



Minutes of an ordinary meeting of Council held in the Council
Chamber, Level 2 Philip Laing House
144 Rattray Street, Dunedin
Wednesday 15 May 2019, commencing at 1pm

Membership

Cr Stephen Woodhead	<i>(Chairperson)</i>
Cr Gretchen Robertson	<i>(Deputy Chairperson)</i>
Cr Graeme Bell	
Cr Doug Brown	
Cr Michael Deaker	
Cr Carmen Hope	
Cr Trevor Kempton	
Cr Michael Laws	
Cr Ella Lawton	
Cr Sam Neill	
Cr Andrew Noone	
Cr Bryan Scott	

Welcome

Cr Woodhead welcomed Councillors, media, members of the public and staff to the meeting.

For our future

1 APOLOGIES

Resolution

That the apologies for Cr Hope be accepted.

Moved: Cr Woodhead

Seconded: Cr Scott

CARRIED

2 LEAVE OF ABSENCE

The Council noted leave of absence for Cr Noone.

3 ATTENDANCE

Sarah Gardner *(Chief Executive)*

Nick Donnelly *(General Manager Corporate Services and CFO)*

Gavin Palmer *(General Manager Operations)*

Peter Winder *(Acting General Manager Regulatory) via Skype*

Sally Giddens *(General Manager People, Culture and Communications)*

Andrew Newman *(Acting General Manager Policy, Science and Strategy)*

Kim Wainscott *(Minute Taker)*

4 CONFIRMATION OF AGENDA

Due to the media interest in agenda item 11.2: Policy Committee Appointment of Iwi Representation, Cr Woodhead moved to bring the item forward in the agenda. There were no objections.

5 CONFLICT OF INTEREST

No conflicts of interest were advised.

6 PUBLIC FORUM

Ms Rachel Elder provided a short presentation on the NZTA Cycleways in her role as part of an interest group for cycling/walking advocates, noting with the new technology in bicycles, biking has now changed to enable people of all ages and stages of life to enjoy biking long distances. The group believe that the Otago Regional Council have the jurisdiction to work with local councils and trusts to connect the network of cycle and walking tracks across the region and urged them to do so. The Council indicated that they would keep in close contact with the Regional Land Transport and investigate options.

Mr Peter Foster addressed the Council with his concerns around the Water Plan's interpretation of a swale and the potential to fine landholders without proof of transgression. He urged the Council to re-examine their rules to ensure landholders are only fined based on verifiable transgressions and not on what might happen. Cr Lawton noted the water plan is being reviewed currently.

7 PRESENTATIONS

A presentation was provided to the Council on the biological control of rabbits in Central Otago by Ms Janine Duckworth of Landcare Research.

8 CONFIRMATION OF MINUTES

Recommendation

That the minutes of the (public portion of the) Council meeting held on 3 April 2019 be received and confirmed as a true and accurate record.

Attachments

1. Council Meeting Minutes 20190403 [8.1.1]

9 ACTIONS (STATUS OF COUNCIL RESOLUTIONS)

Status report on the resolutions of the Council Meeting

11.3 Delegations	3 April 2019	Direct CE to bring a review of delegations to the next Council Meeting	IN PROGRESS
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10 CHAIRPERSON'S AND CHIEF EXECUTIVE'S REPORTS

10.2 Chief Executive's Report

Chairman Woodhead reported on his activity since the previous Council meeting, noting both his attendance at the Otago Ballance Farm Environment Awards and his item on the dry weather affecting the Clutha District.

Chief Executive Sarah Gardner briefed the Council on her report, noting the Climate Change Response Zero amendment bill and the need for Otago Regional Council to think about its carbon footprint for the future. Ms Gardner also noted that the Otago Regional Council and Dunedin City Council are undertaking a joint exercise to investigate overflows from stormwater/sewage mixes and how to work together to achieve incremental improvements.

Resolution

That the Council:

- 1) ***Receives both the Chairperson's and the Chief Executive's reports.***

Moved: Cr Woodhead

Seconded: Cr Robertson

CARRIED

11 MATTERS FOR COUNCIL DECISION

11.1 Ordering of Candidates Names on Voting Documents

Resolution

That the Council:

- a) ***Receives this report.***
- b) ***Agrees to the names of candidates at the 2019 Otago Regional Council elections be arranged in random order.***

Moved: Cr Brown

Seconded: Cr Lawton

CARRIED

11.2 Policy Committee Appointment of Iwi Representation

Cr Woodhead provided a background to the paper, noting a previous paper and a workshop with iwi representatives held on the matter. Mr Donnelly reiterated that recommendations from the Policy Committee would be still be required to be presented to Council for approval.

