



00T April 21 2009

YES

Subject to court hearings

By CHRIS MORRIS
and DAVID LOUGHREY

A JUDGE will decide the immediate fate of the \$198 million Otago stadium within days, after Dunedin councillors yesterday voted to sign a construction contract despite the threat of a High Court injunction.

Dunedin city councillors voted 10-4 in favour of signing a guaranteed maximum price contract for the stadium with Hawkins Construction after yesterday's learning. Stop the Stadium's injunction application would be the subject of a High Court hearing in Christchurch on Thursday.

The signing of the contract was approved by councillors subject to a favourable outcome at the High Court, with the judge expected to release a decision by 5pm on Monday.

Yesterday's vote meant the stadium would be all go. If the judge threw out the injunction application, Mayor Peter Chin told councillors.

Speaking after the meeting, Mr Chin said: "I'm very, very happy with the outcome of a long day and a long process. I think the decision is the right decision."

He was confident the court would rule in the council's favour.

"If the decision is a positive decision then the way is clear."

Stop the Stadium president Rev Butler walked out of yesterday's meeting at 4.55pm, shortly before the final vote, and told the *Otago Daily Times* she was "feeling a bit sick", having "heard it all before".



"Tortuous" process... Mayor Peter Chin at yesterday's Dunedin City Council meeting.

"Stop the Stadium looks forward to the ratification of yesterday's extraordinary council meeting was expected to begin about 11am, but was delayed several times as councillors

weighed legal advice relating to the injunction notice and the implications of signing — or not — the contract.

At 1pm, Mr Chin held a press



Happy... Carlsbrook Stadium Trust chairman Malcolm Farry yesterday.

conference to inform waiting media that the council had resolved to defend the proceedings with urgency, and had instructed chief executive Jim Harland to work with the council's legal advisers and, if appropriate, to instruct Queen's counsel to represent the council.

The council also confirmed its commitment to resolution 7 of its meeting on February 9, which stated the council was committed to the project.

When the meeting eventually moved into public deliberations shortly before 5pm, the stadium received a boost with confirmation the Government's \$15 million contribution would come as a grant on July 1.

Mr Chin also tabled a letter from Otago Regional Council chairman Stephen Carruthers confirming its contribution of \$37.5 million would be paid over three years, beginning once the

Awaitea site was cleared and construction had begun. The debate then continued as councillors largely reiterated previous stated positions, including raising again the perceived need for more public consultation.

Several councillors at yesterday's meeting attempted to strike a more conciliatory tone than in the past, with Cr Teresa Steenson saying, whatever the outcome, she hoped Dunedin could go back to being the supportive community it was.

Mr Chin said, weighing the merits of the stadium during the past few years had been a "very tortuous" process, and the council, with the benefit of hindsight, "could have done things better."

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WHAT THEY SAID • Page 6

MP eyes slice of oil claims

By HAMISH MCNEILLY

A MAORI Party MP is hoping to strike oil if the Foreshore and Seabed Act is repealed, saying it could allow Maori a percentage of future mineral claims — but an oil lobbyist warns against the move.

The MP, Te Tai Tonga MP Rahui Katene, said the Maori Party wanted the controversial Act repealed and new legislation to take its place which would recognise the right of Maori under the Treaty of Waitangi to the foreshore and seabed — and a stake in any future mineral claim.

The move would "future-proof" Maori for generations to come, and protect the foreshore and seabed for all New Zealanders, she said.

As part of the Maori Party's confidence and supply agreement with the Government, a ministerial review panel on the Foreshore and Seabed Act is holding a series of hui and meetings around the country.

They began in Bluff yesterday.

Petroleum Exploration and Production Association of New Zealand executive officer John Petherick confirmed to the *Otago Daily Times* he had lodged a submission to the review panel expressing his members' concern.

Those concerns include Maori obtaining exclusive access to exploration areas, and the "right to veto" against mineral permit holders.

"Future returns might be put at risk if nominated Maori had veto rights on access," the submission notes.

Oil and gas explorers at present negotiate only with the Crown, but may have to negotiate access rights with Maori if the Act is repealed. "If the Crown decides to review the Foreshore and Seabed Act, such that the effect is to alienate certain foreshore and seabed providing exclusive title to Maori, there is a genuine risk that our sector will not be able to effectively gain access to areas of exploration and production," Mr Petherick said.

