
Council MINUTES

Minutes of an ordinary meeting of the Dunedin City Council held in the Edinburgh Room, Municipal Chambers, The Octagon, Dunedin on Tuesday 25 August 2020, commencing at 10.02 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 Mike Lord
Cr Jim O'Malley	Cr Jules Radich
Cr Chris Staynes	Cr Steve Walker
Cr Andrew Whiley	

IN ATTENDANCE

Sandy Graham (Acting Chief Executive), Simon Drew (General Manager Infrastructure Services), Simon Pickford (General Manager Community Services), John Christie (Director Enterprise Dunedin), Robert West (Acting General Manager City Services), Graham McKerracher (Manager, Council Communications and Marketing), Clare Sullivan (Team Leader Civic), Tom Dyer (Group Manager 3 Waters); Karilyn Canton (Senior In-House Legal Counsel), Suzie Ballantyne (Senior Policy Analyst), Sean Jacobs (Senior Policy Advisor)

Governance Support Officer Lynne Adamson

THE MAYOR ACKNOWLEDGED THE MUSLIM COMMUNITY AND ADVISED OUR THOUGHTS WERE WITH THEM AS THE SENTENCING OF THE THE MAN RESPONSIBLE FOR THE CHRISTCHURCH MOSQUE ATTACKS THAT TOOK PLACE IN MARCH 2019 WAS BEING HELD THIS WEEK.

1 OPENING

The Very Revd Dr Tony Curtis SCP, Dean of Dunedin, St Pauls Cathedral opened the meeting with a prayer.

1 PUBLIC FORUM

2.1 Public Forum - ŌCASA - Ōtepoti Collective Against Sexual Abuse

Hazel Potterton, Sexual Violence Prevention Programme Co-ordinator and Angelo

Libeau, OCASA Development Coordinator addressed the meeting and provided an update on the work of ŌCASA - Ōtepoti Collective Against Sexual Abuse and responded to questions.

2 APOLOGIES

There were apologies from Crs Marie Laufiso and Lee Vandervis.

Moved (Mayor Aaron Hawkins/Cr Christine Garey):

That the Council:

Accepts the apologies from Crs Marie Laufiso and Lee Vandervis.

Motion carried

3 CONFIRMATION OF AGENDA

Moved (Mayor Aaron Hawkins/Cr Christine Garey):

That the Council:

Confirms the agenda with the following alterations:

In regards to standing order 21.1, that standing order 21.4 Option C be adopted in relation to moving and seconding and speaking to amendments.

That Item C6 Confidential Council Actions be taken before Item C5 Appointment of District Licensing Committee Members.

Motion carried

4 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 Andrew Whiley requested that the Interest Register be updated to reflect that he was now a member of Dunedin Community House Executive Committee.

Moved (Mayor Aaron Hawkins/Cr Christine Garey):

That the Council:

- a) **Amends** the Elected Members' Interest Register attached; 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/2020/065)

5 CONFIRMATION OF MINUTES

6.1 ORDINARY COUNCIL MEETING - 28 JULY 2020

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

That the Council:

Confirms the public part of the minutes of the Ordinary Council meeting held on 28 July 2020 as a correct record.

Motion carried

MINUTES OF COMMITTEES

7 ECONOMIC DEVELOPMENT COMMITTEE - 15 JUNE 2020

Moved (Cr Chris Staynes/Cr Rachel Elder):

That the Council:

Notes the minutes of the Economic Development Committee meeting held on 15 June 2020.

Motion carried

8 AUDIT AND RISK SUBCOMMITTEE - 20 MAY 2020

Moved (Cr Mike Lord/Cr Doug Hall):

That the Council:

a) **Notes** the minutes of the Audit and Risk Subcommittee meeting held on 20 May 2020.

b) **Takes** Part C items of the minutes of the Audit and Risk Subcommittee held on Wednesday, 20 May 2020, in the non-public part of the meeting.

Motion carried

9 INFRASTRUCTURE SERVICES COMMITTEE - 3 AUGUST 2020

Moved (Cr Jim O'Malley/Cr Jules Radich):

That the Council:

Notes the minutes of the Infrastructure Services Committee meeting held on 03 August 2020.

Motion carried

10 PLANNING AND ENVIRONMENT COMMITTEE - 4 AUGUST 2020

Moved (Cr David Benson-Pope/Cr Steve Walker):

That the Council:

Notes the minutes of the Planning and Environment Committee meeting held on 04 August 2020 with the following correction:

That Cr Jules Radich had submitted an apology for the meeting.

