

Otago Regional Council meeting 2 November 2016

Attached is the agenda for the next Council meeting of the Otago Regional Council, which is to be held on Wednesday 2 November 2016, commencing at 9:00 am.

The venue is the Council Chamber, 70 Stafford Street, Dunedin. Members of the public are welcome to attend. Copies of attachments are available from the Committee Secretary (see contact details below) or online at

<http://www.orc.govt.nz/Meetings-Consultations-and-Events/Council-meetings-and-Agendas/>.



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OTAGO REGIONAL COUNCIL

**Agenda for an ordinary meeting of Council to be held
in the Council Chamber, 70 Stafford Street, Dunedin on
Wednesday 2 November 2016, commencing at 9:00 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
- Cr Maggie Lawton
- Cr Sam Neill
- Cr Andrew Noone
- Cr Bryan Scott

Apologies:

In attendance:

Please note that there is an embargo on agenda items until 8:30am on Monday 31 October 2016

CONFIRMATION OF AGENDA

CONFLICT OF INTEREST

PUBLIC FORUM

MINUTES

The minutes of the public portion of the meeting of Council held on 26 October 2016, having been circulated, for adoption

Page Nos.

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Matters arising from the minutes

Page Nos.

Item 1
2016/1113 **Committee Structure and Purpose.** Chair, 28/10/16

9 - 13

The Chair's report proposes the committee structure for the new Council term, and the proposed committee membership.

Item 2
2016/1111 **Elected Member Remuneration and Expenses.** DCS, 28/10/16

14- 16

The report outlines the criteria and determinations of the Remuneration Authority to date as it affects this Council, and provides detail of the expense policy currently in place and recommendations for endorsement.

OTAGO REGIONAL COUNCIL**Minutes of the inaugural meeting of Council held
in the Council Chamber, 70 Stafford Street, Dunedin on
Wednesday 26 October 2016, commencing at 9:00 am**

Present:

**Cr Graeme Bell
Cr Doug Brown
Cr Michael Deaker
Cr Carmen Hope
Cr Trevor Kempton
Cr Michael Laws
Cr Maggie Lawton
Cr Sam Neill
Cr Andrew Noone
Cr Gretchen Robertson
Cr Bryan Scott
Cr Stephen Woodhead**

In attendance:

**Peter Bodeker
Nick Donnelly
Fraser McRae
Gavin Palmer
Scott MacLean
Caroline Rowe
Mark Peart
Lauren McDonald**

Chairperson

The Chief Executive, Mr Peter Bodeker assumed the chair as required by Clause 21(4) of Schedule 7 of the Local Government Act 2002 until the election of Chairperson and the attesting of the declaration of office.

Welcome

Mr Peter Bodeker warmly welcomed the family and friends in attendance and thanked them for their support.

Item 1 Declaration of Office by Councillors

The Councillors elect individually took the declaration as required by Clause 14 of Schedule 7 of the Local Government Act 2002 by reading the declaration to the meeting and signing it. The declarations were formally witnessed by the Chief Executive.

Mr Bodeker welcomed Councillors to the Otago Regional Council.

Item 2
2016/1099

Voting System for Certain Appointments. DCS, 19/10/16

The report by the Director Corporate Services provided an explanation of the options provided in the Local Government Act 2002 for the voting system for certain appointments, and proposed a choice of two options (System A and System B) for adoption by the Council.

A motion was tabled for the person or persons nominated to the role of Chairperson to speak, rather than the proposer speaking on their behalf.

Moved Cr Laws
Seconded Cr Lawton

That the person/s nominated for the role of Chairperson of the ORC speak to the meeting to put forward their vision for the role and that questions be allowed, to clarify any issues which may arise.

Motion carried

The recommendations of the report were taken in parts.

Moved Mr Bodeker
Seconded Cr Noone

That the Council:

1) Receives the report

Motion carried

Moved Cr Kempton
Seconded Cr Bell

2) Agrees that, in the event of a tie between voting system A and B, the system to be used shall be resolved by lot as described in section 6 of this report.

Motion carried

Moved Cr Scott
Seconded Cr Laws

3) *That System A be adopted as the voting system.*

Motion carried

Moved Cr Woodhead
Seconded Cr Deaker

4) *Agrees that, in the event of a tie under voting system A, the candidate to be excluded from the next round of voting shall be resolved by lot as described in section 6 of this report.*

Motion carried

Item 3 **Election of Chairperson**

Mr Bodeker called for nominations for the position of Chairperson.

