

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 24 May 2023, commencing at 1:00 PM.

PRESENT

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

1. WELCOME

Chairperson Robertson welcomed Councillors, members of the public and staff to the meeting at 1:01PM and said a karakia to start the meeting. Staff present included Pim Borren, (interim Chief Executive), Nick Donnelly (GM Corporate Services), Anita Dawe (GM Policy and Science), Joanne Gilroy (Acting Manager Regulatory), Kylie Darragh (Governance Support), Liz Spector (Governance Support), Mike Roesler (Manager, Corporate Planning), and Libby Caldwell (Manager Environmental Implementation, online),

2. APOLOGIES

Resolution: Cr Wilson Moved, Cr Kelliher Seconded:

That the apologies for Cr Malcolm and the lateness of Cr Laws be accepted.

MOTION CARRIED

3. PUBLIC FORUM

Mr Ray Parker spoke on the Taieri Flood and Drainage Scheme rating freeze and establishment of a liaison group.

Pierre Marasti from Extinction Rebellion spoke of the Intergovernmental Panel on Climate Change report and the effects of record ocean temperatures.

No questions were asked of either forum presenters.

4. CONFIRMATION OF AGENDA

The agenda was confirmed as published.

5. DECLARATIONS OF INTERESTS

No changes to Councillor Declarations of Interests were noted.

6. CONFIRMATION OF MINUTES

Approval of minutes of the 26 April 2023 Council meeting was removed from consideration and those minutes will be reconsidered at the 28 June 2023 Council meeting.

7. ACTIONS (STATUS OF COUNCIL RESOLUTIONS)

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

8. MATTERS FOR CONSIDERATION

8.1. Annual Plan 2023-24 Adoption

This report was provided to enable Council to formally approve changes to the draft estimates and work programme as provided to the community for feedback, to adopt the Annual Plan 2023-24, and to enable staff to calculate and present the rating resolution at the 28 June 2023 Council meeting. Mike Roesler (Manager Corporate Planning) and Nick Donnelly (GM Corporate Services) were available to respond to questions.

Following questions by Councillors it was moved:

Resolution CM23-153: Cr Wilson Moved, Cr Noone Seconded

That the Council:

- 1) **Notes** the community feedback on the Otago Regional Council Draft Annual Plan 2023/24.

MOTION CARRIED

Cr Laws requested his vote against the motion be recorded.

Resolution CM23-154: Cr Wilson Moved, Cr Noone Seconded

That the Council:

- 1) **Notes** Council Staff have included funding changes in the draft Annual Plan 2023/24 for Upper Clutha Wilding Tree Group for \$30,000 and reallocation/reprioritisation of engineering budgets to support Dunedin Tracks Network's completion of the Wingatui to Waihola section of the trail.

MOTION CARRIED

Resolution CM23-155: Cr Wilson Moved, Cr Noone Seconded

That the Council:

- 1) **Notes** the changes to the Taieri Flood and Drainage Scheme that have been made to the approved draft Annual Plan financial estimates that are now included in the Annual Plan 2023-24 presented at the 24 May 2023 Council meeting for adoption.

MOTION CARRIED

Resolution CM23-156: Cr Wilson Moved, Cr Noone Seconded

That the Council:

- 1) **Notes** the supplementary paper to this meeting titled 'Annual Plan – additional content' provides the 'Funding Impact Statement – Calculation of Rates for the 2023/2024 Year' to be included in the Annual Plan 2023-24.

MOTION CARRIED

Resolution CM23-157: Cr Wilson Moved, Cr Noone Seconded

That the Council:

- 1) **Approves** the Otago Regional Council Schedule of Fees and Charges applicable from 1 July 2023.

MOTION CARRIED

Cr Kelliher requested his vote against the motion be recorded.

Cr Laws requested his vote against the motion be recorded.

Resolution CM23-158: Cr Wilson Moved, Cr Noone Seconded

That the Council:

- 1) **Resolves** that it is financially prudent to have an annual operating surplus of \$984,000 for the 2023-2024 Annual Plan year

MOTION CARRIED

Resolution CM23-159: Cr Wilson Moved, Cr Noone Seconded

That the Council:

- 1) **Adopts** the Otago Regional Council Annual Plan 2023-24 as circulated with this report.

