

Council MINUTES

Minutes of an ordinary meeting of the Dunedin City Council held in the Edinburgh Room for the Mayor and Councillors and via Audio Visual Link for members of the public on Tuesday 28 September 2021, commencing at 10.03 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 and Development), Robert West (General Manager Corporate and Quality), Simon Drew (General Manager Infrastructure and Development), Claire Austin (General Manager Customer and Regulatory), Glen Hazelton (Project Director Central City Plan), Josh Von Pein (Programme Manager – Major Projects), Anna Nilsen (Planning and Support Manager), Ros MacGill (Manager Compliance and Solutions), Tom Dyer (Group Manager 3 Waters), Jeanine Benson (Group Manager Transport) and Clare Sullivan (Manager Governance).

Governance Support Officer Lynne Adamson

1 PUBLIC FORUM

1.1 Central City Plan

Mhairi MacKenzie Everitt spoke on behalf of the OUSA in support of the Central City Plan and responded to questions.

1.2 Central City Plan

Louise Mainvil, Health Promotion Advisor, Public Health South spoke in support of the Central City Plan and in particular the one way traffic option. Ms Mainvil then responded to questions.

Moved (Mayor Aaron Hawkins/Cr Christine Garey):

That the Council:

Extends the public forum.

Motion carried

1.3 Central City Plan – Mary O’Brien

Mary O’Brien, National Coordinator Street Accessibility Audit spoke on behalf of CCS Disability Action in support of the Central City Plan. Ms O’Brien responded to questions.

1.4 Central City Plan

Malcolm Budd, District Chairman, NZ Automobile Assn spoke in opposition of the proposed changes in George Street and responded to questions.

1.5 Central City Plan

Alan Race spoke on behalf of Urban Access spoke on the proposed changes outlined in the Central City Plan.

Cr Carmen Houlahan left the meeting at 10.46 am and returned at 10.50 am.

Mr Race responded to questions.

1.6 Central City Plan

Finn Campbell, Joel Clements and Pippa Chang, Generation Zero spoke in support of the Central City Plan and outlined some benefits this would bring to the city. They responded to questions.

During questions Cr Doug Hall left the meeting at 10.59 am and returned at 11.08 am.

1.7 Central City Plan

Jo Millar, President, Grey Power spoke to the proposed changes outlined in the Central City Plan and responded to questions.

1.8 Central City Plan

Chris Ford spoke on behalf of the Disabled Persons Assembly in support of the Central City Plan and the proposed one way option and responded to questions.

Cr Carmen Houlahan left the meeting at 11.21 am and returned at 11.23 am.

Cr Christine Garey left the meeting at 11.22 am and returned at 11.25 am.

1.9 Central City

Alex King spoke on behalf of the Bus Users Group on the Central City Plan in support of Great King Street being used primarily for buses with the provision of additional, convenient stops. Mr King responded to questions and advised that the group had also provided their views to the Otago Regional Council.

Moved (Mayor Aaron Hawkins/Cr Steve Walker):

That the Council:

Adjourns for 10 minutes.

Motion carried

The meeting adjourned at 11.42 am and reconvened at 11.55 am.

2 APOLOGIES

There were no apologies.

3 CONFIRMATION OF AGENDA

Moved (Mayor Aaron Hawkins/Cr Christine Garey):

That the Council:

Confirms the agenda without addition or alteration.

Motion carried

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 Aaron Hawkins/Cr Doug Hall):

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.

Motion carried

5 CONFIRMATION OF MINUTES

5.1 ORDINARY COUNCIL MEETING - 10 AUGUST 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 10 August 2021 as a correct record.

Motion carried

5.2 ORDINARY COUNCIL MEETING - 27 JULY 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 July 2021 as a correct record.

Motion carried

5.3 ORDINARY COUNCIL MEETING - 3 SEPTEMBER 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 03 September 2021 as a correct record.

Motion carried

Cr Carmen Houlahan returned to the meeting at 11.57 am.

6 MINUTES OF COMMUNITY BOARDS

6 SADDLE HILL COMMUNITY BOARD - 10 JUNE 2021

Moved (Cr Jules Radich/Cr Steve Walker):

That the Council:

Notes the minutes of the Saddle Hill Community Board meeting held on 10 June 2021.

Motion carried

7 WEST HARBOUR COMMUNITY BOARD - 9 JUNE 2021

Moved (Cr Steve Walker/Cr Jules Radich):

That the Council:

Notes the minutes of the West Harbour Community Board meeting held on 09 June 2021.

