

**Notice of Meeting:**

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

**Date:** Tuesday 24 February 2026  
**Time:** 9.00 am  
**Venue:** Council Chamber, Dunedin Public Art Gallery, the Octagon, Dunedin

Sandy Graham  
Chief Executive Officer

---

**Council**  
**PUBLIC AGENDA**

---

**MEMBERSHIP****Mayor  
Deputy Mayor**

Mayor Sophie Barker  
Cr Cherry Lucas

**Members**

Cr John Chambers	Cr Christine Garey
Cr Doug Hall	Cr Marie Laufiso
Cr Russell Lund	Cr Mandy Mayhem
Cr Benedict Ong	Cr Andrew Simms
Cr Mickey Treadwell	Cr Lee Vandervis
Cr Steve Walker	Cr Brent Weatherall

**Senior Officer**

Sandy Graham, Chief Executive

**Governance Support Officer**

Lynne Adamson

---

Lynne Adamson  
Governance Support Officer

Telephone: 03 477 4000  
governance.support@dcc.govt.nz  
[www.dunedin.govt.nz](http://www.dunedin.govt.nz)

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



<b>ITEM</b>	<b>TABLE OF CONTENTS</b>	<b>PAGE</b>
1	Opening	4
2	Public Forum	4
3	Apologies	4
4	Confirmation of Agenda	4
5	Declaration of Interest	5
6	Confirmation of Minutes	15
6.1	Ordinary Council meeting - 12 February 2026	15
<b>REPORTS</b>		
7	Actions From Resolutions of Council Meetings	30
8	Proposed Water Supply Bylaw 2026	41
9	Administration of CNZ Creative Communities Scheme grants	109
10	Dunedin Heritage Fund - Change of Balance Date	133
11	Grants Subcommittee Delegation	146
	<b>RESOLUTION TO EXCLUDE THE PUBLIC</b>	<b>151</b>

**1 OPENING**

Geshe Lobsang Dhonye and Geshe Losang Gyatso 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 THE CLOSURE OF REGISTRATIONS 24 HOURS BEFORE THE MEETING BEGINS, I.E. 9:00 AM ON MONDAY 23 FEBRUARY 2026.

**3 APOLOGIES**

At the close of the agenda no apologies had been received.

**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 members 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

	<b>Title</b>	<b>Page</b>
<a href="#">↓A</a>	Council Interest Register	6
<a href="#">↓B</a>	ELT Interest Register	13

Council Interest Register 17 February 2026				
Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
Mayor Sophie Barker	Shareholder	Ayrmed Limited	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Shareholder	Various publicly listed companies	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Property Owner	Residential Property Owner - Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Beneficiary	Sans Peur Trust (Larnach Castle)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Mentor	Business Mentors NZ	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Vegetable Growers Club	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Alexander McMillan Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Patron	New Zealand International Science Festival	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Patron	Dunedin Horticultural Society	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Institute of Directors	No conflict Identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Chairperson	Dunedin Heritage Fund (Council Appointment)	No conflict Identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Grow Dunedin Partnership (Council Appointment)	No conflict Identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Heritage Advisory Group (Council Appointment)	No conflict Identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Local Government New Zealand (Zone 6) (Council Appointment)	No conflict Identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Co-Chair	Ōtepoti Dunedin Destination Management Plan Advisory Panel (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr John Chambers	Family Member	Family Member employed at Wilkinson Rogers	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.
	Owner	Residential Property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Owner	Rental Property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Otakau Golf Club	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Opera Otago	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Hereweka Harbour Cone Trust (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Okia Reserve Management Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Member	Waikouaiti Coast Community Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Christine Garey	Trustee	Garey Family Trust - Property Ownership - Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Daughter employee	Halo Project	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Ashburn Hall Charitable Trust Board	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Creative Dunedin Partnership (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Performing Arts Advisory Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
		Sophia Charter (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	St Paul's Cathedral Foundation (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Theomin Gallery Management Committee (Olveston) (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Doug Hall	Trustee	Cronus Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Owner	Clickfix Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	District Licensing Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Public Art Gallery Society (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Toitū Otago Settlers Museum Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	West Harbour Community Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Marie Laufiso	Property Owner	Residential Property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Moray Place Community Building Trust - which owns property 111 Moray Place	Duty to Trust may conflict with duties of Council Office	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Women of Ōtepoti Recognition Initiative	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Corso Ōtepoti Dunedin Trust	Potential grants recipient	Withdraw from discussion and leave the table. If in public excluded leave the room. Seek advice prior to the meeting.
	Dunedin Branch Treasurer	P.A.C.I.F.I.C.A Inc	Potential grants recipient	Withdraw from discussion and leave the table. If in public excluded leave the room. Seek advice prior to the meeting.
	Expert Panel Member	Health Coalition Aotearoa Public Health Infrastructure Committee	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	The Ōtepoti Community Builders Charitable Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee/Secretary	Refugee Support Group	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Abrahamic Interfaith Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Former Refugee Steering Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Member	Puketai Residential Centre Liaison Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Social Wellbeing Advisory Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Cherry Lucas	Trustee	Otago Farmers Market	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Partner	Southway Enterprises	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Henderson Lucas Family Trust - Residential Dunedin Property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	NZ Institute of Chartered Accountants	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Shanghai Association (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Local Government New Zealand (Zone 6) (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Tūhura Otago Museum Trust Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Ōtepoti Dunedin Destination Management Plan Advisory Panel (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Taieri Airport Trust (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	Te Poāri a Pukekura (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Mosgiel-Taieri Community Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Russell Lund	Shareholder	Loan & Mercantile Trust includes:	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Produce Place Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Dunedin Grain Store Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director/Shareholder	Loan & Mercantile 2000 Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Shareholder	Lund South Trust includes:	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director/Shareholder	Lund South Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director/Shareholder	Lund Dunedin Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director/Shareholder	Resource Values Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Sherwood Manor Properties Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director/Shareholder	Lund Central Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director/Shareholder	Lund South Administration Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Director	Construction Operatives Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Lund South Properties Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	RV Lund Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	BDCRS Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Lund Frankton Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	President	Ariki Amateur Athletic & Harrier Club	Ariki is a member of Athletics Otago which receives grant funding from DCC.	Withdraw from discussion and leave the table. If in public excluded leave the room. Seek advice prior to the meeting.
	Member	Heritage Advisory Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Otago Theatre Trust (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Mandy Mayhem	Chairperson	Waitati Hall Society Inc	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Chairperson	Keep Ōtepoti Dunedin Beautiful	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Co-ordinator	Emergency Response Group, Blueskin area	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	FENZ Local Advisory Committee for Otago	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Blueskin Bay Amenities Society	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Blueskin A & P Society	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Zone Representative and Board Member	Keep New Zealand Beautiful	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Coastal Community Cycleway Network	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Waitati Music Festival Committee	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Property Owner	Residential Property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Disability Issues Advisory Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Gasworks Museum Trust (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Keep Dunedin Beautiful (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Performing Arts Advisory Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Social Wellbeing Advisory Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Benedict Ong	Owner	Residential Property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Shareholder	Listed Stocks	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Member	Otago Settlers Association (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Toitū Otago Settlers Museum Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Andrew Simms	Director	Landseer Motor Investments Limited	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Landseer Motor Investments Auckland Limited t/a Andrew Simms - Motor vehicle retail	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Stephen Duff Motors Limited t/a Andrew Simms Dunedin - Motor vehicle retail	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Three Diamond Automotive t/a Ralliart NZ - Race car preparation	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Cambridge Finance Limited - Financial Services	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	The Landseer Group Limited - Investments	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Otago Motorhome Centre Limited - Motor vehicle retail	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Landseer Motor Investments Henderson Limited - Motor vehicle retail	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Landseer Motor Investments Moorhouse Limited - Motor vehicle retail	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Minaret Property Investments Limited - Property Investment	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	The Newfoundland Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	The Moturata Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Taieri Trails Group	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Taieri Cricket Club	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Mosgiel AFC	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Owner	Residential Property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Owner	Commercial Property. Andersons Bay Road, Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Heritage Fund (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Heritage Advisory Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Tūhura Otago Museum Trust Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Taieri Airport Trust (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Micky Treadwell	Director	Atawhai Interactive Tapui Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Contractor	Otago Polytechnic	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Co-owner	Residential Property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Green Party of Aotearoa	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Member	Dunedin Otaru Sister City Society (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Ice Sports Dunedin Incorporated (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Ōtepoti Dunedin Live Music Advisory Panel (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Te Ao Tūroa Partnership (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Otago Peninsula Community Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Lee Vandervis	Director	Lee Vandervis, Antonie Alm-Lequeux and Cook Allan Gibson Trustee Company Ltd - Residential Property Ownership - Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Bunchy Properties Ltd - Residential and Lifestyle Farm Property Ownership - Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Owner	Various publicly Audio and Lighting - Hire, Sales and Service Business	May contrace and provide service to DCC	Withdraw from discussion and leave the table. If the meeting is in public excluded leave the room. Seek advice prior to the meeting.
	Member	District Licensing Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Heritage Fund (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Okia Reserve Management Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Steve Walker	Trustee	Dunedin Wildlife Hospital Trust	Potential grants recipient	Withdraw from discussion and leave the table. If the meeting is in public excluded leave the room. Seek advice prior to the meeting.
	Member	Orokonui Ecosanctuary	Potential grants recipient	Withdraw from discussion and leave the table. If the meeting is in public excluded leave the room. Seek advice prior to the meeting.
	Member	New Zealand Labour Party	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Owner	Residential Property - Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Shareholder	Various publicly listed companies	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	NZ Sea Lion Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Justice of the Peace		No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Predator Free Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Edinburgh Sister City Society (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Heritage Fund (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Art Gallery Acquisitions Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Hereweka Harbour Cone Trust (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	NZ Masters Games Trust Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Member	Otago Regional Transport Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Ōtepoti Dunedin Live Music Advisory Panel	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Predator Free Dunedin (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Brent Weatherall	Owner	Residential Property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Owner	Business George Street, Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Brent Weatherall Jeweller Limited	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Weatherall Trustee Company	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Residential Rental Properties	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	Dunedin Public Art Society (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Keep Dunedin Beautiful (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Toitū Otago Settlers Museum Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Strath Taieri Community Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.



Executive Leadership Team - Register of Interest - current as at 11 November 2025					
Name	Date of Entry	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
Sandy Graham	19/09/2018	Owner	Residential property Dunedin	No conflict identified.	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	25/07/2019	Trustee	Trustee of the Taieri Airport Facilities Trust	No conflict identified.	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	17/09/2024	Member	St Clair Golf Club	No conflict identified.	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	17/09/2024	Vendor	Property purchased by senior member of ORC staff.	No conflict identified.	Transaction was arms length through an agent with no direct interaction.
	17/09/2024	Client	Various local contractors (glazing, carpet, fencing and kitchen upgrades)	No conflict identified.	Seeks advice in advance of meeting if actual conflict arises.
	12/11/2025	Family member	Family member works for the DCC	No conflict identified.	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Nicola Morand	09/05/2022	Owner	Residential Property Dunedin	No conflict identified.	Seeks advice in advance of meeting if actual conflict arises.
	09/05/2022	Owner	Residential Property in Otago	No conflict identified.	Seeks advice in advance of meeting if actual conflict arises.
	20/09/2023	Trustee	Riki Te Mairiki Tairaroa Trust	No conflict identified.	Seeks advice in advance of meeting if actual conflict arises.
	09/05/2022	Partner	Morand Painting & Decorating	No conflict identified.	Seeks advice in advance of meeting if actual conflict arises.
	12/11/2025	Member	Te Runanga o Otakou	No conflict identified.	Seeks advice in advance of meeting if actual conflict arises.
	12/11/2025	Member	Kati Huirapa Runaka ki Puketeraki	No conflict identified.	Seeks advice in advance of meeting if actual conflict arises.
	12/11/2025	Family member	Family member works for the DCC	No conflict identified.	Seeks advice in advance of meeting if actual conflict arises.
David Ward	28/07/2022	Director	Ward Property Rentals	No conflict identified.	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	28/07/2022	Member	Water New Zealand	No conflict identified.	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	28/07/2022	Member	IPWEA (Institute of Public Works Engineering Australasia)	No conflict identified.	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	21/02/2024	Owner	Residential Property Dunedin	No conflict identified.	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	28/07/2022	Fellow	The Institution of Civil Engineers	No conflict identified.	Any decisions relating to The Institution of Civil Engineers will be referred to the CEO
Scott MacLean	23/01/2024	Owner	Residential property	No conflict identified.	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	23/01/2024	Trustee	Te Poari a Pukekura Charitable Trust	No conflict identified.	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	23/01/2024	Spouse is Chair	Dunedin Wildlife Hospital Trust (DWHHT)	DCC has funded the DWHHT	Take no part in discussions or decision making about the Trust or participate in any transactions between the Trust and DCC.

Executive Leadership Team - Register of Interest - current as at 11 November 2025					
Name	Date of Entry	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
Carolyn Allan	01/03/2024	Owner	Residential property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	01/03/2024	Owner	Residential rental property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	01/03/2024	Member	Mountain Bike Otago	No conflict identified.	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Paul Henderson	15/01/2025	Owner	Residential property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	15/01/2025	Associate Member	Building Officials Institute of NZ (through to 31 Dec 2025 then expires)	No conflict identified.	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	15/01/2025	Playing Member	Dunedin City Royal Football Club	No conflict identified.	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	10/10/2025	Navigator Member	Taituarā	No conflict identified.	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	10/10/2025	Partner	Ruru Workplace Solutions Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Mike Costelloe	10/10/2025	Owner	Residential properties x 2	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.

---

## **CONFIRMATION OF MINUTES**

### **ORDINARY COUNCIL MEETING - 12 FEBRUARY 2026**

---

#### **RECOMMENDATIONS**

That the Council:

- a) **Confirms** the public part of the minutes of the Ordinary Council meeting held on 12 February 2026 as a correct record.

#### **Attachments**

	<b>Title</b>	<b>Page</b>
<a href="#">A↓</a>	Minutes of Ordinary Council meeting held on 12 February 2026	16

---

## **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 Thursday 12 February 2026, commencing at 9.00 am**

### **PRESENT**

<b>Mayor</b>	Mayor Sophie Barker	
<b>Deputy Mayor</b>	Cr Cherry Lucas	
<b>Members</b>	Cr John Chambers	Cr Christine Garey
	Cr Doug Hall	Cr Marie Laufiso
	Cr Russell Lund	Cr Mandy Mayhem
	Cr Benedict Ong	Cr Andrew Simms
	Cr Mickey Treadwell	Cr Lee Vandervis
	Cr Steve Walker	Cr Brent Weatherall

### **IN ATTENDANCE**

Sandy Graham (Chief Executive), Carolyn Allan (Chief Financial Officer), Scott MacLean (General Manager City Services), David Ward (General Manager 3 Waters, Property and Urban Development), Nicola Morand (Manahautū - General Manager Community and Strategy), Paul Henderson (General Manager Corporate and Regulatory Services), Mike Costelloe (General Manager, Arts, Culture and Economic Development), Hayden McAuliffe (Manager Financial Services), Richard Davey (Treasurer Dunedin City Holdings Ltd), Gina Hu'akau (Manager Community Partnerships), Manager Corporate Policy (Nadia Wesley-Smith), Danielle Tolson (Policy Analyst), Teresa Fogerty (Manager Destination Dunedin), Dan Hendra (Team Leader Events), Dr Anna Johnson (Manager City Planning), Bede Morrissey (Senior Planner City Development), Anna Nilsen (Group Manager Property), John McAndrew (Head of 3 Waters), and Jackie Harrison (Manager Governance)

<b>Governance Support Officer</b>	Rebecca Murray
-----------------------------------	----------------

---

## **1 OPENING**

Rev Alofa Lale, Associate Minister, First Church of Otago opened the meeting with a prayer.

## **2 PUBLIC FORUM**

- 2.1 Aaron Hawkins spoke on behalf of Housing Alliance regarding Otago Housing and thanked the Council for its continued support of local home-insulation initiatives and provided an update on the strong outcomes achieved through DCC and OCT funding, noting both the significant number of Dunedin households assisted and the wider public benefits of improving housing quality.
- 2.2 Jerome Cousins and Andrea Liberatore representing NZ International Science Festival briefed elected members on the positive impact of Council grants on recent festivals and provided comments regarding the current grants review.
- 2.3 Joy Davis and Lois Scott-Muir on behalf of Ōtepoti Community Builders spoke to elected members about the Grants Review and emphasised the benefits of establishing a Grants Subcommittee with community and mana whenua representation.

Moved: (Mayor Sophie Barker/Cr Cherry Lucas)

That the Council:

**Extend** Public Forum beyond 30 minutes.

**Motion carried**

- 2.4 Haren Makaea spoke to elected members about experiences of racism in Dunedin, highlighting concerns about exclusion and the challenges of feeling included as someone from another country.

## **3 APOLOGIES**

There were no apologies.

## **4 CONFIRMATION OF AGENDA**

Moved (Mayor Sophie Barker/Cr Cherry Lucas):

That the Council:

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

**Motion carried (CNL/2026/012)**

## **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 Sophie Barker/Cr Cherry Lucas):

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/2026/013)**

## **6 CONFIRMATION OF MINUTES**

### **6.1 ORDINARY COUNCIL MEETING - 26 JANUARY 2026**

Moved (Mayor Sophie Barker/Cr Cherry Lucas):

That the Council:

**Confirms** the public part of the minutes of the Ordinary Council meeting held on 26 January 2026 as a correct record.

**Motion carried (CNL/2026/014)**

### **6.2 ORDINARY COUNCIL MEETING - 29 JANUARY 2026**

Moved (Mayor Sophie Barker/Cr Cherry Lucas):

That the Council:

**Confirms** the public part of the minutes of the Ordinary Council meeting held on 29 January 2026 as a correct record.

**Motion carried (CNL/2026/015)**

## **REPORTS**

### **7 NEW YEARS EVE CELEBRATION FEEDBACK**

This report provided an overview of community feedback on the 2025/26 New Year's Eve event, highlighting the aspects attendees enjoyed, acknowledging opportunities for improvement, and outlining options to enhance future celebrations within existing budget settings.

Chief Executive (Sandy Graham), General Manager – Arts, Culture and Economic Development (Mike Costelloe), Manager Destination Dunedin (Teresa Fogerty) and Team Leader Events (Dan Hendra) spoke to the report and responded to questions.

Moved (Mayor Sophie Barker/Cr Steve Walker):

That the Council:

**Adjourns** the meeting for 15 minutes.

**Motion carried**

The meeting adjourned at 10.28am and reconvened at 10.42am.

Moved (Cr Andrew Simms/Mayor Sophie Barker):

That the Council:

- a) **Notes** the feedback from the community on the 2025/26 New Years Eve event
- b) **Commits** to building on the previous event for the 2026/27 New Years celebration within the existing budget
- c) **Asks** staff to work with the ED portfolio leads to cost alternative options (including fireworks at various locations) with appropriate consultation and bring costed options back to Council by April 2026.

**Motion carried (CNL/2026/016)**

**8 RESIDENTS' OPINION SURVEY QUARTERLY UPDATE: OCTOBER - DECEMBER 2025**

The report provided a summary of the Residents' Opinion Survey (ROS) quarterly results for Quarter Two 2025/2026 (October-December 2025).

Manahautū - General Manager Community and Strategy (Nicola Morand) and Manager Corporate Policy (Nadia Wesley-Smith) responded to questions.

Moved (Mayor Sophie Barker/Cr Cherry Lucas):

That the Council:

**Notes** the Residents' Opinion Survey quarterly results for the period of October-December 2025 (Quarter Two 2025/26).

**Motion carried (CNL/2026/017)**

**9 PLANNING BILL AND NATURAL ENVIRONMENT BILL - SUBMISSION**

This report sought approval for the draft submission from the DCC to the Environment Select Committee on the Planning Bill and the Natural Environment Bill.

General Manager 3 Waters, Property and Urban Development (David Ward), Manager City and Development (Dr Anna Johnson) and Senior Planner City Development (Bede Morrissey) spoke to the report and responded to questions.

Cr Doug Hall left the meeting at 12pm and returned to the meeting at 12.06pm.

Moved (Cr Cherry Lucas/Mayor Sophie Barker):

That the Council:

- a) **Approves** the draft Dunedin City Council submission on the Planning Bill and the Natural Environment Bill, with any amendments requested, to the Environment Select Committee.  
Addition to Section 7.3 of the submission:

DCC recommends that the new planning system explicitly enable territorial authorities to require developer-provided infrastructure to be designed and constructed to accommodate the maximum density permitted by the base zoning, rather than the density proposed by the developer at the time of development. This is necessary to ensure that infrastructure capacity aligns with the full development potential anticipated by the planning framework. Where infrastructure is designed only for the initially proposed density, subsequent intensification may exceed available capacity, resulting in additional costs (to councils and ratepayers), disruption, and inefficiencies.

- b) **Authorises** the Chief Executive to make any minor editorial amendments to submission.
- c) **Notes** that the Mayor or delegate will speak to any hearings in regard to this submission.

**Motion carried (CNL/2026/018)** with Cr Vandervis recording his vote against.

Moved (Mayor Sophie Barker/Cr Steve Walker):

That the Council:

**Adjourns** the meeting until 2.15pm.

**Motion carried**

The meeting adjourned at 1.28pm and reconvened at 2.16pm.

## **10 INQUIRY INTO THE 2025 LOCAL ELECTIONS SUBMISSION**

The report sought approval for the Dunedin City Council (DCC) draft submission to the Inquiry into the 2025 Local Elections (the Inquiry).

Chief Executive (Sandy Graham), Manahautū - General Manager Community and Strategy (Nicola Morand), Manager Corporate Policy (Nadia Wesley-Smith) and Policy Analyst (Danielle Tolson) responded to questions.

Moved (Mayor Sophie Barker/Cr Cherry Lucas):

That the Council:

**Adjourns** the meeting for two minutes.

**Motion carried**

The meeting adjourned at 2.37pm and reconvened at 2.38pm.

Moved (Mayor Sophie Barker/Cr Cherry Lucas):

That the Council:

- a) **Approves** the draft Dunedin City Council submission to the Inquiry into the 2025 Local Elections.



- b) **Authorises** the Chief Executive to make any minor editorial amendments to the draft submission.
- c) **Authorises** the Mayor or delegate to speak at any hearings.

**Motion carried (CNL/2026/019)** with Cr Vandervis recording his vote against.

## **11 OTAGO LOCAL AUTHORITIES' TRIENNIAL AGREEMENT 2026-2029**

This report provided an overview of the 2026–2029 Otago Triennial Agreement, outlining the statutory requirement for a coordinated regional approach among Otago's local authorities and seeking Council approval of the agreement in its required format.

Moved (Mayor Sophie Barker/Cr Cherry Lucas):

That the Council:

- a) **Approves** the Otago Local Authorities' Triennial Agreement 2026-2029.
- b) **Authorises** the Mayor to sign the Otago Local Authorities' Triennial Agreement 2026-2029 on behalf of the Dunedin City Council.
- c) **Notes** that the Triennial Agreement requires the Otago Mayoral Forum to identify and oversee progress on 'regional focus areas' – areas where a regional approach is either required or an improve outcomes for Otago.

**Motion carried (CNL/2026/020)**

## **12 GRANTS REVIEW**

This report provided an overview of the 2025 DCC Grants Review, outlining recommended core policy settings to improve clarity, transparency, and strategic alignment across the grants system, and seeking Council agreement on these settings and the proposed next steps.

Manahautū - General Manager Community and Strategy (Nicola Morand) and Manager Community Partnerships (Gina Hu'akau) responded to questions.

Moved (Mayor Sophie Barker/Cr Christine Garey):

That the Council:

**Adjourns** the meeting until 3pm.

**Motion carried**

The meeting adjourned at 2.55pm and reconvened at 3.02pm.

Moved (Mayor Sophie Barker/Cr Cherry Lucas):

That the Council:

**Adjourns** the meetings for two minutes.

**Motion carried**

The meeting adjourned at 3.20pm and reconvened at 3.23pm.

During discussion Mayor Sophie left the meeting at 3.48pm. Deputy Mayor Lucas chaired the meeting.

Mayor Sophie returned to the meeting at 3.53pm and resumed the Chair.  
Following Deputy Mayor Cherry Lucas moving and Mayor Sophie Barker seconding a motion. Cr Mandy Mayhem moved an amendment to Item 1 (e). Cr Marie Laufiso seconded the amendment.

Moved (Cr Mandy Mayhem/Cr Marie Laufiso):

That the Council:

- e) **Confirms** its preferred Governance Structure for Grant Decisions is a Grants Subcommittee + Staff Delegations + Council Oversight where:
  - a) Staff allocate small grants under delegation.
  - b) A Grants Subcommittee (which include community representatives) allocates mid-tier grants, multi-year and large grants.

**Division**

The Council voted by division

- For: Crs John Chambers, Christine Garey, Doug Hall, Marie Laufiso, Mandy Mayhem, Benedict Ong, Andrew Simms, Mickey Treadwell and Steve Walker (9).
- Against: Crs Cherry Lucas, Russell Lund, Lee Vandervis, Brent Weatherall and Mayor Sophie Barker (5).
- Abstained: Nil

The division was declared CARRIED by 9 votes to 5

**Motion carried (CNL/2026/021)**

Moved (Cr Cherry Lucas/Mayor Sophie Barker):

That the Council:

- 1 **Adopts** the following policy settings for Grants:
  - a) **Defines** a Council Grant as:

A non-repayable financial contribution to an external organisation or individual for a specific project that advances strategic goals the Council cannot deliver alone. It supports community-led activities and services that deliver a measurable public benefit, as outlined in the Council's Long-Term Plan, without expectation of commercial return. While primarily targeting not-for-profit organisations, grants may support for-profit activities where a clear and distinct community benefit is delivered and is demonstrably separated from private gain.
  - b) **Confirms** Council's Role and Purpose in Grant-Making is:

- i) Stewardship – ensuring public funds are allocated fairly, transparently, and strategically;
  - ii) Partnership – working with community organisations as co-deliverers of community outcomes;
  - iii) Enabler – reducing barriers and administrative burden; and
  - iv) Accountability – maintaining oversight and alignment with Council priorities
- c) **Agrees** its priorities for Grant-Making are to:
  - i) Prioritise the development of grant approaches that more directly advance its community outcomes; and
  - ii) Refine grant structures and budget settings over time to strengthen this alignment, with further options to be considered through a future Annual Plan process.
- d) **Confirms** its preferred approach to delivering grants is consolidation plus development of new community outcomes grants, including:
  - i) Consolidation of existing grant categories to improve clarity and consistency; and
  - ii) Development of new partnership-based grants aligned to priority community outcomes (for example housing, youth wellbeing, and health), subject to future budget and implementation decisions.
- f) **Notes** that grant funding levels will be set through the Annual Plan and Long-Term Plan processes.
- 2 **Notes** That the agreed policy settings will inform the update of the Grants Management Policy (2019) and associated governance, delegations, and operational arrangements.
- 3 **Requests** that staff
  - a) Draft an updated Grants Management Policy reflecting the agreed policy settings;
  - b) Develop implementation and transition arrangements, including any required updates to delegations and committee terms of reference;
  - c) Undertake pre-procurement analysis for a grants management system aligned with the agreed policy framework; and
  - d) Report back to Council through a future Annual Plan process with detailed options to strengthen alignment between grant-making.

**Motion carried (CNL/2026/022)**

Moved (Cr Cherry Lucas/Mayor Sophie Barker):

That the Council:

- e) **Confirms** its preferred Governance Structure for Grant Decisions is a Grants Subcommittee + Staff Delegations + Council Oversight where:

- i) Staff allocate small grants under delegation.
- ii) A Grants Subcommittee (which include community representatives) allocates mid-tier grants, multi-year and large grants.

**Division**

The Council voted by division

For: Crs John Chambers, Christine Garey, Doug Hall, Marie Laufiso, Mandy Mayhem, Andrew Simms, Mickey Treadwell and Steve Walker (8).  
Against: Crs Cherry Lucas, Russell Lund, Benedict Ong, Lee Vandervis, Brent Weatherall and Mayor Sophie Barker (6).  
Abstained: Nil

The division was declared CARRIED by 8 votes to 6

**Motion carried (CNL/2026/023)**

Moved (Mayor Sophie Barker/Cr Cherry Lucas):

That the Council:

**Adjourns** for 10 minutes.

**Motion carried**

The meeting adjourned at 4.17pm and reconvened at 4.25pm.

**13 GRANTS ALLOCATED \$5K AND UNDER**

This report provided details of the Waste Minimisation Community grants that were awarded under the Chief Executive Officer's delegation in the September 2025 round, and the Waste Minimisation Small grants awarded by the former Grants Subcommittee Chair during the period March 2025 and October 2025.

Moved (Mayor Sophie Barker/Cr Mandy Mayhem):

That the Council:

- a) **Notes** that the Waste Minimisation Grants are funded by Waste Disposal Levy funds provided by the Ministry for the Environment and are not rates funded.
- b) **Notes** the approved funding allocated to organisations for Waste Minimisation Small Projects and Waste Minimisation Community grants.

**Motion carried (CNL/2026/024)**

**14 APPOINTMENT OF ADVISORY PANEL TO CONSIDER DISTRICT LICENSING COMMITTEE COMMISSIONER APPLICATIONS**

This report provided an overview of the statutory requirements for maintaining the District Licensing Committee, outlining proposed steps to ensure continuity and adequate hearing

capacity through the recruitment of additional commissioners and the establishment of an advisory panel to assess applicants.

