



Minutes of an ordinary meeting of Council held in the
Council Chamber on
Wednesday 24 February 2021 at 1:00 PM

Membership

Cr Andrew Noone	<i>(Chairperson)</i>
Cr Michael Laws	<i>(Deputy Chairperson)</i>
Cr Hilary Calvert	
Cr Alexa Forbes	
Cr Michael Deaker	
Hon Cr Marian Hobbs	
Cr Carmen Hope	
Cr Gary Kelliher	
Cr Kevin Malcolm	
Cr Gretchen Robertson	
Cr Bryan Scott	
Cr Kate Wilson	

Welcome

Chairperson Noone welcomed Councillors, members of the public and staff to the meeting at 1:05pm. Staff present included Sarah Gardner (Chief Executive), Nick Donnelly (GM Corporate Services), Gwyneth Elsum (GM Strategy, Policy and Science), Gavin Palmer (GM Operations), Richard Saunders (GM Regulatory), Amanda Vercoe (Executive Advisor), Dianne Railton and Liz Spector (Governance Support), Anita Dawe (Manager Policy & Planning), Lisa Hawkins (Team Leader RPS, Air & Coast), James Adams (Senior Analyst RPS, Air & Coast), Eleanor Ross (Manager Communication Channels) and Ryan Tippet (Media Communications Lead).

For our future

1. APOLOGIES

No apologies were made. Cr Alexa Forbes and Cr Michael Laws (joined the meeting at 1:26pm) were present via electronic link.

2. CONFIRMATION OF AGENDA

Chair Noone advised a change to the published agenda.

Resolution

That the report ORC Submission on Dunedin City District Plan be added to public excluded section of the agenda, LOGOIMA Sec 48(1)(a); 7(2).

Moved: Cr Noone

Seconded: Cr Hope

CARRIED

3. CONFLICT OF INTEREST

Chair Noone advised of a potential conflict of interest for item 8.5 Documents Signed Under Seal. Cr Kelliher Chaired this item.

4. PUBLIC FORUM

No public forum was held.

5. PRESENTATIONS

5.1. Yellow-eyed Penguin Trust Annual Report to Council

Chair Noone welcomed Dr Trudi Webster (Science Advisor), Dr Eric Shelton (Trust Board Chair) and Sue Murray (General Manager) to the meeting, to present the Yellow-eyed Penguin Trust (YEPT) Annual Report to Council.

Ms Murray confirmed that Dr Webster's role is currently funded by ORC and YEPT will submit in the LTP process, seeking future funding as the current 3-year funding ends in September 2021. YEPT will send Council a link which lists their strategies.

On behalf of Council, Chair Noone acknowledged the good work they and their team are doing.

Cr Laws joined the meeting at 1:26pm.

6. CONFIRMATION OF MINUTES

Resolution

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

Moved: Cr Hobbs

Seconded: Cr Kelliher

CARRIED

Resolution

That the minutes of the (public portion of the) Extraordinary Council meeting held on 10 February 2021 be received and confirmed as a true and accurate record.

Moved: Cr Hobbs
Seconded: Cr Kelliher
CARRIED

7. ACTIONS (STATUS OF COUNCIL RESOLUTIONS)

The outstanding Actions were reviewed.

8. MATTERS FOR CONSIDERATION

8.1. ORC participation in Dunedin City Zero Carbon 2030 Alliance

The report was provided for Council to consider whether to join the proposed Dunedin City Zero Carbon 2030 Alliance. Organisations currently involved in discussions are Otago Polytech, Otago University, Dunedin based rūnaka, and the Southern District Health Board. Amanda Vercoe (Executive Advisor) was present to speak to the report and respond to questions. Ms Vercoe advised that a draft Memorandum of Understanding is being developed and it would be included in a report back to Council for consideration, which would also include in more detail any disadvantages.

There was discussion regarding the Alliance having a zero-carbon date of 2030, and implications for Council as it does not have a set date for its goal of working towards a nett zero-carbon emission. Ms Vercoe said that all those in the Alliance would continue with their own emission reduction timeframes. ORC Corporate Service and Strategy teams would continue with their work and Alliance meetings would be additional to that work.

