



Minutes of a meeting of Council held
via teleconference at
1 p.m. Wednesday, 22 April 2020

Membership

Hon Marian Hobbs

(Chairperson)

Cr Michael Laws

(Deputy Chairperson)

Cr Hilary Calvert

Cr Michael Deaker

Cr Alexa Forbes

Cr Carmen Hope

Cr Gary Kelliher

Cr Kevin Malcolm

Cr Andrew Noone

Cr Gretchen Robertson

Cr Bryan Scott

Cr Kate Wilson

Welcome

Hon Cr Marian Hobbs welcomed Councillors and staff to the live-streamed meeting at 1:00 p.m.

1. APOLOGIES

Cr Kelliher submitted his apologies for the meeting

Resolution

That the apologies for Cr Kelliher be accepted.

Moved: Carmen Hope

Seconded: Kevin Malcolm

CARRIED

2. ATTENDANCE

Staff in attendance included: Sarah Gardner (Chief Executive), Nick Donnelly (GM Corporate Services), Gwyneth Elsum (GM Strategy, Policy and Science), Sally Giddens (GM People, Culture and Communications), Gavin Palmer (GM Operations), Richard Saunders (GM Regulatory), Amanda Vercoe (Executive Advisor), Liz Spector (Committee Secretary), Andrea Howard (Manager Biosecurity and Rural Liaison Teams), Anita Dawe (Acting Manager Policy), Lisa Hawkins (Team Lead RPS, Air and Coast), Richard Lord (Team Leader Biodiversity and Biosecurity), Shayde Bain (Communications Engagement Advisor), Dolina Lee (Policy Analyst), Blaise Cahill-Lane (Digital Communications Lead), Tom De Pelsemaeker (Team Leader Freshwater and Land), and Joanna Gilroy (Manager Consents).

3. CONFIRMATION OF AGENDA

The agenda was confirmed as presented.

4. CONFLICT OF INTEREST

Councillor Noone and Councillor Wilson identified conflicts of interest on the Building Transfer agenda report. Both Councillors said they would not participate in discussions or vote on the item.

5. CONFIRMATION OF MINUTES

Recommendation

That the minutes of the (public portion of the) Council meeting held on 9 April 2020 be received and confirmed as a true and accurate record, with changes as requested.

Moved: Cr Calvert

Seconded: Cr Deaker

CARRIED

6. ACTIONS (STATUS OF COUNCIL RESOLUTIONS)

Outstanding Actions from Resolutions of the Council Meeting were reviewed.

7. CHAIRPERSON'S AND CHIEF EXECUTIVE'S REPORTS

Resolution

That the Council:

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

Moved: Cr Hope

Seconded: Cr Noone

CARRIED

8. MATTERS FOR COUNCIL DECISION

8.1. ECO Fund Applications - March 2020 Funding Round

This report advised Council of the ECO Fund selection panel's recommendations for the March 2020 Funding Round and requested Council approval. Cr Deaker spoke to the report as the Chair of the selection panel. He noted the panel's request that the Council consider ways to fund an application that although it did not meet the community involvement and engagement criteria of the ECO Fund, would provide significant benefits to ORC's work programmes and desired environmental outcomes. GM Strategy, Policy and Science Gwyneth Elsum said there were internal discussions underway towards this request. She said ORC is working with the University of Otago to develop a Memorandum of Understanding with Catchments Otago which may be the best way to help this applicant.

Cr Scott asked that the ECO Fund's budget be increased for future funding rounds to \$1 million. He said it would be a clear signal to the region that the Council is listening to the community and its concerns for the environment. After a discussion, Cr Scott made a motion requesting a staff report to address his suggestion to increase funding.

Resolution

That the Council:

1) **Receives** this report.

Moved: Cr Deaker

Seconded: Cr Hope

CARRIED

2) **Approves** the funding recommendations of the ECO Fund decision panel for the following applications, to a value of \$132,573.78 as per the summary sheet of projects.

Moved: Cr Deaker

Seconded: Cr Hope

CARRIED

3) **Approves** for staff to seek an alternative funding option for ORC to support the work of the Southern Great Lakes Programme, as per the request of the Councillor Decision Panel.

