

Date: Tuesday 8 October 2019
Time: 3.00 pm
Venue: Council Chamber, Municipal Chambers, The Octagon, Dunedin

Council
OPEN ATTACHMENTS
UNDER SEPARATE COVER

ITEM	TABLE OF CONTENTS	PAGE
6.1	Ordinary Council meeting - 1 October 2019	
	A Council meeting held 1 October 2019	2



**Council
MINUTES**

Minutes of an ordinary meeting of the Dunedin City Council held in the Council Chamber, Municipal Chambers, The Octagon, Dunedin on Tuesday 01 October 2019, commencing at 1.00 pm

PRESENT

Mayor	Mayor Dave Cull	
Deputy Mayor	Cr Chris Staynes	
Members	Cr David Benson-Pope	Cr Rachel Elder
	Cr Christine Garey	Cr Doug Hall
	Cr Aaron Hawkins	Cr Marie Laufiso
	Cr Mike Lord	Cr Damian Newell
	Cr Jim O'Malley	Cr Conrad Stedman
	Cr Lee Vandervis	Cr Andrew Whiley
	Cr Kate Wilson	

IN ATTENDANCE

Sue Bidrose (Chief Executive Officer), Sandy Graham (General Manager City Services), Graham McKerracher (Manager, Council Communications and Marketing), Simon Drew (General Manager Infrastructure Services), Dave Tombs (General Manager Finance and Commercial), John Christie (Director Enterprise Dunedin) and Sharon Bodeker (Team Leader Civic) Nick Sargent (Transport Strategy Manager), Tom Dyer (Group Manager 3 Waters), Scott Campbell (Policy Analyst), Anna Johnson (City Development Manager), Senior Policy Analyst (Sean Jacobs), Chris Henderson (Group Manager Waste and Environmental Solutions), Catherine Irvine (Solid Waste Manager), Robert West (Group Manager Parks and Recreation), Richard Ewans (Biodiversity Advisor), Fraser Liggett (Economic Development Programme Manager), Hui Zhang (China Project Co-ordinator) Jamie Shaw (Senior Communications Advisor) and Keith Cooper (Chair, Dunedin Holdings Ltd) and Jemma Adams (General Manager, Dunedin City Holdings Ltd)

Governance Support Officer Lynne Adamson

1 OPENING

Rt Rev Steven Benford, Anglican Bishop of Dunedin opened the meeting with a prayer.

2 PUBLIC FORUM

2.1 Public Forum - Sims Building Action Group

Bill Southworth provided a handout and spoke on behalf of the Sims Building Action Group to seek Council support for the preservation of the Sims Building.

Mr Southworth responded to questions.

Councillor Chris Staynes entered the meeting at 1.14 pm.

3 APOLOGIES

There were no apologies.

4 CONFIRMATION OF AGENDA

Moved (Mayor Dave Cull/Cr Chris Staynes):

That the Council:

Confirms the agenda with the following alterations:

In regard to Standing Order 2.1, Option C be adopted in relation to moving and seconding and speaking to amendments.

That Item 20 – Annual Report to the Alcohol Regulatory and Licensing Authority be withdrawn from the agenda.

That Item 30 – Project China – Activity Highlights November 2018 to July 2019 be taken before Item 28 – 2019 Annual Reports for the Dunedin City Holdings Group.

Motion carried (CNL/2019/001) with Cr Vandervis recording his vote against as he wanted Item C6 – Notice of Motion – Dunedin Hospital to be considered in the public section of the meeting.

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 Dave Cull/Cr Chris Staynes):

That the Council:

- a) **Notes** if necessary the Elected Members' Interest Register
- b) **Confirms** the proposed management plan for Elected Members' Interests.

- c) **Notes** the Executive Leadership Team Members' Interest Register.

Motion carried (CNL/2019/002)

6 CONFIRMATION OF MINUTES

6.1 ORDINARY COUNCIL MEETING - 27 AUGUST 2019

Moved (Mayor Dave Cull/Cr Chris Staynes):

That the Council:

Confirms the public part of the minutes of the Ordinary Council meeting held on 27 August 2019 as a correct record.

