

**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, 3 NOVEMBER 2021 COMMENCING AT 10.30 AM**

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

IN ATTENDANCE: L van der Voort (Acting Chief Executive Officer), L Macdonald (Executive Manager - Corporate Services), J Muir (Executive Manager - Infrastructure Services), G Robinson (Acting Executive Manager - Planning and Environment), S Righarts (Chief Advisor), J McCallum (Roading Manager), D Rushbrook (General Manager Tourism Central Otago), A Crosbie (Senior Strategy Advisor), G Bailey (Parks and Recreation Manager), A Rodgers (Principal Policy Planner), I Evans (Water Services Manager), Q Penniall (Environmental Engineering Manager), M De Cort (Communications Coordinator), R Williams (Governance Manager)

1 APOLOGIES

RESOLUTION

Moved: Gillespie
Seconded: Alley

That apology from Cr L Claridge be received and accepted.

CARRIED

2 PUBLIC FORUM VIA MICROSOFT TEAMS

Stu Calder of Calder Surveying spoke on behalf of the applicant to form an unformed legal road for property access at Cambrians before responding to questions.

Thomas Cardy spoke as a submitter on the application to form an unformed legal road for property access at Cambrians before responding to questions.

Janet McDonald and Gill Booth had sent in and spoke to feedback from the community about the three waters reform before responding to questions.

Don Sparks and Hugh McIntyre had circulated a paper to Councillors about CouncilMARK and responded to questions.

Jamie Seymour from the Otago Southland Cancer Society spoke about the proposed Smokefree and Vapefree Policy.

3 CONFIRMATION OF MINUTES

RESOLUTION

Moved: Cooney
Seconded: Jeffery

That the public minutes of the Ordinary Council Meeting held on 22 September 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. There were no further declarations of interest.

5 REPORTS

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

21.8.2 FORMING OF UNFORMED LEGAL ROAD - CAMBRIANS

To consider an application to form an unformed legal road for property access at Cambrians.

RESOLUTION

Moved: McPherson
Seconded: Paterson

That the Council

- A. Receives the report and accepts the level of significance.
 - B. Approves the request to form an unformed legal road to provide property access for the applicant, with the following conditions:
 - (i) The road be formed to the relevant right of way subdivision standard.
 - (ii) The road be surveyed to ensure construction occurs within the legal alignment.
 - (iii) The survey and road construction are undertaken at no cost to Council.
 - (iv) The applicant is responsible for maintaining the road in the future to a safe standard. If Council does not believe the condition of the road is safe and the applicant does not remedy this after notification, then Council may undertake work to make the road safe and recover this cost from the applicant.
 - (v) The applicant acknowledges they are aware that Council does not accept any responsibility for future maintenance costs.
 - (vi) The applicant shall not locate any improvements on the road without the prior consent of the Council.
 - (vii) The applicant shall not impede others from using the road.
 - (viii) All costs associated with fencing and cattle stops will be the responsibility of the applicant.
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- (ix) As the existing track from the end of Cambrian Road is not maintained by Council, all costs associated to provide suitable access to form this section of unformed legal road will be the responsibility of the applicant (i.e. the existing track to reach this area may require metalling prior to construction being undertaken)

CARRIED

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

21.8.3 I-SITE NZ FUTURE NETWORK PROPOSAL

To approve non-binding expressions of interest be submitted for Ranfurly and Roxburgh i-SITE's to remain in the VIN Inc future network and a non-binding expression of interest be submitted on behalf of Alexandra and Cromwell Information Centres as outlined in the proposal document.

RESOLUTION

Moved: McPherson

Seconded: Alley

That the Council

- A. Receives the report and accepts the level of significance.
- B. Authorises staff to submit a non-binding expression of interest on behalf of Ranfurly and Roxburgh i-SITES to become Tier Two centres.
- C. Authorises staff to submit a non-binding expression of interest on behalf of Alexandra and Cromwell information centres to become Tier One or Two centres.

CARRIED

21.8.4 SMOKEFREE AND VAPEFREE POLICY UPDATE

To consider the Smokefree and Vapefree Policy developed through the review of the existing Smokefree Policy.

RESOLUTION

Moved: Cadogan

Seconded: Duncan

That the Council

- A. Receives the report and accepts the level of significance.
- B. Adopt the updated Smokefree and Vapefree Policy

CARRIED

Note: Cr Gillespie and other members of the Hearings Panel noted that they had considered the proposal in item 21.8.5 and would not be withdrawing from the item.

