

Notice of Meeting:

I hereby give notice that an ordinary meeting of the Dunedin City Council will be held on:

Date: Tuesday 27 February 2024
Time: 10.00 am
Venue: Council Chamber, Dunedin Public Art Gallery, The Octagon,
Dunedin

Sandy Graham
Chief Executive Officer

Council
PUBLIC AGENDA

MEMBERSHIP

Mayor
Deputy Mayor

Mayor Jules Radich
Cr Cherry Lucas

Members

| | |
|----------------------|---------------------|
| Cr Bill Acklin | Cr Sophie Barker |
| Cr David Benson-Pope | Cr Christine Garey |
| Cr Kevin Gilbert | 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 | |

Senior Officer

Sandy Graham, Chief Executive Officer

Governance Support Officer

Lynne Adamson

Lynne Adamson
Governance Support Officer

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***Note:** Reports and recommendations contained in this agenda are not to be considered as Council policy until adopted.*

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1 OPENING

Rev David Poultney, Dunedin Methodist Parish Superintendent will open the meeting with a prayer.

2 PUBLIC FORUM

AT THE CLOSE OF THE AGENDA PUBLIC FORUM REGISTRATIONS WERE STILL BEING TAKEN. THE SPEAKERS WILL BE CONFIRMED FOLLOWING CLOSURE OF REGISTRATIONS 24 HOURS BEFORE THE MEETING BEGINS.

3 APOLOGIES

An apology has been received from Cr Andrew Whiley.

That the Council:

Accepts the apology from Cr Andrew Whiley.

4 CONFIRMATION OF AGENDA

Note: Any additions must be approved by resolution with an explanation as to why they cannot be delayed until a future meeting.

DECLARATION OF INTEREST

EXECUTIVE SUMMARY

1. Members are reminded of the need to stand aside from decision-making when a conflict arises between their role as an elected representative and any private or other external interest they might have.
2. Elected members are reminded to update their register of interests as soon as practicable, including amending the register at this meeting if necessary.
3. Staff are reminded to update their register of interests as soon as practicable.

RECOMMENDATIONS

That the Council:

- a) **Notes/Amends** if necessary the Elected Members' Interest Register attached as Attachment A; and
- b) **Confirms/Amends** the proposed management plan for Elected Members' Interests.
- c) **Notes** the proposed management plan for the Executive Leadership Team's Interests.

Attachments

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| ↓B | Executive Leadership Team Interest Register | 15 |

| Councillor Register of Interest - Current as at 9 February 2024 | | | | |
|---|---|---|--|--|
| Councillors are members of all committees | | | | |
| Name | Responsibility (i.e. Chairperson etc) | Declaration of Interests | Nature of Potential Interest | Member's Proposed Management Plan |
| Mayor Jules Radich | Shareholder | Izon Science Limited | No conflict identified | Seek advice prior to the meeting if actual or perceived conflict of interest arises. |
| | Shareholder | Taurikura Drive Investments Ltd | No conflict identified | Seek advice prior to the meeting if actual or perceived conflict of interest arises. |
| | Shareholder | Golden Block Developments Ltd | No conflict identified | Seek advice prior to the meeting if actual or perceived conflict of interest arises. |
| | Director | Cambridge Terrace Properties Ltd | No conflict identified | Seek advice prior to the meeting if actual or perceived conflict of interest arises. |
| | Director/Shareholder | Southern Properties (2007) Ltd | No conflict identified | Seek advice prior to the meeting if actual or perceived conflict of interest arises. |
| | Director | Arrenway Drive Investments Limited | No conflict identified | Seek advice prior to the meeting if actual or perceived conflict of interest arises. |
| | Director | Golden Centre Holdings Ltd | No conflict identified | Seek advice prior to the meeting if actual or perceived conflict of interest arises. |
| | Director/Shareholder | IBMS Ltd | No conflict identified | Seek advice prior to the meeting if actual or perceived conflict of interest arises. |
| | Director/Shareholder | Raft Holdings Ltd | No conflict identified | Seek advice prior to the meeting if actual or perceived conflict of interest arises. |
| | Director/Shareholder | Otago Business Coaching Ltd | No conflict identified | Seek advice prior to the meeting if actual or perceived conflict of interest arises. |
| | Director | Effectivise Ltd | No conflict identified | Seek advice prior to the meeting if actual or perceived conflict of interest arises. |
| | Director | Athol Street Investments Ltd | No conflict identified | Seek advice prior to the meeting if actual or perceived conflict of interest arises. |
| | Director/Shareholder | Allandale Trustee Ltd | No conflict identified | Seek advice prior to the meeting if actual or perceived conflict of interest arises. |
| | Shareholder | Aberdeen St No2 Ltd | No conflict identified | Seek advice prior to the meeting if actual or perceived conflict of interest arises. |
| | Member | Road Safety Action Plan | No conflict identified | Seek advice prior to the meeting if actual or perceived conflict of interest arises. |
| | 100% Shareholder/Director | Panorama Developments Limited | No conflict identified | Seek advice prior to the meeting if actual or perceived conflict of interest arises. |
| | Member | Dunedin Hospital Local Advisory Group (Council Appointment) | No conflict identified | Seek advice prior to the meeting if actual or perceived conflict of interest arises. |
| | Member | Dunedin Council of Social Services (Council Appointment) | No conflict identified | Seek advice prior to the meeting if actual or perceived conflict of interest arises. |
| | Member | Tertiary Precinct Planning Group (Council Appointment) | No conflict identified | Seek advice prior to the meeting if actual or perceived conflict of interest arises. |
| | Member | Tertiary Sector Steering Group (Council Appointment) | No conflict identified | Seek advice prior to the meeting if actual or perceived conflict of interest arises. |
| Member | Dunedin Club | No conflict identified | Seek advice prior to the meeting if actual or perceived conflict of interest arises. | |
| Member | Local Government New Zealand (Zone 6 Committee) (Council Appointment) | No conflict identified | Seek advice prior to the meeting if actual or perceived conflict of interest arises. | |

CONFIRMATION OF MINUTES

ORDINARY COUNCIL MEETING - 30 JANUARY 2024

RECOMMENDATIONS

That the Council:

- a) **Confirms** the public part of the minutes of the Ordinary Council meeting held on 30 January 2024 as a correct record.