MOTION CARRIED

Resolution CM23-160: Cr Wilson Moved, Cr Noone Seconded

That the Council:

- 1) **Approves** the delegation of minor editorial corrections, formatting, and inclusion of 'Funding Impact Statement – Calculation of Rates for the 2023/2024 Year' to the Annual Plan 2023-24 to the Otago Regional Council Chief Executive.

MOTION CARRIED

8.2. Funding for Upper Clutha Wilding Group

This report sought Council approval for funding in the 2023/2024 financial year to the Upper Clutha Wilding Tree Group to control wilding conifers in the Upper Clutha Area. Libby Caldwell was available to respond to questions.

Cr Noone asked where the funding for this would come from. Dr Borren stated staff would review current budgets to find programme funding. Following further discussion, a motion was made:

Resolution CM23-161: Cr Noone Moved, Cr Forbes Seconded

That the Council:

- 1) **Approves** allocation of \$30,000 to the Upper Clutha Wilding Tree Group to support control work as detailed in the staff report for the 2023/24 annual plan to be funded by yet to be ascertained savings.

MOTION CARRIED

8.3. Requesting an extension for decisions on the proposed Otago Regional Policy Statement

The paper updated Council on progress with the hearing of submissions on the non-freshwater parts of the proposed Otago Regional Policy Statement 2021 (PORPS21), and to seek approval for the Chair to request an extension to the time period within which Council must give decisions on submissions from the Minister for the Environment. Fleur Matthews (Manager Policy) and Anita Dawe (GM Policy and Science) were available to respond to questions.

Following a discussion of the staff report, Cr Wilson moved:

Resolution CM23-162: Cr Wilson Moved, Cr McCall Seconded

That the Council:

- 1) **Notes** this report.
- 2) **Instructs** the Chairperson to write to the Minister for the Environment seeking an extension of time for issuing decisions on the non-freshwater parts of the proposed Otago Regional Policy Statement 2021 until 31 March 2024.

MOTION CARRIED

8.4. ECO Fund Recommendations and Incentives Fund

Cr McCall declared an interest in this item and left the room during its consideration.

Cr Noone declared an interest and stated he would abstain from voting on recommendation two.

Cr Wilson declared an interest and sat back from the table during its consideration.

The report sought Council approval to fund the recommended ECO Fund applications and applications for additional Incentives Funding for the March 2023 round, Richard Ewans (Partnership Lead - Biodiversity) and Anna Malloy (Principal Advisor - Environmental Implementation) were available to respond to questions.

Cr Mepham asked whether the ECO Fund was underfunded. Mr Ewans noted there would a review done following completion of the funding round which would include a review of the funding provided.

There were no further questions, and Cr Somerville moved:

Resolution CM23-163: Cr Somerville Moved, Cr Forbes Seconded

That the Council:

- 1) **Notes** this report.

MOTION CARRIED

Resolution CM23-164: Cr Somerville Moved, Cr Forbes Seconded

That the Council:

- 1) **Approves** the funding recommendations of the ECO Fund Assessment Panel for the March 2023 round to a total value of \$536,470.

MOTION CARRIED

Cr Noone abstained from this motion.

Resolution CM23-165: Cr Somerville Moved, Cr Forbes Seconded

That the Council:

- 1) **Notes** that the annual review of ECO Fund will be completed by December 2023 in time for the next round in March 2024.

MOTION CARRIED

8.5. Draft submission on National Direction on Renewable Energy Generation and Electricity Transmission

This paper recommended Council lodge a submission on the Ministry for Business, Innovation, and Employment's (MBIE) consultation paper "*Strengthening National Direction on Renewable Electricity Generation and Electricity Transmission*". Anita Dawe (GM Policy and Science) was available to respond to questions. Warren Hanley (Senior Resource Planner Liaison) was also available online.

Following a discussion of the submission, Cr Weir noted any changes to the draft submission could be reviewed by the Submissions Working Group. Cr Weir then moved:

Resolution CM23-166: Cr Weir Moved, Cr Noone Seconded

That the Council:

- 1) **Notes** this report.
- 2) **Approves** the recommendation for ORC to lodge a submission on MBIE 'Strengthening national direction on renewable electricity generation and electricity transmission' consultation document by 1 June 2023, with agreed submission points recommended in this report, and any additional submission points directed by Council.
- 3) **Notes** that the submissions working group will review the submission ahead of it being lodged.

