



Minutes of an ordinary meeting of  
Council held in the  
Otago Regional Council Chamber on  
Wednesday 27 October 2021 at 1:00PM

**Membership**

Cr Andrew Noone *(Chairperson)*  
Cr Michael Laws *(Deputy Chairperson)*  
Cr Hilary Calvert  
Cr Alexa Forbes  
Cr Michael Deaker  
Hon Cr Marian Hobbs  
Cr Carmen Hope  
Cr Gary Kelliher  
Cr Kevin Malcolm  
Cr Gretchen Robertson  
Cr Bryan Scott  
Cr Kate Wilson

**Welcome**

Chairperson Noone welcomed Councillors, members of the public and staff to the meeting at 1:01pm. Staff present included Sarah Gardner (Chief Executive), Nick Donnelly (GM Corporate Services), Gwyneth Elsum (GM Strategy, Policy and Science), Gavin Palmer (GM Operations), Richard Saunders (GM Regulatory and Communications), Amanda Vercoe (GM Governance, Culture and Customer), Dianne Railton (Governance Support), and Garry Maloney (Manager Transport), Sarah Munro (Manager Finance - Reporting), Jo Galer (Manager Communications and Marketing), Ryan Tippet (Media Communications Lead), Jean-Luc Payan (Manager Natural Hazards).

## **1. APOLOGIES**

### **Resolution: Cr Noone Moved, Cr Kelliher Seconded:**

*That the apologies for Cr Deaker, Cr Forbes be accepted. Cr Hope attended the meeting via electronic link.*

**MOTION CARRIED**

## **2. PUBLIC FORUM**

No public forum was held.

## **3. CONFIRMATION OF AGENDA**

The agenda was confirmed as published.

## **4. CONFLICT OF INTEREST**

No conflicts of interest were advised.

## **5. CONFIRMATION OF MINUTES**

### **Resolution: Cr Noone Moved, Cr Laws Seconded**

*That the minutes of the (public portion of the) Council meeting held on 29 September 2021 be received and confirmed as a true and accurate record.*

**MOTION CARRIED**

## **6. ACTIONS (STATUS OF COUNCIL RESOLUTIONS)**

Status report on the resolutions of the Council Meeting was reviewed.

## **7. MATTERS FOR CONSIDERATION**

### **7.1. Annual Report 2020/21 - Adoption**

The Annual Report for the period 1 July 2020 to 30 June 2021 was presented to Council for adoption. Nick Donnelly (GM Corporate Services) was present to speak to the report and respond to questions. Mr Donnelly advised that the auditors attended the 14 October 2021 Audit and Risk Subcommittee meeting where they went through the Annual Report in detail, before recommending that the Annual Report and Financial Statements be presented to Council for adoption. Chair Noone acknowledged Mr Donnelly and his team for the extraordinary amount of work involved with the Annual Report.

### **Resolution CM21-173: Cr Malcolm Moved, Cr Calvert Seconded**

*That the Council:*

- 1) *Receives this report.*
- 2) *Approves and adopts the Annual Report for the year ended 30 June 2021.*
- 3) *Authorises the Chairperson and Chief Executive to sign the Annual Report and Representation Letter on behalf of Council.*

**MOTION CARRIED**

### **7.2. Mana to Mana - Update**

The report provided an opportunity for Council to reaffirm its shared commitment to its partnership with local iwi and the Treaty of Waitangi, to share the updated Mana to Mana Terms of Reference with Council and seek agreement to ask Mana to Mana to consider expanding the membership to all Councillors. Chair Noone spoke to the paper and responded to questions. He advised at last Mana to Mana meeting there was discussion on the

Manuherehia decision process and the need to ensure in future that there is better process, and the relationship going forward.

*Cr Laws left the meeting at 1:59pm and returned to the meeting at 2:01pm.*

**Resolution CM21-174: Cr Calvert Moved, Cr Laws Seconded**

*That the Council:*

- 1) **Notes** this report.

**MOTION CARRIED**

There was lengthy discussion including defining the wording partnership and including the word relationship in place of partnership.

**Cr Calvert Moved, Cr Laws Seconded**

*That the Council:*

- 1) **Reaffirms** Councillors' commitment to ORC's relationship with iwi, and the Treaty of Waitangi.

