

Council MINUTES

Minutes of an ordinary meeting of the Otago Regional Council held in the Council Chamber, Level 2 Philip Laing House, 144 Rattray Street, Dunedin on Wednesday 22 May 2024, commencing at 1:00 PM. [\[YouTube Link\]](#)

PRESENT

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

1. WELCOME

Chairperson Gretchen Robertson welcomed Councillors, members of the public and staff to the meeting at 1:00 pm. Staff present included Richard Saunders (Chief Executive), Anita Dawe (GM Policy and Science), Joanna Gilroy (Acting GM Regulatory), Amanda Vercoe (GM Governance, Culture and Customer), Jean-Luc Payan (Manager Natural Hazards), Tom De Pelsemaecker (Team Leader Freshwater and Land), Amber Smith (Senior Policy Analyst Freshwater and Land), Trudi McLaren (Governance Support), and online Nick Donnelly (GM Corporate Services), Fleur Matthews (Manager Policy and Planning).

2. APOLOGIES

No apologies were received.

3. PUBLIC FORUM [YouTube 8:07]

Pierre Marasti was present to speak on behalf of Extinction Rebellion. Following an opportunity for questions Chair Robertson thanked Pierre for attending.

4. CONFIRMATION OF AGENDA [YouTube 17:12]

Resolution: Cr Somerville Moved, Cr Mepham Seconded

That Item 10.5 be taken first due to a requirement for our external advisor to be present.

MOTION CARRIED

5. DECLARATIONS OF INTERESTS

No changes to Councillor Declarations of Interests were noted.

6. PRESENTATIONS

No presentations were held.

7. CONFIRMATION OF MINUTES [YouTube 18:05]

Resolution: Cr Mepham Moved, Cr Weir Seconded

That the (Public) Minutes of the Council Meeting of 27 March 2024 be accepted as a true and accurate record with the correction to item 7.1 Land and Water Regional Plan:

Amendment: *Cr Weir Moved, Cr Scott Seconded*

That the date for the above motion be changed from 30 September 2024 to 31 October 2024. A Division was called.

For:	Cr Forbes, Cr Mepham, Cr Scott, Cr Somerville, Cr Weir, Cr McCall, Cr Robertson
Against:	Cr Kelliher, Cr Laws, Cr Malcolm, Cr Wilson, Cr Noone
Abstained:	N/A

MOTION CARRIED

Resolution: Cr Wilson Moved, Cr Somerville Seconded

That the Minutes of the (Public Excluded) Minutes of the Council Meeting of 27 March 2024 be accepted as a true and accurate record.

MOTION CARRIED

8. ACTIONS (STATUS OF COUNCIL RESOLUTIONS) [YouTube 19:44]

Open actions from resolutions of the Council were reviewed. No changes were noted.

9. CHAIRPERSON'S AND CHIEF EXECUTIVE'S REPORTS

9.1. Chairperson's Report [YouTube 1:03:40]

Chairperson Robertson attended the Balance Farm Environment Awards and congratulated Angus Barr and Tara Dwyer from 'The Wandle' in Strath Taieri, who were awarded not only a water quality award, but were the regional winners. Councillors who attended were also thanked as it was a great occasion for Otago's diverse primary sector.

Thanks were also extended to everyone in the community who have been participating in various ways in the Long-Term Planning (LTP) process. Chairperson Robertson also thanked Cr Malcolm for leading the Council through this process and the Chief Executive and all ORC staff who had been involved.

Resolution: Cr Malcolm Moved, Cr Noone Seconded

That the report be noted.

MOTION CARRIED

9.2. Chief Executive's Report [YouTube 1:16:38]

Resolution: Cr Robertson Moved, Cr Weir Seconded

That the report be noted.

MOTION CARRIED

10. MATTERS FOR CONSIDERATION

10.1. Updated Project Plan and key milestones for notification of the Land and Water Regional Plan by 31 October 2024 [YouTube 1:26:00]

The purpose of this report was to provide Otago Regional Council (ORC or Council) with the updated work programme for developing the proposed Land and Water Regional Plan (pLWRP) following the Council decision on 27 March 2024 in relation to the new timeframe that would seek Councils' approval to notify the pLWRP by 31 October 2024.

Anita Dawe (GM Policy and Science) and Fleur Matthews (Manager Policy Planning) (online) were present to speak to this report and respond to questions.

Following discussion, Cr Mepham acknowledged the work programme that had been put together and the dates that timed with the notification.

Resolution CM24-127: Cr Mepham Moved, Cr Weir Seconded

That the Council:

- 1) **Notes** the updated work programme for the proposed Land and Water Regional Plan.

MOTION CARRIED

Cr Kelliher voted against

10.2. Regional Council's functions and responsibilities in relation to natural hazards

[YouTube 1:33:08]

The purpose of this paper was to describe the roles and responsibilities of Otago Regional Council in natural hazard management.

