

Council MINUTES

Minutes of an ordinary meeting of the Dunedin City Council held in the Council Chamber, Municipal Chambers, The Octagon, Dunedin on Tuesday 23 February 2021, commencing at 10.02 am

PRESENT

Mayor Mayor Aaron Hawkins
Deputy Mayor Cr Christine Garey

Members

Cr Sophie Barker	Cr David Benson-Pope
Cr Rachel Elder	Cr Doug Hall
Cr Carmen Houlahan	Cr Marie Laufiso
Cr Mike Lord	Cr Jim O'Malley
Cr Jules Radich	Cr Chris Staynes
Cr Lee Vandervis	Cr Steve Walker
Cr Andrew Whiley	

IN ATTENDANCE

Sandy Graham (Chief Executive Officer), Simon Drew (General Manager Infrastructure Services), Simon Pickford (General Manager Community Services), Robert West (Acting General Manager City Services), John Christie (Director Enterprise Dunedin) Gavin Logie (Acting General Manager Finance), Graham McKerracher (Manager, Council Communications and Marketing), Clare Sullivan (Team Leader Civic), Jeanette Wikaira (Kaiwhakamaherehere) Andrea Jones (Communications Team Leader), Graham McKerracher (Manager, Council Communications and Marketing); Tom Dyer (Group Manager 3 Waters), Scott McLean (Acting Group Manager Parks and Recreation), Owen Graham (Senior Leasing and Land Advisor), David Bainbridge-Zafar (Group Manager Property) and Jeanine Benson (Group Manager Transport)

Governance Support Officer Lynne Adamson

1 OPENING

Father Mark Chamberlain (University of Otago Chaplin) opened the meeting with a prayer on behalf of the Catholic faith.

2 PUBLIC FORUM

There was no Public Forum.

3 APOLOGIES

There were no apologies.

4 CONFIRMATION OF AGENDA

Moved (Mayor Aaron Hawkins/Cr Christine Garey):

That the Council:

Confirms the agenda without addition or alteration.

Motion carried

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 Aaron Hawkins/Cr Christine Garey):

That the Council:

- a) **Notes** the Elected Members' Interest Register; and
- b) **Confirms** the proposed management plan for Elected Members' Interests.
- c) **Notes** the proposed management plan for the Executive Leadership Team's Interests.

Motion carried

6 CONFIRMATION OF MINUTES

6.1 ORDINARY COUNCIL MEETING - 27 JANUARY 2021

Moved (Mayor Aaron Hawkins/Cr Christine Garey):

That the Council:

Confirms the public part of the minutes of the Ordinary Council meeting held on 27 January 2021 as a correct record.

Motion carried

REPORTS

7 COUNCIL FORWARD WORK PROGRAMME

A report from Corporate Policy provided the updated forward work programme for the 2021-2022 year.

The Chief Executive Officer (Sandy Graham) spoke to the report and responded to questions.

Moved (Mayor Aaron Hawkins/Cr Chris Staynes):

That the Council:

Notes the updated Council Forward Work Programme.

Motion carried

8 ACTIONS FROM RESOLUTIONS OF COUNCIL MEETINGS

A report from Civic showed progress on implementing resolutions made at Council meetings.

Moved (Mayor Aaron Hawkins/Cr Christine Garey):

That the Council:

Notes the Open and Completed Actions from resolutions of Council meetings.

Motion carried

9 SUBMISSION: WATER SERVICES BILL

A report from 3 Waters sought approval of a joint Otago-Southland submission to Parliament's Health Committee on the Water Services Bill.

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

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

That the Council:

- a) **Notes** that the Otago-Southland Three Waters Office was developing a joint submission on the Water Services Bill, on behalf of the Dunedin City Council and other councils.
- b) **Approves** the draft joint submission to Parliament's Health Committee on the Water Services Bill.
- c) **Authorises** the Mayor and Chief Executive to make any final changes to the joint submission.

Motion carried (CNL/2021/040)

Moved (Mayor Aaron Hawkins/Cr Christine Garey):

That the Council:

Adjourns the meeting.

Motion carried

The meeting adjourned at 11.20 am and resumed at 11.24 am.

Following discussion, it was agreed that the Mayor or his delegate would speak to the submission.

