

**MINUTES OF A COUNCIL MEETING OF THE CENTRAL OTAGO DISTRICT COUNCIL
HELD AT NGĀ HAU E WHĀ, WILLIAM FRASER BUILDING,
1 DUNORLING STREET, ALEXANDRA
ON WEDNESDAY, 24 MARCH 2021 COMMENCING AT 10.30 AM**

PRESENT: His Worship the Mayor T Cadogan (Chairperson), Cr N Gillespie, Cr T Alley, Cr S Calvert, Cr L Claridge, Cr S Duncan, Cr S Jeffery, Cr C Laws, Cr N McKinlay, Cr M McPherson, Cr T Paterson

IN ATTENDANCE: S Jacobs (Chief Executive Officer), L Macdonald (Executive Manager - Corporate Services), J Muir (Executive Manager - Infrastructure Services), L van der Voort (Executive Manager - Planning and Environment), S Righarts (Chief Advisor), L Stronach (Property Officer – Statutory), C Martin (Property and Facilities Officer – Vincent and Teviot Valley), G Bailey (Parks and Recreation Manager), A Rogers (Principal Policy Planner), Q Penniall (Environmental Engineering Manager), A Peacock (Engineering Assistant), P Keenan (Capital Projects Programme Manager), J McCallum (Roading Manager), M Dougherty (Finance Manager), D McKewen (Accountant), D Campbell (Planning Manager), E Auchterlonie (Project Manager), M De Cort (Communications Coordinator) and R Williams (Governance Manager)

1 APOLOGIES

RESOLUTION

Moved: Duncan
Seconded: Claridge

That apologies from Cr I Cooney be received and accepted.

CARRIED

Note: The Mayor noted the addition of item 21.2.32 – *Zone 5 and 6 Meeting* from Cr McKinlay in accordance with Standing Order 9.13.

2 PUBLIC FORUM

Lynne Stewart – Petition from Clyde School Students, December 2019

Ms Stewart spoke to the meeting about the petition delivered by Clyde School students in December 2019 and asked what action was planned in response. She submitted that the speed limit on the Clyde end of Earnsclough Road needed to be reduced for safety reasons. She also noted that the river track sign had been removed. Ms Stewart then responded to questions. In response, the Roading Manager advised that speed validation would be undertaken as part of a speed limit review with a view to extending the 50 km limit to Picnic Creek. It was expected that exercise would be undertaken later in the year and that a speed counter would be put in place in the interim to validate the volume and time of day of speeding vehicles so that information can be passed on to the police.

3 CONFIRMATION OF MINUTES

RESOLUTION

Moved: Alley
Seconded: Jeffery

That the minutes of the Ordinary Council Meeting held on 3 February 2021 be confirmed.

CARRIED

4 DECLARATION OF INTEREST

Members were reminded of their obligations in respect of declaring any interests. There were no further declarations of interest.

5 REPORTS FOR DECISIONS

21.2.2 MINISTER OF CONSERVATION'S CONSENT - EASEMENTS OVER LOCAL PURPOSE (ROAD) RESERVE [PRO: 62-3116-E1]

To consider granting consent (under delegated authority), on behalf of the Minister of Conservation, to Council granting easements over Lot 101 Deposited Plan 490721 (Local Purpose (Road) Reserve).

RESOLUTION

Moved: Gillespie
Seconded: McKinlay

That the Council

- A. Receives the report and accepts the level of significance.
- B. Agrees to grant consent (under delegated authority), on behalf of the Minister of Conservation, to Council granting the following easements over Lot 101 Deposited Plan 490721 being Local Purpose (Road) Reserve:
 - over Lot 101 DP 490721 (Local Purpose (Road) Reserve) in favour Lot 1 DP 505292 for the purpose of conveying water, sewage, electricity, and telecommunications.
 - (in gross) in favour of Aurora Energy Limited.
 - (in gross) in favour of Chorus NZ Limited.

CARRIED

21.2.3 RURAL NETWORKS SOUTH ISLAND RENT REVIEW.

To consider reviewing the licence fees and power charges payable by Rural Networks South Island for the leases held over various Council reserves.

Questions were raised about the assessment of future power costs and the evidence to support the proposed reduction in rent and it was agreed to leave the item to lie on the table pending further information.

RESOLUTION

Moved: Cadogan
Seconded: Duncan

That the item is left to lie on the table pending further information.

