

Council MINUTES

Minutes of an ordinary meeting of the Dunedin City Council held in the Council Chamber, Municipal Chambers, The Octagon, Dunedin on Tuesday 26 February 2019, commencing at 1.02 pm

PRESENT

Mayor
Deputy Mayor

Mayor Dave Cull
Cr Chris Staynes

Members

Cr Rachel Elder	Cr Christine Garey
Cr Doug Hall	Cr Aaron Hawkins
Cr Marie Laufiso	Cr Mike Lord
Cr Damian Newell	Cr Jim O'Malley
Cr Conrad Stedman	Cr Lee Vandervis
Cr Kate Wilson	

IN ATTENDANCE

Sue Bidrose (Chief Executive Officer), Sandy Graham (General Manager City Services), Simon Drew (General Manager Infrastructure Services), Simon Pickford (General Manager Community Services), Dave Tombs (General Manager Finance and Commercial), John Christie (Director Enterprise Dunedin) Graham McKerracher (Manager, Council Communications and Marketing), and Sharon Bodeker (Team Leader Civic), Keith Cooper (Director, Dunedin City Holdings Ltd) and Jemma Adams (General Manager, Dunedin City Holdings Ltd)

Governance Support Officer Lynne Adamson

1 OPENING PRAYER

Father Mark Chamberlain opened the meeting with a prayer.

1 PUBLIC FORUM

There was no Public Forum.

1A COUNCILMARK EXCELLENCE ASSESSMENT PROGRAMME

The Mayor announced that the results of the CouncilMARK Assessment programme which provided an independent assessment of Council performance had been received. The Dunedin City Council had received an "A" ranking across governance, financial, service delivery and communication methods. He noted that, of the Councils assessed, three others had received an A rating and two a AA rating with no Council receiving a AAA rating.

The Mayor praised the efforts of the Chief Executive Officer and staff for the enormous effort required to achieve the A rating.

Councillors acknowledged the results with acclamation.

2 APOLOGIES

Moved (Mayor Dave Cull/Cr Chris Staynes):

That the Council:

Accepts the apologies from Cr David Benson-Pope and Cr Andrew Whiley.

Motion carried (CNL/2019/036)

3 CONFIRMATION OF AGENDA

Moved (Mayor Dave Cull/Cr Chris Staynes):

That the Council:

Confirms the agenda with the following alterations:

- In regard to Standing Order 2.1, Option C be adopted in relation to moving and seconding and speaking to amendments.
- That the tabled pages 44 and 45 of the public agenda, confirming the item numbers of the confidential agenda be accepted.

Motion carried (CNL/2019/037)

4 DECLARATIONS OF INTEREST

Members were reminded of the need to stand aside from decision-making when a conflict arose between their role as an elected representative and any private or other external interest they might have.

Moved (Mayor Dave Cull/Cr Chris Staynes):

That the Council:

- a) **Notes** the Elected Members' Interest Register and
- b) **Confirms** the proposed management plan for Elected Members' Interests.

Motion carried (CNL/2019/038)

Moved (Mayor Dave Cull/Cr Chris Staynes):

That the Council:

- a) **Notes** the Executive Leadership Team's Interest Register.

.Motion carried (CNL/2019/039)

REPORTS

6 DELEGATION RE DEVELOPMENT CONTRIBUTION HEARING

A report from Civic noted that a request to remit a development contribution of \$66,0999 had been received, and that the applicant had asked for a hearing to consider the request. It was noted that as the contribution was greater than \$50,000, the request must be considered by a hearing of the full Council.

The report noted that Council now needed to delegate the authority to a panel to consider and determine the outcome of the application.

The Team Leader Civic (Sharon Bodeker) spoke to the report and responded to questions.

Moved (Cr Aaron Hawkins/Cr Doug Hall):

That the Council:

- a) **Delegates** the authority to a panel of the Hearings Committee, to consider and determine an application for remission for a development contribution, where the contribution is \$66,099.
- b) **Delegates** the Chair of the Hearings Committee, the authority to appoint the panel.

