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Minutes of an Ordinary meeting of Council held
in the Council Chambers at Otago Regional
Council on Wednesday 13 December 2017,
commencing at 10:30 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 (attended via teleconference)
Cr Ella Lawton
Cr Sam Neill
Cr Andrew Noone
Cr Bryan Scott

Welcome

Cr Woodhead welcomed councillors, staff, media and members of the public to the meeting. Cr Laws joined the meeting via teleconference link.

1. APOLOGIES

Resolution

That the apologies for Cr Bell be accepted.

Moved: Cr Neill
Seconded: Cr Robertson
CARRIED

2. LEAVE OF ABSENCE

No Leave of Absence requested.

3. ATTENDANCE

Nick Donnelly	(Acting CEO, Director Corporate Services)
Sian Sutton	(Director Stakeholder Engagement)
Tanya Winter	(Director Policy, Planning and Resource Management)
Gavin Palmer	(Director Engineering, Hazards and Science)
Scott MacLean	(Director Environmental Monitoring and Operations)
Sally Giddens	(Director People and Safety)
Lauren McDonald	(Committee Secretary)
Ian McCabe	(Executive Officer)
Marian Weaver	(Item 11.3)
Jane Turnbull	(Items 11.2, 15)
Gerard Collings	(Items 12, 16.3)
Andrea Crawford	

4. CONFIRMATION OF AGENDA

The agenda was confirmed as circulated.

5. CONFLICT OF INTEREST

No conflicts of interest were advised.

6. PUBLIC FORUM

Mr Jules Radich spoke in support of reinstating the groyne at St Clair Beach.

Mr Radich provided a print copy of his submission for the reinstatement of the groyne at St Clair Beach and summarised the historical background on the erosion of the groyne. He outlined the desirability, benefit, estimated cost and timing for reinstating the 1921 double row groyne. The submission requested that Council consider providing a grant from the Environmental Enhancement Fund to assist with this project.

Mr Radich responded to questions of clarification from councillors. He confirmed he had also presented his submission to the meeting of the Dunedin City Council on Monday 11 December 2017.

Cr Woodhead acknowledged Mr Radich's enthusiasm and the research contained in his submission document and wished him well with his endeavour.

Public forum concluded at 10:50am.

7. PRESENTATIONS

No presentations were held.

8. CONFIRMATION OF MINUTES

Resolution

a) That the minutes of the (public portion) of the Ordinary Council meeting held on 1 November 2017 be received and confirmed as a true and accurate record with the corrections made to Item 15 – Recommendations adopted at the Committee Meetings held on 18 October 2017, to show the resolutions adopted in place of the recommendations listed in error, as follows:

Recommendations of the Policy Committee held on 18 October 2017, for adoption.

Moved: Cr Robertson
Seconded: Cr Scott
CARRIED

Recommendations of the Regulatory Committee held on 18 October 2017, for adoption.

Moved: Cr Scott
Seconded: Cr Neill
CARRIED

Recommendations of the Communications Committee held on 18 October 2017, for adoption.

Moved: Cr Hope
Seconded: Cr Kempton
CARRIED

Recommendations of the Technical Committee held on 18 October 2017, for adoption.

Moved: Cr Noone
Seconded: Cr Lawton
CARRIED

Recommendations of the public portion of the Finance and Corporate Committee held on 18 October 2017, for adoption.

Moved: Cr Noone
Seconded: Cr Woodhead
CARRIED

b) That the minutes of the Extraordinary Council meeting held on 29 November 2017 be received and confirmed as a true and accurate record.

Moved: Cr Hope
Seconded: Cr Robertson
CARRIED

9. ACTIONS (Status report on the resolutions of Council)

Cr Woodhead advised there were no action items that required discussion.

10. CHAIRPERSON'S AND CHIEF EXECUTIVE'S REPORTS

10.1. Chairperson's Report

The report provided feedback on the LGNZ Regional Sector Group meeting held on 24 November 2017, including LGNZ's strategic focus, Water 2050 programme, Climate Change Project, Biodiversity, Wilding Trees and K5 virus. The report also provided an update on the Otago Emergency Management Group; Otago Te Roopu Taio; Otago Mayoral Forum and other meetings attended since the 1 November 2017 Council meeting.