Attachments

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| A↓ | Minutes of Ordinary Council meeting held on 30 January 2024 | 18 |

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 | 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. | | |
| | S7(2)(g) The withholding of the information is necessary to maintain legal professional privilege. | | |
| | 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 Ordinary Council meeting - 12 December 2023 - Public Excluded | 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 | S7(2)(a) The withholding of the information is necessary to protect the privacy of natural persons, | S48(1)(a) The public conduct of the part of the meeting would be likely to result in the | |

| | | |
|--|--|---|
| | including that of a deceased person. | disclosure of information for which good reason for withholding exists under section 7. |
| | S7(2)(g) The withholding of the information is necessary to maintain legal professional privilege. | |
| | 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). | |
| 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 | 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. |

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.

.....
MAYOR

REPORTS

OPTION TO PREPARE AN ANNUAL PLAN 2024/25

Department: Civic and Finance

EXECUTIVE SUMMARY

- 1 On 16 February 2024, the Water Services Acts Repeal Act 2024 (the Repeal Act) was enacted. The Repeal Act provides transitional options for local authorities to consider in terms of the preparation of their 2024-34 Long Term Plans. It includes the ability to prepare an enhanced Annual Plan for the 2024/25 year, followed by the completion of a 9 year plan for the period 2025-2034.
- 2 This report seeks a decision from Council on the option to complete an Annual Plan for the 2024/25 year, and then complete a 9 year plan covering the 2025-34 years. The following 10 year plan 2027-37 would be completed two years later, bringing the three yearly planning cycle back into line.
- 3 Deferring the 10 year plan is recommended, to enable a better understanding of revenue streams, rating impacts, investment returns, debt – both group and council, and interest costs. A more meaningful Financial Strategy would be developed, addressing Council’s unbalanced budget and providing greater confidence in our outlook over the 9 year period 2025-34.
- 4 While there is likely to be some community disappointment that the 10 year plan may be delayed, the improved understanding and strategic alignment will lead to better consultation and engagement with the community and ideally, to a 9 year plan that better represents the aspirations and expectations of both Councillors and the community.

RECOMMENDATIONS

That the Council:

- a) **Approves** the preparation of an Annual Plan 2024/25 for community consultation, followed by a 9 year plan 2025-34.
- b) **Extends** the life of the current Development Contributions Policy to 30 June 2025.

BACKGROUND

- 5 On 14 December 2023, the Minister of Local Government (the Minister) announced a “New direction for water services delivery” and the intention to repeal the previous government’s water services legislation.
- 6 At that time, the Minister provided information about the key aspects of the Government’s plan, to ensure that councils had clarity and certainty needed to develop their 10 year plans. The Minister also indicated that the statutory deadline for adopting 10 year plans would be extended by three months to 30 September 2024, should councils choose to do so. A copy of the letter from the Minister to Mayor Radich is at Attachment A.
- 7 On 13 February 2024, the Minister introduced the Water Services Acts Repeal Bill (the Bill). Council was notified of this via an email from Michael Lovett, the Deputy Chief Executive of the Department of Internal Affairs. Mr Lovett advised that the Bill included a new option, to prepare an ‘enhanced’ Annual Plan for the 2024/25 financial year, followed by a 9 year plan for the period 2025-34. This new option had not been signalled earlier. A copy of the email is at Attachment B.
- 8 The Bill was enacted on 16 February 2024. It made amendments to various Acts, including the Local Government Act 2002 (LGA). The Repeal Act, through an amendment to the LGA, provides that a decision to prepare an enhanced Annual Plan needs to be made by 30 April 2024, otherwise a deferral may be authorised by an Order in Council. An Annual Plan is not audited.
- 9 Legal advice was obtained on the implications of the Water Services Acts Repeal Act, and this is provided at Attachment C.
- 10 If prepared, an “enhanced” Annual Plan must include the following additional information:
 - Groups of activities
 - Capital expenditure categorised between growth, new capital, and renewals
 - Statement of service provision (including levels of service, measures, targets, and any material change to the cost of a service)
 - Funding impact statements for groups of activities (includes sources of funding, amounts, and application of funding (i.e. spend)
 - A resolution related to balancing the operating budget (required for non-balanced budgets only).
 - A resolution to extend the development contributions policy is required if Council does revise its current policy by 1 July 2024
 - Consultation, in accordance with section 82 of the Local Government Act, is also mandatory.
- 11 If Council decides to defer the 10 year plan 2024-34, then a nine year plan covering the period 2025 – 34 must be adopted by Council no later than 30 June 2025. A 10 year plan 2027–37 would then be adopted within the following two years, by 30 June 2027, bringing the three yearly planning cycle back into line.

DISCUSSION

- 12 Development of the draft 10 year plan 2024-34 (draft 10 year plan) is in progress. Its development has been supported by 10 workstreams, each responsible for delivering specific areas of the draft 10 year plan. Overall, the draft 10 year plan content is at various stages of completion.
- 13 Over the past six months, Council has made decisions that have contributed to the draft 10 year plan's development, for example, approval of significant forecasting assumptions, groups of activities and community outcomes.
- 14 The announcement that an Annual Plan could be prepared instead of a 10 year plan is an attractive option. With a change of Government, and more legislative changes signalled to come, we have an increased level of uncertainty in our information in years 2 – 10 of the draft 10 year plan.
- 15 While we have made significant forecasting assumptions to progress the development of the draft 10 year plan, with the signalled legislative changes to come, there is a high chance that if Council decides to continue with the 10 year plan 2024-34, a full amendment to that plan would be required. This would involve a full consultative process and audit, resulting in additional compliance costs.
- 16 Council now has the option to prepare an Annual Plan 2024/25, followed by the preparation of a 9 year plan. Several matters should be considered in making this decision, and they are discussed below. Further matters for consideration are presented in the confidential attachment to this report.

