

## Council MINUTES

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Minutes of an ordinary meeting of the Dunedin City Council held in the Council Chamber, Municipal Chambers, The Octagon, Dunedin on Tuesday 28 May 2019, commencing at 1.00 pm

### PRESENT

**Mayor**  
**Deputy Mayor**

Mayor Dave Cull  
Cr Chris Staynes

### Members

Cr David Benson-Pope	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 Andrew Whiley
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), Sharon Bodeker (Team Leader Civic), Nick Dixon (Group Manager Ara Toi), Erin Shepherd (Consultant, Charcoalblue) for Item 14, Tom Dyer (Group Manager 3 Waters), Richard Saunders (Group Manager, Transport), Graham McKerracher (Communications and Marketing Manager), David Bainbridge (Group Manager Property Services), Jamie Shaw (Senior Communications Advisor), Andrea Jones (Communications Team Leader), Kristy Rusher (Chief Legal Officer), Joy Gunn (Manager Events and Community Development), Vicki Kestila (Masters Games Manager), Richard Wilson (Asset and Facilities Management Team Leader) and Adrian Blair (Group Manager Customer and Regulatory Services) and Anne Gray (Policy Analyst)

**Governance Support Officer**

Lynne Adamson

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## 1 OPENING

Elti Sannyasi from the Baha'i community opened the meeting with a prayer

## **2 PUBLIC FORUM**

### **2.1 Public Forum - Declaring a Climate Emergency**

Rory McCarthy spoke to his previously distributed information requesting that the Dunedin City Council declare a climate emergency and reasons in support.

Mr McCarthy responded to questions commented that he would like Council to focus on local solutions in respect to climate change and suggested the provision of public education programmes on things like carpooling and installation of solar panels. The goal would be to make Dunedin more liveable with a reduction in pollution.

### **2.2 Public Forum - Public Engagement**

Diane Yeldon addressed the Council on Public Engagement and Council's response to Public Forum Submitters, and on the Provincial Growth Fund, Climate Change Resilience and Dunedin Coastal Protection.

Ms Yeldon responded to questions.

Moved (Cr Kate Wilson/Cr Christine Garey):

That the Council:

**Extend** the Public Forum.

### **Motion carried (CNL/2019/134)**

### **2.3 Public Forum - Foulden Maar**

Daphne Lee provided a PowerPoint presentation on the importance of retaining Foulden Maar, which was the most important fossil site in New Zealand.

Professor Lee advised that the Foulden Maar site was of worldwide global significance for diatomite deposit and preservation of the 23 million year old subtropical rainforest ecosystem. The site provided hundreds of new species with thousands yet to be discovered. It preserved the most detailed Miocene climate record in the Southern Hemisphere, was key to New Zealand's biodiversity and was essential for conservation.

Professor Lee responded to questions and urged Council to support preservation of the site. She explained that to allow mining, would damage the site beyond repair.

### **2.4 Public Forum - Crime Prevention Activities And Support**

Lisa Shin, Keanu Mihaka, Andrew Marshall and Tane McLean addressed the Council on Crime Prevention Activities and Support on behalf of the University Student Volunteer Group, ASEZ (Save the Earth from A to Z – a volunteer group of The World Mission Society Church of God). The main activity of the group was the SAVE Movement. SAVE was an acronym for Social service, Awareness raising, Victim relief and Environmental protection. They participated in activities which included environmental clean-up, disaster relief, blood donations and relays.

They spoke of the various clean-up programmes held which included travelling to Christchurch recently to participate in a crime prevention clean-up programme. They had also held a “Mothers Street” environmental clean-up campaign around the University which had been well supported by local businesses and supermarkets.

During discussion Cr Elder left the meeting at 2.15 pm and returned at 2.18 pm.

The group requested that the Mayor provide a letter of support recognising the work they were doing in the community and to provide encouragement to young students to come on board with the programme.

### **3 APOLOGIES**

There were no apologies.

