



Minutes of an ordinary meeting of Council held in the  
Council Chamber, Lvl 2 Philip Laing House  
144 Rattray Street, Dunedin on  
Wednesday 11 December 2019 at 2 p.m.

**Membership**

Cr Marian Hobbs	<i>(Chairperson)</i>
Cr Michael Laws	<i>(Deputy Chairperson)</i>
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 02:03 pm.

*For our future*

## **1. APOLOGIES**

### **Resolution**

*That the apologies for Cr Deaker be accepted.*

Moved: Cr Hobbs  
Seconded: Cr Kevin Malcolm  
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 Strategy, Policy and Science)  
Amanda Vercoe (Executive Advisor)  
Liz Spector (Committee Secretary)

## **3. CONFIRMATION OF AGENDA**

Chair Hobbs noted that due to a meeting last week, a late paper has been submitted for inclusion in the agenda. She asked for a motion to accept the late paper.

### **Resolution**

That the late item, Consider Establishment of a Communications Working Party be added to the agenda.

Moved: Cr Wilson  
Seconded: Cr Hope  
CARRIED

## **4. CONFLICT OF INTEREST**

Chair Hobbs asked for any conflicts of interest to be identified. Cr Noone said he would sit back from voting on item 9.1 *Adoption of Terms of Reference and Delegations for Committees*. Crs Kelliher and Wilson both indicated conflicts on item 9.4 *S24A Resource Management Act Investigation*, and both said they would not participate in this item.

## **5. PUBLIC FORUM**

Mr Stephen Dickson spoke to the Councillors about rabbit control. He indicated concerns about the lack of rabbit control in the newly adopted Pest Management Plan. Several Councillors asked Mr Dickson questions, and then thanked him for coming.

## **6. CONFIRMATION OF MINUTES**

### **Resolution**

*That the minutes of the Council meeting held on 13 November 2019 be received and confirmed as a true and accurate record.*

Moved: Cr Hope  
Seconded: Cr Noone  
CARRIED

#### **Resolution**

*That the minutes of the Council meeting held on 27 November 2019 be received and confirmed as a true and accurate record.*

Moved: Cr Hope  
Seconded: Cr Noone  
CARRIED

## **7. ACTIONS (STATUS OF COUNCIL RESOLUTIONS)**

The Council reviewed the outstanding actions of Council.

## **9. MATTERS FOR COUNCIL DECISION**

### **9.1. Adopt Terms of Reference and Delegations for Committees and Subcommittees 2019-2022**

Chairperson Hobbs introduced the report, noting Cr Noone will not participate in discussions related to his appointment on the Invermay (AgResearch) Animal Ethics Committee. A general discussion of the final terms of reference was held, with some clarifications requested. Cr Laws noted that there was a discrepancy in the membership of the Mana to Mana group. Cr Robertson was appointed to the group to address his concern. Cr Calvert noted that the independent member to be appointed to the Audit & Risk Subcommittee would not necessarily be appointed chair and she asked this be noted on the summary membership page. Cr Hobbs asked that the target dates for the various plans and the FMU map be added to the Freshwater Management Unit and rohe Liaison section. There were no more changes requested and Cr Hobbs asked for a motion.

*Cr Forbes left the meeting at 02:40 pm.*

#### **Resolution**

*That the Council:*

- 1) **Receives** this report.
- 2) **Adopts** the *Committee Structure, Membership and Representation* booklet, with or without amendments.
- 3) **Reconfirms** the nomination of Councillor Andrew Noone on the Invermay (AgResearch) Animal Ethics Committee.
- 4) **Notes** the attached updated portfolio responsibilities across the Council.

Moved: Cr Hope  
Seconded: Cr Wilson  
CARRIED

## 9.2. Adopt Amended Meeting Schedule 2020

Cr Hobbs introduced the report which detailed proposed meeting dates for Council and Committees for 2020. It was noted that the meeting set for 9 December 2020 in Cromwell be held either there or in Alexandra. Cr Malcolm also noted that the first of the clearing meetings would be conducted on 22 January 2020.

### Resolution

*That the Council:*

- 1) **Receives** this paper.
- 2) **Adopts** the attached proposed meeting schedule for 2020.
- 3) **Agrees** to the proposed locations and timing of Council meetings held outside of Dunedin for 2020.

Moved: Cr Kelliher

Seconded: Cr Noone

CARRIED

## 9.3. ECO Fund Applications - October 2019 Funding Round

Cr Hobbs introduced the ECO Fund report which was provided to Council for approval of the panel's funding recommendations. GM People, Culture and Communications Sally Giddens was present to answer questions. A general discussion was held about the applications and selection criteria, noting some applications were held over for the next round. Cr Calvert asked that the name of the fund recipients as well as the specific project name be provided to the Council for future funding.