Capital budgets

- 17 A 10 year plan requires a capital budget that covers the 10 year period. While year one of the draft capital budget is complete, years 2 -10 are challenging, given the uncertainty around significant asset groups such as the future of 3 waters and the level of co-funding that Council may receive from NZTA Waka Kotahi towards its transport activities. These concerns are discussed below.

3 Waters

- 18 The Minister has advised that following the enactment of the Repeal Act, further legislation will be introduced to implement Local Water Done Well. This will be progressed in a two-stage approach.
- 19 The first bill, establishing the framework and transitional arrangements for a new water services system, will be passed by the middle of 2024. The framework proposes establishing foundational information disclosure requirements as a first step to economic regulation and enabling Council's to shift the delivery of water services to newly established council controlled organisations, should they chose to do so.
- 20 A second bill providing for the long-term replacement regime will be introduced in December 2024, and is expected to be passed by mid-2025. It will provide a range of structural and financing tools, including a new class of financially independent council controlled organisations. A legislation plan, provided by DIA that shows the key components of two bills, is at Attachment D.

- 21 This Council has made no decision about a possible council controlled organisation option, and is progressing on the basis of 3 waters continuing to be delivered in house. The signalled legislative changes will need to be considered to see if they provide a better option for Council. This has a potential impact on capital budgets.
- 22 Clarity on what the council controlled organisational structure may look like will not be available until the release of the first bill in mid-2024. In the meantime, staff are considering potential options for regional/inter-regional co-operation around 3 Waters services.
- 23 Given the lack of information at this time, deferring the 10 year plan for 12 months would allow for better planning and information to be included in a 9 year plan.

Transport

- 24 The level of NZTA Waka Kotahi funding that may be available over the next three years, and the projects that may attract this funding are highly uncertain. The draft Government Policy Statement on land transport 2024 (the draft Statement) sets out the Government's priorities for land transport investment. Consultation on the draft Statement closed in September 2023. The final Statement must be released by July 2024.
- 25 The new Government has indicated that it has different priorities to that of the former government, and that there are certain transport activities that will not attract co-funding, e.g., cycleway development. A decision to defer the 10 year plan for 12 months would provide an opportunity for Council to assess its transport programme against the Government Policy Statement for land transport 2024, when released in July 2024.
- 26 Much of the current transport capital programme has been premised on receiving NZTA Waka Kotahi funding. With the expected changes in priority, we do not fully understand what funding will be available for those projects.
- 27 Deferring the 10 year plan would allow more time for Council to assess its transport programme against the Government Policy Statement for land transport, and the availability of co-funding.

Zero Carbon

- 28 Council considered initial zero carbon options in September 2023, based on very draft capital budgets. Those capital budgets have since been refined as part of the development the draft 10 year plan. The zero carbon options have been revised to align with the refined capital programme.
- 29 Due to timing, staff have a degree of confidence in year 1 of the capital programme, but further work is needed for years 2 – 10 of the 10 year plan as discussed above.
- 30 A key component of the zero carbon plan relies on changes in the transport area. The uncertainty with the NZTA Waka Kotahi funding now means that many of the projects that form part of the initial zero carbon plan are now likely to be unsubsidised. The programme would benefit from further work to understand the changes in co-funding. This will enable a more accurate programme to be presented to council for consideration as part of a 9 year plan. Further, it will enable us to have a more robust conversation with our community about what is affordable and achievable.

Levels of Service

- 31 As part of the development of the 10 year plan, levels of service statements have been revised, to focus on measurability, plain language and clear descriptions of the services and activities that council delivers. A decision to have an Annual Plan 2024/25 would mean that the new levels of service would not be introduced until the adoption of the 9 year plan 2025-34.
- 32 Deferring the introduction of new levels of service would allow future alignment with the refresh of the Strategic Framework as it progresses.
- 33 If Council decides to defer the 10 year plan, it is recommended that the revised levels of service be used as a basis for reporting to Committees, and enabling testing to ensure measurability and data integrity.

Investment Plan

- 34 A draft Investment Plan will be presented to the 12 March 2024 Council meeting for consideration. If the Annual Plan option is approved, deferring the 10 year plan would allow time to develop a detailed implementation plan including governance structures, oversight groups, and strategy development. Implementation proposals could then be budgeted and consulted on as part of the 9 year plan.

Infrastructure Strategy

- 35 In August 2023, the Infrastructure Services Committee approved the exclusion of 3 Waters from the Infrastructure Strategy. The announcement on 14 December 2023 that water service delivery legislation would be repealed resulted in the need to include the 3 waters activity in the draft Infrastructure Strategy.
- 36 Given the short timeframe to include 3 waters in the draft Infrastructure Strategy, a deferral of the 10 year plan would provide further opportunity to ensure alignment of the Infrastructure Strategy with the Future Development Strategy and draft capital budgets. It would also allow more time to ensure alignment of asset management plans (prepared under repealed legislation) with the strategies and draft capital budgets.

Community Expectation

- 37 The community will be expecting that a 10 year plan 2024-34 is produced and consulted on. If the decision is made to complete an Annual Plan, clear information will be provided to the community, explaining the reasons for deferring the 10 year plan and advising that a 9 year plan 2025-34 will follow.

Development Contributions Policy

- 38 Council's Development Contributions Policy is required to be reviewed every three years as part of the 10 year plan process. A review of this policy is in progress.
- 39 With the option to complete an Annual Plan and defer the 10 year plan for 12 months, the Repeal Act enables local authorities to extend their current development contribution policies for one year through to 30 June 2025. It is recommended that if the decision is made to prepare an Annual Plan 2024/25, then a decision is also made to extend Council's Development Contribution Policy to 30 June 2025.

- 40 A revised Development Contribution Policy would be completed for inclusion in the 9 year plan 2025-34, and would be based on the capital programme included in that plan.