Cr Robertson, as Chair of the Policy Committee, strongly supported the recommendations, and reminded the Council of the Regional Policy Statement which specifically mentions that "kāi tahu values and interests are recognised and kaitiakitaka is expressed." Cr Bell spoke on behalf of some of his constituents who expressed the desire for iwi contribution but were unsure about voting rights for iwi, suggesting that iwi should be encouraged to run for Council election and approved through the voting community instead. Cr Lawton felt that the Council required more information before making a decision and that a conversation with the community would be prudent. Cr Lawton also proposed an addition to the motion, being, "*The 2003 Memorandum of Understanding and Protocol between Otago Regional Council, Te Rūnanga o Ngāi Tahu and Kāi Tahu ki Otago for Effective Consultation and Liaison will be reviewed and partnerships be defined.*" There were no objections to this addition. Cr Laws noted objections as to timing, principle and practicality, as well as his concern that all Maori were not being represented due to perceived exclusion of non-Maori iwi. He also urged the Council to consult with the community. Cr Woodhead spoke to Council's growing relationship with iwi and the opportunities to enhance decisions made by Council. He noted the four Rūnanga have formally requested membership on Council's Policy Committee and he would like to progress the matter through promptly considering it has been under discussion since 2018.

The council further discussed iwi representation on Otago Regional Council's Policy Committee and authorised the Chief Executive to approach Ngāi Tahu to nominate two representatives to be appointed.

Resolution

That the Council:

- a) **Receives** this report.
- b) **Endorses** the appointment of iwi representatives to the Policy Committee.
- c) **Approves** the Chief Executive writing to Ngāi Tahu Rūnanga inviting them to recommend two representatives to be appointed to the Policy Committee.
- d) *The 2003 Memorandum of Understanding and Protocol between Otago Regional Council, Te Rūnanga o Ngāi Tahu and Kāi Tahu ki Otago for Effective Consultation and Liaison" will be reviewed and partnerships be defined.*

Moved: Cr Woodhead

Seconded: Cr Robertson

CARRIED

A division was called:

Vote:

For: Cr Brown, Cr Deaker, Cr Lawton, Cr Robertson, Cr Scott, Cr Woodhead

Against: Cr Bell, Cr Laws, Cr Neill

Abstained: Nil

11.3 Disposal of Poison Services Assets

The purpose of the paper was to consider the disposal of assets previously used by Regional Services for the provision of poison carrots and oats to contractors and others involved in the control of rabbits. Mr Winder, Acting General Manager Regulatory, spoke to his report and answered several queries from councillors. Council thought it prudent to wait until the committee of the Pest Plan has met and to undertake conversations with the community.

Resolution

That the Council:

- 1) **Receives** this report and that it lie on the table.
- 2) *Notes that since the Council made the decision to wind up Regional Services a range of equipment involved in providing poison carrots and oats to contractors and members of the public has no longer been required by the Council.*
- 3) *That the Otago Regional Council consults with the community on the proposed sale of Council's poison services assets set out in Table 1 of this report as well as any other related parts and accessories.*
- 4) *That the Galloway land is included as part of the proposed sale.*

Moved: Cr Brown

Seconded: Cr Bell

CARRIED

11.4 LGNZ Rules Review

The paper provided Council with the opportunity to consider and provide input into proposed changes to Local Government New Zealand's (LGNZ) Rules.

Resolution

That the Council:

- a) **Receives** this report.
- b) **Notes** the proposed changes to LGNZ's Rules that will be considered at the 7 July 2019 LGNZ AGM.
- c) **Appoints** Cr Woodhead, Cr Hope and Chief Executive Sarah Gardner to be delegates for Council at the AGM.
- d) **Authorises** Cr Woodhead to represent the ORC and represent Otago interests with his vote at the AGM and report to Council after the meeting.

Moved: Cr Scott

Seconded: Cr Robertson

CARRIED

11.5 Delegation under the Otago Regional Council Flood Protection Management Bylaw 2012

The paper sought the approval for delegation to staff to refund, remit or waive the whole or any part of any fee payable under the Otago Regional Council Flood Protection Management Bylaw 2012.

