



Minutes of an ordinary meeting of Council
held in the Council Chamber, Level 2 Philip Laing House
144 Rattray Street, Dunedin on
Wednesday 14 August 2019, commencing at 2:02 pm

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, members of the public and staff to the meeting at 02:02 pm.

For our future

1. APOLOGIES

No apologies were noted.

2. LEAVE OF ABSENCE

No leave of absence was requested.

3. ATTENDANCE

Sarah Gardner	<i>(Chief Executive)</i>
Nick Donnelly	<i>(General Manager Corporate Services and CFO)</i>
Gavin Palmer	<i>(General Manager Operations)</i>
Sally Giddens	<i>(General Manager People, Culture and Communications)</i>
Peter Winder	<i>(Acting General Manager Regulatory)</i>
Andrew Newman	<i>(Acting General Manager Policy, Science and Strategy)</i>
Amanda Vercoe	<i>(Executive Advisor)</i>
Liz Spector	<i>(Committee Secretary)</i>
Peter Kelliher	<i>(Legal Counsel)</i>
Jean-Luc Payan	<i>(Manager Natural Hazards)</i>
James Adams	<i>(Senior Policy Analyst)</i>
Sylvie Leduc	<i>(Senior Policy Analyst)</i>
Mike Roesler	<i>(Manager Corporate Planning)</i>

4. CONFIRMATION OF AGENDA

The agenda was confirmed as circulated.

5. CONFLICT OF INTEREST

No conflicts of interest were advised.

6. PUBLIC FORUM

Shelley Sutherland, Andrew Sutherland, Jamie Prout and Jack Brazil spoke to the Council and asked that they declare a climate emergency. After a general discussion, Cr Woodhead thanked them for their comments.

7. PRESENTATIONS

Dr Trudi Webster, Conservation Scientist, Dr Eric Shelton, Board Chair, and Sue Murray, General Manager were present to speak to the Yellow-eyed Penguin Trust's annual report. Dr Webster gave an overview of the past year, stating the penguin weren't adapting well to their changing environment. She cited several reasons the birds are in distress, including adverse weather events, disease, and food chain changes potentially caused by sedimentation and pollution. She detailed work the Trust is doing to support the health and welfare of hoiho and cited partnerships with the Department of Conservation, Fisheries NZ and Ngai Tahu. Councillor Woodhead thanked the group for coming and wished them the best for next season.

Laura Gledhill and Erin Moogan from Queenstown Lakes District Council and Simonne Eldridge, an environmental consultant from Tonkin + Taylor provided an update on odour abatement works underway at the Victoria Flats Landfill near Gibbston. Ms Gledhill said twice-daily odour

monitoring is done at the landfill to look for trends. She said the landfill is no longer accepting biosolid loads and is working to install a gas capture system. She said during the work to implement the capture system, a temporary increase in odour is anticipated and residents of the area will be alerted to this. Ms Gledhill also said she has an open-door policy with the Gibbston community and will attend community meetings to provide information if requested. Cr Woodhead thanked the team for taking time to come to Dunedin and provide this information.

8. CONFIRMATION OF MINUTES

8.1. Minutes of the 26 June 2019 Council Meeting Resolution

That the minutes of the (public portion of the) Council meeting held on 26 June 2019 be received and confirmed as a true and accurate record.

Moved: Cr Hope
Seconded: Cr Robertson
CARRIED

8.2. Minutes of the 1 August 2019 Extraordinary Council Meeting Resolution

That the minutes of the (public portion of the) Extraordinary Council meeting held on 1 August 2019 be received and confirmed as a true and accurate record.

Moved: Cr Hope
Seconded: Cr Robertson
CARRIED

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
11.1 Policy Committee Appointment of Iwi Representation	15 May 2019	Review and define partnerships of the 2003 MoU and Protocol between ORC and Ngai Tahu/Kai Tahu for Effective Consultation and Liaison	IN PROGRESS
11.3 Disposal of Poison Services Assets	15 May 2019	ORC to consult with community on proposed sale of poison services assets and include the Galloway land as part of a proposed sale	ASSIGNED
11.1 Annual Plan 2019/20	26 June 2019	Provide an updated report on status of reserves to an upcoming F & C committee meeting	ASSIGNED
11.3 Finalise	26 June 2019	Develop business case options for	ASSIGNED

Biodiversity Action Plan		resourcing biodiversity and biosecurity activities to inform the next LTP (2021 - 2031) and enable implementation of the Biodiversity Action Plan.	
--------------------------	--	--	--

10. CHAIRPERSON'S AND CHIEF EXECUTIVE'S REPORTS

10.1. Chairperson's Report

10.2. Chief Executive's Report

Resolution

That the Chairperson's and Chief Executive's reports be received.