Timeframes

- 41 Adoption of the 10 year plan 2024-34 has been planned for 1 July 2024. However, recent events have meant that there is a real risk that the audit would not be completed in time to achieved the planned adoption date.
- 42 A rates resolution can only be passed following the adoption of a 10 year plan or Annual Plan. Council charges its rates in four equal instalments throughout the year. A delay in passing a rate resolution may result in the first instalment being based on the 2023/24 rate requirement. With an anticipated increase in rates for the 2024/25 year, the remaining instalments would be higher than the first instalment. This would cause confusion for ratepayers.
- 43 If council decides to prepare an Annual Plan 2024/25, timeframes would be achievable as there is no audit requirement. Budget reports would be presented to the 12 March 2024 Council meeting. The Annual Plan would be consulted on in April, hearings and deliberations would be held in May and the Annual Plan would be adopted by 30 June 2024.
- 44 Further, staff would review the project structure, and roles and objectives to develop a new work programme for completing the 9 year plan 2025-34. The new work programme would be presented to Council at a future date, for its consideration.

Reports for March 2024 Council Meeting

- 45 If a decision is made to proceed with an Annual Plan 2024/25, then reports presented to the 12 March 2024 Council meeting will focus on the Annual Plan with topic specific reports such as Dunedin Railways Ltd and the Investment Plan.
- 46 Reports specific to a 10 year plan such as the Infrastructure Strategy, Financial Strategy, and Revenue and Financing Policy, will not be presented. The deferral of a 10 year plan provides additional time to revise and provide better information on these key strategies and policies, in time for completing a 9 year plan 2025-34.

OPTIONS

Option One – Prepare an Annual Plan 2024/25, with a 9 year plan to follow - Recommended Option

- 47 This option involves preparing an Annual Plan for the 2024/25 year, and then preparing a 9 year 2025-34 plan for adoption by 30 June 2025. Work completed to date on the 10 year plan would not be wasted, but be used in the preparation of a 9 year plan.
- 48 Along with the advantages and disadvantages presented below, this option would allow time to progress key strategic work that would inform the 9 year plan, including work on the Zero Carbon Plan, strategic refresh, climate adaptation plan, and investment plan recommendations. It would also allow time to consider the Government’s proposals for 3 waters.

- 49 The three matters discussed in the confidential memorandum support the preparation of an Annual Plan, for the reasons outlined in the memorandum.

Advantages

- Greater certainty and better quality information would be provided in a 9 year plan.
- Levels of service can be aligned to strategic refresh work and budgets.
- Lower risk of needing to do a 10 year plan amendment.
- More robust information for decision making on zero carbon options.
- Opportunity to develop and consult on an Investment Plan Implementation Plan.
- Ability to meet adoption timeframes.
- Rates instalment clarity.
- No audit required, saving time and money.
- Community engagement will still be undertaken.

Disadvantages

- Levels of service would remain unchanged from the current 10 year plan and would be reported on in the 30 June 2025 Annual Report.
- Community expectation for a 10 year plan not met.

Option Two – Defer the 10 year plan for 3 months to September 2024

- 50 This option provides for continuing with the draft 10 year plan 2024-34, but adopting it by 30 September 2024. This option would not enable significant progress to be made on key strategic work discussed above, that would inform a 9 year plan. The current plan that staff had been working to adopted the 10 year plan in July 2024, so this is effectively the status quo position.

- 51 The level of uncertainty and new information, including the material in the confidential memorandum means that the timetable would need to be recast to meet the timeframe.

Advantages

- Use of updated Levels of Service.
- Ability to meet the 30 September 2024 timeframe.
- Meet community expectations.
- Increased cost and complexity.

Disadvantages

- Rating confusion with different instalment amounts

- Higher risk of needing to do a 10 year plan amendment, given matters listed in the confidential memorandum.
- Less certainty and quality of information with partial information available.
- Difficulty in meeting timeframes as Annual Report preparation and audit clashes with the 10 year plan preparation and audit.

NEXT STEPS

- 52 If Council decides to prepare an Annual Plan 2024/25, budget reports will be presented to the 12 March 2024 Council meeting. Consultation, deliberations, and hearings will run through April/May and the plan will be adopted by 30 June 2024.
- 53 A new project plan will be prepared for completing the 9 year plan, and be presented to Council for its consideration.
- 54 If council decides to continue with a 10 year plan, then staff will revise its timeframe based on the new information received recently, and provide an update to council on the revised timetable at the March 2024 Council meeting. This will involve liaison with audit to understand their requirements.

Signatories

| | |
|-------------|--|
| Author: | Sharon Bodeker - Special Projects Manager Carolyn Allan - Chief Financial Officer |
| Authoriser: | Sandy Graham - Chief Executive Officer |

Attachments

| | Title | Page |
|--------------------|--|-------------|
| ↴A | Letter of 14 December 2023 re new water services delivery | 36 |
| ↴B | Email re Ministerial announcement on water services - 13 February 2024 | 40 |
| ↴C | Legal advice on the implications of the Repeal Act | 43 |
| ↴D | Legislation Plan for implementing Local Water Done Well | 53 |

SUMMARY OF CONSIDERATIONS

Fit with purpose of Local Government

This decision enables democratic local decision making and action by, and on behalf of communities. This decision promotes the social, economic, environmental and cultural well-being of communities in the present and for the future.

Fit with strategic framework

| | Contributes | Detracts | Not applicable |
|---|-------------|--------------------------|--------------------------|
| Social Wellbeing Strategy | ✓ | <input type="checkbox"/> | <input type="checkbox"/> |
| Economic Development Strategy | ✓ | <input type="checkbox"/> | <input type="checkbox"/> |
| Environment Strategy | ✓ | <input type="checkbox"/> | <input type="checkbox"/> |
| Arts and Culture Strategy | ✓ | <input type="checkbox"/> | <input type="checkbox"/> |
| 3 Waters Strategy | ✓ | <input type="checkbox"/> | <input type="checkbox"/> |
| Spatial Plan | ✓ | <input type="checkbox"/> | <input type="checkbox"/> |
| Integrated Transport Strategy | ✓ | <input type="checkbox"/> | <input type="checkbox"/> |
| Parks and Recreation Strategy | ✓ | <input type="checkbox"/> | <input type="checkbox"/> |
| Other strategic projects/policies/plans | ✓ | <input type="checkbox"/> | <input type="checkbox"/> |

10 year plans and Annual Plans contribute to all of the objectives and priorities of the strategic framework as it describes the Council’s activities and provides a long term focus for decision making and coordination of the Council’s resources, as well as a basis for community accountability.