Moved (Mayor Sophie Barker/Cr Mandy Mayhem):

That the Council:

- a) **Notes** that applications will be invited for District Licensing Committee commissioner roles.
- b) **Appoints** an Advisory Panel of Councillor Lucas (as Chair), Councillor Garey and Councillor Walker to consider the applications received to be commissioners of the Dunedin District Licensing Committee.
- c) **Approves** the draft Terms of Reference for the Advisory Panel (with any amendment).
- d) **Requires** the Advisory Panel to:
  - i) make recommendations for appointment to the Chief Executive, and
  - ii) appoint a chairperson for the District Licensing Committee and
  - iii) (if desired) appoint a deputy chairperson.

**Motion carried (CNL/2026/025)**

## **15 REVIEW OF DANGEROUS, INSANITARY AND AFFECTED BUILDINGS POLICY**

This report provided an update on the scheduled review of the Dangerous, Insanitary and Affected Buildings Policy and sought Council approval to consult on proposed minor amendments in accordance with statutory requirements.

Cr Russell Lund entered the meeting at 4.28pm  
Cr Andrew Simms entered the meeting at 4.28pm.

Moved (Mayor Sophie Barker/Cr Cherry Lucas):

That the Council:

**Adjourns** the meeting for two minutes.

**Motion carried**

The meeting adjourned at 4.32pm and reconvened at 4.34pm

Moved (Cr Steve Walker/Cr Mandy Mayhem):

That the Council:

- a) **Notes** the review of the Dangerous, Insanitary and Affected Buildings Policy

- b) **Approves** the proposed Dangerous, Insanitary and Affected Buildings Policy at Attachment A and the statement of proposal at Attachment B for consultation.
- c) **Notes** that Hearings Committee members to hear and consider submissions for this review will be appointed by the Chair of the Hearings Committee in due course.

**Motion carried (CNL/2026/026)**

**16 RESOLUTION TO STOP PART OF NEILL STREET, ABBOTSFORD**

This report provided an overview of the road stopping process for land adjoining 26 Neill Street, confirming that statutory consultation has been completed with no objections and seeking to conclude the formal decision-making process.

Moved (Cr Brent Weatherall/Cr Cherry Lucas):

That the Council:

- a) **Resolves** that under Section 342 of the Local Government Act 1974 the part of unformed road described as Sections 1 & 2 SO 619506 are stopped.
- b) **Notes** that no objections were submitted during the public notice period.
- c) **Authorises** a public notice declaring that the road is stopped.

**Motion carried (CNL/2026/027)**

**17 WAIPORI FUND - QUARTER ENDING 31 DECEMBER 2025**

This report provided an update from Dunedin City Treasury Limited on the results of the Waipori Fund for the quarter ended 31 December 2025.

Chief Financial Officer (Carolyn Allan) and Treasurer Dunedin City Holdings Ltd (Richard Davies) spoke to the report and advised that DCHL were underway with the review of the SIPO and will provide an update to Council on 25 March 2026 and responded to questions.

Moved (Cr Lee Vandervis/Cr Cherry Lucas):

That the Council:

- a) **Notes** the report from Dunedin City Treasury Limited on the Waipori Fund for the quarter ended 31 December 2025.

**Motion carried (CNL/2026/028)**

**18 FINANCIAL REPORT - PERIOD ENDED 31 DECEMBER 2025**

This report provided the financial results for the period ended 31 December 2025 and the financial position as at that date.

Chief Executive (Sandy Graham), Chief Financial Officer (Carolyn Allan), General Manager Corporate and Regulatory Services (Paul Henderson), General Manager City Services (Scott

MacLean), Manager Financial Services (Hayden McAuliffe), Head of 3 Waters (John McAndrew), Group Manager Property (Anna Nilsen) responded to questions.

Moved (Cr Lee Vandervis/Cr Cherry Lucas):

That the Council:

- a) **Notes** the Financial Performance for the period ended 31 December 2025 and the Financial Position as at that date.

**Motion carried (CNL/2026/029)**

## 19 PROPOSED EVENT ROAD CLOSURES

A report from Transport sought approval of the temporary road closure applications relating to the following events:

- i) Graduation Parade
- ii) South Dunedin Street Festival
- iii) Three Peaks Running Race
- iv) Baseline

Moved (Mayor Sophie Barker/Cr Cherry Lucas):

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) Graduation Parade

Friday, 13 March 2026	10.30am to 11.00am	<ul style="list-style-type: none"><li>Great King Street, between Frederick Street and Albany Street</li></ul>
	10.40am to 11.30am	<ul style="list-style-type: none"><li>Frederick Street, between Great King Street and George Street</li><li>Filleul Street, between Moray Place and St Andrew Street</li></ul>
	10.40am to 12.00pm	<ul style="list-style-type: none"><li>Moray Place, between George Street and upper Stuart Street</li><li>George Street, between Frederick Street and Moray Place</li></ul>

### ii) South Dunedin Street Festival

Saturday, 14 March 2026	7.00am to 4.30pm	<ul style="list-style-type: none"><li>King Edward Street, between Hillside Road and Macandrew Road</li></ul>
-------------------------------	------------------	--

		<ul style="list-style-type: none"> <li>• Lorne Street, between Rankeilor Street and King Edward Street</li> <li>• McBride Street, between Rankeilor Street and King Edward Street</li> <li>• Sullivan Avenue, between Glasgow Street and King Edward Street</li> <li>• Carey Avenue, between Glasgow Street and King Edward Street</li> </ul>
--	--	---

**iii) Three Peaks Running Race**

Sunday, 15 March 2026	6.00am to 6.10am AND 9.00am to 9.10am	<ul style="list-style-type: none"> <li>• Woodhaugh Street - entire length</li> </ul>
	9.00am to 3.00pm	<ul style="list-style-type: none"> <li>• Leith Valley Road, between Islay Street and Pigeon Flat Road</li> </ul>

**iv) Baseline**

Saturday, 28 March 2026	10.00am to 11.59pm	<ul style="list-style-type: none"> <li>• Logan Park Drive, between Anzac Avenue and Butts Road</li> </ul>
Sunday, 29 March 2026	12.00am to 10.00am	

**Motion carried (CNL/2026/030)**

**20 TERMS OF REFERENCE - COUNCIL CONTROLLED ORGANISATION TRANSITION STEERING REPORT**

This report provided an overview of the proposed Terms of Reference to guide the transition and consultation process for potentially establishing Enterprise Dunedin as a standalone Council Controlled Organisation, ensuring strategic oversight and alignment with Council priorities.

Chief Executive (Sandy Graham) and General Manager Arts, Culture and Economic Development (Mike Costelloe) responded to questions.

Moved (Mayor Sophie Barker/Cr Andrew Simms):

That the Council:

- a) **Adopts** the terms of reference without amendment for the Economic Development Agency Transition Steering Group.



- b) **Appoints** Mayor Barker, Cr Simms and three external advisors as members of the Transition Steering Group.

**Motion carried (CNL/2026/031)**

The meeting closed at 5.27pm.

.....  
MAYOR

## REPORTS

### ACTIONS FROM RESOLUTIONS OF COUNCIL MEETINGS

Department: Civic

#### EXECUTIVE SUMMARY

- 1 The purpose of this report is to show progress on implementing resolutions made at Council meetings.
- 2 As this report is an administrative report only, there are no options or Summary of Considerations.

#### RECOMMENDATIONS

That the Council:

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

#### DISCUSSION

- 3 This report also provides an update on resolutions that have been actioned and completed since the last Council meetings. Note that items on the Forward Work Programme are not included in the attached schedules.

#### NEXT STEPS

- 5 Updates will be provided at future Council meetings.

#### Signatories

Author:	Lynne Adamson - Governance Support Officer
Authoriser:	Nicola Morand - Manahautū (General Manager Community and Strategy)

#### Attachments

	<b>Title</b>	<b>Page</b>
<a href="#">↓A</a>	Open Action List	31
<a href="#">↓B</a>	Closed Action List	35

Key	
Changes to timeframes	
Progress to date update	Bold

PUBLIC COUNCIL RESOLUTIONS OPEN ACTION LIST FEBRUARY 2026					
Meeting Date	Resolution	Report	Resolution or Action to be Taken	Group	Status
28/11/2023	CNL/2023/277	Right of Way Easement over part Dunedin Town Belt for 139 Harbour Terrace, Dunedin	<p><b>Acting</b> in its capacity as the administering body of the Dunedin Town Belt Recreation Reserve pursuant to the Reserves Act 1977:</p> <p><b>Approves</b> the partial surrender of an existing vehicular Right of Way easement as it relates to Lot 2 DP 390403 (InFstrument 8489286.2)</p> <p><b>Grants</b> a Right of Way easement over part of the Dunedin Town Belt Recreation Reserve to land held as Lot 1 DP 575078 located at 139 Harbour Terrace, Dunedin, subject to the conditions outlined in this report.</p> <p><b>Approves</b> increasing of the existing annual fee for the Right of Way from \$1,265.00 including GST to \$1,500.00 including GST for use of the Dunedin Town Belt Recreation Reserve for access to the property at 139 Harbour Terrace, Dunedin.</p> <p><b>Decides</b> that the criteria for exemption from public notification has been met.</p> <p><b>Acting</b> under delegation from the Minister of Conservation dated 12 June 2013, and pursuant to section 48 of the Reserves Act 1977;</p> <p><b>Approves</b> the partial surrender of an existing vehicular Right of Way easement as it relates to Lot 2 DP 390403 (Instrument 8489286.2) and</p> <p><b>Consents</b> to the grant of a Right of Way easement over part of the Dunedin Town Belt Recreation Reserve to land held as Lot 1 DP 575078 located at 139 Harbour Terrace, Dunedin, subject to the conditions outlined in this report.</p>	Parks and Recreation	February 2026 – The existing Right of Way is being varied so that the partial surrender and registration of the new easement over DCC land can then be registered. The easement variation is currently in the process of being registered.
30/01/2024	CNL/2024/011	Approval to Grant Electricity Easement to Aurora Energy Limited – Part Local Purpose (Esplanade) Reserve at Burnside, Dunedin	<p><b>Grants</b>, 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).</p> <p><b>Decides</b> the criteria for exemption from public notification has been met.</p> <p><b>Acting</b> 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).</p>	Parks and Recreation	February 2026 – Unchanged. A separate matter relating to mining rights in Council’s reserve land is being co-ordinated by DCC’s Legal Team. These mining rights are to be transferred to Council. Once the mining rights have been transferred then the Aurora Easement will be registered.

Key	
Changes to timeframes	
Progress to date update	Bold

PUBLIC COUNCIL RESOLUTIONS OPEN ACTION LIST FEBRUARY 2026					
Meeting Date	Resolution	Report	Resolution or Action to be Taken	Group	Status
10/12/2024	CNL/2024/249	Unitary Authority	<b>Progresses</b> discussions about a possible unitary authority for Otago with an initial meeting in early 2025 of elected members of the Councils in Otago or their representatives.	Office of the Mayor	February 2026 – Government changes in this sphere have been announced (Simplifying Local Government). A submission will be considered at the 19 February 2026 Council meeting.
26/02/2025	CNL/2025/079	Memorandum of Understanding with Christchurch City Council – Potential for Shared Services	<b>Approves</b> the Memorandum of Understanding between Dunedin City Council and Christchurch City Council.  <b>Notes</b> that the Council’s consultation document under the Local Government (Water Services Preliminary Arrangements) Act 2024 will record that Dunedin City Council and Christchurch City Council are working together to investigate whether there are opportunities for certain shared water services. Delegates to the Council’s Chief Executive Officer the authority to finalise and sign the Memorandum of Understanding on behalf of Council.	3 Waters/Legal	February 2026 – Staff continue to work constructively with colleagues in Christchurch in the areas of procurement, asset management and engineering/data standards.
26/03/2025	CNL/2025/089	Te Awa Ōtākou – Issues and Opportunities Report	<b>Requests</b> staff arrange a meeting between the DCC and ORC Councillors to discuss governance matters related to Te Awa Ōtākou Issues and Opportunities report.	Parks and Recreation	February 2026 – The ORC has advised that a review of the ORC’s Integrated Catchment Management (ICM) programme has been undertaken and the results reported to ORC Council on 25 September 2025. Unfortunately, a Dunedin focused ICM programme will not be initiated this year as originally intended.
26/08/2025	CNL/2025/251	Request to Lift Alcohol Ban in the Lower Octagon and Bath Street on 7 February 2026	<b>Approves</b> the temporary lifting of the Dunedin Alcohol Ban in the Lower Octagon and Bath Street on 7 February 2026 between 10.00am and 9.00pm.	Enterprise Dunedin and Civic	February 2026 – the Alcohol Ban will be lifted for 7 February 2026.
26/08/2025	CNL/2025/257	Proposed Road Stopping – Adjoining 40 Halfway Bush Road	<b>Approves</b> public notification of the Council’s intention to stop a section of legal road at 40 Halfway Bush Road, subject to the Minister for Land Information’s consent and the applicants agreeing to:  <b>Pay</b> the Council the non-refundable fee for processing the road stopping.  <b>Pay</b> the Council the actual costs incurred for the road stopping, regardless of whether or not the stopping reaches a conclusion, and the market value of the stopped road, assessed by the Council’s valuer.  <b>Amalgamate</b> the stopped portion of road with the title of the adjacent land at 40 Halfway Bush Road, being the land contained within Record of Title OT11A/251.	Property	February 2026 – There is no change, the conditional agreement for sale and purchase is with the applicant.

Key	
Changes to timeframes	
Progress to date update	Bold

PUBLIC COUNCIL RESOLUTIONS OPEN ACTION LIST FEBRUARY 2026					
Meeting Date	Resolution	Report	Resolution or Action to be Taken	Group	Status
			<b>Accept</b> the application of the standards contained within the Dunedin City Council Code of Subdivision and Development to the stopped road. <b>Register</b> any easements over the stopped portion of road in favour of utilities or adjoining owners (if required).		
26/08/2025	CNL/2025/262	Proposed Event Road Closures	<b>Resolves</b> to close the roads detailed in the agenda (pursuant to Section 319, Section 342, and Schedule 10 clause 11(e) of the Local Government Act 1974 (LGA 1974)) for the following events: Weet Bix Kids TRYathlon – Sunday 1 March 2026	Transport	February 2026 – the roads will be closed for the event.
27/11/2025	CNL/2025/322	Resolution to Stop Part of Glengyle Street, Vauxhall	<b>Resolves</b> that under Section 342 of the Local Government Act 1974 the part of unformed road described as Section 1 SO 610112 is stopped. <b>Authorises</b> a public notice declaring that the road is stopped.	Property	February 2026 – The public notice declaring the road stopping was published in the Otago Daily Times on 6 December 2025. A new title for the land was issued in DCC's name on 12 January 2026. The settlement of this transaction is scheduled to be completed on 19 February 2026.
11/12/2025	CNL/2025/341	NZTA State Highway Response to the new Dunedin Hospital	<b>Requests</b> that NZTA works with Health New Zealand to establish sufficient additional car parking in very close proximity to the new hospital.	Transport	February 2026 – NZTA continues to work alongside Health NZ for the best outcome for the NDH's relationship to the SH network but NZTA is not responsible for providing parking in local authority areas.
11/12/2025	CNL/2025/244	Rates Relief Grants	<b>Approves</b> Rates Relief grants (as per Attachments C and D) of \$47,715.56 including a grant of \$5,234.56 for the Taieri Bowling Club. <b>Authorises</b> an overspend of the DCC Rates Relief grant fund by \$5,234.56	Community Partnerships	February 2026 – the grants will be paid in February 2026.
11/12/2025	CNL/2025/350	Sports Ground Management Plan Review	<b>Approves</b> the Statement of Proposal and Sports Ground Management Plan Feedback Form <b>Authorises</b> the commencement of the public consultation process required by s. 41(5) of the Reserves Act 1977 as outlined in Option One below.	Parks and Recreation	February 2026 – Stage 1 of the public consultation is due to start on Monday 2 February 2026 and finish on Monday 2 March 2026. Feedback from consultation will be used to develop the new draft Sportsground Management Plan.
11/12/2025	CNL/2025/351	Town Belt Active Travel Trial	<b>Approves</b> the approach outlined in this report to implement the Town Belt Active Travel Trial. <b>Notes</b> that the trial is the first step in delivering on the Town Belt Reserve Management Plan's objectives and implementation plan. <b>Notes</b> that at the conclusion of the trial staff will report back to Council on the results of the trial, including community feedback.	Parks and Recreation	February 2026 – The Town Belt Active Travel Trial started on Monday 26 January 2026 and will run for 3 months. The road has been temporarily closed to traffic. Submissions are being collated and will form the basis of a report to Council on the results of the trial once it is completed.

Key	
Changes to timeframes	
Progress to date update	Bold

PUBLIC COUNCIL RESOLUTIONS OPEN ACTION LIST FEBRUARY 2026					
Meeting Date	Resolution	Report	Resolution or Action to be Taken	Group	Status
11/12/2025	CNL/2025/358	Proposed Event Road Closures	<b>Resolves</b> to close the roads as detailed in the report (pursuant to Section 319, Section 342, and Schedule 10 clause 11(e) of the Local Government Act 1974 (LGA 1974)) for the following event:  Royal NZ Pipe Band Association Otago Centre Competitions – 28 February and 1 March 2026.	Transport	February 2026 – the roads will be closed for the events
29/01/2026	CNL/2026/008	Appointment Process for Independent Members of the Audit, Risk and Assurance Committee	<b>Approves</b> the appointment process outlined in the report.  <b>Agrees</b> that the appointment panel would consist of the Mayor, Deputy Mayor, Councillors John Chambers, Andrew Simms and Lee Vandervis; and the Chief Financial Officer.  <b>Notes</b> that the appointment panel would make a recommendation to Council on the appointment of the new independent members being the Chairperson and Deputy Chairperson.	Civic	February 2026 – Expressions of Interest closed on Thursday 5 February 2026. A skills matrix, similar to the one used for Dunedin City Holdings Limited was used to assess the applicants and short-list 3 applicants who will be interviewed by the Appointment Panel. A report recommending the appointments will be presented to Council on 4 March 2026.

NOTICE OF MOTION RESOLUTIONS					
27/03/2024	CNL/2024/066 and CNL/2024/067	Notice of Motion – Single Use Cups	<b>Declares</b> a commitment to Dunedin City becoming Single Use Cup (SUC) free as part of its broader waste minimisation goals. <b>Directs</b> the DCC CEO to make the following Dunedin City Council venues SUC free by the end of 2024:  Civic Centre Dunedin Public Library Toitū DPAG	Civic	February 2026 – Dunedin Public Art Gallery and the libraries are single use cup free.
			<b>Includes</b> in the DCHL Letter of Expectation 25/26 a requirement that Dunedin Venues Management Limited and the venues it controls or manages are SUC free by the end of 2025.		February 2026 – This has been included in the DVML Statement of Intent to strive to be single cup free wherever practical.
			<b>Promotes</b> the SUC free initiative to the business and hospitality communities through Council networks and events;		November 2025 – Staff will continue to promote this initiative to business communities through networks and events.

Key	
Changes to timeframes	
Progress to date update	Bold

PUBLIC COUNCIL RESOLUTIONS COMPLETED ACTION LIST FEBRUARY 2026					
Meeting Date	Resolution	Report	Resolution or Action to be Taken	Group	Completion
11/12/2025	<b>2025/354</b>	<b>Drinking Water Quality Assurance Rules (Large Supplies) – Rules Review 2025 – Submission</b>	<p><b>Approves</b> the draft DCC submission to the Water Services Authority – Taumata Arowai on proposed changes to the Drinking Water Quality Assurance Rules (DWQAR) for large drinking water supplies at Attachment A.</p> <p><b>Authorises</b> the Mayor and/or her delegate to speak to the submission.</p> <p><b>Authorises</b> the Chief Executive to make any minor editorial changes if needed.</p>	<b>3 Waters</b>	<b>The submission was sent on 12 December 2025.</b>
23/09/2025	<b>CNL/2025/285</b>	<b>Proposed Event Road Closures</b>	<p><b>Resolves</b> to close the roads detailed in the agenda (pursuant to Section 319, Section 342, and Schedule 10 clause 11(e) of the Local Government Act 1974 (LGA 1974)) for the following events:</p> <p>Brighton Gala Day – Sunday 18 January 2026</p> <p>Vintage Car Run – Saturday 25 January 2026</p> <p>Waitangi Day Celebrations – Friday 6 February 2026</p> <p>George Street Market Day – Saturday 7 February 2026</p> <p>MG Car Club Display – Sunday 8 February 2026</p> <p>Chinese New Year Celebrations – Sunday 15 February 2026</p>	<b>Transport</b>	<b>The roads were closed for the events.</b>
27/11/2025	<b>CNL/2025/328</b>	<b>New Zealand Masters Games Statement of Intent and Service Level Agreement 2025-2027</b>	<p><b>Approves</b> the 2025 – 2027 Dunedin (New Zealand) Masters Games Trust Statement of Intent.</p> <p><b>Approves</b> the 2025 – 2027 Dunedin (New Zealand) Masters Games Trust Service Level Agreement.</p>	<b>Events</b>	<b>The Masters Games were advised of the approval.</b>
27/11/2025	<b>CNL/2025/329</b>	<b>2026 New Zealand Masters Games Operational and Financial Update</b>	<b>Approves</b> the 2026 New Zealand Masters Games proceeding.	<b>Events</b>	<b>The Masters Games were held in February 2026.</b>
27/11/2025	<b>CNL/2025/330</b>	<b>Dunedin City Council Submission on the Otago Regional Council Indigenous Biodiversity Strategy 2025</b>	<p><b>Approves</b> the draft Dunedin City Council submission, with minor editorial amendments, on the Otago Regional Council’s Indigenous Biodiversity Strategy 2025.</p> <p><b>Authorises</b> the Chief Executive to make any minor editorial amendments to the submission.</p>	<b>Corporate Policy</b>	<b>The submission was sent.</b>

Key	
Changes to timeframes	
Progress to date update	Bold

PUBLIC COUNCIL RESOLUTIONS COMPLETED ACTION LIST FEBRUARY 2026					
Meeting Date	Resolution	Report	Resolution or Action to be Taken	Group	Completion
27/11/2025	<b>CNL/2025/319</b>	<b>Amendment to Road Naming Policy</b>	<b>Approves</b> the proposed amendments to the Road Naming Policy.	<b>Transport</b>	<b>The road naming policy has been amended and published on the Dunedin City Council website.</b>
11/12/2025	<b>CNL/2025/353</b>	<b>Proposed Data Collection Approach and Content for the Census Submission</b>	<b>Approves</b> the draft Dunedin City Council submission, with any amendments, to Stats NZ Tatauranga Aotearoa on the Proposed data collection approach and content for the census.  <b>Authorises</b> the Chief Executive to make any minor editorial amendments to the submission.  <b>Notes</b> that the Mayor or delegate will speak to any hearings in regard to this submission.	<b>Corporate Policy</b>	<b>The submission was sent.</b>
30/07/2025	<b>CNL/2025/220</b>	<b>Proposed Event Road Closures</b>	<b>Resolves</b> to close the roads as detailed in the report (pursuant to Section 319, Section 342, and Schedule 10 clause 11(e) of the Local Government Act 1974 (LGA 1974)) for the following events:  December Graduation Parades – Various Streets – 6, 10 and 13 December 2025.	<b>Transport</b>	<b>The roads were closed for the event.</b>
23/09/2025	<b>CNL/2025/282</b>	<b>Hearing Committee Recommendations on the Draft Reserves Management Plan General Policies</b>	<b>Adopts</b> the Reserves Management Plan General Policies.	<b>Parks and Recreation</b>	<b>The adopted plan is now operative and available for viewing on the DCC website.</b>
23/09/2025	<b>CNL/2025/283</b>	<b>Hearing Committee Recommendations on the Draft Mosgiel Recreation Area Reserve Management Plan</b>	<b>Adopts</b> the Mosgiel Recreation Area Reserve Management Plan 2025.	<b>Parks and Recreation</b>	<b>The adopted plan is now operative and available for viewing on the DCC website.</b>
23/09/2025	<b>CNL/2025/285</b>	<b>Proposed Event Road Closures</b>	<b>Resolves</b> to close the roads detailed in the agenda (pursuant to Section 319, Section 342, and Schedule 10 clause 11(e) of the Local Government Act 1974 (LGA 1974)) for the following events:  St Andrews Day Celebration – Sunday 23 November 2025 Orange Parade – Friday 28 November 2025 Santa Parade – Sunday 30 November 2025	<b>Transport</b>	<b>The roads were closed for the events</b>



Key	
Changes to timeframes	
Progress to date update	Bold

PUBLIC COUNCIL RESOLUTIONS COMPLETED ACTION LIST FEBRUARY 2026					
Meeting Date	Resolution	Report	Resolution or Action to be Taken	Group	Completion
			<p>Green Island Market Day – Saturday 6 December 2025</p> <p>Community Christmas Event – Sunday 14 December 2025</p> <p>New Years Eve Celebrations and Parade – Wednesday 31 December 2025 – Thursday 1 January 2026</p> <p>Brighton Gala Day – Sunday 18 January 2026</p> <p>Vintage Car Run – Saturday 25 January 2026</p> <p>Waitangi Day Celebrations – Friday 6 February 2026</p> <p>George Street Market Day – Saturday 7 February 2026</p> <p>MG Car Club Display – Sunday 8 February 2026</p> <p>Chinese New Year Celebrations – Sunday 15 February 2026</p> <p>Friday 20 February 2026 and Saturday 21 February 2026</p>		
11/11/2025	<b>CNL/2025/311</b>	<b>Elected Member Remuneration for the 2025-2028 Triennium</b>	<p><b>Approves</b> annual remuneration of \$145,008 for the Deputy Mayor.</p> <p><b>Approves</b> annual remuneration of \$100,577 for Councillors.</p> <p><b>Approves</b> annual remuneration of \$84,496 for Councillors with no additional responsibilities.</p>	Civic	The remuneration authority issued an updated determination which was effective from 17 October 2025.
11/12/2025	<b>CNL/2025/352</b>	<b>Reserve Management Plan Review Schedule</b>	<b>Approves</b> the Reserve Management Plan Schedule.	Parks and Recreation	The Reserve Management Plan Schedule was approved. The next Reserve Management Plan reviews will be the Hills Reserves Management Plan and the Coastal Dune Reserves Management Plan.
26/08/2025	<b>CNL/2025/263</b>	<b>Lead in Soil</b>	<p><b>Notes</b> the concerns regarding the Council’s current interpretation of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NЕСS) as it relates to lead in soil for residential development.</p> <p><b>Requests</b> staff to seek urgent formal guidelines from the Ministry for the Environment on how the Council should interpret and apply the NESCS.</p> <p><b>Request</b> an urgent Council report on the application of the Ministry for the Environment guidance to residential development across Dunedin City.</p>	Community and Planning	A report was presented to the 11 December 2025 Council meeting providing an update on the response from MfE. Council approved that based on the MfE responses, expert technical, legal advice and data collected to date, DCC should continue its existing approach in line with Regulations. (CNL/2025/349)

Key	
Changes to timeframes	
Progress to date update	Bold

PUBLIC COUNCIL RESOLUTIONS COMPLETED ACTION LIST FEBRUARY 2026					
Meeting Date	Resolution	Report	Resolution or Action to be Taken	Group	Completion
11/12/2025	<b>CNL/2025/348</b>	<b>DCHL Letter of Expectation for the Year Ended 30 June 2027</b>	<b>Approves</b> the draft Letter of Expectation to the Board of Dunedin City Holdings Ltd from the Council, as Shareholder.  <b>Authorises</b> the CEO to make any changes to the Letter of Expectation following Council's feedback.  <b>Authorises</b> the Mayor to sign the Letter of Expectation on behalf of the Council as Shareholder.	Civic	The Letter of Expectation was sent.
11/12/2025	<b>CNL/2025/345</b>	<b>Waste Minimisation Innovation and Development (Commercial) Grants Applications</b>	<b>Approves</b> the funding request from Reliance Recovery NZ for \$35,000.00 from the Waste Minimisation Innovation and Development (Commercial) Grants fund.  <b>Declines</b> the remainder of the grant requests.	Waste and Environment	The grant has been paid to Reliance Recovery NZ and the remaining applicants have been advised that their grants were declined. A notification report is on the agenda.
30/07/2025	<b>CNL/2025/212</b>	<b>Appointment of Chair, Music Advisory Panel</b>	<b>Defers</b> a decision on the appointment of a Chair for the Music Advisory Panel until after the 2025 triennial election.	Ara Toi	Francisca Griffin was confirmed as the Chair of the Music Advisory Panel at the meeting on 3 December 2025.
27/11/2025	<b>CNL/2025/332</b>	<b>DCC Theatre Fund Grants</b>	<b>Declines</b> DCC Professional Theatre Funding to HicSunt Dracones Productions (under auspice of Stage South Charitable Trust); and  <b>Declines</b> DCC Professional Theatre funding to Stage South Charitable Trust.	Ara Toi	All applicants have been advised of the outcomes of their grant applications.
27/11/2025	<b>CNL/2025/333</b>	<b>DCC Theatre Fund Grants</b>	<b>Approves</b> DCC Professional Theatre funding of:  i) \$8,474.00 to Afterburner (under auspice of WOW! Productions)  ii) \$15,000.00 to Birds of a Feather (under the auspice of He Waka Eke Noa Charitable Trust)  iii) \$14,000.00 to Carol Brown Dances and Collaborations  iv) \$16,000.00 to Curiouser & Curiouser (under auspice of Stage South Charitable Trust)  v) \$14,000 to Dunedin Summer Shakespeare (under auspice of Castle Charitable Trust)  vi) \$9,826.00 to Glorious Ruins (under the auspice of Stage South Charitable Trust)  vii) \$6,000.00 to Improsaurus Incorporated  \$14,900.00 to Stage South Charitable Trust	Ara Toi	All applicants have been advised of the outcomes of their grant applications.

