



Minutes of an ordinary meeting of Council held in the  
Council Chamber on  
Wednesday 27 May 2020 at 1:00 pm

**Membership**

Hon Marian Hobbs

*(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 Andrew Noone

Cr Gretchen Robertson

Cr Bryan Scott

Cr Kate Wilson

**Welcome**

Hon Marian Hobbs welcomed Councillors, members of the public and staff to the meeting at 01:01 pm.

*For our future*

## **1. APOLOGIES**

There were no apologies. Cr Forbes attended the meeting electronically.

## **2. ATTENDANCE**

Sarah Gardner (Chief Executive)  
Nick Donnelly (General Manager Corporate Services and CFO)  
Gavin Palmer (General Manager Operations)  
Sally Giddens (General Manager People, Culture and Communications)  
Gwyneth Elsum (General Manager Strategy, Policy and Science)  
Amanda Vercoe (Executive Advisor)  
Liz Spector (Committee Secretary)

Also present were Jeremy Baker (Cosy Homes Charitable Trust), Sarah Harrison (Air Quality Scientist), Anita Dawe (Manager Policy), Blaise Cahill-Lane (Digital Communications Lead), Frederique Gulcher (Public Transport Brand Lead), Ken Tarboton (contract Flood Recovery Manager), Tom De Pelsemaeker (Team Leader Freshwater and Land).

## **3. CONFIRMATION OF AGENDA**

The agenda was confirmed as published.

Cr Deaker acknowledged the work staff had put into the agenda. He said the quality of the reports was outstanding and he wanted to record his appreciation the good job staff was doing for the Councillors as well as for the people of Otago.

Cr Wilson also said civil defence and other emergency work that was being done during COVID-19 was fantastic and congratulated CE Sarah Gardner and the entire ORC team. Cr Wilson moved that a formal email thank you to all staff from the Councillors be distributed by Chairperson Hobbs. Cr Hope seconded the motion and it was resolved. Moved to thank all of staff, by email from the Councillors, seconded Carmen Hope. Marian will send email to all staff on behalf of Council.

### **Resolution**

*That the Chair formally thank staff from the Councillors via an all-staff email.*

Moved: Cr Wilson  
Seconded: Cr Hope  
CARRIED

## **4. CONFLICT OF INTEREST**

No conflicts of interest were advised at this point of the meeting.

## **5. PUBLIC FORUM**

No public forum was held.

## **6. PRESENTATIONS**

### **6.1. Presentation of Cosy Homes Trust 2019 Annual Activity Report**

The Cosy Homes Charitable Trust Annual Activity Report 2019 was presented. Mr Jeremy Baker of the Trust and Ms Sarah Harrison (ORC Air Quality Scientist) were present to answer questions about the report. Mr Baker said although he had not been with the Trust during 2019, he was happy to take questions on annual report. The Councillors thanked Mr Baker and asked several questions.

Chairperson Hobbs requested a motion to receive the report.

Resolution

That the Council:

1) **Receive** the report

Moved: Cr Noone

Seconded: Cr Malcolm

CARRIED

## 7. CONFIRMATION OF MINUTES

**Resolution**

*That the minutes of the (public portion of the) Council meeting held on 22 April 2020 be received and confirmed as a true and accurate record, with or without changes.*

Moved: Cr Hope

Seconded: Cr Noone

CARRIED

**Resolution**

*That the minutes of the (public portion of the) Extraordinary Council Meeting of 6 May 2020 be received and confirmed as a true and accurate record, with or without changes.*

Moved: Cr Hobbs

Seconded: Cr Wilson

CARRIED

## 8. ACTIONS (STATUS OF COUNCIL RESOLUTIONS)

The Councillors reviewed outstanding actions of Council with staff. Dr Gavin Palmer (GM Operations) made an update on report *11.3 Finalise Biodiversity Action Plan* to note that a review of the Plan will be brought to Council for consideration prior the end of 2020.

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

### 9.1. Chairperson's Report

**Resolution**

*That the Chairperson' report be received.*

Moved: Cr Hobbs

Seconded: Cr Hope

CARRIED

### 9.2. Chief Executive's Report

## Resolution

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

Moved: Cr Hope  
Seconded: Cr Noone  
CARRIED

## 10. MATTERS FOR COUNCIL DECISION

### 10.1. COVID-19 Recovery Framework

Nick Donnelly (GM Corporate Services) was present to speak to the report which was provided to update the Councillors on the ORC COVID-19 Recovery Framework and next steps for the organisation. He reviewed the report with the Councillors and answered questions. Cr Kate Wilson asked if the ORC procurement policy addressed supporting local businesses. Chief Executive Sarah Gardner said there were provisions in the policy about buying local, but this isn't always achievable because of a range of factors, including cost and availability.

