

Council MINUTES

Minutes of an ordinary meeting of the Dunedin City Council held in the Council Chamber, Municipal Chambers, The Octagon, Dunedin on Tuesday 25 May 2021, commencing at 10.01 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 Lee Vandervis |
| | Cr Steve Walker | Cr Andrew Whiley |

IN ATTENDANCE

Sandy Graham (Chief Executive Officer), Simon Drew (General Manager Infrastructure and Development), Simon Pickford (General Manager Community Services), John Christie (Manager Enterprise Dunedin), Graham McKerracher (Manager, Council Communications and Marketing), Jeanette Wikaira (Kaiwhakamāherehere), Gavin Logie (Chief Financial Officer) and Robert West (Acting General Manager City Services)

Governance Support Officer Lynne Adamson

1 OPENING

Sriram from the Hindu community opened the meeting with a prayer.

2 PUBLIC FORUM

There was no Public Forum.

3 APOLOGIES

Moved (Mayor Aaron Hawkins/Cr Christine Garey):

That the Council:

Accepts the apology from Cr Chris Staynes for absence.

Motion carried

4 CONFIRMATION OF AGENDA

Moved (Mayor Aaron Hawkins/Cr Rachel Elder):

That the Council:

Confirms the agenda with the following alterations:

That Items 23 – Strategic Framework Refresh; 24 – Maori Strategic Development and 25 DCC submission to the Draft Otago Regional Public Transport Plan be taken before Item 14 – Covid-19 Support Fund Update.

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 Executive Leadership Team's Interest Register.

Motion carried

6 CONFIRMATION OF MINUTES

6.1 ORDINARY COUNCIL MEETING - 13 APRIL 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 13 April 2021 as a correct record.

Motion carried

7 MINUTES OF COMMUNITY BOARDS

7 MOSGIEL-TAIERI COMMUNITY BOARD - 17 FEBRUARY 2021

Moved (Cr Carmen Houlahan/Cr Jules Radich):

That the Council:

Notes the minutes of the Mosgiel-Taieri Community Board meeting held on 17 February 2021.

Motion carried

8 WAIKOUAITI COAST COMMUNITY BOARD - 24 MARCH 2021

Moved (Cr Jim O'Malley/Cr Jules Radich):

That the Council:

Notes the minutes of the Waikouaiti Coast Community Board meeting held on 24 March 2021.

Motion carried

9 STRATH TAIERI COMMUNITY BOARD - 25 MARCH 2021

Moved (Cr Mike Lord/Cr Steve Walker):

That the Council:

Notes minutes of the Strath Taieri Community Board meeting held on 25 March 2021.

Motion carried

10 OTAGO PENINSULA COMMUNITY BOARD - 25 MARCH 2021

Moved (Cr Andrew Whiley/Cr Jules Radich):

That the Council:

Notes minutes of the Otago Peninsula Community Board meeting held on 25 March 2021.

Motion carried

11 WEST HARBOUR COMMUNITY BOARD - 17 MARCH 2021

Moved (Cr Steve Walker/Cr Carmen Houlahan):

That the Council:

Notes of the minutes of the West Harbour Community Board meeting held on 17 March 2021.

Motion carried

REPORTS

12 ACTIONS FROM RESOLUTIONS OF COUNCIL MEETINGS

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

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

Moved (Mayor Aaron Hawkins/Cr Christine Garey):

That the Council:

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

Motion carried

13 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 Rachel Elder):

That the Council:

Notes the updated Council forward work programme.

Motion carried (CNL/2021/076)

23 STRATEGIC FRAMEWORK REFRESH

A report from the Executive Leadership Team provided an update on the latest stage of the Strategic Framework Refresh and sought approval to implement the Strategic Framework Refresh project plan.

The Chief Executive Officer (Sandy Graham), Acting General Manager City Services (Robert West) and Kaiwhakamāherehere (Jeanette Wikaira) spoke to the report and responded to questions.

Cr Doug Hall left the meeting at 10.21 am.

It was requested that the resolutions be taken separately.

Moved (Cr Steve Walker/Cr Christine Garey):

That the Council:

- a) **Notes** the 'Thriving Cities City Portrait: Progressing the Strategic Framework Refresh' report.

Motion carried (CNL/2021/077) with Cr Vandervis recording his vote against.

Moved (Cr Steve Walker/Cr Christine Garey):

That the Council:

- b) **Approves** implementation of the Strategic Framework Refresh project plan.

Division

The Council voted by division:

- For: Crs Sophie Barker, David Benson-Pope, Rachel Elder, Christine Garey, Carmen Houlahan, Marie Laufiso, Jim O'Malley, Steve Walker and Mayor Aaron Hawkins (9).
- Against: Crs Mike Lord, Jules Radich, Lee Vandervis and Andrew Whiley (4).
- Abstained: Nil

The division was declared CARRIED by 9 votes to 4

Motion carried (CNL/2021/078)

24 MAORI STRATEGIC DEVELOPMENT

A report from the Executive Leadership Team provided an update on Māori strategic development activities being led by the Kaiwhakamāherehere in collaboration with staff.