CARRIED

21.2.4 CONSULTATION DOCUMENT FOR THE 2021-31 LONG-TERM PLAN AND SUPPORTING INFORMATION TO THE CONSULTATION DOCUMENT FOR THE DRAFT 2021-31 LONG-TERM PLAN

To adopt the 2021-31 draft Long-term Plan as supporting information to the Consultation Document and then to adopt the 2021-31 Long-term Plan Consultation Document for public consultation. The Mayor congratulated staff on their work to date and commented on the consultation document and how he hoped it would encourage people to submit.

RESOLUTION

Moved: Cadogan
Seconded: Gillespie

That the Council

- A. Receives the report and accepts the level of significance.
- B. Recommends the draft 2021-31 Long-term Plan be adopted as supporting information to the Consultation Document. This documentation includes:
 - (a) Infrastructure Strategy
 - (b) Financial Strategy
 - (c) Development and Financial Contributions Policy
 - (d) Fees and Charges
 - (e) Significance and Engagement Policy
 - (f) Revenue and Financing Policy
 - (g) Rating Policy
 - (h) Liability Management Policy
 - (i) Investment Policy
 - (j) Prospective Financial Statements
 - (k) Prospective Funding Impact Statements
 - (l) Community Outcomes Development
 - (m) Significant Forecasting Assumptions and Risks
 - (n) Capital Expenditure for Activity Groups
- C. Recommends that the Long-term Plan 2021-31 Consultation Document be adopted for public consultation.
- D. Recommends that the Chief Executive Officer be authorised, in consultation with the Mayor, to make any necessary formatting or editorial changes, or other such final changes required by either Audit New Zealand or to ensure compliance with the Local Government Act 2002.

CARRIED

21.2.5 FEES AND CHARGES 2021-22

To approve the draft fees and charges schedule to be included in the fees and charges schedule of the 2021-31 Long-term Plan.

RESOLUTION

Moved: Jeffery

Seconded: Alley

That the Council

- A. Receives the report and accepts the level of significance.
- B. Accepts the Fees and Charges Schedule and its amendments for 2021-22 as detailed in Appendix 1.
- C. Adopts the fees and charges as part of council's annual fees and charges for the 2021-22 financial year.

CARRIED

21.2.6 RURAL FIRE LAND AND BUILDINGS

To consider the disposal of the Tarras, Omakau, and Millers Flat Rural Fire Depots to Fire and Emergency New Zealand.

RESOLUTION

Moved: Gillespie

Seconded: McPherson

That the Council

- A. Receives the report and accepts the level of significance.
 - B. **Agrees** to dispose of the Tarras Rural Fire Depot to Fire and Emergency New Zealand subject to the following conditions:
 - 1 The building ownership is transferred for \$1
 - 2 A ground lease is granted for an area (as outlined in Appendix) for 30 years at \$1 per annum, and upon termination of the lease any improvements on the land will revert to Council
 - 3 Fire and Emergency New Zealand covers the legal costs associated with the sale and the preparation of the lease
 - 4 Fire and Emergency New Zealand covers the costs associated with the installation of a power supply and a septic tank system to the depot
 - 5 Fire and Emergency New Zealand covers the costs of relocating the Tarras Domain's access gate and the recycling station
 - C. **Agrees** to dispose of the Omakau Rural Fire Depot to Fire and Emergency New Zealand on the following conditions:
 - 1 The building ownership is transferred for \$1
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2 A ground lease is granted under Section 61(2) of the Reserve Act 1977 for 30 years at \$1 per annum, and upon termination of the ground lease any improvements on the land will revert to Council

3 Fire and Emergency New Zealand covers the legal costs associated with the sale and the preparation of the lease

D. **Agrees** to dispose of the Millers Flat Rural Fire Depot to Fire and Emergency New Zealand on the following conditions:

1 Council's ground lease is terminated upon which the building's ownership transfers to Fire and Emergency New Zealand

2 Fire and Emergency New Zealand covers the legal costs

CARRIED

21.2.7 FINANCIAL REPORT FOR THE PERIOD ENDING 31 JANUARY 2021

To consider the financial performance for the period ending 31 January 2021.

RESOLUTION

Moved: Alley
Seconded: Claridge

That the report be received.

CARRIED

21.2.8 MAYOR'S REPORT

The Mayor provided a verbal update and extended his thanks to the Deputy Mayor, other Councillors and staff for their support during his recuperation.

RESOLUTION

Moved: Cadogan
Seconded: Gillespie

That the Council receives the report.

CARRIED

Note: Cr Jefferies assumed the Chair as the Economic Development and Community Facilities portfolio lead.

21.2.9 MOLYNEUX PARK RESERVE MANAGEMENT PLAN 2021

To adopt the Molyneux Park Reserve Management Plan 2021. In speaking to the report, the Parks Manager noted the following amendments had been made to the document since it had been included with the agenda:

- The map on page 615 had been updated
 - Sec 5.1.2.policy 9 now read "The custodian's house may be leased from time to time at Council's discretion."
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- Removal of the word draft
- The page numbers had been updated.

