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## **Council MINUTES**

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**Minutes of an ordinary meeting of the Dunedin City Council held in the Fullwood Room, Dunedin Centre, Harrop Street, Dunedin on Monday 25 May 2020, commencing at 10.00 am**

### **PRESENT**

**Mayor** Mayor Aaron Hawkins  
**Deputy Mayor** Cr Christine Garey

**Members**

Cr Sophie Barker	Cr David Benson-Pope
Cr Rachel Elder	Cr Doug Hall
Cr Carmen Houlahan	Cr Marie Laufiso
Cr Mike Lord	Cr Jim O'Malley
Cr Jules Radich	Cr Chris Staynes
Cr Lee Vandervis	Cr Steve Walker
Cr Andrew Whiley	

### **IN ATTENDANCE**

Sue Bidrose (Chief Executive Officer), Sandy Graham (General Manager City Services), Simon Drew (General Manager Infrastructure Services), Simon Pickford (General Manager Community Services), Dave Tombs (General Manager Finance and Commercial), John Christie (Director Enterprise Dunedin) and Graham McKerracher (Manager, Council Communications and Marketing), Tom Dyer (Group Manager 3 Waters), Scott Campbell (Policy Analyst), Chris Henderson (Group Manager Waste and Environmental Services), Catherine Irvine (Solid Waste Manager), Suzie Ballantyne (Senior Policy Analyst), Jinty MacTavish (Principal Policy Advisor), Kathryn Ward (Principal Urban Designer), Gavin Logie (Financial Controller), Nicola Pinfold (Group Manager Community and Planning), Robert West (Group Manager Parks and Recreation), Owen Graham (Senior Leasing and Land Advisor), Clare Sullivan (Team Leader Civic) and Wendy Collard (Governance Support Officer).

**Governance Support Officer** Lynne Adamson

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### **1 OPENING**

Rev Dr Kerry Enright, from Knox Church opened the meeting with a prayer.

## **2 PUBLIC FORUM**

### **2.1 Public Forum - Council Meeting Processes**

Diane Yeldon addressed the meeting concerning Council meeting processes. She commented on the positive role Council had taken to live stream meetings over the lockdown period and made suggestions for improvements in the future including the continuation of zoom and live stream meetings and ensuring that Standing Orders were strictly adhered to.

Ms Yeldon responded to questions.

### **2.2 Public Forum - Application for Extraordinary Water Supply**

Jacquie Lucas, spoke on behalf of herself and her neighbour Phillip Jones in support of their applications for Extraordinary Water Supply at 281 and 292 Waipori Falls Road to be considered later in the meeting.

Ms Lucas responded to questions from Councillors.

### **2.3 Public Forum – Central City Upgrade**

Susie Staley addressed the meeting concerning the proposed central city upgrade and the need for continued consultation moving forward. Ms Staley acknowledged that the underground infrastructure work was required and that it was logical that the overground work be undertaken at the same time. She noted that the work would place pressure on those directly affected by construction and urged Council to ensure that there was adequate consultation undertaken with affected parties.

Ms Staley responded to questions.

### **2.4 Public Forum - George St**

Tony Clear addressed the meeting on the George Street upgrade. He provided background information on his property ownership and subsequent rates paid to Council. Mr Clear wanted to see Dunedin as a vibrant, attractive, accessible city and commented that George Street was worthy of protection.

Mr Clear noted that retail was fragile and many of the central business district owners were unsure about the future. He did not believe this was a time to add to their uncertainty and requested that Council defer the project for 12 months. Mr Clear commented that this would allow a balanced, well informed decision to be made with an open consultative process. The delay would allow retailers to regain some momentum for their premises and they would be far more supportive of the change.

Mr Clear responded to questions.

Moved (Mayor Aaron Hawkins/Cr Christine Garey):

That the Council:

- a) **Extends** the public forum.

**Motion carried**

## **2.5 PUBLIC FORUM - CENTRAL CITY UPGRADE**

Sky Duncan provided a PowerPoint presentation on Rethinking Dunedin's George Street. She commented that she came from Dunedin and now lived and worked in New York. Ms Duncan commented favourably on the proposed changes and encouraged Council to consult with the affected parties to create a vibrant main street for Dunedin.

Ms Duncan responded to questions and discussed comparisons with other cities in the world who had become more pedestrian friendly.

## **3 APOLOGIES**

There were no apologies.

## **4 CONFIRMATION OF AGENDA**

Moved (Mayor Aaron Hawkins/Cr Christine Garey):

That the Council:

**Confirms** the agenda with the following addition and alterations

In regard to Standing Order 21.4, that Option C be adopted in relation to moving and seconding and speaking to amendments.