Motion carried (CNL/2019/003)

7 MINUTES OF COMMITTEES

7 ECONOMIC DEVELOPMENT COMMITTEE - 3 SEPTEMBER 2019

Moved (Cr Chris Staynes/Cr Andrew Whiley):

That the Council:

- a) **Notes** the minutes of the Economic Development Committee meeting held on 03 September 2019.

Motion carried (CNL/2019/004)

8 FINANCE AND COUNCIL CONTROLLED ORGANISATIONS COMMITTEE - 3 SEPTEMBER 2019

Moved (Cr Mike Lord/Cr Damian Newell):

That the Council:

- a) **Notes** Part A items (1 - 7) and public forum of the minutes of the Finance and Council Controlled Organisations Committee meeting held on 03 September 2019.
- b) **Approves** the following Part B item of the minutes of the Finance and Council Controlled Organisations Committee meeting held on 03 September 2019:
- Item 8 – Mayoral Chains and Mayoral Portrait.
- c) **Takes** Part C items of the minutes of the Finance and Council Controlled Organisations Committee held on Tuesday, 3 September 2019, in the non-

public part of the meeting.

Motion carried (CNL/2019/005)

9 TOITŪ OTAGO SETTLERS MUSEUM BOARD - 21 AUGUST 2019

Moved (Cr Aaron Hawkins/Cr Rachel Elder):

That the Council:

- a) **Notes** the minutes of the Toitū Otago Settlers Museum Board meeting held on 21 August 2019.

Motion carried (CNL/2019/006)

8 MINUTES OF COMMUNITY BOARDS

10 MOSGIEL-TAIERI COMMUNITY BOARD - 14 AUGUST 2019

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

That the Council:

- a) **Notes** the minutes of the Mosgiel-Taieri Community Board meeting held on 14 August 2019.

Motion carried (CNL/2019/007)

11 OTAGO PENINSULA COMMUNITY BOARD - 20 JUNE 2019

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

That the Council:

Confirms the public part of the minutes of the Otago Peninsula Community Board held on 20 June 2019 as a correct record.

Motion carried (CNL/2019/008)

12 OTAGO PENINSULA COMMUNITY BOARD - 8 AUGUST 2019

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

That the Council:

- a) **Notes** the minutes of the Otago Peninsula Community Board meeting held on 08 August 2019.

Motion carried (CNL/2019/009)

13 SADDLE HILL COMMUNITY BOARD - 15 AUGUST 2019

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

That the Council:

- a) **Notes** the minutes of the Saddle Hill Community Board meeting held on 15 August 2019.

Motion carried (CNL/2019/010)

14 STRATH TAIERI COMMUNITY BOARD - 20 JUNE 2019

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

That the Council:

- a) **Notes** the minutes of the Strath Taieri Community Board meeting held on 20 June 2019.

Motion carried (CNL/2019/011)

15 STRATH TAIERI COMMUNITY BOARD - 29 AUGUST 2019

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

That the Council:

- a) **Notes** the minutes of the Strath Taieri Community Board meeting held on 29 August 2019.

Motion carried (CNL/2019/012)

16 WEST HARBOUR COMMUNITY BOARD - 26 JUNE 2019

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

That the Council:

- a) **Notes** the minutes of the West Harbour Community Board meeting held on 26 June 2019.

Motion carried (CNL/2019/013)

17 WEST HARBOUR COMMUNITY BOARD - 21 AUGUST 2019

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

That the Council:

- a) **Notes** the minutes of the West Harbour Community Board meeting held on

21 August 2019.

Motion carried (CNL/2019/014)

18 WAIKOUAITI COAST COMMUNITY BOARD - 7 AUGUST 2019

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

That the Council:

- a) **Notes** the minutes of the Waikouaiti Coast Community Board meeting held on 07 August 2019.

Motion carried (CNL/2019/015)

REPORTS

Cr Christine Garey withdrew from Item 19 and left the meeting at 1.20 pm.

19 APPLICATION TO EXTEND URBAN WATER SUPPLY AREA BOUNDARY AND SUPPLY WATER TO 309 PORTOBELLO ROAD

A report from 3 Waters sought the Council's decision on an application to extend the urban water supply area boundary to include 309 Portobello Road and provide an 'extraordinary' water supply connection to this property.

