
Council MINUTES

Minutes of an ordinary meeting of the Dunedin City Council held in the Edinburgh Room, Municipal Chambers, The Octagon, Dunedin on Tuesday 23 November 2021, commencing at 10.00 am

PRESENT

Mayor Mayor Aaron Hawkins

Members	Cr Sophie Barker	Cr David Benson-Pope
	Cr Rachel Elder	Cr Doug Hall
	Cr Carmen Houlihan	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

Sandy Graham (Chief Executive Officer), Simon Drew (General Manager Infrastructure and Development), Simon Pickford (General Manager Community Services), John Christie (Manager Enterprise Dunedin), Jeanette Wikaira (Manahautū (General Manager Māori, Partnerships and Policy), Gavin Logie (Chief Financial Officer), Claire Austin (General Manager Customer and Regulatory), Jonathan Rowe (Programme Manager, South Dunedin Future), Florence Henderson (Policy Analyst, Zero Carbon), Paul Freeland (Principal Policy Advisor), Vicki Kestila (Masters Games Manager), Paul Henderson (Building Consents Manager), John Brenkley (Planning and Partnerships Manager), Jeanine Benson (Group Manager Transport), Kirsten Glengarry (Manager Creative Partnerships) and Clare Sullivan (Manager Governance).

Governance Support Officer Lynne Adamson

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

That the Council:

Adjourns the meeting.

Motion carried

The meeting adjourned at 10.04 am and reconvened at 10.08 am.

1 PUBLIC FORUM

1.1 Public Forum - South Dunedin Community Network

Ms Eleanor Doig and Ms Robyn McLean, South Dunedin Community Network provided an update on the partnership with DIA and the opportunities for South Dunedin.

Ms Doig and Ms McLean responded to questions.

1.2 Public Forum - Taieri Railway

Mr Clive Copeman spoke to his previously circulated information on the Feasibility Study of the Taieri Railway and the replacement of the Taieri Gorge train tracks with a multipurpose track.

Mr Copeman responded to questions.

1.3 Public Forum – Otago Excursion Train Trust

Messrs Philip Riley and Grant Craig spoke to their precirculated information on behalf of the Otago Excursion Train Trust.

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

That the Council:

Extends the public forum.

Motion carried

Messrs Riley and Craig responded to questions.

1.4 Public Forum – Rental Accommodation

Mr David Hunt spoke on his opinion piece in the Otago Daily Times about rental accommodation and anti-social behaviour issues in the city.

Mr Hunt responded to questions.

2 APOLOGIES

Moved (Mayor Aaron Hawkins/Cr Chris Staynes):

That the Council:

Accepts the apology from Cr Christine Garey.

Motion carried

3 CONFIRMATION OF AGENDA

Moved (Mayor Aaron Hawkins/Cr Chris Staynes):

That the Council:

Confirms the agenda with the following alterations:

That Item 21 – Future of Dunedin Railways be taken before Item 7 – Live Music Action Plan Update; and

That Item 13 – DCC Submission on Te kawē I te haepapa para, Taking Responsibility for Our Waste be withdrawn as this item would now be considered at a subsequent Council meeting.

Motion carried (CNL/2021/194)

Cr Carmen Houlahan left the meeting at 10.54 am.

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 Doug Hall advised that he no longer provided a building free of charge to the Fire Brigade Restoration Society and requested that his interest register be updated to reflect the change.

Moved (Mayor Aaron Hawkins/Cr Chris Staynes):

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 Teams' Interest Register.

Motion carried

REPORTS

5 ACTIONS FROM RESOLUTIONS OF COUNCIL MEETINGS

A report from Civic provided an update on implementing resolutions made at Council meetings.

Moved (Mayor Aaron Hawkins/Cr Chris Staynes):

That the Council:

Notes the Open and Completed Actions from resolutions of Council meetings as attached.

Motion carried

Cr Carmen Houlahan returned to the meeting at 10. 57 am.

