

**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, 5 MAY 2021 COMMENCING AT 10.31 AM**

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

IN ATTENDANCE: L Macdonald (Executive Manager - Corporate Services), Q Penniall (Acting Executive Manager - Infrastructure Services), L van der Voort (Executive Manager - Planning and Environment), S Righarts (Chief Advisor), N Aaron (Community Development Advisor), D Rushbrook (Tourism Central Otago Manager - via Teams), F Somerville (Roading Administration Assistant), L Stronach (Property Officer – Statutory), G McFarlane (Business Risk and Procurement Manager), K McCulloch (Corporate Accountant), M De Cort (Communications Coordinator) and R Williams (Governance Manager)

A moment's silence was observed in acknowledgement of the passing of Dave Cull, the former Mayor of Dunedin. The Mayor reflected on the contribution Mr Cull had made to Dunedin, the wider region and the Local Government sector as a whole.

1 APOLOGIES

RESOLUTION

Moved: Alley
Seconded: Claridge

That apologies from Cr N McKinlay and Cr T Paterson be received and accepted.

CARRIED

2 PUBLIC FORUM

There was no public forum.

3 CONFIRMATION OF MINUTES

RESOLUTION

Moved: Duncan
Seconded: Calvert

That the public minutes of the Ordinary Council Meeting held on 24 March 2021 be confirmed as a true and correct record.

CARRIED

4 DECLARATION OF INTEREST

Members were reminded of their obligations in respect of declaring any interests. Cr Laws noted that she was no longer involved with the Fine Thyme Theatre group and her role with Daffodil Day was as the Cromwell coordinator, rather than the area coordinator. Cr Gillespie noted an interest in relation to item 21.3.22.

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

5 REPORTS FOR DECISIONS

21.3.2 COMMUNITY DEVELOPMENT STRATEGY

To consider the adoption of the Community Development Strategy 2021-2022. During discussion it was agreed that the word “dwindling,” on page 7 of the document would be changed to “static”.

RESOLUTION

Moved: Alley
Seconded: Cooney

That the Council

- A. Receives the report and accepts the level of significance.
- B. Adopts the Community Development Strategy 2021-2022.

CARRIED

21.3.3 HARSHIP GRANT APPLICATION FOR ALEXANDRA DISTRICT MUSEUM INC.

To consider a hardship grant application from the Alexandra District Museum Inc.

During discussion it was noted the district funding to the Alexandra District Museum Inc was subject to a decision through the draft Long-term Plan process and as such the item should lie on the table until that decision had been made.

MOTION

Moved: Cadogan
Seconded: Gillespie

That the motion lie on the table.

CARRIED with Crs Calvert and Claridge voting against.

21.3.4 HARSHIP GRANT APPLICATION FOR CENTRAL OTAGO DISTRICT ARTS TRUST

To consider a Hardship Grant Application request from the Central Otago District Arts Trust.

During discussion it was noted that grant recipients who received hardship grants were expected to apply for funding for 9 months during the contestable funding round.

RESOLUTION

Moved: Duncan
Seconded: Alley

That the Council

- A. Receives the report and accepts the level of significance.
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- B. Approves a hardship grant of \$8,750 to the Central Otago District Arts Trust for the period of 1 July to 30 September 2021 to come from the allocated 2021-22 Council grants budget, following approval of the funding in the 2021-31 Long-term Plan.

CARRIED

21.3.5 TOURISM CENTRAL OTAGO - BUSINESS EVENTS

To provide an overview of a new work stream for Tourism Central Otago post COVID-19.

RESOLUTION

Moved: Duncan
Seconded: McPherson

That the report be received.

CARRIED

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

21.3.6 ROAD RENAMING APPROVAL REPORT - PORTION OF BOUNDARY ROAD

To ratify the Vincent Community Board's recommendation to rename a portion of Boundary Road, Alexandra to Poole Road.

RESOLUTION

Moved: McPherson
Seconded: Jeffery

That the Council

- A. Receives the report and accepts the level of significance.
- B. Rename the portion of Boundary Road between State Highway 8 and the netball pavilion to Poole Road.

CARRIED

Note: The Mayor assumed the Chair.

21.3.7 MINISTER OF CONSERVATION'S CONSENT - EASEMENT OVER ANDERSON PARK (RECREATION RESERVE) [PRO: 62-3116-00]

To consider granting consent (under delegated authority), on behalf of the Minister of Conservation, to Council granting an easement over Section 8 Block XCII Town of Cromwell, being part of Anderson Park Recreation Reserve. During discussion it was agreed that for clarity, additional details would be included in the resolution.