That Item 11 – Financial Result – Period Ended 30 April 2020 be taken before Item 10 – Financial Result – Period Ended 31 March 2020 and

That Item 9 – Central City Plan – George Street Update Report be taken at 2.00 pm to enable consultants to be available to respond to questions.

**Motion carried (CNL/2020/038)**

## **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.

Cr Jules Radich read a statement in relation to any decisions Councillors would make in relation to the Central City Upgrade. He advised that the Auditor General had issued a declaration under section 6(4) of Local Authorities (Members' Interests) Act (LAMIA) allowing himself to participate on the grounds that it is in the interests of the electors and inhabitants of the area that he be allowed to do so. The declaration applies to the Council meeting on 25 May 2020 and to discussion and deliberations on the Annual Plan 2020/21 up to and including the adoption of the Annual Plan.

Moved (Mayor Aaron Hawkins/Cr Mike Lord):

That the Council:

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

**Motion carried (CNL/2020/039)**

## REPORTS

### 6 APPLICATIONS FOR EXTRAORDINARY WATER SUPPLY - 281 AND 292 WAIPORI FALLS ROAD

A report from 3 Waters and City Development sought the Council's decision on two applications for 'extraordinary' water supply to rural properties near Berwick: one at 281 Waipori Falls Road and one at 292 Waipori Falls Road. Both applications sought connections to the West Taieri Rural Water Scheme (WTRWS), which was owned and operated by the Dunedin City Council (DCC).

The Group Manager 3 Waters (Tom Dyer) and Policy Analyst (Scott Campbell) spoke to the report and responded to questions on the applications.

Moved (Cr Mike Lord/Cr Andrew Whiley):

That the Council:

- a) **Approves** provision of extraordinary water supplies to 281 and 292 Waipori Falls Road, subject to the conditions set out in the report.

#### Division

The Council voted by division:

For:	Crs Rachel Elder, Doug Hall, Carmen Houlahan, Mike Lord, Jules Radich and Andrew Whiley (6).
Against:	Crs Sophie Barker, David Benson-Pope, Christine Garey, Marie Laufiso, Jim O'Malley, Chris Staynes, Lee Vandervis, Steve Walker and Aaron Hawkins (9).
Abstained:	Nil

The division was declared **LOST** by 9 votes to 6

Moved (Cr Steve Walker/Cr Chris Staynes):

That the Council:

- a) **Declines** the application for an 'extraordinary' water supply for 281 Waipori Falls Road.
- b) **Declines** the application for an 'extraordinary' water supply for 292 Waipori Falls Road.

**Division**

The Council voted by division:

- For: Crs Sophie Barker, David Benson-Pope, Christine Garey, Marie Laufiso, Jim O'Malley, Chris Staynes, Lee Vandervis, Steve Walker and Aaron Hawkins (9).
- Against: Crs Rachel Elder, Doug Hall, Carmen Houlahan, Mike Lord, Jules Radich and Andrew Whiley (6).
- Abstained: Nil

The division was declared **CARRIED** by 9 votes to 6

**Motion carried (CNL/2020/040)**

Crs Rachel Elder; Mike Lord and Christine Garey left the meeting at 12.02 pm.

**7 SUMMARY OF CONSULTATION SUBMISSIONS AND RECOMMENDATION TO ADOPT - WASTE ASSESSMENT 2018 AND WASTE MINIMISATION AND MANAGEMENT PLAN 2020**

A report from Waste and Environmental Solutions summarised the requirements under the Waste Minimisation Act for the Dunedin City Council's to review its Waste Management and Minimisation Plan (WMMP) 2013. The subsequent Draft Waste Minimisation and Management Plan 2020 had been informed by the Draft Waste Assessment (WA) 2018.

The Group Manager Waste and Environmental Solutions (Chris Henderson) and Solid Waste Manager (Catherine Irvine) spoke to the report and responded to questions.

Cr Mike Lord returned to the meeting at 12.05 pm.

Crs Rachel Elder and Christine Garey returned to the meeting at 12.06 pm.

Cr Andrew Whiley left the meeting at 12.06pm and returned at 12.08 pm.

Cr Doug Hall left the meeting at 12.11 pm and returned at 12.14 pm.

Cr Carmen Houlahan left the meeting at 12.15 pm.

Moved (Cr Jim O'Malley/Cr Steve Walker):

That the Council:

- a) **Approves** the adoption of the Waste Minimisation and Management Plan 2020, including amendments, and the Waste Assessment 2018.
- b) **Notes** the Summary of Consultation Submissions on the Draft Waste Minimisation and Management Plan 2020 and Draft Waste Assessment 2018.