LGNZ Regional Sector Group Meeting - Cr Robertson provided a summary report back on the LGNZ Regional Sector Group meeting that she attended on Cr Woodhead's behalf. She clarified that the highest priority issues listed in the report were that of LGNZ. She advised that two conferences were planned for 2018, on climate change and Water 2050.

Cr Woodhead advised the LGNZ priorities were developed up through zone and sector group meetings through to the national council, with key items having been worked on for a number of years with the Crown.

Biodiversity - a Council workshop is planned for early 2018 to look at biodiversity issues from an Otago perspective.

Otago Civil Defence Emergency Management Group - Cr Woodhead confirmed that the end of year report by Otago CDEM Group Manager, Mr Hawker, circulated to Councillors was a summary of the year's activities as tabled to the Joint Committee.

10.2. Chief Executive's Report

Orbus Launch - Queenstown - Mr Donnelly advised that the launch held on 20 November 2017, for the new subsidised service and Orbus had been very successful. Crs Woodhead and Noone offered the thanks of councillors to the staff involved and acknowledged the high level of work and effort staff applied.

Mr Collings advised the uptake on the new subsidised service would be reported in the new year (2018), when the initial data on the uptake of service would be available.

Office of the Auditor-General (OAG) - planned activities for 2018 - Mr Donnelly confirmed the OAG's focus for the water management activity review of councils across New Zealand, was on the activities being undertaken by each Council and not on actual water quality or science work. He advised Council would reinforce with the OAG that ORC was eager to have its voice/perspective heard on water management.

Resolution

That the Chairperson's and Chief Executive's reports be received.

Moved: Cr Woodhead

Seconded: Cr Lawton

CARRIED

11. MATTERS FOR COUNCIL DECISION

11.1. RLTP Variation for QLDC streetlights

The report outlined the Queenstown Lake District Council's (QLDC) request for a new project for the conversion of existing street lights in the district's townships to light emitting diode (LED) technology be added to the Otago Regional Land Transport Plan 2015-2021 (the RLTP).

Cr Kempton, Chair of the Otago Regional Transport Committee (RTC), confirmed the project requests were reviewed by the RTC and it was expected there would be several variations seeking Council approval for the upgrading of street lighting by territorial authorities, due to the subsidy available from the NZ Transport Agency (NZTA) in the current financial year to carry out the work programmes.

Resolution

That Council approve as a variation to the Regional Land Transport Plan 2015-21, the addition of QLDC's LED Streetlights project as set out in the attachment.

Moved: Cr Brown
Seconded: Cr Deaker
CARRIED

11.2. Standing Orders - Matters Arising

The report outlined the underlying reasons for "Matters Arising" not being included as an agenda item of business in Council and committee agendas.

Discussion was held on whether Council desired for Matters Arising to be included in agendas. It was agreed that the current Standing Orders allowed for discussion of action items arising from the previous meeting and extraordinary business to be included in the agendas.

Resolution

That Council affirm the current structure and order of business for council, committee and subcommittee agendas without the addition of "matters arising" as an item of business.

Moved: Cr Kempton
Seconded: Cr Robertson
CARRIED

12. MATTERS FOR NOTING

12.1. Financial Report

The report provided a summary of the Council's financial performance compared to budget for the four months ended 31 October 2017, with a summary of the financial position as at that date.

Resolution

That this report is received.

Moved: Cr Deaker

Seconded: Cr Brown

CARRIED

12.2. 4 Month review to 31 October 2017

The report provided a formal review and summary of progress on all project activity for the 4 months to 31 October 2017. The full report "*4 Month Review to 31 October 2017*" was circulated separately with the agenda.

Resolution

That this report and the "4 Month Review to 31 October 2017" report be received.

Moved: Cr Noone

Seconded: Cr Deaker

CARRIED

13. REPORT BACK FROM COUNCILLORS

LGNZ Young Elected Members Conference

Cr Robertson provided a report back on her attendance of the first annual LGNZ Young Elected Members Conference held 9-11 November 2017, with Cr Lawton. Main discussion points included: engagement of youth in local government; professional development; improving representation of diversity groups; reflection of diversity of views; improving the level of youth local government elected membership.