RESOLUTION

Moved: Gillespie
Seconded: McPherson

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 an easement (right to drain sewage) over Section 8 Block XCII Town of Cromwell, being part of Anderson Park Recreation Reserve in favour of new Lot 2 Deposited Plan 553564.

CARRIED

21.3.8 REQUEST FOR MINISTER OF CONSERVATION'S CONSENT TO EASEMENT OVER NASEBY RECREATION RESERVE [PRO 64-5033-00 AND PRO 64-5140-00]

To consider granting consent (under delegated authority), on behalf of the Minister of Conservation, to Council granting an easement (retrospectively, in gross) to OtagoNet Limited, over Lot 1 Deposited Plan 307769 and Section 80 Block I Naseby Survey District being part of the Naseby Recreation Reserve.

RESOLUTION

Moved: Duncan
Seconded: Cooney

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 an easement (retrospectively, in gross) over Lot 1 Deposited Plan 307769 and Section 80 Block I Naseby Survey District (recreation reserve) in favour of OtagoNet Limited.

CARRIED

21.3.9 MINISTER OF CONSERVATION'S CONSENT - EASEMENT OVER LOCAL PURPOSE (PUBLIC UTILITY) RESERVE [PRO: 65-7026-00]

To consider granting consent (under delegated authority), on behalf of the Minister of Conservation, to Council granting an easement over Section 153 Block I Teviot Survey District being part of the (Roxburgh) Local Purpose (Public Utility) Reserve. During discussion it was agreed that for clarity, additional details would be included in the resolution.

RESOLUTION

Moved: Jeffery
Seconded: Duncan

That the Council

- A. Receives the report and accepts the level of significance.
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- B. Agrees to grant consent (under delegated authority), on behalf of the Minister of Conservation, to the granting an easement over Section 153 Block I Teviot Survey District, being part of the (Roxburgh) Local Purpose (Public Utility) Reserve, in favour of Lot 2 Deposited Plan 8721 for the purpose of conveying water.

CARRIED

21.3.10 REGISTER OF DELEGATIONS

To consider a change to the "Register of Delegations to Community Boards, Portfolios, Committees, and the Chief Executive Officer" in respect to the delegations to staff.

During discussion it was agreed to amend the proposed additional sentence for the new paragraph 76 from "*Legal action may include, but is not limited to, settlements, mediations, and personal grievances*" to "*This delegation includes authorising settling actions and prosecutions taken against council where it is in the CEO's opinion that such settlement best protects Council's interest.*"

It was agreed that further work was required on the budget aspect of the new paragraph 76 and staff were asked to bring that back to Council for its consideration.

RESOLUTION

Moved: Alley
Seconded: Claridge

That the Council

- A. Receives the report and accepts the level of significance.
B. Approves the following changes to the Register of Delegations;

Add a new paragraph 55 as follows;

Variation to budget

55. The Chief Executive may vary the constituent sums which make up a budget where:

*a) The relevant Executive Manager and the Chief Executive Officer confirm that the variation will be entirely funded from savings made on other sums within the same budget;
and*

b) The variation will allow the area concerned to better achieve the purpose or purposes for which the budget was adopted.

Budget means the sum represented by any item contained in a significant activity of the budgets adopted by Council for the financial year contained in the Long-term Plan or Annual Plan.

Add the following to new paragraph 57;

In exercising this delegated authority, the Chief Executive Officer may delegate to the following people providing the sum of the life of the contract does not exceed the Executive Managers financial delegation:

- Executive Manager - Corporate Services*
 - Executive Manager – People and Culture*
 - Executive Manager – Infrastructure Services*
 - Executive Manager – Planning and Environment*
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Add the following sentence to new paragraph 76;

This delegation includes authorising settling actions and prosecutions taken against council where it is in the CEO's opinion that such settlement best protects Council's interest.

CARRIED

6 REPORTS FOR INFORMATION

21.3.11 FINANCIAL REPORT FOR THE PERIOD ENDING 28 FEBRUARY 2021

To consider the financial performance for the period ending 28 February 2021.

RESOLUTION

Moved: Alley

Seconded: Laws

That the report be received.

CARRIED

21.3.12 ORDER OF CANDIDATE NAMES ON VOTING PAPERS FOR THE CROMWELL COMMUNITY BOARD BY-ELECTION

To consider the order of candidate names on the voting papers for the Cromwell Community Board by-election, should an election process be required.

