

Council MINUTES

Minutes of an ordinary meeting of the Otago Regional Council held in the Council Chamber, Level 2 Philip Laing House, 144 Rattray Street, Dunedin on Wednesday 28 June 2023, commencing at 10AM

PRESENT

Cr Gretchen Robertson *(Chairperson)*
Cr Lloyd McCall *(Deputy Chairperson)*
Cr Alexa Forbes
Cr Gary Kelliher (online)
Cr Michael Laws (online)
Cr Kevin Malcolm
Cr Tim Mephram
Cr Andrew Noone
Cr Alan Somerville
Cr Elliot Weir
Cr Kate Wilson

1. WELCOME

Chairperson Cr Gretchen Robertson welcomed Councillors, members of the public and staff to the meeting at 10:00am with a karakia to open the days meetings and extended a special welcome to Richard Saunders attending his first Council meeting as Chief Executive.

Staff present included Richard Saunders (Chief Executive), Nick Donnelly (GM Corporate Services), Anita Dawe (GM Policy and Science), Gavin Palmer (GM Operations), Jo Gilroy (Acting GM Regulatory), Amanda Vercoe (GM Governance, Culture and Customer), Andrea Howard (Manager, Executive Advice) Kylie Darragh (Governance Support)

2. APOLOGIES

Resolution: Cr McCall Moved, Cr Noone Seconded:

That the apologies for Cr Scott and Cr Kelliher (for lateness) be accepted.

MOTION CARRIED

3. PUBLIC FORUM

Pierre Marasti from Extinction Rebellion spoke to the Council on Climate Change and answered questions from the Councillors.

10:07am Cr Kelliher joined the meeting.

4. CONFIRMATION OF AGENDA

Resolution: Cr Noone Moved, Cr Wilson Seconded

That the addition of the two late papers: Extension to Unit 5 Contract and the public excluded paper on the Port of Otago Director Appointment be accepted to the agenda for this meeting due to funding timeframes.

MOTION CARRIED

5. DECLARATIONS OF INTERESTS

No changes to Councillor Declarations of Interests were noted.

6. CONFIRMATION OF MINUTES

Resolution: Cr Wilson Moved, Cr Noone Seconded

That the minutes of the (public portion of the) Council meeting held on 26 April 2023 be received and confirmed as a true and accurate record.

MOTION CARRIED

Resolution: Moved, Cr Wilson, Cr Noone Seconded

That the minutes of the (public portion of the) Council meeting held on 24 May 2023 be received and confirmed as a true and accurate record.

MOTION CARRIED

7. ACTIONS (STATUS OF COUNCIL RESOLUTIONS)

Open actions from resolutions of the Committee were reviewed. Updates noted:

1. CM23-162 (SPS2312) The Chairperson has written to the Minister for Environment seeking the extension to the issue decisions on the non-freshwater parts of the pORPS2021 until 31 March 2024.
2. CM23-168 (GOV2318) The application to the Super Engaged Award category in the LGNZ's 2023 Super Local Awards programme has resulted in a finalist announcement for the Otago Regional Council which Chair Robertson described as a fantastic result and a culmination of a lot of good work in intensive winter grazing including iwi partnerships as an important factor, Jo Gilroy and staff were praised for their work.

8. MATTERS FOR CONSIDERATION

8.1. Freshwater Farm Plans

The report provided an update on the Freshwater Farm Plans (FWFPs) and sought approval to the phased rollout approach for the Otago region. Joanna Gilroy (Acting General Manager Regulatory) Libby Caldwell (Manger Environmental Implementation) and Tom Dyer (Manager Science) were available to answer questions.

Resolution CM23-174: Cr Malcolm Moved, Cr Weir Seconded

That the Council:

- 1) **Notes** this report.
- 2) **Endorses** the phased rollout approach to FWFPs as set out in Table 1 titled 'Proposed phasing order for Otago'.