Moved: Cr Deaker

Seconded: Cr Hope

CARRIED

4) **Requests** a staff report to the next Council Meeting on increasing ECO Fund to \$1million for the next funding round with particular consideration for virus hit communities.

Moved: Cr Scott

Seconded: Cr Forbes

CARRIED

8.2. Transfer of Building Functions

Cr Wilson and Cr Noone indicated conflicts of interest on this item and did not participate in discussions or the vote.

The report was provided to seek Council's approval to start the process to transfer ORC's functions, powers and duties under the Building Act 2004 for processing building consents for large dams to Environment Canterbury. Richard Saunders (GM Regulatory) and Joanna Gilroy (Manager Consents) were present by video conference to speak to the report.

Councillor Scott noted the significant reduction in these consent applications with no corresponding decrease in costs to the ORC. He said this indicates a transfer to Environment Canterbury should commence. He also noted the request is to start public consultation and would be reported back to Council after consultation has closed. After further discussion, Chairperson Hobbs asked for a motion.

Resolution

That the Council:

- 1) Approves the commencement of the process to transfer Council's functions, powers and duties as an accredited Building Consent Authority to Environment Canterbury.
- 2) Approves Councillors Wilson and Noone to hear from submitters, consider all submissions received, deliberate and make recommendations to Council in relation to the transfer of Building Act functions.
- 3) Notes that staff will report back to Council following public consultation on the proposal to transfer the function.

Moved: Cr Hope

Seconded: Cr Scott

CARRIED

8.3. Making Plan Change 6AA Operative

The report was provided to obtain Council's approval for Plan Change 6AA and to set a date for making the plan change operative and incorporate the amended provisions into the operative Water Plan. Gwyneth Elsum (GM Strategy, Policy and Science) and Dolina Lee (Policy Analyst) were available to answer questions. After a general discussion of the report, Cr Wilson made a motion.

Resolution

That the Council:

- 1) **Receives** this report.
- 2) **Approves** minor changes made to Proposed Plan Change 6AA in accordance with clause 16(2) of Schedule 1 of the Resource Management Act 1991.
- 3) **Approves** Plan Change 6AA, and incorporates these provisions into the Operative Regional Plan: Water for Otago in accordance with clause 17(2) of Schedule 1 to the Resource Management Act 1991; and
- 4) **Affix** Council's seal to Plan Change 6AA to the Regional Plan: Water for Otago in accordance with clause 17(3) of Schedule 1 of the Resource Management Act 1991; and

- 5) **Resolves** to make Plan Change 6AA operative from Saturday 16 May 2020, and publicly notify this date on Saturday 9 May 2020, in accordance with clause 20 of Schedule 1 of the Resource Management Act 1991.

Moved: Cr Wilson

Seconded: Cr Calvert

CARRIED

8.4. 2020/2021 Biosecurity Operational Plan

The report was provided to seek Council's approval to adopt the 2020/21 operational plan for the Regional Pest Management Plan. Andrea Howard (Manager Biodiversity and Rural Liaison), Richard Lord (Team Leader Biosecurity and Biodiversity) and Gavin Palmer (GM Operations) were available for questions.

The Councillors had questions about how to achieve community compliance with some of the requirements in the RPMP. Cr Forbes expressed concern that enforcement may not be easily accomplished and asked staff to ensure the Plan delivers what the region needs. Dr Palmer said work is underway on enforcement approaches to meet the Plan's requirements. He also noted the Plan can potentially be reviewed for changes at any time in the future.

Cr Malcolm stated the operational plan is strong but did note his concern regarding rabbit and wallaby control. He urged staff to continue to implement policies to ensure enforcement by landowners. Cr Noone agreed and said staff should increase enforcement actions to ensure compliance.

Cr Hobbs stated at the earlier workshop informing Councillors about economic recovery for Otago post-COVID-19, the Councillors indicated they were interested in promoting biosecurity and biodiversity work as part of the recovery plan. After further discussion of the operational plan, Cr Hobbs asked for a motion and Cr Scott moved:

Resolution

That the Council:

- 1) **Receives** this report.
- 2) **Approves** the Otago Regional Council's Regional Pest Management Plan - 2020-2021 Operational Plan.
- 3) **Agrees** to provide a copy of the Otago Regional Council's Regional Pest Management Plan - 2020-2021 Operational Plan to the Minister for Biosecurity as required under Section 100B of the Biosecurity Act 1993.
- 4) **Notes** that staff will report back to Council any response from the Minister for Biosecurity.