Motion carried (CNL/2019/040)

7 DRAFT 2019/2020 STATEMENTS OF INTENT - DUNEDIN CITY HOLDINGS GROUP COMPANIES

A report from Dunedin City Holdings Ltd presented the draft 2019/2020 Statements of Intent of Dunedin City Holdings Group companies for Council comments and/or noting.

The Director, Dunedin City Holdings Ltd (Keith Cooper) and General Manager, Dunedin City Holdings Ltd (Jemma Adams) responded to questions on debt levels, investment plans and the current reinvestment programme for Aurora.

It was noted that Councillors would provide feedback which would then be workshopped with a report on the results and changes to be presented to Council for approval prior to the adoption of the Statements of Intent.

Moved (Mayor Dave Cull/Cr Chris Staynes):

That the Council:

- a) **Receives** the draft 2019/2020 Statements of Intent of Dunedin City Holdings Group companies;
- b) **Provides** comments on the draft 2019/2020 Statements of Intent by 1 May 2019.

Motion carried (CNL/2019/041)

8 PROCEDURE FOR APPOINTMENT AND REMUNERATION OF DIRECTORS OF DUNEDIN CITY HOLDINGS LTD

A report from Finance recommended that the existing Procedure for Appointment of Directors of Council-owned companies be replaced with a new Procedure for Appointment and Remuneration of Directors of Dunedin City Holdings Limited.

The report noted that the existing *Procedure for Appointment of Directors* of Council-owned companies was approved in 2000. Accordingly, a new Procedure had been developed in conjunction with both the General Manager, Dunedin City Holdings Ltd and external legal commentary.

The Chief Executive Officer (Sue Bidrose) and General Manager Financial and Commercial (Dave Tombs) spoke to the report and responded to questions on the terms of Directorship and the opportunity to lengthen a term past the standard maximum three term appointment. Ms Bidrose advised that it could be addressed, if necessary under section 3.1.1 – Exceptions whereby if Council considered that adherence to the procedure was not appropriate and by resolution with two thirds majority support, it could be changed as set out in the Larsen Report.

Moved (Cr Chris Staynes/Cr Kate Wilson):

That the Council:

- a) **Approves** the new Procedure for Appointment and Remuneration of Directors of Dunedin City Holdings Limited.

Motion carried (CNL/2019/042)

RESOLUTION TO EXCLUDE THE PUBLIC

Moved (Mayor Dave Cull/Cr Chris Staynes):

That the Council:

Pursuant to the provisions of the Local Government Official Information and Meetings Act 1987, exclude the public from the following part of the proceedings of this meeting namely:

General subject of the matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution	Reason for Confidentiality
C1 Appointments of Chair to Dunedin City Holdings Limited/Dunedin City Treasury Limited	S7(2)(a) The withholding of the information is necessary to protect the privacy of natural	S48(1)(a) The public conduct of the part of the meeting would be likely to result in	This report is confidential because the appointment of director is made public once the

	persons, including that of a deceased person.	the disclosure of information for which good reason for withholding exists under section 7.	applicant has been notified of the decision..
C2 Director Remuneration - Dunedin City Holdings Limited Group Companies	S7(2)(a) The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.	S48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	This report is confidential because the information contained in this report remains confidential until Council has determined the level of fees and advised Dunedin City Holdings Limited of the outcome at which point the information can be made public..
	S7(2)(b)(i) The withholding of the information is necessary to protect information where the making available of the information would disclose a trade secret.		
C3 Dunedin City Holdings Group Re-Appointments	S7(2)(a) The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.	S48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	
C4 Appointment to the Otago Museum Trust Board	S7(2)(a) The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.	S48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	

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 as shown above after each item and that Jemma Adams (General Manager – Dunedin City Holdings Limited) be permitted to attend the meeting to speak to Items C1, C2 and C3 and Keith Cooper (Dunedin City Holdings Limited) be permitted to attend to speak to Item C3 to provide assistance in relation to the matters to be discussed.

Motion carried (CNL/2019/043)

The meeting moved into confidential at 1.42 pm and concluded at 2.46 pm.

.....
MAYOR