RESOLUTION

Moved: McPherson
Seconded: Alley

That the Council

- Receives the report and accepts the level of significance.
- Resolves that the Molyneux Park Reserve Management Plan 2021 be adopted as amended above.

CARRIED

Note: Cr Gillespie assumed the Chair as the Planning and Regulatory portfolio lead.

Note: At 12:02 pm, Cr S Duncan left the meeting.

21.2.10 DISTRICT PLAN REVIEW PROGRAMME

To consider and approve the work programme for the District Plan Review.

RESOLUTION

Moved: McPherson
Seconded: Calvert

That the Council

- Receives the report and accepts the level of significance.
- Approve the District Plan review programme as outlined in Appendix 1

CARRIED

Note: At 12:03 pm, Cr S Duncan returned to the meeting.

21.2.11 APPROVAL OF PLAN CHANGE 15 TO THE CENTRAL OTAGO DISTRICT PLAN

To recommend for approval Plan Change 15 to the Central Otago District Plan.

RESOLUTION

Moved: Claridge
Seconded: Alley

That the Council

- Receives the report and accepts the level of significance.
- Approves pursuant to section 73 of the Resource Management Act 1991 Plan Change 15 to the Central Otago District Plan and determines that Plan Change 15 shall become operative on Tuesday 20th April 2021.
- Such approval to be effected by affixing the seal of the Council to the plan change.

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- D. Publicly notify that it has approved the plan change and the date upon which Plan Change 15 is to become operative.
- E. Provide a copy of the operative Plan Change 15 to those statutory authorities listed in clause 20 (4) of Schedule 1 to the Resource Management Act 1991.
- F. Provide a copy of the operative Plan Change 15 to every library in the District.

CARRIED

Note: Cr McKinlay assumed the Chair as the Three Waters and Waste portfolio lead.

Note: At 12:07 pm, Cr S Jeffery left the meeting

21.2.32 ZONE 5 & 6 MEETING

Cr McKinlay spoke to his observations of the Zone 5 and 6 meeting and Three Waters workshop, held in Wanaka on 15 – 17 March 2021.

Note: At 12:10 pm, Cr S Jeffery returned to the meeting.

Note: At 12:18 pm, Cr M McPherson left the meeting.

Note: At 12:19 pm, Cr M McPherson returned to the meeting.

21.2.12 WASTE SERVICES COLLABORATION

To consider opportunities for regional collaboration in waste management and diversion with Queenstown Lakes District Council.

RESOLUTION

Moved: Cadogan
Seconded: McPherson

That the Council

- A. Receives the report and accepts the level of significance.
- B. Directs staff to continue exploring the opportunity for regional collaboration in processing of Council's different waste streams.

CARRIED

Note: At 12:34 pm, Cr T Alley left the meeting.

21.2.13 WASTE MANAGEMENT AND MINIMISATION BYLAW 2021 ADOPTION

To adopt the draft waste management and minimisation bylaw following public consultation and legal review.

RESOLUTION

Moved: McPherson

Seconded: Cadogan

That the Council

- A. Receives the report and accepts the level of significance.
- B. Adopts the Waste Management and Minimisation Bylaw 2021.

CARRIED

Note: At 12:37 pm, Cr T Alley returned to the meeting.

Note: The meeting adjourned at 12.37pm and reconvened at 1.07 pm.

21.2.14 JANUARY 2021 WEATHER EVENT - WATER

To consider funding of the emergency response and repairs required to water assets as a result of the January 2021 weather event. Following a response to a question, it was agreed that an authorised over-expenditure should be used to fund the costs, rather than using the Emergency Event Reserve.

RESOLUTION

Moved: Jeffery
Seconded: Duncan

That the Council

- A. Receives the report and accepts the level of significance.
- B. Authorises \$340,000 of funding as an authorised over-expenditure for the initial response to, and repair of water assets, following the January 2021 flood event.

CARRIED

21.2.15 PROCUREMENT FOR WATER AND WASTEWATER PROJECTS

To consider and approve the procurement approach for design and construction of eight water and wastewater capital projects.

RESOLUTION

Moved: McPherson
Seconded: Paterson

That the Council

- A. Receives the report and accepts the level of significance.
 - B. Approves an open tender process for six contracts for construction work for the Cromwell pumpstation upgrades, Alexandra northern reservoir, Manuherekia pipe crossings, Roxburgh water pipe replacement, Bridge Hill water pipe replacement, and Clyde wastewater pumpstation.
 - C. Approves direct appointment of Beca for the Bridge Hill water pipe replacement design.
 - D. Approves direct appointment of Fluent Solutions for the Roxburgh water pipe replacement design.
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- E. Authorise the Chief Executive to award the construction contracts to the highest scoring tenderers.

