



Minutes of an ordinary meeting of Council held in the
Council Chamber on
Thursday 15 September 2022 at 1:00pm

Membership

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

Welcome

Chairperson Noone welcomed Councillors, members of the public and staff to the meeting at 1:00pm. Staff present included Pim Borren, (interim Chief Executive), Nick Donnelly (GM Corporate Services), Anita Dawe (GM Policy and Science), Gavin Palmer (GM Operations), Richard Saunders (GM Regulatory and Communications), Amanda Vercoe (GM Governance, Culture and Customer), Dianne Railton (Governance Support), and Warren Hanley (Senior Resource Planner Liaison). Also present were Simon Anderson (lawyer from Ross Dowling, Felicity Boyd (consultant from Incite), and Shannon Wallace (MfE).

Chair Noone acknowledged the recent passing of Her Majesty Queen Elizabeth II on 8 September 2022, and asked attendees to stand for a moments silence.

1. APOLOGIES

Resolution: Cr Noone Moved, Cr Calvert Seconded:

That the apologies for Cr Deaker and Cr Forbes be accepted.

MOTION CARRIED

Cr Hope attended the meeting electronically.

2. PUBLIC FORUM

No public forum was held.

3. CONFIRMATION OF AGENDA

The agenda was confirmed as published.

4. CONFLICT OF INTEREST

No conflicts of interest were advised.

5. CONFIRMATION OF MINUTES

Resolution: Cr Laws Moved, Cr Wilson Seconded

That the minutes of the (public portion of the) Council meeting held on 24 August 2022 be received and confirmed as a true and accurate record.

MOTION CARRIED

Resolution: Cr Laws Moved, Cr Wilson Seconded

That the minutes of the (public portion of the) Council meeting held on 29 August 2022 be received and confirmed as a true and accurate record.

MOTION CARRIED

6. MATTERS FOR CONSIDERATION

6.1. Draft submission on Ministry for the Environment's consultation document "Managing our wetlands in the coastal marine area"

The paper reported on the Ministry for the Environment's (the Ministry) consultation document "*Managing our wetlands in the coastal marine area*" (the current consultation) and recommend a draft submission for Council approval. Anita Dawe (General Manager Policy and Science) and Warren Hanley (Senior Resource Planner Liaison) were present to speak to the report and respond to question.

Following discussion, the submission will be amended to include the wording '*if further changes to this instrument are identified as being required, ORC would support that work being done through the Regional Sector Group*'.

Resolution CM22-234: Cr Wilson Moved, Cr Malcolm Seconded

That the Council:

- 1) **Approves** the submission on *Managing our wetlands in the coastal marine area* (as appended) to be lodged on behalf of Otago Regional Council submission with the Ministry for the Environment, no later than 21 September 2022.

MOTION CARRIED

7. RESOLUTION TO EXCLUDE THE PUBLIC

Resolution: Cr Noone Moved, Cr Calvert Seconded:

Chair Noone moved that the public meeting be adjourned and reconvene following the public-excluded session, to provide the opportunity for RPS discussion to occur in public if required.

Chair Noone also moved that the public be excluded from the following parts of the proceedings of this meeting, (pursuant to the provisions of the Local Government Official Information and Meetings Act 1987), and that Simon Anderson (lawyer from Ross Dowling) and Felicity Boyd (consultant from Incite) be permitted to remain at this meeting, after the public has been excluded, because of their legal and professional knowledge.

MOTION CARRIED

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>Minutes of the 24 August 2022 public excluded Council Meeting</i>	<p>Section 7(2)(a) To protect the privacy of natural persons, including that of deceased natural persons;</p> <p>Section 7(2)(b)(ii) To protect information where the making available of the information—would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</p> <p>Section 7(2)(h) To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities;</p> <p>Section 7(2)(i) To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p>	
<i>Minutes of the 29 August 2022 Extraordinary public excluded Council Meeting</i>	<p>Section 7(2)(g) To maintain legal professional privilege.</p>	
2.1 RPS Notification	<p>Section 7(2)(g) To maintain legal professional privilege.</p>	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>2.2 Process for appointing a permanent Chief Executive</i>	Section 7(2)(i) To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	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 are shown above.

8. CLOSURE

The public meeting reconvened at 2:42pm, and as there was no further business and Chairperson Noone declared the meeting closed at 2:42pm.



 Chairperson

28 September 2022

 Date