Moved: Cr Woodhead

Seconded: Cr Noone

CARRIED

Cr Scott left the meeting at 03:05 pm.

Cr Scott returned to the meeting at 03:07 pm.

Cr Laws left the meeting at 03:04 pm.

Cr Laws returned to the meeting at 03:07 pm.

11. MATTERS FOR COUNCIL DECISION

11.1. Reserves and Other Lands Disposal Acts

Legal Counsel Peter Kelliher was present to answer questions about the recommended response to Land Information New Zealand's proposal to repeal various sections of outdated land-related legislation applicable to the Otago region. The report states LINZ considers the Acts suitable for repeal in part or in whole and is asking if ORC has any current or future need for any of them to remain in the statute book. Cr Scott asked if LINZ had gone through any public consultation processes on any of the legislation repeals. Mr Kelliher said he was not aware of any public consultation on the repeal of the three specific sections of historic legislation. There were no further questions and Cr Deaker moved the motion.

Resolution

That the Council:

- 1) **Receives** this report.
- 2) **Approves** the following response to Land Information New Zealand, regarding consultation on repealing outdated land-related legislation:
 - a. *"The Otago Regional Council does not object to the repeal of the following sections that apply to the Otago Region, subject to preserving all estates, interests, authorisations and titles in the land:*
 - i. *Section 69 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1920;*
 - ii. *Section 136 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1922; and*

iii. Section 136 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1922.

Moved: Cr Deaker

Seconded: Cr Laws

CARRIED

11.2. ORC Climate Change Response Summary

General Manager Operations Dr Gavin Palmer and Senior Policy Analyst James Adams were present to answer questions about the climate change response report. Cr Deaker said the paper provided good information on what is happening in the region in response to climate change. He said he thinks the issue is too serious to be treated as a symbolic declaration of climate emergency and he moved:

That the council:

- 1. Notes this paper*
- 2. Agrees that Otago must continue to prepare for the certainty that climate change will present emergency situations in many areas of our region*
- 3. Will therefore continue to give high priority to adaptation to climate change, especially in our flood and drainage schemes and in South Dunedin, and to minimising our carbon emissions.*

Debate was conducted on the motion. Cr Scott suggested the Council should declare a climate change emergency. He said it could be an accountability measure to keep the Council engaged on the issue. Cr Robertson said she appreciated Cr Deaker's motion and that the ORC should be held accountable, however, declaring a climate emergency does not do that and she would not support the resolution. She said the community should hold the ORC accountable for what it is or is not doing, then look at how things can be implemented in the future. Cr Robertson said the paper clearly defines the investment already made by ORC into climate change and thinks declaring an emergency confuses the issue with other legislated emergencies declared by the Council, such as civil defence emergencies.

Cr Lawton said she would like to have an independent expert group established to investigate adaptation. She said climate change is an important global movement and she then foreshadowed a motion she had drafted earlier. The foreshadowed motion was:

The Otago Regional Council recognises the importance of and urgent need to address climate change for the benefit of current and future generations. The science is irrefutable – climate change is already impacting ecosystems and communities around the world, with increasingly frequent and severe storms, floods and droughts; melting polar ice sheets; sea level rise and coastal inundation and erosion; and impacts on biodiversity including species loss and extinction. The IPCC's Special Report in October 2018 stated that we have twelve years to turn greenhouse gas emissions around to limit global warming to the Paris Agreement target of 1.5-degrees or face an uncertain future. This requires 'rapid and far-reaching transitions in energy, land, urban and infrastructure (including transport and

buildings), and industrial systems. Everyone has a role to play in delivering the change required.

