

## **Council MINUTES**

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**Minutes of an ordinary meeting of the Dunedin City Council held in the Edinburgh Room, Municipal Chambers, The Octagon, Dunedin on Wednesday 27 October 2021, commencing at 10.12 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), Simon Pickford (General Manager Community Services), Jeanette Wikaira (Manahautū - General Manager Māori, Partnerships and Policy), Gavin Logie (Chief Financial Officer), Robert West (General Manager Corporate and Quality), Sharon Bodeker (Corporate Planner) David Bainbridge-Zafar (Group Manager Property), Chris Henderson (Group Manager Waste and Environmental Solutions) and Paul Freeland (Principal Policy Advisor), Bernie Hawke (Manager Library Services), Maria Sleeman (Property Officer), Treasury Manager (Richard Davey) and Clare Sullivan (Manager Governance).

**Governance Support Officer** Lynne Adamson

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### **1 PUBLIC FORUM – DELTA VARIANT AND DUNEDIN PREPARATION**

Dr Alex MacMillan spoke on the COVID Delta variant and her desire to work with Council on priorities in preparation should it arrive in Dunedin.

Dr MacMillan responded to questions.

## 2 APOLOGIES

There were no apologies.

## 3 CONFIRMATION OF AGENDA

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

That the Council:

**Confirms** the agenda without addition or alteration.

**Motion carried** with Cr Lee Vandervis recording his vote against.

## 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 Christine Garey):

That the Council:

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

**Motion carried**

## 5 CONFIRMATION OF MINUTES

### 5.1 ORDINARY COUNCIL MEETING - 28 SEPTEMBER 2021

Moved (Mayor Aaron Hawkins/Cr Steve Walker):

That the Council:

**Confirms** the public part of the minutes of the Ordinary Council meeting held on 28 September 2021 as a correct record with minor editorial corrections.

**Motion carried**

## 5.2 ORDINARY COUNCIL MEETING - 12 OCTOBER 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 12 October 2021 as a correct record.

**Motion carried**

## REPORTS

### 6 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**

### 7 COUNCIL FORWARD WORK PROGRAMME

A report from Corporate Policy provided an 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 COMMUNITY HOUSING GROWTH - UPDATE

A report from Property updated Council on plans to build more community housing in Dunedin, following the allocation of \$2m per annum through the 10 year plan.

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

Moved (Cr Rachel Elder/Cr Doug Hall):

That the Council:

**Notes** the Community Housing Growth update.

**Motion carried** with Cr Lee Vandervis recording his vote against

## 9 DCC SUBMISSION TO THE MINISTRY FOR THE ENVIRONMENT ON MANAGING OUR WETLANDS CONSULTATION

A report from City Development sought approval of a Dunedin City Council submission on the 'Managing our wetlands' consultation.

The General Manager Infrastructure and Development (Simon Drew), Group Manager Waste and Environmental Solutions (Chris Henderson ) and Principal Policy Advisor (Paul Freeland) spoke to the report and responded to questions.

During discussion Cr Doug Hall left the meeting at 10.39 am and returned at 10.42 am; Cr Jim O'Malley left the meeting at 10.56 am and returned at 10.59 am; and Cr Christine Garey left the meeting at 11.01 am and returned at 11.05 am.

Moved (Cr David Benson-Pope/Cr Jules Radich):

That the Council:

- a) **Approves** the DCC submission to the MfE on the Managing Our Wetlands discussion document on changes to wetland regulations.
- b) **Authorises** the Chief Executive to make any minor editorial changes to the submission to ensure consistency of language.

An amendment was moved (Mayor Aaron Hawkins/Cr Steve Walker):

That the Council:

- a) **Approves** the DCC submission to the MfE on the Managing our Wetlands discussion document on changes to wetland regulations with the replacement of the discretionary consenting pathway in the submission with a non complying consenting pathway.