Māori Impact Statement

Annual Plans and 10 year plans impact broadly across all Dunedin communities including Māori. The adoption of Te Taki Haruru – Māori Strategic Framework signals Council’s commitment to mana whenua and to its obligations under the Treaty of Waitangi. Mana whenua and Māori will have an opportunity to engage with 10 year plan or Annual Plan consultation processes.

Sustainability

The current 10 year plan, and draft 10 year plan 2024-34 contains content regarding the Council’s approach to sustainability. Major issues and implications for sustainability are discussed in the Infrastructure Strategy and financial resilience is discussed in the Financial Strategy. An Annual Plan would be based on the current 10 year plan.

LTP/Annual Plan / Financial Strategy /Infrastructure Strategy

This report considers the preparation of either an Annual Plan or 10 year plan. Levels of service would be included in either option.

Financial considerations

Financial considerations would be included in both an annual plan or 10 year plan.

Significance

This report is considered of low significance under the Significance and Engagement Policy. The 10 year plan or Annual Plan processes will include public consultation.

Engagement – external

The 10 year plan or Annual Plan processes will include community engagement and public consultation.

SUMMARY OF CONSIDERATIONS

Engagement - internal

Staff from across council are involved in the development of the 10 year plan and the Annual Plan.

Risks: Legal / Health and Safety etc.

The option to prepare an Annual Plan reduces the risks around the level of uncertainty in the information that would be provided in a 10 year plan.

Conflict of Interest

There are no known conflicts of interest.

Community Boards

Community Boards will be consulted on the 10 year plan 2024-34 or Annual Plan 2024/25.

MINISTRY OF PRIMARY INDUSTRIES PROPOSAL TO MAINTAIN AND EXPAND NZ FOOD SAFETY'S REGULATORY SERVICES UNDER THE FOOD ACT 2014 - SUBMISSION

Department: Customer and Regulatory

EXECUTIVE SUMMARY

- 1 This report seeks Council approval for Dunedin City Council (DCC) to submit on the Ministry for Primary Industries' (MPI) proposal (the Proposal) to "maintain and expand" New Zealand Food Safety's (NZFS) core regulatory services under the Food Act 2014 (the Act).
- 2 MPI proposes introducing a food levy on domestic food businesses and food importers in order to "maintain and expand" NZFS's services.
- 3 DCC's submission focuses predominantly on domestic food businesses.
- 4 The proposed annual levy of \$115 per domestic food business site would be phased in over three years from 1 July 2025. Territorial Authorities (TAs) would be expected to administer and collect the levy on behalf of the NZFS.
- 5 MPI's Crown Appropriation under 2023/24 Vote Agriculture, Fisheries, Bio-Security and Food Safety includes \$128 million for assurance, information, response, standards, trade and market access for food safety. It is unclear what additional services the proposed levy would fund over and above NZFS's existing responsibilities.
- 6 The DCC submission (Attachment A) does **not** support the Proposal to impose a levy on domestic food businesses for the following reasons:
 - a) NZFS are already funded for most of the services cited in the Proposal.
 - b) The Proposal will place a disproportionate burden on food businesses.
 - c) The Proposal requires TAs to collect the proposed levy on behalf of NZFS which will impose additional financial and administrative burdens upon TAs.
 - d) The Proposal introduces an additional level of bureaucracy.
 - e) The approach is inequitable.
 - f) The Proposal appears to conflict with the principles of the Act.
- 7 Submissions must be received by MPI no later than 5pm on 15 March 2024.

RECOMMENDATIONS

That the Council:

- a) **Approves** the DCC submission (or amended) rejecting MPI’s proposal to impose a levy on domestic food businesses, administered by Territorial Authorities.

BACKGROUND

Legislative framework

- 8 New Zealand’s current legislative framework (Food Act 2014) makes food businesses responsible for the safety and suitability of their products. It also makes MPI and its business unit, NZFS, responsible for regulatory oversight.
- 9 There is a dual registration system as both NZFS and TAs such as DCC provide registration services for food businesses. TAs also provide information and support as well as verification audits of how food businesses operate against their applicable registration.

MPI Proposal

- 10 MPI proposes “maintaining and expanding” the service it provides to support a robust food safety system in New Zealand. (The Proposal can be found in Attachment B.)
- 11 MPI also proposes domestic food businesses and food importers fund their service via a food levy. For domestic food businesses, an annual food levy of \$115 would be introduced from 1 July 2025. The levy would be phased in over three years: \$57.50 from 1 July 2025, increasing to \$86.25 in 2026/27, and \$115 per site from 2027/28 onwards.

OPTIONS

Option One – Approve the DCC submission (or amended) on the MPI Proposal (Recommended Option)

Advantages

- DCC outlines the Proposal’s potential risks and impacts on Dunedin food businesses.
- DCC raises the additional financial and administrative burden that would be placed upon TAs and the implications for relationships between TAs and food businesses if the food levy was imposed.

Disadvantages

- There are no known disadvantages of submitting.

Option Two – Do not approve the DCC submission

Advantages

- There are no known advantages.

Disadvantages

- The Proposal would be implemented without due consideration of the risks and costs imposed upon food businesses and TAs.

NEXT STEPS

12 If the Council approves DCC's submission on this proposal, it will be sent to MPI by the closing date of 5pm Friday 15 March 2024.

Signatories

| | |
|-------------|--|
| Author: | Ros MacGill - Manager Compliance Solutions Anne Gray - Policy Analyst |
| Authoriser: | Claire Austin |

Attachments

| | Title | Page |
|--------------------|--|-------------|
| ↓A | DCC submission on MPI food levy proposal | 60 |
| ↓B | MPI food levy proposal | 62 |

SUMMARY OF CONSIDERATIONS

Fit with purpose of Local Government

This decision enables democratic local decision making and action by, and on behalf of communities. This decision promotes the social well-being of communities in the present and for the future. This decision promotes the economic well-being of communities in the present and for the future.