21.8.5 PROPOSAL TO REVOKE PART OF THE GREENWAY RESERVE OFF WAENGA DRIVE, CROMWELL

To consider a recommendation from the Hearings Panel to revoke the Local Purpose (Amenity) Reserve classification for 619m² (subject to survey) from Lot 201 DP 359519 which is part of Waenga Drive Greenway Reserve.

A correction to minutes of the Hearings Panel was noted, with Irene and Dave Wallace being in attendance when the hearing reconvened on 5 October 2021.

RESOLUTION

Moved: Duncan
Seconded: Cadogan

That the Council

- A. Receives the report and accepts the level of significance.
- B. Agrees with the Hearings Panel recommendation to the revocation of the Local Purpose (Amenity) Reserve classification from the specified 619m² (subject to survey) area from Lot 201 DP 359519.
- C. Agrees to notify the Minister of Conservation in writing of the resolution and request the revocation be approved and notified by *Gazette* notice.

CARRIED

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

Note: The Mayor left at 11.45 am and returned at 11.47 am.

Note: Cr Cooney left the meeting at 11.48 am.

21.8.6 PLAN CHANGE 17 - GIS MAPPING

To consider approval of Plan Change 17.

RESOLUTION

Moved: Duncan
Seconded: Jeffery

That the Council

- A. Receives the report and accepts the level of significance.
- B. Approves Plan Change 17 without modification in accordance with Clause 10 (1) of the First Schedule to the Resource Management Act 1991.
- C. Directs that the decision to approve Plan Change 17 be publicly notified, and the Central Otago District Plan be amended.

CARRIED

Note: Cr Cooney returned to the meeting at 11.50 am.

21.8.7 RMA REFORM UPDATE

To provide an update on the Resource Management reform.

RESOLUTION

Moved: Gillespie

Seconded: Jeffery

That the report be received.

CARRIED

Note: Cr McKinlay assumed the Chair as the Three Waters Portfolio lead.

21.8.8 OPTIONS FOR DISINFECTION OF COMMUNITY WATER SUPPLIES

To consider future options for disinfection of community water supplies to provide bacterial treatment.

RESOLUTION

Moved: Cooney

Seconded: Duncan

That the Council

- A. Receives the report and accepts the level of significance.
- B. Notes that current chemical deliveries arrangements result in a lack of resilience in provision of service.
- C. Directs staff to provide a report outlining the work required to meet Hazardous Substances and New Organism Act requirements for the delivery of chlorine to existing treatment sites.
- D. Agrees to the phased transition of chlorine gas disinfection as community water supplies are upgraded

CARRIED

Note: The Mayor assumed the Chair.

Note: Cr Alley left the meeting at 12.07 pm and returned at 12.09 pm.

21.8.9 WASTE SERVICES REVIEW FEEDBACK RESULTS

To consider the results from the waste services review survey.

RESOLUTION

Moved: Cadogan

Seconded: Duncan

That the report be received.

CARRIED

Note: Items 21.8.13, 21.8.14, 21.8.15, 21.8.16, 21.8.17, 21.8.18, 21.8.19 and 21.8.11 were taken at this point.

6 STATUS REPORTS

21.8.13 NOVEMBER 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: Jeffery

That the Council receives the report.

CARRIED

7 COMMUNITY BOARD MINUTES

21.8.14 MINUTES OF THE VINCENT COMMUNITY BOARD MEETING HELD ON 11 OCTOBER 2021

RESOLUTION

Moved: Cooney

Seconded: McKinlay

That the unconfirmed Minutes of the Vincent Community Board Meeting held on 11 October 2021 be noted.

CARRIED

21.8.15 MINUTES OF THE MANIOTOTO COMMUNITY BOARD MEETING HELD ON 14 OCTOBER 2021

RESOLUTION

Moved: Cooney

Seconded: McKinlay

That the unconfirmed Minutes of the Maniototo Community Board Meeting held on 14 October 2021 be noted.

CARRIED

21.8.16 MINUTES OF THE CROMWELL COMMUNITY BOARD MEETING HELD ON 19 OCTOBER 2021

RESOLUTION

Moved: Cooney
Seconded: McKinlay

That the unconfirmed Minutes of the Cromwell Community Board Meeting held on 19 October 2021 be noted.