Resolution

That the Council:

- 1) **Approves** delegation to any of the General Manager Regulatory, General Manager Operations and the Chief Executive to refund, remit, or waive the whole or any part of any fee payable under the Otago Regional Council Flood Protection Management Bylaw.

Moved: Cr Woodhead

Seconded: Cr Deaker

CARRIED

12 MATTERS FOR NOTING

12.1 Activity Review for Quarter 3 - 1 July 2018 to 31 March 2019

The report outlined the Council's activity performance for the period 1 July 2018 to 31 March 2019.

Resolution

That the Council:

- a) **Receives** the Activity Review for Quarter 3 - 1 July 2018 to 31 March 2019.

Moved: Cr Brown

Seconded: Cr Neill

CARRIED

12.2 Financial Report for the Nine Months to 31 March 2019

The report provided a summary of the Council's financial performance for the nine months ended 31 March 2019 and a summary of the financial position as at that date.

Resolution

That the Council:

- a) **Receives** the Financial Report for the Nine Months to 31 March 2019.

Moved: Cr Brown

Seconded: Cr Kempton

CARRIED

Cr Deaker left the meeting at 04:29 pm.

12.3 Documents Signed under Council Seal

The report informed the Council of delegations which have been exercised during the period 3 April 2019 to 7 May 2019.

Resolution

That the Council:

1) **Notes this report.**

Moved: Cr Scott
Seconded: Cr Lawton
CARRIED

13 REPORT BACK FROM COUNCILLORS

Cr Deaker returned to the meeting at 04:31 pm.

Cr Deaker discussed item 4 on his report and the councillors were informed by the Chief Executive that the investigation into the possibility of creating an Otago Youth Council is underway. The Otago Regional Council will be signing in support of the Otepoti Youth Vision at their launch on 16 May 2019.

Cr Scott left the meeting at 04:32 pm.

Two councillors provided verbal updates on their activities with Cr Bell attending the Ballance Awards and the Tucker Beach opening, and Cr Neill having attended the opening of the new road between Broadway and Portobello.

Cr Scott returned to the meeting at 04:35 pm.

14 NOTICES OF MOTION

No Notices of Motion were advised.

15 RECOMMENDATIONS ADOPTED AT 1 MAY 2019 COMMITTEE MEETINGS

15.1 Recommendations of the Communications Committee

Resolution

That the recommendations of the 1 May 2019 Communications Committee were confirmed.

Moved: Cr Deaker
Seconded: Cr Kempton
CARRIED

15.2 Recommendations of the Public Portion of the Finance and Corporate Committee

Resolution

That the recommendations of the 1 May 2019 Finance and Corporate Committee were confirmed.

Moved: Cr Brown
Seconded: Cr Robertson
CARRIED

15.3 Recommendations of the Policy Committee

Resolution

That the recommendations of the 1 May 2019 Policy Committee were confirmed.

Moved: Cr Robertson

Seconded: Cr Lawton

CARRIED

15.4 Recommendations of the Regulatory Committee

Resolution

That the recommendations of the 1 May 2019 Regulatory Committee were confirmed.

Moved: Cr Scott

Seconded: Cr Neill

CARRIED

15.5 Recommendations of the Technical Committee

Resolution

That the recommendations of the 1 May 2019 Technical Committee were confirmed.

Moved: Cr Lawton

Seconded: Cr Robertson

CARRIED

16 RESOLUTION TO EXCLUDE THE PUBLIC

Resolution

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

Item 8.1 Minutes of the 3 April 2019 Public Excluded Council Meeting

Item 10.1 Port Otago Director Appointment

Item 10.2 Head Office Update

Moved: Cr Woodhead

Seconded: Cr Kempton

CARRIED

Resolution

That the meeting resume in public session at 05:15 pm.

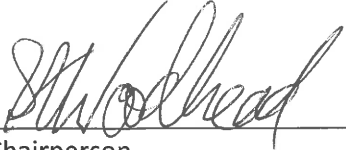
Moved: Cr Woodhead

Seconded: Cr Neill

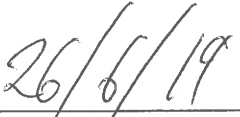
CARRIED

17 CLOSURE

The meeting was declared closed at 05:16 pm.



Chairperson



Date