

Council MINUTES

Minutes of an ordinary meeting of the Dunedin City Council held in the Council Chamber, Dunedin Public Art Gallery, The Octagon, Dunedin on Tuesday 30 January 2024, commencing at 10.02 am

PRESENT

Mayor Mayor Jules Radich
Deputy Mayor Cr Cherry Lucas

Members

Cr Bill Acklin	Cr Sophie Barker
Cr David Benson-Pope	Cr Christine Garey
Cr Carmen Houlahan	Cr Marie Laufiso
Cr Mandy Mayhem	Cr Jim O'Malley
Cr Lee Vandervis	Cr Steve Walker
Cr Brent Weatherall	Cr Andrew Whiley

IN ATTENDANCE

Sandy Graham (Chief Executive Officer), Leanne Mash (Deputy CEO/General Manager Business and Community Engagement), Robert West (General Manager Corporate Services), Jeanette Wikaira (General Manager Arts, Culture and Recreation), Claire Austin (General Manager Customer and Regulatory), Scott MacLean (General Manager Climate and City Growth), David Ward (General Manager 3 Waters and Transition), Nicola Morand (Acting Manahautū - General Manager Policy and Partnerships), Richard Davey (Treasurer, Dunedin City Holdings Limited), Sharon Bodeker (Special Projects Manager), Dr Anna Johnson (City Development Manager), Gill Brown (Principal Policy Advisor Housing), Karilyn Canton (Chief In-House Legal Counsel) and Owen Graham (Senior Leasing and Land Advisor)

Governance Support Officer Lynne Adamson

1 OPENING

Peter Small (Dunedin Interfaith Council) opened the meeting with a prayer on behalf of the Buddhist community.

2 PUBLIC FORUM

2.1 Various matters

Diane Yeldon spoke to her precirculated information on various matters.

2.2 Heritage

Crs Sophie Barker and David Benson-Pope withdrew from this item.

Ted Daniels spoke to his tabled information and responded to questions on heritage matters.

The Mayor advised that it had been the anniversary of Robbie Burns birthday the previous week and thanked all involved in the delivery of the two Burns suppers held to commemorate the day.

3 APOLOGIES

There were apologies from Cr Kevin Gilbert for absence and Cr Marie Laufiso for lateness.

Moved (Mayor Jules Radich/Cr Andrew Whiley):

That the Council:

Accepts the apologies from Cr Kevin Gilbert for absence and Cr Marie Laufiso for lateness.

Motion carried (CNL/2024/001)

4 CONFIRMATION OF AGENDA

Moved (Mayor Jules Radich/Cr Cherry Lucas):

That the Council:

Confirms the agenda without addition or alteration.

Motion carried (CNL/2024/002)

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 Jules Radich/Cr Steve Walker):

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 (CNL/2024/003)

6 CONFIRMATION OF MINUTES

6.1 ORDINARY COUNCIL MEETING - 5 DECEMBER 2023

Moved (Mayor Jules Radich/Cr Carmen Houlahan):

That the Council:

- a) **Confirms** the public part of the minutes of the Ordinary Council meeting held on 05 December 2023 as a correct record.

Motion carried (CNL/2024/004)

6.2 ORDINARY COUNCIL MEETING - 12 DECEMBER 2023

Moved (Mayor Jules Radich/Cr Cherry Lucas):

That the Council:

- a) **Confirms** the public part of the minutes of the Ordinary Council meeting held on 12 December 2023 as a correct record.

Motion carried (CNL/2024/005)

REPORTS

7 ACTIONS FROM RESOLUTIONS OF COUNCIL MEETINGS

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

Moved (Mayor Jules Radich/Cr Mandy Mayhem):

That the Council:

- a) **Notes** the Open and Completed Actions from resolutions of Council meetings.

Motion carried (CNL/2024/006)

8 FORWARD WORK PROGRAMME FOR COUNCIL - JANUARY 2024

A report from Civic provided the updated forward work programme for the 2024 – 2025 year.

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

Moved (Mayor Jules Radich/Cr Cherry Lucas):

That the Council:

- a) **Notes** the updated Council forward work programme.

Motion carried (CNL/2024/007)

9 SIGNIFICANT FORECASTING ASSUMPTIONS FOR THE 10 YEAR PLAN 2024-34

A report from Civic sought approval of financial, waste, and future legislative significant forecasting assumptions that would be used in the development of the 10 year plan 2024-2034.