**Motion carried (CNL/2020/041)**

It was moved (Mayor Aaron Hawkins/Cr Chris Staynes):

That the Council:

**Adjourns** the meeting for 5 minutes.

**Motion carried**

The meeting adjourned at 12.17 pm and reconvened at 12.26 pm  
Cr Carmen Houlahan re-joined the meeting at 12.26 pm.

## **8 UPDATE ON THE CLIMATE CHANGE WORK PROGRAMME**

A report from Civic and Community and Planning provided an update on the Dunedin City Council's (DCC) climate change work programme, comprising two streams: Zero Carbon 2030 (related to climate change mitigation), and climate change adaptation (including South Dunedin Future).

Senior Policy Analyst (Suzie Ballantyne) and Principal Policy Advisor (Jinty MacTavish) spoke to the report and responded to questions on achieving the goal for Dunedin to be carbon neutral by 2030.

Moved (Cr Christine Garey/Cr Steve Walker):

That the Council:

- a) **Notes** the update on the Climate Change Work Programme.

**Motion carried (CNL/2020/042)**

It was moved (Mayor Aaron Hawkins/Cr Andrew Whiley):

That the Council:

**Adjourns** the meeting until 2.30 pm.

**Motion carried**

The meeting adjourned at 1.29 pm and reconvened at 2.34 pm.

## **9 CENTRAL CITY PLAN - GEORGE STREET UPDATE REPORT**

Cr Jules Radich reiterated the information provided under the Declaration of Interest that he had received a declaration from the Office of the Auditor General advising that he was able to participate in this discussion and voting of the report.

A report from City Development noted that the report presented the review and Preliminary Design work carried out on the Central City Plan - George Street Upgrade project, since the Planning and Environment Committee meeting on 11 June 2019.

Consultants Chris Wilkinson (First Retail); Ed Jolly (Jasmax) and Den Aitken (Aitken Taylor) joined the meeting individually via video link and responded to questions on the proposed project.

Cr Doug Hall left the meeting at 3.06 pm and returned at 3.18 pm.

The General Manager City Services (Sandy Graham); General Manager Infrastructure Services (Simon Drew) and Principal Urban Designer (Kathryn Ward) spoke to the report and responded to questions.

During discussion Cr Mike Lord left the meeting at 3.49 pm and returned at 3.51 pm.

Cr Christine Garey left the meeting at 3.58 pm and returned at 4.01 pm.

There was a discussion on the proposed upgrade which included information presented at the public forum.

During discussion Cr Mike Lord left the meeting at 5.04 pm.

Moved (Mayor Aaron Hawkins/Cr Christine Garey):

That the Council:

**Extends** the meeting beyond 6 hours as set out in Standing Order 4.2.

**Motion carried (CNL/2020/043)**

The benefit of reconstituting the Central City Advisory Group to provide feedback throughout the detailed design and business case stages of the proposals was discussed.

Moved (Cr David Benson-Pope/Cr Christine Garey):

That the Council:

- a) **Notes** the reports and other documents on this matter.
- b) **Endorses** the continuation of the George Street Retail Quarter section of the Central City Plan and
- c) **Reconstitutes** a Central City Advisory Group to provide feedback throughout the detailed design and business case stages of these proposals.
- d) **Request** a staff report to the 8 June 2020 Council meeting as to the suggested composition of the Central City Advisory Group and the Terms of Reference.

**Division**

The Council voted by division:

For:	Crs Sophie Barker, David Benson-Pope, Rachel Elder, Christine Garey, Doug Hall, Marie Laufiso, Jim O'Malley, Chris Staynes, Steve Walker and Aaron Hawkins (10).
Against:	Crs Carmen Houlahan, Jules Radich, Lee Vandervis and Andrew Whiley (4).
Abstained:	Nil

The division was declared **CARRIED** by 10 votes to 4

**Motion carried (CNL/2020/044)**

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

That the Council:

**Adjourns** the meeting for 10 minutes.

**Motion carried**

The meeting adjourned at 5.42 pm and reconvened at 5.51 pm.

Moved (Cr Jules Radich/Cr Carmen Houlahan):

That the Council:

- a) **Request** that staff report back to Council by the end of November 2020 on the cost/benefit analysis for a new car parking building to support the Central City work, including options for size and location.

**Motion lost** on a show of hands.

Cr Doug Hall left the meeting at 6.15 pm and returned at 6.18 pm.

## **11 FINANCIAL RESULT - PERIOD ENDED 30 APRIL 2020**

A report from Finance provided the financial results for the period ended 30 April 2020 and the financial position as at that date.