Cr Kevin Malcolm said he would like for Councillors to be involved in the Opportunities Working Group that was mentioned in the paper. Mr Donnelly indicated there was a reference to Councillor involvement in the report and he will work out specific details to give them more visibility. Chief Executive Gardner said another way for Councillors to be involved in this group was to listen to their constituent bases and report back to staff when they hear of ideas that could benefit from ORC recovery assistance.

Cr Kelliher suggested an amendment be added related to the procurement policy that would require the ORC to firstly consider Otago resources in its procurement of outsourced services and if unable, will seek Councillor approval to consider services outside of Otago. A discussion was held about the proposed amendment, and Chairperson Hobbs asked CE Gardner to include a report on the procurement policy on the next Council agenda, to facilitate a discussion on how buying local could be included in the policy. After further discussions, Chairperson Hobbs asked for a motion.

## Resolution

*That the Council:*

- 1) **Receives** this report.
- 2) *Notes the Otago Regional Council Recovery Framework to address COVID-19, which includes a business as usual "plus" model*
- 3) *Notes the principles outlined in para 25, which will be used to help guide COVID-19 recovery project considerations, including:*
  - *Future focused (good environmental outcomes and a healthy Otago)*
  - *Align to ORC core business and add value to ORC priorities*
  - *Benefit the Otago region*
  - *Sustainability (internal and external)*
  - *Achievable*

- 4) *Notes that staff and councillors are actively involved in recovery discussions across the region and with Central Government, which will continue to inform advice to Council on proposed ORC recovery activities*
- 5) *Notes that extending the ECOFund to \$1million has been included in the list of possible projects, and recommendations will be included on this with recommendations to Council on overall recovery proposals*
- 6) *Notes that decisions about funding recovery activities do not have to be made in conjunction with the adoption of the 20/21 Annual Plan. Instead supplementary funding proposals can be brought to Council*

Moved: Cr Hope  
Seconded: Cr Kevin Malcolm  
CARRIED

Cr Robertson then further moved:

#### **Resolution**

That the Council:

- 1) ***Communicate*** the regional gateway to nationally funded environmental projects and seek strategic priorities for this.

Moved: Cr Robertson  
Seconded: Cr Deaker  
CARRIED

#### **Resolution**

That the Council:

- 1) ***Develop*** a structure that sits below council with iwi and governors from each ward to work on strategic priorities.

Moved: Cr Robertson  
Seconded: Cr Malcolm  
CARRIED

#### **Resolution**

That the Council:

- 1) ***Clarify*** what our role as an enabler will be and identify resource requirements.

Moved: Cr Robertson  
Seconded: Cr Forbes  
CARRIED

Chairperson Hobbs then requested a five-minute break. The meeting resumed.

#### **10.2. Fare Collection Reinstatement**

Garry Maloney (Manager Public Transport) and Gavin Palmer (GM Operations) were present to answer questions about the report. The report was provided as a follow up to a previous

report to Council and detailed some options including an interim simplified fare and concession structure.

Cr Scott asked how the post-COVID 19 \$2 fare transition period would be communicated to the public. Mr Maloney said there would be quite a lot of publicity about the transition to the \$2. He also noted that the review of the Regional Public Transport Plan would be occurring within the next year as well. This would provide ample opportunities for the public to participate in the discussion about fares going forward. Chairperson Hobbs asked if there might be a chance to lower fares even further. Mr Maloney said this will come before Council again and also feed into Long Term Plan discussions.

Cr Hope asked how those who aren't able to purchase the fare cards online would be able to obtain them and keep them topped up as it was no longer possible to do this on buses. Mr Maloney indicated staff was working on ways to make this easier for those who preferred to pay using cash, and noted one of the ideas included card dispensing machines in Queenstown. Cr Laws queried whether dairies or other retail outlets could sell the cards. Mr Maloney said it was a possibility, but quite difficult to set up. Cr Forbes said there are questions on using cash to top up and obtain cards, but she knows staff is working on ways to address the issue.

Cr Deaker said he will be interested to see how the flat fare works and thinks it is an idea whose time has come. He said making buses more accessible for everyone is critical and pertinent.

