



Minutes of an ordinary meeting of Council
held via teleconference
Thursday, 9 April 2020 at 1:00 pm

Membership

Hon 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 1:05 p.m.

For our future

1. APOLOGIES

There were no apologies. All Councillors were present via teleconference.

2. ATTENDANCE

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

Also present in the teleconference were Anita Dawe (Acting Manager Policy), Tom De Pelsemaeker (Team Leader Freshwater and Land), Peter Constantine (Contractor Planner), Garry Maloney (Manager Transport), Blaise Cahill-Lane (Digital Communications Lead), Ryan Tippet (Media Communications Lead), Rebecca Sidaway (Service Desk Analyst).

3. CONFIRMATION OF AGENDA

The agenda was confirmed as circulated.

4. CONFLICT OF INTEREST

No conflicts of interest were advised.

5. CONFIRMATION OF MINUTES

Resolution

That the minutes of the (public portion of the) Council meeting held on 11 March 2020 be received and confirmed as a true and accurate record.

Moved: Cr Forbes

Seconded: Cr Hope

CARRIED

6. ACTIONS (STATUS OF COUNCIL RESOLUTIONS)

The outstanding actions of Council were noted.

7. CHAIRPERSON'S AND CHIEF EXECUTIVE'S REPORTS

Resolution

That the Chairperson's and Chief Executive's reports be received.

Moved: Cr Hobbs

Seconded: Cr Forbes

CARRIED

8. MATTERS FOR COUNCIL DECISION

8.1. Consider Establishment of Port Otago Liaison Group and Appoint Members

Cr Hobbs introduced the report which was provided to establish and appoint a Port Otago Liaison Group. Mr Nick Donnelly, General Manager Corporate Services, was present to answer questions about the report. A general discussion was held about the composition of the Group. Cr Calvert suggested to give a better urban/rural balance to the membership, Cr Malcolm should be appointed Chair of the group.

There were no further comments and Cr Calvert moved:

Resolution

That the Council:

- 1) **Receives** this report.
- 2) **Approves** the establishment of a Port Otago Liaison Group and the proposed membership of Cr Hobbs, Cr Calvert, Cr Noone, Cr Malcolm and Chief Executive Sarah Gardner.
- 3) **Appoints** Cr Malcolm Chair of the Port Otago Liaison Group.

Moved: Cr Calvert

Seconded: Cr Hope

CARRIED

8.2. Lake Wakatipu Public Water Ferry Service Consultation

Dr Gavin Palmer (General Manager Operations) and Mr Garry Maloney (Manager Transport) were present to answer questions about the report. Cr Wilson noted given the change in the economic environment restrictions since the ferry trial was first considered due to COVID-19, along with her concern that either QLDC, NZTA or the community might oppose their funding or the trial this year, she was foreshadowing her intent to add a fifth item to the staff recommendation. She proposed the ORC should seek submissions during consultation as to whether the trial takes place in January 2021 as per the report's recommendations or be included in proposals for the Long Term Plan for 2022 or January 2023. She suggested it would give residents who are concerned about rates and increasing costs a reason to be positive about the ferry trial, but not necessarily require funding in the current budget. Mr Maloney said as the consultation was being conducted online, this addition should be easily accomplished. The Councillors agreed to include the foreshadowed recommendation in the staff recommendation. Cr Hobbs asked for a motion.

Resolution

That the Council:

- 1) **Approves** for consultation, Option S1 as outlined in this paper for the Lake Wakatipu public water ferry service.
- 2) **Approves** for consultation, Option F1 as outlined in this paper to fund the Lake Wakatipu public water ferry service.
- 3) **Agrees** that the proposed introduction of a trial ferry service and the funding required to enable that to take place, is not material or significant.

- 4) **Approves** the consultation approach and next steps, as outlined in this paper.
- 5) **Seeks** submissions on whether the trial should take place in January 2021 as indicated in the report or should be included in the Long Term Plan for 2022 or 2023.

Moved: Cr Wilson
Seconded: Cr Calvert

A Division was called:

For: Cr Calvert, Cr Deaker, Cr Forbes, Cr Hobbs, Cr Hope, Cr Kelliher, Cr Noone, Cr Robertson, Cr Scott, Cr Wilson

Against: nil

Abstained: Cr Laws, Cr Malcolm

CARRIED 10 - 0

8.3. Notification Plan Change 8 to the Water Plan and Plan Change 1 to the Waste Plan

Gwyneth Elsum (General Manager Strategy, Policy and Science), Anita Dawe (Acting Manager Policy), Peter Constantine (Contract Planner), Tom De Pelsemaeker (Team Leader Freshwater and Land) and Felicity Boyd (Contract Planner) were available to speak to the report. Chairperson Hobbs spoke to a letter received the evening prior from the Minister for the Environment David Parker in which he informed the Council he had called in the plans for Plan Change 8 and Plan Change 1. Mr Constantine then discussed what the call-in meant for the Plan Changes.

Cr Noone said staff and consultants were working to tight timeframes however Plan Change 8 and 1 require an additional layer of scrutiny via consultation with sector parties to help to achieve a more efficient plan change process and to ease buy-in and implementation. He stated that consultation with sector parties had been limited and these parties we're keen to engage. Cr Noone then made a motion that he circulated to the Councillors and staff. The Councillors debated the contents of Cr Noone's motion which included asking the EPA to conduct a facilitated and mediated consultation with a facilitator to be recommended by Council. After the discussion, Cr Hobbs put the motion submitted by Cr Noone.

Resolution

That the Council:

- 1) **Asks** the EPA, to send the proposed Plan Change 8 Water and Plan Change 1 Waste for further consultation with Mandatory Parties and Sector Group representatives, to help resolve or narrow down issues of contention prior to any notification process.
- 2) **Requests** the EPA engage a facilitator on behalf of the Council to facilitate and mediate the consultation, subject to an agreed term of reference and provide a written report back to the EPA and Council by the 20th May 2020.
- 3) **Recommends** to the EPA a facilitator in the non-public section of the meeting.
- 4) **Request** staff to provide administrative support and planning advice as required, to the facilitator.

Moved: Cr Noone

Seconded: Cr Wilson

A Division was called:

For: Cr Calvert, Cr Hope, Cr Kelliher, Cr Laws, Cr Malcolm, Cr Noone, Cr Wilson

Against: Cr Deaker, Cr Forbes, Cr Hobbs, Cr Robertson, Cr Scott

CARRIED 7 - 5

9. RESOLUTION TO EXCLUDE THE PUBLIC

Chair Hobbs noted that the Council would move into public-excluded and the meeting's live stream would be ended. She also noted that the meeting would not resume in public and would close when moving into public-excluded.

Resolution

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 item(s) are considered with the public excluded:

Consider Appointment of Audit & Risk Subcommittee Independent Member

Consider Recommendation of Facilitator to the EPA for plan change consultations

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>1.1 Consider Appointment of Audit & Risk Subcommittee Independent Member</i>	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,	Section 7(2)(a): To protect the privacy of natural persons, including that of deceased natural persons – Section 7(2)(a)
<i>Consider recommendation to the EPA for a facilitator/mediator for consultations on PI Change 8 and PI Change 1</i>	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	Section 7(2)(a): To protect the privacy of natural persons, including that of deceased natural persons – Section 7(2)(a)

	which good reason for withholding would exist,	
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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.

Moved: Cr Hope

Seconded: Cr Calvert

CARRIED

10. CLOSURE

There was no further business and Cr Hobbs closed the meeting.



Chairperson

22 April 2020

Date