Moved (Cr David Benson-Pope/Mayor Aaron Hawkins):

That the Council:

- d) **Authorise** the Mayor or his delegate to speak to the joint Otago Southland submission.

Motion carried (CNL/2021/041)

10 PROPOSED TRAFFIC AND PARKING RESTRICTION CHANGES-JANUARY 2021

A report from Transport sought approval of the recommendations for proposed traffic and parking restrictions made by the Regulatory Subcommittee at its meeting of 3 December 2020.

The General Manager Infrastructure Services (Simon Drew) and Group Manager Transport (Jeanine Benson) spoke the report and responded to questions.

It was requested that resolution b) be taken separately.

Moved (Cr Andrew Whiley/Cr Steve Walker):

That the Council:

- a) **Considers** the recommendations of the Regulatory Subcommittee on the proposed changes to parking and traffic restrictions
- c) **Approves** the recommended change to the one-way traffic restriction on Ward Street, from Halsey Street to Wickliffe Street.

Motion carried (CNL/2021/042)

Moved (Cr Andrew Whiley/Cr Steve Walker):

That the Council:

- b) **Approves** the recommended changes to the parking controls that are shown in the December 2020 update of the Dunedin City Council's traffic and parking controls database, <https://tinyurl.com/ParkingDecember2020>

Motion carried (CNL/2021/043) with Cr Lee Vandervis recording his vote against.

Moved (Mayor Aaron Hawkins/Cr Christine Garey):

That the Council:

Adjourns the meeting until 12.30 pm.

Motion carried

The meeting adjourned at 11.57 am and reconvened at 12.30 pm.

11 10 YEAR PLAN 2021-31 PROPOSED LEVELS OF SERVICE

A report from Corporate Policy advised that the Local Government Act 2002 required that the 10 year plan included a statement of the intended Levels of Service (LOS) for each group of activities undertaken by Council. LOS statements explained what services Council would provide to its community, and how much of those services would be provided.

Crs Sophie Barker and Jim O'Malley entered the meeting at 12.32 pm.

Crs Jules Radich and Andrew Whiley entered the meeting at 12.33 pm.

The Acting General Manager City Services (Robert West) spoke to the report and responded to questions.

Moved (Cr Christine Carey/Cr Steve Walker):

That the Council:

Adjourns the meeting.

Motion carried

The meeting adjourned at 1.03 pm and reconvened at 1.04 pm

It was requested that resolution a) be taken separately.

Moved (Mayor Aaron Hawkins/Cr Steve Walker):

That the Council:

- a) **Approves** the proposed Levels of Service statements, measures and targets, with any amendments, for inclusion in the draft 10 Year Plan 2021-31.

Division

The Council voted by division:

For: Crs Sophie Barker, David Benson-Pope, Rachel Elder, Christine Garey, Doug Hall, Carmen Houlahan, Marie Laufiso, Mike Lord, Jim O'Malley, Jules Radich, Chris Staynes, Steve Walker, Andrew Whiley and Mayor Aaron Hawkins (14).

Against: Cr Lee Vandervis (1).

Abstained: Nil

The division was declared **CARRIED** by 14 votes to 1

Moved (Mayor Aaron Hawkins/Cr Steve Walker):

That the Council:

- b) **Notes** that staff would work on a process for undertaking a review of Levels of Service statements and measures to align with the Strategic Framework refresh work, with a report back to Council in May 2021 on progress and with a project plan.
- c) **Notes** that staff would be changing the quarterly activity report templates to incorporate performance tracking against 10 Year plan 2021-31 Levels of Service statements and various other reporting measures.

Motion carried (CNL/2021/044)

12 APPROVAL TO GRANT AN ELECTRICITY EASEMENT TO AURORA ENERGY LIMITED OVER PART OF THE DUNEDIN TOWN BELT RECREATION RESERVE - BOTANIC GARDEN

A report from Parks and Recreation sought approval of an application from Aurora Energy Limited for the grant of an electricity easement over part of the Dunedin Town Belt Recreation Reserve – Botanic Garden.

The Acting Group Manager Parks and Recreation (Scott MacLean) and Senior Leasing and Land Advisor (Owen Graham) spoke to the report and responded to questions.