The petroleum industry is this year expected to generate more than \$3 billion for the New Zealand economy, with royalty payments to the Government expected to exceed \$700 million.

Forced to take a punt on raft

By DAVID LOUGHREY



The car, and a Dyne's Transport truck and trailer unit heading to Dunedin, collided

into the cause of the crash, he said. Two men have lost their

edin. Sgt. Brown said in the first incident a 49-year-old man was

immediately suspended for 28 days. In the second incident, a

suspended for 28 days and he will appear in the Dunedin District Court.

on nutrient loading and microbial productivity in aquatic ecosystems.

Government grant for stadium confirmed

By DAVID LOUGHEEY

A GOVERNMENT contribution of \$15 million for Dunedin's planned stadium firm from an "underwrite" to a "grant" yesterday.

During a Dunedin City Council meeting, Mayor Peter Chin released a letter he had received from Rugby World Cup Minister Murray McCully, confirming the funding.

There has been some confusion about how and when the council could access the money.

But the letter confirmed "the Crown will provide a grant of \$15 million (net) towards the construction of the Awarua stadium, with an expectation that the stadium will be completed and available for the Rugby World Cup 2011."

Once the Government was informed of the council's decision on the stadium, officials from the Ministry of Economic Development would

work with the mayor on arrangements for the grant.

Mr McCully commended the council and the Carisbrook Stadium Trust "on the effort and the commitment you have put in to creating a long-lasting legacy for the city of Dunedin."

Mr McCully said in a subsequent email the money would be available from July 1.

Delays to yesterday's extraordinary council meeting meant its scheduled infrastructure services committee was held over until today.

The committee meeting, which was scheduled for 2pm yesterday, was opened and immediately adjourned to allow councilors more time to resolve stadium deliberations.

The meeting "could resume at noon today, with items on the agenda including a proposal for the \$74.3 million stage two upgrade of Dunedin's Tannah wastewater plant, Mr Chin confirmed.

What they said

► Cr Teresa Stevenson likened the stadium debate to a war, and said during a war people used "hard tactics".

► Deputy mayor Syd Brown said building Moana Pool and shifting the art gallery from Logan Park to the Octagon had caused the same sort of debate as the stadium had, and nobody would want to turn back the clock on those issues.

► Cr Neil Collins said if the city did not support projects such as the stadium it was "buying into decline".

► Cr Michael Guest said he wished people opposed to the stadium would listen to

THE STADIUM



the support for it by University of Otago vice-chancellor Prof David Stegg, one of Dunedin's leading academics.

► Cr Richard Walls said the stadium was affordable, and the city had got "a pretty good deal".

► Cr Andrew Neone said the stadium was "a fantastic project" that would set Dunedin apart from other centres.

► Cr Dave Cull said councilors had been in an

"unseemly rush to push this [stadium] through" in the last month, with a \$15 million "carrot" dangled by the Government but tied to the Rugby World Cup, and due process had been short-circuited as a result.

► Cr Chris Staines said he believed the majority of people no longer supported the stadium, and the city was being placed in a difficult financial situation with the risk of lost opportunities for years to come.

► Cr Colin Weatherall compared the stadium with the Sydney Opera House, debate over which had prompted "absolute chaos" in Australia. The stadium project would prove to be

the same, he predicted.

► Cr John Beckett said councilors had taken appropriate and "robust" legal advice, and he was "very confident" the stadium would succeed.

► Cr Bill Acklin said the stadium's construction alone would bring \$150 million in economic stimulus to the city, which was "more than the public money going into the stadium".

► Cr Kate Wilson believed councilors had let the community down through the lack of consultation, but — while still opposed to the project — was encouraged by the improved guaranteed maximum price contract now before councilors.

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Yes, subject to hearing

If Thursday's injunction hearing produced a result favourable to the stadium, Mr Chin said he hoped the community and council would "support the project, so that the differences we have had will be forgotten a bit, as we collectively make it happen."

Ms Butler last night said Mr Chin's comments were "empty words", given the refusal to allow further consultation during next month's council long-term council community plan hearings.

She vowed she would "never" support the stadium — "Why would you embrace something that you don't want?" — and also indicated Stop the Stadium was still planning other ways to attempt to derail the project.

"You will just have to wait and see. We have to keep our powder dry."

► Cr Ffion Butcher apologised for not attending the meeting.

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