



Minutes of an ordinary meeting of Council held in the
Council Chamber on
Wednesday, 29 January 2020 at 2 p.m.

Membership

Hon. Marian Hobbs

(Chairperson)

Cr Michael Laws

(Deputy Chairperson)

Cr Hilary Calvert

Cr Alexa Forbes

Cr Michael Deaker

Cr Carmen Hope

Cr Gary Kelliher

Cr Kevin Malcolm

Cr Andrew Noone

Cr Gretchen Robertson

Cr Bryan Scott

Cr Kate Wilson

Welcome

Hon. Marian Hobbs welcomed Councillors, members of the public and staff to the meeting at 02:02 pm.

For our future

1. APOLOGIES

Resolution

That the apologies for Cr Noone be accepted.

Moved: Cr Calvert

Seconded: Cr Hope

CARRIED

2. ATTENDANCE

Sarah Gardner (Chief Executive)
Nick Donnelly (General Manager Corporate Services and CFO)
Gavin Palmer (General Manager Operations)
Sally Giddens (General Manager People, Culture and Communications)
Richard Saunders (General Manager Regulatory)
Gwyneth Elsum (General Manager Policy, Strategy and Science)
Amanda Vercoe (Executive Advisor)
Liz Spector (Committee Secretary)

Also in attendance were: Andrea Howard (Manager Good Water Programme), Garry Maloney (Manager Transport), Marianna Brook (Senior Advisor - Mayoral Forum), Warren Hanley (Senior Resource Planner Liaison) and Kyle Balderston (Team Leader Urban Growth and Development), Lucy Summers (Senior Communications and Engagement Advisor), Eleanor Ross (Manager Communications Channels), Ryan Tippet (Media Communications Lead), Lisa Gloag (Manager Communications and Engagement) and Rebecca Borland (Team Leader Communications and Engagement).

3. CONFIRMATION OF AGENDA

The agenda was confirmed.

4. CONFLICT OF INTEREST

Cr Wilson indicated she had a conflict of interest on item 10.1 Future Support for Catchment Groups and would sit back from those discussions.

5. PUBLIC FORUM

No public forum was held.

6. PRESENTATIONS

Catchment Group leaders Mr Randall Aspinall, Mr Geoff Crutchley, Mr Lloyd McCall, Mr Peter Mitchell, and Mr Lyndon Strang spoke to the Councillors. They provided information on how the ORC could support catchment groups in the future.

7. CONFIRMATION OF MINUTES

Resolution

That the minutes of the (public portion of the) Council meeting held on 11 December 2019 be received and confirmed as a true and accurate record.

Moved: Cr Hope
Seconded: Cr Robertson
CARRIED

Resolution

That the minutes of the (public portion of the) Council meeting held on 7 January 2020 be received with changes and confirmed as a true and accurate record.

Moved: Cr Hope
Seconded: Cr Forbes
CARRIED

8. ACTIONS (STATUS OF COUNCIL RESOLUTIONS)

The Council reviewed the status of outstanding resolution actions.

9. CHAIRPERSON'S AND CHIEF EXECUTIVE'S REPORTS

9.1. Chairperson's Report

Cr Hobbs noted a statement in the report related to her working with Port Otago management to reduce noise. She said as the work was done in a personal capacity unrelated to ORC, she should not have included its mention in the report and apologised for any confusion the Councillors may have had in relation to the comment. After a general discussion, Cr Laws moved the report be received.

Resolution

That the Chairperson's report be received.

Moved: Cr Laws
Seconded: Cr Deaker
CARRIED

9.2. Chief Executive's Report

Chief Executive Sarah Gardner spoke to her Chief Executive's report. After a general discussion, Cr Laws moved receipt of the report.

Resolution

That the Chief Executive's report be received.

Moved: Cr Laws
Seconded: Cr Deaker
CARRIED

10. MATTERS FOR COUNCIL DECISION

10.1. Future Support for Catchment Groups

Councillor Wilson declared a conflict of interest and did not participate in discussions or voting on this item.

Andrea Howard (Manager Good Water Programme) and Dr Gavin Palmer (General Manager Operations) were present to answer questions on the report. A discussion was held to

determine how a working group would be comprised, with Councillor Deaker suggesting the working group should have six members including 2 catchment leaders, 2 rural liaison team members, 1 councillor and 1 staff manager. A discussion was then held about funding and whether it would be built into the next annual plan or the next Long Term Plan.

Cr Laws moved to develop a series of increased support options for consideration during the current year's Annual Plan process. The motion was seconded by Cr Calvert. Chief Executive Sarah Gardner noted funds were already built into the proposed budget for next year's Annual Plan. After further discussion of funding, Cr Laws withdrew his motion and Cr Calvert concurred.

Cr Scott then moved that the Council adopt Option 2 as presented in the staff report.

Resolution

That the Council:

- 1) **Receives** this report.
- 2) **Agrees** to support Option 2 to develop a series of increased support options for consideration during the Long Term Plan process.