Cr Robertson nominated Cr Woodhead and Cr Neill seconded the nomination. Cr Woodhead accepted the nomination.

Cr Laws nominated Cr Lawton and Cr Lawton seconded the nomination. Cr Lawton accepted the nomination.

Mr Bodeker called for further nominations. There being none, Mr Bodeker declared the nominations closed.

Cr Woodhead and Cr Lawton then spoke to their nominations.

A number of questions were addressed to the nominated Councillors, including the ranking of the top priorities for the role of Chairperson and their leadership qualities, strengths and style.

Mr Bodeker called for a right of reply by the nominators, none was requested.

Mr Bodeker asked Councillors to indicate their vote for either Cr Woodhead or Cr Lawton with a “aye” response.

The vote was taken and the Chief Executive declared Cr Woodhead elected as Chairperson.

Item 4 Declaration of Chairperson

Cr Woodhead read and signed the declaration for Chairperson as required under Clause 14 of Schedule 7 of the Local Government Act 2002. The declaration was witnessed by the Chief Executive.

Cr Woodhead then took the Chair. He thanked Councillors for their ongoing support and to Cr Lawton for the process. He advised he felt privileged to support the Otago region as a Councillor and had enormous respect for the role of Chairperson and understood the responsibility of the position.

He congratulated the re-elected Councillors and welcomed new members Councillors Laws, Lawton, Hope and Noone. He advised he welcomed the new ideas, enthusiasm and experience they brought to Council.

Cr Woodhead then outlined the role, challenges and issues Council faced in the coming triennium.

Item 5 Election of Deputy Chairperson

Cr Woodhead called for nominations for the position of Deputy Chairperson.

Cr Scott nominated Cr Gretchen Robertson and Cr Deaker seconded the nomination.

Cr Robertson confirmed her acceptance of the nomination and spoke to the nomination outlining her background and experience.

Cr Woodhead called for further nominations. There being none, Cr Woodhead declared Cr Robertson elected.

The meeting adjourned for morning tea at 10:38am and reconvened at 11:19am

Item 6 General Explanation of Relevant Legislation

Council's solicitor Alastair Logan of Ross Dowling Marquet Griffin attended to present a general explanation of relevant legislation, as required by the Local Government Act. A handout of the presentation was circulated to Councillors which summarised his talk.

Mr Logan spoke about the purpose and principles of local government, and how it was regulated; the need for Councillors to set aside personal and local interests; the requirements of the representative role as

governance; the importance of keeping an open mind; and public accountability.

Cr Deaker sought clarification on the definition of a Councillor withdrawing from discussion in the case of a conflict of interest.

Mr Logan advised his opinion would be that the Councillor should leave the room.

Item 7

2016/1104 Schedule of Meeting Dates to December 2017, DCS 19/10/16

The report presented for consideration a draft schedule of the Ordinary Council and Committee meetings for the period to December 2017.

Mr Donnelly advised that the schedule provided calendar dates for the 8 Council meetings and 8 committee rounds through to December 2017, based on a six weekly cycle.

A request was made to include the dates for the Annual Plan Hearings.

It was requested that Councillors kept the day immediately after Council and Committee meetings available for workshops or additional meetings as required. The second day would usually be a Thursday and Councillors would be advised as early as possible if this was required.

Moved Cr Scott
Seconded Cr Neill

That the Schedule of Ordinary Council and Committee Meetings to December 2017, with the addition of Annual Plan hearings dates, be adopted

Motion carried.

Cr Woodhead declared the meeting closed at 12:36pm

REPORT

Document Id: A950143
Report No: 2016/1113
Prepared For: Council
Prepared By: Chairperson
Date: 29 October 2016

Subject: Committee Structure and Purpose

1. Précis

Consideration of a revised committee structure for the new Council term is required, as is the membership.

2. Proposed Committees

2.1. Policy Committee

Purpose

- To analyse, develop and recommend to Council all policies, plans and strategies, and to assess their effectiveness.
- To make submissions to other authorities and Government.

Membership

Cr Robertson (Chair)
Cr Laws (Deputy Chair)
All Councillors

2.2. Technical Committee

Purpose

- To analyse, develop and recommend to Council all scientific and technical information needs for Council operations, policy development and environmental monitoring.
- To provide an overview of all technical information generated by Council.
- To overview Council's management of waterways and drainage and flood protection schemes.
- To monitor and manage natural hazard risks.