Key	
Changes to timeframes	
Progress to date update	Bold

PUBLIC COUNCIL RESOLUTIONS COMPLETED ACTION LIST FEBRUARY 2026					
Meeting Date	Resolution	Report	Resolution or Action to be Taken	Group	Completion
29/01/2026	<b>CNL/2026/007</b>	<b>Remuneration of External Appointees to Council Committees Policy</b>	<b>Approves</b> , the Draft Remuneration of External Appointees to Council Committees Policy.	Civic	The policy has been updated and published to the Council website. Payroll were advised of the change.
27/11/2025	<b>CNL/2025/323</b>	<b>Lower Value Grants – Process Amendment</b>	<p><b>Amends</b> the Chief Executive Officer’s delegations to enable approval of Dunedin City Council–funded and administered grant applications (excluding Rates Relief) valued at \$5,000 or less, as follows:</p> <p>The Chief Executive is delegated the power to approve or decline applications for grants that are funded and administered by the Council, provided that:</p> <ul style="list-style-type: none"> <li>i) The grant was within an approved budget; and</li> <li>ii) The maximum possible grant value awarded to an applicant does not exceed \$5,000; and</li> <li>iii) The power to approve or decline the grant has not been reserved to the Council under this Manual or by resolution.</li> </ul> <p>The Chief Executive may sub-delegate this authority to any other officer of the Council, subject to:</p> <ul style="list-style-type: none"> <li>i) The sub-delegation being in writing and suitably recorded; and</li> <li>ii) The grant being signed off by the relevant General Manager.</li> </ul> <p>This delegation would expire on 31 December 2025</p>	Civic and Corporate Policy	The Chief Executive’s delegations were changed to approve or decline applications for lower value grants.
11/12/2025	<b>CNL/2025/356</b>	<b>Remuneration and Governance Update</b>	<p><b>Approves</b> annual remuneration of \$145,008 for the Deputy Mayor.</p> <p><b>Approves</b> annual remuneration of \$99,340 for Councillors.</p>	Civic and Payroll	The updated roles and remuneration proposal was submitted to the Remuneration Authority on 15 January 2026, ahead of the 30 January 2026 deadline.
23/09/2025	<b>CNL/2025/285</b>	<b>Proposed Event Road Closures</b>	<p><b>Resolves</b> to close the roads detailed in the agenda (pursuant to Section 319, Section 342, and Schedule 10 clause 11(e) of the Local Government Act 1974 (LGA 1974)) for the following events:</p> <p>Friday 20 February 2026 and Saturday 21 February 2026</p>	Transport	The roads were closed for the event.



## **PROPOSED WATER SUPPLY BYLAW 2026**

Department: 3 Waters

---

### **EXECUTIVE SUMMARY**

- 1 This report proposes making a new bylaw to manage the use of the Dunedin City Council (DCC) water supply network as part of Council's response to recent legislative and regulatory changes relating to three waters services.
- 2 Staff have developed a draft proposed Water Supply Bylaw 2026 (attached to this report as Attachment A) and a draft Statement of Proposal (attached to this report as Attachment B) for the Council's consideration.
- 3 Although the proposed Bylaw would be made under the Local Government (Water Services) Act 2025 (LGWSA), aspects of the bylaw-making process requirements set out in the Local Government Act 2002 (LGA) still apply. This report recommends that the Council makes the determinations required by section 155 of the LGA, which are that:
  - a) A bylaw is the most appropriate way to manage the use of the DCC water supply network;
  - b) The proposed Bylaw is the most appropriate form of bylaw; and
  - c) The proposed Bylaw does not give rise to any implications under, and is not inconsistent with, the New Zealand Bill of Rights Act 1990.
- 4 This report also recommends the Council approves the draft proposed Water Supply Bylaw 2026 and the associated draft Statement of Proposal for notification for public consultation, using the special consultative procedure set out in the LGA.

### **RECOMMENDATIONS**

That the Council:

- a) **Determines** that a bylaw is the most appropriate way to manage the use of the Dunedin City Council water supply network.
- b) **Determines** that the draft proposed Water Supply Bylaw 2026 at Attachment A is the most appropriate form of bylaw.
- c) **Determines** that the draft proposed Water Supply Bylaw 2026 at Attachment A does not give rise to any implications under the New Zealand Bill of Rights Act 1990 and is not inconsistent with that Act.

- d) **Determines** that the special consultative procedure, in accordance with the Local Government Act 2002, be used as part of the process to make the proposed Water Supply Bylaw 2026.
- e) **Approves** the draft proposed Water Supply Bylaw 2026 at Attachment A and the draft Statement of Proposal at Attachment B to be notified for public consultation.
- f) **Authorises** the Chief Executive to make any minor editorial changes to the proposed Water Supply Bylaw 2026 and the Statement of Proposal prior to consultation opening.

## **BACKGROUND**

### **The DCC water supply network**

- 5 The DCC water supply network serves over 45,000 properties, and comprises around 210 km<sup>2</sup> of catchment area, 21 consented water abstraction points, nine water supply dams, 62 treated water reservoirs, over 1700km of pipeline, 21 pumping stations and six water treatment plants. It is important that the Council manages use of the DCC water supply network to protect public health and safety and to manage the network efficiently to maintain levels of service.
- 6 The DCC's activities as a drinking water supplier are directed by and regulated under national-level legislation and regulations, including the Water Services Act 2021, the Water Services (Drinking Water Standards for New Zealand) Regulations 2022, the Drinking Water Quality Assurance Rules 2022 (revised 2024) and the LGWSA.
- 7 The DCC and other councils across New Zealand use bylaws to set local rules and requirements to assist with the regulation of the use of their water supply networks by customers and the general public. This is to protect the networks themselves, to protect the health and safety of those who use the networks, and to support councils to take the necessary actions to fulfil their duties and obligations under national-level legislation and regulations. The most recent iteration of DCC's water supply bylaw is the Water Bylaw 2011.

### **LGWSA and LGA bylaw-making powers and procedure**

- 8 Section 258 of the LGWSA specifically provides that a territorial authority may make a bylaw for the purposes of regulating aspects of water services provision. When the LGWSA was enacted, the equivalent provisions providing for such bylaws to be made under the LGA were repealed.
- 9 Section 258 of the LGWSA also provides that a bylaw may authorise a water service provider to grant and administer permits (including charging fees for permits) for activities that may be undertaken in relation to water services.
- 10 A water supply bylaw enables a territorial authority to establish and enforce rules and requirements to protect the water supply network against damage, misuse, interference, or contamination that can pose a risk to public health and safety and/or levels of service.
- 11 The DCC and other territorial authorities in New Zealand use bylaws to manage use of their individual water supply networks. Under the present law, a bylaw is the most feasible way to efficiently and effectively manage the use of the water supply network.

- 12 The LGA sets out the nature and procedure for the making and review of bylaws. Section 155 of the LGA requires the local authority to determine that a bylaw is the most appropriate way of addressing the perceived problem (which in this case is the management of the use of the water supply network), a proposed bylaw is the most appropriate form of bylaw, and that a proposed bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990 (NZBORA).
- 13 In addition, the LGA requires local authorities to consult the public prior to making a bylaw.

## **DISCUSSION**

- 14 Dunedin's existing local rules for managing the use of the DCC water supply network have been in place for many years and need updating to:
  - a) Align with the provisions of the LGWSA and the Water Services Act 2021 (and associated standards and compliance rules)
  - b) Reflect current operational, safety and compliance requirements
  - c) Improve clarity regarding water supply areas, layout and location of points of supply, metering, boundary backflow prevention requirements and compliance enforcement.
- 15 Making a new bylaw under the LGWSA is appropriate due to the substantial changes and developments in national-level legislation and regulation relating to water supply management over the past five years, culminating in the recent enactment of the LGWSA and the acceptance of the DCC's Water Services Delivery Plan.
- 16 If a new bylaw is made, it will need to be reviewed no later than five years after the date on which it was made.

### **Overview of proposed Water Supply Bylaw 2026**

- 17 The purpose of the proposed Water Supply Bylaw 2026 (the proposed Bylaw) is to manage the use of the DCC water supply network in a manner that:
  - a) Enables efficient and effective management of the water supply network, including connections to the water supply network, in a manner that supports the Council to maintain levels of service, and to service areas where growth is anticipated.
  - b) Protects the Council's water supply and water supply network and equipment from contamination and against damage, misuse or interference.
  - c) Protects against water wastage to better conserve drinking water.
- 18 To achieve this, the proposed Bylaw would:
  - a) Establish requirements for the responsible use of the water supply network, including requirements relating to connections to the water supply network, and by defining the terms and conditions of water supply.
  - b) Set enforceable obligations for customers relating to water use and boundary backflow prevention.

- 19 The proposed Bylaw would replace the DCC Water Bylaw 2011. Much of the substance of the Water Bylaw 2011 would be retained in the proposed Bylaw, but some updated and new requirements would be introduced to reflect current legislation and regulations and current operating conditions, including Dunedin's growth and development.
- 20 Section 4 of the draft Statement of Proposal attached to this report at Attachment B includes an analysis of the proposed Bylaw that highlights aspects of the proposed Bylaw that are substantively different from the Water Bylaw 2011. The reasons for taking new approaches generally respond to one or both of:
  - a) Changes in national-level legislation and regulations
  - b) Internal and external feedback on the application of the Water Bylaw 2011 gathered during its lifetime.

**Analysis: determinations under section 155 of the LGA**

- 21 The following paragraphs provide analysis to support the Council to consider the recommended determinations, which section 155 of the LGA requires the council to make before making a new bylaw.

*Section 155(1): Is a bylaw the most appropriate way to address the perceived problem?*

- 22 The DCC water supply network is a public asset that enables an essential service for the community. Most activities related to management and use of the water supply and the water supply network can be managed adequately using non-regulatory methods such as education campaigns.
- 23 However, there are some instances where it is necessary for the DCC to use a regulatory instrument like a bylaw to set rules and provide the ability to legally enforce compliance. These instances relate to:
  - a) protecting water supply network infrastructure from misuse and/or damage
  - b) managing water demand
  - c) protecting the safety of drinking water.
- 24 A bylaw is the most appropriate way to manage the DCC water supply network because it enables the Council to:
  - a) Establish rules and requirements related to the provision of water supply services, including to protect the network against damage, misuse, interference, or contamination that can pose a risk to public health and safety and/or levels of service;
  - b) Define who is entitled to use the network, establish the process to approve connections to the water supply system, provide the mechanisms for charging for different uses of the network, and set out the roles and responsibilities of both customers and the Council in relation to use of the network; and
  - c) identify offences and to take enforcement action if offences are committed.



- 25 Without a bylaw, the DCC would have limited tools available to regulate the use of the water supply network, and would essentially be left with the Water Services Act 2021 and the LGWSA to achieve any meaningful regulation of its network. These pieces of legislation do not contain the detailed administrative powers that a bylaw can provide, for example specific controls for catchment access and use, point of supply layout and location requirements, and customer responsibilities for boundary backflow prevention. The absence of these detailed administrative powers could adversely impact public health and safety and/or the performance of the water supply network, as well as the DCC's ability to fulfil its duties and obligations as a water supplier under national-level legislation and regulations.

*Section 155(2)(a): Is the proposed bylaw the most appropriate form of bylaw?*

- 26 Section 258 of the LGWSA specifically provides that a territorial authority may make a bylaw for the purposes of regulating aspects of water services provision, including:
- a) Connections to, and disconnections from, a water supply network
  - b) The provision of water services
  - c) Conserving drinking water provided in the territorial authority's district
  - d) The use of equipment or devices for the purposes of providing water services.
- 27 The proposed Bylaw is an appropriate form of bylaw because it addresses these aspects of water supply provision by the DCC in Dunedin.
- 28 In addition, the proposed Bylaw is the most appropriate form of bylaw because it is:
- a) Aligned with all relevant legislative and regulatory requirements
  - b) Not inconsistent with any other Council bylaw
  - c) Structured clearly and logically, covering:
    - i) Protection of the water supply network
    - ii) Conditions of supply
    - iii) Breaches and infringement offences
    - iv) Administrative matters
  - d) User-friendly, with the inclusion of explanatory notes to assist with the interpretation and application of the bylaw by its users.

- 29 The proposed Bylaw's form is consistent with nationwide practice for bylaws relating to water services infrastructure and services.

*Section 155 (2)(b): Is the proposed Bylaw consistent with the NZBORA?*

- 30 Under section 155(3) of the LGA a bylaw must not be inconsistent with the New Zealand Bill of Rights Act 1990 (NZBORA). The Council must consider whether the proposed Bylaw gives rise to any implications under the NZBORA.

- 31 Subject to section 4 of the NZBORA, the rights and freedoms contained in the NZBORA may be subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.
- 32 The NZBORA specifically identifies four types of civil and political rights, these are:
  - a) life and security of the person;
  - b) democratic and civil rights (which includes freedom of expression and freedom of movement)
  - c) non-discrimination and minority rights;
  - d) search, arrest and detention.
- 33 It has been assessed that there are no rights or freedoms under the NZBORA that could be affected by the proposed Bylaw.
- 34 Even if there were any relevant rights, the controls in the proposed Bylaw have been assessed as reasonable limits as allowed for in section 5 of the NZBORA. As such, the proposed Bylaw does not go beyond what is required to achieve its objectives and meets the requirements for making a bylaw.

#### **Special Consultative Procedure**

- 35 Section 156 of the LGA requires local authorities to use the special consultative procedure when making a bylaw if:
  - a) the proposed bylaw concerns a matter identified in the local authority's significance and engagement policy; or
  - b) the local authority considers the proposed bylaw is likely to have a significant impact on the public.
- 36 The DCC water supply network is a significant public asset that enables an essential service for the community. Schedule 2 of Council's Significance and Engagement Policy includes 'water collection, storage, treatment and distribution system' in the list of assets considered by the DCC to be strategically important to achieve and promote the current or future well-being of the community and the priorities of the Strategic Framework. A bylaw is the most appropriate regulatory tool to protect this strategic asset and the service it provides, as well as ensuring it is operated in a manner that complies with national-level legislative and regulatory requirements.
- 37 For these reasons, use of the special consultative procedure as part of the process to make the proposed Bylaw is appropriate and recommended.
- 38 As part of the special consultative procedure, the Council must adopt a draft of the proposed Bylaw and a statement of proposal. The Council must make these available for public feedback for a period of not less than one month.
- 39 This report recommends the Council adopts the draft proposed Bylaw attached to this report as Attachment A and the draft Statement of Proposal attached to this report as Attachment B for public consultation.

- 40 If approved, public consultation on the Statement of Proposal and proposed Bylaw will be open from Monday 2 March 2026 to Thursday 2 April 2026. Provision will be made for members of the public to view the consultation material both online (via the DCC website) and at DCC libraries and service centres. Provision will be made for written submissions to be provided online and via other channels (e.g. by post).
- 41 Arrangements will be made for hearings if requested by submitters. A Hearings Panel will be convened for the purpose of considering submissions, and for the purpose of hearings if required. Hearings would likely take place in April 2026.

## **OPTIONS**

### **Option One – make the recommended determinations and adopt the attached draft proposed Bylaw and draft Statement of Proposal for consultation (Recommended Option)**

- 42 This option involves making the recommended LGA determinations and proceeding with public consultation on the attached draft proposed Bylaw and Statement of Proposal, as part of the process towards making a new water supply bylaw for Dunedin.

#### *Advantages*

- Complies with the statutory requirements for bylaw-making and associated public consultation
- Enables the DCC to progress towards making a new bylaw to manage use of the DCC water supply network that reflects current legislative and regulatory provisions

#### *Disadvantages*

- None identified

### **Option Two – do not make the recommended determinations and/or do not adopt the attached draft proposed Bylaw and draft Statement of Proposal for consultation (Status Quo)**

- 43 This option could involve either:
- a) not progressing towards making a new bylaw to manage use of the DCC water supply network; or
  - b) asking staff to make changes to the draft proposed Bylaw and draft Statement of Proposal before returning to Council for LGA determinations and approvals at a later date.

#### *Advantages*

- Enables the Council to request further analysis prior to making decisions

#### *Disadvantages*

- Delays progress towards DCC putting in place a new water supply bylaw that reflects current legislative and regulatory provisions

## NEXT STEPS

- 44 If the Council approves the recommended option, the proposed Bylaw and Statement of Proposal will be notified for public consultation in accordance with the requirements of the LGA. The consultation will be open from Monday 2 March 2026 to Thursday 2 April 2026.
- 45 Staff will summarise feedback received and prepare a report for consideration by the Hearings Committee. Staff will arrange hearings if requested by submitters.
- 46 After any hearings, staff will report back to the Council with the Hearing Committee's recommendations and a final proposed Bylaw (incorporating any recommended amendments) for the Council's consideration.

## Signatories

Author:	Katherine Quill - Policy Analyst Scott Campbell - Regulation and Policy Team Leader
Authoriser:	Jared Oliver - Planning Manager John McAndrew - Head of 3 Waters David Ward - General Manager, 3 Waters, Property and Urban Development

## Attachments

	<b>Title</b>	<b>Page</b>
<a href="#">A</a>	Draft Proposed Water Supply Bylaw 2026	51
<a href="#">B</a>	Draft Statement of Proposal: Proposed Water Supply Bylaw 2026	95

## SUMMARY OF CONSIDERATIONS

### *Fit with purpose of Local Government*

This decision enables democratic local decision making and action by, and on behalf of communities.

### *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"/>
Future Development Strategy	<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 report has been prepared with reference to Dunedin's strategic framework.

## SUMMARY OF CONSIDERATIONS

### ***Māori Impact Statement***

There are no known specific impacts for Māori related to this report and the decisions sought. Māori individuals and organisations will have the opportunity to provide feedback on the proposed Bylaw via the public consultation process.

### ***Sustainability***

The proposed Bylaw is intended to enable the DCC to manage use of the water supply network in a manner that supports the long-term sustainability of the water supply network and the environment.

### ***LTP/Annual Plan / Financial Strategy /Infrastructure Strategy***

This report and the recommended decisions have no immediate direct implications for these plans and strategies. However, the proposed Bylaw is intended to enable the DCC to manage use of the water supply network in a manner that supports the DCC to achieve the objectives set out in these plans and strategies (including, for example, level of service performance targets for water supply).

### ***Financial considerations***

There are no known specific financial implications related to this report and the recommended decisions. The costs of public consultation and immediate implementation of the proposed Bylaw (if subsequently adopted) can be met from existing budgets. Additional funding (if required) for longer-term implementation activities would be sought through budgets included in the first Water Services Strategy in 2027.

### ***Significance***

This report and the recommended decisions have been assessed as medium significance in terms of the Council's Significance and Engagement Policy.

### ***Engagement – external***

The draft proposed Bylaw and draft Statement of Proposal have been reviewed by an external legal reviewer.

Staff have considered external feedback received on the Water Bylaw 2011 over a number of years while developing the proposed Bylaw.

### ***Engagement - internal***

Staff from the following departments have contributed to the development of this report and/or the attached draft proposed Bylaw and draft Statement of Proposal: 3 Waters, City Growth, Governance, Building Services, Business Information Services, Council Communications and Marketing, and In-House Legal.

### ***Risks: Legal / Health and Safety etc.***

None identified.

### ***Conflict of Interest***


None identified.

## **SUMMARY OF CONSIDERATIONS**

### ***Community Boards***

There are no known specific impacts for Community Boards related to this report and the decisions sought. Community Boards and their constituents will have the ability to provide feedback on the proposed Bylaw via the public consultation process.

DRAFT – SUBJECT TO COUNCIL APPROVAL

<b>WATER SUPPLY BYLAW 2026</b>			
			
<b>Approved by:</b>			
<b>Date approved:</b>			
<b>Date of effect:</b>		<b>Reviewed:</b>	
<b>Next review date:</b>		<b>DOC ID:</b>	

This bylaw is made under the authority of the Local Government (Water Services) Act (2025).

#### TABLE OF CONTENTS

1	APPLICATION .....	2
2	PURPOSE .....	2
3	DEFINITIONS.....	2
4	PROTECTION OF THE WATER SUPPLY NETWORK .....	8
	Water Supply Catchment Management .....	9
5	CONDITIONS OF SUPPLY .....	12
	Point of Supply.....	14
	Types of Supply .....	16
	Continuity of Supply.....	19
	Boundary Backflow Prevention.....	19
	Council Equipment and Inspection .....	23
	Meters and Flow Restrictors .....	24
6	BREACHES AND INFRINGEMENT OFFENCES .....	26
	Breach of Bylaw .....	26
	Breaches of Conditions of Supply .....	26
	Offences and Penalties .....	26
	Infringement Offences .....	26
7	BYLAW ADMINISTRATION.....	28
	Charges and Payments.....	28
	SCHEDULE 1: WATER SUPPLY CATCHMENTS .....	29
	SCHEDULE 2: WATER SUPPLY AREAS .....	30
	SCHEDULE 3: INFRINGEMENT NOTICE.....	31
	SCHEDULE 4: INFRINGEMENT NOTICE REMINDER .....	33
	APPENDIX 1: POINT OF SUPPLY EXAMPLE DIAGRAMS .....	36

DRAFT – SUBJECT TO COUNCIL APPROVAL

## **1 APPLICATION**

1.1. This bylaw applies to Dunedin City.

## **2 PURPOSE**

2.1. The purpose of this bylaw is to provide for the management and use of the Council's water supply network in a manner that:

- (a) Enables efficient and effective management of the water supply network, including connection to the water supply network, in a manner that supports the Council to maintain levels of service, and to service areas where growth is anticipated.
- (b) Protects the Council's water supply and water supply network and equipment from contamination and against damage, misuse or interference.
- (c) Protects against water wastage to better conserve drinking water.

## **3 DEFINITIONS**

3.1. In this bylaw, unless the context otherwise requires:

ACT	Means the Local Government (Water Services) Act 2025 (and any amendments).
AIR GAP	Means a minimum vertical air gap as defined by the Building Code G12 Water Supplies between the outlet of the water supply fitting which fills a storage tank, and the highest overflow water level of that storage tank.
ANCILLARY UNIT	Has the same meaning as defined in the Dunedin District Plan.
APPROVAL OR APPROVED	Means approval or approved in writing by the Council.
BACKFLOW	Means the unplanned reversal of flow of water or mixtures of water and contaminants into the public water supply network.
BOUNDARY BACKFLOW PREVENTION DEVICE	Means a device that prevents backflow and is installed at or near the point of supply to prevent backflow occurring into the public water supply network.
BUILDING WORK	<p>Has the same meaning as in the Building Code, namely, work for or in connection with the construction, alteration, demolition, or removal of a building; and includes sitework.</p> <p>The Building Code defines sitework as work on a building site, including earthworks, preparatory to or associated with the construction, alteration, demolition, or removal of a building.</p>



DRAFT – SUBJECT TO COUNCIL APPROVAL

COMPLIANCE OFFICER	Means a person appointed by the Council under section 278 of the Act, and as an enforcement officer under section 177 of the Local Government Act 2002.
COUNCIL	Means the Dunedin City Council inclusive of its officers and/or agents.
CUSTOMER	Means a person who uses or has the right to use or direct the manner of use of water supplied by the Council to any property.  (EXPLANATORY NOTE: The customer is normally the owner and/or ratepayer of the property.)
DEDICATED FIRE SUPPLY	Means a category of on-demand supply used solely for the operation of an automatic fire suppression system (e.g. sprinklers) as opposed to other purposes such as drinking water and water for sanitation.
DETACHED MINOR RESIDENTIAL UNIT	Has the same meaning as in the Resource Management (National Environmental Standards for Detached Minor Residential Units) Regulations 2025, namely, a minor residential unit that is completely detached from its principal residential unit.
DRINKING WATER QUALITY ASSURANCE RULES	Means the Drinking Water Quality Assurance Rules 2022 (revised 2024) and any subsequent revisions.
EMERGENCY CONDITIONS	An emergency has been declared under the Water Services Act 2021, the Civil Defence Emergency Management Act 2002, the Hazardous Substances and New Organisms Act 1996, or the Biosecurity Act 1993 and immediate action is necessary to respond to the emergency; or any officer, employee, or agent of the Council believes, on reasonable grounds, that a specified serious risk exists.
EXCESSIVE	In relation to water use, means the amount of water used at a property is greater than the amount of water use reasonably expected for an ordinary supply.
EXTRAORDINARY SUPPLY	Means a category of on-demand supply of metered water for extraordinary use that may be subject to specific conditions and limitations and includes: (a) Properties situated within a water supply area that do not meet the definition of an ordinary supply (i.e. because the water use at the property is an 'extraordinary use'); or (b) Properties where a connection has been installed or located outside a water supply area prior to 1 April 2011 and that has subsequently been approved by the Council.
EXTRAORDINARY USE	Means the use of water for the following purposes other than ordinary use and includes, but is not limited to: (a) Commercial and business use (b) Industrial use (c) Horticultural use (d) Viticultural use

DRAFT – SUBJECT TO COUNCIL APPROVAL

	<ul style="list-style-type: none"> <li>(e) Agricultural use</li> <li>(f) Use at a property zoned Rural or Rural Residential</li> <li>(g) Use at an educational facility (e.g. schools, early-childhood centres, tertiary education institutions)</li> <li>(h) Use at any property that is over 1ha in size that is zoned Large Lot Residential, Low Density Residential or Township and Settlement</li> <li>(i) Use at any property where livestock (excluding poultry) is kept</li> <li>(j) Fire protection systems other than sprinkler systems installed to comply with NZS4517 which have prior approval of the Council</li> <li>(k) Temporary supply</li> <li>(l) Use at any property with: <ul style="list-style-type: none"> <li>(i) A spa in excess of 10m<sup>3</sup> capacity</li> <li>(ii) A swimming pool in excess of 10m<sup>3</sup> capacity</li> <li>(iii) A fixed garden irrigation system</li> <li>(iv) A water service pipe with a diameter greater than 25mm</li> <li>(v) Any other nominated use as provided by a decision pursuant to clause 5.6</li> </ul> </li> <li>(m) Use of water at a property outside the water supply area boundary</li> <li>(n) Excessive water use.</li> </ul>
FEES AND CHARGES	Means the list of items, terms and prices for services associated with the supply of water as adopted by the Council in accordance with the Act and the LGA.
INFRINGEMENT FEE	In relation to an infringement offence, means the infringement fee for the offence specified in this bylaw made under the Act.
INFRINGEMENT OFFENCE	Means an offence that is identified in this bylaw made under the Act as being an infringement offence and is an offence as outlined in clause 6.10 of this bylaw.
LGA	Means the Local Government Act 2002 (and any amendments).
MULTIPLE OWNERSHIP	Includes the following forms of property ownership: Company Share/Block Scheme (Body Corporate), Leasehold/Tenancy in Common Scheme (Cross Lease), Strata Title, and Unit Title (Body Corporate).
NOTICE	Means written notice.
OWNER	Means the person owning the property to which water is supplied.
ON-DEMAND SUPPLY	Means a supply of water that is available on demand directly from the point of supply. It includes ordinary supply, extraordinary supply and dedicated fire supply.
ORDINARY SUPPLY	Means a category of on-demand supply to a property within a water supply area used solely for ordinary use.

DRAFT – SUBJECT TO COUNCIL APPROVAL

ORDINARY USE	Means the use of water solely for domestic purposes in a dwelling (which may include use for accommodation rental activities in a residential unit, ancillary unit or a detached minor residential unit, e.g. Airbnb). This includes the use of a hose for: <ul style="list-style-type: none"> <li>(a) Washing down a car, or other domestic vehicle, boat, house, windows or the like</li> <li>(b) Filling a spa or swimming pool with a capacity of up to and including 10m<sup>3</sup></li> <li>(c) Garden watering by hand</li> <li>(d) Garden watering by a portable sprinkler</li> <li>(e) Water blasting</li> </ul> <p>A property that uses water solely for domestic purposes in a dwelling and meets the definition of extraordinary use will be managed as an extraordinary supply.</p>
PERSON	Means a natural person, and includes a corporation sole, a body corporate and an unincorporated body.
POINT OF SUPPLY	Means the point on the service pipe that marks the boundary of responsibility between the customer and the Council, irrespective of a property boundary, as determined under clause 5.20.
PROPERTY	Means the land and buildings to which water is supplied.
RAW WATER SUPPLY PIPELINE	A Council pipeline that conveys untreated water (raw water) abstracted from the environment to a storage facility or a water treatment plant facility.
RESTRICTED SUPPLY	Means water supply that is restricted due to non-compliance with the bylaw and is different from restricted flow supply.
RESTRICTED FLOW SUPPLY	Means a supply where a small continuous flow is supplied by a flow control device, and storage is provided by the customer to cater for the customer's demand fluctuations.
RURAL WATER SUPPLY AREAS	Means areas serviced by a restricted flow supply and/or on-demand supply but not necessarily with firefighting capability. These are shown on maps on the DCC's website.
SERVICE PIPE	Means a section of water pipe between a Council watermain and the point of supply, that is owned and maintained by the Council.
SERVICE VALVE	Means the valve at the end of the service pipe, which is on the Council side of the point of supply and is owned and maintained by the Council.
SPECIFIED SERIOUS RISK	Has the same meaning as in section 256 of the Act, namely, a serious risk of, or to, any of the following relating to the delivery of water services: <ul style="list-style-type: none"> <li>(a) Illness, injury or death</li> </ul>

DRAFT – SUBJECT TO COUNCIL APPROVAL

	(b) Public health (c) The natural or built environment (d) Water services infrastructure (e) Sites of cultural significance
STORAGE TANK	Means any tank having a free water surface.
SUPPLY PIPE	Means the section of pipe between the point of supply and the customer's property through which water is conveyed to the property and owned and maintained by the customer.
TERMS AND CONDITIONS	Means those clauses outlined in this bylaw that apply to the supply of water by the Council.
URBAN WATER SUPPLY AREAS	Means areas serviced by a reticulated water supply network that is intended to supply water to customers via an on-demand supply with firefighting capability. These are shown on maps on the DCC's website.
WATER SERVICES INFRASTRUCTURE	Has the same meaning as in section 4 of the Act, namely, <ul style="list-style-type: none"> <li>(a) means infrastructure that is associated with, or necessary for, providing water services; and</li> <li>(b) includes the capability and capacity of that infrastructure to perform necessary processes, including the attenuation, treatment, and conveyance of water.</li> </ul> In the context of this bylaw, water services infrastructure relates specifically to the water supply network.
WATER SUPPLY NETWORK	Has the same meaning as in section 4 of the Act, namely, the infrastructure and processes that are – <ul style="list-style-type: none"> <li>(a) used to provide a water supply service; and</li> <li>(b) owned by, or operated by, for, or on behalf of, the Council.</li> </ul> In relation to the Council's water supply network, this includes but is not limited to: wells, infiltration galleries, intake structures, open raw water storage ponds/lakes, raw water pipelines, treatment plants, treated water reservoirs, trunk mains, service mains, watermains, rider mains, pump stations and pumps, valves, hydrants, service pipes, boundary assemblies, meters, manifolds, service valves, Council-owned boundary backflow preventers and tobies.
WATER UNIT	Means one water unit that is delivered at the rate of 1m <sup>3</sup> per day (1,000 litres) and is the basis of measurement for a restricted flow supply in a rural water supply area.
WORKING DAY	Means any day of the week, other than: <ul style="list-style-type: none"> <li>(a) A Saturday, a Sunday, Waitangi Day, Otago Anniversary Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's Birthday, Matariki Observance Day, Labour Day; and</li> </ul>

DRAFT – SUBJECT TO COUNCIL APPROVAL

	(b) A day in the period commencing with the 25th day of December in a year and ending with the 2nd day of January in the following year.
--	--

- 3.2. Part 2 of the Legislation Act 2019 applies to the interpretation of this bylaw.
- 3.3. Every schedule to this bylaw forms part of the bylaw.
- 3.4. Every appendix to this bylaw does not form part of the bylaw, and may be inserted, altered or removed at any time without any formal process. Appendices are provided for information purposes only.
- 3.5. Explanatory notes are not part of the bylaw, and the Council may add, amend or delete explanatory notes at any time without amending the bylaw.