Moved: Cr Scott
Seconded: Cr Deaker
CARRIED

10.2. Otago Regional Transport Committee Terms of Reference and Membership

Mr Garry Maloney (Manager Transport) and Dr Gavin Palmer (GM Operations) were present to answer questions about the Regional Transport Committee report. After a general discussion of the report and the role of the Transport Committee, Cr Calvert made a motion.

Resolution

That the Council:

- 1) **Receives** this report.
- 2) **Endorses** the continued collaboration of the Otago RTC with the Southland RTC.
- 3) **Adopts** the attached Terms of Reference for the Otago Regional Transport Committee as a draft and seeks input from the Committee on those terms.
- 4) **Appoints** the following members to this Otago Regional Transport Committee:
 - a. to represent Clutha District Council - Cr Bruce Graham
 - b. to represent Central Otago District Council - Cr Stuart Duncan
 - c. to represent Dunedin City Council - Cr Jim O'Malley and Cr David Benson-Pope (alternate)
 - d. to represent Waitaki District Council - Cr Guy Percival and Cr Bill Kingan (alternate)
 - e. to represent New Zealand Transport Agency - Jim Harland, Director Regional Relationships (South Island) and Graeme Hall, Manager, System Management – Lower South Island (alternate).
 - f. to represent Queenstown Lakes District Council - Cr Quentin Smith
- 5) **Notes** that the Council has already appointed Cr Forbes as Chair of the Otago Regional Transport Committee and Cr Wilson as Deputy Chair.

Moved: Cr Calvert
Seconded: Cr Kevin Malcolm
CARRIED

10.3. Ratifying the Otago Local Authorities' Triennial Agreement 2020-22

Marianna Brook (Senior Advisor - Mayoral Forum) and Amanda Vercoe (Executive Advisor) were present to speak to the report. Ms Brook said she was the recently installed secretariat for the Otago Mayoral Forum and the Otago Chief Executives' Forum. She noted members of the Mayoral Forum included ORC Chair Marian Hobbs and mayors from the five territorial authorities in the region. She stated the triennial agreement is required in legislation to be adopted by 1 March 2020. A general discussion was held around potential priorities for the Forum and Cr Wilson moved a motion suggesting Climate Change, Passenger Transport, Urban Development and Infrastructure, Otago Museum Funding and Wilding Conifer Control be among topics the Forum should focus. Cr Deaker seconded the motion and also noted that the Forum should meet twice annually with MPs to promote the region's issues.

Chief Executive Sarah Gardner said those issues are strategic conversations and priorities for the group and noted waste and three waters were also topics being addressed by the forum members. Cr Deaker suggested Cr Hobbs report back to the Council mid-year on work underway by the forum.

Mrs Gardner noted the triennial agreement had previously been circulated to the other five councils and had been ratified by Central Otago District Council. She said if any changes to the agreement were to be made today, the amended agreement would need to be recirculated to those Councils as well. After a general discussion, Cr Hobbs put Cr Wilson's motion.

Resolution

That the Council:

- 1) **Receives** this paper
- 2) **Approves** the attached Otago Local Authorities' Triennial Agreement 2020–22
- 3) **Authorises** the Chair to sign the Otago Local Authorities' Triennial Agreement 2020–22 on behalf of Otago Regional Council
- 4) **Requests** a paragraph 10A be inserted between paragraphs 9 and 10 of the agreement that reads:
"The following matters are matters of such importance that the Regional Council agrees to have joint committees, working parties or technical advisory groups with the territorial authorities as shown in Schedule B:
 - *Climate Change – risk, adaptation and mitigation*
 - *Passenger Transport – consideration of regional passenger transport services*
 - *Urban Development and Infrastructure – planning for growth*
 - *Otago Museum Funding – long term equitable funding agreement between local councils*
 - *Wilding Conifer control and funding mechanism*
- 5) *Asks the Mayoral forum to consider other matters that may be included under paragraph 10A before confirmation of the agreement by 1 March and ask staff to provide completed schedule B and Terms of Reference by May 2020.*

- 6) **Report** By the 30th of June 2020 on five issues of potential interest or concern to all Otago Councils on which significant action is planned by one or more member councils.

Moved: Cr Wilson
Seconded: Cr Deaker
FAILED

The motion failed. Cr Calvert then moved the staff recommendation.

Resolution

That the Council:

- 1) **Receives** this paper
- 2) **Approves** the attached Otago Local Authorities' Triennial Agreement 2020–22
- 3) **Authorises** the Chair to sign the Otago Local Authorities' Triennial Agreement 2020–22 on behalf of Otago Regional Council

Moved: Cr Calvert
Seconded: Cr Kevin Malcolm
CARRIED

Cr Laws further moved:

Resolution

- 1) **That** issues for potential consideration by the Mayoral Forum be considered at the next Strategy and Planning meeting.