MOTION CARRIED

8.6. LGNZ Conference and AGM Attendance 2023

This paper sought agreement on ORC attendance at the Local Government New Zealand conference 2023 and Annual General Meeting, and to nominate an ORC presiding delegate to vote on the remits at the AGM.

Resolution CM23-167: Cr Wilson Moved, Cr Weir Seconded

That the Council:

- 1) **Notes** this report.
- 2) **Nominates Cr Robertson, Cr Weir, and Cr McCall and the Richard Saunders, CE** as ORC's representatives to attend the LGNZ conference from 26-28 July.
- 3) **Nominates Cr Robertson, Cr McCall and Richard Saunders, CE** to attend the LGNZ AGM on 26 July.
- 4) **Nominates Cr Robertson as the presiding delegate for the AGM to vote on behalf of the ORC on the remits.**
- 5) **Notes** remits will be shared with Councillors once received for discussion ahead of voting.

MOTION CARRIED

Cr Weir then made a subsequent motion to nominate the ORC staff for work in Intensive Winter Grazing for one of the LGNZ 2023 award categories.

Resolution CM23-168: Cr Weir Moved, Cr Wilson Seconded

That the Council:

- 1) *Nominate ORC in the SuperEngaged Award category in the 2023 LGNZ SuperLocal Awards for staff's work on Intensive Winter Grazing.*

MOTION CARRIED

9. RECOMMENDATIONS ADOPTED AT COMMITTEE MEETINGS

9.1. Recommendations of Environmental Implementation Committee

Resolution CM23-169: Cr Somerville Moved, Cr Scott Seconded

That the Council adopts the resolutions of the [11 May 2023 Environmental Implementation Committee](#).

MOTION CARRIED

9.2. Recommendations of the Public and Active Transport Committee

Resolution CM23-170: Cr Wilson Moved, Cr Noone Seconded

That the Council adopts the recommendations of the [10 May 2023 Public and Active Transport Committee](#).

MOTION CARRIED

10. CHAIRPERSON'S AND CHIEF EXECUTIVE'S REPORTS

10.1. Chairperson's Report

Cr Robertson noted this meeting represented the last Council Meeting for two people who had been very involved with the Council, Committee Secretary and Governance Support Officer Liz Spector and the interim Chief Executive Dr Pim Borren.

Resolution CM23-171: Cr Robertson Moved, Cr Noone Seconded

That the Council:

- 1) **Notes this report.**

MOTION CARRIED

10.2. Chief Executive's Report

Resolution CM23-172: Cr Noone Moved, Cr Mepham Seconded

That the Council:

- 1) **Notes this report.**

MOTION CARRIED

Resolution: Cr Mepham Moved, Cr Wilson Seconded

That the Council:

- 1) **Notes the attachments to the report**

MOTION CARRIED

11. RESOLUTION TO EXCLUDE THE PUBLIC

Resolution: Cr Robertson Moved, Cr Wilson Seconded:

That the meeting move into public excluded per the order paper to consider:

- *Confidential minutes of the 26 April 2023 Council Meeting*
- *Chief Executive Performance Agreement and Review Timetable 2023/24*

MOTION CARRIED

Resolution: Cr Wilson Moved, Cr Noone Seconded:

I move that the public be excluded from the following parts of this meeting, namely:

- *Approval of the Confidential Minutes of the 26 April 2023 Council Meeting*
- *Chief Executive Performance Agreement and Review Timetable 2023/24*

I also move that Doug Craig be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of the Chief Executive KPIs. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter.

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:

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
<i>Confidential Minutes of the 26 April 2023 Council meeting</i>	<p>To protect information where the making available of the information— would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information – Section 7(2)(b)(ii)</p> <p>To protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information— would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied – Section 7(2)(c)(i)</p> <p>To avoid prejudice to measures that prevent or mitigate material loss to members of the public –</p>	<p>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:</p> <p>(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.</p>

	<p>Section 7(2)(e) To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities – Section 7(2)(h) To prevent the disclosure or use of official information for improper gain or improper advantage – Section 7(2)(j)</p>	
<p><i>3.1 Chief Executive Performance Agreement and Review Timetable 2023/24</i></p>	<p>To protect the privacy of natural persons, including that of deceased natural persons – Section 7(2)(a)</p>	<p>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.</p>

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.

12. CLOSURE

There was no further business and Chairperson Robertson declared the meeting closed at 3:39 pm.



Chairperson

22 June 2023

Date