**EXPLANATORY NOTE:** Explanatory notes are used to explain the intent of a clause in less formal language and/or to include additional helpful information.

DRAFT – SUBJECT TO COUNCIL APPROVAL

#### **4 PROTECTION OF THE WATER SUPPLY NETWORK**

##### *Access to the system*

- 4.1. No person other than the Council and its authorised agents shall access any part of the water supply network except to connect to the point of supply, where a connection is approved, and to operate the service valve.

##### *No person to connect to or interfere with the water supply network*

- 4.2. Except as set out in clauses 4.3 and 4.4, no person may connect to, or otherwise interfere with, any part of the water supply network.

##### *Fire Hydrants*

- 4.3. Drawing water from fire hydrants through the use of a standpipe is not permitted except by Fire and Emergency New Zealand, other emergency services, the drinking water supplier, or authorised contractors to the drinking water supplier where it is reasonably necessary to access the network for the operation of the drinking water supply.

##### *Approvals to access water*

- 4.4. A person may make a written application to the Council using the appropriate form supplied by the Council for approval to access water from a Council water tanker filling station. Any approval is valid only for the term specified, and subject to compliance with all terms and conditions specified on the approval.

##### *Working around buried water services infrastructure*

- 4.5. Approval from the Council must be obtained prior to carrying out building work over or near Council water services infrastructure. Applications for approval must be in writing using the appropriate form supplied by the Council. For the purposes of this clause, building work is near water services infrastructure if it is:
- (a) Less than 2 metres from a water services infrastructure pipe that is less than 300mm in diameter; or
  - (b) Less than 10 metres from a water services infrastructure pipe that is 300mm or more in diameter.

**EXPLANATORY NOTE:** The Council keeps accurate permanent records (as-builts) of the location of its buried water services infrastructure. This information is available for inspection at no cost to the public. Reasonable charges may apply to cover the costs of providing copies of this information.

- 4.6. Any person proposing to carry out excavation or building work must view the as-built information to establish whether or not components of the Council's water services infrastructure are located in the vicinity. At least five working days' notice in writing must be given to the Council of an intention to excavate in the vicinity of its water services infrastructure.
- 4.7. A fee may be payable if the Council considers it is appropriate to mark out to within +/- 0.5m on the ground the location of its water services infrastructure and to advise in writing any restrictions on the work it considers necessary to protect its services.

DRAFT – SUBJECT TO COUNCIL APPROVAL

- 4.8. When excavating and working around buried services due care must be taken to ensure the services are not damaged, and that bedding and backfill are reinstated in accordance with the appropriate Council specifications.
- 4.9. Any damage that occurs to Council water services infrastructure must be reported to the Council immediately. The person causing the damage must reimburse the Council for all costs associated with repairing the damaged service, and any other costs the Council incurs as a result of the incident.

**EXPLANATORY NOTE:** Excavation within roadways is also subject to the permit process of the appropriate Roadway Authority. Excavation and building work around Council water services infrastructure may also be subject to the requirements of the Council's District Plan. Electronic maps showing indicative locations of buried DCC water services infrastructure are available on the DCC website (water services map) and via beforeudig.co.nz.

### ***Water Supply Catchment Management***

#### ***Catchment Classes***

- 4.10. Both surface water and groundwater catchment areas from which water is abstracted for the purposes of the water supply service are classified as:

- (a) Controlled;
- (b) Restricted;
- (c) Open.

Council's water supply catchments and their classifications are set out in Schedule 1.

#### ***Controlled catchments***

- 4.11. The following conditions apply to controlled catchments or any area held by the Council as a water reserve.

##### ***Entry***

- (a) These areas must not be entered by any person except those specifically approved by the Council. Within controlled catchments a person must not:
- (i) Camp;
  - (ii) Take, or allow to stray, any livestock;
  - (iii) Bathe or wash anything;
  - (iv) Deposit dirt, rubbish or foul material of any kind;
  - (v) Defecate;
  - (vi) Undertake any new activity related to dredging or mining of any kind.

##### ***Approvals***

- (b) A person may apply in writing to the Council using the appropriate form supplied by the Council for approval to enter a controlled catchment. Any approval is valid only for the term specified, and subject to compliance with all terms and conditions specified on the approval. Approvals may forbid or impose conditions to regulate activities such as:

DRAFT – SUBJECT TO COUNCIL APPROVAL

- (i) Hunting, trapping, shooting or fishing;
  - (ii) Lighting or maintaining any fire;
  - (iii) Taking of any dog or other animal into a catchment area;
  - (iv) Damaging or destroying any trees, shrubs, or other existing cover, or interference with any property;
  - (v) Excavation;
  - (vi) Carrying of any firearm or weapon of any kind, any trap or any fishing gear which may be used for the hunting or catching of birds, fish or animals; and
  - (vii) Use of any pesticide or toxic substance for any purpose whatsoever.
- (c) Every person issued with an approval by the Council under this clause of the bylaw must produce their approval for inspection by a compliance officer.
- (d) An approval issued under this clause cannot be transferred.
- (e) The Council may at any time, by notice in writing delivered to the holder, suspend any approval for such time as stated in the notice, or may revoke the approval.
- Interference and obstruction*
- (f) If requested by the Council a person must immediately leave a controlled catchment or land held by the Council as a water reserve.

**EXPLANATORY NOTE:** The person may also be liable for a breach of any of the provisions of this bylaw. Failure to leave the area constitutes a further offence.

- (g) A person must not obstruct or hinder any compliance officer in the exercise of any powers under this bylaw.

*Restricted Catchments*

- 4.12. Within a restricted catchment, persons undertaking the following activities will be allowed unrestricted entry:

- (a) Tramping;
- (b) Hunting;
- (c) Trapping;
- (d) Fishing.

For any other activities, the restricted catchment area will be managed as if it was a controlled catchment area (see clause 4.11).

*Open Catchments*

- 4.13. In open catchments there is no restriction on activities under this bylaw, except:

- (a) any new activity related to dredging or mining of any kind;
- (b) where a reservoir is in an open catchment as set out in clause 4.14.



DRAFT – SUBJECT TO COUNCIL APPROVAL

For any new activity related to dredging or mining of any kind, the open catchment will be managed as if it was a controlled catchment area (see clause 4.11).

**EXPLANATORY NOTE:** There may also be provisions of regional plans, district plans and/or National Environmental Standards that apply to activities in controlled, restricted and open catchments.

*Reservoirs*

- 4.14. Swimming, bathing, boating or any similar activity is prohibited in all Council reservoirs. No person, or their pets, may enter the following:
- (a) Southern Reservoir;
  - (b) Rossville Reservoir;
  - (c) Cedar Farm Reservoir;
  - (d) Ross Creek Reservoir;
  - (e) Sullivans Dam;
  - (f) Mt Grand Reservoir;
  - (g) West Taieri Reservoir.

*Spillages and adverse events*

- 4.15. The person responsible for any spillage or other event that releases or is likely to release hazardous substances into the waters of any catchment, or may compromise any part of the water supply network, must advise the Council immediately. This requirement is in addition to other notification procedures required by other authorities.

DRAFT – SUBJECT TO COUNCIL APPROVAL

## **5 CONDITIONS OF SUPPLY**

### *Water Supply Areas*

- 5.1. The urban and rural water supply areas are in Schedule 2 of this bylaw.
- 5.2. No new supply connections will be permitted to properties lying outside a water supply area.
- 5.3. Where a water supply connection was installed or located outside the water supply area boundaries prior to 1 April 2011 without any formal approval by the Council, the Council will review the connection to ensure the safety and integrity of the water supply network. Following the review the Council at its discretion, may approve the connection as an extraordinary supply or take any other reasonable actions to preserve the safety and integrity of the water supply network.

**EXPLANATORY NOTE:** In rare instances where the water supply area boundary bisects a property, the Council will determine whether the property is to be treated as falling within or outside of the water supply area, taking into account the proportions of the property within and outside the water supply area, the zoning of property as defined in the Dunedin City District Plan, and the availability of appropriate water supply network infrastructure to establish a water supply connection at the property.

### *Application for Supply*

- 5.4. Any person wishing to:
  - (a) Establish a point of supply;
  - (b) Change the use of an existing supply;
  - (c) Make a change to boundary backflow prevention measures; or
  - (d) Use water for any purpose other than ordinary useshall make a written application to Council using the appropriate form supplied by the Council.
- 5.5. A person may apply in writing to the Council to connect to a water supply using the appropriate form supplied by the Council and accompanied by payment of the prescribed charges. The application must provide all the details required by Council.
- 5.6. The Council will follow the 3-step approval process below:
  - (a) *Step 1:* Assess the concept plan for a water connection, to ensure that the water supply network has enough capacity for the proposed supply and will comply with the requirements of clauses 5.19-5.52 (Point of Supply and Types of Supply). If satisfied of these matters, the Council will approve the concept plan.
  - (b) *Step 2:* Assess the engineering plans for a water supply connection, to ensure that the proposed activity can be implemented. If satisfied that the plan can be implemented, the Council will approve the engineering plans.

DRAFT – SUBJECT TO COUNCIL APPROVAL

- (c) *Step 3: Final approval and sign off* – if the Council is satisfied, after considering the inspections of completed works and supporting documentation, that the work has been completed to an acceptable standard and in accordance with the approvals given under steps 1 and 2, the Council will give final approval and sign off for the connection.

- 5.7. All applicants who apply for a water supply connection:
  - (a) May apply for an approval of more than one step in clause 5.6 at the same time.
  - (b) May amend the application for approval at any stage before the application has been approved.
  - (c) May amend the application for approval after the Council has made its decision (in which case the Council will consider the amended application using the same process as outlined above in clause 5.6).
- 5.8. The applicant must obtain any other relevant resource consents, before the Council makes the connection to the water services network and confirm with the Council that any relevant resource consents have been obtained, before completing the connection to the water services network.
- 5.9. If not advised earlier, following approval under Step 1, the Council will inform the applicant of the type of supply, the size of the connection, any conditions applicable and the general terms and conditions under which water will be supplied.
- 5.10. If an applicant has applied for more than one step at the same time, the Council may approve more than one step of the approval process at the same time.
- 5.11. If the application for a water connection is declined, the applicant may apply in writing to the Council for an internal review of that decision within 20 working days of the original decision coming to the applicant's notice. An internal review of the decision must proceed in accordance with sections 151-157 of the Act.

**EXPLANATORY NOTE:** Council does not approve new connections to private watermains that have been established historically. If a person wants to establish a new connection to a private watermain they should seek their own advice as to their authority to connect.

Council authorisation for the supply of water by way of an Application for Supply (as provided for in this bylaw) is still required.

*Connections Process*

- 5.12. No connection may be made to the water supply network without approval from the Council.
- 5.13. The Council will supply and install the service pipe and associated fittings (including the service valve) up to the point of supply at the customer's cost; or may allow the supply and installation of the service pipe and associated fittings (including the service valve) up to the point of supply to be carried out by approved contractors engaged by the customer at the customer's cost.

DRAFT – SUBJECT TO COUNCIL APPROVAL

- 5.14. An agent for the owner must have the authority to act on behalf of the owner of the property for which the supply is sought and must produce written evidence of this if required.
- 5.15. An approved application for supply which has not been actioned within 12 months of the date of approval, will lapse unless a time extension has been approved.
- 5.16. New supplies from any raw water supply pipeline will not be permitted.
- 5.17. As part of a subdivision process, the Council will require individual supply connections to resultant properties that originally shared a supply connection prior to subdivision. The Council will notify property owners if this requirement is triggered.
- 5.18. If a new individual water supply connection is required after a property is subdivided, any cost for the new supply connection must be met by the owner of the new property requiring the new individual water supply connection.

***Point of Supply***

- 5.19. The Council will own and maintain the service pipe, service valve and fittings up to the point of supply. The customer owns and maintain the supply pipe beyond the point of supply.
- 5.20. The point of supply is any of the following:
  - (a) the downstream thread on the service valve within the toby, manifold or stopcock assembly for ordinary supply;
  - (b) the downstream thread of the tailpiece on an in-line water meter for extraordinary supply;
  - (c) the downstream side of the restrictor for restricted supply and restricted flow supply;
  - (d) the downstream thread on the service valve for dedicated fire supply;
  - (e) the final fitting on a Council tanker filling station; or
  - (f) as determined by the Council where none of (a) – (e) apply.

**EXPLANATORY NOTE:** The Council gives no guarantee regarding the serviceability of the service valve located on the service pipe. Where there is no customer stopcock, or where maintenance is required between the point of supply and the customer stopcock, the customer may use the service valve to isolate the supply. The Council reserves the right to charge for maintenance for the service valve if damaged by such customer use.

***Single Ownership***

- 5.21. For each individual property there must be only one point of supply unless otherwise approved, or unless required by another provision of this bylaw.

DRAFT – SUBJECT TO COUNCIL APPROVAL

- 5.22. For individual customers the point of supply should be located 250mm from the roadside property boundary or as near as practicable to the roadside property boundary as determined by Council.
- 5.23. Where individual customers' properties are individual lots accessed by a shared private right of way the point of supply must be located as follows:
- (a) For 2-4 customers on a shared private right of way each customer must have an individual supply with the point of supply 250mm from the roadside property boundary.
  - (b) For 5 or more customers on a private right of way each property that fronts the Right of Way must have its own point of supply located either:
    - (i) where there is a Council watermain installed in the right of way, 250mm from the property boundary that fronts the Right of Way; or
    - (ii) where there is no Council water main installed in the right of way, individual supplies with the point of supply 250mm from the roadside property boundary.

**EXPLANATORY NOTE:** Typical point of supply layouts and locations for ordinary and extraordinary supplies are shown in Appendix 1, Examples 1, 2 and 3.

In relation to clause 5.23(a), see Appendix 1, Example 4.

In relation to clause 5.23(b), see Appendix 1, Example 5 for (b)(i) or Appendix 1, Example 4 for (b)(ii).

Where a watermain is proposed to be installed in a private right of way for the purpose of servicing five or more customers whose properties are individual lots accessed by the shared private right of way, the watermain may be vested in Council if it is designed and constructed to Council specifications and has the capacity for any future development that could occur on the site under permitted density rules of the District Plan.

*Multiple Ownership*

- 5.24. The point of supply for multiple ownership is located 250mm from the roadside property boundary or as otherwise approved by the Council.

**EXPLANATORY NOTE:** In relation to clause 2.24, see Appendix 1, Example 6 or Example 7.

**EXPLANATORY NOTE:** Private watermain that service more than one property are not an acceptable option for new subdivisions or developments if a body corporate has not been legally established to own and manage the private watermain.

- 5.25. Where any property contains multiple units owned by one customer (e.g. flats or community housing) and are subsequently subdivided into separate lots, all resulting lots must have individual water supply connections that comply with this bylaw at the time of subdivision. All works to provide individual supplies, and thereby ensuring compliance with the bylaw, are at the customer's expense.

DRAFT – SUBJECT TO COUNCIL APPROVAL

**EXPLANATORY NOTE:** When new multiple residential units are being developed on a lot owned by one ratepayer with the intention that they will be subdivided or individually sold at a later date, the landowner/developer is strongly recommended to provide individual water connections to the residential units at the time of development to avoid Council requiring installation of individual supplies at the time of subdivision.

*Dedicated fire supply*

- 5.26. For commercial and industrial properties with automatic fire suppression systems (and residential properties where a sprinkler system is to be installed) separate water supply connections are required (a) for fire-suppression purposes and (b) all other purposes (e.g. water supply for drinking and sanitation).

**EXPLANATORY NOTE:** See clause 5.20(d) for the point of supply for dedicated fire supplies. Also see Example 8 or 9 in Appendix 1.

*Access to and about the point of supply*

- 5.27. Where the point of supply is on private property the customer will allow the Council access to, and about the point of supply between 7.30am and 6.00pm on any day for:
- (a) Meter reading without notice; or
  - (b) Checking, and testing, with the customer's agreement, and
  - (c) Maintenance work, with ten working days' notice being given by the Council.
- 5.28. Where access is not made available under clause 5.27 and a return visit is required by the Council, the Council reserves the right to charge customers for the time spent and any cost incurred to make the meter accessible.
- 5.29. Under emergency conditions, or to address a specified serious risk, the customer must allow the Council free access to and about the point of supply at any hour on any day. As soon as practicable after the Council gains access it will inform the customer of the emergency entry.

*Maintenance of Access*

- 5.30. The customer must maintain the area in and around the point of supply keeping it free of soil, growth, or other matter or obstruction which prevents, or is likely to prevent, convenient access.

*Types of Supply*

- 5.31. The water supply provided by the Council is classified as either 'on-demand supply' or 'restricted flow supply'. On-demand supplies are further classified as 'ordinary supply' or 'extraordinary supply' or 'dedicated fire supply'.

*On-demand/Ordinary Supply*

- 5.32. Ordinary supply is for ordinary use as defined in this bylaw.

DRAFT – SUBJECT TO COUNCIL APPROVAL

- 5.33. Every property where an on-demand supply is available is entitled to an ordinary supply of water, subject to the following conditions:
- (a) The property is within a water supply area (refer to electronic maps on the DCC website).
  - (b) The exclusion of its use for any specified purpose, and in particular for garden irrigation, under any restrictions made by the Council under clause 5.56 or clause 5.58.
  - (c) Payment of the appropriate charges in respect of that property.
  - (d) Any other charges or costs associated with subdivision and land-use development.
  - (e) The supply is not used for any extraordinary use or is not a dedicated fire supply.
  - (f) Any relevant provisions of this bylaw.
- 5.34. An ordinary supply of water will not normally be metered, but the Council reserves the right to fit a meter and charge where it considers the customer's water use is excessive.
- 5.35. The Council will determine whether the use is excessive by taking into account the number of users at the property, the Council's per person per day water use target, and making a reasonable allowance for some leakage.
- 5.36. Any determination that water use is excessive may not be notified to the customer before a meter is fitted. The customer may ask for the decision to be reviewed in accordance with clause 7.1 of the bylaw.

*On-demand/Extraordinary Supply*

- 5.37. An extraordinary supply is normally metered and charged for in accordance with this bylaw and must have an appropriate boundary backflow prevention device.
- 5.38. The Council is not obliged to provide an extraordinary supply of water to any property.
- 5.39. Where the supply of water to any property changes and/or consists of both ordinary and extraordinary supply, the Council may require that each supply is separated into ordinary supply and extraordinary supply at the customer's cost, as deemed reasonable in each particular case.

**EXPLANATORY NOTE:** This means that for multi-use or multi-tenanted properties, a combination of water rates and charges may apply.

*On-demand/Dedicated Fire Supply*

- 5.40. The Council is under no obligation to supply water for fire protection purposes at any particular flow or pressure.
- 5.41. It is the customer's responsibility to ascertain and monitor whether the supply available for fire protection purposes is adequate for the intended purpose.
- 5.42. A service pipe used for dedicated fire supply:

DRAFT – SUBJECT TO COUNCIL APPROVAL

- (a) must be an entirely separate service pipe from any other service pipe to the property;
  - (b) must not be used for any purpose other than use and testing of the fire protection system;
  - (c) is not normally metered. If metering is required, the meter must be a unit complying with the relevant fire sprinkler standard. Mechanical flow meters shall not be installed on dedicated fire supply lines, as they could compromise flow under fire conditions.
- 5.43. Where the supply of water to any property is metered, the Council may allow the supply of water for the purposes of firefighting to be made in a manner which bypasses the water meter, provided that:
- (a) The drawing of water will only be permitted in connection with the sounding of an automatic fire alarm or the automatic notification of the fire brigade; or
  - (b) Where a Council approved detector check valve has been fitted on the meter bypass.
- 5.44. Where it is likely or possible that water will be drawn from it by any person for purposes other than firefighting, the Council may require the supply to be metered. If metering is required, the meter shall not compromise flow under fire conditions.
- 5.45. Fire hose reels must be connected only to the metered supply, not to the dedicated fire supply line.
- 5.46. Water used for the purpose of extinguishing fires will be supplied free of charge. Where water has been used for firefighting purposes from a metered connection, the Council will estimate the quantity of water used, and credit the customer's account an amount based on the estimate.
- 5.47. Water used for routine flushing and flow testing for dedicated fire supply lines does not constitute waste but the quantity of water used may be assessed and charged for by the Council.

*Restricted Flow Supply*

- 5.48. Restricted flow supply is available only to property within a rural water supply area, or under special conditions set by the Council.
- 5.49. The water supply will be restricted to deliver the agreed number of water units over a 24-hour period.
- 5.50. It is the customer's responsibility to supply water storage for their needs.
- 5.51. All storage tanks used by customers with restricted flow supplies must include an air gap for the purpose of backflow prevention.
- 5.52. The Council will charge for the restricted flow supply by either:
- (a) The volume passing through a meter at the sole discretion of the Council; or
  - (b) The agreed number of water units.



DRAFT – SUBJECT TO COUNCIL APPROVAL

***Continuity of Supply***

- 5.53. Due to practical and physical limitations the Council cannot guarantee an uninterrupted or constant supply of water in all circumstances or the continuous maintenance of any particular pressure but will endeavour to provide a continuous supply, subject to the exemptions contained in clauses 5.56, 5.58 and 5.59. Refer also to clause 5.55.
- 5.54. Where works of a permanent or temporary nature are planned which will substantially affect an existing supply, the Council will consult with, or inform or give notice to all known customers likely to be substantially affected.

***Uninterrupted Service***

- 5.55. If a customer has a particular requirement for an uninterrupted service (flow, pressure or quality), it will be the responsibility of that customer to provide any storage, back up facilities, or equipment necessary to provide that service.

***Demand Management***

- 5.56. The customer will comply with any restrictions which may be approved by the Council to manage high seasonal or other demands (which may also be related to Otago Regional Council resource consent compliance requirements or any variation to a resource consent). Such restrictions will be publicly notified.
- 5.57. Even when such restrictions apply, the Council will take all practical steps to ensure that an adequate supply for ordinary use is provided to each point of supply.

***Emergency Restrictions***

- 5.58. During an emergency the Council may restrict or prohibit the use of water for any specified purpose, for any specified period, for any or all of its customers. Such restrictions shall be publicly notified.

***Maintenance and Repair***

- 5.59. Wherever practical the Council will make every reasonable attempt to notify the customer of a scheduled maintenance shutdown of the supply before the work commences. Where immediate action is required and notification is not practical, the Council may shut down the supply without notice. A shutdown will normally not exceed 8 hours.

**EXPLANATORY NOTE:** Notification to consumers and the provision of alternative means of supply will comply with the requirements of the Water Services Act 2021.

***Liability***

- 5.60. The Council is not liable for any loss, damage or inconvenience which the customer (or any person using the supply) may sustain as a result of deficiencies in, or interruptions to, the water supply.

***Boundary Backflow Prevention***

- 5.61. The customer is responsible for:

DRAFT – SUBJECT TO COUNCIL APPROVAL

- (a) Taking all necessary measures to prevent backflow into the Council's water supply network.
- (b) Implementing boundary backflow prevention measures either by providing an adequate air gap or an appropriate boundary backflow prevention device and by ensuring the device or air gap is operating effectively at all times.
- (c) In the case of a restricted flow supply, not making any connections between the point of supply and the air gap at the inlet to the customer storage tank. All household plumbing and outdoor taps must be supplied from the customer storage tank.

**EXPLANATORY NOTE:** The process for determining an appropriate boundary backflow prevention device is set out in the Council's Boundary Backflow Prevention Policy.

Compliance under the Building Act 2004 does not absolve the property owner from the requirements of the Water Services Act 2021 for point of supply backflow prevention.

- 5.62. Any person must immediately notify the Council if they have reason to believe that backflow has occurred into the Council's water supply network.
- 5.63. At the Council's request, the customer must provide any information about any water use or activity on the customer's side of the point of supply in relation to a boundary backflow risk classification, and/or take any action(s) requested by the Council to ensure boundary backflow prevention is achieved to the Council's satisfaction.
- 5.64. Where there is a change of water use or activity carried out on the customer's side of the point of supply that may alter the boundary backflow risk classification, the customer must:
  - (a) Notify the Council in writing of any change of water use or activity; and
  - (b) Demonstrate how boundary backflow prevention will be achieved in relation to the change, to the Council's satisfaction; and/or
  - (c) Install an appropriate boundary backflow prevention device and comply with any other requirement made by the Council, including, under section 27 of the Water Services Act 2021.
- 5.65. Council-owned boundary backflow prevention devices will be located on the Council side of the point of supply, generally in the manifold assembly with the service valve.
- 5.66. The Council will approve the location and installation requirements for a customer-owned boundary backflow prevention device. The Council will apply the following matters related to device location and installation specifications:
  - (a) Customer-owned boundary backflow prevention devices must be located immediately downstream of the point of supply, just inside the customer's property boundary. If this location is not possible, the written approval of the Council is required for an alternative installation location.

**DRAFT – SUBJECT TO COUNCIL APPROVAL**

- (b) Devices must be sited for safe and easy testing and maintenance access (including easy access to the test cocks and shut off valves) and away from other hazards, for example, heavy traffic.
  - (c) Devices must be accessible at all times for inspection, testing and maintenance purposes.
  - (d) Devices must be serviceable in-line, i.e. without removal from their position in the pipe.
  - (e) Plantings must not interfere with access to and operation of the device.
  - (f) Reduced Pressure Zone devices are to be installed above ground with a minimum vertical clearance of 300mm between finished ground level and the lowest point on the device's relief valve.
  - (g) For testable boundary backflow prevention devices, with the exception of devices installed on a dedicated fire supply, all boundary backflow prevention devices must be installed with an isolating valve and line strainer upstream, and an isolating valve downstream of the device. Where the customer needs continuous supply, two devices with isolating valves should be installed in parallel so that one is still available for use while the other is being tested or maintained.
  - (h) Where testable double check valve devices are installed in an underground chamber, the design must allow for servicing by top entry and the chamber must be well drained. For larger sized testable double check valve devices above 50mm diameter, these shall be installed above ground unless written approval is provided from Council. This is to allow for ease of access and possible future upgrading to reduced pressure zone devices.
  - (i) Any other matter the Council considers relevant to the specific device location and installation.
- 5.67. Boundary backflow prevention devices and air gaps used for boundary backflow prevention purposes must be registered with the Council using the appropriate form within 10 working days of installation.
- 5.68. Where a customer considers that the type of boundary backflow prevention device in use is no longer necessary, they may apply to Council for the device to be removed and another device type (e.g. a non-testable device) installed in its place. The customer is responsible for providing all relevant evidence and risk assessments to support their application and meeting all costs of processing the application.
- 5.69. Where the request is granted, the removal and replacement procedures must be approved by Council and all costs involved borne by the customer. Any Building Consent required, or Building Consent exemption is the responsibility of the customer. Full and appropriate records of the change must be provided to Council.

**EXPLANATORY NOTE:** Council's Boundary Backflow Prevention Policy sets out additional matters the Council may consider in relation to location and installation.

DRAFT – SUBJECT TO COUNCIL APPROVAL

*Boundary backflow hazard risk category*

- 5.70. The Council will assess all water supply connections for backflow hazards and risk and assign a boundary backflow hazard risk category. The customer must use a boundary backflow prevention device appropriate to the hazard risk category determined by the Council.
- 5.71. The customer must not bypass a boundary backflow prevention device or an air gap used for boundary backflow prevention purposes unless the bypass is also fitted with an approved boundary backflow device appropriate for the same hazard risk category.