Fit with strategic framework

| | Contributes | Detracts | Not applicable |
|---|--------------------------|--------------------------|--------------------------|
| Social Wellbeing Strategy | ✓ | <input type="checkbox"/> | <input type="checkbox"/> |
| Economic Development Strategy | ✓ | <input type="checkbox"/> | <input type="checkbox"/> |
| Environment Strategy | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |
| Arts and Culture Strategy | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |
| 3 Waters Strategy | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |
| Spatial Plan | ✓ | <input type="checkbox"/> | <input type="checkbox"/> |
| Integrated Transport Strategy | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |
| Parks and Recreation Strategy | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |
| Other strategic projects/policies/plans | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |

This decision contributes to the *healthy and safe people* priority of the Social Wellbeing Strategy, *business vitality*, and *compelling destination* themes of the Economic Development Strategy, and *liveable city* theme of the Spatial Plan.

Māori Impact Statement

There are no known impacts for Māori.

Sustainability

The MPI proposal could have economic implications for food businesses.

LTP/Annual Plan / Financial Strategy /Infrastructure Strategy

No implications are identified.

Financial considerations

As noted above.

Significance

This decision is considered low in terms of the Council’s Significance and Engagement Policy.

Engagement – external

There has been no external engagement.

Engagement - internal

There has been no internal engagement outside the Customer and Regulatory group.

Risks: Legal / Health and Safety etc.

No direct risks of submitting have been identified. Operational capacity, economic and relationship risks of implementing the Proposal have been raised in the submission.

Conflict of Interest

There are no identified conflicts of interest.

SUMMARY OF CONSIDERATIONS

Community Boards

There are no known implications for Community Boards.

FINANCIAL RESULT - PERIOD ENDED 31 DECEMBER 2023

Department: Finance

EXECUTIVE SUMMARY

- 1 This report provides the financial results for the period ended 31 December 2023 and the financial position as at that date.
- 2 As this is an administrative report only, there are no options or Summary of Considerations.

| \$ Million | Actual | Budget | Variance | | Last Year |
|---|-----------------|-----------------|-----------------|---|------------------|
| Revenue | 188.105 | 180.047 | 8.058 | F | 177.379 |
| Expenditure | 216.099 | 209.674 | (6.425) | U | 205.309 |
| Net Surplus/(Deficit) excluding Waipori | <u>(27.994)</u> | <u>(29.627)</u> | <u>1.633</u> | F | <u>(27.930)</u> |
| Waipori Fund Net | 2.103 | 1.684 | 0.419 | F | 0.546 |
| Net Surplus/(Deficit) including Waipori | <u>(25.891)</u> | <u>(27.943)</u> | <u>2.052</u> | F | <u>(27.384)</u> |
| Capital Expenditure | 99.405 | 95.272 | (4.133) | | 104.119 |
| Debt | | | | | |
| Short Term Borrowings | 87.200 | 72.500 | (14.700) | U | 76.000 |
| Term Loans | 460.273 | 460.273 | - | | 334.273 |
| Total Debt | <u>547.473</u> | <u>532.773</u> | <u>(14.700)</u> | U | <u>410.273</u> |

RECOMMENDATIONS

That the Council:

- a) **Notes** the Financial Performance for the period ended 31 December 2023 and the Financial Position as at that date.

BACKGROUND

- 3 This report provides the financial statements for the period ended 31 December 2023. It includes reports on financial performance, financial position, cashflows and capital expenditure. The operating result is also shown by group, including analysis by revenue and expenditure type.

DISCUSSION

- 4 Revenue was \$188.105 million for the year or \$8.058 million greater than budget.
- 5 External revenue was unfavourable \$582k to budget due to lower than expected revenue from the Parking, Property and Building Services activities. These unfavourable variances were partially offset by increased revenue in Waste and Environmental Services and Transport.
- 6 Grants revenue was favourable \$5.942 million due to \$5.937 million of additional roading funding reflecting a higher level of maintenance and capital delivery.
- 7 Expenditure was \$216.099 million for the year or \$6.425 million greater than budget. Operational expenditure was greater than expected due to additional Transport and Three Waters maintenance expenditure and costs to meet consent conditions for landfills.
- 8 These unfavourable variances were partially offset by savings in interest and depreciation costs.
- 9 The volatility of world markets continues to impact the performance of the Waipori Fund. Equities across all markets increased in value during December, continuing the positive result in November. Investments also saw increases in value during December.
- 10 Capital expenditure was \$99.405 million or 104% of budget. Expenditure on the Retail Quarter upgrade was ahead of budget reflecting the project being ahead of the original programme for both the central carriageway and enabling works. This expenditure is offset by an underspend in Parks and Recreation reflecting delays in the Moana Pool upgrade project and the associated hydroslide replacement.
- 11 Attachment B provides a chart showing actual group and DCC debt for the years ending June 2003-2023. It provides forecast information for the years ending June 2024-2026 based on the current Statements of Intent.

OPTIONS

- 12 As this is an administrative report only, there are no options provided.

NEXT STEPS

- 13 Financial Result Reports continue be presented to future meetings of either the Finance and Council Controlled Organisation Committee or Council.