Motion carried

8 MOSGIEL-TAIERI COMMUNITY BOARD - 28 JULY 2021

Moved (Cr Carmen Houlahan/Cr Jules Radich):

That the Council:

Notes the minutes of the Mosgiel-Taieri Community Board meeting held on 28 July 2021.

Motion carried

9 OTAGO PENINSULA COMMUNITY BOARD - 24 JUNE 2021

Moved (Cr Andrew Whiley/Cr Chris Staynes):

That the Council:

Notes the minutes of the Otago Peninsula Community Board meeting held on 24 June 2021.

Motion carried

REPORTS

10 ACTIONS FROM RESOLUTIONS OF COUNCIL MEETINGS

A report from Civic provided an update on the implementation of resolutions made at Council meetings.

Moved (Cr Chris Staynes/Cr Mike Lord):

That the Council:

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

Motion carried

11 COUNCIL FORWARD WORK PROGRAMME

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

Moved (Cr Chris Staynes/Cr Mike Lord):

That the Council:

Notes the updated Council forward work programme.

Motion carried

12 FORWARD WORK PROGRAMME FROM THE 10 YEAR PLAN 2021-31, INCORPORATING THE 2022/23 ANNUAL PLAN

A report from Corporate Policy presented a forward work programme focusing on the implementation of Council decisions made during the development of the 10 year plan 2021-31, and for the development of the 2022/23 Annual Plan.

Moved (Cr Doug Hall/Cr Jules Radich):

That the Council:

Notes the Forward Work Programme from the 10 year plan 2021-31, incorporating the 2022/23 Annual Plan.

Motion carried

13 CENTRAL CITY PLAN RETAIL QUARTER DETAILED BUSINESS CASE

Cr Doug Hall withdrew from this item.

A report from the Project Management Office presented the Retail Quarter George Street Detailed Business Case (DBC) to Council.

The Chief Executive Officer (Sandy Graham); General Manager Infrastructure and Development (Simon Drew) and Project Director, Central City Plan (Glen Hazelton) and Programme Manager – Major Projects (Josh Von Pein) spoke to the report and responded to questions.

There was a lengthy discussion on the business case and the options available.

During discussion Cr Carmen Houlahan left the meeting at 12.05 pm and returned at 12.07 pm.
Cr Christine Garey left at 12.41 pm and returned at 12.44 pm.

Moved (Mayor Aaron Hawkins/Cr Mike Lord):

That the Council:

Adjourns the meeting until 1.45 pm.

Motion carried

The meeting adjourned at 12.59 pm and reconvened at 1.46 pm.
Cr Lee Vandervis returned to the meeting at 1.48 pm.

The discussion on the Central City Plan Retail Quarter Detailed Business case continued.

Moved (Cr Christine Garey/Cr Steve Walker)

That the Council:

Adjourns the meeting.

Motion carried

The meeting adjourned at 2.00 pm and reconvened at 2.02 pm.

Moved (Mayor Aaron Hawkins/Cr Christine Garey):

That the Council:

- a) **Notes** the findings of the Retail Quarter George Street Detailed Business Case.

Division

The Council voted by division:

For: Crs Sophie Barker, David Benson-Pope, Rachel Elder, Christine Garey, Marie Laufiso, Mike Lord, Jim O'Malley, Chris Staynes, Steve Walker, Andrew Whiley and Mayor Aaron Hawkins (11).

Against: Crs Carmen Houlahan, Jules Radich and Lee Vandervis (3).

Abstained: Nil

The division was declared CARRIED by 11 votes to 3

Motion carried (CNL/2021/174)

Moved (Mayor Aaron Hawkins/Cr Christine Garey):

That the Council:

- b) **Confirms** a one-way design for the Retail Quarter George Street Upgrade project.

Division

The Council voted by division:

For: Crs Sophie Barker, David Benson-Pope, Christine Garey, Marie Laufiso, Mike Lord, Jim O'Malley, Chris Staynes, Steve Walker and Mayor Aaron Hawkins (9).

Against: Crs Rachel Elder, Carmen Houlahan, Jules Radich, Lee Vandervis and Andrew Whiley (5).

Abstained: Nil

The division was declared CARRIED by 9 votes to 5

Motion carried (CNL/2021/175)

Moved (Mayor Aaron Hawkins/Cr Christine Garey):

That the Council:

- c) **Decides** that the direction of travel on George Street is south bound.

Division

The Council voted by division.

For: Crs Sophie Barker, David Benson-Pope, Rachel Elder, Christine Garey, Marie Laufiso, Mike Lord, Jim O'Malley, Jules Radich, Chris Staynes, Steve Walker and Mayor Aaron Hawkins (11).