Membership

Cr Lawton (Chair)
Cr Woodhead (Deputy Chair)
All Councillors

2.3. Finance and Corporate Committee

Purpose

To guide and monitor the Council's financial affairs and administrative performance, Long Term Plan, Annual Plans, and public passenger transport, and to oversee the implementation of the Local Government Act.

Membership

Cr Brown (Chair)
Cr Noone (Deputy Chair)
All Councillors

2.4. Communications Committee

Purpose

To monitor and provide guidance on Council's community, stakeholder and staff engagement including public information and education, corporate profile, publications and media.

Membership

Cr Deaker (Chair)
Cr Hope (Deputy Chair)
All Councillors

2.5. Regulatory Committee

Purpose

To oversee and monitor the Resource Management Act, Biosecurity Act and Building Act consents and compliance processes, and to take an overview of any court proceedings associated with these activities.

Membership

Cr Scott (Chair)
Cr Neill (Deputy Chair)
All Councillors

2.6. Objections Committee

Purpose

To consider and determine any objections in respect of consent or other statutory decisions.

Membership

Cr Neill (Chair)
Cr Robertson
Cr Noone
Cr Scott

2.7. Regional Transport Committee

Purpose

To prepare and recommend a Regional Land Transport Plan for Otago, co-ordinate and monitor its implementation, advocate for the required transport needs of Otago, and prioritise significant transport projects within Otago.

Membership

Cr Kempton (Chair)

Cr Bell (Deputy Chair)

Cr Woodhead (Alternate)

plus representatives of Otago local authorities and other services as required by the Land Transport Management Amendment Act 2013.

Meeting frequency

As required.

2.8. Employment Committee

Purpose

To liaise with the Chief Executive, undertake performance assessments, negotiate any matters relating to the Chief Executive's employment contract, and agree and review key result areas.

Membership

All Councillors

Meeting frequency

As required.

2.9. Commissioner Appointment Subcommittee

Purpose

- To appoint Councillor and non-Councillor commissioners for hearing consent applications under the Resource Management Act.
- To appoint mediators for consent applications.

Membership

Cr Robertson (Chair)

Cr Woodhead

Cr Noone

Cr Scott

Mr Bodeker

Meeting frequency

As required.

2.10 Otago Civil Defence Emergency Management Group (joint with TLAs)

Membership

Cr Woodhead (Chair)
and Otago Mayors

2.11. Committees – General Issues

The above structure and purposes of committees are recommended for adoption. I propose that further content and detail, including any delegations, be considered at the first committee meeting round for recommendation to the December Council meeting.

The following points are intended to be generic for all committees:

- all committees to report to Council;
- principal committees to meet six weekly and as required.

3. Membership

My recommendations for Committee Chairpersons, Deputies and membership are:

Policy Committee	Technical Committee	Finance and Corporate Committee
Cr Robertson (Chair) Cr Laws (Deputy Chair) All Councillors	Cr Lawton (Chair) Cr Woodhead (Deputy Chair) All Councillors	Cr Brown (Chair) Cr Noone (Deputy Chair) All Councillors

Communications Committee	Regulatory Committee
Cr Deaker (Chair) Cr Hope (Deputy Chair) All Councillors	Cr Scott (Chair) Cr Neill (Deputy Chair) All Councillors

Objections Committee	Regional Transport Committee	Employment Committee
Cr Neill (Chair) Cr Robertson Cr Scott Cr Noone	Cr Kempton (Chair) Cr Bell (Deputy Chair) Cr Woodhead (Alternate) and appointed members	All Councillors

Commissioner Appointment Subcommittee	Otago Civil Defence Emergency Management Group
Cr Robertson (Chair) Cr Woodhead Cr Noone Mr Bodeker	Cr Woodhead (Chair) and Otago Mayors

4. Recommendation

That the committee structure, purpose and membership as set out in this report be adopted.



Stephen Woodhead
Chairperson

REPORT

Document Id: A949695

Report Number: 2016/1111

Prepared For: Council

Prepared By: Director Corporate Services

Date: 28/10/2016

Subject: **Elected Member Remuneration and Expenses**

1. Précis

The remuneration and expenses regimes for elected members are determined and approved through the Remuneration Authority. This report outlines the criteria and determinations of the Authority to date as it affects this Council, and provides detail of the expense policy currently in place. Any changes to the Committee structure and/or remuneration rates will require the Authorities approval before those rates come into effect.