MOTION CARRIED

8.2. Integrated Catchment Management Catlins Integrated Catchment Group Terms of Reference

An update on the progress on the Integrated Catchment Group programme was discussed and approval was sought for a proposed Terms of Reference. Anna Molloy (Principal Advisor Environmental Implementation) Libby Caldwell (Manager Environmental Implementation) and Gavin Palmer (General Manager Operations) were available for questions.

Resolution CM23-175 Cr Wilson Moved, Cr Noone Seconded

That the Council:

- 1) **Notes** this report.
- 2) **Approves** the proposed Terms of Reference for the Catlins Integrated Catchment Group.

MOTION CARRIED

8.3. Further policy guidance from the Governance Group for developing the Land and Water Regional Plan

The Chief Executive informed the Council as part of the process some councillors were currently undertaking regarding management of potential conflicts of interest, this paper had been reviewed and the decisions in this paper were checked for everyone to participate in. However, councillors still needed to manage their individual participation in discussions that might arise in course of considering the paper carefully.

The report provided a summary of the feedback and policy guidance on regionwide issues obtained from Councillors and Iwi representatives during Governance Group and Environmental Science and Policy Committee workshops to inform the proposed Land and Water Regional Plan. Anita Dawe (General Manager Policy and Science) presented with Fleur Matthews (Manager Policy and Planning, online) and Danielle Korevaar (Senior Resource Management, Incite, online). Philip Maw from Wynn Williams was present for any legal questions also.

Resolution CM23-176: Cr McCall Moved, Cr Weir Seconded

That the Council:

- 1) **Notes** this report.
- 2) **Notes** the policy guidance received by the Governance Group and the Environmental Science and Policy Committee for:
 - a. setting of take limits and environmental flows for rivers
 - b. phasing out of over-allocation
 - c. setting of take limits and environmental levels for lakes
 - d. developing interim target attribute states
 - e. managing key contaminant discharges associated with farming activities and practices
 - f. managing plantation forestry and carbon forestry

MOTION CARRIED

Cr Forbes left the meeting at 11:17 am.

Cr Forbes returned to the meeting at 11:20 am.

8.4. Recommendations on Land and Water Regional Plan Governance through to notification

The paper set out options for managing both the process and the content of the proposed Land and Water Regional Plan (pLWRP) until Council decides on public notification in June 2024. Anita Dawe (General Manager Policy and Science) and Fleur Matthews (Manager Policy and Planning, online) were available to respond to questions.

Resolution CM23-177: Cr Wilson Moved, Cr Noone Seconded

There were amendments to the original recommendation, Cr Laws called for a division, and it was moved by Cr Wilson:

That the Council:

- 1) **Notes** this report.
- 2) **Directs** the Land and Water Regional Plan Governance Group to refocus its functions and scope to the following two matters
 - a. project management including risk oversight, and
 - b. to ensure implementation of Te Mana o te Wai; and

- 3) **Notes** the Governance Group will comprise 6 members - being Chair Robertson, and Councillors Noone and McCall, two Ōtākou runaka members and one Murihiku member.
- 4) **Directs** staff to amend the Terms of Reference for the Land and Water Regional Plan Governance Group to reflect the decisions made in this paper.
- 5) **Decides that** the LWRP Governance Group has a dedicated chair Cr Robertson and an alternative Edward Ellison

For:	Cr Forbes, Cr McCall, Cr Mepham, Cr Noone, Cr Somerville, Cr Weir, Cr Wilson, and Cr Robertson
Against:	Cr Kelliher, Cr Laws, Cr Malcolm
Abstained:	Nil

MOTION CARRIED 8 to 3

8.5. Annual Report on Regional Climate Change Collaboration

This is the first annual report updating Council on collaboration activities supporting regional leadership service measures on climate change. Andrea Howard (Manager Executive Advice) and Francisco Hernandez (Principal Advisor Climate Change) presented and there was an opportunity for discussion and questions on the report.