There were no further questions and Chairperson Hobbs asked for a motion.

#### **Resolution**

*That the Council:*

- 1) **Receives** this report.
- 2) **Adopts** in principle the following implementation approach to reintroduce fares and concessions in Dunedin and Queenstown:
  - *Phase 1 (transitional) – implement discounted interim fares for all users such that high rates of concession registration and validation are not required prior to system launch (removes concession registration from the critical path).*
  - *Phase 2 - implement normal fares and concession entitlements by January 2021, or such other time as agreed by Council.*
- 3) **Adopts** in principle, Options D3 and Q2 as outlined in the report noting that both will incur additional loss in fares above that resulting from the current patronage decrease arising from Covid-19.
- 4) **Approves** consulting the public on Option D3 as outlined in the report.
- 5) **Notes** that discussions are ongoing with New Zealand Transport Agency in regard to Council's regional fare collection plan and that may have a bearing on timing on the reinstatement of fares in Dunedin and Queenstown.

Moved: Cr Wilson

Seconded: Cr Deaker

CARRIED

### **10.3. February 2020 Flood Recovery - Progress and Estimated Costs**

Dr Palmer (GM Operations), Michelle Mifflin (Manager Engineering) and Jean-Luc Payan (Manager Natural Hazards) were present to answer questions about the report. The report was provided to update Council on progress with recovery from the December 2019 and February 2020 floods and the financial implications for ORC.

Cr Kelliher asked that the urgency of this work be emphasised to demonstrate to the community how the ORC will stand by its infrastructure, repair it, and investigate how to manage in the future. Cr Hope suggested that more weather radars might be considered in the annual plan. Cr Wilson asked that staff investigate creation of Scheme Liaison Committees. Dr Palmer said staff will come back to Council on ways to achieve this request.

After discussions were concluded, Chairperson Hobbs asked for a motion.

#### **Resolution**

*That the Council:*

- 1) **Receives** this report.
- 2) **Notes** the overspend of \$0.65M of the FY 2019/2020 Lower Clutha Flood Protection and Drainage Scheme and River Management, to pay for flood response and recovery costs expended in FY 2019/2020.
- 3) **Notes** the estimated unbudgeted expenditure of \$3.25M required in FY 2020/2021 for flood repairs, of which \$2.85M is for the Lower Clutha Flood Protection and Drainage Scheme.
- 4) **Notes** that the application for National Emergency Management Agency (NEMA) funding cannot occur until the repairs have been undertaken and the evidence of expenditure provided.
- 5) **Notes** the purpose and amount of the ORC Emergency Response fund.
- 6) **Notes** the forecast 30 June 2020 and 30 June 2021 reserve positions for the Lower Clutha Flood Protection and Drainage Scheme.
- 7) **Requests** that staff develop options for addressing flood scheme reserves deficits, including use of the ORC Emergency Response Fund and the Kuriwao Fund, for consideration by Council.

Moved: Cr Hope  
Seconded: Cr Noone  
CARRIED

### **10.4. Proposed Governance Structure for developing a new Land and Water Regional Plan**

Gwyneth Elsum (GM Strategy, Policy and Science) and Peter Constantine (Consultant Planner) were present to speak to the report. Mr Constantine said it is critical for the Council to implement this now to allow timely adoption of the Land and Water Plan. He said it is also critical to get clarity around governance and governance roles. Chairperson Hobbs noted the

Councillors associated with particular FMUs is subject to change and will be discussed in a Strategy and Planning Committee workshop.

Cr Hope nominated Cr Noone and Cr Robertson to be the permanent appointees to the Governance Group. Cr Deaker seconded the nominations. Cr Calvert indicated her concern that the group's composition was too exclusive and should include all of the Councillors. Cr Robertson said as in subcommittee meetings, all Councillors could be invited to attend, but just not participate in voting. Mr Constantine reminded the Councillors that the group is designed to be a governance group where issues are taken for direction, not for resolution. He said staff foresees the two permanent Councillor members as having a responsibility to report back to the Strategy and Planning Committee each time the LWRP Governance Group meets. He said at that time, if the Committee was not in favour of the direction of the group, they can send it back to the governance group for review. He said it would be a more efficient use of time and resources.

After further deliberations, Cr Hobbs put the motion as amended during discussions.