As such, Otago Regional Council declares a climate emergency and commits to:

1. **Drive** an ambitious science work programme to better understand the impacts of climate change across all of Otago;
2. **Robustly and visibly incorporate** climate change considerations into Council work programmes and decisions;
3. **Provide** local government leadership in the face of climate change, including working with regional partners (iwi, district and city councils, industry and business partners and community) to ensure a collaborative response;
4. **Advocate** for greater Central Government leadership and action on climate change;
5. **Increase** the visibility of our climate change work, including through quarterly updates to council and translating it into accessible information on our website; and,
6. **Lead** by example in monitoring and reducing Council's greenhouse gas emissions.

Cr Kempton said an important point in Cr Lawton's foreshadowed motion was that ORC should be internally doing meaningful things and measuring our own carbon footprint. Cr Woodhead said he struggles with using the term "emergency". He stated policies which have impacts on budgets and work plans should not be developed on the fly, however, a plan to minimise our contribution to climate change could be a meaningful goal. He said it would provide an opportunity to look at our emissions, contractors, public transport, etc. Cr Neill reminded the Councillors that there was a motion on the floor that had been moved and seconded. He said the ORC is already working on issues related to climate change as it should be. He suggested Cr Lawton's foreshadowed motion was too restrictive on what staff have to do. CE Gardner noted that ORC does not have a dedicated climate change team. She said there are people working on climate change-related issues, but no further resources or budget is available in the Annual Plan to address the work as outlined in the foreshadowed motion by Cr Lawton.

Cr Laws left the meeting at 3:44 p.m.

Cr Woodhead read through Cr Deaker's motion and put it to a vote:

Resolution

That the council:

- 1) **Notes** this paper
- 2) **Agrees** that Otago must continue to prepare for the certainty that climate change will present emergency situations in many areas of our region
- 3) **Will therefore continue** to give high priority to adaptation to climate change, especially in our flood and drainage schemes and in South Dunedin, and to minimising our carbon emissions.

Moved: Cr Deaker

Seconded: Cr Bell

A division was called:

Vote

For: Cr Kempton, Cr Neill, Cr Noone, Cr Bell, Cr Deaker, Cr Brown, Cr Hope, Cr Woodhead

Against: Cr Robertson, Cr Lawton, Cr Scott

Abstained: nil

Cr Woodhead declared the motion carried.

The meeting was adjourned at 3:51 p.m. and called back into order at 4:09 p.m.

12. MATTERS FOR NOTING

12.1. Council Activity Review FY2019

General Manager Finance and Corporate Nick Donnelly and Manager Corporate Services Mike Roesler were present to answer questions about the activity review. After a general discussion, Cr Woodhead asked for a motion.

Resolution

That the Council:

- 1) **Receives** the Council Activity Review for the period 1 July 2018 to 30 June 2019.

Moved: Cr Brown

Seconded: Cr Hope

CARRIED

12.2. Provisional Financial Report to 30 June 2019

General Manager Finance and Corporate Nick Donnelly was present to respond to questions on the draft financial report for fiscal year 2019. After a general discussion, Cr Woodhead asked for a motion.

Resolution

That the Council:

- 1) **Receives** the Provisional Financial Report for the 12 Months to 30 June 2019.

Moved: Cr Noone

Seconded: Cr Neill

CARRIED

12.3. Otago Regional Economic Wellbeing Strategic Framework

Senior Policy Analyst Sylvie Leduc provided context for the report, stating the initial workflow arose in response to Provincial Growth Fund (PGF) opportunities by Dunedin City Council. She said a working group comprised of members from across the Otago region's councils was put together to create the document which was endorsed by the Otago Mayoral Forum group

members on 12 June 2019. The group is working to identify economic development objectives and strategic priorities for the region and will assist with applications to the PGF.

