

From: Lauren McDonald
To: [REDACTED]
Subject: Response to Official Information request - Verifying if DCC is covered by its Insurance for any health effects that may arise from its roll out of the new LED lights
Date: Friday, 24 January 2020 09:28:00 a.m.
Attachments: [2020-06 DCC PL Certificate.pdf](#)

Dear [REDACTED]

In response to your official information request of 3 December 2019 for, I have restated your questions and provided responses as follows:

1. **Copies of all commercial Dunedin City Council public liability insurance policy certificates with what is covered, policy numbers, providers and underwriters held by Dunedin City Council. In particular, please make sure anything regarding 'pollution liability', 'policy enhancement' and 'schedules of exclusions' documents in relation to the commercial public liability insurance policy held by Dunedin City Council.**

A copy of DCC Public Liability Insurance Certificate is attached. For clarification the attached certificate is for the Dunedin City Council including Olveston. (For clarification the separate disclosure of Olveston arises from Olveston previously being considered an outside organisation to the DCC and had their own certificate.)

The Pollution Exclusion of this policy states that: Personal injury or Property Damage, including costs and expenses incurred in the prevention, nullifying or clean up, arising out of the discharge, dispersal, release or escape of pollutants into or on land, the atmosphere or any watercourse or body of water, unless the discharge, dispersal, release or escape is sudden, identifiable, unexpected and unintended from the stand point of the Insured and takes place at a specific time and place.

Sub-limit of cover is \$2.0 million. The policy has no specific exclusion relating to electromagnetic fields, radio waves, LED lights etc.

2. **Copies of the 'certificate of indemnity' from Dunedin City Council that may include the public insurance provider and underwriters, confirming that any injuries, damages or adverse health effects directly or indirectly arising out of, resulting from or contributed to by electromagnetic fields, electromagnetic radiation, electromagnetism, radio waves or noise, wireless RF radiation, microwave radiation, non-ionising radiation emitting devices and equipment.**

There are no certificates of indemnity to provide in regard to this matter.

3. **If the Council has no insurance covering the electromagnetic grounds above in paragraph 2, will the NZ Government then take over any health and related claims that may arise from the installation of this new electro-magnetic/ wireless street lights and other such urban infrastructure in Dunedin? Without such a guarantee, surely Dunedin City Council would go bankrupt in the event of such claims?**

As advised in response to question 2, the Public Liability policy has no specific exclusion for electromagnetic field, radio waves, LED lights etc. You may wish to direct your questions to the Ministry of Health, as it is a question of policy/position you have raised, rather than a request for information held.

I hope that this answers your query.

Your sincerely

Lauren McDonald

Governance Support Officer

CORPORATE SERVICES GROUP

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From: [REDACTED]

Sent: Monday, 2 December 2019 11:09 a.m.

To: Official Information <officialinformation@oa.dcc.govt.nz>

Cc: [REDACTED]

Subject: Official Information request - Verifying if DCC is covered by its Insurance for any health effects that may arise from its roll out of the new LED lights

To Dunedin City Council

Subject Official Information request - Verifying if DCC is covered by its Insurance for any health effects that may arise from its roll out of the new LED lights

Dear Dunedin City Council,

Dear Sir/Madam –

NOTICE OF REQUEST UNDER OFFICIAL INFORMATION ACT 1982

Under the Official Information Act 1992, I am requesting you please to please provide the following:

1. Copies of all commercial Dunedin City Council public liability insurance policy certificates with what is covered, policy numbers, providers and underwriters held by Dunedin City Council. In particular, please make sure anything regarding ‘pollution liability’, ‘policy enhancement’ and ‘schedules of exclusions’ documents in relation to the commercial public liability insurance policy held by Dunedin City Council.
2. Copies of the ‘certificate of indemnity’ from Dunedin City Council that may include the public insurance provider and underwriters, confirming that any injuries, damages or adverse health effects directly or indirectly arising out of, resulting from or contributed to by electromagnetic fields, electromagnetic radiation, electromagnetism, radio waves or noise, wireless RF radiation, microwave radiation, non-ionising radiation emitting devices and equipment.
3. If the Council has no insurance covering the electromagnetic grounds above in paragraph 2, will the NZ Government then take over any health and related claims that

may arise from the installation of this new electro-magnetic/ wireless street lights and other such urban infrastructure in Dunedin? Without such a guarantee, surely Dunedin City Council would go bankrupt in the event of such claims?

I request written receipt of this Official Information Act Request, sincerely and without ill will, vexation or frivolity.

Many thanks indeed.

Yours faithfully

A solid black rectangular box used to redact the signature of the sender.

CERTIFICATE OF INSURANCE

**Olveston
42 Royal Terrace
DUNEDIN 9016**

The Policy has been affected subject to the terms and conditions detailed below.

Insured: Dunedin City Council including Olveston

Business Activity: Historic Home and Tourist Attraction

Policy: Public Liability

Policy Number: 80-0018212-PUL

Interests Insured: Legal liability as defined in the policy in respect to accidental death or bodily injury to any person or accidental loss or damage to Third Party property caused by an occurrence in connection with the business.

Sum Insured: \$35,000,000 any one occurrence and other limits as outlined in the policy wording

Excess: \$10,000 each and every claim
And as otherwise stated in the Underwriter policy wording

Period of Cover: 30th June 2019 to 30th June 2020

Insurer: QBE Insurance (Australia) Ltd

Additional Information:

This certificate provides evidence of insurance cover being in place.
Actual cover will be subject to the policy terms and conditions.

Date:

28/6/2019

Signature:

