-

- Attended the Local Government zone meeting which provided insights into governance. Topics included the local body elections
- Attended a NZTA presentation along with Crs Kempton and Noone on connecting communities.
- Attended a presentation by Dairy NZ for professionals.

Cr Noone – commented in support of Cr Neill's update on Te Rauone Beach and acknowledged the local community have worked tirelessly over a number of years. He confirmed that he had had contact with that group as a DCC councillor over a number of years and would like to think that ORC would ensure that Port Otago are a responsible corporate citizen.

Cr Laws:

- Attended a meeting of the Manuherikia irrigation group with Cr Lawton for the group to present their issue to them. He noted that \$574,000 has been funded by ORC into a study on water storage options and was concerned that this may be precedent setting.
- Met with group in Alexandra in regard to air quality issues in Central Otago. He advised he saw a need for council to set up a research fund for practical applications as related to the Otago environment. He advised he is staying close to this group and would report back, in regard to looking for seed finance of \$10,000 to investigate utilising alternate energy, to help reduce some of the air quality problems in Alexandra and the application of that science to a wider scale. He advised of an upcoming meeting with CODC, community board representatives and science representatives and the SDHB and confirmed he would keep Council briefed on this.
- Attended the opening of the Alexandra's Space Centre on 15 November.

Cr Hope – attended the Otago Farm Ballance Awards judges visits to farms. She advised both farms (one sheep and beef and the other dairy) were of a high calibre and it was very interesting to be involved as a judge. She advised that both farmers visited were very positive about the ORC.

Cr Brown – Attended two Beef & Lamb field days last week, one being a land and environment plan workshop with only four attendees, which was due to time of year. He advised on speaking with the Beef and Lamb staff that it highlighted for him that Council need to address the issues of where water quality has not been addressed and that more community engagement is required, going forward.

Cr Lawton –

- She is attending and has co-organised a conference of the National Freshwater Science Society, currently being held in Invercargill this week, with over 300 attendees. The conference was held in Invercargill because of the research the regional council is doing around the NPSFWM. She advised the work is innovative and also has strong links back to science sector, CROs and universities. Conference attendees included Dairy NZ and NIWA and other organisations, who have indicated their desire to speak with the ORC and see how to work together, and investigate what collaborative work in Otago could form part of application to MBIE. She advised she saw this as an opportunity to link more closely with the stakeholder organisations in the science sector.
- She and Cr Laws attended the Lakes Hayes Guardians AGM, she advised the group was still frustrated about what to do next for source control and clean up. She looked forward to seeing this coming through in the Annual Plan.
- Attended the Upper Clutha Water group, which was also attended by Mr Bodeker. She advised that this was one of several groups which are trying to get together in the Upper Clutha area to look at water quality issues. She advised councillors of the “Wanaka App”, which is a good downloadable media source for what is happening in the area, which also published ‘who is who’ guide in water quality and focus groups in the upper Clutha. She confirmed there is a strong farming bases in this group, which she felt reflected the degree of concern in the Upper Clutha on water quality as a whole.

PART D – MINUTES OF MEETINGS

Item 10 **Recommendations of the Regulatory Committee meeting held on 23 November 2016, for adoption**

Moved Cr Scott
Seconded Cr Neill

That the recommendations of the Regulatory Committee meeting held on 23 November 2016 be adopted.

Motion Carried

Item 11 **Recommendations of the Technical Committee meeting held on
23 November 2016, for adoption**

Moved Cr Lawton
Seconded Cr Woodhead

*That the recommendations of the Technical Committee meeting held on 23 November
2016 be adopted.*

Motion carried

Item 12 **Recommendations of the Policy Committee meeting held on
23 November 2016, for adoption**

Moved Cr Robertson
Seconded Cr Hope

*That the recommendations of the Committee meeting held on 23 November 2016 be
adopted.*

Motion carried

Item 13 **Recommendations of the Finance and Corporate Committee meeting
held on 23 November 2016, for adoption**

Moved Cr Brown
Seconded Cr Noone

*That the recommendations of the Finance & Corporate Committee meeting held on 23
November 2016 be adopted.*

Motion carried

Item 14 **Recommendations of the Communications Committee meeting held on
23 November 2016, for adoption**

*That the recommendations of the Communications Committee meeting held on 23
November 2016 be adopted.*

Moved Cr Neill
Seconded Cr Bell

Motion Carried

PART E - RESOLUTION TO EXCLUDE THE PUBLIC

Moved Cr Woodhead
Seconded Cr Scott

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

Item 15
2016/117 *Port Otago Limited Annual Shareholders Meeting*

Item 16
2016/1184 *Wakatipu Public Transport – Network Review*

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
Item 15 Port Otago Limited Annual Shareholders Meeting	protect the privacy of natural persons, including that of deceased natural persons. Section 7 (2)(a)	Section 48(1)(a)
Item 16 Wakatipu Public Transport Network Review -	enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). Section 7 (2)(i)	Section 48(1)(a)

Motion carried

Following the discussion of items 15 and 16

Moved Cr Woodhead
Seconded Cr Bell

That the meeting resume in open session 12:47pm

Motion carried

The meeting was declared closed at 12:47pm.



Chairperson