The General Manager Infrastructure Services (Simon Drew), and Group Manager 3 Waters (Tom Dyer) spoke to the report and responded to questions on the implications of connecting to the network.

Moved (Cr Kate Wilson/Cr Rachel Elder):

That the Council:

- a) **Declines** the application to extend the urban water supply area boundary to include 309 Portobello Road and provide an 'extraordinary' water supply connection to this property.

Motion carried (CNL/2019/016)

Cr Garey returned to the meeting at 1.34 pm.

21 SH88 PORT CHALMERS SPEED LIMIT CONSULTATION

A report from Transport sought approval for the submission to the New Zealand Transport Agency (NZTA) requesting that the speed limit along SH88, George Street, Port Chalmers be reduced from 50km/h to 30km/h.

The General Manager Infrastructure Services (Simon Drew) and Transport Strategy Manager (Nick Sargent) spoke to the report and responded to questions.

Members acknowledged the Chief Executive, Port Otago for imposing a voluntary freight limit of 30km per hour for heavy freight noting that this had been adopted favourably.

Steve Walker, Chair and members of the West Harbour Community Board were acknowledged for their work on the project.

Moved (Cr Aaron Hawkins/Cr Chris Staynes):

That the Council:

- a) **Approves** the Dunedin City Council (DCC) submission to NZTA on the speed limit reduction along SH88, George Street, Port Chalmers.

Motion carried (CNL/2019/017)

22 PROPOSED PARKING CHANGES - OCTOBER 2019

A report from Transport advised that the Traffic and Parking Bylaw Committee had considered a range of proposed minor parking control changes and clarifications (including GIS parking controls database corrections) to parking controls on 29 August 2019.

The report sought approval of those minor changes and clarifications to parking controls, which were recommended by the Traffic and Parking Bylaw Subcommittee.

The General Manager Infrastructure Services (Simon Drew) and Transport Strategy Manager (Nick Sargent) spoke to the report and responded to questions. They advised that there were only minor changes to the parking spaces, with section TP14 gaining 3 parks and section TP15 remained the same.

Moved (Cr Andrew Whiley/Cr Mike Lord):

That the Council:

- a) **Approves** the recommended changes to parking controls that are shown in the August 2019 update of the Dunedin City Council's traffic and parking controls database, <https://tinyurl.com/ParkingAugust2019>.
- b) **Notes** that all parking controls previously approved by Council and not shown as a change on the August 2019 traffic and parking controls database, remain unchanged.

Motion carried (CNL/2019/018)

23 DCC SUBMISSION ON THE GREEN PAPER: A VISION FOR HYDROGEN IN NEW ZEALAND

A report from Corporate Policy sought approval of a submission to the Ministry of Business, Innovation and Employment on the Green Paper 'A Vision for Hydrogen in New Zealand'.

The General Manager City Services (Sandy Graham) and Senior Policy Analyst (Sean Jacobs) spoke to the report.

Moved (Cr Kate Wilson/Cr Jim O'Malley):

That the Council:

- a) **Approves** the Dunedin City Council submission to the Ministry of Business, Innovation and Employment on the Green Paper 'A Vision for Hydrogen in New Zealand.'
- b) **Authorises** the CEO to submit the submission to behalf of Council.

Motion carried (CNL/2019/019)

24 DCC SUBMISSION: PROPOSED NATIONAL POLICY STATEMENT FOR HIGHLY PRODUCTIVE LAND

Cr Doug Hall withdrew from this item.

A report from City Development sought approval for the submission to the Ministry of Primary Industries and the Ministry for the Environment on the proposed National Policy Statement for Highly Productive Land.

The submission outlined the DCC's roles and responsibilities for highly productive land and provided general comments on the proposed National Policy Statement for highly productive land.

The General Manager City Services (Sandy Graham) and City Development Manager (Anna Johnson) spoke to the report and responded to questions on the submission.

Moved (Cr David Benson-Pope/Cr Damian Newell):

That the Council:

- a) **Approves** the DCC submission on the proposed National Policy Statement for Highly Productive Land.