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

Cr Mike Lord left the meeting at 11.16 am and returned at 11.17 am.

Cr Carmen Houlahan left the meeting at 11.16 am and returned at 11.20 am.

Cr Rachel Elder left the meeting at 11.18 am and returned at 11.20 am.

Moved (Cr Marie Laufiso/Cr Steve Walker):

That the Council:

- Notes** the Māori Strategic Development update report.

Motion carried

25 DCC SUBMISSION TO THE DRAFT OTAGO REGIONAL PUBLIC TRANSPORT PLAN

A report from Transport sought approval for a Dunedin City Council submission to the Otago Regional Council's 2021/31 draft Otago Regional Public Transport Plan.

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

Cr Christine Garey left the meeting at 11.39 am and returned at 11.42 am.
Cr Doug Hall returned to the meeting at 11.50 am.

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

That the Council:

- a) **Approves** the DCC submission, with the approved amendment, to the Otago Regional Council 2021-31 draft Regional Public Transport Plan consultation.
- b) **Authorises** the Mayor or his delegate to speak to the submission.

Moved (Mayor Aaron Hawkins/Cr Christine Garey):

That the Council:

Adjourns the meeting for 5 minutes.

Motion carried

The meeting adjourned at 12.11 pm and reconvened at 12.16 pm.

Crs Christine Garey; Doug Hall and Steve Walker returned to the meeting at 12.17 pm.
Cr Lee Vandervis returned to the meeting at 12.18 pm.

An amendment to paragraph 4 of the submission was discussed.

Moved (Cr Sophie Barker/Cr Jim O'Malley):

That the Council:

Amend paragraph 4 of the ORC submission to include – The DCC recommends the CEO's of the ORC and DCC meet to discuss the implications of the possible transfer and report back to their respective Councils by December 2021.

Motion carried (CNL/2021/079) with Cr Lee Vandervis recording his vote against.

A further amendment was then moved:

Moved (Cr Jules Radich/Cr Andrew Whiley):

That the Council:

Requests that, in addition the DCC asks the ORC to consider a route 6b that transits straight through the Octagon.

The motion was lost on a show of hands.

The substantive motion was then put:

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

That the Council:

- a) **Approves** the DCC submission, with the approved amendment to Item 4 of the Otago Regional Council 2021-31 draft Regional Public Transport Plan consultation with the addition:
 - The DCC recommends the CEO's of the ORC and DCC meet to discuss the implications of the possible transfer and report back to their respective Councils by December 2021.
- b) **Authorises** the Mayor or his delegate to speak to the submission

Motion carried (CNL/2021/080) with Cr Lee Vandervis recording his vote against

Moved (Mayor Aaron Hawkins/Cr Christine Garey):

That the Council:

Adjourns the meeting until 1.15 pm.

Motion carried

The meeting adjourned at 12.43 pm and reconvened at 1.15 pm.

Crs Sophie Barker and Jim O'Malley entered the meeting at 1.17 pm.

14 COVID-19 SUPPORT FUND UPDATE

A report from Community and Planning provided an update on expenditure to date and forecasts year end expenditure on the \$950,000 COVID-19 Support Fund for the 2020/21 financial year approved at the 27 May 2020 Council meeting for the 2020/21 financial year.

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

Moved (Cr Andrew Whiley/Cr Doug Hall):

That the Council:

Notes the update on expenditure from the COVID-19 Support Fund.

Motion carried (CNL/2021/081) with Cr Lee Vandervis recording his vote against.

15 THREE WATERS REFORM UPDATE

A report from 3 Waters updated the Council on Government three waters regulatory and service delivery reforms and an update on work commissioned by the Otago-Southland Three Waters Office.

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

Moved (Mayor Aaron Hawkins/Cr Christine Garey):

That the Council:

Notes the Three Waters Reform Update.

Motion carried

16 FEEDBACK ON THE DRAFT 2021/22 STATEMENTS OF INTENT - DUNEDIN CITY HOLDINGS LIMITED GROUP COMPANIES

A report from the Executive Leadership Team provided a summary of elected member feedback on the draft 2021/22 Statements of Intent for Dunedin City Holdings Group companies.

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

Moved (Cr Mike Lord/Cr Doug Hall):

That the Council:

Approves the Statement of Intent feedback response.

Motion carried (CNL/2021/082) with Cr Lee Vandervis recording his vote against

17 TERMS OF REFERENCE FOR THE REVIEW OF THE DCC WAIKOUAITI, KARITANE AND HAWKSURRY VILLAGE WATER RESPONSE

A report from the Executive Leadership Team provided details on the Terms of Reference (TOR) for the internal review of the DCC response to the lead levels detected in the water supply to Karitane, Waikouaiti and Hawksbury Village.

The Chief Executive Officer (Sandy Graham) spoke to the report and responded to questions. There was a discussion on the Terms of Reference and the following amendments were agreed – that the first bullet point include the words “*elected members*” after staff and the second bullet point include “*and timeliness*” following appropriateness.