### **4 CONFIRMATION OF AGENDA**

Moved (Mayor Dave Cull/Cr Chris Staynes):

That the Council:

**Confirms** the agenda with the following alteration:

- In regard to Standing Order 2.1, Option C be adopted in relation to moving and seconding and speaking to amendments

**Motion carried (CNL/2019/135)**

### **5 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.
- c) **Notes** the Executive Leadership Teams' Interest Register.

**Motion carried (CNL/2019/136)**

## 6 CONFIRMATION OF MINUTES

### 6.1 ORDINARY COUNCIL MEETING - 6 MAY 2019

Moved (Mayor Dave Cull/Cr Chris Staynes):

That the Council:

**Confirms** the public part of the minutes of the Ordinary Council meeting held on 6 May 2019 as a correct record.

**Motion carried (CNL/2019/137)**

## 7 MINUTES OF COMMITTEES

### 7 COMMUNITY AND CULTURE COMMITTEE - 16 APRIL 2019

Moved (Cr Aaron Hawkins/Cr Marie Laufiso):

That the Council:

- a) **Notes** the minutes of the Community and Culture Committee meeting held on 16 April 2019

**Motion carried (CNL/2019/138)**

### 8 PLANNING AND ENVIRONMENT COMMITTEE - 16 APRIL 2019

Moved (Cr David Benson-Pope/Cr Conrad Stedman):

That the Council:

- a) **Notes** the minutes of the Planning and Environment Committee meeting held on 16 April 2019

**Motion carried (CNL/2019/139)**

## 8 MINUTES OF COMMUNITY BOARDS

### 9 OTAGO PENINSULA COMMUNITY BOARD - 14 MARCH 2019

Moved (Cr Andrew Whiley/Cr Chris Staynes):

That the Council:

- a) **Notes** the minutes of the Otago Peninsula Community Board meeting held on 14 March 2019.

**Motion carried (CNL/2019/140)**

**10 STRATH TAIERI COMMUNITY BOARD - 14 MARCH 2019**

Moved (Cr Andrew Whiley/Cr Chris Staynes):

That the Council:

- a) **Notes** of the minutes of the Strath Taieri Community Board meeting held on 14 March 2019.

**Motion carried (CNL/2019/141)**

**11 MOSGIEL-TAIERI COMMUNITY BOARD - 20 MARCH 2019**

Moved (Cr Andrew Whiley/Cr Chris Staynes):

That the Council:

- a) **Notes** the minutes of the Mosgiel-Taieri Community Board meeting held on 20 March 2019

**Motion carried (CNL/2019/142)**

**12 WEST HARBOUR COMMUNITY BOARD - 20 MARCH 2019**

Moved (Cr Andrew Whiley/Cr Chris Staynes):

That the Council:

- a) **Notes** the minutes of the West Harbour Community Board meeting held on 20 March 2019.

**Motion carried (CNL/2019/143)**

**13 SADDLE HILL COMMUNITY BOARD - 21 MARCH 2019**

Moved (Cr Andrew Whiley/Cr Chris Staynes):

That the Council:

- a) **Notes** the minutes of the Saddle Hill Community Board meeting held on 21 March 2019

**Motion carried (CNL/2019/144)**

**REPORTS**

**14 DUNEDIN PERFORMING ARTS FEASIBILITY STUDY - PHASE ONE REPORT**

A report from Ara Toi advised that following the closure of the Fortune Theatre, Dunedin City Council (DCC) and Creative New Zealand (CNZ) had jointly commissioned a study, to be undertaken by Charcoalblue, on the future provision of performing arts in Dunedin.

The report noted that the study would be delivered in three phases with the input of performing arts experts from Australia and New Zealand. It appended the Phase One Report - the Dunedin Performing Arts Feasibility Study, for consideration.

The General Manager Community Services (Simon Pickford); Group Manager Ara Toi (Nick Dixon) and Charcoalblue Consultant (Erin Shepherd) spoke to the report.

Mr Pickford thanked and acknowledged the work undertaken on the project to date which included the consultation and support from the community.

Messrs Pickford, Dixon and Ms Shepherd responded to questions and advised that other factoring considerations such as the use of current available facilities would be included in a report in a later phase.

The Mayor thanked the writers of the report and the review undertaken.