Against: Crs Carmen Houlahan and Lee Vandervis (2).

Abstained: Cr Andrew Whiley (1).

The division was declared CARRIED by 11 votes to 2 with 1 abstention.

Motion carried (CNL/2021/176)

Moved (Mayor Aaron Hawkins/Cr Christine Garey):

That the Council:

Extend the meeting beyond six hours.

Motion carried

That the Council:

Adjourn the meeting for 15 minutes.

Motion carried

The meeting adjourned at 3.58 pm and reconvened at 4.15 pm.

Moved (Mayor Aaron Hawkins/Cr Christine Garey):

That the Council:

Moves Item 17 – Review of Keeping of Animals (excluding Dogs) and Birds Bylaw and Item 16 – 10 Year Plan Update – Amenity Requests to be taken before Item 14 – Three Waters Reform.

Motion carried

17 REVIEW OF KEEPING OF ANIMALS (EXCLUDING DOGS) AND BIRDS BYLAW

A report from Customer and Regulatory sought approval of a draft statement of proposal and revised draft of the Keeping of Animals (excluding dogs) and birds bylaw for broader public consultation and the appointment of members to the Regulatory Subcommittee.

The General Manager Customer and Regulatory (Claire Austin) and Manager Compliance Solutions (Ros MacGill) spoke to the report and responded to questions.

Moved (Cr Andrew Whiley/Cr Steve Walker):

That the Council:

- a) **Approves** the draft Keeping of Animals Bylaw and the statement of proposal for consultation purposes, subject to any amendment.
- b) **Agrees** that the proposed draft Keeping of Animals Bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990
- c) **Appoints** the following members to the Regulatory Subcommittee: Cr Andrew Whiley (Chair), Cr Sophie Barker and Cr Rachel Elder.
- d) **Authorises** the Chief Executive to make any minor editorial changes to the Bylaw and Statement of Proposal.

Motion carried (CNL/2021/177)

16 10 YEAR PLAN UPDATE - AMENITY REQUESTS

A report from Corporate Policy provided an update on the requests for new amenities and projects that had been received during the community feedback period on the 10 year plan 2021-31.

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

Moved (Cr Steve Walker/Cr Jim O'Malley):

That the Council:

Notes the updates on amenity requests.

Motion carried

14 THREE WATERS REFORM

A report from 3 Waters updated the Council on the Government's three waters regulatory and service delivery reform proposals.

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

During discussion, Cr Andrew Whiley left the meeting at 5.14 pm and returned at 5.16 pm.

Moved (Mayor Aaron Hawkins/Cr Jim O'Malley):

That the Council:

- a) **Notes** the updates on the three waters reform proposals.
- b) **Notes** the updates on independent analyses of aspects of the reform proposals commissioned by the Otago-Southland Three Waters Office.

- c) **Approves**, with any amendments, the draft feedback letter to the Minister of Local Government.
- d) **Authorises** the Chief Executive to make any minor editorial changes to the letter
- e) **Authorises** the Mayor or his delegate to speak to the Minister and/or her officials in support of the letter if offered the opportunity.
- f) **Notes** the Council cannot make a formal decision to adopt an alternative model for three waters service delivery without first amending the 10 Year Plan 2021-31 and undertaking commensurate community consultation.
- g) **Notes** a decision to provide feedback to the Minister of Local Government by 1 October 2021 does not commit the Council to a particular position on a future model for three waters service delivery or to continued participation in the Government's reform programme.
- h) **Notes** the Dunedin City Council is committed to consulting with the community on three waters reform in a meaningful way once the Council has further information from the Government on the next steps in the reform programme.
- i) **Notes** the Government intends to make further decisions about the three waters service delivery model after 1 October 2021.
- j) **Invites** the Minister of Local Government to come and discuss the contents of the submission with Council.

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.

.Motion carried (CNL/2021/178)

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

That the Council:

Adjourns the meeting.

Motion carried

The meeting adjourned at 5.41 pm and reconvened at 5.42 pm.

Cr Rachel Elder left the meeting at 5.41 pm and returned at 5.44 pm.

15 COMMUNITY HOUSING - WAITLIST PRIORITISATION

A report from Property provided the results of a review of Council's waiting list criteria for Community Housing based on feedback received during 10 year plan 2021-2031.

The Chief Executive Officer (Sandy Graham); General Manager Corporate and Quality (Robert West) and (Planning and Support Manager) Anna Nilsen spoke to the report and responded to questions.

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

That the Council:

- a) **Decides** to prioritise Council's community housing for people aged 55 years and over, with limited assets and income; and those with urgent and/or physically accessible housing need
- b) **Notes** that the decision will be used to develop the waitlist criteria which will be included in the revised draft DCC Community Housing Policy.