Moved (Cr Lee Vandervis/Cr Jim O'Malley):

That the Council:

Approves, with amendments, the Terms of Reference for the review of the DCC Waikouaiti, Karitane and Hawksbury Village water response.

Motion carried (CNL/2021/083)

18 ADOPTION OF THE LITTER COMPLIANCE POLICY 2020

A report from Waste and Environmental Solutions recommended Council adopt the updated Litter Compliance Policy 2020.

The General Manager Infrastructure and Development (Simon Drew) and Group Manager Waste and Environmental Solutions (Chris Henderson) spoke to the report and responded to questions.

Moved (Cr Christine Garey/Cr Rachel Elder):

That the Council:

- a) **Approves** the proposed Litter Compliance Policy 2020.
- b) **Revokes** the Litter Compliance Policy 2018.

Motion carried (CNL/2021/084)

Moved (Mayor Aaron Hawkins/Cr Christine Garey):

That the Council:

Adjourns the meeting.

Motion carried

The meeting adjourned at 3.03 pm and reconvened at 3.15 pm.

19 REGULATORY SUBCOMMITTEE RECOMMENDATION ON DANGEROUS AND INSANITARY BUILDINGS POLICY REVIEW

A report from Civic presented the recommendations of the Regulatory Subcommittee on the review of the Dangerous and Insanitary Buildings Policy.

Crs Lee Vandervis and Carmen Houlahan returned to the meeting at 3.16 pm.

Cr Doug Hall returned to the meeting at 3.17 pm

The Chairperson, Regulatory Subcommittee (Cr Andrew Whiley) spoke to the recommendations. The General Manager Community Services (Simon Pickford) and the Building Solutions Manager (Paul Henderson) spoke to the Policy and responded to questions.

Moved (Cr Andrew Whiley/Cr Jules Radich):

That the Council:

- a) **Notes** that the Regulatory Subcommittee has considered the submission on the Dangerous and Insanitary Buildings Policy review.
- b) **Approves** the amended Dangerous, Insanitary and Affected Buildings Policy; noting that the words “and the Central City Heritage Reuse Grant Scheme” had been removed from section 2.1.

.Motion carried (CNL/2021/085)

20 SUBMISSION TO GAMBLING COMMISSION ON REVIEW OF CHARITABLE TRUST LICENCE CONDITIONS FOR CASINOS

Cr Steve Walker withdrew from this item.

A report from Customer and Regulatory Services sought approval of a Dunedin City Council submission to the Gambling Commission on its review of the charitable trust licence conditions attached to the venue licences for six casinos, one of which is in Dunedin.

The General Manager Community Services (Simon Pickford) and Secretary, District Licensing Committee (Kevin Mechen) spoke to the report and responded to questions.

Moved (Cr Christine Garey/Mayor Aaron Hawkins):

That the Council:

- a) **Approves** the DCC submission with the approved amendment to paragraph 4 to the Gambling Commission on its review of the charitable trust licence conditions attached to the venue licences for casinos with the addition:

-“The DCC supports a stronger and more equitable alignment between the distribution of funding provided by casinos and their communities’ social, cultural and environmental wellbeing.”

Motion carried (CNL/2021/086)

21 DCC SUBMISSION ON BUILDING CODE UPDATE 2021 PROPOSALS

The Mayor withdrew from this item and left the meeting at 3.36 pm.
Cr Christine Garey assumed the Chair.

A report from Property sought approval of the draft Dunedin City Council submission to the Ministry of Business, Innovation and Employment on the Building Code update 2021.

The Acting General Manager City Services (Robert West) and Group Manager Property Services (David Bainbridge-Zafar) spoke to the report and responded to questions.

Moved (Cr David Benson-Pope/Cr Steve Walker):

That the Council:

Approves the Dunedin City Council submission to the Ministry of Business, Innovation and Employment on Building Code update 2021.

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, Steve Walker and Andrew Whiley (12).

Against: Cr Lee Vandervis (1).

Abstained: Nil

The division was declared CARRIED by 12 votes to 1

Motion carried (CNL/2021/087)

The Mayor returned to the meeting at 3.54 pm and resumed the Chair.

22 FINANCIAL RESULT - PERIOD ENDED 30 APRIL 2021

A report from Finance provided the financial results for the ten months ended 30 April 2021 and the financial position as at that date.

The Chief Financial Officer (Gavin Logie) spoke to the report and responded to questions.

Moved (Mayor Aaron Hawkins/Cr Christine Garey):

That Council:

Extends the meeting beyond 6 hours.

Motion carried

Moved (Cr Mike Lord/Cr Doug Hall):

That the Council:

Notes the Financial Performance for the ten months 30 April 2021 and the Financial Position as at that date.

Motion carried

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 - 13 April 2021 - Public Excluded | 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.

S7(2)(a)

The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.

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.

S7(2)(i)

The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

C2 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.

C3 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.

| | | |
|------------------------------|---|---|
| C4 Contract Matter: Waste | 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. |
|------------------------------|---|---|

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 members of the public and media to leave.

The meeting moved into confidential at 4.07 pm and concluded at 5.00 pm.

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MAYOR