Moved (Cr Aaron Hawkins/Cr Kate Wilson):

That the Council:

- a) **Notes** the Dunedin Performing Arts Feasibility Study – Phase One Report from Charcoalblue dated 29 April 2019.
- b) **Endorses** the initiation of Phase Two of the Dunedin Performing Arts Feasibility Study.

**Motion carried (CNL/2019/145)**

## 15 E-SCOOTER SAFETY

A report from Corporate Policy and Customer and Regulatory Services provided an update on further mechanisms to restrict or control electric scooter (e-scooter) use in busy Dunedin pedestrian areas.

The report advised that a 12-month trial of a courtesy zone on footpaths in parts of George and Princes Streets was proposed as a mechanism for regulating e-scooter use in busy pedestrian Dunedin areas.

The General Manager Community Services (Simon Pickford), Group Manager Customer and Regulatory Services (Adrian Blair) and Policy Analyst (Anne Gray) spoke to the report and responded to questions on the proposed trial period, speed limit enforcement, central government laws and regulation, geofencing, and the necessity for an appropriate communications plan.

In response to a question on the length of the trial, the Chief Executive advised that it could be revoked at any time through the trial period.

Moved (Cr Jim O'Malley/Cr Rachel Elder):

That the Council:

- a) **Approves** the trial of a footpath courtesy zone in George and Princes Streets, from Albany Street to Rattray Street noting that the trial could be revoked at any appropriate time through the trial period..
- b) **Notes** the updates on New Zealand Transport Agency and Ministry of Transport

work and on the review of the Mobile Trading and Temporary Stall Bylaw

There was a discussion on the benefits of imposing a lower speed limit on lime scooters.

Moved (Cr David Benson-Pope/Cr Conrad Stedman):

That the Council:

- a) **Approves** the trial of a footpath courtesy zone in George and Princes Streets, from Albany Street to Rattray Street with a speed limit of 5km imposed for the purposes of the trial.

#### **Division**

The Council voted by division

For: Crs David Benson-Pope, Marie Laufiso, Mike Lord and Conrad Stedman (4).

Against: Crs Rachel Elder, Christine Garey, Doug Hall, Aaron Hawkins, Damian Newell, Jim O'Malley, Chris Staynes, Lee Vandervis, Andrew Whiley, Kate Wilson and Dave Cull (11).

Abstained: Nil

The division was declared LOST by 11 votes to 4

#### **Motion lost (CNL/2019/146)**

Following further discussion an amendment relating to the trial period was moved.

Moved (Cr David Benson-Pope/Cr Conrad Stedman):

That the Council:

- a) Approves a 6 month trial of a footpath courtesy zone in George and Princes Streets, from Albany Street to Rattray Street.

#### **Division**

The Council voted by division:

For: Crs David Benson-Pope, Christine Garey, Doug Hall, Aaron Hawkins, Marie Laufiso, Mike Lord, Conrad Stedman, Lee Vandervis and Kate Wilson (9).

Against: Crs Rachel Elder, Damian Newell, Jim O'Malley, Chris Staynes, Andrew Whiley and Dave Cull (6).

Abstained: Nil

The division was declared CARRIED by 9 votes to 6

#### **Motion carried (CNL/2019/147)**

The substantive motion was then put.

Moved (Cr Jim O'Malley/Cr Rachel Elder):

That the Council:

- a) **Approves** the trial of a footpath courtesy zone in George and Princes Streets, from Albany Street to Rattray Street noting that the trial could be revoked at any appropriate time through the trial period..
- b) **Notes** the updates on New Zealand Transport Agency and Ministry of Transport

work and on the review of the Mobile Trading and Temporary Stall Bylaw

**Motion carried (CNL/2019/148)**

Moved (Mayor Dave Cull/Cr Mike Lord):

That the Council:

- a) **Adjourn** the meeting until 3.50 pm.

**Motion carried (CNL/2019/149)**

The meeting adjourned at 3.39 pm and reconvened at 3.55 pm.