### Resolution

*That the Council:*

- 1) **Receives** this report.
- 2) **Approves** the funding recommendations of the ECO Fund decision panel for the following applications, to a value of \$117,425.68 as per attached summary sheet of projects:

#### **Applications under \$5,000**

*ALREC Bioblitz - Phase 1 and Phase 2*

*Capturing Aerial Images of Environmental Projects*

*No More Pests in Makarora*

*Papatowai Barberry Control*

#### **Applications over \$5,000**

*Clutha Water Project*

*Grand and Otago Skink Collaboration Survey*

*Jewelled Gecko Breeding and Advocacy Enclosure*

*Open Valley Urban Ecosanctuary (VUE)*

*Planting Projects for Biodiversity*

*Project coordinator for the Hereweka Harbour Cone property on Otago Peninsula*

*Skippers/Londonderry Creek Beech Forest*

Moved: Cr Wilson  
Seconded: Cr Laws  
CARRIED

**9.4. S24A Resource Management Act Investigation: Follow up to Extraordinary Council Meeting 27 November 2019**

*(Cr Kelliher and Cr Wilson declared conflicts of interest and did not participate in consideration of the item)*

Cr Hobbs introduced the report from Consultant Planner Peter Constantine which was provided to update the Council with information they requested at the 27 November Council Meeting. Also present was GM Strategy, Policy and Science Gwyneth Elsum. Staff provided follow up information as requested including a draft formal response from ORC to Minister David Parker about the S24A RMA investigation recommendations, a community engagement plan and information on a proposed 7 January 2020 workshop on the water permits plan change.

Councillors suggested a few changes to the draft response to Minister Parker, including inviting him to the 29 April 2020 Council Meeting to review ORC progress on the recommendations. A discussion was held about the 7 January workshop. Cr Calvert asked if members of the public could attend the workshop or if it would be public excluded. Mr Constantine said he anticipated the workshop was to be Councillor and staff only. Chief Executive Sarah Gardner said the public was being kept informed through regular website updates, an online consultation through YourSay which would start prior to Christmas 2019, a boosted Facebook campaign to encourage public participation in the consultation, and regular media releases.

Cr Malcolm stated the 7 Jan workshop should be public for transparency to ensure the public no decisions were being made prior to consultation. Cr Laws suggested Cr Malcolm move an amendment to the resolution inviting stakeholders and interested parties to provide information at a pre-workshop public forum as it is too important to not take community into confidence on this. Cr Malcolm then moved to add to the resolution:

**Resolution**

*That the Council:*

- 1) *Invites stakeholders to make a brief submission on the proposed water plan change prior to the public-excluded workshop on 7 January 2020, allowing up to a ten-minute briefing per person.*

Moved: Cr Kevin Malcolm  
Seconded: Cr Laws  
CARRIED

A division was called:

**Vote**

For: Cr Kevin Malcolm, Cr Calvert, Cr Hope, Cr Laws, Cr Noone

Against: Cr Hobbs, Cr Scott, Cr Robertson

Abstained: nil

(Absent: Cr Deaker, Cr Forbes)

After the Councillors voted to approve the invitation for public input prior to the workshop on 7 January, Cr Laws moved:

*That the Council:*

- 1) **Receives** this report.
- 2) **Approves** the draft letter to Minister for the Environment, Hon David Parker, with or without amendments.
- 3) **Agrees** the letter will be signed out by Council Chairperson, Councillor Marian Hobbs.
- 4) **Notes** six monthly reports from the Otago Regional Council to Minister Parker are required until the end of 2025. The next report is due by 30 April 2020.
- 5) **Notes** the attached Community Engagement Plan for the Water Permits Plan change.
- 6) **Agrees** that a workshop on the Water Permits Plan change be scheduled for 7 January 2020.
- 7) **Agrees** that this workshop should be Councillor and staff only.
- 8) **Invites** stakeholders to make a brief submission on the proposed water plan change prior to the public-excluded workshop on 7 January 2020, allowing up to a ten-minute briefing per person.

Moved: Cr Laws  
Seconded: Cr Noone  
CARRIED

### **Late Paper, 1.1 Consider Establishment of Communications Working Party**

Cr Hobbs then introduced the late paper, Consider Establishment of Communications Working Party, which was submitted by Cr Laws. Cr Laws noted he met with GM People, Culture and Communications Sally Giddens, Eleanor Ross (Manager Communications Channels) and Lisa Gloag (Manager Communications and Engagement). He said the team had identified gaps in the communications systems which needed to be addressed quickly to proactively meet the increased engagement ORC will need to have going forward. He said it was decided a working party comprised of himself along with Crs Calvert, Deaker, Forbes and Hope would be created to provide a structure to overview this engagement as well as publicly promote and support elected members in ward, project or portfolio-based roles. He said the group will meet as required and make recommendations to either the Strategy and Policy Committee or to Council, depending on timing. No formal minutes or agendas are proposed, and staff involvement will be determined in conjunction with Ms Giddens. After a general discussion of the working party's purpose, Cr Calvert made a motion.