Cr Lawton outlined her conference presentation on organisational procurement policy for positive impact (social responsibility) to local communities and ratepayers for goods and services.

Cr Noone attended the Greater South Dunedin Action Group meeting on 10 December 2017. Feedback was provided on enhancements for the stormwater system within the South Dunedin catchment area and the discussions held by the group with the Dunedin City Council CEO. He advised the group intended to meet with the new Minister of Climate Change in the new year.

Cr Lawton advised she attended the Arrow and Wakatipu Basin Minimum Flow public consultation sessions on 6-8 December 2017 and noted the sessions were very successful. She also attended the Great Southern Tourism Opportunity discussion, hosted by Queenstown Lakes District Council (QLDC), which brought together the regional transport operators with central government, to discuss plans to cope with increasing levels of visitors to the region in the future.

14. NOTICES OF MOTION

No Notices of Motion were advised.

15. RECOMMENDATIONS ADOPTED AT COMMITTEE MEETINGS HELD ON 29 NOVEMBER 2017

15.1. Recommendations of the Policy Committee

Resolution

That the recommendations of the Policy Committee meeting of 29 November 2017 be adopted.

Moved: Cr Robertson

Seconded: Cr Hope

CARRIED

15.2. Recommendations of the Regulatory Committee

Resolution

That the recommendations of the Regulatory Committee meeting of 29 November 2017 be adopted.

Moved: Cr Scott

Seconded: Cr Neill

CARRIED

15.3. Recommendations of the Communications Committee

Resolution

That the recommendations of the Communications Committee of 29 November 2017 be adopted.

Moved: Cr Deaker

Seconded: Cr Hope

CARRIED

15.4. Recommendations of the Technical Committee

Resolution

That the recommendations of the Technical Committee of 29 November 2017 be adopted.

Moved: Cr Noone

Seconded: Cr Lawton

CARRIED

15.5. Recommendations of the Public Portion of the Finance and Corporate Committee

Resolution

That the recommendations of the public portion of the Finance and Corporate Committee of 29 November 2017 be adopted.

Moved: Cr Brown

Seconded: Cr Noone
CARRIED

15.6. Recommendations of the Regional Transport Committee

Cr Woodhead clarified that the acceptance of the recommendations from the Regional Transport Committee meetings of 27 October and 4 December 2017, did not mean the acceptance by Council of the reduction to the committee quorum (as set in the Terms of Reference). He advised that the recommendation was noted as an action item from the meeting of 4 December 2017. The matter of the committee quorum would be brought to Council for a decision on the Terms of Reference for the Regional Transport Committee.

Resolution

That the recommendations of the Regional Transport Committee meetings of 27 October 2017 and 4 December 2017 be adopted.

Moved: Cr Kempton
Seconded: Cr Noone
CARRIED

16. RESOLUTION TO EXCLUDE THE PUBLIC

Resolution

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

- Item 16.1 - Port Otago Limited Annual Shareholders Meeting – Appointment of Directors*
- Item 16.2 - Phillip Laing House – building fit out*
- Item 16.3 - Bus Hub – Notice of Requirements outcomes*

I also move that Mr Gerard Collings, Manager Support Services and Mr Ian McCabe, Executive Officer be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of Bus Hub Notice of Requirement outcomes and Phillip Laing building fitout. This knowledge, which will be of assistance in relation to the matter to be discussed, and relevant to that matter.

Moved: Cr Woodhead
 Seconded: Cr Noone
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
16.1 - Port Otago Limited Annual Shareholders Meeting – appointment of Directors	Section 7 (2) (a) Section 7 (2) (b) (ii)	Section 48(1)(a); Section 7 (2) (a) Section 7 (2) (b) (ii)
16.2 - Phillip Laing House – building fit out	Section 7 (2) (h) Section 7 (2) (i)	Section 7 (2) (h) Section 7 (2) (i)
16.3 - Bus Hub – Notice of Requirement outcomes	Section 48 (1) (d) Section 48 (2) (i)	Section 48 (1) (d) Section 48 (2) (i)

Following discussion of Items 16.1, 16.2 and 16.3 the meeting resumed in public session on the motion of Crs Woodhead and Hope.