**EXPLANATORY NOTE:** Council's Boundary Backflow Prevention Policy provides more information about boundary backflow hazard risk categories.

*Boundary backflow prevention device testing and air gap verification*

- 5.72. Testable boundary backflow prevention devices must be tested as soon as practicable after installation to verify correct installation and function. The customer must arrange the first, post-installation test of a new boundary backflow prevention device by an Independently Qualified Person (IQP) approved for backflow prevention device testing (Specified System 7) by the South Island IQP Panel and provide the test result to the Council, within 10 working days of the installation of the device.
- 5.73. Testable boundary backflow prevention devices must be tested annually.
- 5.74. In circumstances where annual testing of a boundary backflow prevention device is undertaken by the customer, the test results must be provided to the Council's 3 Waters Group within 10 working days of the test. For the avoidance of doubt, this includes the results of the annual testing of boundary backflow prevention devices installed on dedicated fire supplies that are tested by the customer for a Building Warrant of Fitness.
- 5.75. In the event a boundary backflow prevention device fails a test, the customer must arrange for the device to be repaired within a timeframe determined by the Council.
- 5.76. In addition to annual testing, boundary backflow prevention devices installed on dedicated fire supplies must be tested immediately after use of the dedicated fire supply for fire suppression and after each full flow test conducted on the fire suppression system. This testing is to be arranged by the customer and the customer must provide the results to the Council's 3 Waters Group within 10 working days of the test.
- 5.77. The customer must arrange the first, post-installation verification of a new air gap used for the purpose of boundary backflow prevention by a suitably qualified and experienced person, and provide the test to the Council, within 10 working days of the installation of the air gap.
- 5.78. Air gaps used for the purpose of boundary backflow prevention must be verified annually.

**EXPLANATORY NOTE:** Council's Boundary Backflow Prevention Policy provides more information about annual boundary backflow prevention device testing.

**DRAFT – SUBJECT TO COUNCIL APPROVAL***Unmanaged risk*

- 5.79. Where there is a risk of backflow to a reticulated drinking water supply and the customer does not take action to provide adequate boundary backflow prevention, the Council may fit a boundary backflow prevention device on the Council side of the point of supply. In these circumstances, the installation, testing and maintenance shall be at the customer's expense.

*Boundary backflow prevention for dedicated fire supply*

- 5.80. A dedicated fire supply must be fitted with a testable double check valve backflow prevention device on the customer side of the point of supply in the valve house. Additionally, a reduced pressure zone backflow prevention device must be fitted on the customer side of the point of supply at the boundary if chemicals are added to the fire protection system.

**EXPLANATORY NOTE:** See Appendix 1, Example 8.

- 5.81. Council reserves the right to require additional backflow protection on the dedicated fire supply line depending on the location of the valve house and the distance between that and the point of supply.

**EXPLANATORY NOTE:** In the case of dedicated fire supply lines, a long distance between the point of supply on the water main to the double check valve in the valve house can lead to large volumes of water sitting unused in pipelines for long periods of time. To prevent this unused water from returning to the public water supply network, the Council may require the installation of an additional boundary backflow prevention device on the customer's side of the point of supply. See Appendix 1, Example 9.

- 5.82. Backflow prevention devices associated with dedicated fire supply are to be installed in the sprinkler valve house, or other secured environment as approved by Council. If Council requires additional backflow prevention on the dedicated fire supply line close to the boundary, this device must not compromise the performance of the fire suppression system.

*Council Equipment and Inspection*

- 5.83. The customer must take due care not to damage any part of the water supply network, including but not limited to pipework, valves, meters, restrictors, chambers and backflow prevention devices.
- 5.84. Subject to the provisions of the Act, or the Water Services Act 2021, as appropriate, the customer will allow a compliance officer or authorised agent of the Council, with or without equipment, access to any area of the property for the purposes of determining compliance with this bylaw.

DRAFT – SUBJECT TO COUNCIL APPROVAL

***Meters and Flow Restrictors***

***Installation***

- 5.85. Meters for on-demand supplies, restrictors for restricted flow supplies, and restrictors for restricted supplies will be supplied, installed and maintained by the Council and will remain the property of the Council.

***Accuracy***

- 5.86. Meters shall be tested as and when required by the Council and as prescribed in the current Water Meter Code of Practice (OIML R49) published by the New Zealand Water and Wastes Association.
- 5.87. Restrictors shall be tested by measuring the quantity that flows through the restrictor in a period of not less than one hour at its expected minimum operating pressure. A copy of independent certification of the test result shall be made available to the customer on request.
- 5.88. Any customer who disputes the accuracy of a meter or restrictor may apply to the Council for it to be tested, provided that it is not within three months of the last test. If the test shows the meter or restrictor is not accurate, the customer will not be charged for the test. If the test shows the meter or restrictor is accurate, the customer must pay for the cost of the test as prescribed by the Council.
- 5.89. If a tested meter is found to be reading inaccurately, the Council will adjust the customer's account accordingly, and either refund or charge the customer according to the adjusted account.

***Estimating Consumption***

- 5.90. Should any meter be out for repair, or cease to register, or be removed or is inaccessible or is not read for any other reason, the Council will estimate the consumption for the period since the previous reading of such meter, (based on the average of usage over the previous 12 months charged to the customer) and the customer will pay according to such an estimate. Provided that when, by reason of a large variation of consumption due to seasonal or other causes, the average of the previous 12 months would be an unreasonable estimate of the consumption, the Council may take into consideration other evidence for the purpose of arriving at a reasonable estimate and the customer will pay according to such an estimate.
- 5.91. Where the seal or dial of a meter is broken, the Council may declare the reading void and estimate consumption as described in clause 5.90.

***Incorrect Accounts***

- 5.92. Where a situation occurs other than as provided for in clauses 5.90 and 5.91, where the recorded consumption does not accurately represent the actual consumption on a property, then the account shall be adjusted using the best information available to the Council. Such errors include, but are not limited to, misreading of the meter, errors in data processing, meters assigned to the wrong account, and unauthorised supplies. Where an adjustment is required in favour of the Council or the customer, this shall not be backdated more than 36 months from the date the error was detected.

DRAFT – SUBJECT TO COUNCIL APPROVAL

*Prevention of Waste*

- 5.93. The customer must:
- (a) prevent and not intentionally allow water to run to waste from any pipe, tap or other fitting;
  - (b) not create a nuisance by allowing water to run onto an adjoining property;
  - (c) not allow the condition of the plumbing within the property to deteriorate to the point where leakage and or wastage is uncontrolled.
- 5.94. The Council provides water for consumptive use not as an energy source. The customer must not use water or water pressure directly from the supply for driving lifts, machinery, eductors, generators or any other similar device, unless specifically approved by Council.
- 5.95. The customer must not use water for a single pass cooling system or to dilute trade waste prior to disposal, unless specifically approved by Council.

*Transfer of Rights and Responsibilities*

- 5.96. Reallocation of water units for restricted flow supply:
- (a) Where a customer relinquishes one or more water units, then the water units will be made available for reallocation by the Council at its discretion. Any relinquished units must not be traded between customers in the rural water supply area;
  - (b) Where a customer subdivides their property, any existing water units may be re-allocated within that subdivided parcel of land and as determined by agreement with the Council.

*Change of Ownership*

- 5.97. In the event of a property changing ownership the Council will automatically record the new owner as being the customer at the property.
- 5.98. Where a property is metered the outgoing customer must give the Council at least two working days' notice to arrange a final reading.

*Disconnection at the customer's request*

- 5.99. The customer must give 20 working days' notice in writing to the Council of the requirement for disconnection of the supply.

DRAFT – SUBJECT TO COUNCIL APPROVAL

## **6 BREACHES AND INFRINGEMENT OFFENCES**

### ***Breach of Bylaw***

- 6.1. A person breaches this bylaw when they fail to comply with any provision in this bylaw.

### ***Breaches of Conditions of Supply***

- 6.2. The following are breaches of the terms and conditions to supply water, and also a breach of this bylaw:
- (a) The provision of false information in an application for supply connection that fundamentally affects the conditions of supply.
  - (b) Failure by the customer to meet and comply with the conditions of supply in this bylaw.
  - (c) Frustration of the Council's ability to adequately and effectively carry out its obligations.
- 6.3. In the event of a breach of the terms and conditions of supply, the Council may serve notice on the customer advising the nature of the breach, the steps to be taken to remedy the breach, and the date by which the breach must be remedied. If the breach is not remedied by the date specified in the notice the Council may restrict the supply to the property in accordance with the Water Services Act 2021.
- 6.4. In the event Council acts to restrict supply, full supply will be reinstated only after payment of the appropriate reconnection fee and remedy of the breach to the satisfaction of the Council.

### ***Offences and Penalties***

- 6.5. Any breach of this bylaw which is an infringement offence specified in clause 6.10 is subject to an infringement fee.
- 6.6. Every person who breaches any other provision of this bylaw commits an offence and is liable on conviction to a fine not exceeding \$500.

### ***Infringement Offences***

- 6.7. A compliance officer may issue an infringement notice for infringement offences under the Act, specified in clause 6.10 of the bylaw.
- 6.8. The infringement notice must be in the form prescribed in Schedule 3 of the bylaw. The form of reminder notice is set out in Schedule 4 of the bylaw.
- 6.9. The infringement fee for infringement offences in clause 6.10 is set at \$1000 for an individual, or \$3000 for a body corporate.
- 6.10. A person commits an infringement offence if they:



DRAFT – SUBJECT TO COUNCIL APPROVAL

- (a) Carry out building work over or near water services infrastructure without approval.  
Building work is near water services infrastructure if:
  - (i) It is less than 2 metres from a water services infrastructure pipe that is less than 300mm in diameter.
  - (ii) It is less than 10m from a water services infrastructure pipe that is 300mm or more in diameter.
- (b) Discharge into the water supply network without authorisation.
- (c) Connect to or disconnect from the water supply network, or extend their supply connection to supply water to another property without authorisation.
- (d) Carry out work on or in relation to the water supply network without notifying the Council and obtaining authorisation from the Council, or carry out work that is not in accordance with the terms and conditions of any authorisation.
- (e) Breach a source water risk management plan or permit under this bylaw.
- (f) Fail to comply with any duty in this bylaw relating to equipment or device and that failure causes a specified serious risk.
- (g) Fail to notify the Council of a notifiable risk or hazard, where that person has a duty to do so, and that failure causes a specified serious risk.
- (h) Fail to comply with a water use restriction or limit under this bylaw and that failure causes a specified serious risk.
- (i) Fail to comply with the bylaw by undertaking specified classes of work, namely building work, near, under or above the water supply network.
- (j) Fail to comply with a direction given by a compliance officer.
- (k) Fail to comply with a compliance order or court order.
- (l) Tamper with a water meter without prior authority from the Council.

*Interference with Equipment*

- 6.11. No person shall tamper or interfere with Council equipment. The Council shall be entitled to estimate (in accordance with clause 5.90) and charge for the additional water consumption not recorded or allowed to pass where a meter or restrictor has been tampered with, and recover any costs incurred.

DRAFT – SUBJECT TO COUNCIL APPROVAL

## **7 BYLAW ADMINISTRATION**

### *Review of Decision*

- 7.1. If any person is dissatisfied with any decision by the Council or a compliance officer made under this bylaw, that person may, by notice delivered to the Chief Executive of the Council no later than five working days after the decision by the compliance officer is notified to that person, request the Chief Executive to review any such decision. The decision made by the Chief Executive will be final.
- 7.2. Where the decision to be reviewed under clause 7.1 is a decision to restrict supply and a request for a review of the decision is received before the Council restricts the supply, the Council must not restrict the supply until the Chief Executive has made a decision on the review. This does not apply to situations where health and safety concerns or a specified serious risk require the Council to proceed with immediate steps to restrict the supply.
- 7.3. Nothing in this clause affects any right of appeal or review, including any internal review process, available under the Act.

### *Charges and Payments*

#### *Fees and Charges*

- 7.4. The Council may prescribe fees and charges for the performance of any function or power or provision of any service under the bylaw in accordance with section 258(3) the Act.

**EXPLANATORY NOTE:** The Council generally sets its fees and charges annually and uses rates to fund the water supply service, as provided for in the Local Government (Rating) Act 2002.

#### *Payments*

- 7.5. The customer is liable to pay for the supply of water and related services in accordance with the Council's fees and charges.
- 7.6. The customer is liable for the cost of water which passes through the meter regardless of whether this is used or is the result of leakage.

#### *Recovery of Costs*

- 7.7. The Council may recover costs in accordance with the Act and the Local Government Act 2002.

#### *Cease to Supply*

- 7.8. The customer is deemed to be continuing to use the water supplied and will be liable for all charges, until the final meter reading, when water ceases to be supplied to the customer.

DRAFT – SUBJECT TO COUNCIL APPROVAL

**SCHEDULE 1: WATER SUPPLY CATCHMENTS**

Maps showing the water supply catchments can be found on the DCC website:  
[www.dunedin.govt.nz/do-it-online/maps-and-photos/water-services-map-and-wws-work-in-progress](http://www.dunedin.govt.nz/do-it-online/maps-and-photos/water-services-map-and-wws-work-in-progress).

Water Supply Catchments and their classifications are as follows:

Catchment	Classification
Deep Creek	Controlled
Deep Stream	Controlled
Silverstream – Part A	Controlled
Silverstream – Part B	Restricted
Silverstream – Part C	Open
Port Chalmers – Cedar Farm Catchment	Restricted
Port Chalmers – Rossville Reservoir Catchment	Open

DRAFT – SUBJECT TO COUNCIL APPROVAL

**SCHEDULE 2: WATER SUPPLY AREAS**

Maps showing the urban and rural water supply areas can be found on the DCC website:  
[www.dunedin.govt.nz/do-it-online/maps-and-photos/water-services-map-and-wws-work-in-progress](http://www.dunedin.govt.nz/do-it-online/maps-and-photos/water-services-map-and-wws-work-in-progress).

DRAFT – SUBJECT TO COUNCIL APPROVAL

**SCHEDULE 3: INFRINGEMENT NOTICE**

**INFRINGEMENT NOTICE**

**Section 272 Local Government (Water Services) Act 2025**

**NOTICE NO:**

**ENFORCEMENT AUTHORITY:** Dunedin City Council

**TO:** [full name, full address, other identifying detail, if known, for example date of birth]

**Details of alleged infringement offence**

Provision of the Local Government (Water Services) Act 2025 and/or the Water Supply Bylaw 2026:

Description of offence:

Location:

Date:

Approximate Time:

**The fee for this infringement is [\$1000.00 / \$3000.00]**

**Time and place for payment of infringement fee**

The infringement fee is payable to the Dunedin City Council within 28 days after *[date notice is delivered personally or served by post]*

The infringement fee is payable to the Dunedin City Council at:

- <http://www.dunedin.govt.nz/do-it-online/pay-online>
- in person at The Dunedin City Council, Customer Service Centre, The Civic Centre, 50 The Octagon, Dunedin or the Mosgiel, South Dunedin, Port Chalmers, Blueskin or Waikouaiti Public Library Service Centres

If proceedings for the infringement offence described in this notice are commenced:

- a) it is a defence if you prove that the infringement fee has been paid to the Council using one of the methods above, before or within 28 days after the service of a reminder notice on you, but
- b) it is not a defence that the infringement fee has been paid other than as stated in a).

**Right to request a hearing**

You must write to the Council if you wish to do any of the following things:

- (a) raise a matter concerning the circumstances of the alleged offence for consideration by the Council; or
- (b) deny liability for the alleged offence and request a court hearing; or
- (c) admit liability for the offence, but have the court consider submissions as to penalty or otherwise.

DRAFT – SUBJECT TO COUNCIL APPROVAL

In your letter, you must request a hearing, admit liability in respect of the offence, and set out the submissions that you would like the court to consider.

You must ensure that your request is received on or before the last day for payment.

If you deny liability and request a court hearing, the Council will then, if it decides to commence court proceedings in respect of the alleged offence, serve you with a notice of hearing setting out the place and time at which the matter will be heard by the court.

If you admit liability but wish to have the court consider submissions, the Council will then, if it decides to commence court proceedings in respect of the offence, file your letter with the court. You are not entitled to make oral submissions to the court.

If the court finds you guilty or you make submissions, costs will be imposed in addition to any penalty.

**Next steps**

If you do not request a hearing and you do not pay the infringement fee or the amount of the infringement fee remaining unpaid within 28 days after the service of this notice, you will become liable to pay a fine and court costs.

**Contact details:**

Dunedin City Council  
50 The Octagon  
Dunedin  
Phone: 03 477 4000  
Email: [dcc@dcc.govt.nz](mailto:dcc@dcc.govt.nz)

**Date:**

**Signature:**

(Enforcement Officer)

DRAFT – SUBJECT TO COUNCIL APPROVAL

**SCHEDULE 4: INFRINGEMENT NOTICE REMINDER**

**Reminder Notice No:**

**Informant:**

**Name:**

**Address:**

**Details of person to whom infringement notice issued**

Full name: *[first name(s), family name]*

Full address:

Date of birth:

Gender:

Occupation:

Telephone number(s):

**Details of alleged infringement offence**

The informant shown above alleges that you committed an infringement offence:

On: *[date and time of offence]*

At: *[place]*

In that you: *[specify details of offence]*

The offence is one against *[specify enactment and provision contravened]*.

Name or number, if any, of officer who issued notice: *[specify]*

**Service details**

*(To be provided for filing in court.)*

Infringement notice served by personal service/by prepaid post/electronically (if permitted)\* on:

*[date]*

Reminder notice served by personal service/by prepaid post/electronically (if permitted)\* on: *[date]*

At: *[address]*

\*Select one.

**Infringement fee**

The infringement fee for this offence is: *\$(amount)*

Amount of infringement fee unpaid: *\$(amount)*

Other fees *[specify (if any)]*: *\$(amount)*

**Total payable: *\$(amount)***

Other penalties *[specify (if any)]*:

**Procedure for payment of infringement fee**

*[Specify method(s) of payment.]*

You must pay the infringement fee within 28 days after the service of this notice. The last day for payment is *[date]*.

DRAFT – SUBJECT TO COUNCIL APPROVAL

### Information

If you wish to deny the alleged offence or wish to have a court consider submissions, follow the directions in paragraph 4 of the notes below.

If, under [section 21\(3A\) or \(3C\)\(a\)](#) of the Summary Proceedings Act 1957, you enter or have entered into a time-to-pay arrangement with the informant in respect of an infringement fee payable by you, paragraphs 4(b) and (c) below do not apply and you are not entitled either to request a hearing to deny liability or to ask the court to consider any submissions in respect of the infringement.

Please read the notes below. If there is anything you do not understand in the notes, you should consult a lawyer.

### Notes to defendant

#### Payment

1 If you pay the infringement fee or the amount of the infringement fee remaining unpaid within 28 days after the service of this notice, no further enforcement action will be taken against you.

#### Defences

2 You will have a complete defence against proceedings relating to the alleged offence if you can show the infringement fee or the amount of the infringement fee remaining unpaid has been paid to the informant and received at the address shown on the front page of this notice within 28 days after the service of this notice.

3 Late payment, or payment made to any other address, will not constitute a defence to proceedings in respect of the alleged offence.

#### Further action

4 You must write to the informant if you wish to do any of the following things:

- (a) raise a matter concerning the circumstances of the alleged offence for consideration by the informant; or
  - (b) deny liability for the alleged offence and request a court hearing; or
  - (c) admit liability for the offence, but have the court consider submissions as to penalty or otherwise.
- In your letter, you must request a hearing, admit liability in respect of the offence, and set out the submissions that you would like the court to consider.

You must ensure that your request is received on or before the last day for payment.

If you deny liability and request a court hearing, the informant will then, if it decides to commence court proceedings in respect of the alleged offence, serve you with a notice of hearing setting out the place and time at which the matter will be heard by the court.

If you admit liability but wish to have the court consider submissions, the informant will then, if it decides to commence court proceedings in respect of the offence, file your letter with the court. You are not entitled to make oral submissions to the court.

If the court finds you guilty or you make submissions, costs will be imposed in addition to any penalty.

#### Next steps

If you do not request a hearing and you do not pay the infringement fee or the amount of the infringement fee remaining unpaid within 28 days after the service of this notice, you will become liable to pay a fine and court costs.



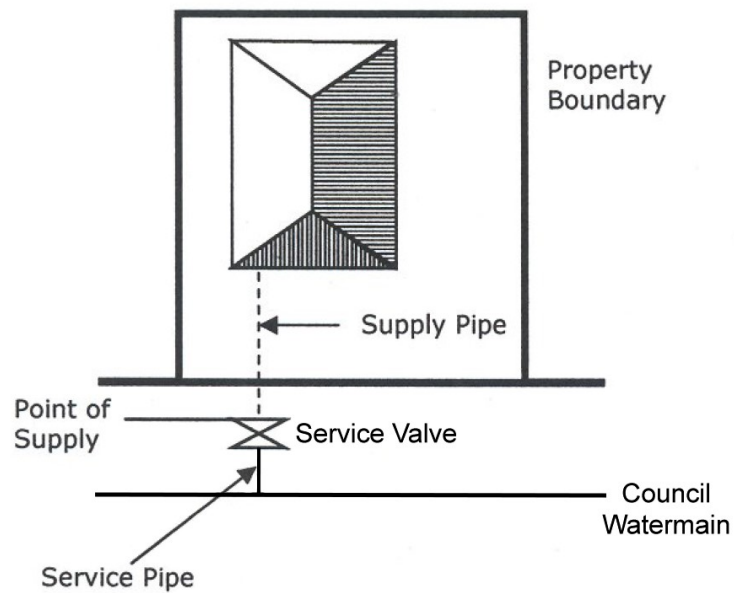
DRAFT – SUBJECT TO COUNCIL APPROVAL

**Note:** All payments, queries, and correspondence regarding this reminder notice must be directed to the informant at the address shown on the front of this notice. When writing, please include the date of the alleged infringement offence, the reminder notice number, and your address for replies.

DRAFT – SUBJECT TO COUNCIL APPROVAL

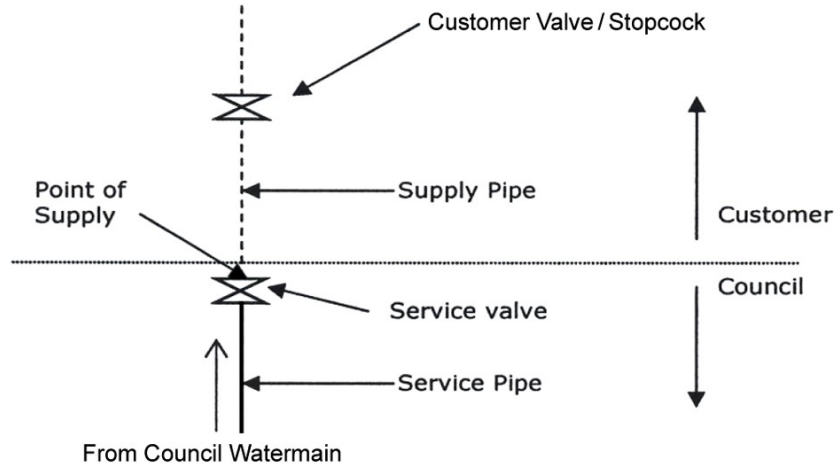
**APPENDIX 1: POINT OF SUPPLY EXAMPLE DIAGRAMS**

**Example 1:** Point of supply layout and location for single property with street frontage – ordinary supply



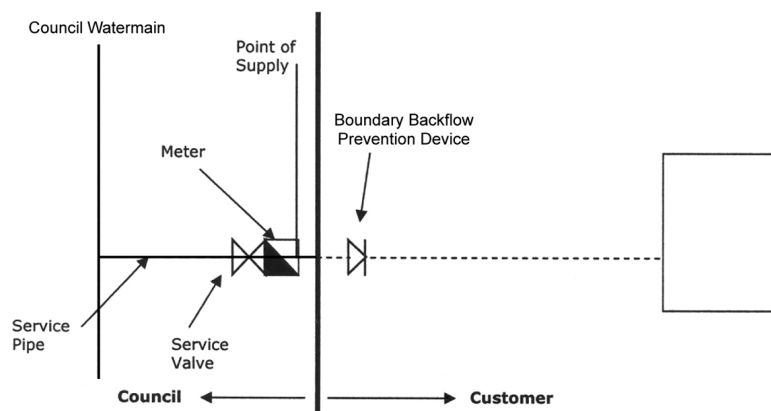
DRAFT – SUBJECT TO COUNCIL APPROVAL

**Example 2:** Typical point of supply layout – ordinary supply



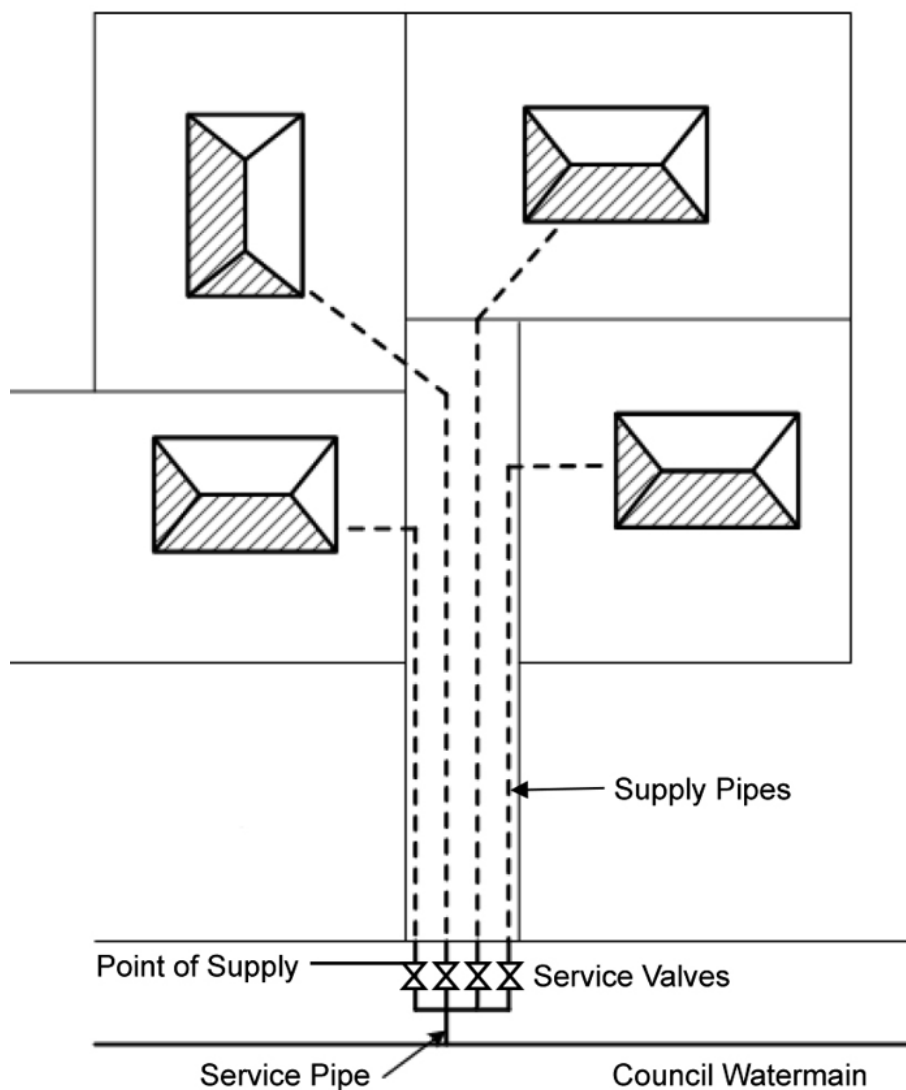
DRAFT – SUBJECT TO COUNCIL APPROVAL

**Example 3:** Typical point of supply layout – extraordinary supply with testable boundary backflow prevention device



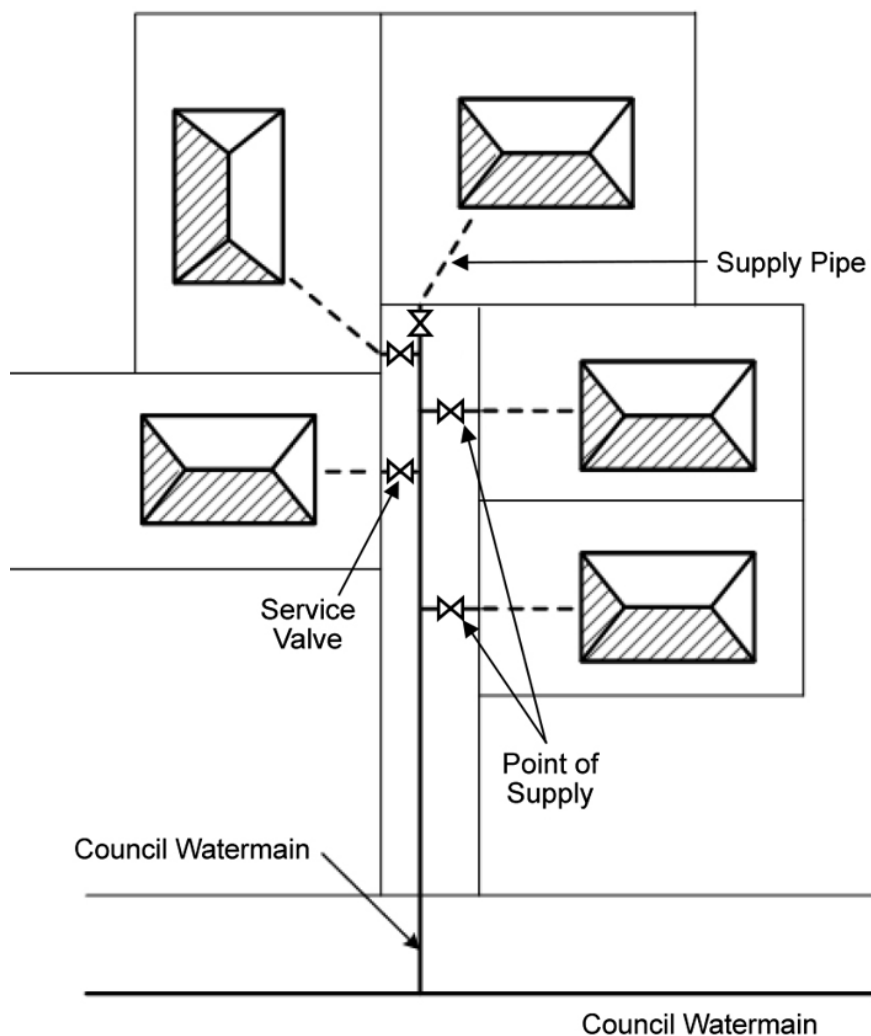
DRAFT – SUBJECT TO COUNCIL APPROVAL

**Example 4:** Point of supply location – 2 to 4 customers on a private right of way; 5+ customers on a private right of way without a Council watermain in the right of way



