



Minutes of an ordinary meeting of Council held in the  
Council Chamber on  
Wednesday 16 June 2021 at 1:00 PM

**Membership**

Cr Andrew Noone *(Chairperson)*  
Cr Michael Laws *(Deputy Chairperson)*  
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 1:00 pm. 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 (GM Governance, Culture and Customer), Dianne Railton (Governance Support), Anita Dawe (Manager, Policy & Planning), Lisa Hawkins (Team Leader RPS, Air & Coast [via Zoom]), James Adams (Senior Analyst, RPS, Air & Coast), Kyle Balderston, Liam Gladding (Policy Analyst), Rachel Currie (Policy & Planning Support), Ryan Tippet (Senior Media Advisor [via Zoom]), Peter Kelliher (Legal Counsel), Alistair Logan and Simon Anderson (Ross Dowling Marquet Griffin Lawyers), Felicity Boyd (Incite), Sandra McIntyre and Michael Bathgate (Aukahu), Peter Constantine (PlanWrite),

*For our future*

## **1. APOLOGIES**

No apologies were received.

## **2. CONFIRMATION OF AGENDA**

There were no changes to the published agenda.

## **3. CONFLICT OF INTEREST**

Cr Hope advised of a possible conflict of interest due to having carbon credits for forestry blocks. Chair Noone and Cr Scott advised they both have interests in forestry but not related to Carbon Forestry.

## **4. 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 provisions of the Local Government Official Information and Meetings Act 1987) and that that Alistair Logan and Simon Anderson (Ross Dowling Marquet Griffin Lawyers), Felicity Boyd (Incite), Peter Constantine (PlanWrite), Sandra McIntyre & Michael Bathgate (Aukaha), be permitted to remain at this meeting, after the public has been excluded, because of their knowledge which will be of assistance in relation to the matter to be discussed:*

- RPS Notification

Moved: Cr Noone

Seconded: Cr Hope

Cr Calvert spoke against the motion, saying there is pressure to adopt the RPS and therefore felt it is important for the public to understand what Council is choosing to do today, including the arguments and legal advice. Cr Robertson asked for legal advice on why the paper should be considered in a public or public excluded Council meeting. There was further discussion before Cr Malcolm moved to adjourn the meeting.

### **Resolution**

*That the meeting be adjourned at 1.13pm, for legal further legal advice.*

Moved: Cr Malcolm

Seconded: Cr Noone

CARRIED

*The meeting reconvened at 1.21pm.*

Peter Kelliher (ORC Legal Counsel), joined the meeting to provide advice on the LGOIMA exclusions that were provided for the paper. Mr Kelliher said that while the LGOIMA exclusions were provided, Council can choose to discuss the report in public. Sarah Gardner said there are relevant reasons for the paper to be public excluded and there has been a precedence where previous plan changes have been heard in public excluded Council meetings. Mr Alistair Logan said moving in and out between public excluded and public meetings make it difficult for continuity.

Following lengthy discussions, a division was called on the vote to exclude public from the meeting.

#### **Vote**

For: Cr Deaker, Cr Hobbs, Cr Noone, Cr Robertson, Cr Wilson

Against: Cr Calvert, Cr Forbes, Cr Hope, Cr Laws, Cr Kelliher, Cr Malcolm, Cr Scott

Abstained: nil

The motion for the RPS Notification paper to be held in public excluded failed.

*Cr Laws left the meeting at 02:12 pm and returned at 2.13pm.*

#### **3.1. RPS Notification**

The paper was provided to consider notification of the Proposed Otago Regional Policy Statement (RPS) 2021 for public notification, as a freshwater planning instrument. Gwyneth Ellum (General Manager Strategy, Policy & Science), Anita Dawe (Manager Policy & Planning), Felicity Boyd (Incite), Alistair Logan (Ross Dowling Lawyer) were present to speak to the report and respond to questions.

*Cr Scott left the meeting at 2.42pm and returned at 2.43pm.*

*Cr Hope left the meeting at 2:46 pm due to a possible conflict of interest.*

Sarah Gardner acknowledged the importance of the RPS document and thanked staff and others who have been involved in compiling the RPS. There was lengthy discussion whether carbon forestry, should be detailed in the RPS document. Staff provided a list of provisions in the RPS that would address Carbon Farming. Cr Kelliher sat back from the table for discussions regarding catchments. Following further discussions, Cr Deaker moved:

*Cr Hope returned to the meeting at 3.22pm*

#### **Resolution**

*That the Council:*

- 1) **Receives** this report.
- 2) **Affirms** that the Proposed Otago Regional Policy Statement 2021 is a freshwater planning instrument as defined in Section 80A (2) of the Resource Management Act 1991
- 3) **Adopts** the Proposed Otago Regional Policy Statement 2021 and the Evaluation Report prepared pursuant to Section 32 of the Resource Management Act 1991.
- 4) **Approves** the Proposed Otago Regional Policy Statement 2021 and the Evaluation Report prepared pursuant to Section 32 of the Resource Management Act 1991 for public notification on 26 June 2021, for a period of 50 working days.
- 5) **Notes** that the Manager Policy & Planning has delegated authority to amend the proposed Regional Policy Statement in accordance with Clauses 16(1) and 16(2) of the First Schedule to the Resource Management Act 1991, to make alterations of minor effect, or correct minor errors.

Moved: Cr Deaker  
Seconded: Cr Calvert  
CARRIED

Cr Laws abstained from voting.

## 5. CLOSURE

There was no further business and Chairperson Noone declared the meeting closed at 3:50 pm.



Chairperson

25 August 2021

Date