Crs Hobbs, Wilson and Forbes spoke in support of the motion, and Crs Calvert, Laws and Malcolm spoke against the motion, raising their concerns with the 2030 date and that the Alliance is for Dunedin City and not across the region.

Following discussion Cr Deaker moved:

Resolution

That the Council:

- 1) **Notes** the ORC has been invited to become part of the proposed Dunedin City Zero Carbon 2030 Alliance.

Moved: Cr Deaker
Seconded: Cr Hobbs
CARRIED

Further recommendations were moved by Cr Deaker.

Resolution

That the Council:

- 1) **Agrees** that the Chief Executive should write to the Dunedin City Council Chief Executive to confirm participation by the Otago Regional Council in the founding group developing the Memorandum of Understanding and Terms of Reference for the Alliance.
- 2) **Notes** that should Council agree to ORC participating in the founding group discussions, the MOU will be brought back to Council for approval to sign up and participate as a member.

Moved: Cr Deaker
Seconded: Cr Hobbs
CARRIED

A division was called:

Vote

For: Cr Deaker, Cr Forbes, Cr Hobbs, Cr Noone, Cr Robertson, Cr Scott, Cr Wilson
Against: Cr Calvert, Cr Hope, Cr Laws, Cr Kelliher, Cr Malcolm
Abstained: nil

8.2. RPS Panel Recommendation Process

The report was provided to confirm the process for selecting ORC nominated Freshwater Hearings Panel members to hear, consider and make recommendations to Council on the proposed Regional Policy Statement 2021 (RPS). Gwyneth Elsum (GM Strategy, Policy and Science) and Anita Dawe (Manager Policy & Planning) were present to speak to the report and respond to questions.

Crs Robertson and Wilson left the meeting at 02:23 pm for decision on the motion.

After general discussion Cr Noone moved:

Resolution

That the Council:

- 1) **Approves** the process to seek nominations for the Freshwater Planning process
- 2) **Appoints** Cr Robertson and Cr Wilson to sit on the shortlisting panel with one member of the Executive Leadership Team
- 3) **Notes** the steps in the process to follow, including interviews for candidates and formal recommendations for nominees to the Chief Freshwater Commissioner.

Moved: Cr Noone
Seconded: Cr Malcolm
CARRIED

Cr Hobbs requested her abstention to be noted in the minutes.

Cr Laws moved a new resolution that Council:

- 4) **Agreed** that Cr Noone be a replacement on the shortlisting panel if either Cr Robertson or Cr Wilson were unavailable.

Moved: Cr Laws

Seconded: Cr Kelliher

CARRIED

Cr Hobbs requested her abstention to be noted in the minutes.

Crs Robertson and Wilson returned to the meeting at 02:25 pm.

8.3. Adding further operative provisions to the Partially Operative Otago Regional Policy Statement 2019

The report was provided to recommend making more of the proposed Otago Regional Policy Statement (pORPS) operative, by approving sections that have either been granted consent orders or finalised through appeals. Gwyneth Elsum (GM Strategy, Policy & Science), James Adams (Senior Analyst RPS, air and Coast) and Anita Dawe (Manager Policy & Planning) were present to speak to the report and respond to questions.

After general discussion Cr Wilson thanked staff, and moved:

Resolution

That the Council:

- 1) **Makes**, under clause 16(1) of the 1st Schedule of the Resource Management Act 1991 the amendments to the pORPS set out in Appendix 1, as directed by the Environment Court.
- 2) **Approves** under clause 17(2) of the 1st Schedule of the Resource Management Act 1991 the amended Partially Operative Otago Regional Policy Statement 2019 attached as Appendix 2.
- 3) **Approves**, under clauses 17 and 20 of the 1st Schedule of the Resource Management Act 1991 public notice being given on 5 March 2021 that part of the pORPS set out in Appendix 1 is being approved and becoming operative on 15 March 2021.
- 4) **Revokes** all remaining operative sections of the Regional Policy Statement for Otago 1998.
- 5) **Notes**, that due to the outstanding matter under appeal, part of the pORPS will remain.