6 FORWARD WORK PROGRAMME FROM THE 10 YEAR PLAN 2021-31, INCORPORATING THE 2022/23 ANNUAL PLAN

A report from Corporate Policy presented the forward work programme focusing on the implementation of Council decisions made during the development of the 10 year plan 2021-31, and for the development of the 2022/23 Annual Plan.

Moved (Mayor Aaron Hawkins/Cr Chris Staynes):

That the Council:

Notes the Forward Work Programme from the 10 year plan 2021-31, incorporating the 2022/23 Annual Plan.

Motion carried

21 FUTURE OF DUNEDIN RAILWAYS

A report from Enterprise Dunedin updated Council on continued financial and strategic analysis for Dunedin Railways Limited in advance of the 2022/23 Annual Plan.

The Chief Executive Officer (Sandy Graham) and Manager Enterprise Dunedin (John Christie) spoke to the report and responded to questions.

Cr Rachel Elder left the meeting at 11.49 am and returned at 11.50 am.

Moved (Cr Sophie Barker/Cr Steve Walker):

That the Council:

- a) **Directs** Dunedin City Holdings Limited to continue to fund up to \$2.4M per annum for maintaining and operating Dunedin Railways Limited using the KiwiRail line and Taieri Gorge line to Hindon until 30 June 2024.
- b) **Approves** Dunedin City Holdings Limited incurring a one-off cost of \$400k in 2021/22 for developing an alternative storage and workshop facility for Dunedin Railways Limited.
- c) **Notes** that staff would continue supporting the Otago Central Rail Trail Trust to develop a feasibility study on the possible options for the Otago Central Rail Trail between Middlemarch and Wingatui.
- d) **Notes** that staff would report back to Council on options for the long-term operations and governance of Dunedin Railways Limited as part of the 10 year plan 2024-34.

Division

The Council voted by division:

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

Against: Cr Lee Vandervis (1).

Abstained: Nil

The division was declared CARRIED by 13 votes to 1

Motion carried (CNL/2021/195)

Crs Andrew Whiley and Carmen Houlahan left the meeting at 12.12 pm and returned at 12.14 pm.

7 LIVE MUSIC ACTION PLAN UPDATE

A report from Arts and Culture provided an update on the work undertaken to date, along with the process for creating the Live Music Action Plan.

The Manahautū (General Manager Māori Partnerships and Policy) (Jeanette Wikaira) and Manager Creative Partnerships (Kirsten Glengarry) spoke to the report and responded to questions.

Moved (Cr Chris Staynes/Cr Steve Walker):

That the Council:

Notes the Live Music Action Plan Update report.

Motion carried

8 SOUTH DUNEDIN FUTURE - PROGRAMME UPDATE

A report from Māori, Partnerships and Policy updated Council on the status of the South Dunedin Future Programme.

The Manahautū (General Manager Māori Partnerships and Policy) (Jeanette Wikaira) and Programme Manager, South Dunedin Future (Jonathan Rowe) spoke to the report and responded to questions.

Cr Jim O'Malley left the meeting at 12.29 pm and returned at 12.31 pm.

Cr Doug Hall left the meeting at 12.31 pm and returned at 12.35 pm.

Moved (Cr Rachel Elder/Cr Marie Laufiso):

That the Council:

- a) **Notes** the findings of the current state assessment of the South Dunedin Future Programme, including the structure, strategic intent, change logic and associated activities.
- b) **Notes** the next steps, and that Councillors, mana whenua, South Dunedin community and other stakeholders would have multiple opportunities to engage in the programme definition phase.
- c) **Notes** the upcoming programme definition phase would adopt a Dynamic Adaptive Pathways Planning approach, supported by technical assistance from the National Institute of Water and Atmosphere.
- d) **Notes** that a report would be provided to Councils in mid-2022 on the results of the next phase, which would include a more detailed South Dunedin Future Programme Plan.