CARRIED

Note: Cr Duncan assumed the Chair as the Roading portfolio lead.

21.2.16 JANUARY 2021 WEATHER EVENT - ROADING

To consider funding of the emergency roading repairs as a result of the January 2021 weather event.

RESOLUTION

Moved: Gillespie
Seconded: Alley

That the Council

- A. Receives the report and accepts the level of significance.
- B. Authorises \$355,250 of funding from the Emergency Event Reserve (1750264028) for reinstatement of roads following the January 2021 flood event.

CARRIED

Note: The Mayor assumed the Chair.

6 REPORTS FOR INFORMATION

21.2.17 MARCH 2021 GOVERNANCE REPORT

To report on items of general interest, receive minutes and updates from key organisations, consider Council's forward work programme and the legacy and current status report updates.

RESOLUTION

Moved: McPherson
Seconded: McKinlay

That the Council:

- A. Receives the report.
- B. Ratifies the Otago and Southland councils' joint submission to the Health Committee on the Water Services Bill.

CARRIED

7 COMMUNITY BOARD MINUTES**21.2.18 MINUTES OF THE VINCENT COMMUNITY BOARD MEETING HELD ON 2 MARCH 2021**
-----**RESOLUTION**

Moved: McPherson
Seconded: McKinlay

That the unconfirmed Minutes of the Vincent Community Board Meeting held on 2 March 2021 be noted.

CARRIED

-----**21.2.19 MINUTES OF THE MANIOTOTO COMMUNITY BOARD MEETING HELD ON 4 MARCH 2021**
-----**RESOLUTION**

Moved: McPherson
Seconded: McKinlay

That the unconfirmed Minutes of the Maniototo Community Board Meeting held on 4 March 2021 be noted.

CARRIED

-----**21.2.20 MINUTES OF THE CROMWELL COMMUNITY BOARD MEETING HELD ON 8 MARCH 2021**
-----**RESOLUTION**

Moved: McPherson
Seconded: McKinlay

That the unconfirmed Minutes of the Cromwell Community Board Meeting held on 8 March 2021 be noted.

CARRIED

-----**21.2.21 MINUTES OF THE TEVIOT VALLEY COMMUNITY BOARD MEETING HELD ON 11 MARCH 2021**
-----**RESOLUTION**

Moved: McPherson
Seconded: McKinlay

That the unconfirmed Minutes of the Teviot Valley Community Board Meeting held on 11 March 2021 be noted.

CARRIED

8 COMMITTEE MINUTES**21.2.22 HEARINGS PANEL CONFIRMED MINUTES 2020**

To consider the confirmed minutes of the Hearings Panel for the year 2020.

RESOLUTION

Moved: McPherson

Seconded: McKinlay

That the report be received.

CARRIED

21.2.23 MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING HELD ON 24 FEBRUARY 2021**RESOLUTION**

Moved: McPherson

Seconded: McKinlay

That the unconfirmed Minutes of the Audit and Risk Committee Meeting held on 24 February 2021 be noted.

CARRIED

9 STATUS REPORTS

Considered as part of the Governance Report

10 DATE OF NEXT MEETING

The date of the next scheduled meeting is 5 May 2021.

11 RESOLUTION TO EXCLUDE THE PUBLIC**RESOLUTION**

Moved: Alley

Seconded: Duncan

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution

Confidential Minutes of Ordinary Council Meeting	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
21.2.24 - Lake Dunstan Water Supply Procurement	s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
21.2.25 - February 2021 Forecast	s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
21.2.26 - Update on Procurement Process	s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
21.2.27 - March 2021 Confidential Governance Report	s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
21.2.28 - Confidential Minutes of the Vincent Community Board Meeting held on 2 March 2021	s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

	unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	
21.2.29 - Confidential Minutes of the Maniototo Community Board Meeting held on 4 March 2021	s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
21.2.30 - Confidential Minutes of the Cromwell Community Board Meeting held on 8 March 2021	s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
21.2.31 - Confidential Minutes of the Audit and Risk Committee Meeting held on 24 February 2021	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(c)(ii) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest</p> <p>s7(2)(d) - the withholding of the information is necessary to avoid prejudice to measures protecting the health or safety of members of the public</p> <p>s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</p>	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

CARRIED

The public were excluded at 1.36 pm and the meeting closed at 2.24 pm.