Anita Dawe (GM Policy and Science), Amber Smith (Policy Analyst - Freshwater), Jean-Luc Payan (Manager Natural Hazards) and Simon Anderson (Ross Dowling Marquet Griffin) were present to speak to the report and respond to questions.

Chairperson Robertson thanked Anita Dawe and team for creating this report.

Resolution CM24-128: Cr Malcolm Moved, Cr Kelliher Seconded

That the Council:

- 1) **Notes** this report.

MOTION CARRIED

10.3. To adopt Council's Policy on Dangerous, Flood and Earthquake Prone Dams

[YouTube 1:59:44]

This report presented the recommendation of the Hearings Panel on Council's Dangerous, Flood and Earthquake Prone Dams Policy in accordance with Section 162 of the Building Act. It also made recommendations to Council about whether to accept or reject the hearing panel's decision.

Joanna Gilroy (Acting GM Regulatory), Rebecca Jackson (Team Leader Consents) and Peter Kelliher (Team Leader Investigations) were present to speak to the report and respond to questions.

Cr Wilson thanked the submitters who raised these issues and attended and noted that it was extremely helpful in bringing the information together.

Chairperson Robertson also thanked everyone who was involved: panel members, staff and submitters, and thanks in particular to Rebecca Jackson for work in this area.

Resolution CM24-129: Cr Wilson Moved, Cr Weir Seconded

That the council:

- 1) **Accepts** the recommendations of the hearing panel on the dangerous dams, earthquake-prone dams and flood-prone dams policy (attachment 1).
- 2) **Approves option 1 in the report:**
 - a. *Adopts the amended policy as attached (attachment 5);*
 - b. *Approves chairperson Robertson to write to government ministers on behalf of Council requesting that councils should not need to go through the special consultative process required under the local government act to bring policies into line with government changes; and*
 - c. *Council staff to establish a process of notification to the territorial authorities to ensure that relevant parties are aware of any inherent risks that may arise from any land use change that could alter a dams potential impact classification.*
- 3) **Approves** the CEO to make any necessary changes to the policy to correct spelling mistakes or grammar.
- 4) **Approves** council staff to **notify** submitters of its decisions.

MOTION CARRIED

10.4. Update to Delegations Manual to Include Delegations to staff for Building (Dam Safety) Regulations 2022 [YouTube 2:21:25]

The purpose of this report was to consider proposed amendments to the Otago Regional Council Delegations Manual.

Joanna Gilroy (Acting GM Regulatory) and Peter Kelliher (Team Leader Investigations) were present to speak to the report and respond to questions.

Resolution CM24-130: Cr Wilson Moved, Cr Mepham Seconded

That the Council:

- 1) **Receives** this report.
- 2) **Approves** the delegation changes as proposed in this report.
- 3) **Directs** the Chief Executive to update the Council's Delegations Manual accordingly.

MOTION CARRIED

10.5. 2024 Membership Representation Review (Note: this item was taken before Item 10.1) [YouTube 20:30]

The purpose of this paper was to seek direction on which option to progress to initial proposal stage as part of Otago Regional Council's representation review. Amanda Vercoe (GM Governance Culture and Customer) and Stephen Hill (Representation Review Advisor Electionz.com) were present to speak to the report and respond to questions.

Following questions, Chairperson Robertson thanked Stephen Hill and Amanda Vercoe for their ongoing work on this matter.

Resolution CM24-131: Cr Somerville Moved, Cr Malcolm Seconded

That the Council:

- 1) **Receives** this report.

MOTION CARRIED

Resolution CM24-132: Cr Somerville Moved, Cr Malcolm Seconded

That the Council:

- 2) **Directs** the Chief Executive to progress Option 1 related to the Dunstan constituency and no change to the Molyneux constituency, to an initial proposal stage.

MOTION CARRIED

11. RECOMMENDATIONS ADOPTED AT COMMITTEE MEETINGS [YouTube 2:22:35]

11.1. Recommendations of the Audit and Risk Subcommittee

Resolution: Cr Mepham Moved, Cr Malcolm Seconded

That the Council adopts the recommendations of the 21 March 2024 Audit and Risk Subcommittee.

MOTION CARRIED

11.2. Recommendations of Environmental Implementation Committee

Resolution: Cr Wilson Moved, Cr Scott Seconded

That the Council adopts the resolutions of the 8 May 2024 Environmental Implementation Committee.

MOTION CARRIED

11.3. Recommendations of the Public and Active Transport Committee

Resolution: Cr Noone Moved, Cr Weir Seconded

That the Council adopts the recommendations of the 9 May 2024 Public and Active Transport Committee.

MOTION CARRIED

11.4. Recommendations of the Safety and Resilience Committee

Resolution: Cr Somerville Moved, Cr Kelliher Seconded

That the Council resolves to adopt the recommendations of the 8 May 2024 Safety and Resilience Committee.

MOTION CARRIED

13. CLOSURE

There was no further business and Chairperson Robertson declared the meeting closed at 3:17PM with a karakia.



26 June 2024

Chairperson

Date