17. CLOSURE

The meeting was declared closed at 1.11pm.

Chairperson

COUNCIL REPORT

Health and Safety Report – as at 5 February 2018

KEY HEALTH & SAFETY MESSAGE: Near Miss Reporting.

- There has been an increase in reporting from our employees, which is a positive trend!
- Please continue to raise awareness and support Near Miss reporting.
- It assists us in raising general safety awareness across our workforce and is a ‘leadership in action’ safety message.
- Aside from raising potential risks and mitigating them, the information we glean from Near Miss reports plays an important part in our safety management; particularly trending and consequently, planning.

Incidents (Staff - by type and work area) Period: January 2018

	Near Miss		Injury	Illness	Work Area
Notifiable Event (A)			0		
Significant (D)	1				Corporate
Minor (E)			2		Corporate

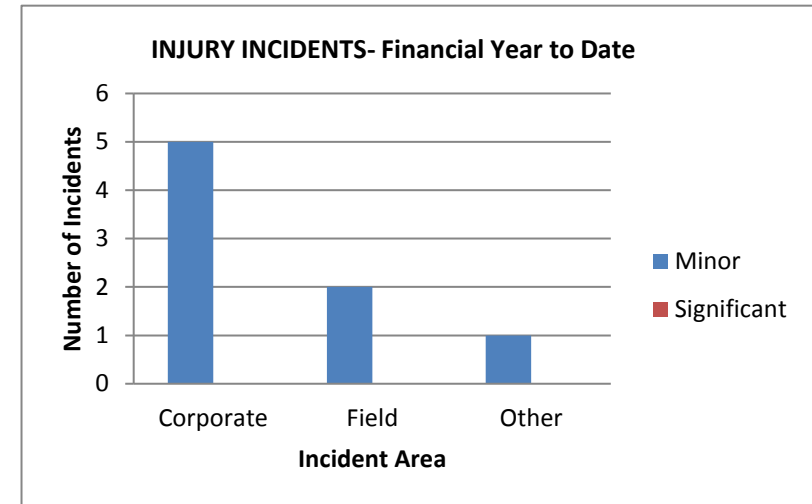
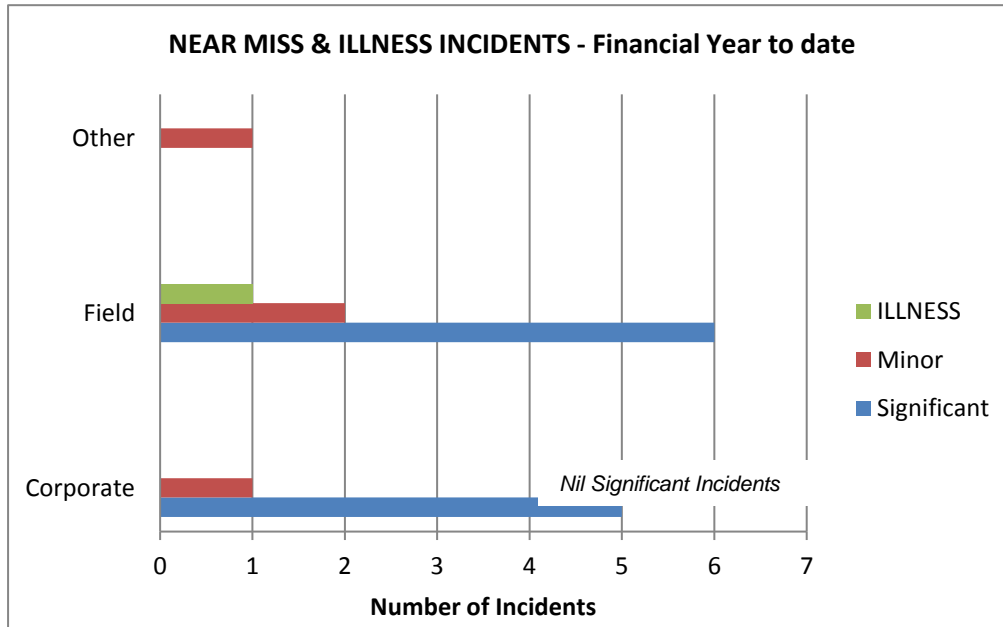
Incident Type