## **16 REVOCATION OF A RESOLUTION**

A report from the Executive Leadership Team noted that a Notice of Motion to rescind a previous resolution of Council (in respect of Unitary Authority Investigations) had been approved at a meeting of Council on 30 April 2019.

The Chief Executive Officer (Sue Bidrose) spoke to the report and advised that due to non-compliance with Standing Orders around the process to present the Notice of Motion at the meeting on 30 April 2019, it was recommended under Section 23.6 of Standing Orders, that the decision to support the Notice of Motion be revoked.

Moved (Mayor Dave Cull/Cr Chris Staynes):

That the Council:

- a) **Revokes** resolution (CNL/2019/095) of 30 April 2019, which stated: "**Revoke** the Council resolution CNL/2017/035, passed at the Council meeting held on the 23rd and 24th of January 2017."

**Motion carried (CNL/2019/150)**

## **17 NOTICE OF MOTION - UNITARY AUTHORITY REPORT**

In accordance with Standing Order 23.1, a Notice of Motion was received from Cr Benson-Pope for inclusion on the agenda for the meeting being held on Tuesday 28 May 2019.

Councillor Benson-Pope spoke to his notice of motion and Councillors discussed the proposal.

Moved (Cr David Benson-Pope/Cr Mike Lord):

That the Council:

- a) **Receives** the Notice of Motion.
- b) **Revokes** the Council resolution CNL/2017/035, passed at the Council meeting held on the 23 and 24 January 2017.  
*"That staff prepare a report for Council outlining at a high level the advantages and disadvantages of becoming a unitary authority and the process to progress this if so agreed."*

### **Division**

The Council voted by division



For: Crs David Benson-Pope, Christine Garey, Doug Hall, Aaron Hawkins, Marie Laufiso, Mike Lord, Chris Staynes, Conrad Stedman, Kate Wilson and Dave Cull (10).  
Against: Crs Rachel Elder, Damian Newell, Jim O'Malley, Lee Vandervis and Andrew Whiley (5).  
Abstained: Nil

The division was declared CARRIED by 10 votes to 5

**Motion carried (CNL/2019/151)**

**18 UPDATE ON REVIEW OF THE TRADE WASTE BYLAW 2008 AND REGULATION OF STORMWATER QUALITY**

A report from 3 Waters advised that the Dunedin City Council Trade Waste Bylaw 2008 (the 2008 Bylaw) regulated the discharge of trade wastes to the Dunedin City Council's wastewater system. The 2008 Bylaw also included some provisions to regulate the quality of discharges to the Dunedin City Council's stormwater system.

A review of the 2008 Bylaw had commenced in February 2018. The review found that a bylaw remained the most appropriate way to manage the matters addressed in the 2008 Bylaw. However, the review concluded that managing the matters through two separate system-specific bylaws would be clearer and better promote compliance. The two proposed bylaws were:

- a) a trade waste bylaw to regulate the discharge of trade wastes to the wastewater system; and
- b) a stormwater quality bylaw to regulate the quality of discharges to the stormwater system.

It was noted that the bylaws could be developed in parallel.

The General Manager Infrastructure Services (Simon Drew) and Group Manager 3 Waters (Tom Dyer) spoke to the report and responded to questions.

During discussion Cr Stedman left the meeting at 4.30 pm.

Moved (Cr Kate Wilson/Cr Jim O'Malley):

That the Council:

- a) **Determines** that a bylaw is the most appropriate way of regulating the discharge of trade wastes to the wastewater system.
- b) **Determines** that a bylaw is the most appropriate way of regulating the quality of discharges to the stormwater system.
- c) **Approves** the development of a separate stormwater quality bylaw in parallel with the development of an updated trade waste bylaw.
- d) **Notes** the Dunedin City Council will continue to use education and work together with the Otago Regional Council to manage the discharge of trade wastes and stormwater in combination with the proposed bylaws.

**Motion carried (CNL/2019/152)**

Moved (Mayor Dave Cull/Cr Chris Staynes):

That the Council

**Adjourns** the meeting and reconvenes in 5 minutes.

**Motion carried**

The meeting adjourned at 4.41 pm and reconvened at 4.49 pm.  
Cr Hall left the meeting at 4.41 pm and Cr Stedman returned to the meeting at 4.49 pm.