Resolution CM23-178: Cr Somerville Moved, Cr Weir Seconded

That the Council:

- 1) **Notes** this report.
- 2) **Notes** that further engagement and collaboration activity is underway as part of the preparation for the Regional Climate Strategy.
- 3) **Notes** that a scoping document for the Regional Climate Strategy is coming to council in August, incorporating feedback from the recent workshop with Council.

MOTION CARRIED

8.6. Otago Wellbeing Baseline Report

The Otago Regional Council has engaged with Kōtātā Insight, Wellington, to develop a Wellbeing Framework to structure wellbeing measurement in Otago which was then analysed by Dot Loves Data to source indicators for the baseline report. Andrea Howard (Manager Executive Advice) James Adams (Senior Strategic Advisor) and Dot Loves Data staff Justin Lester (Director of Government) and Penny Coleman presented the report and answered questions.

Resolution CM23-179: Cr Robertson Moved, Cr Wilson Seconded

That the Council:

- 1) **Notes** this report.
- 2) **Notes** that consultation on the wellbeing outcomes contained in the Framework will be embedded into the Long-term Plan consultation process.
- 3) **Notes** that wellbeing reporting is proposed to continue every three years, with minor annual updates where data is available.
- 4) **Requests** that the wellbeing baseline report be presented to the mayoral forum for further consideration.

MOTION CARRIED

Cr Kelliher and Cr Laws opposed the recommendation.

8.7. Electoral System for 2025 and 2028 Local Body Elections

Amanda Vercoe (General Manager, Governance, Culture and Customer) presented the report and responded to questions. The report explained the FPP and STV systems and provided the timeframe noting 12 September 2023 as the decision requirement deadline for local authorities. A division was called for and the resolutions were taken separately.

Resolution CM23-180: Cr Weir Moved, Cr Wilson Seconded

That the Council:

1) **Receives** this report.

For:	Cr Forbes, Cr Kelliher, Cr Laws, Cr Malcolm, Cr McCall, Cr Mepham, Cr Noone, Cr Somerville, Cr Weir, Cr Wilson, Cr Robertson.
Against:	Nil
Abstained:	Nil

MOTION CARRIED

Resolution CM23-181: Cr Weir Moved, Cr Wilson Seconded

That the Council:

2) **b. Agrees** to change electoral system to Single Transferable Vote for the 2025 and 2028 local body elections.

For:	Cr Forbes, Cr Somerville, Cr Weir, Cr Wilson, Cr Robertson.
Against:	Cr Kelliher, Cr Laws, Cr Malcolm, Cr McCall, Cr Mepham, Cr Noone
Abstained:	Nil

MOTION FAILED 5 to 6

Resolution CM23-182: Cr Laws Moved, Cr Mepham Seconded

That the Council:

3) **d. Agrees** to hold a poll as part of the 2025 elections to decide the voting system for the 2028 and 2031 elections

For:	Cr Kelliher, Cr Laws, Cr Malcolm, Cr Mepham, Cr Noone
Against:	Cr Forbes, Cr McCall, Cr Somerville, Cr Weir, Cr Wilson, Cr Robertson
Abstained:	Nil

MOTION FAILED 5 to 6

Resolution CM23-183: Cr Somerville Moved, Cr Noone Seconded

That the Council:

2) Agrees to:

e. bring the paper back to the August 2023 Council meeting, and in the meantime undertake engagement with local territorial authorities and organise a workshop for councillors on electoral systems.

For:	Cr Forbes, Cr Kelliher, Cr McCall, Cr Mephram, Cr Noone, Cr Somerville, Cr Weir, Cr Wilson, Cr Robertson.
Against:	Cr Malcolm
Abstained:	Cr Laws

MOTION CARRIED 9 to 1

Resolution: Cr Robertson Moved, Cr Noone Seconded

That the Council:

1) Adjourns for a short break.

MOTION CARRIED

8.8. Rates Report and Rates Resolution

The report provided detail of each of the rates to be set and recommended the adoption of the rates resolution for the 2023-2024 financial year. Sarah Munro (Finance Manager-Reporting) was available for questions.