### Division

The Council voted by division:

For: Crs Sophie Barker, David Benson-Pope, Rachel Elder, Christine Garey, Carmen Houlahan, Marie Laufiso, Jim O'Malley, Jules Radich, Chris Staynes, Steve Walker, Andrew Whiley and Mayor Aaron Hawkins (12).

Against: Crs Doug Hall, Mike Lord and Lee Vandervis (3).

Abstained: Nil

The division was declared CARRIED by 12 votes to 3

**Motion carried (CNL/2021/185)**

The substantive motion was then moved (Cr David Benson-Pope/Cr Jules Radich):

That the Council:

- a) **Approves** the DCC submission to the MfE on the Managing Our Wetlands discussion document on changes to wetland regulations, as amended by replacing the discretionary consenting pathway in the submission with a non complying consenting pathway.
- b) **Authorises** the Chief Executive to make any minor editorial changes to the submission.

#### **Division**

The Council voted by division:

For: Crs Sophie Barker, David Benson-Pope, Rachel Elder, Christine Garey, Carmen Houlahan, Marie Laufiso, Jim O'Malley, Jules Radich, Chris Staynes, Steve Walker, Andrew Whiley and Mayor Aaron Hawkins (12).

Against: Crs Doug Hall, Mike Lord and Lee Vandervis (3).

Abstained: Nil

The division was declared CARRIED by 12 votes to 3

#### **Motion carried (CNL/2021/186)**

Crs Rachel Elder and Carmen Houlahan left the meeting at 11.26 am and returned at 11.30 am;

Cr Doug Hall left the meeting at 11.30 am and returned at 11.33 am.

## **10 LIBRARIES OVERDUE CHARGES**

A report from Arts and Culture sought Council approval to remove charges for all overdue library items.

The General Manager Community Services (Simon Pickford) and Manager Library Services (Bernie Hawke) spoke to the report and responded to questions.

During discussion Cr Doug Hall left the meeting at 11.56 am.

Moved (Mayor Aaron Hawkins/Cr Mike Lord):

That the Council:

**Approves** the removal of all charges for overdue library items and all historic debt related to overdue charges including those charges currently referred to debt collection agencies.

#### **Motion carried (CNL/2021/187)**

## **11 PART DUNEDIN GASWORKS MUSEUM SITE - 20 BRAEMAR STREET - PROPOSED EASEMENT**

Cr Sophie Barker withdrew from this item and left the room at 11.57 am.

A report from Property advised that Council had received an application by Aurora Energy Ltd for the grant of an easement over part of the Dunedin Gasworks Museum site at 20 Braemar Street (Gasworks) and recommended that the easement be granted.

The General Manager Corporate and Quality (Robert West) and Property Officer (Maria Sleeman) spoke to the report and responded to questions.

Moved (Cr Mike Lord/Cr Lee Vandervis):

That the Council:

- a) **Grants** as administering body of the Reserve, pursuant to Section 48 of the Reserves Act 1977, an easement in gross to Aurora Energy Limited for the installation of a new transformer and associated cables over that part of the Dunedin Gasworks Museum site being approximately 16m<sup>2</sup> (subject to survey) being part Lot 6, Deposited Plan 21969, part Record of Title OT13C/927.
- b) **Decides** that the criteria for public notification has 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, consents to an easement in gross to Aurora Energy Limited for the installation of a new transformer and associated cables over that part of the Dunedin Gasworks Museum site being approximately 16m<sup>2</sup> (subject to survey) being part Lot 6, Deposited Plan 21969, part Record of Title OT13C/927.

**Motion carried (CNL/2021/188)**

Crs Doug Hall and Sophie Barker returned to the meeting at 11.59 am.

## **12 REGULATORY SUBCOMMITTEE RECOMMENDATIONS ON THE PROPOSED SPEED LIMIT BYLAW 2004 - AMENDMENTS 10 AND 11**

Cr Christine Garey withdrew from this item and left the room at 12.00 noon and returned at 12.02 pm.