An amendment was moved (Cr Jules Radich/Cr Lee Vandervis):

That the Council:

Remove the comma following the word over in resolution a to now read: *Decides to prioritise Council's community housing for people aged 55 years and over with limited assets and income; and those with urgent and/or physically accessible housing need.*

Motion carried

The substantive motion was then moved (Cr David Benson-Pope/Cr Christine Garey):

That the Council:

- a) **Decides** to prioritise Council's community housing for people aged 55 years and over with limited assets and income and those with urgent and/or physically accessible housing need
- b) **Notes** that the decision will be used to develop the waitlist criteria which will be included in the revised draft DCC Community Housing Policy.

Motion carried (CNL/2021/179)

Cr Chris Staynes left the meeting at 5.58 pm.

18 PROPOSED EVENT ROAD CLOSURES FOR OCTOBER-NOVEMBER 2021

A report from Transport recommended approval for temporary road closures using the provisions of the Local Government Act 1974 for the following events:

- a) Special Rigs for Special Kids.
- b) Emerson's Dunedin Marathon (date change).
- c) Opening of the Archibald Baxter Memorial Garden.

The Group Manager Transport (Jeanine Benson) spoke to the report and responded to questions.

Moved (Cr Lee Vandervis/Cr Rachel Elder):

That the Council:

- a) **Resolves** pursuant to Section 319, Section 342, and Schedule 10 clause 11(e) of the Local Government Act 1974, to close the roads detailed below:

i) Special Rigs for Special Kids

Closed 6:00am to 6:00pm Sunday 31 October 2021:

- Midland Street from Otaki Street to Portsmouth Drive.
- Otaki Street from Midland Street to Teviot Street.

Closed for a short period of approximately 20 minutes during this time to allow the convoy to leave:

- Teviot Street from Portsmouth Drive to Timaru Street.

ii) 2021 Emerson's Dunedin Marathon

Closed 8:00am to 1:00pm Sunday 7 November 2021:

- Anzac Avenue, from Union St to SH88.
- Butts Road, from Anzac Avenue to Dundas Street.
- Logan Park Drive, from Anzac Avenue to Butts Road.
- Dundas Street, from Harbour Terrace to Butts Road.
- Minerva Street, from Anzac Avenue to Parry Street West
- Parry Street West, from Minerva to end.

These roads will be progressively reopened as the tail end passes.

On the following roads road users will be escorted through when safe to do so:

- Ward Street, from Anzac Avenue to Wickliffe Street (includes bridge).
- Wickliffe Street, from Ward street to Fryatt Street.
- Fryatt Street, from Wharf Street to Wickliffe Street.
- Kitchener Street, from Wharf Street to Birch Street.
- Roberts Street, from Wharf Street to Birch Street.
- Birch Street, from Wharf Street to Roberts Street.

iii) Opening of the Archibald Baxter Memorial Garden

Closed 2:30 to 3:30pm 29 October 2021:

- Albany Street between George Street and the upper section of Albany Street.

- George and Albany Street intersection.

Motion carried (CNL/2021/180)

19 NOTICE OF MOTION - NEW ZEALAND SPORTS HALL OF FAME

Mayor Aaron Hawkins spoke to his notice of motion in respect of the New Zealand Sports Hall of Fame.

Moved (Mayor Aaron Hawkins/Cr Lee Vandervis):

That the Council:

- Supports** the retention of the New Zealand Sports Hall of Fame in Dunedin.
- Endorses** any application by the NZSHF Trust to external funders or sponsors.
- Provides** appropriate representation on any community-led steering group charged with planning its redevelopment and/or relocation; and
- Considers** any future funding requirements through the relevant Annual Plan or Long Term Plan process.

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, Lee Vandervis, Steve Walker, Andrew Whiley and Mayor Aaron Hawkins (14).

Against: Nil

Abstained: Nil

The division was declared CARRIED unanimously

Motion carried (CNL/2021/181)

RESOLUTION TO EXCLUDE THE PUBLIC

Moved (Mayor Aaron Hawkins/Cr Rachel Elder):

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
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C1 Ordinary Council meeting - 27 July 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.

C2 Ordinary Council meeting - 3 September 2021 - Public Excluded

S7(2)(h)
The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.

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).
S7(2)(a)
The withholding of the information is necessary to protect the privacy of natural

persons, including that of a deceased person.

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 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.
C5 Appointment of Reviewer	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/2021/182)

The meeting moved into confidential at 6.20pm and concluded at 6.33 pm.

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MAYOR