

Terms of Reference

Next Generation Project Consultative Group (Est. 2007)

1. Objective

The Project Consultative Group (PCG) will participate and attempt to achieve consensus on Port Otago's project to identify the environmental and logistical implications of preparing Port Chalmers and Otago Harbour for the arrival of bigger ships.

2. Principles

The PCG seeks to achieve the Objective according to the following principles:

- a. To actively promote and provide for the participation of all those who have an interest in the issues.
- b. To share relevant information on organisational perspectives, perceived issues and causes, and options for addressing them with other group members, and report back to their organisations.
- c. To identify information gaps, including information gaps in relevant Port Otago plans and proposals, and provide advice to Port Otago on cost effective investigations to address these information gaps.
- d. To share all relevant information and discuss the results of investigations as they become available.
- e. To seek opportunities for reaching agreed goals and outcomes and share these with other parties, recognising that on occasions some of these parties may choose not to agree.
- f. To use the consultative process.
- g. To act in good faith.

3. Brief

The brief of the PCG will be to:

- a. Fairly represent all interested parties in the consultative process and allow a full presentation of the concerns of all parties.
- b. As set out further in Section 7, seek advice on technical issues from a sub-group of the PCG ("the Technical Group") to be comprised of technical specialists advising any of the PCG members.
- c. Co-opt technical expertise from the Technical Group as may be required from time to time.

- d. Strive for a consensus approach in all deliberations with participants accepting and recognising the need to express their views openly and frankly and respecting the rights of others to do so.
- e. Encourage site visits so that all relevant aspects of the harbour and the receiving environment can be seen first hand.

4. Membership

- a. Membership of the PCG is open to any party or person from the community or representing a stakeholder group who wishes to participate but it will include representative(s) from:
 - i. Otakou and Huirapa Runanga
 - ii. Department of Conservation
 - iii. Otago Regional Council
 - iv. Dunedin City Council
 - v. Port Chalmers Community Board
 - vi. Port Environment Liaison Committee
 - vii. Commercial users
 - viii. Recreational users
 - ix. Port Otago
- b. All participants attend PCG meetings on a 'without prejudice' basis, accepting that the legal rights of all participants will not be compromised by attending PCG meetings. However, the PCG may, from time to time, as appropriate, unanimously agree to binding resolutions on terms decided amongst the PCG.
- c. It is desirable for there to be a consistent attendance of the representatives from each interested party, so that continuity can be maintained and that beneficial relationships may be established.
- d. The PCG will be open to new participants entering. All information previously provided will be available to new participants.

5. Meetings

- a. PCG meetings will be held on a regular basis and be held at the most appropriate venue. Port Otago will make its offices available for these meetings where appropriate.
- b. The PCG meetings shall be chaired by an independent chairperson, whose functions will be to facilitate orderly discussions, with a minimum of formality, and to give all participants the opportunity to make their contributions.
- c. Where the Chairman cannot attend a meeting, a substitute Chairman for that meeting shall be elected from the PCG members assembled on the day.

6. Reporting to Meetings

- a. PCG members shall, at the next meeting attended, notify the PCG of any liaison meetings held in the preceding time period since the last meeting.

- b. Where a sector has been targeted to respond to a specific question or set of questions, then the representative shall report on the responses gained, either at the next meeting or as otherwise agreed at the preceding meeting.
- c. Port Otago shall produce relevant operational and environmental information in a timely manner to support progress by the PCG.

7. Technical Group

- a. The PCG may establish a technical sub-group to provide technical advice to the PCG and interpretation of technical research results. This is to be called the Technical Group and its operating principles will be as for the PCG.
- b. The Technical Group may be established and dis-established by the PCG as the need arises.
- c. Membership of the Technical Group will not be exclusive and may include technical experts in the PCG and technical advisors to the PCG members.
- d. Technical matters may be referred to the Technical Group in order that detailed technical discussions occur in an appropriately focussed way and reported back to the PCG.
- e. The PCG may also seek technical advice from any person on any issue.

8. Support Services

- a. Statutory bodies represented on the PCG are to make available, at no cost to the PCG or Port Otago, reasonable support expertise to enable progress in technical areas to be maintained.
- b. Port Otago shall arrange and provide all support services associated with meetings of the PCG, and any technical expertise that is needed to support the PCG achieve its objectives and that is not made available from the other parties in the PCG. This includes any photocopying, typing, presentation production and general clerical and secretarial services.

9. Public Reporting

- a. Port Otago shall arrange any public forums relating to the issues under the mandate of the PCG after consultation with the PCG.
- b. Members of the PCG may participate in any such public forums.
- c. The media will be excluded from all PCG meetings. Media releases may be made from time to time, as agreed by the PCG, the contents of which shall also be agreed.
- d. The PCG recognises the right of members to make public statements on behalf of their constituent bodies, provided that it is made clear that such statements are personal to that body and are not made on behalf of the PCG.

- e. The PCG shall be entitled to make its findings public, either on an interim or final basis. This may include:
 - i. The issues on which agreement has been reached, together with the basis for agreement, and;
 - ii. The issues on which agreement has not been achieved, and the reasons why.

10.Funding

- a. Port Otago shall provide sufficient funds to ensure the PCG is able to meet the Objective, Principles and Brief outlined above.
- b. Port Otago shall administer any funds that it makes available. Any other party which makes funds available shall administer their own funds.

11.Review of Terms of Reference

The Consultative Group may review these Terms of Reference as and when it wishes to do so, but shall undertake an initial review not later than six months after establishment of the Consultative Group.

12.Final reporting

- a. At the conclusion of its work the PCG shall be entitled to make its findings public. This will include:
 - i. The issues on which agreement has been reached, together with the basis for agreement, and;
 - ii. The issues on which agreement has not been achieved, and the reasons why.
- b. Port Otago shall include the information outlined in this section, in the Assessment of Environmental Effects it submits in support of its resource consent applications.