A report from Civic presented the recommendations of the Regulatory Subcommittee on the proposed changes to speed limits contained in Amendments 10 and 11 of the Speed Limits Bylaw 2004.

Cr Andrew Whiley (Chairperson Regulatory Subcommittee) responded to questions on the hearings process and recommendations.

The General Manager Infrastructure and Development (Mr Simon Drew) responded to questions.

Cr Mike Lord left the meeting at 12.04 pm and returned at 12.06 pm.

Moved (Cr Andrew Whiley/Cr Jim O'Malley):

That the Council:

- a) **Notes** that the Regulatory Subcommittee has heard and considered submissions on the proposed Speed Limit Bylaw 2004 - Amendments 10 and 11 as notified.

- b) **Adopts** the Speed Limits Bylaw 2004 Amendment 10 as recommended by the Regulatory Subcommittee.
- c) **Adopts** the changes to Speed Limits Bylaw 2004 Amendment 11 as recommended by the Regulatory Subcommittee.
- d) **Approves** a date of effect for the Speed Limits Bylaw 2004 – Amendments 10 and 11 of 6 December 2021.

**Motion carried (CNL/2021/189)**

### **13 PROPOSED EVENT ROAD CLOSURES FOR NOVEMBER AND DECEMBER 2021, AND JANUARY 2022.**

A report from Transport recommended that Council approve temporary road closure applications for events to be held in November and December 2021.

The Group Manager Transport (Jeanine Benson) and Transport Network Team Leader (Michael Tannock) and Vicki Lenihan (Community Events Advisor) spoke to the report and responded to questions.

Moved (Cr Mike Lord/Cr Lee Vandervis):

That the Council:

- a) **Resolves** to close the roads detailed below, pursuant to Section 319, Section 342, and Schedule 10 clause 11(e) of the Local Government Act 1974:
  - i) **Tribal Nations Motorcycle Parade**  
13 November 2021, from 11:00am to 11:15am:
    - Frederick Street, between Great King Street and George Street.
    - George Street, between Frederick Street and the Octagon.
  - ii) **Orange Parade**  
Friday 26 November 2021, from 9:00am to 10:30am:
    - Great King Street, between Frederick Street and Albany Street.
    - Frederick Street, between Great King Street and George Street.
    - George Street, between Frederick Street and The Octagon.
    - The Octagon Central Carriageway will be closed between 9:15am to 11:00am.
    - The left-hand downhill lane of Upper Stuart Street, between Littlebourne Road and Queens Drive, will be closed between 10:00am to 2:30pm.
  - iii) **Otago Sports Car Club – Flagstaff-Whare Flat Road**  
Saturday 27 November 2021, from 8:00am to 5:00pm:
    - Flagstaff Whare Flat Road, from the corner of Longridge Road South (at the bottom of the hill) to the corner of Longridge Road North (at the top of the hill).

**iv) Otago Sports Car Club Hill Climb - Three Mile Hill Road**

Sunday 28 November 2021, from 8:00am to 5:00pm:

- Three Mile Hill Road from the corner of Silverstream Valley Road to the corner of Halfway Bush Road. Residents will be given access between runs.

**v) Rainbow Run**

Sunday 28 November 2021, from 11:00am to 2:00pm:

- Logan Park Drive, from Union Street East to Butts Road.

**vi) Green Island Market Day**

Saturday 4 December 2021, from 7:00am to 3:00pm:

- Main South Road Green Island, from Howden Street to Church Street.
- Jenkins Street, from Main South Road to Shand Street.

**vii) Lighting of the Christmas Tree**

Saturday 4 December 2021, from 6:00pm to 11:00pm:

- Lower Octagon, between George Street and Lower Stuart Street.
- Lower Stuart Street, between the Octagon and Moray Place.
- The Octagon Central Carriageway.