Division

The Council voted by division:

For: Crs Sophie Barker, David Benson-Pope, Rachel Elder, Doug Hall, Carmen Houlahan, Marie Laufiso, Mike Lord, Jim O'Malley, Jules Radich, Chris Staynes, Lee Vandervis, Steve Walker, Andrew Whiley and Mayor Aaron Hawkins (14).

Against: Nil

Abstained: Nil

The division was declared CARRIED by 14 votes to 0

Motion carried (CNL/2021/196)

Moved (Mayor Aaron Hawkins/Cr Steve Walker):

That the Council:

Adjourns the meeting and reconvenes at 1.30 pm.

Motion carried

The meeting adjourned at 12.59 pm and reconvened at 1.30 pm.

9 ZERO CARBON UPDATE REPORT

A report from Corporate Policy provided an update on the Dunedin City Council's (DCC) Zero Carbon (climate change mitigation) work programme since May 2021.

The Manahautū (General Manager Māori Partnerships and Policy) (Jeanette Wikaira) and Senior Policy Analyst, Zero Carbon (Florence Reynolds) spoke to the report and responded to questions.

Cr Lee Vandervis entered the meeting at 1.35 pm.

Moved (Cr David Benson-Pope/Cr Marie Laufiso):

That the Council:

Notes the Zero Carbon Work Programme Update Report.

Division

The Council voted by division:

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

Against: Cr Lee Vandervis (1).

Abstained: Nil

The division was declared CARRIED by 13 votes to 1

Motion carried (CNL/2021/197)

10 DCC SUBMISSION ON TE HAU MAROHI KI ANAMATA - TRANSITIONING TO A LOW-EMISSIONS AND CLIMATE-RESILIENT FUTURE: EMISSIONS REDUCTION PLAN DISCUSSION DOCUMENT

A report from Corporate Policy sought approval of a Dunedin City Council submission to the Ministry for the Environment on the Emissions Reduction Plan Discussion Document.

The Manahautū (General Manager Māori Partnerships and Policy) (Jeanette Wikaira) and Senior Policy Analyst, Zero Carbon (Florence Reynolds) spoke to the report and responded to questions.

The resolutions were taken separately.

Moved (Mayor Aaron Hawkins/Cr Steve Walker):

That the Council:

- a) **Approves** the DCC submission, with any amendments, to the Ministry for the Environment on the proposed Emissions Reduction Plan Discussion Document.

Division

The Council voted by division:

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

Against: Cr Lee Vandervis (1).

Abstained: Nil

The division was declared CARRIED by 13 votes to 1

Motion carried (CNL/2021/198)

Moved (Mayor Aaron Hawkins/Cr Steve Walker):

That the Council:

- b) **Includes** support for funding free fares for public transport.

Division

The Council voted by division:

For: Crs Sophie Barker, David Benson-Pope, Rachel Elder, Carmen Houlahan, Marie Laufiso, Jim O'Malley, Jules Radich, Chris Staynes, Steve Walker and Mayor Aaron Hawkins (10).

Against: Crs Doug Hall, Mike Lord, Lee Vandervis and Andrew Whiley (4).

Abstained: Nil

The division was declared CARRIED by 10 votes to 4

Motion carried (CNL/2021/199)

Moved (Mayor Aaron Hawkins/Cr Steve Walker):

That the Council:

- c) **Authorises** the Chief Executive to make any minor editorial changes to the submission.

Motion carried (CNL/2021/200)

Cr Andrew Whiley left the meeting at 2.59 pm and returned at 3.00 pm.

11 DUNEDIN CITY HOLDINGS LIMITED SHARE CAPITAL

A report from the Executive Leadership Team advised that the current DCC Group borrowing arrangements required the level of Dunedin City Holdings Limited uncalled share capital to be greater than the DCC Group debt.

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

Cr Steve Walker left the meeting at 3.10 pm and returned at 3.21 pm.