Motion carried

11 COMMUNITY AND CULTURE COMMITTEE - 4 AUGUST 2020

Moved (Cr Christine Garey/Cr Andrew Whiley):

That the Council:

a) **Notes** the minutes of the Community and Culture Committee meeting held on 04 August 2020.

b) **Takes** Part C items of the minutes of the Community and Culture Committee held on Tuesday, 4 August 2020, in the non-public part of the meeting.

Motion carried (CNL/2020/066)

MINUTES OF COMMUNITY BOARDS

12 SADDLE HILL COMMUNITY BOARD - 18 JUNE 2020

Moved (Cr Jules Radich/Cr Steve Walker):

That the Council:

Notes the minutes of the Saddle Hill Community Board meeting held on 18 June 2020.

Motion carried

13 STRATH TAIERI COMMUNITY BOARD - 18 JUNE 2020

Moved (Cr Mike Lord/Cr Steve Walker):

That the Council:

Notes the minutes of the Strath Taieri Community Board meeting held on 18 June 2020.

Motion carried

14 WEST HARBOUR COMMUNITY BOARD - 24 JUNE 2020

Moved (Cr Mike Lord/Cr Steve Walker):

That the Council:

Notes the minutes of the West Harbour Community Board meeting held on 24 June 2020.

Motion carried

15 OTAGO PENINSULA COMMUNITY BOARD - 18 JUNE 2020

Moved (Cr Mike Lord/Cr Steve Walker):

That the Council:

Notes the minutes of the Otago Peninsula Community Board meeting held on 18 June 2020.

Motion carried

16 WAIKOUAITI COAST COMMUNITY BOARD - 17 JUNE 2020

Moved (Cr Mike Lord/Cr Steve Walker):

That the Council:

Notes the minutes of the Waikouaiti Coast Community Board meeting held on 17 June 2020.

Motion carried

REPORTS

17 THREE WATERS REFORM PROGRAMME: MEMORANDUM OF UNDERSTANDING AND STIMULUS FUNDING

A report from 3 Waters and Legal advised that in July 2020, the Government announced a \$761 million funding package to provide post COVID-19 stimulus to maintain and improve three waters infrastructure; support a three-year programme of reform of local government water service delivery arrangements (reform programme), and support the establishment of Taumata Arowai, the new Water Services Regulator.

The report sought decisions on matters relating to the MoU, Funding Agreement and Delivery Plan and noted that to receive funding, the MoU must be signed by 31 August 2020, with the Funding Agreement and Delivery Plan submitted by 30 September 2020.

The General Manager Infrastructure Services (Simon Drew) and Group Manager 3 Waters (Tom Dyer) spoke to the report and responded to questions.
Cr Doug Hall left the meeting at 10.39 am and returned at 10.41 am.
Cr Carmen Houlahan left the meeting at 11.00 am and returned at 11.03 am

Moved (Mayor Aaron Hawkins/Cr Christine Garey):

That the Council:

- a) **Agrees** to sign the Memorandum of Understanding (MoU) and Funding Agreement.
- b) **Nominates** the Acting Chief Executive Officer/Chief Executive Officer as the primary point of communication for the purposes of the MoU and reform programme.
- c) **Authorises** the Mayor to agree an allocation of regional funding through the Otago Mayoral Forum, noting that participation by two-thirds of territorial authorities within the Otago region is required to access the regional allocation.
- d) **Notes** that the MoU and Funding Agreement cannot be amended or modified by either party, and doing so would void these documents.
- e) **Notes** that participation in this initial stage is to be undertaken in good faith, but this is a non-binding approach, and the Council can opt out of the reform process at the end of the term of the agreement.
- f) **Notes** that the Council has been allocated \$7.92 million of funding, which will be received as a grant as soon as practicable once the signed MoU and Funding Agreement are returned to the Department of Internal Affairs, and a Delivery Plan has been supplied and approved.
- g) **Notes** that the Delivery Plan must show that the funding is to be applied to operating and/or capital expenditure relating to three waters infrastructure and service delivery, and which:
 - i) supports economic recovery through job creation; and
 - ii) maintains, increases and/or accelerates investment in core three waters infrastructure renewal and maintenance.
- h) **Agrees** to submit a Delivery Plan that sets out an accelerated programme of three waters network renewals.
- i) **Authorises** the Acting Chief Executive Officer/Chief Executive Officer to finalise the Delivery Plan to address Government feedback and obtain the approval needed to release funding.