**17A NOTICE OF MOTION - UNITARY AUTHORITY REPORT**

The Mayor advised that Item 17 – Notice of Motion Unitary Authority Report had not been debated appropriately under Standing Orders. He therefore proposed passing a procedural motion to revoke the resolution under Standing Order 23.5 to allow debate on the Notice of Motion.

Moved (Mayor Dave Cull/Cr Mike Lord):

That the Council:

**Revokes** the resolution for Item 17 – Notice of Motion Unitary Authority Report under Standing Orders 23.5.

**Motion carried (CNL/2019/153)**

Councillor Benson-Pope spoke to his Notice of Motion and the Council debated the proposal.

Moved (Cr David Benson-Pope/Cr Mike Lord):

That the Council:

- a) **Receives** the Notice of Motion.
- b) **Revokes** the Council resolution CNL/2017/035, passed at the Council meeting held on the 23 and 24 January 2017.  
*“That staff prepare a report for Council outlining at a high level the advantages and disadvantages of becoming a unitary authority and the process to progress this if so agreed.”*

**Division**

The Council voted by division

For: Crs David Benson-Pope, Christine Garey, Aaron Hawkins, Marie Laufiso, Mike Lord, Damian Newell, Chris Staynes, Conrad Stedman, Kate Wilson and Dave Cull (10).  
Against: Crs Rachel Elder, Jim O'Malley, Lee Vandervis and Andrew Whiley (4).  
Abstained: Nil

The division was declared CARRIED by 10 votes to 4

**Motion carried (CNL/2019/154)**

## 19 RAILWAY STATION CONSULTATION- PROPOSED PEDESTRIAN MALL

A report from Transport discussed the proposal to create a pedestrian mall along part of the unnamed section of legal road that forms the frontage of the Dunedin Railway Station.

The report noted that the purpose of the proposed pedestrian mall was to improve:

- safety in the area outside the Dunedin Railway Station, particularly for pedestrians;
- amenity values in the vicinity of the Dunedin Railway Station; and
- views of the Dunedin Railway Station.

The restriction of motor vehicle traffic supported the Central City Plan and objectives for the city's Cultural and Entertainment Quarter.

Approval was sought from Council to commence the Special Consultative Procedure for the proposed pedestrian mall (including the adoption of a statement of proposal), and to delegate to an Independent Commissioner the power to hear submissions and decide whether or not to create a pedestrian mall.

The Group Manager Transport (Richard Saunders) spoke to the report and advised of minor editorial changes in the document. He then responded to questions on mobility parking and types and location of parking.

Mr Saunders and his team were thanked for all the work undertaken to date which included the trial pedestrianisation.

Moved (Cr David Benson-Pope/Cr Christine Garey):

That the Council:

- a) **Approves**, pursuant to section 336(1) of the Local Government Act 1974, the use of the Special Consultative Procedure to consult on the proposal to create a pedestrian mall along part of the frontage to the Dunedin Railway Station.
- b) **Adopts** the Statement of Proposal for the proposed creation of a pedestrian mall.
- c) **Delegates** to an Independent Commissioner the power to consider submissions and decide whether or not to grant a declaration pursuant to clause 336 of the Local Government Act 1974 in relation to the proposed pedestrian mall.

**Motion carried (CNL/2019/155)** with Cr Vandervis recording his vote against.

## 20 DCC SUBMISSION ON THE CHILDCARE ALLOWANCE POLICY FOR ELECTED MEMBERS OF LOCAL GOVERNMENT

A report from Corporate Policy sought approval of a draft Dunedin City Council (DCC) submission to the Remuneration Authority (the Authority) on its proposed childcare allowance policy for elected members of local government.

The General Manager City Services (Sandy Graham) spoke to the report and submission. She

advised that the annual childcare allowance cap would be set at \$8,500 per annum should the policy be approved.

During discussion, Cr Lord left the meeting at 5.54 pm.

Ms Graham then responded to questions.