**viii) Santa Parade**

Sunday 5 December 2021, from 8:00am to 6:00pm:

- George Street between Regent Street and Duke Street will be closed from 8:00am to 6:00pm.

The following roads will be closed from 2:00pm to 6:00pm:

- George Street, between the Octagon and Duke Street.
- Titan Street.
- The Octagon Central Carriageway.
- Harrop Street.
- Princes Street, between the Octagon and Moray Place.
- Moray Place, between Princes Street and Lower Stuart Street.
- Burlington Street.
- Upper Stuart Street, between the Octagon and Moray Place.
- Lower Stuart Street, between the Octagon and Moray Place.

**ix) Graduation parades:**

Saturday 11 December 2021, 11:30-1:00pm.

Wednesday 15 December 2021, 11:30-1:00pm.

Friday 17 December 2021, 11:00am to 12:30pm.

Saturday 18 December 2021, 11:30-1:00pm.

- Great King Street between Frederick Street and Albany Street will be closed from 10:00am to 1:00pm on parade days.



The following streets will be closed for 15 minutes before, and to 45 minutes after parade start times:

- Frederick Street, between Great King Street and George Street.
- George Street, between Frederick Street and the Octagon.
- Moray Place, between George Street and Filleul Street.
- Moray Place between Upper Stuart Street and Filleul Street will be closed for a period of approximately 45 minutes prior to the parade start times until parade has cleared.

**x) New Year's Eve**

Sunday December 31 2021, 6:00am to 1 January 2022 11:00am:

- The Lower Octagon between George Street and Princes Street and Lower Stuart Street between the Octagon and Moray Place.

Sunday 31 December 2021, from 2:00pm to 1 January 2022 3:00am:

- The entire Octagon.
- Upper and Lower Stuart Street between the Octagon and Moray Place.
- Bath Street.
- Princes Street and George Street between the Octagon and Moray Place.
- Harrop Street.

**xi) Brighton Gala Day**

Sunday 23 January 2022, from 7:00am to 6:30pm:

- Brighton Road, between Bath and Taylor Streets.

**Motion carried (CNL/2021/190)**

## **14 REPRESENTATION REVIEW - 2021 ADOPTION OF FINAL PROPOSAL**

A report from Civic presented the findings of the Council Hearings Panel on the submissions received on the Representation Review and sought adoption of the Final Proposal for the representation arrangements for Dunedin City Council.

The Manahautū - General Manager Māori, Partnerships and Policy (Jeanette Wikaira) and Manager Governance (Clare Sullivan) spoke to the report and responded to questions.

Moved (Cr Steve Walker/Cr Doug Hall):

That the Council:

- a) **Notes** that the Council Hearings Panel considered the submissions received on the Initial Proposal
- b) **Confirms** in accordance with the provisions of the Local Electoral Act 2001, the Initial Proposal as its Final Proposal for the triennial elections to be held in 2022 and 2025 until altered by a subsequent decision that:

- i. The Council continued to be elected at large;
  - ii. The number of Councillors remained at 14;
  - iii. There continue to be six communities represented by six Community Boards (Mosgiel-Taieri, Otago Peninsula, Saddle Hill, Strath Taieri, Waikouaiti Coast and West Harbour) and the boundaries of those six community boards remained the same
  - iv. The number of elected members on the Community Boards remained at six and that Council continued to appoint one Councillor per Community Board
  - v. No further communities would be constituted, and none would be subdivided for electoral purposes
- c) **Endorses** the summary of submissions in paragraph 10 that accept, reject or note the submissions and the associated comments/reasons, and that the submitters be responded to accordingly
  - d) **Notes** that public notice would be given on Wednesday 3 November 2021 of the Final Proposal contained in this resolution providing the opportunity for appeals to be lodged no later than 5.00 pm on Monday 6 December 2021.