Cr Lawton said the document provides information about the biggest issues for the future but she would like to see information on emissions baselines for the region included. CE Gardner said she would follow up on this at the next meeting of the Mayoral Forum. Cr Deaker said the document is very informative and should be provided to incoming council members post-election. Cr Deaker suggested to amend the suggested resolution to include a recommendation about the emissions baseline. After additional discussion, Cr Woodhead moved the following:

Resolution

That the Council:

1. **Receives** this report.
2. **Notes** the final Otago Regional Economic Development Strategic Framework 2019.
3. **Notes** Government funding of \$200,000 per annum available for two years (2019/20 - 20/21) to build capacity, portfolio-manage and support Provincial Growth Fund (PGF) activities across the Otago region.
4. **Notes** the approval from Otago council chief executives to appoint two advisors for two years:
 - a) A Coastal Otago portfolio advisor covering Clutha, Dunedin, Waitaki and hosted by Enterprise Dunedin (Dunedin City Council)
 - b) An Inland Otago Portfolio advisor covering Central Otago and Queenstown Lakes, and hosted by Central Otago District Council.
5. **Recommends** that the Otago Mayoral Forum consider commissioning a greenhouse gas emissions baseline for the Otago region.

Moved: Cr Woodhead

Seconded: Cr Deaker

CARRIED

12.4. Documents Signed under Council Seal

After a general discussion, Cr Robertson moved the following:

Resolution

That the Council:

- 1) **Notes** this report.

Moved: Cr Robertson

Seconded: Cr Noone

CARRIED

Meeting adjourned at 4:39 p.m.

Meeting reconvened at 4:53 p.m.

13. REPORT BACK FROM COUNCILLORS

Cr Hope, Cr Lawton, Cr Noone, Cr Deaker, Cr Robertson and Cr Bell each gave brief updates on meetings and events they attended during the previous month.

14. RECOMMENDATIONS ADOPTED AT COMMITTEE MEETINGS

14.1. Recommendations of the 31 July 2019 Communications Committee

Resolution

That the Council:

- 1) Adopts the resolutions of the 31 July 2019 Communications Committee.**

Moved: Cr Deaker

Seconded: Cr Hope

CARRIED

14.2. Recommendations of the 31 July 2019 Regulatory Committee

Resolution

That the Council:

- 1) Adopts the resolutions of the 31 July 2019 Regulatory Committee.**

Moved: Cr Scott

Seconded: Cr Hope

CARRIED

14.3. Recommendations of the 31 July 2019 Policy Committee

Resolution

That the Council:

- 1) Adopts the resolutions of the 31 July 2019 Policy Committee.**

Moved: Cr Robertson

Seconded: Cr Woodhead

CARRIED

14.4. Recommendations of the 1 August 2019 Finance and Corporate Committee

Resolution

That the Council:

- 1) Adopt the resolutions of the 1 August 2019 Finance and Corporate Committee.**

Moved: Cr Brown

Seconded: Cr Noone

CARRIED

14.5. Recommendations of the 1 August 2019 Technical Committee

Resolution

That the Council:

- 1) Adopt the resolutions of the 1 August 2019 Technical Committee.**

Moved: Cr Noone

Seconded: Cr Deaker

CARRIED

14.6. Recommendation of the 14 August 2019 Policy Committee

Resolution

That the Council:

- 1) **Adopts** the resolution of the 14 August 2019 Policy Committee

Moved: Cr Robertson

Seconded: Cr Noone

CARRIED

15. RESOLUTION TO EXCLUDE THE PUBLIC

The following resolution was made in reliance on sections 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest(s) protected by Section 7 of that Act. On the grounds that matters will be prejudiced by the presence of members of the public during discussions on the following items, it was **resolved**:

1. **That** the following item was considered with the public excluded:

1. Leith Flood Protection Scheme, Leith Dundas Construction Project, [Sec 7(2)(h) and 7(2)(i)]

Resolution

Moved: Cr Woodhead

Seconded: Cr Hope

CARRIED

Resolution

That the meeting resume in public session at 05:14 pm.

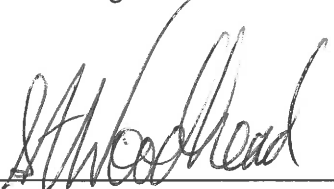
Moved: Cr Woodhead

Seconded: Cr Hope

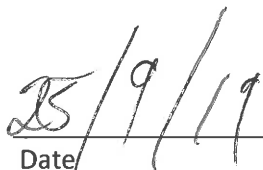
CARRIED

16. CLOSURE

The meeting was declared closed at 05:14 pm.



Chairperson



Date