Moved (Cr Aaron Hawkins/Cr Rachel Elder):

That the Council:

- a) **Approves** the draft Dunedin City Council (DCC) submission to the Remuneration Authority on its proposed childcare allowance policy for elected members of local government.
- b) **Commits** to reimbursing childcare costs in the next triennium, should the Remuneration Authority ultimately decide to delegate the decision to each council individually
- c) **Encourages** the Remuneration Authority to continue their work on supporting elected members with dependents who are not children

#### **Division**

The Council voted by division

For: Crs David Benson-Pope, Rachel Elder, Christine Garey, Aaron Hawkins, Marie Laufiso, Damian Newell, Jim O'Malley, Chris Staynes, Conrad Stedman, Andrew Whiley, Kate Wilson and Dave Cull (12).  
Against: Cr Lee Vandervis (1).  
Abstained: Nil

The division was declared CARRIED by 12 votes to 1

#### **Motion carried (CNL/2019/156)**

Moved (Mayor Dave Cull/Cr Chris Staynes):

That the Council:

**Adjourns** the meeting and reconvenes at 9.00 am on Wednesday 29 May 2019.

#### **Motion carried**

The meeting adjourned at 6.10 pm and reconvened at 9.05 am on Wednesday 29 May 2019 in the Council Chamber.

## **21 SUBMISSION TO THE MINISTER OF CONSERVATION**

A report from Legal presented a draft submission on the proposal for the Minister of Conservation to revoke delegations to every local authority for the management and use of reserves administered by local authorities under the Reserves Act 1977 for consideration.

The Chief Executive Officer (Sue Bidrose), General Manager Finance and Commercial (Dave

Tombs) and Chief Legal Officer (Kristy Rusher) spoke to the report and responded to questions of clarification on the submission.

Moved (Cr Jim O'Malley/Cr Rachel Elder):

That the Council:

- a) **Approves** the draft Dunedin City Council submission to the Minister of Conservation seeking that the Minister's delegations are not revoked.

**Motion carried (CNL/2019/157)**

## **22 LGNZ CONFERENCE**

A report from Civic advised that the Local Government New Zealand (LGNZ) 2019 conference would be held in Wellington from 7 to 9 July 2019.

The report sought approval for councillor attendance at the conference.

The Team Leader Civic (Sharon Bodeker) spoke to the report. The Mayor advised that he was unable to be the presiding delegate at the meeting as he was President of LGNZ.

Moved (Cr David Benson-Pope/Cr Mike Lord):

That the Council:

- a) **Approves** the attendance of Cr Staynes and Cr Hawkins, as the Dunedin City Council's Zone 6 representatives, and Cr Garey to the LGNZ Conference in July 2019.

**Motion carried (CNL/2019/158)** with Cr Vandervis recording his against and Cr Carey recording her abstention.

## **23 ELECTRONIC COMMUNICATIONS (EMAIL QUARANTINE) POLICY**

A report from Legal presented a draft Electronic Communications (Email Quarantine) Policy for adoption.

The report noted that the policy had been designed to protect staff and others with a DCC email address from inappropriate emails which were abusive, offensive, vulgar or intimidatory in content. This policy applied to emails received from anyone.

It was noted that the policy supported the Council's obligations under the Health and Safety at Work Act 2015 to protect staff well-being.

The Chief Executive Officer (Sue Bidrose), General Manager Finance and Commercial (Dave Tombs) and Chief Legal Officer (Kristy Rusher) spoke to the report and responded to questions.

During discussion Cr Lord left the meeting at 9.50 am and returned at 9.53 am and Cr Wilson left the meeting at 10.12 am and returned at 10.14 am.

Cr Newell left the meeting at 10.32 am and returned at 10.33 am.

Cr Hall left the meeting at 10.55 am and returned at 11.01 am.

There was a lengthy discussion on the proposed policy and the Chief Executive advised that

she would make amendments as suggested to include the reporting avenue for the Privacy Officer; the constitution of a breach and the difference of opinion.

Moved (Cr Marie Laufiso/Cr Lee Vandervis):

That the Council:

- a) **Approves** the Electronic Communications (Email Quarantine) Policy.