A division was called:

**Vote**

For:	Cr Calvert, Cr Hope, Cr Laws and Cr Kelliher
Against:	Cr Hobbs, Cr Malcolm, Cr Noone, Cr Robertson, Cr Scott and Cr Wilson
Abstained:	Nil

**MOTION LOST** (4 votes for and 6 votes against)

Cr Hobbs then moved:

**Resolution CM21-175: Cr Hobbs Moved, Cr Robertson Seconded**

*That the Council:*

- 1) **Reaffirms** Councillors' commitment to ORC's partnership with iwi, and the Treaty of Waitangi.

A division was called:

**Vote**

For:	Cr Hobbs, Cr Hope, Cr Malcolm, Cr Noone, Cr Robertson, Cr Scott and Cr Wilson
Against:	Cr Calvert, Cr Laws and Cr Kelliher
Abstained:	Nil

**MOTION CARRIED** (7 votes for and 3 votes against)

**Resolution CM21-176: Cr Calvert Moved, Cr Laws Seconded**

*That the Council:*

- 1) **Notes** the updated Mana to Mana Terms of Reference.

**MOTION CARRIED**

**Resolution CM21-177: Cr Calvert Moved, Cr Laws Seconded**

*That the Council:*

- 1) **Requests** the Chair to request Mana to Mana to consider expanding the membership to all 12 Councillors.

**MOTION CARRIED**

**Resolution CM21-178: Cr Calvert Moved, Cr Laws Seconded**

*That the Council:*

- 1) **Notes** that Mana to Mana operates on the basis of consensus.

**MOTION CARRIED**

**Resolution CM21-179: Cr Calvert Moved, Cr Noone Seconded**

*That the Council:*

- 1) **Notes** Councillors' commitment to ongoing bicultural competency learning.

**MOTION CARRIED**

**7.3. He Mahi Rau Rika - Significance, Engagement and Māori Participation Policy - Adoption**

The report presented Otago Regional Council's (ORC) draft He Mahi Rau Rika – Significance, Engagement and Māori Participation Policy for adoption. ORC completed public consultation on the draft He Mahi Rau Rika, with two submissions received. The Hearings Panel met on 16 September 2021 and recommended that the draft He Mahi Rau Rika be approved for adoption. Richard Saunders (GM Regulatory and Communications) was present to speak to the report and respond to questions. Mr Saunders advised that when programmes are being developed, this document has to be considered. Following further discussion Cr Wilson moved:

**Resolution CM21-180: Cr Wilson Moved, Cr Scott Seconded**

*That the Council:*

- 1) **Notes** this report.
- 2) **Adopts** He Mahi Rau Rika – Significance, Engagement and Māori Participation Policy.
- 3) **Acknowledges** and thanks the submitters on the draft He Mahi Rau Rika – Significance, Engagement and Māori Participation Policy.
- 4) **Acknowledges** and thanks Councillors Deaker, Wilson and Scott for their work on the Hearings Panel.
- 5) **Notes** that the staff will include a discussion on engagement with Maata Waaka at a future Mana to Mana meeting.
- 6) **Notes** that staff will engage with submitters to discuss opportunities to improve engagement with Maata Waka.
- 7) **Notes** that performance against He Mahi Rau Rika – Significance, Engagement and Māori Participation Policy will be evaluated annually.

**MOTION CARRIED**

*Cr Hope left the meeting at 2:33 pm.*

#### **7.4. Otago South River Care Group - Councillor Appointment**

The report provided further information on the request to appoint a Councillor representative on the Otago South River Care project governance group. Chair Noone spoke to the report and advised he and Cr Wilson met with the group on 28 October 2021, where they provided an update on funding and the work being undertaken.

#### **Resolution CM21-181: Cr Kelliher Moved, Cr Malcolm Seconded**

*That the Council:*

- 1) **Notes** this report.
- 2) **Agrees** to nominate Cr Hope to join the Otago South River Care governance group.
- 3) **Agrees** to nominate Cr Wilson as an alternate on the Otago South River Care governance group.

#### **MOTION CARRIED**

*The meeting stopped for a break at 2:50pm and reconvened at 3:03pm.*

#### **7.5. ORC Whare Rūnanga / ORC Dunedin Head Office: Update**

The report provided an update on the ORC Whare Rūnanga / Dunedin Head Office Accommodation process. Nick Donnelly (GM Corporate Services) was present to speak to the report and respond to questions. There was discussion about having more than one Councillor on the RC Internal Steering Group. Sarah Gardner advised that Councillors will also be invited to attend a scoping session for the Council Chamber as users and said that reporting on progress will be either through the Finance Committee or full Council.