Signatories

| | |
|-------------|---|
| Author: | Lawrie Warwood - Financial Analyst |
| Authoriser: | Carolyn Allan - Chief Financial Officer |

DUNEDIN CITY COUNCIL

Statement of Financial Performance
For the Six Months Ending 31 December 2023
Amount : \$'000

| Month Actual | Month Budget | Month Variance | | Year to Date Actual | Year to Date Budget | Year to Date Variance | | LY YTD Actual | LY Full Year Actual | LY Full Full Year Budget |
|-----------------|-----------------|-------------------|------------------------------|---------------------------|---------------------------|-----------------------------|---------------|------------------|---------------------------|--------------------------------|
| 16,947 | 16,947 | - | | | | | | | | |
| 168 | 111 | 57 F | REVENUE | 101,681 | 101,679 | 2 F | Rates Revenue | 97,833 | 191,150 | 203,358 |
| 6,603 | 6,273 | 330 F | Rates Penalties | 835 | 457 | 378 F | | 627 | 1,234 | 1,000 |
| 3,033 | 3,053 | 20 U | Other Operating Revenue | 38,125 | 38,707 | 582 U | | 37,399 | 80,033 | 87,641 |
| 253 | 331 | 78 U | Grants | 24,607 | 18,665 | 5,942 F | | 22,123 | 51,252 | 37,507 |
| 3,351 | 3,092 | 259 F | Contributions | 2,747 | 1,985 | 762 F | | 1,309 | 5,215 | 6,844 |
| 30,355 | 29,807 | 548 F | Internal Revenue | 20,110 | 18,554 | 1,556 F | | 18,088 | 38,813 | 37,108 |
| | | | TOTAL REVENUE | 188,105 | 180,047 | 8,058 F | | 177,379 | 367,697 | 373,458 |
| | | | EXPENDITURE | | | | | | | |
| 6,202 | 6,560 | 358 F | Personnel Costs | 41,034 | 40,551 | 483 U | | 37,519 | 75,285 | 81,212 |
| 6,663 | 6,195 | 468 U | Operations & Maintenance | 43,808 | 38,970 | 4,838 U | | 41,710 | 88,851 | 76,925 |
| 990 | 1,316 | 326 F | Occupancy Costs | 18,864 | 19,120 | 256 F | | 17,772 | 31,367 | 32,348 |
| 2,398 | 1,879 | 519 U | Consumables & General | 13,279 | 11,531 | 1,748 U | | 12,631 | 38,409 | 23,767 |
| 392 | 319 | 73 U | Grants & Subsidies | 9,538 | 9,276 | 262 U | | 9,657 | 11,168 | 10,668 |
| 3,352 | 3,088 | 264 U | Internal Charges | 20,111 | 18,530 | 1,581 U | | 18,095 | 38,813 | 37,108 |
| 9,662 | 9,759 | 97 F | Depreciation | 57,436 | 58,555 | 1,119 F | | 61,013 | 110,128 | 117,128 |
| 2,140 | 2,190 | 50 F | Interest | 12,029 | 13,141 | 1,112 F | | 6,912 | 15,687 | 26,281 |
| 31,799 | 31,306 | 493 U | TOTAL EXPENDITURE | 216,099 | 209,674 | 6,425 U | | 205,309 | 409,708 | 405,437 |
| (1,444) | (1,499) | 55 F | NET SURPLUS (DEFICIT) | (27,994) | (29,627) | 1,633 F | | (27,930) | (42,011) | (31,979) |
| | | | Add | | | | | | | |
| 2,818 | 281 | 2,537 F | Waipori Fund Net Operating | 2,103 | 1,684 | 419 F | | 546 | 5,630 | 3,369 |
| 1,374 | (1,218) | 2,592 F | NET SURPLUS (DEFICIT) | (25,891) | (27,943) | 2,052 F | | (27,384) | (36,381) | (28,610) |

F: (favourable variance to budget) U: (unfavourable variance to budget)

WAIPORI FUND - QUARTER ENDING DECEMBER 2023

Department: Finance

EXECUTIVE SUMMARY

- 1 The attached report from Dunedin City Treasury Limited provides information on the results of the Waipori Fund for the quarter ended 31 December 2023.
- 2 As this is an administrative report only, there are no options or Summary of Considerations.

RECOMMENDATIONS

That the Council:

- a) **Notes** the report from Dunedin City Treasury Limited on the Waipori Fund for the quarter ended 31 December 2023.

BACKGROUND

- 3 Not applicable.

DISCUSSION

- 4 Not applicable.

OPTIONS

- 5 Not applicable.

NEXT STEPS

- 6 Not applicable.

Signatories

| | |
|-------------|---|
| Author: | Richard Davey - Treasury Manager |
| Authoriser: | Carolyn Allan - Chief Financial Officer |

Attachments

| | Title | Page |
|--------------------|---------------------------------|-------------|
| ⬇️ | Waipori Report 31 December 2023 | 142 |

PROPOSED EVENT ROAD CLOSURES - MARCH TO MAY 2024

Department: Transport

EXECUTIVE SUMMARY

- 1 The DCC has received temporary road closure applications relating to the following events:
 - a) March Graduation Parade
 - b) Anzac Day Service and Parades – Mosgiel and Outram
 - c) Road Safety Demonstration – Harrop Street
- 2 This report recommends that Council approves the temporary closure of the affected roads.

RECOMMENDATIONS

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 (LGA 1974)):

i) **March Graduation Parade**

| Date | Times | Roads |
|-------------------------|--|---|
| Friday 15 March 2024 | 10.30am to 11.00am | <ul style="list-style-type: none"> • Moray Place, between Lower Stuart and Burlington Streets |
| | 10.40am to 12.00pm | <ul style="list-style-type: none"> • Moray Place, between George and Upper Stuart Streets • Filleul Street, between Moray Place and St Andrew Street |
| | 10.50am to 11.15am (Parade starts at 11.00am) | <ul style="list-style-type: none"> • Moray Place, between Burlington and Princes Streets • Princes Street, between Moray Place and the Octagon • Octagon Central Carriageway • George Street, between Octagon and Moray Place |

Roads will reopen as the Parade clears.

ii) Anzac Day Service and Parades – Mosgiel and Outram

| Date | Times | Roads |
|---------------------------|--------------------|---|
| Thursday 25 April 2024 | 9.15am to 10.15am | • Church Street, between Factory Road and Cargill Street |
| | 9.45am to 10.45am | • Gordon Road, between Factory Road and Cargill Street |
| | 10.50am to 11.30am | • Hoylake Street, from Skerries Street to end of cul-de-sac |

iii) Road Safety Demonstration – Harrop Street

| Date | Times | Road |
|-----------------------|--------------------|---|
| Monday 27 May 2024 | 7.00am to 11.59pm | • Harrop Street, between Moray Place to the Octagon |
| Tuesday 28 May 2024 | 12.00am to 11.59pm | |
| Wednesday 29 May 2024 | 12.00am to 11.59pm | |
| Thursday 30 May 2024 | 12.00am to 7.00pm | |