INJURY
A: Notifiable Event: – as per legislative criteria, required to report to WorkSafe NZ.
B: Significant Incident – medical intervention required (Dr. / A&E / XRay)
C: Minor incident – first aid

NEAR MISS
D: Significant – potential damage to property or injury outcome
E: minor consequences if injury occurred

Incidents and Near Misses (since previous reporting)

20	Near Miss 18/1/18	Desk tipped backwards – IT equipment ‘fell off it’. <i>Desk was being lowered and cables were tangled – set up problem.</i>	Policy Planning & Resource Management	D	
21	Injury 31/1/18	Over stepped stair – sprained foot	Corporate Services	C	Reviewing hand rail (check the ‘end return’ is compliant)
22	Injury 31/1/18	Jammed finger in cabinet door	CDEM	C	



Near Miss - Significant Incidents (D: Significant – potential damage to property or injury outcome)
 Six incidents: vehicle related – poor actions by other drivers and our staff having to take evasive actions
 One incident: related to road conditions (flooding)
 Four incidents: work procedure/workstation/slip incidents

	Health and Safety Advisor - key activity this period	Working with
1	Safety Plan Leith Clean-up Project	Charlotte Panton
2	Equipment Bags for staff – bespoke project with local supplier	

**Terms of Reference for the Otago Regional Transport Committee,
including Terms of Reference for an Otago Southland [Regional] Technical
Advisory Group**

OTAGO REGIONAL TRANSPORT COMMITTEE

Membership

The Regional Transport Committee for Otago (RTC) comprises:

- Two Regional Council representatives (Chair and Deputy Chair)
- One representative from the New Zealand Transport Agency
- One District Council representative from each of the:
 - Clutha District Council
 - Central Otago District Council
 - Dunedin City Council
 - Queenstown Lakes District Council
 - Waitaki District Council.

Total membership of the Otago committee equals eight.

This is dictated by Section 105 of the *Land Transport Management Act 2003* (LTMA). Representatives are appointed by the regional council on the nomination of NZ Transport Agency and each of the territorial local authorities.

Objective

To undertake the functions as prescribed by the *Land Transport Management Act 2003*.

Meeting Schedule

The RTC normally meets at least three times a year but may meet more regularly depending on the work to be undertaken or the issues to be addressed. Where possible, members will be advised, in advance, of the meeting schedule for the year.

Role and Functions

The role and functions of the Regional Transport Committee are as follows:

1. To undertake the statutory requirements of the *Land Transport Management Act 2003* (Appendix One).
2. To prepare the Regional Land Transport Plan (RTLTP) in cooperation with the Southland Regional Transport Committee, to prepare any applications to vary the RLTP and to process any applications to vary the RLTP (*LTMA section 106(1)(a)*).
3. To prepare and adopt a policy that determines significance in respect of:
 - a) any variations made to the RLTP.
 - b) activities included in the RLTP (*LTMA section 106(2)*).
4. To provide any advice and assistance the regional council may request on its transport responsibilities generally (*LTMA section 106(1)(b)*).

5. To undertake monitoring to assess implementation of the Regional Land Transport Plan including monitoring of the performance of activities (*LTMA section 16(3)(f) and 16(6)(e)*), in cooperation with the Southland Regional Transport Committee.
6. To consult on a draft Regional Land Transport Plan for the Region in accordance with the consultation principles specified in sections 18 and 18A of the *Land Transport Management Act 2003*, in cooperation with the Southland Regional Transport Committee.
7. To complete a review of the Regional Land Transport Plan during the six-month period immediately before the expiry of the third year of the Plan (*LTMA section 18CA*) in cooperation with the Southland Regional Transport Committee.
8. To advise the Council on any significant legislative changes, programmes, plans or reports relating to the region's transport system.
9. To prepare and implement regional transportation planning studies, or pan-regional studies with the Southland Regional Transport Committee, when necessary.
10. To represent and advocate for transport interests of regional and/or pan-regional Otago Southland concern.
11. To consider and submit on transport-related policies, plans and consultation documents issued by the Ministry of Transport, New Zealand Transport Agency, regional/district councils, and other relevant organisations as considered appropriate, including submitting jointly with the Southland Regional Transport Committee when appropriate.
12. To liaise with the Ministry of Transport, New Zealand Transport Agency, Commissioner of Police, regional/district councils, and other interested parties on transport matters, and advise the Council on any appropriate new initiatives as considered appropriate.
13. To cooperate with the Southland Regional Transport Committee and to engage with other regional transport committees and working parties, which from time to time may be established.
14. To consider advice and recommendations from the Otago Southland Regional Technical Advisory Group.

