
From: Lee Vandervis <lee@vandervision.co.nz>

Sent: 22 May 2019 10:36 AM

To: Sue Bidrose <Sue.Bidrose@dcc.govt.nz>; Sandy Graham <Sandy.Graham@dcc.govt.nz>

Cc: Council 2016-2019 (Elected Members) <council.2016-2019@oa.dcc.govt.nz>

Subject: 'Unitary Council report' further information requests.

Dear Sue,

The reason for having to involve other staff and elected representatives in my information requests and criticisms lies with you, as you have often failed to respond to or to answer questions unless I copied others in. Additionally, I have been asked to also direct my enquiries to Team Leader Civic Sharon Bodecker. Ignorance of at least Standing Order **20.15** by Mayor Cull and Team Leader Civic is an established fact.

Notwithstanding possible Mayoral pressure, you must also bear the responsibility for blocking the progress of the Unitary Council report, and refusing [thus far] to answer some related questions and to forwarding the draft version of the Unitary Council report to me, confidentially or otherwise.

Procedural travesties [such as the revocation and closure motions - see ODT Civis 11/05/2019] at Council meetings also lie with you as ignorance and by-passing of Standing Orders and failures by staff to progress the Unitary Council report ultimately comes down to CEO responsibility.

Your jaundiced and no doubt expensive external legal opinion on closure motions below avoids the fundamental moral issue that it is not possible for a sane chairperson to consider it reasonable to allow a closure motion after only the proposer has had the opportunity to speak to it. The legal argument made about no members wanting to speak to the motion obviously did not apply.

In any case Mayor Cull and Team Leader Civic can hardly try arguing **20.15** in their defence now, since they have both admitted to being ignorant of **20.15** at the time the closure motion was proposed.

I believe that it is also your fault that this abhorrent revocation motion was ever allowed into Council paperwork in the first place because of Standing Order "**23.3 Requirement to give notice**

A member must give notice to the chief executive at least 5 working days before the meeting at which it is proposed to consider the motion. The notice is to be signed by not less than one third of the members of the local authority, including vacancies. Notice can be sent via email and include the scanned electronic signatures of members. If the notice of motion is lost, no similar notice of motion which is substantially the same in purpose and effect may be accepted within the next twelve months."

This revocation motion paperwork which I have repeatedly requested to see has not been forwarded along with a belated attempt to get the necessary third of members to sign it does not absolve you from responsibility for accepting this deficient revocation motion in the first place.

Further to still outstanding information requests, can you please confirm whether or not you were aware of **Standing Orders 23**, in particular **23.3** under the general heading of REVOCATION OR ALTERATION OF RESOLUTIONS when you accepted Cr. Benson-Pope's revocation motion as per **23.1** to be included in our 30th April agenda?

Can you also please confirm whether you were aware [as Mayor Cull and Team Leader Civic have admitted they were not!] of Standing Order "**20.15**

Chairperson's acceptance of closure motions

The Chairperson may only accept a closure motion where there have been at least two speakers for and two speakers against the motion that is proposed to be closed, or the Chairperson considers it reasonable to do so.”?

Further, had you discussed this potential closure motion with any staff member or elected member prior to the motion being put by Cr. Wilson?

It is your actions and inactions that have led to so many unanswered questions and so much dysfunction. As I understand our roles, it is my job to get sufficient information to make good decisions, and your job [still waiting for your detailed job description ex HR] to provide appropriately requested information and ensure agendas comply with Standing Orders, amongst other things.

Looking forward to getting prompt answers to all of my questions and information requests, and to no further distractions regarding my ‘tone’.

Regards,
Cr. Lee Vandervis

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From: Lee Vandervis
Sent: Tuesday, 21 May 2019 10:06 a.m.
To: Sharon Bodeker <Sharon.Bodeker@dcc.govt.nz>; Council 2016-2019 (Elected Members) <council.2016-2019@oa.dcc.govt.nz>
Cc: Sue Bidrose <Sue.Bidrose@dcc.govt.nz>; Sandy Graham <Sandy.Graham@dcc.govt.nz>
Subject: Re: 'Guidance' information request.
Importance: High

Dear Sharon,

Both you and Mayor Cull have recently claimed that you were ignorant of Standing Order 20.15 which relates specifically to closure motions. I find this disturbing given your positions.

I am still waiting for Cr. Wilson to confirm her ignorance or otherwise of Standing Order 20.15 when she proposed her closure motion after only Cr Benson Pope had made his Unitary Council report revocation speech.

Having been alerted to this very clear Standing Order, you falsely claim below that “standing order 20.15 says the Chairperson may accept a closure motion when the Chairperson considers it reasonable to do so”. This is **not** what 20.15 says. I note your lack of quotation marks below.

What 20.15 says precisely is “**20.15 Chairperson's acceptance of closure motions**

The Chairperson may **only** accept a closure motion where there have been at least two speakers for and two speakers against the motion that is proposed to be closed, or the Chairperson considers it reasonable to do so.”

What this means is what it says, - that no closure motion can be accepted unless there have been at least two speakers for and two speakers against the motion that is proposed to be closed, or if more than two speakers for and two speakers against the motion have spoken and the Mayor then considers it reasonable to accept a closure motion, he then may accept a closure motion.

20.15 is one sentence, predicated on **only** being able to accept a closure motion if there has been at least two speakers for and against a motion.

There is no contradiction, and no loop-hole for you or the Mayor or Cr. Wilson.

I am even more deeply disturbed that since I have given you the opportunity to belatedly appraise yourself of this clear, sensible, and easily understood standing order which closure parties have admitted being ignorant of, that you still seek to justify Mayor Cull's and Cr. Wilson's 'un-proud moments' by misreading the last part of the 20.15 sentence as if it was a stand-alone contradiction.

Looking forward to your apology by return for not knowing and subsequently mis-representing this Standing Order.

Regards,

Cr. Lee Vandervis