Moved (Cr Mike Lord/Cr Doug Hall):

That the Council:

- a) **Approves** the required increase in share capital of Dunedin City Holdings Limited to provide \$1.200 billion of uncalled capital.
- b) **Authorises** the Dunedin City Council to execute the required shareholder resolution(s) and associated documents to achieve the increase in share capital noted in (a).

- c) **Notes** that this level of uncalled capital aligns with the forecast group debt as at 30 June 2024 as set out in the approved 2021/2022 Statement of Intent for Dunedin City Holdings Limited.

During discussion Cr Doug Hall left the meeting at 3.13 pm.

Division

The Council voted by division:

For: Crs Sophie Barker, David Benson-Pope, Rachel Elder, Doug Hall, Marie Laufiso, Mike Lord, Jim O'Malley, Chris Staynes, Steve Walker, Andrew Whiley and Mayor Aaron Hawkins (11).

Against: Crs Carmen Houlahan, Jules Radich and Lee Vandervis (3).

Abstained: Nil

The division was declared CARRIED by 11 votes to 3

Motion carried (CNL/2021/201)

Moved (Mayor Aaron Hawkins/Cr Sophie Barker):

That the Council:

Adjourns the meeting until 3.40 pm.

Motion carried

The meeting adjourned 3.20 pm and reconvened at 3.40 pm.

12 DCC FURTHER SUBMISSION TO ORC REGIONAL POLICY STATEMENT 2021

A report from City Development sought retrospective approval for a further submission to the Otago Regional Policy Statement that had been lodged on 12 November 2021.

The General Manager Infrastructure and Development (Simon Drew) and Principal Policy Advisor (Paul Freeland) spoke to the report and responded to questions.

Moved (Cr David Benson-Pope/Cr Marie Laufiso):

That the Council:

- a) **Approves**, in retrospect, the Dunedin City Council further submission to the ORC on the Proposed Otago Regional Policy Statement 2021.
- b) **Authorises** the Chair of the Planning and Environment Committee or his delegate to speak to the DCC further submission at the Hearings.

Motion carried (CNL/2021/202)

13 DCC SUBMISSION ON TE KAWE I TE HAEPAPA PARA, TAKING RESPONSIBILITY FOR OUR WASTE

This item was withdrawn.

14 NEW ZEALAND MASTERS GAMES UPDATE

A report from Community and Planning provided an update on the operational and financial status of the biennial New Zealand Masters Games being run in Dunedin (5 – 13 February 2022).

The General Manager Community Services (Simon Pickford) and Masters Games Manager (Vicki Kestila) spoke to the report and responded to questions.

Moved (Cr Andrew Whiley/Cr Rachel Elder):

That the Council:

- a) **Notes** the New Zealand Masters Games operational and financial update.
- b) **Notes** that should the 2022 New Zealand Masters Games be cancelled due to COVID the Trust would request an underwrite from Council.
- c) **Approves** the 2022 New Zealand Masters Games proceeding.

Motion carried (CNL/2021/203)

15 STATEMENT OF PROPOSAL FOR CONSULTATION: STRATH TAIERI KEY VEHICLE AND PEDESTRIAN ROUTES (EARTHQUAKE-PRONE BUILDINGS)

A report from Customer and Regulatory sought approval for the statement of proposal to identify vehicle and pedestrian thoroughfare to be used for the special consultative procedure as part of Council's requirement to the Building (Earthquake-prone Buildings) Amendment Act 2016.

The General Manager Customer and Regulatory (Claire Austin) and Building Solutions Manager (Paul Henderson) spoke to the report and responded to questions.

Moved (Cr David Benson-Pope/Cr Mike Lord):

That the Council:

- a) **Approves** the statement of proposal for consultation purposes;
- b) **Notes** the update on earthquake-prone buildings.