Motion carried (CNL/2019/020)

25 DCC SUBMISSION: PROPOSED NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT

Cr Christine Garey withdrew from this item.

A report from City Development sought approval of the submission to the Ministry for the Environment on the proposed National Policy Statement for Urban Development.

This submission outlined Dunedin's recent growth and the measures being implemented to address this, and provided feedback and recommendations in relation to specific questions raised in the discussion document.

The General Manager City Services (Sandy Graham) and City Development Manager (Anna Johnson) spoke to the report and responded to questions on the submission.

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

That the Council:

- a) **Approves** the DCC submission on the proposed National Policy Statement for Urban Development.

Motion carried (CNL/2019/021)

26 DCC SUBMISSION ON MINISTRY FOR THE ENVIRONMENT PROPOSED PRIORITY PRODUCT AND PRIORITY PRODUCT STEWARDSHIP SCHEME GUIDELINES

A report from Waste and Environmental Solutions sought approval of a submission to the Ministry for the Environment (the Ministry) on Proposed Product Stewardship and Priority Product Stewardship Scheme Guidelines.

The General Manager Infrastructure Services (Simon Drew), Group Manager Waste and Environmental Solutions (Chris Henderson) and Solid Waste Manager (Catherine Irvine) spoke to the report and responded to questions on the submission.

During discussion Cr Doug Hall left the meeting at 2.08 pm and returned at 2.10 pm.

Moved (Cr David Benson-Pope/Cr Chris Staynes):

That the Council:

- a) **Approves** the draft Dunedin City Council submission on the Proposed Product Stewardship and Priority Product Stewardship Scheme Guidelines.
- b) **Amends** the submission to include Methyl Bromide in the list for priority product stewardship.

Motion carried (CNL/2019/022)

27 SUBMISSION ON THE DEPARTMENT OF CONSERVATION'S PROPOSED NEW ZEALAND BIODIVERSITY STRATEGY

A report from Corporate Policy and City Development sought approval of the Dunedin City Council (DCC) submission (Attachment A) to the Department of Conservation (DOC) on the proposed New Zealand Biodiversity Strategy, 'Te Koiroa o te Koiroa – our shared vision for living with nature'.

The Group Manager Parks and Recreation (Robert West) and Biodiversity Advisor (Richard Ewans) spoke to the submission and responded to questions.

In considering the role Kai Tahu play in valuing Biodiversity, the Council acknowledged the recent passing of Tahu Potiki.

Moved (Cr Chris Staynes/Cr Christine Garey):

That the Council:

- a) **Approves** the DCC submission to the Department of Conservation on the proposed New Zealand Biodiversity Strategy with the agreed amendment to the order of points 2 and 7.

Motion carried (CNL/2019/023)

30 PROJECT CHINA - ACTIVITY HIGHLIGHTS: NOVEMBER 2018 TO JULY 2019

A report from Enterprise Dunedin provided an update on Project China activities that had

occurred between November 2018 - July 2019, and proposed activities for the remainder of the 2019/2020 financial year.

The Director Enterprise Dunedin (John Christie), Economic Development Programme Manager (Fraser Liggett) and China Project Co-ordinator (Hui Zhang) spoke to the report and responded to questions.

Moved (Cr Chris Staynes/Cr Christine Garey):

That the Council:

- a) **Notes** the Project China – activity highlights report: November 2018 to July 2019.

Motion carried (CNL/2019/024)

Moved (Mayor Dave Cull/Cr Chris Staynes):

That the Council:

- a) **Adjourns** the meeting to be reconvened at 2.55 pm.

Motion carried

The meeting adjourned at 2.48 pm and reconvened at 2.59 pm.

28 2019 ANNUAL REPORTS FOR THE DUNEDIN CITY HOLDINGS LTD GROUP

A report from Finance appended a report from Dunedin City Holdings Ltd (DCHL) which accompanied the 2019 Annual Reports of the DCHL Group companies for noting.

The Chair, Dunedin City Holdings Ltd (Keith Cooper) and General Manager, Dunedin City Holdings Ltd (Jemma Adams) spoke to the Annual Reports.