RESOLUTION

Moved: McPherson

Seconded: Jeffery

That the Council

- A. Receives the report and accepts the level of significance.
- B. Approves the candidate names for the Cromwell Community Board by-election voting papers appearing in random order.

CARRIED

21.3.13 LOCAL GOVERNMENT NEW ZEALAND CONFERENCE 2021

To consider the Central Otago District Council's involvement in the 2021 Local Government New Zealand conference in Blenheim.

RESOLUTION

Moved: Cadogan
Seconded: Duncan

That the Council

- A. Receives the report and accepts the level of significance.
- B. Approves the Mayor and Deputy Mayor to attend the 2021 Local Government New Zealand Conference in Blenheim.
- C. Approves the Mayor as the presiding delegate, and the Deputy Mayor as the alternate delegate.

CARRIED

7 MAYOR'S REPORT**21.3.14 MAY 2021 MAYOR'S REPORT**

The Mayor provided an update on issues and events since the previous meeting.

RESOLUTION

Moved: Cadogan
Seconded: Gillespie

That the Council receives the report.

CARRIED

8 STATUS REPORTS**21.3.15 MAY 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: Duncan
Seconded: McPherson

That the Council receives the report.

CARRIED

9 COMMUNITY BOARD MINUTES

21.3.16 MINUTES OF THE VINCENT COMMUNITY BOARD MEETING HELD ON 12 APRIL 2021

RESOLUTION

Moved: Jeffery
Seconded: Duncan

That the unconfirmed Minutes of the Vincent Community Board Meeting held on 12 April 2021 be noted.

CARRIED

21.3.17 MINUTES OF THE CROMWELL COMMUNITY BOARD MEETING HELD ON 20 APRIL 2021

RESOLUTION

Moved: Jeffery
Seconded: Duncan

That the unconfirmed Minutes of the Cromwell Community Board Meeting held on 20 April 2021 be noted.

CARRIED

21.3.18 MINUTES OF THE MANIOTOTO COMMUNITY BOARD MEETING HELD ON 15 APRIL 2021

RESOLUTION

Moved: Jeffery
Seconded: Duncan

That the unconfirmed Minutes of the Maniototo Community Board Meeting held on 15 April 2021 be noted.

CARRIED

21.3.19 MINUTES OF THE TEVIOT VALLEY COMMUNITY BOARD MEETING HELD ON 22 APRIL 2021

RESOLUTION

Moved: Jeffery
Seconded: Duncan

That the unconfirmed Minutes of the Teviot Valley Community Board Meeting held on 22 April 2021 be noted.

CARRIED

10 COMMITTEE MINUTES**21.3.20 ASSESSMENT COMMITTEE MINUTES**

To note the confirmed minutes of the Assessment Committee meeting held on 10 September 2020

RESOLUTION

Moved: Alley
Seconded: Jeffery

That the minutes of the Assessment Committee meeting held on 10 September 2020 be noted.

CARRIED

21.3.21 EXECUTIVE COMMITTEE MEETING PUBLIC MINUTES

To note the unconfirmed public minutes of the Executive Committee meeting held on 24 March 2021.

RESOLUTION

Moved: Alley
Seconded: Jeffery

That the unconfirmed minutes of public section of the Executive Committee meeting held on 24 March 2021 be noted.

CARRIED

11 DATE OF NEXT MEETING

The date of the next scheduled meeting is 1 June 2021.

12 RESOLUTION TO EXCLUDE THE PUBLIC**RESOLUTION**

Moved: Jeffery
Seconded: Calvert

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	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

	<p>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.</p> <p>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)</p>	reason for withholding would exist under section 6 or section 7
21.3.22 - Delegated Decision under Schedule 1 of the Resource Management Act 1991	s48(1)(d) - that a right of appeal lies to any court or tribunal against the decision of the Central Otago District Council in these proceedings	s48(1) - that the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in any proceedings to which this paragraph applies
21.3.23 - May 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
21.3.24 - Confidential Minutes of the Vincent Community Board Meeting held on 12 April 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
21.3.25 - Confidential Minutes of the Cromwell Community Board Meeting held on 20 April 2021	<p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities.</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)(i) - the withholding of the information is necessary to enable Council to carry on,</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

	without prejudice or disadvantage, negotiations	
21.3.26 - Confidential Minutes of the Maniototo Community Board Meeting held on 15 April 2021	s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, 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
21.3.27 - Executive Committee Meeting Confidential Minutes	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	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 11.46 am and the meeting closed at 11.57 am.

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CHAIR / /