Motion carried (CNL/2021/204)

16 HEARING COMMITTEE RECOMMENDATIONS ON THE REVIEW OF THE TRUBY KING RECREATION RESERVE MANAGEMENT PLAN

A report from Civic presented the recommendations of the Hearings Committee on the review of the Truby King Recreation Reserve Management Plan.

Cr David Benson-Pope spoke to the recommendations from the Hearings Committee.

The General Manager Community Services (Simon Pickford) and Planning and Partnerships Manager (John Brenkley) spoke to the report and responded to questions.

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

That the Council:

- a) **Notes** that the Hearings Committee has heard and considered submissions on the draft Truby King Recreation Reserve Management Plan 2021.
- b) **Adopts** the Truby King Recreation Reserve Management Plan 2021.

Motion carried (CNL/2021/205)

17 REGULATORY SUBCOMMITTEE RECOMMENDATIONS ON THE PROPOSED PARKING CHANGES-OCTOBER 2021

A report from Transport presented the recommendations of the Regulatory Subcommittee on proposed minor changes or clarifications to current parking restrictions, and corrections to the parking controls database of the Dunedin Traffic Parking Bylaw 2010.

Cr Andrew Whiley spoke to the recommendations from the Regulatory Subcommittee.

The General Manager Infrastructure and Development (Simon Drew) and Group Manager Transport (Jeanine Benson) spoke to the report and responded to questions.

Moved (Cr Andrew Whiley/Cr Rachel Elder):

That the Council:

- a) **Notes** that the Regulatory Subcommittee has considered feedback from consultation on the proposed changes to parking restrictions.
- b) **Adopts** the recommended minor changes, clarifications and corrections to the parking controls that are shown in the October 2021 update of the GIS database, <https://tinyurl.com/ParkingOctober2021> with the exception of 21 The Octagon which will be re-considered by the Regulatory Subcommittee
- c) **Notes** that all parking restrictions previously approved by Council remain unchanged.

Motion carried (CNL/2021/206)

18 PROPOSED EVENT ROAD CLOSURES FOR DECEMBER 2021, AND JANUARY AND FEBRUARY 2022.

A report from transport recommended Council approve the temporary closure of the roads for events to be held in December 2021 and January and February 2022.

The Group Manager Transport (Jeanine Benson) spoke to the report and responded to questions.

Moved (Cr Lee Vandervis/Cr Carmen Houlahan):

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:

i) Veteran Car Display, The Octagon

Saturday, 22 January 2022, 9am until 1pm:

- ☐ The Octagon Central Carriageway.

ii) Waitangi Day

Sunday, 6 February 2022, 9.30am until 2.30pm:

- ☐ The Octagon Central Carriageway.

iii) Chinese New Year

Friday, 11 February 2022, from:

- ☐ Carpark entrance to Chinese Gardens from 5pm to 10.30pm.
- ☐ The Octagon central carriageway, between George and Princes Streets, from 6.00pm until 7.15pm.
- ☐ Princes Street, between the Octagon and Rattray Street; and Lower Rattray Street, between Princes and Cumberland Streets, from 7.15pm until 7.30pm.
- ☐ Thomas Burns Street, between Fryatt and Cresswell Streets, from 9:30pm until 10:30pm.

iv) Thieves Alley Market Day

Saturday, 12 February 2022 from 4am to 7pm:

- ☐ The entire Octagon, including upper Stuart Street and lower Stuart Street, Princes and George Streets, between the Octagon and Moray Place.
- ☐ Bath and Harrop Streets.

Motion carried (CNL/2021/207)

19 SUBMISSION ON THE LOCAL GOVERNMENT (PECUNIARY INTERESTS REGISTER) AMENDMENT BILL

A report from Civic sought approval for a submission to the Local Government (Pecuniary Interests Register) Amendment Bill (the Bill).

The Chief Executive Officer (Sandy Graham) and Manager Governance (Clare Sullivan) spoke to the report and responded to questions.