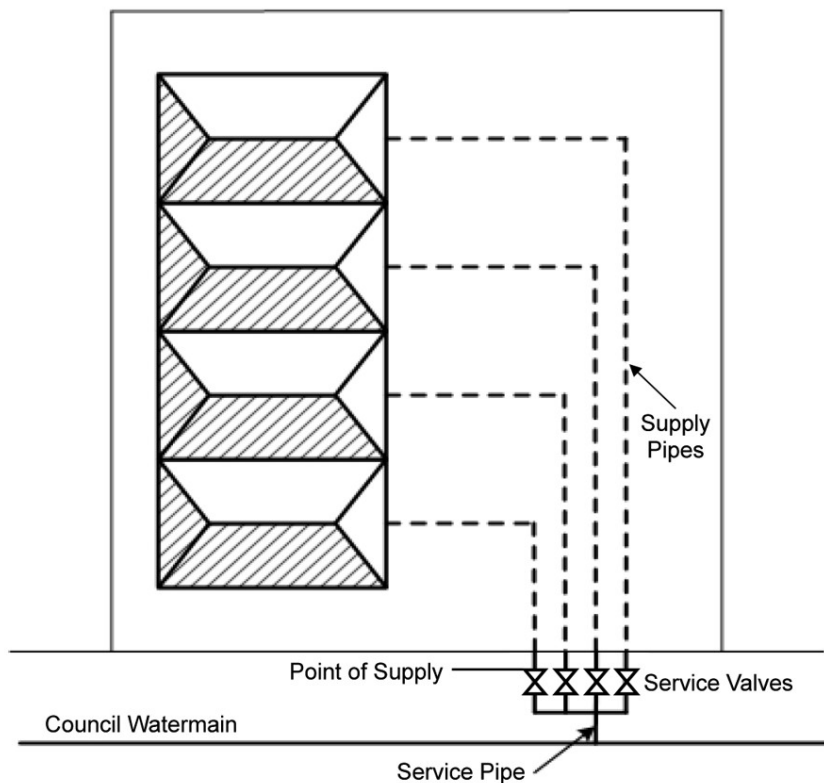
DRAFT – SUBJECT TO COUNCIL APPROVAL

**Example 5:** Point of supply location – private right of way with 5+ customers and a Council watermain in the private right of way



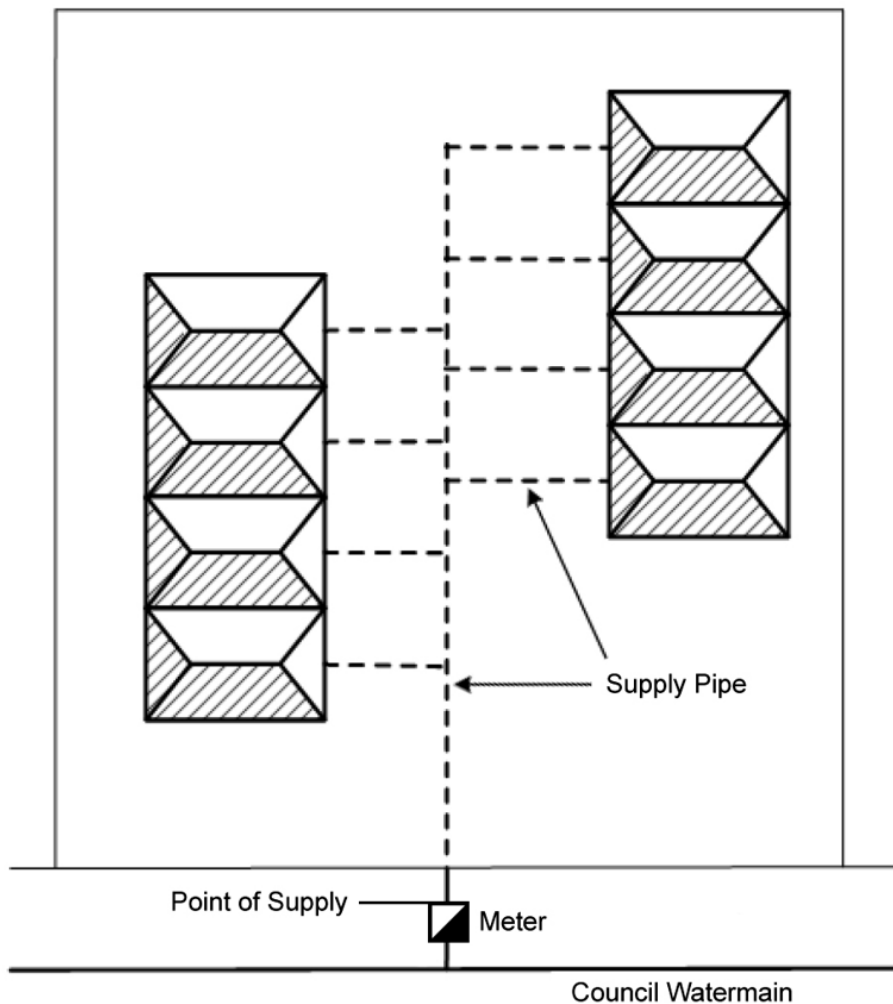
DRAFT – SUBJECT TO COUNCIL APPROVAL

**Example 6:** Point of supply location – multiple ownership/body corporate



DRAFT – SUBJECT TO COUNCIL APPROVAL

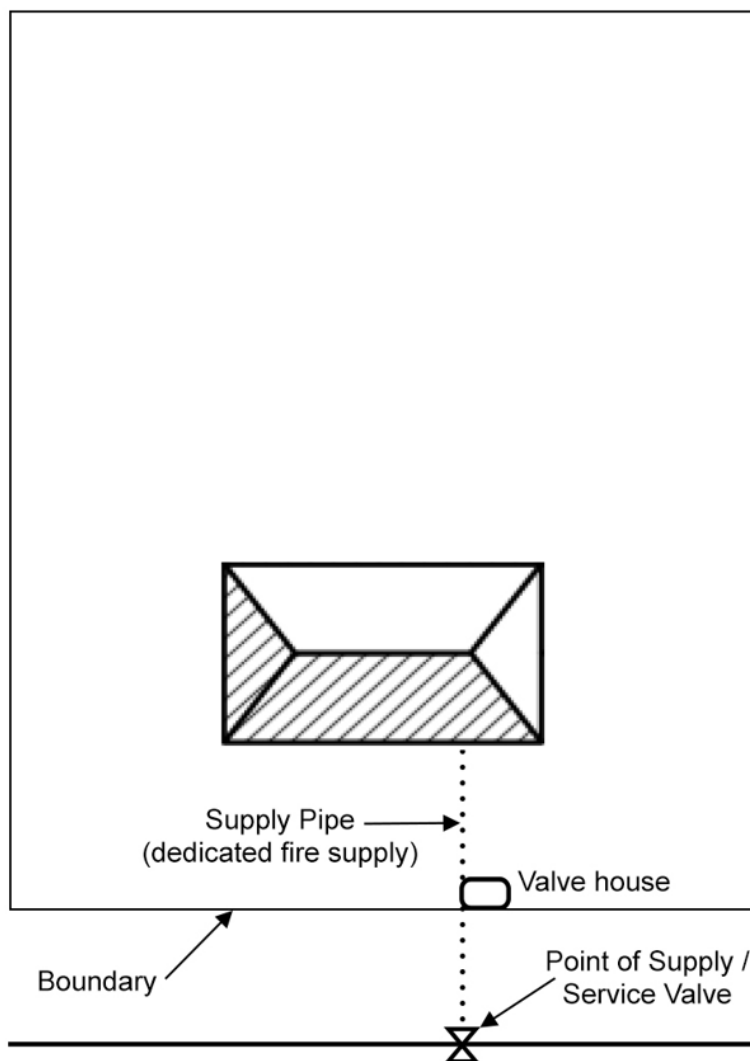
**Example 7:** Point of supply location – multiple ownership/body corporate





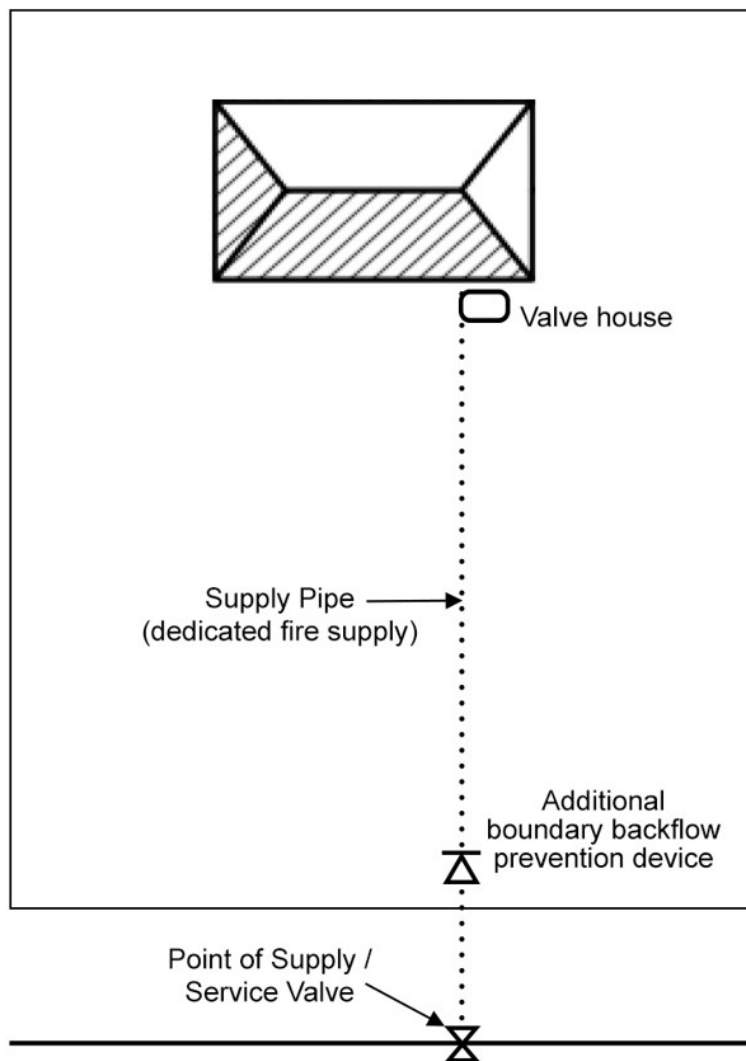
DRAFT – SUBJECT TO COUNCIL APPROVAL

**EXAMPLE 8** – Point of supply location for dedicated fire supply with valve house (and boundary backflow prevention device) at boundary



DRAFT – SUBJECT TO COUNCIL APPROVAL

**EXAMPLE 9** – Point of supply location for dedicated fire supply with additional boundary backflow prevention device (valve house located away from boundary)



DRAFT – SUBJECT TO COUNCIL APPROVAL

## **Statement of Proposal: Proposed Water Supply Bylaw 2026**



Prepared in accordance with sections 83, 86 and 155 of the Local Government Act 2002, as required by the Local Government (Water Services) Act 2025

**MARCH 2026**

1

DRAFT – SUBJECT TO COUNCIL APPROVAL

## Statement of Proposal: Proposed Water Supply Bylaw 2026

### 1. Introduction

The Dunedin City Council (DCC) is proposing to make a new bylaw to regulate use of the DCC water supply network, under the new bylaw-making powers in the Local Government (Water Services) Act 2025. The proposed Bylaw would be called the **Water Supply Bylaw 2026**.

In this Statement of Proposal, the proposed Water Supply Bylaw 2026 is referred to as the proposed Bylaw.

This Statement of Proposal explains:

- The reasons for and purpose of the proposed Bylaw
- The key provisions of the proposed Bylaw
- The options considered by the Council and the determinations the Council has made under section 155 of the Local Government Act 2002 (LGA)
- How the community can provide feedback on the proposed Bylaw

This Statement of Proposal provides the community with the information necessary to understand the proposed Bylaw and to make an informed submission. This proposal is accompanied by a draft of the proposed Bylaw.

### 2. Background

The DCC supplies drinking water to properties across Dunedin within specified urban and rural water supply areas.

The DCC's activities as a drinking water supplier are directed by and regulated under national-level legislation and regulations, including the Water Services Act 2021, the Water Services (Drinking Water Standards for New Zealand) Regulations 2022, Drinking Water Quality Assurance Rules 2022 (revised 2024), and the Local Government (Water Services) Act 2025.

The DCC and other councils across New Zealand use bylaws to set local rules and requirements to assist with the regulation of the use of their water supply networks. This is to protect the networks themselves, to protect the health and safety of those who use these networks, and to support councils to take the necessary actions to fulfil their duties and obligations under national-level legislation and regulations.

Dunedin's existing local rules for regulating the use of the DCC water supply network have been in place for many years and need updating to:

- Align with the Local Government (Water Services) Act 2025 and the Water Services Act 2021 (and associated standards and compliance rules)
- Reflect current operational, safety and compliance requirements
- Improve clarity regarding water supply areas, layout and location of points of supply, metering, boundary backflow prevention requirements and compliance enforcement

DRAFT – SUBJECT TO COUNCIL APPROVAL

Given the substantial changes and developments in national-level legislation and regulation relating to water supply management over the past 5 years, culminating in the recent enactment of the Local Government (Water Services) Act 2025, the DCC has determined that making a new bylaw under the Local Government (Water Services) Act 2025 is the most appropriate way to address these matters.

### 3. Purpose of the proposed Bylaw

The purpose of the proposed Bylaw is to provide for the management and use of the DCC water supply network in a manner that:

- Enables efficient and effective management of the water supply network, including connections to the water supply network, in a manner that supports the Council to maintain levels of service, and to service areas where growth is anticipated.
- Protects the Council's water supply and water supply network and equipment from contamination and against damage, misuse or interference.
- Protects against water wastage to better conserve drinking water.

To do this, the proposed Bylaw:

- Establishes clear requirements for the responsible use of the water supply network, including requirements relating to connections to the water supply network, and defining the terms and conditions of supply.
- Sets enforceable obligations for customers relating to water use and boundary backflow prevention.

### 4. Summary of key provisions

The proposed Bylaw includes provisions that cover four main topics:

#### 4.1 Protection of the water supply network

The proposed Bylaw:

- Prohibits interference with DCC's water supply network infrastructure
- Establishes rules to manage access to and the use of water supply catchments, in accordance with their classification as either Controlled, Restricted or Open catchments, and shows where these catchments are located
- Establishes rules for working near buried services that are part of the water supply network.

In relation to this topic, the key differences in approach from DCC's Water Bylaw 2011 include:

Approach in proposed Bylaw	Explanation
Requirements relating to working around buried water supply network infrastructure will be clearer	Requirements relating to building and excavation over or near water services infrastructure are articulated in the Local Government (Water Services) Act 2025. Clauses in the proposed Bylaw have been aligned to these legislative requirements, including specific distance thresholds,

DRAFT – SUBJECT TO COUNCIL APPROVAL

Approach in proposed Bylaw	Explanation
	notification requirements, record-keeping requirements and liability for damage.
Use of fire hydrants will be limited to specified parties	Restrictions on accessing the water supply network via fire hydrants have been tightened in line with national-level regulations. Access to bulk quantities of water for parties not specified (e.g. water tanker operators) is now available via purpose-built DCC water tanker filling stations.

#### 4.2 Conditions of supply

The proposed Bylaw:

- Defines water supply areas and prohibits new supply connections outside defined water supply areas. The water supply area maps can be viewed online via the water services map on the DCC website. Please select the layer 'Proposed Water Supply Bylaw 2026' to view the water supply areas.
- Establishes a three-step approval process for applications for new water supply connections, in accordance with the requirements of the Local Government (Water Services) Act 2025
- Defines the different types of water supply and the specific terms and conditions related to each type of supply (e.g. restricted flow supply and the three sub-categories of on-demand supply: ordinary supply, extraordinary supply and dedicated fire supply)
- Defines the boundaries of DCC's and customer responsibility, through clear articulation of point of supply locations and layouts for common development scenarios
- Provides for fees and charges for connections and other matters
- Includes provisions relating to continuity of supply (including demand management measures and emergency restrictions)
- Establishes requirements relating to customer boundary backflow prevention
- Includes provisions relating to water metering.

In relation to this topic, the key differences in approach from the Water Bylaw 2011 include:

Approach in proposed Bylaw	Explanation
New connections to the DCC water supply network outside of mapped water supply areas will not be allowed	This proposal is consistent with provisions in the Water Bylaw 2011. However, in 2011 the Council's Infrastructure Services Committee approved an 'Out of Zone Water Connection Procedure' to enable case-by-case consideration of applications for new water supply connections outside of the defined water supply areas. In recent years, the Council has not approved any applications for 'out of zone' water supply connections. This is because approval of the applications received by DCC would have been inconsistent with the 3 Waters Strategy, the District Plan and the Future Development Strategy. The Council considers it is not appropriate to enable case-by-case consideration of

DRAFT – SUBJECT TO COUNCIL APPROVAL

Approach in proposed Bylaw	Explanation
	<p>applications for new ‘out of zone’ water supply connections through the proposed Bylaw.</p> <p>The proposed Bylaw retains the ability for the Council to formalise pre-existing ‘out of zone’ connections to the water supply network, subject to conditions, as they are discovered.</p>
There will be a three-step application and approval process for applications for new water supply connections	<p>The addition of the three-step process is a new requirement under the Local Government (Water Services) Act 2025. The three steps are:</p> <ul style="list-style-type: none"> <li>• Step 1: Concept plan</li> <li>• Step 2: Engineering plan</li> <li>• Step 3: Final approval and sign off</li> </ul> <p>If not advised earlier, following approval under step 1 the Council will inform the applicant of the type of supply, the size of connection, any particular conditions applicable, and the general terms and conditions under which water will be supplied.</p> <p>Physical works to install the new supply connection will occur following the approval given at step 2.</p> <p>The purpose of the three-step process is to ensure that applications for new connections to the water supply network include appropriate consideration by the applicant and the Council of the capacity of the network to provide the proposed supply, and that the supply connection can be provided in a way that does not adversely affect the safety and integrity of the network.</p>
It will be easier to determine whether an on-demand supply should be classified as ‘ordinary supply’ or ‘extraordinary supply’	<p>Changes to definitions are proposed to make the sorts of properties and water uses that are intended to be classified as ‘ordinary supply’ and ‘extraordinary supply’ clearer.</p> <p>In particular, a definition of ‘extraordinary use’ has been added to clearly illustrate the types of water uses that are likely to result in higher consumption than is assumed for ‘ordinary supply’ and that should therefore be supplied via an ‘extraordinary supply’. This includes water use at larger properties situated on the rural-urban fringe and often known colloquially as ‘lifestyle blocks’, where space and character often enable water uses that are not typical in urban residential areas.</p> <p>‘Extraordinary supply’, as in the Water Bylaw 2011, is a metered supply.</p>

DRAFT – SUBJECT TO COUNCIL APPROVAL

Approach in proposed Bylaw	Explanation
Point of supply layout and location specifications will be aligned to current development scenarios common in Dunedin	New clauses and illustrations have been developed to provide clear direction on point of supply layout and location for common development scenarios in Dunedin, including multiple ownership developments (such as unit titles) and developments where individual lots are accessed by a private right of way.
Boundary backflow prevention requirements will be clearer and reflect current national-level regulatory requirements	<p>Backflow is the unintentional reverse flow of water from a customer's private plumbing system into the public water supply network. Backflow can introduce contaminants into the public water supply and is a risk to drinking water safety and public health. As in the Water Bylaw 2011, the proposed Bylaw requires the customer to take action to prevent backflow on the customer side of the point of supply. New clauses have been included to align with current national-level requirements on the DCC to prevent backflow and to enable the DCC to take action to comply with these requirements. These include the requirement for all boundary backflow prevention devices to be tested annually, for the DCC to actively survey its water supply network for high and medium backflow risks, and for the DCC to ensure appropriate boundary backflow prevention devices are installed when supply connections with inadequate boundary backflow prevention measures are identified.</p> <p>The DCC is also developing a Boundary Backflow Prevention Policy. The proposed Policy will not be part of the proposed Bylaw but will sit alongside the proposed Bylaw. The policy will provide clarity and direction on boundary backflow prevention, including how the DCC will determine 'appropriate' boundary backflow prevention devices according to property type and water use. The proposed Policy is being prepared with reference to industry best practice guidance, as set out in Water New Zealand's Boundary Backflow Code of Practice for Drinking Water Suppliers.</p>

#### 4.3 Breaches and infringement offences

The proposed Bylaw:

- Defines breaches of the Bylaw
- Specifies the offences that will be infringement offences, as provided for under the Local Government (Water Services) Act 2025
- Prescribes the forms and information required for infringement and reminder notices and the infringement fees (fines) of:
  - **\$1000 for individuals**
  - **\$3000 for body corporates**



DRAFT – SUBJECT TO COUNCIL APPROVAL

- Provides for the Council to restrict supply as an enforcement measure consistent with the Local Government (Water Services) Act 2025 and Water Services Act 2021

In relation to this topic, the key differences in approach from the Water Bylaw 2011 include:

Approach in proposed Bylaw	Explanation
The DCC will be able to use infringement offences as a tool to enforce compliance with the requirements of the Bylaw	<p>The Local Government (Water Services) Act 2025 enables a water services bylaw to include infringement offences, which are enforced by a council compliance officer issuing an infringement notice.</p> <p>The proposed Bylaw would set infringement fees (fines) at the maximum amounts allowable by the Local Government (Water Services) Act 2025, being:</p> <ul style="list-style-type: none"> <li>• \$1000 for individuals</li> <li>• \$3000 for body corporates</li> </ul> <p>The offences that are punishable as infringement offences are set out in the Local Government (Water Services) Act 2025 and have been reflected in the proposed Bylaw for clarity.</p>

#### **4.4 Bylaw administration**

Key elements include:

- Provisions relating to review of decisions made under the proposed Bylaw
- Provisions relating to fees and charges and payments.

In relation to this topic, the key difference in approach from the Water Bylaw 2011 is that the provisions in the proposed Bylaw are more concise and are aligned to current legislation.

#### **5. Options considered and determinations under section 155 of the LGA**

The DCC water supply network serves over 45,000 properties, and comprises around 210 km<sup>2</sup> of catchment area, 21 consented water abstraction points, 9 water supply dams, 62 treated water reservoirs, over 1700km of pipeline, 21 pumping stations and 6 water treatment plants. It is important that the Council manages use of the DCC water supply network to protect public health and safety and to manage the network efficiently to maintain levels of service.

Section 258 of the Local Government (Water Services) Act 2025 specifically provides that a territorial authority may make a bylaw for the purposes of managing aspects of water services provision. When the Local Government (Water Services) Act 2025 was enacted, the equivalent provisions providing for such bylaws to be made under the Local Government Act 2002 were repealed.

It follows that DCC's proposal is to make a new Water Supply Bylaw 2026 under section 258 of the Local Government (Water Services) Act 2025 to regulate use of the DCC water supply network.

DRAFT – SUBJECT TO COUNCIL APPROVAL

Before making this proposal, the DCC considered two options:

- Option 1: make a bylaw to regulate use of the DCC water supply network
- Option 2: do not make a bylaw to regulate use of the DCC water supply network

The DCC has used a bylaw to manage aspects of the water supply network for over 40 years. This has been an important tool to enable the DCC to manage risks to public health and to network performance, from the source to the customer's point of supply. Other territorial authorities in New Zealand also use bylaws to manage use of their individual water supply networks. Under the present law, a bylaw is the most feasible way to achieve efficient management of the use of the water supply network.

Without a bylaw, the DCC would have limited tools available to regulate the use of the water supply network, and would essentially be left with the Water Services Act 2021 and the Local Government (Water Services) Act 2025 to achieve any meaningful regulation of its network. These pieces of legislation do not contain the detailed administrative powers that a bylaw can provide, for example powers to enforce specific catchment controls, point of supply layout and location requirements and customer responsibilities for boundary backflow prevention. The absence of these detailed administrative powers could impact on public health and safety and/or the performance of the water supply network, as well as the DCC's ability to fulfil its duties and obligations as a water supplier under national-level legislation and regulations.

As a result, the DCC has selected option 1 and ruled out option 2.

In order to make a bylaw, the DCC must make the following determinations under section 155 of the LGA:

- That a bylaw is the most appropriate way to address the issue
- That the proposed bylaw is the most appropriate form of bylaw
- That the proposed bylaw is consistent with the New Zealand Bill of Rights Act 1990.

The Council has made these determinations by resolution at its meeting on 24 February 2026. Explanations for each determination are provided below.

**5.1 Is a bylaw the most appropriate way to address the issue?**

Yes.

Most activities related to water supply and the water supply network are sufficiently managed using non-regulatory methods, such as education campaigns, to support good water management.

However, there are some instances, particularly in relation to the importance of:

- protecting water supply network infrastructure from misuse and/or damage
- managing water demand
- protecting the safety of drinking water

where it is necessary for the DCC to have the ability to set rules and legally enforce compliance.

DRAFT – SUBJECT TO COUNCIL APPROVAL

A bylaw is the most appropriate way to manage the DCC water supply network because it enables the Council to:

- Establish rules and requirements related to the provision of water supply services, including to protect the network against damage, misuse, interference, or contamination that can pose a risk to public health and safety and/or levels of service;
- Define who is entitled to use the network, establish the process to approve connections to the water supply network, provide the mechanisms for charging for different uses of the network, and set out the roles and responsibilities of both customers and the Council in relation to use of the network; and
- identify offences and to take enforcement action if offences are committed.

Section 4 of this Statement of Proposal includes an analysis of the proposed Bylaw that highlights aspects of the proposed Bylaw that are substantively different from the Water Bylaw 2011. The reasons for taking these new approaches generally respond to one or both of:

- Changes in national-level legislation and regulations
- Internal and external feedback on the application of the Water Bylaw 2011 gathered during its lifetime.

#### **5.2 Is the proposed Bylaw the most appropriate form?**

Yes.

The proposed Bylaw is one that is:

- Up-to-date and fit-for-purpose
- Aligned with all relevant legislative and regulatory requirements
- Not inconsistent with any other Council bylaw
- Provides a clear, logical structure covering:
  - Protection of the water supply network
  - Conditions of supply
  - Breaches and infringement offences
  - Administrative matters
- Includes explanatory notes to assist with the interpretation and application of the bylaw by its users.

The proposed Bylaw would replace the DCC Water Bylaw 2011. Much of the substance of the Water Bylaw 2011 would be retained in the proposed Bylaw, but some new requirements would be introduced to reflect current legislation and regulations and current operating conditions, including Dunedin's growth and development.

The proposed Bylaw's form is consistent with nationwide best practice for bylaws relating to water services infrastructure and services.

DRAFT – SUBJECT TO COUNCIL APPROVAL

**5.3 Is the proposed Bylaw consistent with the New Zealand Bill of Rights Act 1990?**

Yes.

Under section 155(3) of the LGA a bylaw must not be inconsistent with the New Zealand Bill of Rights Act 1990 (NZBORA). The Council must consider whether the proposed Bylaw gives rise to any implications under the NZBORA.

Subject to section 4 of the NZBORA, the rights and freedoms contained in the Bill of Rights may be subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

The NZBORA specifically identifies four types of civil and political rights, these are:

- life and security of the person
- democratic and civil rights (which includes freedom of expression and freedom of movement)
- non-discrimination and minority rights
- search, arrest and detention.

The Council considers there are no rights or freedoms under the NZBORA that could be affected by the proposed Bylaw.

Even if there were any relevant rights, the controls in the proposed Bylaw are considered reasonable limits as allowed for in section 5 of the NZBORA. The proposed Bylaw does not go beyond what is required to achieve the objectives discussed in this proposal and meets the requirements for making a bylaw.

The Council considers that the proposed Bylaw is not inconsistent with NZBORA and does not give rise to any implications under the NZBORA.

**6. Consultation Process**

The Council is using the **special consultative procedure**. This means the public has the opportunity to provide written feedback on the proposed Bylaw via a submission. The consultation period is open for a period of 1 month, starting 2 March 2026. Submissions close 2 April 2026.

The Council will also convene a panel of Councillors to consider submissions, including by holding hearings if requested by submitters. The Council will consider the panel's recommendations before deciding whether or not to make the Bylaw.