Moved: Cr Laws
Seconded: Cr Scott
CARRIED

10.4. ORC Submission on Resource Management Act Review

Gwyneth Elsum (GM Strategy, Policy and Science), Warren Hanley (Senior Resource Planner Liaison) and Kyle Balderston (Team Leader Urban Growth and Development) were present to speak to the two ORC submissions. Cr Hobbs noted the primary question to answer was whether the Council preferred the response to be submitted under Council signature or by staff. She then asked if there were any changes the Councillors wanted to make to the letter. Cr Scott asked that the letter request consideration of economic versus environmental outcomes be considered in the planning hierarchy. Cr Hobbs asked that it be noted there is a lack of understanding of the Resource Management Act by members of the public. Cr Laws asked that the letter request the panel to consider improvements to section 128 of the RMA to give greater clarity and effectiveness to the review process. Cr Wilson suggested staff use the phrase "long term" rather than a specific 25 year term when speaking of consents. It was agreed these changes be made prior to submission of the letter on 3 February and Cr Robertson made a motion.

Resolution

That the Council:

- 1) **Receives** this report.
- 2) **Approves** the Chief Executive, on or before 5pm on Monday 3 February 2020 to approve the attached draft submission, subject to changes made today, to be lodged under delegation from the Otago Regional Council.

Moved: Cr Robertson
Seconded: Cr Forbes
CARRIED

10.5. ORC Submission on the Urban Development Bill

Gwyneth Elsum (GM Strategy, Policy and Science), Kyle Balderston (Team Leader Urban Growth and Development) and Warren Hanley (Senior Resource Planner Liaison) were present to speak to the ORC Submission on the Urban Development Bill. A general discussion was held on the proposed submission with Cr Hobbs noting concerns with the paragraph addressing compulsory acquisition powers. Cr Laws suggested the overall submission was good, however, rather than state the Council was in general agreement with the bill, it should say the Otago Regional Council opposes the bill. The Councillors agreed and Cr Laws made a motion.

Resolution

That the Council:

- 1) **Receives** this report.
- 2) **Approves** the Chief Executive, on or before 5pm on Friday 14 February 2020 to approve the attached draft submission, subject to changes made today, including noting general opposition to the Bill, to be lodged under delegation from the Otago Regional Council.

Moved: Cr Laws
Seconded: Cr Deaker
CARRIED

Cr Hobbs requested her vote Against the resolution be noted in the minutes.

*Cr Forbes left the meeting at 05:00 pm.
Cr Forbes returned to the meeting at 05:05 pm.*

11. MATTERS FOR NOTING

11.1. Items Signed Under Council Seal

This report was provided to inform the Councillors on documents signed under the Official Council Seal during the period 25 September through 31 December 2019.

Resolution

That the Council:

- 1) **Notes** this report.

Moved: Cr Hope
Seconded: Cr Laws
CARRIED

11.2. Updated Regional Policy Statement Communications and Engagement Plan Resolution

This report was provided to inform the Councillors on changes made to the RPS Comms plan per their decision at the 22 January 2020 Strategy and Policy Meeting.

That the Council:

- 1) **Notes** the updated RPS Communications and Engagement Plan and attachment.

Moved: Cr Forbes
Seconded: Cr Kevin Malcolm
CARRIED

11.3. Report from Communications Working Party meeting 17.01.2020 Resolution

This report was provided to inform the Councillors about matters arising from the Communications Working Party meeting on 17 January 2020.

That the Council:

- 1) **Notes** this report.

Moved: Cr Laws
Seconded: Cr Forbes
CARRIED

12. REPORT BACK FROM COUNCILLORS

There were no updates.

13. RECOMMENDATIONS ADOPTED AT COMMITTEE MEETINGS

13.1. Recommendations of the 22 Jan 2020 Strategy and Planning Committee

Resolution

That the Council confirms the resolutions of the 22 January 2020 Strategy and Policy Committee.

Moved: Cr Laws
Seconded: Cr Hope
CARRIED

14. RESOLUTION TO EXCLUDE THE PUBLIC

Resolution

The following resolution is 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 is **resolved**:

That the following items were considered with the public excluded:

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>Plan Change 6AA – Adoption of Commissioner Recommendations</i>	Sec 48(2)(a)(i) - Paragraph (d) of subsection (1) applies to any proceedings before a local authority where (i) a right of appeal lies to any court or tribunal against the final decision of the local authority in those proceedings.	Sec 48(1)(d); 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 one or more of the following grounds:(d) that the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in any proceedings to which this paragraph applies.
<i>Lake Wakatipu Public Water Ferry Service Business Case</i>	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)	Section 48(1)(a); 7(2)(i)

Moved: Cr Deaker

Seconded: Cr Wilson

CARRIED

The Council Meeting moved into public-excluded session at 5:15 p.m.

Resolution

That the meeting resume in public session at 06:01 pm.

Moved: Cr Hobbs

Seconded: Cr Hope

CARRIED

16. CLOSURE

There was no further business and Councillor Hobbs declared the meeting closed at 06:01 pm.

Marian K. Hobbs

Chairperson

12/02/2020

Date