The General Manager Finance and Commercial (Dave Tombs) and Financial Controller (Gavin Logie) spoke to the report and responded to questions.

Moved (Cr Andrew Whiley/Cr Chris Staynes):

That the Council:

- a) **Notes** the Financial Performance for the period ended 30 April 2020 and the Financial Position as at that date.

**Motion carried (CNL/2020/045)**

## **10 FINANCIAL RESULT - PERIOD ENDED 31 MARCH 2020**

A report from Finance provided the financial results for the period ended 31 March 2020 and the financial position as at that date.

The General Manager Finance and Commercial (Dave Tombs) and Financial Controller (Gavin Logie) spoke to the report and responded to questions.

Moved (Cr Andrew Whiley/Cr Chris Staynes):

That the Council:

- a) **Notes** the Financial Performance for the period ended 31 March 2020 and the



Financial Position as at that date.

**Motion carried (CNL/2020/046)**

**12 DCC SUBMISSION ON THE OFFICE OF THE AUDITOR GENERAL - DRAFT ANNUAL PLAN 2020/21**

A report from Community and Planning sought approval for a Dunedin City Council (DCC) submission) to the Office of the Auditor-General on the proposed Draft Annual Plan 2020/21.

The General Manager City Services (Sandy Graham) and Group Manager Community and Planning (Nicola Pinfold) spoke to the report and responded to questions on the submission.

Moved (Cr Steve Walker/Cr Doug Hall):

That the Council:

- a) **Approves** the DCC submission to the Auditor-General on the proposed Draft Annual Plan 2020/21.

**Motion carried (CNL/2020/047)**

**13 APPROVAL TO GRANT DRAINAGE EASEMENT OVER PART OF OCEAN GROVE LOCAL PURPOSE (COASTAL PROTECTION) RESERVE**

A report from Parks and Recreation provided information on an application by Dunedin City Council – 3 Waters (the Applicant), for the grant of a drainage easement over part of the Ocean Grove Local Purpose (Coastal Protection) Reserve (the Reserve) for installation of a pipeline and related infrastructure within the reserve, which would service a private residential subdivision at 357 Tomahawk Road, Ocean Grove, Dunedin, being developed by Four Amigos 2018 Limited (the Developer), and recommended the easement be granted.

The General Manager City Services (Sandy Graham), Group Manager Parks and Recreation (Robert West) and Senior Leasing and Land Advisor (Owen Graham) spoke to the report and responded to questions.

Moved (Cr Lee Vandervis/Cr Chris Staynes):

That the Council:

- a) **Acting** in its capacity as the administering body of the Ocean Grove Local Purpose (Coastal Protection) Reserve pursuant to the Reserves Act 1977:
  - i) **Grants** an easement to drain water over part of the Ocean Grove Local Purpose (Coastal Protection) Reserve adjacent to 357 Tomahawk Road, Ocean Grove, Dunedin, subject to the conditions outlined in the report.
  - ii) **Approves** waiving the annual rental for use of the Ocean Grove Local Purpose (Coastal Protection) Reserve.
  - iii) **Decides** that the criteria for exemption from public notification had been met.

- b) **Acting** under delegation from the Minister of Conservation dated 12 June 2013, and pursuant to section 48 of the Reserves Act 1977, consents to the grant of an easement to drain water over part of the Ocean Grove Local Purpose (Coastal Protection) Reserve, adjacent to 357 Tomahawk Road, Ocean Grove, Dunedin, subject to the conditions outlined in this report.

**Motion carried (CNL/2020/048)**

## **RESOLUTION TO EXCLUDE THE PUBLIC**

Moved (Mayor Aaron Hawkins/Cr Chris Staynes):

That the Council:

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

<b>General subject of the matter to be considered</b>	<b>Reasons for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48(1) for the passing of this resolution</b>	<b>Reason for Confidentiality</b>
C1 Public Forum	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).	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.	
C2 Road Access	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).	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.	
C3 Dunedin Waterfront	S7(2)(g) The withholding of the	S48(1)(a) The public conduct	The information in this report is

Revitalisation	information is necessary to maintain legal professional privilege.	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.	commercially sensitive..
	S7(2)(h) The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.		
C4 Dunedin City Holdings Group: Director Re-Appointments	S7(2)(a) The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.	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.	

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 and that Jeannine Falloon be permitted to attend the meeting to speak in the confidential forum and that Gordon Duff, Strawberry Sounds remain in the meeting to manage the sound equipment.

**Motion carried (CNL/2020/049)**

The meeting moved into confidential at 6.27 pm and concluded at 7.45 pm.

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MAYOR