Moved: Cr Scott

Seconded: Cr Robertson

CARRIED

A Division was called:

For: Cr Deaker, Cr Forbes, Cr Hobbs, Cr Hope, Cr Malcolm, Cr Noone, Cr Robertson, Cr Scott

Against: Cr Laws, Cr Wilson

Abstain: Cr Calvert

8.5. RPS Review 2020 - Updated Programme

The report was provided to set out options for a revised Regional Policy Statement (RPS) Review 2020 Programme, and to approve an updated programme. Lisa Hawkins (Team Leader RPS, Air and Coast), Anita Dawe (Acting Manager Policy) and Gwyneth Elsum (GM Strategy, Policy and Science) were available to answer questions.

Cr Scott noted staff provided three options for the Programme and asked which of the three staff recommended. CEO Sarah Gardner said staff made no recommendation but had provided options and risks for each option to allow the Councillors to make an informed decision.

Each Councillor spoke to which of the three options they preferred. After each had spoken, Chair Hobbs took an informal poll to see if any of the options would outpoll as a choice for a vote. There was a consensus of 9 Councillors that Option B was the preferred choice, with 2 Councillors preferring Option A.

Cr Laws moved an additional resolution that the Chair and Deputy Chair of the Strategy and Planning Committee be the two Councillors on the reference group selection panel. Cr Hobbs said she would put this motion after the others.

Chairperson Hobbs then put part one and part two of the recommendations:

Resolution

That the Council:

- 1) *Receives the report*

Moved: Cr Hope

Seconded: Cr Deaker

CARRIED

Resolution

That the Council:

- 2) **Notes** the risks of each option in the report, particularly to notification timeframes and the Ministers Recommendation;

Moved: Cr Forbes

Seconded: Cr Hope

CARRIED

Cr Wilson then proposed to amend staff Option B with specific details including that staff look to find ways to reduce the costs for Option B, use Otago-based facilitators and for Councillors to be used as sponsors of the proposed focus groups. Chairperson Hobbs then asked for a vote on Recommendation 3, indicating whether Councillors were in favour of Cr Wilson's replacement motion or the staff motion.

Resolution

That the Council:

- 3) **Approves** Option B with the following details:

- a) **Seek** staff to reassess savings to reduce the costs of Option B

- b) **That** council expresses a preference for Otago-based facilitators to be involved in option B

- c) **That** councillors with appropriate roles be used as sponsors in the focus groups

Moved: Cr Wilson

Seconded: Cr Calvert

For: Cr Calvert, Cr Forbes, Cr Hope, Cr Laws, Cr Malcolm, Cr Wilson
Against (For staff recommendation): Cr Deaker, Cr Hobbs, Cr Noone, Cr Robertson, Cr Scott
Option B as amended by Cr Wilson CARRIED 6 – 5

Resolution

That the Council:

- 4) **Notes and Approves** additional funding and resources unbudgeted in the draft Annual Plan 2020/2021, approximately \$180,000.

Moved: Cr Wilson

Seconded: Cr Noone

CARRIED

Resolution

That the Council:

- 5) **Notes** that the approved programme will be included in the update to be provided to the Minister at the end of April.

Moved: Cr Deaker

Seconded: Cr Noone

CARRIED

Cr Hobbs then put Cr Laws' motion:

Resolution

That the Council:

- 6) **Appoint** the Chair and Deputy Chair of the Strategy and Planning Committee as Councillor representatives on the reference group selection panel.

Moved: Cr Laws

Seconded: Cr Deaker

CARRIED

9. MATTERS FOR NOTING

9.1. Progress report to Minister Parker

This paper was provided to present for adoption by Council the first progress report to the Minister for the Environment, Hon David Parker, in accordance with section 27 of the Resource Management Act 1991, in relation to the recommendations made under section 24A of the Resource Management Act 1991. Anita Dawe (Acting Manager Policy) and Gwyneth Elsum (GM Strategy, Policy and Science) were present to answer questions about the report and response to Minister Parker.

After discussion of the report, Cr Hobbs asked for a motion.

Resolution

That the Council:

- 1) **Receives** this report.