CARRIED

21.8.17 MINUTES OF THE TEVIOT VALLEY COMMUNITY BOARD MEETING HELD ON 21 OCTOBER 2021

RESOLUTION

Moved: Cooney
Seconded: McKinlay

That the unconfirmed Minutes of the Teviot Valley Community Board Meeting held on 21 October 2021 be noted.

CARRIED

8 COMMITTEE MINUTES

21.8.18 ASSESSMENT COMMITTEE MINUTES

To note the confirmed minutes of the Assessment Committee meeting held on Tuesday 16 March 2021.

RESOLUTION

Moved: Calvert
Seconded: Alley

That the minutes of the meeting of the Assessment Committee held on 16 March 2021 be noted.

CARRIED

21.8.19 MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING HELD ON 1 OCTOBER 2021

RESOLUTION

Moved: Jeffery
Seconded: Alley

That the unconfirmed Minutes of the Audit and Risk Committee Meeting held on 1 October 2021 be noted.

CARRIED

21.8.11 2022 MEETING SCHEDULE

To approve a schedule of meetings for 2022.

RESOLUTION

Moved: Cadogan
Seconded: Alley

That the Council

- A. Receives the report and accepts the level of significance.
- B. Adopts the proposed 2022 meeting schedule.

CARRIED

Note: The meeting adjourned at 12.20 pm and reconvened at 1.05 pm.

21.8.10 COUNCILMARK PROGRAMME

To provide an outline of the CouncilMARK programme run by Local Government New Zealand and provide advice on this Council's participation in the programme.

There was a discussion about the benefits of participating in the CouncilMARK programme and the staffing and financial resourcing required to participate in it.

Following discussion and the loss of the original motion, it was agreed that the Mayor would discuss participation in the programme with other Mayors and report back to the January meeting.

MOTION

Moved: McKinlay
Seconded: Duncan

That the Council

- A. Receives the report and accepts the level of significance.
- B. Notes that the CouncilMARK programme is a programme designed to review organisational performance.
- C. Notes that participation in the programme is very resource intensive and the organisation is currently juggling multiple work programme commitments.
- D. Agrees to not participate in this programme at this point of time.

LOST on a show of hands 5:6

RESOLUTION

Moved: Cadogan
Seconded: Alley

That the Council

- A. Receives the report and accepts the level of significance.
- B. That the Mayor brings to the January Council meeting information from other Mayors as to the benefits or otherwise of participation in CouncilMARK.

CARRIED with Cr Cooney recording his vote against.

9 MAYOR'S REPORT**21.8.12 NOVEMBER 2021 MAYOR'S REPORT**

In speaking to his report, the Mayor reflected on the three waters reforms process and the recent decision by Central Government to mandate the decision. He noted that the Central Otago community had the expectation that that they would be heard through the reform process and he would like something done about that. He then invited Councillors to share their views on the reforms.

It was agreed that the Mayor and Three Waters portfolio lead would write an open letter to the Government expressing the concerns outlined.

RESOLUTION

Moved: Cadogan
Seconded: Gillespie

That the Council receives the report.

CARRIED

10 DATE OF NEXT MEETING

The date of the next scheduled meeting is 8 December 2021.

11 RESOLUTION TO EXCLUDE THE PUBLIC**RESOLUTION**

Moved: Cadogan
Seconded: Gillespie

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 the Ordinary Council Meeting	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
21.8.20 - Minor Boundary Adjustment	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

	(including commercial and industrial negotiations)	which good reason for withholding would exist under section 6 or section 7
21.8.21 - William Fraser Coal Fired Boiler Replacement	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
21.8.22 - Lake Dunstan Water Supply Project 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
21.8.23 - Contract for provision of Enviroschools education	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
21.8.24 - An update of the draft non-audited Annual Report 2020/21	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
21.8.25 - November 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
21.8.26 - Confidential Minutes of the Vincent Community Board Meeting held on 11 October 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
21.8.27 - Confidential Minutes of the Maniototo Community Board Meeting held on 14 October 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

	(including commercial and industrial negotiations)	withholding would exist under section 6 or section 7
21.8.28 - Confidential Minutes of the Cromwell Community Board Meeting held on 19 October 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
21.8.29 - Confidential Minutes of the Audit and Risk Committee Meeting held on 1 October 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)(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)(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> <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> <p>s7(2)(j) - the withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage</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 2.14 pm and the meeting closed at 3.46 pm.