The Treasurer Dunedin City Holdings Limited (Richard Davey) and Special Projects Manager (Sharon Bodeker) spoke to the report and responded to questions.

Cr Carmen Houlahan left the meeting at 10.40 am and returned at 10.43 am.

Moved: (Mayor Jules Radich/Cr Steve Walker):

That the Council:

Adjourns the meeting for 5 minutes.

Motion carried

The meeting adjourned at 11.04 am and reconvened at 11.10 am.

Cr Marie Laufiso entered the meeting at 11.10 am.

Moved (Mayor Jules Radich/Cr Andrew Whiley):

That the Council:

- a) **Approves**, for the purposes of developing the 10 year plan 2024-34 and consulting with the community, the significant forecasting assumptions.

Motion carried (CNL/2024/008)

10 BUILDING OWNER INCENTIVES (SUSTAINABILITY, EARTHQUAKE STRENGTHENING, HERITAGE CONSERVATION) REPORT

A report from City Development and Māori, Partnerships and Policy provided an overview of work that had been undertaken in recent years to support housing growth and the protection of heritage buildings, possible initiatives to further incentivise vacant inner city space and discussed the specific building incentive actions contained in the *Ōtepoti Dunedin Housing Plan 2022*, *Ōtepoti Dunedin Heritage Action Plan*, and the *Zero Carbon Plan*.

The General Manager Corporate Services (Robert West), City Development Manager (Dr Anna Johnson) and Principal Policy Advisor Housing (Gill Brown) spoke to the report and responded to questions.

Moved (Mayor Jules Radich/Cr Mandy Mayhem):

That the Council:

- a) **Notes** the Building Owner Incentives (sustainability, earthquake strengthening, heritage conservation) Report.

Motion carried (CNL/2024/009)

11 REVISED MEETING SCHEDULE 2024

A report from Civic sought the adoption of a revised meeting schedule for 2024, in accordance with Clause 19(6)(a) of Schedule 7 of the Local Government Act 2002.

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

Moved (Cr Bill Acklin/Cr Carmen Houlahan):

That the Council:

- a) **Approves** the revised meeting schedule.

Motion carried (CNL/2024/010)

12 APPROVAL TO GRANT ELECTRICITY EASEMENT TO AURORA ENERGY LIMITED - PART LOCAL PURPOSE (ESPLANADE) RESERVE AT BURNSIDE, DUNEDIN

A report from Parks and Recreation sought approval for an application by Aurora Energy Limited to grant an electricity easement over part of a Local Purpose (Esplanade) Reserve (Reserve) at Burnside, Dunedin.

Karilyn Canton (Chief In-House Counsel) and Senior Leasing and Land Advisor (Owen Graham) spoke to the report and responded to questions.

Moved (Cr Lee Vandervis/Cr Andrew Whiley):

That the Council:

- a) **Grants**, as administering body of the Local Purpose (Esplanade) Reserve, pursuant to Section 48 of the Reserves Act 1977, an easement in gross to Aurora Energy Limited for the installation of an underground fibre cable and associated cabling over part of the Local Purpose (Esplanade) Reserve at Burnside (Record of Title 201821).
- b) **Decides** the criteria for exemption from 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, approves an easement in gross to Aurora Energy Limited for the installation of an underground fibre cable and associated cabling over part of the Local Purpose (Esplanade) Reserve at Burnside (Record of Title 201821).

Motion carried (CNL/2024/011)

RESOLUTION TO EXCLUDE THE PUBLIC

Moved (Mayor Jules Radich/Cr Steve Walker):

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 - 5 December 2023 - Public Excluded	<p>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.</p> <p>S7(2)(g) The withholding of the information is necessary to maintain legal professional privilege.</p> <p>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).</p>	.	
C2 Ordinary Council meeting - 12 December 2023 - Public Excluded	<p>S7(2)(a) The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.</p>	.	
C3 Confidential Council Actions from Resolutions at Council Meetings	<p>S7(2)(a) The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.</p> <p>S7(2)(g) The withholding of the information is necessary to maintain legal professional privilege.</p> <p>S7(2)(h)</p>	<p>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.</p>	

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).

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 Potential Property Purchase

S7(2)(g)

The withholding of the information is necessary to maintain legal professional privilege.

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.

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).

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/2024/012)

The meeting moved into confidential at 11.32 am and concluded at 12.56 pm.

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MAYOR