Moved (Cr Chris Staynes/Cr Rachel Elder):

That the Council:

- a) **Endorses** the submission from Taituara on the Local Government (Pecuniary Interests Register) Amendment Bill and sends this as the Council's submission on the Bill;
- b) **Authorises** the Chief Executive to make any minor editorial changes to the submission;
- c) **Authorises** the Mayor or his delegate to speak to the submission.

Motion carried (CNL/2021/208)

20 APPOINTMENT TO OUTSIDE ORGANISATION

A report from Civic sought approval of the appointment of Cr Andrew Whiley to the New Zealand Masters Games Ltd Board.

The Manahautū (General Manager Māori Partnerships and Policy) (Jeanette Wikaira) and Manager Governance (Clare Sullivan) spoke to the report and responded to questions.

Moved (Cr Lee Vandervis/Cr Steve Walker):

That the Council:

Approves Cr Andrew Whiley as a member of the New Zealand Masters Games Ltd Board.

Motion carried (CNL/2021/209)

22 NOTICES OF MOTION

A report from the Executive Leadership Team provided procedural advice on two notices of motion that were included in the Council agenda.

The Chief Executive Officer (Sandy Graham) spoke to the report.

Moved (Mayor Aaron Hawkins/Cr Mike Lord):

That the Council:

Notes the advice provided.

Motion carried

23 NOTICE OF MOTION - THREE WATERS REFORM

In accordance with Standing Order 26.1, a Notice of Motion was received from Mayor Aaron Hawkins.

Mayor Hawkins spoke to the Notice of Motion which was then considered by Council.

Cr Mike Lord left the meeting at 4.34 pm and returned at 4.36 pm.

Moved (Mayor Aaron Hawkins/Cr Marie Laufiso):

That the Council:

- a) **Express** its disappointment in the decision to make participation in the Three Waters reform programme mandatory.

Division

The Council voted by division:

- For: Crs David Benson-Pope, Rachel Elder, Marie Laufiso, Mike Lord, Chris Staynes, Lee Vandervis, Steve Walker and Mayor Aaron Hawkins (8).
- Against: Crs Sophie Barker, Doug Hall, Carmen Houlahan, Jim O'Malley, Jules Radich and Andrew Whiley (6).
- Abstained: Nil

The division was declared CARRIED by 8 votes to 6

Motion carried (CNL/2021/210)

Moved (Mayor Aaron Hawkins/Cr Marie Laufiso):

That the Council:

- b) **Reaffirm** its desire to see an enduring role for iwi Māori in the governance of three waters service delivery.

Division

The Council voted by division:

- For: Crs David Benson-Pope, Marie Laufiso, Mike Lord, Chris Staynes, Steve Walker and Mayor Aaron Hawkins (6).
- Against: Crs Sophie Barker, Rachel Elder, Doug Hall, Carmen Houlahan, Jim O'Malley, Jules Radich, Lee Vandervis and Andrew Whiley (8).
- Abstained: Nil

The division was declared LOST by 6 votes to 8

Moved (Mayor Aaron Hawkins/Cr Marie Laufiso):

That the Council:

- c) **Actively** promote community participation in the relevant Select Committee processes.

Division

The Council voted by division:

For: Crs David Benson-Pope, Marie Laufiso, Mike Lord, Chris Staynes, Steve Walker and Mayor Aaron Hawkins (6).
Against: Crs Sophie Barker, Rachel Elder, Doug Hall, Carmen Houlahan, Jim O'Malley, Jules Radich, Lee Vandervis and Andrew Whiley (8).
Abstained: Nil

The division was declared LOST by 8 votes to 6

Moved (Mayor Aaron Hawkins/Cr Marie Laufiso):

That the Council:

- d) **Continue** to work constructively, through any available avenues, in an attempt resolve our concerns around system design.