### **Resolution**

That the Council:

- 1) **Receives** this report.
- 2) **Adopts** the proposed governance structure for developing a new Land and Water Regional Plan with amendments noted as follows:
  - a) *The LWRP Governance Group is to provide "direction on issues" and not "the resolution of issues" as indicated in Paragraph 17 of the Report which sets out the governance structure and;*
  - b) *Noting the Councillors indicated in Table 1 (FMUs) in the Report which sets out the governance structure are subject to change, and;*
  - c) *Amends the composition of the LWRP Governance Group to include the two permanent councillors, the two revolving FMU councillors, and provides that all other councillors may attend the group's meetings if interested.*
- 3) **Appoints** Cr Gretchen Robertson and Cr Andrew Noone as the two permanent councillors on the LWRP Governance Group

Moved: Cr Hobbs  
Seconded: Cr Deaker  
CARRIED

A Division was called:

FOR: Cr Deaker, Cr Forbes, Cr Hobbs, Cr Hope, Cr Noone, Cr Robertson, Cr Scott, Cr Wilson  
AGAINST: Cr Calvert, Cr Kelliher, Cr Laws  
ABSTENTION: Cr Malcolm

The motion carried, 8 to 3.

## 11. MATTERS FOR NOTING

### 11.1. RPS Consultation Summary

Lisa Hawkins (Team Leader RPS, Air and Coast) and Liam Glading (Administration Assistant) were present to address the report which was provided to give Council a summary of the data collected from the completed phase one, and partially completed phase two, pre-notification community consultation programme for the RPS Review 2020 undertaken across February and March 2020. A general discussion was held about the noting report and once questions were completed, Chairperson Hobbs asked for a motion to receive the report.

#### Resolution

*That the Council:*

- 1) **Receives** this report.
- 2) **Notes** the attached consultation summary report.

Moved: Cr Hobbs  
Seconded: Cr Noone  
CARRIED

### 11.2. Spatial variation of air quality in Wanaka

Gwyneth Elsum (GM Strategy, Policy and Science) and Sarah Harrison (Air Quality Scientist) were available to answer questions about the report. The report was taken as read and Chairperson Hobbs asked for a motion.

#### Resolution

*That the Council:*

- 1) **Receives** this report.

Moved: Cr Wilson  
Seconded: Cr Scott  
CARRIED

## 12. RECOMMENDATIONS ADOPTED AT COMMITTEE MEETINGS

### 12.1. Recommendations of the Strategy and Planning Committee, 13 May 2020

### 12.2. Recommendations of the Regulatory Committee, 11 March 2020

### 12.3. Recommendations of the Infrastructure Committee, 11 March 2020

#### Resolution

*That the Council:*

- 1) **Approves** the recommendations adopted by the Strategy and Planning Committee on 13 May 2020, the recommendations adopted by the Regulatory Committee on 11 March 2020, and the recommendations adopted by the Infrastructure Committee on 11 March 2020.

Moved: Cr Scott  
Seconded: Cr Hope  
CARRIED

### 13. NOTICES OF MOTION

**13.1. Notice of Motion - Commerce Commission Submission on Aurora Energy price increase**  
*Cr Noone declared a conflict of interest on this item and left the meeting at 4:55 pm. Cr Wilson also left the meeting before consideration of the item at 4:56 pm.*

Cr Laws introduced his Notice of Motion. He said he was asking Councillors to make a submission to the Commerce Commission after the Commission requested public feedback on a proposal to increase electricity line charges in the Otago region. He said the ORC had a reason to submit on this because one outcome of the price increases could be a negative impact on the environmental quality of the region, particularly air quality. He said he is concerned the rate increases will price people out of the market for electricity and force them to use coal which will increase pollution. He said he would be happy to draft a submission and circulate with the Councillors prior to submitting. Cr Kelliher said he supports the motion. Cr Deaker suggested discussing this issue with Mayor Hawkins and Dr Bidrose of Dunedin City Council and Cr Forbes agreed. Cr Robertson was concerned about creating unintended consequences if the Council submitted on the proposal. After further discussions, Chairperson Hobbs asked the motion be put.

#### Resolution

*That the Council:*

- 1) Prepares a submission to the Commerce Commission on the proposal by Aurora Energy to increase regional electricity supply prices between 16% and 23%.**

Moved: Cr Laws  
Seconded: Cr Kelliher  
CARRIED

### 14. CLOSURE

There was no further business and Cr Hobbs declared the meeting closed at 05:11 pm.

  
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Chairperson

24 June 2020  
Date