Members' responsibilities for reporting back to the organisation they represent

Each member of the RTC is expected to report back regularly to their organisation on matters discussed at Committee meetings, on the RLTP transport priorities for the region, its objectives and policies, and other content.

Terms of Membership

Should a vacancy occur in the membership of the RTC, the Committee Secretary shall report this to the next meeting of the Council, which shall invite the nominating organisation to nominate a replacement.

Quorum and Voting Rights

A RTC meeting cannot proceed unless five committee members are present, at least one of whom shall be a representative of the regional council.

No voting will occur unless there is a quorum of committee members from those organisations allowed to vote on these matters.

The Chairperson has a deliberative vote and in the case of an equality of votes does not have a casting vote. Clause 24 of the 7th schedule of the Local Government Act otherwise applies to voting.

The purpose of encouraging each organisation to have alternates to ensure that each of the organisations involved in the RTC - the TLAs, NZTA and the regional council - is able to bring their organisation's view to the table and to report back the outcome to their organisation.

Each organisation (i.e. the regional council, NZTA and each district/city council) is therefore encouraged to have alternative representatives to act as a replacement should the appointed representative be absent from a meeting. The participation of an alternate in an RTC meeting or workshop will be at the discretion of the RTC Chairperson.

Alternates do not count towards a quorum and do not have voting rights.

Delegated Authority – Power to Act

The Regional Transport Committee:

1. Does have the ability to appoint a sub-committee to hear RLTP, submissions, working parties, advisory groups and, where there is urgency or special circumstances, a subcommittee to deal with any matters of responsibility within the Committee's Terms of Reference and areas of responsibility, and to make recommendations to the Committee on such matters, provided that a subcommittee does not have power to act other than by a resolution of the committee with specific limitations.
2. Does have the ability to make decisions in accordance with its Terms of Reference and the Land Transport Management Act 2003.

Power to Act (for the information of Council)

The Regional Transport Committee has the power to:

1. Monitor any transport activities of the Regional Council, Territorial Authorities and New Zealand Transport Agency in order to report on progress on the Regional Land Transport Plan.
2. Prepare and recommend variations to the Regional Land Transport Plan that trigger the RTC's significance policy.
3. Consider and recommend transportation planning studies and associated outcomes.

4. Provide recommendations to relevant Government agencies on transport priorities for the region and the allocation of national or regional transport funds.

Otago Southland [Regional] Technical Advisory Group

A pan-regional Otago Southland Technical Advisory Group (TAG) is a working group of technical transport officers from various organisations in the Otago and Southland Regions, which advises the Otago and Southland Regional Transport Committees on matters relating to:

- development of Regional Land Transport Plans for the two regions.
- regional prioritisation of transport projects
- any other transport matters requested by the Regional Transport Committee(s) or regional councils.

The Otago Southland Technical Advisory Group will be administered jointly by the Otago Regional Council and Environment Southland and is made up of representatives of the following organisations:

- Otago Regional Council
- Clutha District Council
- Central Otago District Council
- Dunedin City Council
- Queenstown Lakes District Council
- Waitaki District Council
- Environment Southland
- Southland District Council
- Invercargill City Council
- Gore District Council
- New Zealand Transport Agency
- any other organisations/individuals invited to participate and advise the RTC on technical matters relating to the Committee's Terms of Reference.

Appendix 2 sets out the terms of reference for the Otago Southland Technical Advisory Group. *[Note, for the purposes of this report concerning the size of the RTC quorum, Appendix 2 is omitted for the sake of brevity.]*