BACKGROUND

- 3 Council’s Dunedin Festival and Events Plan supports the goal of a successful city with a diverse, innovative, and productive economy and a hub for skill and talent.
- 4 The areas proposed to be used for these events are legal roads and can therefore be temporarily closed to normal traffic if statutory temporary road closure procedures are followed. The procedures are set out in Section 319 of the LGA 1974 and give Council the power to stop or close any road (or part of a road) within the parameters of Section 342 and Schedule 10 of the LGA 1974 (Schedule 10 is included as Attachment A).
- 5 These procedures include:
 - Consultation with New Zealand Transport Agency - Waka Kotahi and the Police.
 - Public notice being given of the proposal to close any road (or part of a road), and public notice of a decision to close the road.
 - Council being satisfied that traffic is not likely to be unreasonably impeded.
- 6 A resolution of Council is required where a proposal to temporarily close a road relates to public functions.
- 7 Council is required to give public notice of its decision. This notice will be published after this meeting and prior to the event, if approved.

DISCUSSION

Consultation and Notification

- 8 The Police and New Zealand Transport Agency - Waka Kotahi have no objections to the proposed road closures.
- 9 On Saturday 20 January 2024, the proposed temporary road closures were advertised in the Otago Daily Times (Attachment B) with a deadline for feedback.
- 10 The event organisers contacted those considered affected prior to submitting their application, and no objections were received.
- 11 Schedule 10 clause 11(e) states a road cannot be closed more than 31 days in the aggregate in any one year. This limit will not be exceeded by the approval of the proposed temporary road closures.

Traffic Impacts

- 12 The event locations of these events have had identical road closures for the same, or similar event(s) in prior years without causing unreasonable delays to the travelling public.
- 13 Emergency services and public transport services will be managed through the temporary traffic management process.
- 14 The Temporary Traffic Management Plan process ensures that other issues such as temporary relocation of certain parking (e.g. taxi, mobility and Authorised Vehicles Only) are managed.

OPTIONS

- 15 Note any amendment to this report's recommendations cannot be implemented without further consultation with the affected parties, New Zealand Transport Agency Waka Kotahi, the Police, and verifying that traffic impacts are acceptable.

Option One – Recommended Option

- 16 That the Council closes the sections of road as recommended in this report.

Advantages

- Roads can be closed, and the event will be able to proceed.
- The closures will assist in realising the economic, social, and cultural benefits associated with the events.

Disadvantages

- There will be temporary loss of vehicular access through the closed areas. However, there are detours available, and safety can be assured using temporary traffic management.

Option Two – Status Quo

17 That the Council decides not to close the roads in question.

Advantages

- There would be no detour required for the travelling public, and the roads would be able to be used as normal.

Disadvantages

- The events would not be able to go ahead, and the benefits of the events would be lost.

NEXT STEPS

18 Should the resolution be made to temporarily close the roads, Council staff will accept the temporary traffic management plans that have been received for the events and notify the public of the closures.

Signatories

| | |
|-------------|--|
| Author: | Jeanine Benson - Group Manager Transport |
| Authoriser: | Scott MacLean - General Manager, Climate and City Growth |

Attachments

| | Title | Page |
|--------------------|--|-------------|
| ↓A | Local Government Act 1974, Schedule 10 | 151 |
| ↓B | ODT Advert - 20 January 2024 | 156 |

SUMMARY OF CONSIDERATIONS

Fit with purpose of Local Government

This decision promotes the social and economic well-being of communities in the present and for the future.

Fit with strategic framework

| | Contributes | Detracts | Not applicable |
|---|-------------------------------------|--------------------------|-------------------------------------|
| Social Wellbeing Strategy | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Economic Development Strategy | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Environment Strategy | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Arts and Culture Strategy | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3 Waters Strategy | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Spatial Plan | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Integrated Transport Strategy | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Parks and Recreation Strategy | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Other strategic projects/policies/plans | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Events contribute to the Strategic Framework. Events contribute to the Economic Development Strategy, the Social Wellbeing Strategy. There is a Festival and Events Plan 2018-2023.

Māori Impact Statement

Mana whenua have not been directly engaged with in relation to these road closures.

Sustainability

There are no implications for sustainability.

LTP/Annual Plan / Financial Strategy /Infrastructure Strategy

There are no implications, as the decision is a regulatory one and there are no direct costs to Council.

Financial considerations

There are no financial implications. The cost of the proposed road closure is not a cost to Council.

Significance

This decision is considered low in terms of the Council's Significance and Engagement Policy.

Engagement – external

There has been external engagement (as required by the LGA 1974), with the Police and Waka Kotahi. Affected parties were notified and provided a time period for feedback.

Engagement - internal

There has been engagement with DCC Events and Transport. There is support for the events to proceed.

Risks: Legal / Health and Safety etc.

There are no identified risks should the recommended resolution be made.

Conflict of Interest

There are no known conflicts of interest.

Community Boards

There are no implications for Community Boards.

RESOLUTION TO EXCLUDE THE PUBLIC

That the Council excludes the public from the following part of the proceedings of this meeting (pursuant to the provisions of the Local Government Official Information and Meetings Act 1987) 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 Confirmation of the Confidential Minutes of Ordinary Council meeting - 30 January 2024 - 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> <p>S7(2)(g) The withholding of the information is necessary to maintain legal professional privilege.</p> <p>S7(2)(h) The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.</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> | . | |

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|---|---|---|--|
| <p>C2 Option to Prepare an Annual Plan 2024/25 Attachment Report</p> | <p>S7(2)(b)(ii) 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.</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> | |
| <p>C3 Director Vacancy and Re-Appointment - Dunedin City Holdings Limited</p> | <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>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> | <p>This report is confidential because the appointment of the director is made public once the applicant has been notified of the decision..</p> |

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.