Division

The Council voted by division:

For: Crs Sophie Barker, David Benson-Pope, Rachel Elder, Christine Garey, Doug Hall, Carmen Houlahan, Mike Lord, Jim O'Malley, Jules Radich, Chris Staynes, Steve Walker, Andrew Whiley and Mayor Aaron Hawkins (13).

Against: (0).
Abstained: Nil
The division was declared CARRIED unanimously

Motion carried (CNL/2020/067)

18 10 YEAR PLAN EARLY ENGAGEMENT

A report from Corporate Policy and Communications and Marketing outlined the options for early engagement with the community, in the context of the 10 year plan 2021-2031 development.

The Acting General Manager City Services (Robert West) and Sean Jacobs (Senior Policy Advisor) and spoke to the report and responded to questions.

Cr Christine Garey left the meeting at 11.40 am and returned at 11.43 am.

Cr David Benson-Pope left the meeting at 11.43 am and returned at 11.45 am.

Cr Doug Hall left the meeting at 11.48 am and returned at 11.52 am.

Moved (Cr Carmen Houlahan/Cr Rachel Elder):

That the Council:

- a) **Approves** Option Three – Online and targeted stakeholder meetings.
- b) **Notes** that staff would implement the early engagement schedule.

Motion carried (CNL/2020/068) on a show of hands

Moved (Mayor Aaron Hawkins/Cr Jim O'Malley):

That the Council:

Adjourns the meeting until 1.30 pm.

Motion carried

The meeting adjourned at 12.32 pm and reconvened at 1.31 pm.

19 10 YEAR PLAN 2021-31 UPDATE AND SUPPORTING INFORMATION

A report from Corporate Policy and Community and Planning provided Council with an update on the development of the 10 year plan 2021-31 (the Plan).

The Acting General Manager City Services (Robert West) and Senior Policy Analyst (Suzie Ballantyne) spoke to the report and responded to questions.

Cr David Benson-Pope left the meeting at 1.35 pm and returned at 1.38 pm.

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

That the Council:

- a) **Approves**, for the purposes of developing the 10 year plan 2021-31, and

consulting with the community:

- i) the use of the existing community outcomes, with minor amendments;
- ii) the draft city profile; and
- iii) the significant forecasting assumptions.

- b) **Notes** the 10 year plan 2021-31 Update and Supporting Information report.

Division

The Council voted by division:

For: Crs David Benson-Pope, Rachel Elder, Christine Garey, Doug Hall, Carmen Houlahan, Mike Lord, Jim O'Malley, Chris Staynes, Steve Walker, Andrew Whiley and Mayor Aaron Hawkins (11).
Against: Cr Jules Radich (1).
Abstained: Cr Sophie Barker (1).

The division was declared CARRIED by 11 votes to 1

Motion carried (CNL/2020/069)

20 COUNCIL FORWARD WORK PROGRAMME

A report from Civic proved the updated forward work programme for the 2020-2021 year.

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

Moved (Cr Andrew Whiley/Cr Steve Walker):

That the Council:

- a) **Notes** the updated Council Forward Work Programme.

Motion carried (CNL/2020/070)

21 ACTIONS FROM RESOLUTIONS OF COUNCIL MEETINGS

A report from Civic detailed the open and completed actions from resolutions of Council meetings from the start of the triennium in October 2019.

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

Moved (Cr Andrew Whiley/Cr Carmen Houlahan):

That the Council:

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

Motion carried (CNL/2020/071)

RESOLUTION TO EXCLUDE THE PUBLIC

Moved (Mayor Aaron Hawkins/Cr Steve Walker):

That the Council:

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

General subject of the matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution	Reason for Confidentiality
C1 Ordinary Council meeting - 28 July 2020 - 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)(h) The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.		
C2 Audit and Risk Subcommittee - 20 May 2020 - Public Excluded	S6(b) The making available of the information would be likely to endanger the safety of a person.	.	
	S7(2)(a) The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.		

C3 Community and
Culture Committee - 4
August 2020 - Public
Excluded

C4 Smooth Hill

S7(2)(g)

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

S7(2)(h)

The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.

S7(2)(i)

The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

C5 Appointment of
District Licensing
Committee Members

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.

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.

C6 Confidential
Council Actions

S6(a)

The making available of the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences and the right to a fair trial.

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 6.

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.

That Michael Garbett (Anderson Lloyd) be permitted to remain in the meeting after the public had been excluded because of his knowledge of Item C2. This knowledge, which will be of assistance is relevant to the matter to be discussed.

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

That the Council:

Adjourns the meeting to move into non-public.

Motion carried

The meeting moved into non-public at 2.16 pm and concluded at 4.05 pm.

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MAYOR