Moved: Cr Wilson

Seconded: Cr Malcolm

CARRIED

8.4. Local Government Funding Agency Membership Proposal

The report was provided to allow consideration of whether the Otago Regional Council should join the Local Government Funding Agency (LGFA) and to approve commencement of the process for that to occur. The Audit and Risk Subcommittee discussed this subject at its meeting on 17 February 2021 and endorsed Council commencing the process of joining the LGFA. Nick Donnelly (GM Corporate Services) was present to speak to this report and

respond to any questions. Mr Donnelly advised that the recommendation has come from the Audit & Risk Subcommittee to Council as it would take a further month to be brought to Council for decision if it went through the Finance Committee. He said the process of joining the LGFA would take a few months.

Cr Scott left the meeting at 02:35 pm.

After general discussion Cr Kelliher moved:

Resolution

That Council:

- 1) **Receives** this report and the attached LGFA Presentation to the Audit and Risk Committee from Bancorp Treasury Services.
- 2) **Approves** staff to commence the process of joining the LGFA including preparing a statement of proposal, amending the Treasury Management Policy and preparing a consultation plan and documentation to undertake a special consultative process (SCP).
- 3) **Notes** that Bancorp Treasury Services will assist Council with this process.

Moved: Cr Kelliher

Seconded: Cr Hope

CARRIED

8.5. Documents Signed Under Council Seal

Cr Noone sat back for this item due to a potential conflict of interest.

The report informs the Council of delegations which have been exercised during the period 28 October 2020 through 17 February 2021.

Cr Wilson moved:

Resolution

That the Council:

- 1) **Receives** this report.

Moved: Cr Wilson

Seconded: Cr Hope

CARRIED

Cr Noone rejoined the meeting.

9. RECOMMENDATIONS ADOPTED AT COMMITTEE MEETINGS

9.1. Recommendations of the Strategy and Planning Committee Resolutions of the 10 February 2021 Strategy and Planning Committee

Resolution

That the Council:

1) **Adopts** the resolutions of the 10 February 2021 Strategy and Planning Committee

Moved: Cr Kelliher

Seconded: Cr Hope

CARRIED

9.2. Recommendations of the Governance, Communications and Engagement Committee Resolutions of the 10 February 2021 Governance, Communications and Engagement Committee

Recommendation

That the Council

1) **Adopts** the resolutions of the 10 February 2021 Governance, Communications and Engagement Committee.

Moved: Cr Kelliher

Seconded: Cr Hope

CARRIED

10. CHAIRPERSON'S AND CHIEF EXECUTIVE'S REPORTS

10.1. Chairperson's Report Resolution

That the Chairperson's report be received.

Moved: Cr Hope

Seconded: Cr Hobbs

CARRIED

10.2. Chief Executive's Report

Cr Scott returned to the meeting at 02:45 pm.

Resolution

That the Chief Executive's report be received.

Moved: Cr Noone

Seconded: Cr Hope

CARRIED

11. REPORT BACK FROM COUNCILLORS

Crs Hobbs, Wilson, Forbes and Scott updated the meeting on external business they have conducted since the previous meeting.

12. RESOLUTION TO EXCLUDE THE PUBLIC

Resolution

That the Council excludes the public from the following part of the proceedings of this meeting (pursuant to the provision of the Local Government Official Information and Meetings Act 1987) Sec 48(1)(a) namely:

- 1.1 *Confirmation of Minutes of the public-excluded Council Meeting of 9 December 2020 7(2)(a), 7(2)(i) and 7(2)(j)*
- 1.2 *Confirmation of Minutes of the public-excluded Extraordinary Council Meeting of 10 February 2021 7(2)(i)*
- 1.3 *ORC Submission on Var 2 of Dunedin City District Plan 7(2)(c) and 7(2)(g)*

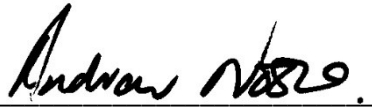
Moved: Cr Hobbs

Seconded: Cr Hope

CARRIED

13. CLOSURE

There was no further business and Cr Noone declared the public meeting closed at 02:55 pm.



Chairperson

24 March 2021

Date