Moved (Cr Lee Vandervis/Cr Mike Lord):

That the Council:

- a) **Grants**, as administering body of the Dunedin Town Belt Recreation Reserve – Botanic Garden, pursuant to Section 48 of the Reserves Act 1977, an easement in gross to Aurora Energy Limited for the installation of underground electricity cables and ancillary equipment over part of the Dunedin Town Belt Recreation Reserve (Record of Title OT301/116 Ltd).
- b) **Decides** that the criteria for exemption from public notification have been met.
- c) **Acting** under its delegation from the Minister of Conservation dated 12 June 2013 and pursuant to Section 48 of the Reserves Act 1977, approves an easement in gross to Aurora Energy Limited for the installation of underground electricity cables and ancillary equipment over part of the Dunedin Town Belt Recreation Reserve (Record of Title OT301/116 Ltd).

Motion carried (CNL/2021/045)

13 DUNEDIN CITY COUNCIL'S LETTER OF EXPECTATION FOR DUNEDIN CITY HOLDINGS LIMITED AND GROUP

A report from the Executive Leadership Team sought approval to finalise the Letter of Expectation to be sent to the Dunedin City Holdings Limited (DCHL) Board.

The Letter of Expectation provided Council's direction to DCHL and outlined the parties' respective accountabilities, roles and responsibilities. It would assist DCHL and the wider

group with the development of their Statements of Intent (SOI) documents for 2021/22.

The Chief Executive Officer (Sandy Graham) and Acting General Manager Finance (Gavin Logie) spoke to the report and responded to questions on the Letter of Expectation.

Moved (Cr David Benson-Pope/Cr Doug Hall):

That the Council:

- a) **Approves** the draft Letter of Expectation to the Board of Dunedin City Holdings Limited on behalf of the Council as shareholder.
- b) **Authorises** the Mayor to sign the Letter of Expectation on behalf of the Council as shareholder.

Motion carried (CNL/2021/046)

14 NOTICE OF MOTION - DUNEDIN CITY COUNCIL HOUSING

In accordance with Standing Order 26.1, a Notice of Motion was received from Cr Rachel Elder.

Cr Elder spoke to the Notice of Motion which was then considered by Council.

It was requested that the resolutions be taken separately.

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

That the Council:

- a) **Request** a staff report on options that could enable Dunedin City Council tenants to access the income related rents subsidy.

Division

The Council voted by division:

For: Crs Sophie Barker, Rachel Elder, Carmen Houlahan, Jim O'Malley, Jules Radich and Andrew Whiley (6).

Against: Crs David Benson-Pope, Christine Garey, Doug Hall, Marie Laufiso, Mike Lord, Chris Staynes, Lee Vandervis, Steve Walker and Mayor Aaron Hawkins (9).

Abstained: Nil

The division was declared **LOST** by 9 votes to 6.

Recommendation b was altered by way of majority to include the words "and the Minister of Social Development and Employment (Carmel Sepuloni) in accordance with Standing Order 26:14.

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

That the Council:

- b) **Write** to the Minister of Housing (Megan Woods) and the Minister of Social Development and Employment (Carmel Sepuloni) requesting a review of the

income related rent subsidy, to encourage more social and affordable housing and investigate the inclusion of local authorities as eligible providers.

Motion carried (CNL/2021/047)

RESOLUTION TO EXCLUDE THE PUBLIC

Moved (Mayor Aaron Hawkins/Cr Christine Garey):

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 Ordinary Council meeting - 27 January 2021 - Public Excluded	S7(2)(j) The withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage.	.	
C2 Confidential Council Forward Work Programme	S7(2)(h) The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.	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.	
C3 Confidential Council Actions from Resolutions at Council Meetings	S6(a) The making available of the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences and the right to a fair trial.	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 6.	
C4 Draft 10 year plan Consultation Document	S7(2)(g) The withholding of the information is necessary to maintain legal professional	S48(1)(a) The public conduct of the part of the meeting would be likely to result in the	

	privilege.	disclosure of information for which good reason for withholding exists under section 7.
C5 DCC Representative - Startup Dunedin Trust	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.
C6 Appointment Of Independent Member and Chair of Audit and Risk Subcommittee	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.

Adjourns the meeting to enable the media and members of the public to leave.

The meeting moved into confidential at 1.56 pm and closed at 2.46 pm.

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MAYOR