Division

The Council voted by division:

For: Crs David Benson-Pope, Marie Laufiso, Mike Lord, Chris Staynes, Steve Walker and Mayor Aaron Hawkins (6).
Against: Crs Sophie Barker, Rachel Elder, Doug Hall, Carmen Houlahan, Jim O'Malley, Jules Radich, Lee Vandervis and Andrew Whiley (8).
Abstained: Nil

The division was declared LOST by 6 votes to 8

Moved (Mayor Aaron Hawkins/Cr Chris Staynes):

That the Council:

Adjourns the meeting.

Motion carried

The meeting adjourned at 5.12 pm and reconvened at 5.15 pm.

24 NOTICE OF MOTION - THREE WATERS REFORM

In accordance with Standing Order 26.1, a Notice of Motion was received from Cr Jim O'Malley. Cr O'Malley spoke to the Notice of Motion which was then considered by Council.

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

That the Council:

- a) **Expresses** to Government broad support for reforms in three waters. Specifically the Council:
 - i) Supports the formation of Taumata Arowai and increased water standards.

- ii) Supports Ngai Tahu participation in water services decision making. Especially with reference to obligations under Te Tiriti o Waitangi, The Treaty of Waitangi and the Ngai Tahu Claims Settlement 1998.
- iii) Supports the aim that three waters activities must give effect to te mana o te wai.
- iv) Acknowledges that efficiencies can be gained by cooperative and coordinated behaviour between councils.

Division

The Council voted by division:

For: Crs Sophie Barker, Rachel Elder, Doug Hall, Carmen Houlahan, Jim O'Malley, Jules Radich and Andrew Whiley (7).
 Against: Crs David Benson-Pope, Marie Laufiso, Mike Lord, Chris Staynes, Lee Vandervis, Steve Walker and Mayor Aaron Hawkins (7).
 Abstained: Nil

An equality of votes was recorded 7:7 following which the Mayor used his casting vote against the motion.

Motion lost

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

That the Council:

- b) **Affirms** to Government that it does not currently support the formation of the four water entities. Specifically:
 - i) We are disappointed the Government appears to have given little consideration to alternative models for water services delivery other than the proposed establishment of asset owning, multi-regional water services entities.
 - ii) We state that the Three Waters Reform Programme needs to be reset.
 - iii) We seek that the Government commits to meaningful engagement with our community before advancing any further with water entity reform.

Division

The Council voted by division:

For: Crs Sophie Barker, Rachel Elder, Doug Hall, Carmen Houlahan, Marie Laufiso, Jim O'Malley, Jules Radich, Lee Vandervis and Andrew Whiley (9).
 Against: Crs David Benson-Pope, Mike Lord, Chris Staynes, Steve Walker and Mayor Aaron Hawkins (5).
 Abstained: Nil

The division was declared CARRIED by 9 votes to 5

Motion carried (CNL/2021/211)

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

That the Council:

- c) **Delegates** authority to the Chair of Infrastructure Services Committee to discuss with staff and engage with the council, the government and other councils in the development of an alternative regional three waters services model to be completed in time to inform the government three waters reform programme.

Division

The Council voted by division:

For: Crs Sophie Barker, Rachel Elder, Doug Hall, Carmen Houlahan, Jim O'Malley, Jules Radich and Andrew Whiley (7).

Against: Crs David Benson-Pope, Marie Laufiso, Mike Lord, Chris Staynes, Lee Vandervis, Steve Walker and Mayor Aaron Hawkins (7).

Abstained: Nil

An equality of votes was recorded 7:7 following which the Mayor used his casting vote against the motion.

Motion lost

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:

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 Confidential Council Actions from Resolutions at Council Meetings	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.	
C2 Potential Development Opportunity	S7(2)(h) The withholding of the information is	S48(1)(a) The public conduct of the part of the	

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).

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 the meeting adjourn to enable members of the media to leave.

The meeting moved into confidential at 5.56 pm and closed at 6.24 pm.

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MAYOR