**Motion carried (CNL/2021/191)**

## **15 APPROACH TO ENGAGEMENT ON THE 2022/23 DRAFT ANNUAL PLAN**

A report from Corporate Policy provided an update on work underway on the 2022/23 draft Annual Plan.

The Chief Executive Officer (Sandy Graham) and (Manahautū - General Manager Māori, Partnerships and Policy) Jeanette Wikaira and Corporate Planner (Sharon Bodeker) spoke to the report and responded to questions.

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

That the Council:

**Notes** the Approach to Engagement on the 2022/23 Draft Annual Plan report.

**Motion carried**

## **16 MEETING SCHEDULE FOR 2022**

A report from Civic sought the adoption of a meeting schedule for 2022, in accordance with Clause 19(6)(a) of Schedule 7 of the Local Government Act 2002.

The Manager Governance (Clare Sullivan) and (Manahautū - General Manager Māori, Partnerships and Policy) Jeanette Wikaira spoke to the report and responded to questions.

Moved (Mayor Aaron Hawkins/Cr Christine Garey):

That the Council:

- a) **Approves** the proposed meeting schedule for 2022, with minor changes, as appended to the report.
- b) **Notes** that the Community Boards would confirm their own meeting dates at their next meetings.

**Motion carried (CNL/2021/192)**

## 17 COUNCILLOR APPOINTMENT TO OUTSIDE ORGANISATION

A report from Civic sought approval for a Council appointment to the Otago Settlers' Association.

The Mayor spoke to the appointment.

Moved (Cr Steve Walker/Cr Christine Garey):

That the Council:

**Appoints** Cr Sophie Barker to the Otago Settlers' Association.

**Motion carried (CNL/2021/193)**

Moved (Mayor Aaron Hawkins/Cr Christine Garey):

That the Council:

**Adjourns** the meeting until 1.30 pm.

**Motion carried**

The meeting adjourned at 12.29 pm and reconvened at 1.38 pm.

## 18 FINANCIAL RESULT - PERIOD ENDED 30 SEPTEMBER 2021

A report from Finance provided the financial results for the period ended 30 September 2021 and the financial position as at that date.

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

Cr Doug Hall entered the meeting at 1.45 pm.

Moved (Cr Mike Lord/Cr Andrew Whiley):

That the Council:

**Notes** the Financial Performance for the period ended 30 September 2021 and the Financial Position as at that date.

**Motion carried**

## 19 WAIPORI FUND - QUARTER ENDING SEPTEMBER 2021

A report from Dunedin City Treasury Limited provided information on the results of the Waipori Fund for the quarter ended 30 September 2021.

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

Moved (Cr Mike Lord/Cr Rachel Elder):

That the Council:

**Notes** the report from Dunedin City Treasury Limited on the Waipori Fund for the quarter ended 30 September 2021.

**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:

| <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 Ordinary Council meeting - 28 September 2021 - Public Excluded | S6(a)<br>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.<br><br>S7(2)(h)<br>The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities. |   |                                   |

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|   | S7(2)(a)<br>The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.   |   |
| C2 Confidential<br>Council Actions from Resolutions at Council Meetings | S6(a)<br>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)<br>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<br>Council Forward Work Programme                       | S7(2)(h)<br>The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.   | S48(1)(a)<br>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 Community<br>Housing Growth - Confidential attachment                | S7(2)(b)(ii)<br>The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information. | S48(1)(a)<br>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. |
|   | S7(2)(h)<br>The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.   |   |

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|---|--|---|
|   | S7(2)(i)<br>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). |   |
| C5 Dunedin City Holdings Group: Director Appointments and Re-Appointments | S7(2)(a)<br>The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.  | S48(1)(a)<br>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.

That Chris Hopkins (Deputy Chair, Dunedin City Holdings Ltd) be permitted to remain in the meeting because of his knowledge for Item C5. This knowledge would be of assistance and is relevant to the matter being discussed.

The meeting moved into confidential at 1.51 pm and concluded at 3.14 pm.

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MAYOR