Mr Cooper advised that the Annual Report for Dunedin Railways Limited (DRL) was not included in the attachments as it was currently being finalised. He provided an overview of the results of DRL and noted that the company was developing a Sustainability Plan and that it had recently converted approximately \$1m of shareholder debt to equity.

Mr Cooper then provided an overview of each of the Annual Reports of the group companies and responded to questions.

Moved (Cr Mike Lord/Cr Doug Hall):

That the Council:

- a) **Notes** the annual reports of the DCHL Group of Companies.

Motion carried (CNL/2019/025)

29 NOTICE OF MOTION - OTAGO POLYTECHNIC

In accordance with Standing Order 26.1, a Notice of Motion had been received from Cr

Andrew Whiley.

Cr Whiley spoke to the Notice of Motion which was then considered by Council.

The resolutions were taken separately.

Moved (Cr Andrew Whiley/Cr Rachel Elder):

That the Council:

- a) **Fully** acknowledges the importance of the Otago Polytechnic to the City of Dunedin. That the education opportunities, quality of learning and independence suited to the needs of our region is maintained.

Motion carried (CNL/2019/026)

Moved (Cr Andrew Whiley/Cr Rachel Elder):

That the Council:

- b) **Actively** lobby central government to get their commitment that the administration hub of the new combined polytechnic structure (New Zealand Institute of Skills and Technology), planned for 1 April 2020, be established in Dunedin.

Motion carried (CNL/2019/027)

Moved (Cr Andrew Whiley/Cr Rachel Elder):

That the Council:

- c) **Approve** a budget of \$10,000 to be established to assist with the campaign.

Division

The Council voted by division:

For: Crs Rachel Elder, Christine Garey, Doug Hall, Aaron Hawkins, Marie Laufiso, Mike Lord, Damian Newell, Jim O'Malley, Chris Staynes, Conrad Stedman, Andrew Whiley, Kate Wilson and Dave Cull (13).
Against: Crs David Benson-Pope and Lee Vandervis (2).
Abstained: Nil

The division was declared CARRIED by 13 votes to 2

Motion carried (CNL/2019/028)

RESOLUTION TO EXCLUDE THE PUBLIC

That the Council:

Pursuant to the provisions of the Local Government Official Information and Meetings Act 1987, exclude the public from the following part of the proceedings of this meeting namely:

General subject of the	Reasons for passing	Ground(s) under	Reason for
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matter to be considered	this resolution in relation to each matter	section 48(1) for the passing of this resolution	Confidentiality
C1 Ordinary Council meeting - 27 August 2019 - Public Excluded	S7(2)(g) The withholding of the information is necessary to maintain legal professional privilege.	.	
	S7(2)(i) The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).		
	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)(h) The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.		
	S7(2)(a) The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.		

	<p>S7(2)(c)(i) The withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied.</p>	
<p>C2 Finance and Council Controlled Organisations Committee - 3 September 2019 - Public Excluded</p>		
<p>C3 Dunedin City Holdings Group Appointments and Re-Appointments</p>	<p>S7(2)(a) The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.</p>	<p>S48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</p>
<p>C4 District Energy System Indicative Business Case Update</p>	<p>S7(2)(b)(ii) The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</p>	<p>S48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</p>

C5 Request For Support - Application to the Provincial Growth Fund for the Strath Taieri Irrigation Project	S7(2)(h) The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.	S48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	While the project itself is public knowledge, the details of the funding application are to be treated in confidence..
C6 Notice of Motion - Dunedin Hospital	S7(2)(h) The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.	S48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	

That Jemma Adams (General Manager Dunedin City Holdings Ltd) be permitted to attend the meeting to speak to Item C3, Dunedin City Holdings Group Appointments and Reappointments to provide assistance in relation to the matters to be discussed.

That Bevan Wilson (Chairperson, Strath Taieri Irrigation Company), Robyn Wells (Project Manager) and Lynnore Templeton (Committee Member) be permitted to attend the meeting to respond to questions on Item C5 – Request for Support – Application to the Provincial Growth Fund for the Strath Taieri Irrigation Project.

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.

The meeting moved into confidential at 4.02 pm and concluded at 5.38 pm

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MAYOR