#### **Resolution CM21-182: Cr Calvert Moved, Cr Hobbs Seconded**

*That the Council:*

- 1) **Notes** this report.
- 2) **Appoints** Cr Malcolm and Cr Noone to the Steering Group.

#### **MOTION CARRIED**

#### **7.6. Queenstown Public Transport Business Case**

The report was provided for approval of the Queenstown Public Transport Business Case (QTBC) scope. Gavin Palmer (GM Operations) and Garry Maloney (Manager Transport) were present to speak to the report and respond to questions. Mr Maloney advised that in February 2021, Council endorsed in principle the QTBC. The business case is costed at \$1.5m, with ORC paying for half. Following discussion, Cr Noone moved:

#### **Resolution CM21-183: Cr Noone Moved, Cr Hobbs Seconded**

*That the Council:*

- 1) **Notes** this report.
- 2) **Approves** the scope of the Queenstown Public Transport Business Case as described in the appended Queenstown Public Transport Business Case Scoping Paper.

#### **MOTION CARRIED**

### **7.7. Update on South Dunedin/Harbourside Climate Change Adaptation**

The report updated Council on the arrangements between Otago Regional Council (ORC) and Dunedin City Council (DCC) for delivery of the South Dunedin/Harbourside natural hazards adaptation programme of work. This complements the update presented in the Chairperson's report to the 29 September 2021 meeting of Council. Gavin Palmer (GM Operations) was present to speak to the report and respond to questions. Cr Malcolm asked how reporting will occur, and Dr Palmer responded that it will be reported back in the annual plan and through the Strategy and Planning Committee or Implementation Committee. He said that the programme manager's first task is to complete a current state assessment of the South Dunedin Future Programme, which will be brought to Council for noting.

#### **Resolution CM21-184: Cr Malcolm Moved, Cr Noone Seconded**

*That the Council:*

- 1) **Receives** this report.
- 2) **Notes** the appointment, with Dunedin City Council, of a programme manager to further develop and oversee the programme of work for South Dunedin/Harbourside natural hazards adaptation.

**MOTION CARRIED**

## **8. RECOMMENDATIONS ADOPTED AT COMMITTEE MEETINGS**

### **8.1. Recommendations of the Strategy and Planning Committee**

#### **Resolution CM21-185: Cr Wilson Moved, Cr Robertson Seconded**

*That the Council adopts the resolutions of the 13 October 2021 Strategy and Planning Committee.*

**MOTION CARRIED**

### **8.2. Recommendations of the Otago Southland Regional Transport Committee**

#### **Resolution CM21-186: Cr Wilson Moved, Cr Noone Seconded**

*That the Council adopts the resolutions of the 1 October 2021 Otago Southland Regional Transport Committee.*

**MOTION CARRIED**

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

### **9.1. Chairperson's Report**

#### **Resolution: Cr Noone Moved, Cr Laws Seconded**

*That the Chairperson's report be received.*

**MOTION CARRIED**

### **9.2. Chief Executive's Report**

#### **Resolution: Cr Noone Moved, Cr Laws Seconded**

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

**MOTION CARRIED**

## 10. RESOLUTION TO EXCLUDE THE PUBLIC

### Resolution: Cr Noone Moved, Cr Malcolm Seconded:

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

- *Minutes of the 29 September 2021 public-excluded Council Meeting*
- *Chief Executive Performance Review Report Back - Section 7(2)(a)*

*and that Mr Doug Craig (RDC Group Ltd) be permitted to remain at this meeting because of his involvement in the CE Performance Review process.*

### 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:

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48(1) for the passing of this resolution</b>
<i>1.1 Minutes of 29 September 2021 public excluded Council Meeting</i>	To protect the privacy of natural persons, including that of deceased natural persons – Section 7(2)(a); To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities – Section 7(2)(h); To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) – Section 7(2)(i)	
<i>3.1 Chief Executive Performance Review Committee Report Back</i>	To protect the privacy of natural persons, including that of deceased natural persons – Section 7(2)(a)	Section 48(1)(a) - 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 after each item.

## **11. CLOSURE**

There was no further business and Chairperson Noone declared the public meeting closed at 4:21pm.

  
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Chairperson

24 November 2021  
Date