### **Resolution**

*That the Council:*

- 1) **Receives** this report.
- 2) **Establishes** the Communications Working Party to meet as required and make recommendations to Council or the Strategy and Planning Committee.
- 3) **Approves** the membership of the Communications Working Party as Crs Calvert, Deaker, Forbes, Hope and Laws;

- 4) **Appoints** Cr Laws Chair of the Communications Working Party;
- 5) **Receives** progress reports and recommendations as required from the Communication Working Party at regular intervals.

Moved: Cr Calvert  
Seconded: Cr Kelliher  
CARRIED

## 10. MATTERS FOR NOTING

### 10.1. Consent Processing under operative and notified plans

GM Regulatory Richard Saunders, Joanna Gilroy (Manager Consents) and Charles Horrell (Team Leader Consents) were present to speak to the paper which was provided to explain the consent process and how an application for a water permit relating to a deemed permit is processed in advance of any notified plan change. After a general discussion, Cr Calvert made a motion.

#### Resolution

*That the Council:*

- 1) **Notes** the content of this report

Moved: Cr Calvert  
Seconded: Cr Hope  
CARRIED

## 11. REPORT BACK FROM COUNCILLORS

Cr Hobbs asked if any Councillors would like to report on any Council business undertaken since the last meeting. Cr Wilson said she and Cr Forbes travelled to Queenstown to meet with various QLDC staff to discuss regional transport issues. Cr Wilson also indicated she thought Councillors should correspond with individuals who speak during public forum. Cr Hobbs asked Cr Wilson if she wanted this correspondence to come from the Chair. Cr Wilson suggested the letter could come from the Councillor whose portfolio most closely aligned with the speaker's issue. The Councillors agreed that a letter of response could be drafted from the portfolio holder, thanking the speaker for their time and informing them of what ORC is doing towards the particular concern, and then also how to submit requests for the annual plan. Cr Hope noted she and Cr Deaker attend the two-day Ag@Otago Symposium, which was sponsored by the ORC and attended by water team and science team staff. Cr Malcolm noted he and Cr Noone attended the NOSLM Annual General Meeting. He also said he attended the Lower Waitiki Management Group AGM with Dr Palmer.

## 12. NOTICES OF MOTION

There were no notices of motion.

## 13. RECOMMENDATIONS ADOPTED AT COMMITTEE MEETINGS

- 13.1. Recommendations of the Finance Committee
- 13.2. Recommendations of the Infrastructure Committee
- 13.3. Recommendations of the Regulatory Committee
- 13.4. Recommendations of the Strategy and Planning Committee

Cr Hobbs reviewed the recommendations adopted at the previous Finance, Infrastructure, Regulatory and Strategy and Policy Committee meetings and asked if the Councillors were happy to move the recommendations in one motion. The Councillors agreed and Cr Wilson made a motion.

#### **Resolution**

*That the recommendations of the 27 November 2019 Finance Committee Meeting, the 27 November 2019 Strategy and Planning Committee, the 11 December 2019 Infrastructure Committee Meeting and the 11 December 2019 Regulatory meeting be adopted by Council.*

Moved: Cr Wilson

Seconded: Cr Noone

CARRIED

*Cr Kevin Malcolm left the meeting at 03:20 pm.*

*Cr Kevin Malcolm returned to the meeting at 03:35 pm.*

### **14. RESOLUTION TO EXCLUDE THE PUBLIC**

#### **14.0.2. Public Excluded Recommendation**

*That the public be excluded from the following parts of the proceedings of this meeting, namely:*

CS1920 Port Otago Limited Annual Shareholders' Meeting - December 2019

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:

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48(1) for the passing of this resolution</b>
CS1920 Port Otago Limited Annual Shareholders' Meeting - December 2019	To protect the privacy of natural persons and to enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities	Section 7(2)(a) Section 7(2)(h)

#### **Resolution**

That the public be excluded from consideration of the Port Otago Limited Annual Shareholders' Meeting report under Section 48(1), Sec 7(2)(a) and 7(2)(h), To protect the privacy of natural persons and to enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities.



Moved from the Chair: Cr Hobbs  
CARRIED

*Cr Kelliher left the meeting at 04:26 pm.  
Cr Hope left the meeting at 04:26 pm.  
Cr Kelliher returned to the meeting at 04:28 pm.  
Cr Hope returned to the meeting at 04:29 pm.*

**Resolution**

*That the meeting resume in public session at 05:03 pm.*

Moved: Cr Hope  
Seconded: Cr Kelliher  
CARRIED

**15. CLOSURE**

There was no further business and Cr Hobbs declared the meeting closed at 05:03 pm.

  
\_\_\_\_\_  
Chairperson

  
\_\_\_\_\_  
Date