



Minutes of an extraordinary meeting
of Council held electronically on
Tuesday 9 February 2022 at 1:00pm

Membership

Cr Andrew Noone *(Chairperson)*
Cr Michael Laws *(Deputy Chairperson)*
Cr Hilary Calvert
Cr Michael Deaker
Cr Alexa Forbes
Cr Carmen Hope
Cr Gary Kelliher
Cr Kevin Malcolm
Cr Gretchen Robertson
Cr Bryan Scott
Cr Kate Wilson

Welcome

Chair 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), Amanda Vercoe (GM Governance, Culture and Customer), Dianne Railton (Governance Support), and Simon Wilson (Manager Regulatory Data and Compliance).

Chair Noone acknowledged the passing of Louise Rossen, who was a previous ORC Chairperson, and spoke of her contribution to the region and her considerable long period of public service.

Cr Wilson also acknowledged the passing of Neville Marquet who acted for the Regional Council for decades, and for his work and contribution to ORC and the region.

1. APOLOGIES

There were no apologies.

2. CONFIRMATION OF AGENDA

The agenda was confirmed as published.

3. CONFLICT OF INTEREST

No conflicts of interest were advised.

4. MATTERS FOR COUNCIL CONSIDERATION

4.1. Operating Procedures for Governance within the Red Traffic Light Setting of the COVID-19 Protection Framework

The report provided advice on operational settings under the COVID-19 Protection Framework (CPF) Red traffic light setting, and for Council (elected members) to decide on attendance preferences for Council, Committee and workshop/briefing meetings. Amanda Vercoe (General Manager Governance, Culture and Customer) was present to speak to the report and respond to questions.

Following discussion, Mrs Gardner advised a plan is in place under the Red Traffic Light setting allowing staff the option of working from home. She said the policy also permitted no more than 50% of staff on site at any one time. She also advised that staff are avoiding movements between sites. Mrs Gardner said these plans addressed business continuity to ensure essential services can be maintained. She advised there may be some staff who would not be able to be present in the Council Chamber for various reasons, and who would join meetings from home. Mrs Gardner said that as the PCBU of the site, she would be concerned if Councillors decide to meet face to face as this could potentially increase risks to staff, placing liability on her.

Chair Noone said there needs to be flexibility going forward so we can adapt as a Governance team as COVID unfolds. He said it was also about the ensuring staff and other people interacting with the governance team are safe as well, and Councillors also had individual responsibilities in this regard.

Resolution CM22-101: Cr Calvert Moved, Cr Hope Seconded

That the Council:

- 1) **Notes** this report.
- 2) **Notes** that the Chief Executive is the primary Officer of the PCBU (Persons conducting a business or undertaking), and as such has a responsibility to assess risk of COVID-19 exposure at the workplace and put in place appropriate controls to eliminate or minimise the risk as far as reasonably practicable.

MOTION CARRIED

Resolution CM22-102: Cr Calvert Moved, Cr Hope Seconded

That the Council:

- 1) **Agrees** to the modified Option 2: where any Councillors or members with vaccine pass requirements may attend the Council, Committee or workshop / briefing meetings, and the remaining could attend online. Staff attendance would be limited to the same maximum of 50 percent in person. Vaccination passes may be required for those in the Chamber, subject to the outcome of the ORC Vaccination Policy, once finalised (on 8 February 2022). Masks would be required those attending in person for the duration of the meeting, including speaking, to provide additional protection for meeting attendees and ORC support staff. Meetings would not be open to members of the public, who could instead attend via livestream (as per ORC's orange settings).

A division was called:

Vote

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

MOTION CARRIED: (6 votes for, and 5 votes against)

5. RESOLUTION TO EXCLUDE THE PUBLIC

Resolution: Cr Noone Moved, Cr Laws Seconded:

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

- Clutha/Mata Au River Dumping Inquiry – Section 7(2)(a)

Chair Noone also moved that all staff leave the meeting and that Mr Len Anderson, QC, be permitted to remain at this meeting, after the public has been excluded, as he would be providing legal advice to Council.

MOTION CARRIED

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) namely:

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
1.1 Clutha-Mata Au River Dumping Inquiry	To protect the privacy of natural persons, including that of deceased natural persons – Section 7(2)(a)	Section 48(1)(a) 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.
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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 are shown above.

The Council Meeting was reconvened following consideration of the public-excluded items at 3:11pm to consider an additional resolution related to previously considered Item 4.1 *Operating Procedures for Governance within the Red Traffic Light Setting of COVID-19 Protection Framework*.


Resolution CM22-103: Cr Noone Moved, Cr Forbes Seconded

That the Council:

- 1) **Agrees** not to continue with meetings outside of Dunedin as per the resolution of the Governance, Communications and Engagement Committee resolution on 10 November 2021 while in the Red Traffic Light setting.

6. CLOSURE

There was no further business and Chairperson Noone declared the meeting closed at 3:12pm.



 Chairperson

23 February 2022

 Date