**Division**

The Council voted by division:

For: Crs David Benson-Pope, Rachel Elder, Christine Garey, Doug Hall, Aaron Hawkins, Marie Laufiso, Mike Lord, Damian Newell, Jim O'Malley, Chris Staynes, Lee Vandervis, Andrew Whiley, Kate Wilson and Dave Cull (14).  
Against: Nil  
Abstained: Nil

The division was declared CARRIED by 14 votes to 0

**Motion carried (CNL/2019/159)**

Moved (Mayor Dave Cull/Cr Chris Staynes):

That the Council:

- Adjourns** the meeting and reconvenes in 10 minutes.

**Motion carried (CNL/2019/160)**

The meeting adjourned at 11.14 am and reconvened at 11.25 am

## **24 NOTICE OF MOTION - FOULDEN MAAR**

In accordance with Standing Order 26.1, a Notice of Motion was received from Councillor Aaron Hawkins.

The Notice of Motion proposed the following:

- a) **Receives** the Notice of Motion
- b) **Recognise** the significance of the fossil record at Foulden Maar
- c) **Support** its preservation and protection as a scientific resource.

Councillor Hawkins spoke to his Notice of Motion and proposed an amendment to the resolution.

There was a discussion on the Notice of Motion and the significance of preservation of the site was acknowledged.

Moved (Mayor Dave Cull/Cr Chris Staynes):

That the Council:

- Adjourn** the meeting and reconvene at 1.00 pm.

**Motion carried (CNL/2019/161)**

During discussion the meeting adjourned at 12.05 pm and reconvened at 1.08 pm.

The debate continued on the proposed Notice of Motion.

Moved (Cr Aaron Hawkins/Cr Marie Laufiso):

That the Council:

- a) **Receives** the Notice of Motion
- b) **Recognise** the significance of the fossil record at Foulden Maar
- c) **Support** its preservation and protection as a scientific resource.
- d) **Requests** a paper with urgency outlining options for giving effect to this.

**Division**

The Council voted by division:

For: Crs Rachel Elder, Christine Garey, Doug Hall, Aaron Hawkins, Marie Laufiso, Damian Newell, Jim O'Malley, Chris Staynes, Andrew Whiley, Kate Wilson and Dave Cull (11).  
Against: Crs Mike Lord and Lee Vandervis (2).  
Abstained: Cr Benson-Pope (1)

The division was declared CARRIED by 11 votes to 2

**Motion carried (CNL/2019/162)**

**25 NEW ZEALAND MASTERS GAMES SERVICE LEVEL AGREEMENTS AND STATEMENTS OF INTENT**

Councillor Newell withdrew from this item.

A report from Community and Planning presented the Statement of Intent (SOI) and Service Level Agreement (SLA) for the Dunedin (New Zealand) Masters Games Trust for approval.

The report noted that the Dunedin (New Zealand) Masters Games Trust was a Council Controlled Organisation (CCO) but had historically been exempted from the standard reporting requirements of a CCO. However, the Trust Board voluntarily submitted a Statement of Intent and Service Level Agreement, a Pre-Games report and Post Games report to Council biennially.

The General Manager City Services (Sandy Graham), Manager Events and Community Development (Joy Gunn) and Masters Games Manager (Vicki Kestila) spoke to the report and responded to questions.

Moved (Cr Andrew Whiley/Cr Doug Hall):

That the Council:

- a) **Approves** the 2019 – 2021 Dunedin (New Zealand) Masters Games Trust Statement of Intent.
- b) **Approves** the 2019 – 2021 Dunedin (New Zealand) Masters Games Trust Service

Level Agreement.

**Motion carried (CNL/2019/163)**

**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:

<b>General subject of the matter to be considered</b>	<b>Reasons for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48(1) for the passing of this resolution</b>	<b>Reason for Confidentiality</b>
C1 New Zealand Masters Games Appointment of Trustees	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.

**Motion carried (CNL/2019/164)**

The meeting moved into confidential at 1.24 pm and concluded at 1.31 pm.

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MAYOR