Resolution CM23-184: Cr Noone Moved, Cr McCall Seconded

That the Council:

- 1) Receives** this report and the attached Rating and Sample Reports.
- 2) Adopts** the Rating Resolution for the 2023-24 financial year.

MOTION CARRIED

8.9. May 2023 Budget Provision for Free & Half Price Public Transport Fares

Lorraine Cheyne (Manager Transport) presented the paper as read and there was an opportunity for questions. The report advised council on approaches to implement the Government's policy extending the Community Connect concessionary fares policy in Otago. There was a small amendment to the recommendation before Cr Noone moved:

Resolution CM23-185: Cr Noone Moved, Cr Weir Seconded

That the Committee:

- a) Receives** this report.
- b) Notes** implementation of the Community Connect extension from 01 July 2023, thereby changing current fare for people aged 5 to 24; and those who use Total Mobility.
- c) Notes** the concessionary fare will apply to all Council-operated bus services across the region, but not the ferry in Queenstown.
- d) Notes** that the Government will cover the cost of fare revenue foregone under the scheme.
- e) Notes** risks of future unbudgeted costs if additional peak bus capacity is required, because of increases in demand from the free / cheaper fares.

- f) **Notes** that a policy assessment of free off-peak fares across the region will be reported to Council in August and will take account as much as possible of the implementation of the Community Connect extension.
- g) **Notes** that the outcome of the Dunedin Fares & Frequencies business case is due to be reported back to Council in August, and the preferred fares option will be inclusive of the full Community Connect scheme fares regime.

MOTION CARRIED

8.10. Extension to Unit 5 Contract

An extension to the expiry date of the Unit 5 Public Transport Services contract was sought in response to feedback from Waka Kotahi who have indicated this extension is a condition of approval to ensure the robust nature of procurement of zero emission vehicles. Lorraine Cheyne (Manager Transport) was available to respond to questions.

Resolution CM23-186: Cr Wilson Moved, Cr Noone Seconded

That the Council:

- 1) **Notes** this report.
- 2) **Approves** the extension to the contract to an expiry of 30 June 2025.

MOTION CARRIED

9. NOTICES OF MOTION

None noted during this meeting.

10. CHAIRPERSON'S AND CHIEF EXECUTIVE'S REPORTS

10.1. Chairperson's Report

Resolution: Cr Malcolm Moved, Cr Noone Seconded

- 1) **That** the report be noted.

MOTION CARRIED

10.2. Chief Executive's Report

Resolution: Cr Noone Moved, Cr Mepham Seconded

- 1) **That** the report be noted.

MOTION CARRIED

11. RESOLUTION TO EXCLUDE THE PUBLIC

Resolution: Cr Wilson Moved, Cr Noone Seconded:

I move that the public be excluded from the following parts of this meeting, namely:

- Confidential minutes of the 24 May 2023 Council Meetings
- Appointment of Iwi Representatives to ORC Committees for 2023-2025
- Port of Otago Director Appointment

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under [section 48\(1\)](#)

of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

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>The Confidential Minutes of 24 May 2023</i>	Section 7(2)(a) To protect the privacy of natural persons, including that of deceased natural persons	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 1 or more of the following grounds: (a) that the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.
<i>Iwi Representation to ORC Committees for 2023-2025</i>	Section 7(2)(a) To protect the privacy of natural persons, including that of deceased natural persons	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 1 or more of the following grounds: (a) that the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.
<i>Port of Otago Director's Appointment</i>	Section 7(2)(a) To protect the privacy of natural persons, including that of deceased natural persons	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 1 or more of the following grounds: (a) that the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

This resolution is made in reliance on [section 48\(1\)\(a\)](#) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by [section 6](#) or [section 7](#) of that Act or [section 6](#) or [section 7](#) or [section 9](#) of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public.

MOTION CARRIED

3:15pm Cr Laws (online) left the meeting.

12. CLOSURE

There was no further business and Chairperson Robertson declared the public part of meeting closed at 3:15pm



Chairperson

26 July 2023

Date