2. Salaries

Prior to the election the Remuneration Authority set the Chairpersons salary and Councillor base remuneration. They also requested details of the Council's proposal for a remuneration regime for the period beginning 1 July 2016 and ending 30 June 2017. Consideration was given to payments for additional responsibility and Regional Plan review meetings which are required to be kept within a cap determined by the Remuneration Authority. The total amount available for additional duties is set at 200% of the base Councillor rate which equates to \$95,064.

The current remuneration model approved by the Authority is predicated on a five Standing Committee structure, with the Deputy Chairperson chairing one of the Committees and one of the other Committee Chairs also chairing the Regional Transport Committee.

The determination made by the Remuneration Authority is:

Annual salary	\$	
Chairperson *	119,509	plus vehicle (full private use)
Deputy Chairperson	66,544	
Committee & Regional Transport Committee Chairperson	58,227	
Committee Chairperson (3)	54,662	
Councillor *	47,532	

* Amounts set by Remuneration Authority

Payments for additional responsibility	\$	% of base rate
Deputy Chairperson	19,012	40.0%
Committee & Regional Transport Committee Chairperson	10,695	22.5%
Committee Chairperson (3)	7,130	15.0%

The above allocates \$51,097 of the \$95,064 cap.

In addition, provision has been made for additional payment for Regional Plan Review panel members as follows:

	Meeting Fee	
	Up to 4 hours	Over 4 hours
Panel Chairperson	\$150	\$200
Panel Member	\$100	\$150

The total maximum amount payable for all Councillors for the period beginning 1 July 2016 and ending 30 June 2017 must not exceed \$43,967.

Regional Plan Review meeting fees are not payable to the Council Chairperson.

3. Resource Consent Hearing Fees

Additional fees are payable for Resource Management Act hearings, (apart from the process of preparation of a Regional Plan or Policy Statement), on an hourly rate for hearing time.

Chairperson	\$100 per hour
Member	\$80 per hour

Hearing time is defined as time spent by a member at any formal committee deliberation, at a formal site inspection by the panel, and includes preparation time up to the level of the formal deliberation time paid.

4. Vehicle Mileage Allowance

A vehicle mileage allowance is payable to members for private vehicle use when on the Council's business, and where transport is not otherwise provided.

The allowance is payable subject to the deduction of a daily 'threshold' distance of 30 kilometres.

The rates payable are 74c per kilometre for the first 5,000 kilometres in any one year, and 37c per kilometre for distances over 5,000 kilometres in any year. The higher payment level will be pro-rated in the current year for members first elected in the 2016 triennium elections.

It is noted that 'Council business' excludes constituency related travel.

5. Travel Time Allowance

Associated with the vehicle mileage allowance, a travel time allowance is payable to a member where travel exceeds one hour in any day.

The amount payable is \$37.50 per hour.

6. Communications

The Remuneration Authority also required that Council's expense policy be submitted prior to the end of the previous triennium. The attached Expenses, Reimbursement and Allowances Policy was submitted and approved by the Authority.

It takes account of the expectations of the Authority and the provision to Councillors of an iPad for communication and distribution of meeting reports. Key aspects are of the Policy are:

- A Council supplied iPad and printer are provided to Councillors, with an allowance available to those who wish to utilise their own equipment, providing that equipment is to an acceptable level of consistency with the Council supplied equipment. The Council provided iPads include wi-fi connection.
- The Authority is of the view that an appropriate level of reimbursement for internet access is no more than 25% of the cost (to a maximum of \$250), as most of the cost would be incurred for personal use in any event.
- The Authority also recognises that mobile phones are increasingly used as the primary form of phone communication. They note that costs may vary depending on the type of plan and usage and will approve a maximum allowance of \$400 per annum to cover Council generated calls.

A communication allowance of \$500 per annum is payable towards Councillor provision of phone, internet access and call and data costs.

7. Chairperson

In recognition of the nature of the Chairperson's wider Council role, the following additional entitlements are available:

- Provision of a Council vehicle in accordance with the Remuneration Authority use formula.
- Provision of a cell phone, including call and data costs.
- Membership of Air New Zealand Koru Club.
- Membership of the Dunedin Club.
- Full iPad connectivity.

8. Expenses, Reimbursements and Allowances Policy

The current policy for expenses, reimbursements and allowances is attached. This policy has been endorsed by the Remuneration Authority.

9. Recommendations

- a) That this report be received.
- b) That the salary and fees structure as set out are noted.
- c) That the expenses, reimbursements and allowances are noted.

Nick Donnelly
Director Corporate Services

Attached: Expenses Reimbursements and Allowances Policy (A564194)