You can view the proposed Bylaw:

- **Online** at [www.dunedin.govt.nz/consultation](http://www.dunedin.govt.nz/consultation)
- **In person** at DCC service centres and libraries

You can make a written submission on the proposed Bylaw by:

- Completing the online submission form available from [www.dunedin.govt.nz/consultation](http://www.dunedin.govt.nz/consultation)

DRAFT – SUBJECT TO COUNCIL APPROVAL

- By emailing [water.quality@dcc.govt.nz](mailto:water.quality@dcc.govt.nz)
- Dropping your submission in person at a DCC service centre or library
- Mailing your submission to:

*Proposed Water Supply Bylaw 2026  
DCC Customer Services Centre  
Civic Centre  
50 The Octagon  
Dunedin*

A template submission form is attached to this Statement of Proposal as Attachment 2.

**The deadline for submissions is:** 5pm, Thursday 2 April 2026.

If you wish to speak at a hearing, please indicate this on your submission.

#### **7. What Happens Next?**

- **March/April 2025:** Council receives and analyses submissions.
- **April 2025:** Hearings are held (if requested).
- **April/May 2026:** Council considers any amendments to the proposed Bylaw recommended by the Hearings Panel, after any recommendations have been addressed, makes the Water Supply Bylaw 2026.
- **June 2026:** The Water Supply Bylaw 2026 comes into effect.

Implementation of the Bylaw will follow the date of effect.

#### **8. Attachments**

- **Attachment 1:** Proposed Water Supply Bylaw 2026 (full text)
- **Attachment 2:** Submission form

ATTACHMENT 1 (DRAFT – SUBJECT TO COUNCIL APPROVAL)

**PROPOSED WATER SUPPLY BYLAW 2026**

[FULL TEXT OF PROPOSED BYLAW TO BE ATTACHED PRIOR TO CONSULTATION]

ATTACHMENT 2 (DRAFT – SUBJECT TO COUNCIL APPROVAL)



## Statement of Proposal: Proposed Water Supply Bylaw 2026

The Dunedin City Council wants to know what you think about the proposed Water Supply Bylaw 2026

**Submissions are due by 5pm, Thursday 2 April 2026.**

*Late submissions may not be accepted.*

**Please note** that submissions are made public as part of the DCC's decision-making process and will be included on the DCC website. Your name and submission will be included on papers available to the media and the public. Your feedback will only be used for purposes of the proposed Water Supply Bylaw 2026 consultation.

**Online:** [www.dunedin.govt.nz/consultation](http://www.dunedin.govt.nz/consultation)

**Send to:** Proposed Water Supply Bylaw 2026  
Dunedin City Council  
PO Box 5045  
Moray Place  
Dunedin 9058

**Hand deliver:** Proposed Water Supply Bylaw 2026  
DCC Customer Services Centre  
The Civic Centre  
50 The Octagon  
Dunedin

**Email:** [water.quality@dcc.govt.nz](mailto:water.quality@dcc.govt.nz) (please put "Proposed Water Supply Bylaw 2026 submission" and your last name or business name in the email subject line)

### Your details

**First name:** \_\_\_\_\_ **Last name:** \_\_\_\_\_

**Organisation (if applicable):** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Postcode:** \_\_\_\_\_

**Email address:** \_\_\_\_\_ **Phone number:** \_\_\_\_\_

ATTACHMENT 2 (DRAFT – SUBJECT TO COUNCIL APPROVAL)

**Would you like to speak to the hearing panel in person?**

*(If you do not tick a box, it is assumed that you do not wish to be heard.)*

☐ Yes ☐ No

*If you wish to speak, you will be contacted with a speaking time as soon as possible after the closure of the submission period.*

## Your submission

**Do you agree with the proposed Water Supply Bylaw 2026?**

☐ Yes      ☐ Yes, with amendments      ☐ No      ☐ Neutral

**Please tell us what you agree/disagree with and why.**

*(If appropriate, please refer to specific clauses you are submitting on and – if you disagree with a clause or consider new additional clauses are required – tell us your recommendation.)*

[illegible]

### General comments

[illegible]

**Remember your submission needs to reach the Council by 5pm, Thursday 2 April 2026.**

Thank you for your feedback.



## **ADMINISTRATION OF CNZ CREATIVE COMMUNITIES SCHEME GRANTS**

Department: Ara Toi

### **EXECUTIVE SUMMARY**

- 1 This report recommends establishing a community-led Assessment Committee to be responsible for the assessment and decision-making for Creative New Zealand's Creative Communities Scheme (CCS) grants.
- 2 This action ensures that the Dunedin City Council (DCC) meets Creative New Zealand requirements for administration of the grants scheme.
- 3 This action aligns DCC administration of the CCS grants with Creative New Zealand's guidelines and with the processes followed by the majority of territorial authorities that administer CCS grants.
- 4 The following documents are attached for reference:

*2025-28 DCC-CCS Agreement – Attachment A*

*CNZ Guidelines – Assessment Committees – Attachment B*

*Examples - CCS Assessment Committee – Attachment C*

*CCS Process – DCNZ Letter of Support – Attachment E*

### **RECOMMENDATIONS**

That the Council:

- a) **Approves** the establishment of a community-based Assessment Committee to undertake CCS assessment and decision-making, the composition of which is as follows:
  - i) 4 general community representatives, across a range of creative disciplines
  - ii) 1 youth representative (aged 24 or under)
  - iii) 1 mana whenua representative (or their nominee, if mana whenua do not have capacity to sit on the committee at the current time)
  - iv) 1 or 2 elected officials with appropriate arts knowledge and experience (Mayoral nomination, drawn from Council and/or Community Boards)
- b) **Notes** that CCS administration, applicant support, assessment of eligibility, and provision of information to applicants and the Assessment Committee would continue to be done by the Ara Toi/Creative Partnerships team.

## **BACKGROUND**

- 5 The Creative New Zealand Creative Communities Scheme (CCS) was piloted in Dunedin in 2006.
- 6 An agreement to deliver the Creative Communities Scheme is signed between the Arts Council of New Zealand and DCC every three years. The current agreement runs from 1 July 2025 until 30 June 2028.
- 7 Creative New Zealand (CNZ) transfers funds to the Dunedin City Council to be disbursed as grants to support eligible creative activities within the Ōtepoti Dunedin city boundaries.
- 8 The allocation is calculated on a per annum base amount of \$15,000 plus a per capita amount of \$0.60 for the area and a GST component. In 2025/26 the full allocation is \$93,420.
- 9 Prior to September 2025, CCS grants were administered under the same system used for the allocation of DCC Community Arts grants.
- 10 Grant applications, assessments, and recommendations were provided to Grants Subcommittee members who make the final decision about the allocation of funds.
- 11 The Grants Subcommittee was disestablished after the October 2025 local body elections.

## **DISCUSSION**

- 12 Proposed structure Council is to consider a new decision-making process for DCC grants in 2026.
- 13 CNZ provides comprehensive guidelines for the composition, role, and function of an Assessment Committee for the CCS grants and as a signatory to the funding agreement, DCC agrees to follow these guidelines.
- 14 CNZ's Creative Communities Scheme Senior Adviser, Rebecca Kunin, has provided a letter of support confirming the guidelines for assessment of CCS applications.
- 15 Drawing upon conversations with CCS administrators in other parts of the country, staff recommend the following structure for an Ōtepoti Dunedin CCS Assessment Committee.
- 16 The CCS Assessment Committee is set up as a community committee in accordance with CNZ requirements and comprises:
  - 4 general community representatives, across a range of creative disciplines
  - 1 youth representative (aged 24 or under)
  - 1 mana whenua representative (or their nominee, if mana whenua do not have capacity to sit on the committee at the current time)
  - 1 or 2 elected officials with appropriate arts knowledge and experience (Mayoral nomination, drawn from Council and/or Community Boards)
- 17 This committee composition ensures that decision-making is grounded in members' knowledge of the city's creative ecosystem and provides an informed and robust forum for decision-making.
- 18 Creative Partnerships staff have the knowledge and capacity to provide the necessary administrative and advisory support to the CCS Assessment Committee.

### **Timeframe and process**

- 19 The new committee structure should be set up in time to allocate the second tranche of Creative New Zealand CCS funding, ie: before the end of the financial year 2025/26.
- 20 In the past, this funding round was administered between March and May because it needed to fit Council's meeting schedule. There is no requirement to adhere strictly to this timeframe; CNZ allows grants rounds to be scheduled to suit individual communities.
- 21 The timing of future CCS assessment rounds will be evaluated to ensure that the timeframes work for applicants, committee members, and staff workloads.
- 22 Ara Toi/Creative Partnerships staff will work closely with new CCS Assessment Committee members to provide induction, support, and advice throughout the assessment process.

This would include hands-on workshops and provision of appropriate resources; CNZ also provides training for committee members.

### **OPTIONS**

#### **Option One – Recommended Option.**

#### **Council approves the establishment of a community-based Creative Communities Scheme Assessment Committee.**

##### *Impact assessment*

- 23 This option has no impact on debt, rates, or city-wide and DCC emissions.

##### *Advantages*

- Dunedin City Council meets Creative New Zealand requirements for the administration, assessment, and decision-making of the Creative Communities Scheme grants.
- There is certainty about the grants processes for Creative New Zealand, local creative practitioners, and staff.
- The establishment of an Assessment Committee and the induction and training of its members can start.
- All members of the Assessment Committee are actively interested in and involved with diverse arts, creative, and cultural activities of the city.
- Community involvement in the process has the potential to increase the visibility of these grants and the creative activities that take place in the city.

##### *Disadvantages*

- There are no identified disadvantages.

## Option Two – Status Quo

### **Council does not approve the establishment of a community-based Creative Communities Scheme Assessment Committee.**

Impact assessment

24 This option has no impact on debt, rates, or city-wide and DCC emissions.

#### *Advantages*

- There are no identified advantages to this option.

#### *Disadvantages*

- Dunedin City Council does not meet the requirements of its agreement with Creative New Zealand.
- There is no certainty about the CCS grants process for Creative New Zealand, local creative practitioners, or staff.
- The establishment of an Assessment Committee and the induction and training of its members are delayed.
- There is no guarantee of community involvement in the decision-making process as required by Creative New Zealand.

## **NEXT STEPS**

25 If approved, Ara Toi/Creative Communities staff will:

- start the process for setting up a community-based CCS Assessment Committee
- develop and implement a communications plan to inform creative communities of the changes as early as possible

## **Signatories**

Author:	Lisa Wilkie - Kaiārahi – Team Leader Creative Partnerships
Authoriser:	Mike Costelloe - General Manager, Arts, Culture & Economic Development

## **Attachments**

	<b>Title</b>	<b>Page</b>
<a href="#">↓A</a>	2025-2028 DCC-CCS Agreement	115
<a href="#">↓B</a>	CNZ Guidelines - Assessment Committees	125
<a href="#">↓C</a>	Examples - CCS Assessment Committee	129
<a href="#">↓D</a>	DCC_CCS Process	130
<a href="#">↓E</a>	CNZ Letter of Support	131

## SUMMARY OF CONSIDERATIONS

### ***Fit with purpose of Local Government***

This decision enables democratic local decision making and action by communities.

This decision promotes the cultural and social 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"/>	✓
Future Development Strategy	<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"/>

The recommended option contributes to the desired outcomes of the Ōtepoti Live Music Action Plan and the Festivals and Events Plan.

### ***Māori Impact Statement***

The flexibility of the recommended option provides greater opportunity for Māori involvement in the assessment and decision-making processes for the Creative Communities Scheme.

### ***Sustainability***

Greater community involvement in the decision-making process for the CCS grants promotes awareness of and inclusion in the Ōtepoti Dunedin's creative eco-system, which encourages the growth of sustainable and beneficial creative networks.

### ***Zero carbon***

No impact on city-wide or DCC emissions.

### ***LTP/Annual Plan / Financial Strategy /Infrastructure Strategy***

No impact on Levels of Service or Performance Measures.

### ***Financial considerations***

No financial implications.

### ***Significance***

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

### ***Engagement – external***

No formal external community engagement has been undertaken, although staff have spoken with current CCS representatives on the Grants Subcommittee. Staff have spoken with Creative New Zealand representatives and staff from other Territorial Authorities individually and in online hui.

## SUMMARY OF CONSIDERATIONS

### ***Engagement - internal***

Staff have discussed this with Corporate Policy.

### ***Risks: Legal / Health and Safety etc.***

No identified risks.

### ***Conflict of Interest***

No conflict of interest.

### ***Community Boards***

Community Board members may be invited to be part of a future Assessment Committee and creative activities supported by CCS grants take place in Community Board areas.



## **Creative Communities Scheme Agreement**

### **2025/26-2028/29**

#### **Parties**

**Arts Council of New Zealand Toi Aotearoa,**  
a Crown Entity set up under the Arts Council of New Zealand Toi Aotearoa Act 2014 ("the Arts Council")

**Dunedin City Council**

#### **Background**

- The Arts Council is established under the Arts Council of New Zealand Toi Aotearoa Act 2014 (the Act).
- The Territorial Authority has been confirmed, and will continue as, a community arts provider in accordance with Section 14 of the Act.
- This Agreement identifies the roles and responsibilities of Creative New Zealand and the Territorial Authority, acting as a community arts provider, in delivering the Creative Communities Scheme.
- The Arts Council or Creative New Zealand and its representatives are also referred to as "we", "us", and "our" in this Agreement.
- The Territorial Authority and its representatives are also referred to as "you" in this Agreement.

#### **Purpose of the Creative Communities Scheme:**

The Creative Communities Scheme supports and encourages communities throughout New Zealand to create and present diverse opportunities for accessing and participating in local arts activities.

The Scheme funds projects and activities that:

- Create opportunities for local communities to engage with, and participate in local arts activities;
- Support the diverse arts and cultural traditions of local communities, enriching and promoting their uniqueness and cultural diversity; and
- Enable and encourage young people (under 18 years) to engage with, and actively participate in the arts.

## Schedule I: Scope of Agreement

### 1 Term of Agreement

- 1.1 This Agreement begins **1 July 2025** and ends **30 June 2028**.

### 2 Designation as a community arts provider

- 2.1 The Territorial Authority has been designated as a community arts provider by the Arts Council, under section 14 of the Act. Creative New Zealand allocates Funding to the Territorial Authority under section 15 of the Act for the Creative Communities Scheme.
- 2.2 The Territorial Authority will:
- a. Continue to act as a community arts provider;
  - b. Comply with this Agreement and the Guidelines in relation to any Funding paid to the Territorial Authority by Creative New Zealand; and
  - c. Meet from its own resources all administrative costs incurred by the Territorial Authority in complying with this Agreement and the Guidelines

### 3 Level of Funding

- 3.1 Creative New Zealand will provide Dunedin City Council with an annual allocation of funding for distribution through the Scheme. The annual allocation consists of:
- a. A base grant of \$15,000;
  - b. A variable component consisting of an allocation of \$0.60 per capita in the relevant area; and
  - c. A GST component.
- 3.2 The allocation per capita will be calculated annually on the most recently available Statistics NZ population results.
- 3.3 Creative New Zealand will inform you of your annual allocation no later than 1 August of each financial year.
- The level of this allocation may vary according to funding allocations made by Creative New Zealand and/or to changes of the Creative Communities Scheme funding formula, including Census information. Creative New Zealand will advise you of any changes to funding allocations or Creative Communities Scheme funding formula within 20 Business Days of receiving confirmation of any such change.

### 4 Payment

- 4.1 Creative New Zealand will pay your annual allocation in two equal instalments, in August and February of each financial year. This will be paid into your nominated bank account.

### 5 Use of Funds

- 5.1 No less than 5%, and no more than 10% of the Territorial Authority's annual allocation of Funding, or in-kind support of equal value, must be used to promote and market the Scheme. If using in-kind support for promotion, 100% of funds must be used for project funding.



- 5.2 Funding must not be used to cover operational costs associated with administering or assessing the Scheme, whether by the Territorial Authority or third party.
- 5.3 Funding must be expended in line with the Guidelines.

**6 Administration of the Scheme**

- 6.1 The Territorial Authority can administer funds using one of the following administration options (cross out the non-applicable option):

- a. "In-house" administration: the Territorial Authority administers the Scheme entirely 'in-house' including forming an assessment committee for the allocation of the Funds.
- b. Third party administration: The Territorial Authority sub-contracts a regional arts organization, community arts council, iwi / hapu and/or other suitably qualified organisation(s) (as named below) in the city or district to administer the Scheme including forming an assessment committee for the allocation of the Funds.

- c. Mixed approach: The Territorial Authority administers part of the Scheme itself and sub-contracts a third party (as named below) to administer other parts of the Scheme.

- 6.2 If selecting Administration option 6.1(b) (third party) or 6.1(c) (mixed approach), the Territorial Authority will:
  - a. Discuss the selected option in advance with Creative New Zealand;
  - b. Provide to Creative New Zealand the name, address and contact person of the relevant third party;
  - c. Enter into a written agreement with the relevant third party on terms consistent with this Agreement and ensure that that third party complies with the Guidelines;
  - d. Lodge copies of the third-party agreements with Creative New Zealand;
  - e. Maintain an appropriate level of oversight of the management of the Scheme, ensuring all Guidelines are followed; and
  - f. Communicate any matters of importance, or changes to the management model of the Scheme, to Creative New Zealand within three (3) Business Days.

## **Schedule 2: Our relationship, roles and responsibilities**

Creative New Zealand sees Dunedin City Council as a partner in the successful delivery of the Scheme across Aotearoa. For the Creative Communities Scheme to serve the diverse communities of Aotearoa effectively, a high level of commitment is required from the Territorial Authority and Creative New Zealand.



The Scheme plays an important role in Creative New Zealand's investment, and it is expected that the Territorial Authority also incorporates the Scheme into its wider strategic planning.

### **7 The Territorial Authority will:**

- 7.1 Ensure that the Scheme is administered according to the Guidelines (including when any allocation is done by a third party).
- 7.2 Adhere to the provisions for the composition and appointment of any assessment committee, whether operated directly by the Territorial Authority or by a third party under contract, as set out in the Guidelines.
- 7.3 Hold at least two and a maximum of four funding rounds each financial year and inform Creative New Zealand of the dates of these funding rounds.
- 7.4 Ensure that committees consider applications from any part of their city or district in accordance with the Guidelines.
- 7.5 Ensure that all Funding is allocated in accordance with the Guidelines and that:
  - a. Funding is not allocated for the Territorial Authority's own purposes (including the purposes of any entities owned or operated by the Territorial Authority);
  - b. Funding is not allocated for any costs associated with arts activity normally funded by the Territorial Authority;
  - c. Any administrative costs associated with the Scheme are the responsibility of the Territorial Authority;
  - d. No less than 5%, and no more than 10% of any annual allocation of Funding, or in-kind support of equal value, is used to promote the Scheme in that year; and
  - e. Where conflict of interest issues arise in allocating Funding the protocols provided in the Guidelines are followed.
- 7.6 Use its best efforts to expend all its allocation within the financial year (July to June).
- 7.7 Carry over to a new financial year no more than 15% of the previous year's unspent annual allocation, unless otherwise agreed with Creative New Zealand. Any carried over funds must be expended within the first funding round of the new financial year, unless agreed in writing with Creative New Zealand.
- 7.8 After each funding round comply with the reporting requirements detailed in the Scheme's Guidelines, using the digital interface facility provided by Creative New Zealand. This will include all information regarding funding decisions made by the assessment committee(s).
- 7.9 Provide Creative New Zealand with the Creative Communities Scheme report no later than 8 weeks or by 20 June (whichever date is earlier) following each Creative Communities Scheme funding round closing date.
- 7.10 Participate in an annual evaluation of the Scheme, conducted through a survey.
- 7.11 Ensure that each funding recipient provides a written report to the Territorial Authority for the project within two months of completion of their project. This will follow the format provided in the Guidelines.

- 7.12 Ensure that 75% of project completion reports for projects funded in that financial year are returned by the successful applicant and processed by 30 June.
  - 7.13 Provide Creative New Zealand with up-to-date information on the Territorial Authority's contact person for the day to day running of the Scheme and the manager responsible for the delivery of the Scheme.
  - 7.14 Provide information about and assistance on the Scheme to prospective applicants.
  - 7.15 Ensure that the Scheme is referred to as the Creative Communities Scheme in all administration and promotion of the Scheme.
  - 7.16 Require successful applicants to acknowledge the Scheme, and the roles of Creative New Zealand and the Territorial Authority in supporting the Scheme, in their publicity and use the Scheme logo in all visual materials.
  - 7.17 Publicly announce closing dates for applications for funding from the Territorial Authority under the Scheme.
  - 7.18 Publicly announce through local media, on a regular basis, successful applicants and/or list them on the Territorial Authority's or third party's websites.
  - 7.19 Take all reasonable steps to ensure that information on the Scheme is accessible and is distributed to all communities within the district.
  - 7.20 In line with Creative New Zealand's Diversity in the Arts Policy 2015, a Territorial Authority should ensure that:
    - a. the benefits of the arts supported through the Creative Communities Scheme are available and accessible to all New Zealanders, irrespective of age, gender, ethnic affiliations, physical or other disability, sexual orientation or religion
    - b. the Creative Communities Scheme encourages, promotes and supports a diverse range of arts and cultural expressions
    - c. the Creative Communities Scheme assessment committee is reflective of the diversity of the local communities the Territorial Authority represents and serves
    - d. it will collect data and report on the diverse range of arts supported through the Creative Communities Scheme.
  - 7.21 Ensure that the assessment committee includes a minimum of one person of Māori descent, with knowledge of local Māori arts activity and knowledge of local Māori communities.
- 8 Creative New Zealand will:**
- 8.1 Provide the Territorial Authority with the funding as outlined in Clause 2 of Section 1.
  - 8.2 Provide the Application Form, Application Guide and Project Completion Report resources and templates to the Territorial Authority (and any third parties where applicable).
  - 8.3 Provide the Guidelines on the Creative Communities Scheme Online Hub ([ccs.creativenz.govt.nz](https://ccs.creativenz.govt.nz)).
  - 8.4 Advise the Territorial Authority of any updates made to the Guidelines.
  - 8.5 Provide the Territorial Authority with a Creative Communities Scheme logo available as an electronic file that can be downloaded from Creative New Zealand's website.
  - 8.6 Provide advice, answer questions and conduct training (as needed) in relation to the above.
  - 8.7 Monitor the delivery of the Scheme.
  - 8.8 Advise the Territorial Authority as soon as reasonably practicable of any decisions made by the Arts Council that may affect the Funding under this Agreement.

9 Execution of the Agreement:

<p><b>Creative New Zealand</b></p>  <p>_____ Signature</p> <p><b><u>Gretchen La Roche</u></b> Chief Executive</p> <p>5/6/2025 _____ Date</p>	<p><b>Dunedin City Council</b></p>  <p>_____ Signature of Authorised Person</p> <p>_____ Name of Authorised Person</p> <p><b>Sandy Graham</b> (office held) <b>Chief Executive</b> <b>Tumu Whakarae</b></p> <p>_____ Date</p> <p>4.7.2025</p>
---	--

### **Schedule 3: Standard Terms and Conditions**

#### **10 Alteration and review of this Agreement:**

- 10.1 This Agreement may be altered only by written agreement of both Parties except that Creative New Zealand may change the Guidelines from time to time and will give the Territorial Authority notice of any new guidelines and the date they need to be implemented by as soon as reasonably practicable.
- 10.2 The term of this Agreement is for a period of three years from 1 July 2025 – 30 June 2028.
- 10.3 The Parties may agree in writing to renew this Agreement.

#### **11 Termination/Suspension:**

- 11.1 Notwithstanding anything else in the Agreement, this Agreement may be terminated or suspended by Creative New Zealand in the event that funding of Creative New Zealand, consisting of money appropriated by parliament or money allocated to Creative New Zealand under the Gaming and Lotteries Act 1977, is terminated or significantly decreased.
- 11.2 Should the Territorial Authority fail to comply with this Agreement or the Guidelines, this Agreement may be terminated by written notice from Creative New Zealand to the Territorial Authority. In that event the Territorial Authority shall repay the Funding (or so much of it as Creative New Zealand notifies) immediately on demand by Creative New Zealand.
- 11.3 Both Parties agree to act in good faith.

#### **12 Complaint Management**

- 12.1 Complaints made by applicants to the Scheme should be made to the Territorial Authority, and be processed in-line with the Territorial Authority's procedures.
- 12.2 Creative New Zealand will direct complainants to the Territorial Authority.
- 12.3 If a complaint has been processed in-line with the Territorial Authority's procedures, and the complainant then approaches Creative New Zealand, Creative New Zealand will process the complaint in-line with Creative New Zealand's procedures.

#### **13 Disputes:**

- 13.1 If there is any dispute between Creative New Zealand and the Territorial Authority concerning this Agreement, the Guidelines, the Funding, or the Scheme, and that dispute cannot be resolved by discussion or negotiation it will be referred to the chief executives of the Parties (or their nominees) for resolution, and failing resolution by the chief executives the dispute shall be referred to mediation.
- 13.2 If a dispute is referred to mediation, the mediation will be conducted by a mediator agreed by both Parties.
- 13.3 Each Party will pay its own costs of mediation or alternative dispute resolution.
- 13.4 The Parties will keep all details of any dispute confidential until any mediation has been completed.
- 13.5 If there is a dispute, each Party will continue to perform its obligations under this Contract as far as practical given the nature of the dispute.



**14 Breach of Agreement**

- 14.1 If the Territorial Authority is found to be in breach of any provisions within this Agreement or Guidelines, the Territorial Authority will be required to remediate the breach within a timeframe specified by Creative New Zealand.
- 14.2 If, following the remediation period, the Territorial Authority remains in breach of this Agreement, Creative New Zealand reserves the right to take action by:
- a. Requiring the Territorial Authority to return unspent Funding; and/or
  - b. Ceasing any future payments; and/or
  - c. Terminating this Agreement.

**15 Notice:**

- 15.1 Every notice to be given under this Agreement, or in connection with the Funding, the Guidelines, or the Scheme, must be given in writing to the address of the Party specified below by:
- a. Personal delivery; or
  - b. mailing (in which case notice will be treated as having been given 2 Business Days after (but exclusive of) the date of mailing; or
  - c. Email (in which case notice will be treated as having been given at the time the email enters the recipient's information systems as evidenced by a delivery receipt requested by the sender and it is not returned undelivered or as an error).
- 15.2 Address of Creative New Zealand:

Creative New Zealand	
Address:	PO Box 3806 Wellington 6140
Email:	ccsadmin@creativenz.govt.nz

- 15.3 Address of the Territorial Authority:

Dunedin City Council	
Address:	PO Box 5045 Moray Place Dunedin 9058
Email:	sgraham@dcc.govt.nz

- 15.4 Either Party may change the above address by notice in writing to the other.

**16 Status of this Agreement:**

- 16.1 Nothing in this Agreement shall derogate from any power, function or duty of Creative New Zealand under the Arts Council of New Zealand Toi Aotearoa Act 2014 and the Crown Entities Act 2004.

**17 Other matters:**

- 17.1 In the event of any conflict between this Agreement and the Guidelines, the Agreement prevails.
- 17.2 This Agreement and the Guidelines in the Creative Communities Scheme Online Hub (ccs.creativenz.govt.nz) supersede any other agreement or guidelines.
- 17.3 The Territorial Authority may not transfer its rights or obligations under this Agreement (except as contemplated by clause 6.1(b) or (c). The Territorial Authority remains responsible for the actions and omissions of any person appointed under clause 6.1(b) or (c).
- 17.4 Nothing in this Agreement creates a joint venture, agency, trust or employer/employee relationship between the Parties.
- 17.5 Nothing in this Agreement shall confer any benefit or rights on any person who is not a party to it.

**18 Terms used in this Agreement:**

Business Day	A day when most businesses are open for business in New Zealand. It excludes Saturday, Sunday and public holidays. A Business Day starts at 8.30am and finishes at 5pm.
CCS Online Hub	The digital platform where the Guidelines for both administration and assessment of the scheme are provided.
Guidelines	Instructions for administering and assessing the scheme, which outlines eligibility criteria and various processes.
Funding	Funds awarded to the Territorial Authority to distribute under the Scheme.
Local	Within the boundaries of the Territorial Authority.
Parties	The parties to this Agreement, being Creative New Zealand and Ashburton District Council.
Scheme	The Creative Communities Scheme.





## *Assessment committees: the role and function*

Last Modified on 04/10/2023 10:42 am NZDT

Assessment committees assess applications and allocate funding, in line with any specific local priorities that have been set aside by your council.

The assessors (the members of the assessment committee) should collectively have a broad knowledge of the arts activity in your local area.

Other functions of committee members include:

- discussing and making recommendations for promoting the scheme locally
- receiving reports on funded projects and discussing completed projects
- attending performances, exhibitions and other events funded by the Creative Communities Scheme
- attending meetings organised by Creative New Zealand
- contributing to the Annual Evaluation Report to Creative New Zealand
- electing new community representatives to the committee after a public nomination process

## Membership and make-up of assessment committees

### Council committee, sub-committee or community committee?

The CCS assessment committee can be established as a committee of council, a sub-committee or a community committee. When considering which type of committee will best suit the circumstances of your council we recommend that you consult with your chief executive.

Decisions made by the CCS committee do not need to be approved or confirmed by your council.

*Whatever form the committee takes, it must meet the following guidelines for membership and decision-making:*

### Size of the committee

There is no specific requirement for the number of members an assessment committee must have. However, Creative New Zealand strongly recommends there be at least seven, and not more than 11 members. A committee of nine members works well; having an odd number also assists with voting.

### Who sits on the committee

Each assessment committee consists of –

#### Representation from local councils and community arts councils

- Local councils may appoint up to two representatives to the assessment committee. These may be elected councillors or community board members with an arts and culture focus or knowledge. Elected councillors and local board members must not make up more than half of an assessment committee.
- Each community arts council in the local area has the right to have a representative on the assessment committee. Community arts councils are organisations that have been formally gazetted under the Arts Council of New Zealand Toi Aotearoa Act 2014 or previous versions of this Act.

#### Community representatives

Community representatives on the assessment committee must be familiar with the range and diversity of local arts activities.

At least one member must be of Māori descent and have local knowledge of Māori arts activity. It is recommended that CCS administrators consult with local iwi regarding Māori appointments.

Ideally membership of the committee should also reflect the make-up of the local community, eg young people, recent migrants, Asian residents, and local Māori and Pasifika peoples.

Youth councils, ethnic councils or other community groups do not have an automatic right to be represented on the committee, but they may nominate community representatives for election.

Community representatives can't include elected council members or community board members.

Community representatives must be elected in a public and open way by the existing assessment committee after a public nomination process. Options for doing this include –

- calling for written nominations through newspapers, community noticeboards, direct mail-outs and websites with representatives being elected by the committee from these nominees
- convening a public meeting where nominations are received from the floor with community representatives then being elected by the committee.

If there's a limited response to a call for nominations or a public election process or the committee lacks specific knowledge, the committee (via the CCS administrator) may approach individuals directly and invite them to become members.

#### Term of membership

Community representatives may serve for a specified term of up to three years and can serve a maximum of two consecutive terms.

This term limitation does not apply to council or community arts council representatives however we do recommend rotation of council and community arts council representatives to keep the committee fresh.

It's a good idea to have a combination of new and experienced members. To keep this balance we recommend that committee members be replaced over time. Having past members mentor new members can be a great

way to support new or younger members as they join the committee.

#### Chairperson

Each year the assessment committee should elect a chairperson.

A person may serve a maximum of three consecutive years as chair.



EXAMPLES: CREATIVE NEW ZEALAND CCS ASSESSMENT COMMITTEES

	Heretaunga/Hastings District Council	Tauranga City Council	Christchurch City Council	Arts Council Nelson (contracted as 3rd party administrator by NCC)	Creative Waikato (contracted as 3rd party administrator by HCC)	New Plymouth District Council
<b>Committee type</b> - Council - Council subcommittee - Community	Community committee	Community committee	Community committee	Community committee	Community committee	Sub-committee of the Community Development Committee
<b>Committee size &amp; composition</b>	9	10	11	7	11	6
Community members	7	10	9	5 1 NCC Arts & Heritage Advisor	9	4
Mana whenua, Pāsifika, youth members	Currently 2 mana whenua, 1 Pāsifika		Diverse mix of ethnicities	1 Youth Council rep	3 who whakapapa Māori. Members are not specifically nominated to the committee through a Māori or Pāsifika organisation or board.	
Elected officials	2	0	2	0	2	2
<b>Arts areas</b>	Good mix, music least represented.	Good cross section; have recently recruited someone with film industry experience.	A broad range of arts sectors on the committee including, music, photography, drama, circus, writers.	Missing literary experience at present	The committee is pretty solid in creative practice. It changes each 3 years. The current committee are probably lighter on visual arts. Ethnic and Pāsifika arts are often unrepresented.	Music, fine arts, performing arts, toi Māori, visual arts and graphic design.
<b>Report to Council?</b>	No	No	No	No	No, final report cc'd to staff	No official reporting capacity.  The chair of the Community Development Committee is one of the elected members.  The minutes and resolutions from the committee meeting go through Council and are accepted as read
<b>Other comments</b>			Two CCC Arts Advisors who are very involved and look at the applications as they come in and make notes on some of the applications if they have sector-specific information; they do not make any decisions.  They are at the committee decision meeting to provide information and guidance only.	We struggle to attract and maintain an Iwi representative on the committee. We are fortunate to have a NCC Māori Liaison Officer who feeds into the assessment process.  Admin. reports go to NCC Arts & Heritage Advisor.	The committee is generally highly engaged in the process. They all bring an experience of putting on creative projects in Kirikiriroa, and being or not being funded for these.  Our committee members are providing a voluntary service (but we give them a nice lunch).	

## PROCESS MAP: CNZ CREATIVE COMMUNITIES SCHEME 2025

1.

### ESTABLISH ASSESSMENT COMMITTEE

#### ARA TOI/CREATIVE PARTNERSHIPS

Develop Communications Plan to alert community to change in process.

Call for nominations.

Manage selection process.

Ensure the make-up of the C'tee meets CCS requirements.

Assist C'tee with the selection of the Chair.

Notify Council.

2.

### INDUCTION

#### ARA TOI/CREATIVE PARTNERSHIPS ASSESSMENT COMMITTEE

Provide resources, training, and induction to the C'tee.

Discuss promotion of grants and plan communications.

Establish grant submission and assessment deadlines.

3.

### COMMUNICATIONS

#### ARA TOI/CREATIVE PARTNERSHIPS

Finalise method of form/document submission.

Update web information as needed.

Check forms are accurate.

Liaise with Marketing and Communications team re promotion of round through DCC media channels.

4.

### PROMOTION

#### ARA TOI/CREATIVE PARTNERSHIPS ASSESSMENT COMMITTEE

Promotion through Creative Partnerships/DCC channels, including contact with previous grant recipients.

Update Creative Partnerships digital and hard copy collateral.

Provide collateral to C'tee members for promotion of the scheme.

5.

### ASSESSMENT

#### ARA TOI/CREATIVE PARTNERSHIPS ASSESSMENT COMMITTEE

Staff check incoming assessments for eligibility and completeness.

Brief cover sheet completed (if needed)

Applications and spreadsheets provided to C'tee; meeting date confirmed.

Staff attend meeting in case additional information is required; they are not involved in assessment or decision-making.

6.

### DECISION/REPORTING

#### ARA TOI/CREATIVE PARTNERSHIPS ASSESSMENT COMMITTEE

Staff check C'tee spreadsheets and advise applicants of decisions on behalf of C'tee.

Payments processed.

Staff monitor reporting & make these available to C'tee.



**29/07/2025**

Tēnā koe e te rangatira,

**Re: Dunedin City Council's adoption of Creative Communities Scheme (CCS) committee guidelines.**

This letter confirms our guidelines for the assessment of the Creative Communities Scheme.

Dunedin City Council is currently an outlier in the way it manages Creative Communities Scheme (CCS) assessment. Our standard guidelines were created to ensure the following principles were followed:

- Decisions are made *by community for community*
- The diversity of community is represented at the decision-making table
- Local arts expertise is leveraged
- Local arts and culture priorities are respected
- Joined up thinking is encouraged between central government, local government, arts councils, and community
- A balance of stability and renewal, experience and fresh thinking is supported
- Trust and transparency are balanced with the need for free and frank discussion

Our *Creative Communities Scheme Assessor Guidelines* are attached.

We draw special attention to the following sections on council representation and committee meeting management. We note the following:

**Council Representatives**

*Councils may appoint up to two representatives to the assessment committee. These may be elected councillors or community board members with an arts and culture focus or knowledge. Elected councillors and local board members must not make up more than half of an assessment committee.*

**Committee Management**

*To be able to make the best funding decisions, committee members must be free to discuss all aspects of an application. For this reason, we recommend assessment committees consider applications in accordance with the public excluded provisions of the Local Government Official Information and Meetings Act 1987 or, if they are a community committee, in private.*

Local Government New Zealand (LGNZ) has confirmed their availability to support councils regarding CCS assessment committees and the public exclusion provisions of the Local Government Official Information and Meetings Act 1987.

Please contact us at [ccsadmin@creativenz.govt.nz](mailto:ccsadmin@creativenz.govt.nz) if you have any questions about our guidance.

Ngā manaakitanga,

Rebecca Kunin

**Rebecca Kunin (she/her)**

Creative Communities Scheme Senior Adviser  
Whakamahere Matua, Kaupapa Auaha Hapori



## DUNEDIN HERITAGE FUND - CHANGE OF BALANCE DATE

Department: Finance

### EXECUTIVE SUMMARY

- 1 The Dunedin Heritage Fund (DHF) is a registered charity with the Department of Internal Affairs - Charities Services. The DHF currently has a reporting period ending 31 March in line with clause 6.3 of the Deed that established the DHF. This date does not align with the Dunedin City Council, (DCC), balance date of 30 June, and therefore creates inefficiencies for financial reporting.
- 2 This report proposes changing the balance date from 31 March to 30 June to align with the DCC financial year.
- 3 To make this change, the Deed requires Heritage New Zealand Pouhere Taonga (The Trust) and the DCC to agree to change the balance date from 31 March to 30 June.

### RECOMMENDATIONS

That the Council:

- a) **Approves** changing the balance date of the Dunedin Heritage Fund from 31 March to 30 June.
- b) **Notes** that if approved by Council, staff will seek approval from Heritage New Zealand Pouhere Taonga, and then will advise the Charities Services of the change in balance date within three months of the change being approved.

### BACKGROUND

- 4 The DHF was established on 26 August 1993 by a Deed between the New Zealand Historic Places Trust and DCC (DHF Deed). A copy of the DHF Deed is attached as Attachment A.
- 5 The DHF Deed is between DCC and the New Zealand Historic Places Trust (now, through legislation, called Heritage New Zealand Pouhere Taonga).
- 6 The DHF is a registered charity with the Department of Internal Affairs - Charities Services. Charities have legal duties under a range of legislation, including the Charities Act 2005. Each year DHF is required to submit audited or reviewed financial statements within 6 months of balance date to Charities Services. The DHF currently has a balance date of 31 March.
- 7 As the DHF is considered a Council Controlled Organisation (CCO) the financial statements of DHF are consolidated into the Annual Report for the DCC Group.
- 8 The DCC has a balance date of 30 June.

## DISCUSSION

- 9 This report outlines the proposal to change the DHF balance date from 31 March to 30 June, effective for the 2025/26 reporting period.
- 10 The primary reason for this change is to align the DHF's financial reporting period with the DCC Group's financial year-end. This alignment would streamline reporting processes and improve administrative efficiency, particularly around consolidated reporting, and audit/review coordination. Through aligning the balance dates, the change is expected to reduce duplication of work and enhance the consistency and comparability of financial information.
- 11 This proposed change would mean the 2025/26 financial year will become a one-off, extended 15-month reporting period covering 1 April 2025 to 30 June 2026. While this may cause some initial confusion during the transitional year (particularly in terms of comparative analysis and year-on-year reporting) it is a one-time adjustment that will result in improved alignment with Group financial reporting.
- 12 This change will also affect the statutory filing deadline for the DHF's Annual Performance Report with Charities Services, shifting from the current 30 September deadline to 31 December.
- 13 This change will not affect the operations of DHF, including the timing and administration of funding rounds, which will proceed as currently scheduled.
- 14 Clause 6.3 of the DHF Deed states that: "Council shall keep a good and proper account of all moneys received and expended by the Fund, and shall produce an annual balance sheet showing the assets and liabilities of the Fund as at 31st day of March each year."
- 15 Clause 13 of the DHF Deed states: "The Trust and the Council may by agreement amend the terms of this Deed provided that such amendments do not conflict with or detract from the charitable objects of the Fund."
- 16 The decision to amend the balance date is effectively an amendment to clause 6.3 of the Deed and requires approval from both Council and Heritage New Zealand Pouhere Taonga to amend the balance date from 31 March to 30 June.
- 17 If Council approves the change of balance date, staff will also seek approval from Heritage New Zealand Pouhere Taonga to the change of balance date.
- 18 Charities Services is not required to pre-approve this change, as the reporting period will not exceed 15 months. Staff will notify the Charities Commission of the balance date within three months of the change being approved, in line with the Charity Services requirements.
- 19 The DHF performance report will continue to be subject to an audit or review.

## OPTIONS

- 20 There are two options to consider, changing the date to align with the DCC 30 June balance date or staying with the status quo of the current balance date of 31 March.

## **Option One – Recommended Option to change the date to 30 June.**

### *Advantages*

- Streamlining reporting processes.
- Improve administrative efficiency, particularly around consolidated reporting and audit/review coordination.
- Reduce duplication of work and enhance the consistency and comparability of financial information.

### *Disadvantages*

- There are no identified disadvantages.

## **Option Two – Status Quo**

### *Advantages*

- There are no identified advantages.

### *Disadvantages*

- The current balance date requires additional time to process year end consolidations for the DCC annual report.

## **NEXT STEPS**

- 21 If Council approves the change in balance date to 30 June, then approval will be sought from Heritage New Zealand Pouhere Taonga.
- 22 If Heritage New Zealand Pouhere Taonga approves the change in balance date to 30 June, staff will advise Charity Services of the new balance date.

## **Signatories**

Author:	Hayden McAuliffe - Financial Services Manager
Authoriser:	David Ward - General Manager, 3 Waters, Property and Urban Development Karilyn Canton - Chief In-House Legal Counsel

## **Attachments**

	<b>Title</b>	<b>Page</b>
<a href="#">A</a>	Dunedin Heritage Fund Deed - 1993	138

**SUMMARY OF CONSIDERATIONS**
***Fit with purpose of Local Government***

This decision enables democratic local decision making and action by, and on behalf of communities.

***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"/>	✓
Future Development Strategy	<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"/>

The recommended option would improve alignment with DCC financial and reporting timeframes.

***Māori Impact Statement***

No known impacts for Māori.

***Sustainability***

No implications for sustainability.

***Zero carbon***

No impacts for zero carbon.

***LTP/Annual Plan / Financial Strategy /Infrastructure Strategy***

The recommended option would improve alignment with DCC financial and reporting timeframes.

***Financial considerations***

There are no financial implications.

***Significance***

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

***Engagement – external***

There has been no external engagement on this report.

***Engagement - internal***

Finance, Legal and City Development have been engaged in preparing this report.

***Risks: Legal / Health and Safety etc.***

No known risks.

***Conflict of Interest***

No known conflict of interests.

**SUMMARY OF CONSIDERATIONS**

***Community Boards***

There are no implications for Community Boards.

**THIS DEED** made this 26<sup>th</sup> day of August 1993

**BETWEEN** **THE NEW ZEALAND HISTORIC PLACES TRUST** a body corporate established under the Historic Places Act 1980 (hereinafter called "the Trust") of the one part

**A N D** **THE DUNEDIN CITY COUNCIL** a body corporate established under the Local Government Act 1974 ("hereinafter called "the Council") of the other part

**WHEREAS**

- A. The Trust and the Council have agreed to establish a Fund to encourage the retention preservation and maintenance of certain historic places, buildings, trees, bush and other vegetation situated in Dunedin.
- B. The Trust and the Council wish to record the terms and conditions upon which the Fund shall be established and the method of its operation.

**NOW THIS DEED WITNESSES:**

**1. DEFINITIONS**

- 1.1 In this Deed (including the Schedule) unless the context otherwise requires:

"the Committee" means a joint committee established under Clause 7 of this Deed.

"Dunedin" means the area for which the Dunedin City Council is the territorial local authority, as defined in the Local Government Act 1974.

"the Fund" means the Dunedin Heritage Fund established by Clause 3 of this Deed.

"heritage value building" means any building which is listed in a heritage register of any of the Council's current operative or provisional District Plan or any building that the Trust and the Council deem to be worthy of protection as a special heritage item and as being of historic, architectural, scientific, visual or other value to the region or local community.

"historic place" means shall have the same meaning as "historic place" in Section 2 of the Historic Places Act 1980. 1993.

"historic site" means a heritage value building or an historic place, or an important tree, or important bush and other vegetation.

"important bush and other vegetation" means any area of bush or vegetation which is:

- (a) identified, zoned or designated as "native bush or other significant vegetation" or contained in a register in any of the Council's current operative or provisional District Plan; or
- (b) deemed by the Trust and the Council to be worthy of protection as a special heritage item and as being of historical, botanical, ecological or wildlife value to the region or local community.

"important tree" means any tree which:

- (a) is listed as a notable tree or significant tree in any of the Council's current operative or provisional District Plan; or
- (b) is deemed by the Trust and the Council to be worthy of protection as a special heritage item and as being of historical, botanical, ecological or wildlife value to the region or community.

"person" includes a corporation sole and also a body of persons, whether corporate or unincorporated.

- 1.2 Words importing the singular number include the plural number, and words importing the plural number include the singular number.

## **2. HEADINGS**

The headings of the terms contained in this Deed are inserted for convenience of reference only and are not intended to be part of or to affect the meaning or interpretation of any of the terms of this Deed.



**3. ESTABLISHMENT**

The Trust and the Council shall establish a fund to be known as "The Dunedin Heritage Fund.

**4. OBJECTS**

The Fund shall have the following objects:-

- (a) To encourage the retention preservation and maintenance of historic sites situated within Dunedin.
- (b) To make grants or advances of money (on such terms as the Committee thinks fit) to the owner or occupier of any historic site within Dunedin for the purpose of assisting that owner or occupier to manage, maintain or preserve that historic site.
- (c) To provide for the purchase or lease of any historic site for the purpose of retention preservation or maintenance of that historic site and to sell or lease any such historic site once the objective of retention preservation or maintenance has been fulfilled.

**5. COMPOSITION**

The Fund shall consist of:-

- (a) Moneys set aside by the Council for the purposes of the Fund, and
- (b) Moneys deposited with the Council by the Trust or by any other person for the purposes of the Fund.

**6. ADMINISTRATION**

- 6.1 The Council shall hold to the credit of the Fund the moneys referred to in clauses 5(a) and 5(b) above.
- 6.2 A depositor may, at the time of making a deposit with the Fund, specify terms by which the deposit is made, provided such terms do not conflict with the charitable objects of the Fund. Where such terms are specified, then the part of the Fund





which consists of that deposit shall be administered by the Council in accordance with such terms.

- 6.3 The Council shall keep a good and proper account of all moneys received and expended by the Fund, and shall produce an annual balance sheet showing the assets and liabilities of the Fund as at the 31st day of March each year.

**7. COMMITTEE**

- 7.1 The Trust and the Council shall establish a joint Committee.
- 7.2 The Committee shall consist of three persons to be nominated by the Trust and four persons to be nominated by the Council.
- 7.3 The Council shall appoint a chairperson from the four persons nominated by the Council.
- 7.4 The Committee shall make such other rules and provisions for the conduct of its meetings as it thinks fit.
- 7.5 Members of the Committee shall retain office for two years or until such time as their appointment is sooner revoked by the Trust or the Council as the case may be.

**8. COMMITTEE FUNCTIONS**

- 8.1 The Committee shall meet from time to time as necessary and at such times and at such place as it shall decide.
- 8.2 The Committee shall consider all applications received by the Trust or the Council from owners or occupiers of any Historic Sites situated within Dunedin for loans, grants, and other financial assistance from the Fund.
- 8.3 The Committee may make such loans, grants, and other financial assistance available from the Fund to such applicants as it sees fit, and upon such terms as it thinks fit.
- 8.4 Notwithstanding the generality of Clause 8.3 above, in considering all such applications the Committee shall have regard to the criteria set out in the Schedule to this Deed.



- 8.5 The Committee may arrange to purchase or lease any historic site for the objects set out in clause 4(c) provided that in the event of any subsequent sale or lease of the historic site the Committee shall consider whether there shall be a covenant protecting the historic characteristics.

9. COMMITTEE PROCEDURES

- 9.1 The Committee shall establish such procedures as it thinks fit to be complied with by applicants for loans, grants, or other financial assistance from the Fund.

- 9.2 Without limiting the generality of clause 9.1 above the Committee may specify any or all of the following:

- (a) the requirements as to the form of applications;
- (b) particulars to be supplied by applicants in support of applications;
- (c) dates by which applications must be submitted;
- (d) any other matters as may be necessary for the proper administration of the Fund.

10. COMMITTEE MEMBERSHIP

Regardless of Clause 7 of this Deed the Trust and the Council may by joint resolution:

- (a) reduce, increase, or vary the membership of the Committee;
- (b) appoint such other persons as they think fit as members of the Committee for such periods as the Trust and the Council shall deem appropriate.

11. PRIVATE BENEFIT

Nothing in this Deed shall be construed so as to permit any person, trustee or organisation to derive private profit or pecuniary gain from the operations of the Fund.

12. TERMINATION

This Deed, and the Fund created hereby, shall continue in effect until terminated by either the Trust or the Council or both. In the event of such termination, all moneys deposited with the Council for the purposes of the Fund shall be repaid to the depositor in accordance with the terms specified by the depositor at the time of the deposit and moneys set aside by the Council for the purpose of the Fund shall be repaid to the Council in accordance with the terms specified by the Council at the time the moneys are set aside for the Fund.



Any moneys then remaining following repayment of depositors and the Council shall be paid to a charitable organisation with similar objects and held by it in trust for its purposes in Dunedin.

### 13. ALTERATION OF RULES

The Trust and the Council may by agreement amend the terms of this Deed provided that such amendments do not conflict with or detract from the charitable objects of the Fund.

### SCHEDULE

#### (a) Eligible buildings, Historic Places, trees, bush and other vegetation

Preference for assistance is to be given to:-

- (i) buildings <sup>registered</sup> ~~classified A or B or C~~ by the Trust and/or listed in the Council's District Plan.
- (ii) historic places that are entered on the register <sup>Trust is as</sup> ~~of~~ archaeological sites <sup>maintained by the Trust or declared to be a traditional site by the Trust</sup> and registered wahi tapu and wahi tapu areas.
- (iii) trees, bush and other vegetation listed as notable in the Council's District Plan.
- (iv) buildings in an area <sup>registered</sup> ~~classified~~ by the Trust under section <sup>1993</sup> ~~49~~ of the Historic Places Act 1980 as an historic area and/or in a Townscape Zone of the Dunedin District Plan.


#### (b) Methods of Assistance

Assistance may take whatever form is considered by the Committee to be most appropriate in the circumstances of each case. In most cases assistance is likely to take the form of short-term low-interest loans but the Committee may offer grants or other types of financial assistance at its discretion. The Committee shall have regard (but not exclusively) to the resources of the applicant, the extent and nature of the work to be carried out, and the public interest in the particular historic site.

#### (c) Eligible Work

- (i) In the case of heritage value buildings preference will be given to assisting with the restoration or strengthening of the structure or fabric. Assistance may be given for refurbishing in cases where the Committee is satisfied that the work will encourage uses of the building that are likely to ensure its conservation and preservation. Ordinary maintenance will not normally be eligible for assistance.
- (ii) In respect of historic places or important trees or important bush and other vegetation preference will be given to work which will enable the conservation and protection of the item.
- (d) Conditions of Assistance

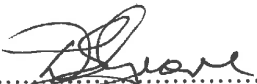
As a condition of granting any application for assistance the Committee may at its discretion require that the owner of any historic site shall take all necessary steps to achieve any one or more of the following:-


- (i) The execution of any mortgage, guarantee or other appropriate security document.
- (ii) The listing of the historic place, heritage value building, important tree, important bush or other vegetation in the Council's District Plan.
- (iii)  The execution of a heritage covenant under the Historic Places Act 1980<sup>1993</sup>, or a suitable protective covenant in the case of important trees, important bush and other vegetation in terms of the Reserves Act 1977 or the Queen Elizabeth II National Trust provisions.
- (iv) Payment of the reasonable costs (including legal fees) of any mortgage, guarantee or other security document required in sub-clause (i) or any document necessary to give effect to sub-clause (iii) of this clause.

IN WITNESS WHEREOF these presents have been executed the any and year first before written.

THE COMMON SEAL of THE NEW )  
NEW ZEALAND HISTORIC PLACES )  
TRUST was hereto affixed )  
in the presence of:- )





  
 (DEPUTY CHAIRMAN )

°  
  
 ( BOARD MEMBER )

THE COMMON SEAL of THE  
DUNEDIN CITY COUNCIL was  
 hereto affixed in the  
 presence of:-



  
 ( ADMINISTRATION MANAGER )

  
 ( COUNCILLOR )

## **GRANTS SUBCOMMITTEE DELEGATION**

Department: Corporate Policy

### **EXECUTIVE SUMMARY**

- 1 This paper seeks Council approval of the Grants Subcommittee delegation for the 2025/2028 triennium.
- 2 The proposed delegation (**attachment A**) reflects Council's previously confirmed governance structure for grants decision-making.
- 3 If approved, the 2026 Committee Structure and Delegations Manual will be updated to reflect the new Committee Structure and associated delegations.
- 4 As this is an administrative report, there is no summary of considerations.

### **RECOMMENDATIONS**

That the Council:

- a) **Approves** the Grants Subcommittee delegation for the 2025-2028 triennium.

### **BACKGROUND**

- 5 Under Section 41A of the Local Government Act 2002, mayors have the authority to establish committees of the Council and appoint their respective Chairs and Deputy Chairs.
- 6 Section 41A does not prevent Council from discharging or reconstituting committees, appointing additional committees, or amending Chairperson appointments in accordance with Schedule 7 of the Act.
- 7 Under the Act, the Mayor is an ex-officio member of every committee of Council, with full voting rights when present.
- 8 On 12 February 2026 Council resolved to confirm its preferred governance structure for grants decisions as:

Moved (Cr Mandy Mayhem/Cr Marie Laufiso):

That the Council:

- e) **Confirms** its preferred Governance Structure for Grant Decisions is a Grants Subcommittee + Staff Delegations + Council Oversight where:
  - a) Staff allocate small grants under delegation.
  - b) A Grants Subcommittee (which include community representatives) allocates mid-tier grants, multi-year and large grants.

**Division**

The Council voted by division

For: Crs John Chambers, Christine Garey, Doug Hall, Marie Laufiso, Mandy Mayhem, Benedict Ong, Andrew Simms, Mickey Treadwell and Steve Walker (9).

Against: Crs Cherry Lucas, Russell Lund, Lee Vandervis, Brent Weatherall and Mayor Sophie Barker (5).

Abstained: Nil

The division was declared CARRIED by 9 votes to 5

**Motion carried (CNL/2026/021)**

Moved (Cr Cherry Lucas/Mayor Sophie Barker):

That the Council:

- e) **Confirms** its preferred Governance Structure for Grant Decisions is a Grants Subcommittee + Staff Delegations + Council Oversight where:
  - i) Staff allocate small grants under delegation.
  - ii) A Grants Subcommittee (which include community representatives) allocates mid-tier grants, multi-year and large grants.

**Division**

The Council voted by division

For: Crs John Chambers, Christine Garey, Doug Hall, Marie Laufiso, Mandy Mayhem, Andrew Simms, Mickey Treadwell and Steve Walker (8).

Against: Crs Cherry Lucas, Russell Lund, Benedict Ong, Lee Vandervis, Brent Weatherall and Mayor Sophie Barker (6).

Abstained: Nil

The division was declared CARRIED by 8 votes to 6

**Motion carried (CNL/2026/023)**

## DISCUSSION

- 9 the proposed delegation gives effect to Council's decision to establish a Grants Subcommittee with responsibility for allocation mid-tier, multi-yr and large grants.
- 10 The delegation clarifies the respective roles of staff, the Subcommittee, and Council, ensuring appropriate oversight while enabling efficient and transparent grant decision-making.

## OPTIONS

- 11 There are no options presented in this report. The report gives effect to a previous Council resolution.

## NEXT STEPS

- 12 Staff will undertake and Expression of Interest process to seek community representatives and invite mana whenua to nominate a representative.
- 13 Selection of community representatives will be undertaken by the elected members of the Grants Subcommittee. A recommendation will then be reported to Council for approval.

## Signatories

Author:	Nicola Morand - Manahautū (General Manager Community and Strategy)
---------	--

## Attachments

	Title	Page
<a href="#">⬇A</a>	Delegation	149



## Grants Subcommittee

<b>REPORTING TO:</b>	Council
<b>CHAIRPERSON:</b>	Councillor Andrew Simms
<b>DEPUTY CHAIRPERSON:</b>	Councillor Mandy Mayhem
<b>ELECTED MEMBERS:</b>	Deputy Mayor Lucas, Councillors Chambers, Mayhem, Simms, Treadwell
<b>APPOINTED REPRESENTATIVES:</b>	One Mana whenua Representative Two Community Representatives
<b>CONSTITUTION:</b>	The subcommittee will comprise: <ul style="list-style-type: none"> <li>• Up to five elected members</li> <li>• One appointed mana whenua representative</li> <li>• Two appointed community representatives</li> </ul>
<b>MEETING FREQUENCY:</b>	As required.
<b>QUORUM:</b>	The quorum for all meetings is five for all meetings and must include <ul style="list-style-type: none"> <li>• At least three elected members</li> <li>• Two external representatives.</li> </ul>

### Explanatory Notes:

- 1 Community Board members are not eligible to stand as community representatives.

### AREA OF RESPONSIBILITY

- 2 In exercising its delegated authority, the Sub/committee will:
  - a) Assess grant applications as outlined in the DCC Grants Management Policy and;
  - b) Make funding allocations in accordance with the DCC Grants Management Policy.
- 3 Where the Subcommittee considers that an appropriate decision would be inconsistent with, or contrary to, any Council policy (including the Annual Plan or Long-Term Plan), it must make a recommendation to the Council at its next meeting or the Chief Executive for determination.

### DELEGATIONS

- 4 To assess and determine grant applications within the policies set by Council and to distribute available funding accordingly.

- 5 To delegate to the Chief Executive the authority to determine grant applications that are valued at \$5,000 or less. Decisions made under this delegation must be reported to the next Grants Subcommittee meeting for noting.

**EXCLUSION NOTES**

- 6 The following grants are not delegated to the Grants Subcommittee for decisions due to compliance requirements relating to external funding. These grants have their own decision-making panels:
- a) Creative New Zealand Grants

## 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 - 11 November 2025 - Public Excluded	S7(2)(h) The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.	.	
C2 Confirmation of the Confidential Minutes of Ordinary Council meeting - 11 December 2025 - 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 Action List Update	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.  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.	

	<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>		
--	--	--	--

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.