

**MINUTES OF A COUNCIL MEETING OF THE CENTRAL OTAGO DISTRICT COUNCIL
HELD AT NGĀ HAU E WHĀ, WILLIAM FRASER BUILDING, 1 DUNORLING STREET,
ALEXANDRA AND LIVESTREAMED ON WEDNESDAY, 8 DECEMBER 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 I Cooney, 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), N Aaron (Community Development Advisor), G Bailey (Parks and Reserves Manager), L Stronach (Statutory Property Officer), Q Penniall (Environmental Engineering Manager), I Evans (Water Services Manager), P Keenan (Capital Projects Programme Manager), J McCallum (Roading Manager), L Webster (Regulatory Services Manager), M De Cort (Communications Coordinator) and R Williams (Governance Manager)

Note: Item 21.9.29 "The New COVID-19 Protection Framework and What it Means for Council Facilities and Staffing" was circulated separately to the agenda on Friday 2 December 2021.

1 APOLOGIES

There were no apologies.

2 PUBLIC FORUM

Duarne Lankshear - Director of Veros spoke to the Council about a potential contribution to the Wooing Tree subdivision underpass before responded to questions.

3 CONFIRMATION OF MINUTES

RESOLUTION

Moved: Alley
Seconded: Calvert

That the public minutes of the Ordinary Council Meeting held on 3 November 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.

Note: Cr Jeffery assumed the Chair as the Economic Development and Community Facilities Portfolio Lead.

Note: David Ritchie and Maggie Hope (Central Otago Heritage Trust) and Jan Bean and Rebekah de Jong (Central Otago District Arts Council) joined the meeting for item 21.9.2.

Note: Cr Laws left the meeting at 10.54 am and returned at 10.57 am.

Note: The Mayor left the meeting at 10.59 am and returned at 11.01 am.

5 REPORTS

21.9.2 COUNCIL COMMUNITY GRANT ACCOUNTABILITY REPORTS 2020/21

To provide a report on the activity of the Central Otago District Arts Trust, the Central Otago Heritage Trust and Sport Otago over the past financial year.

Representatives of both the Central Otago District Arts Trust and the Central Otago Heritage Trust spoke to their accountability reports, providing an overview of their work for the year and thanking the Council for their ongoing support.

RESOLUTION

Moved: Alley
Seconded: Calvert

That the report be received.

CARRIED

21.9.3 EDEN HORE CENTRAL OTAGO STEERING GROUP AND CHARITABLE TRUST

To consider continuing the Eden Hore Central Otago Steering Group for a second term and approving the establishment of a charitable trust for project donations and bequests. Images and a video of some of the collection was shown.

RESOLUTION

Moved: Alley
Seconded: Duncan

That the Council

- A. Receives the report and accepts the level of significance.
- B. Authorises the continuation of the Eden Hore Central Otago Steering Group for a second term, through to the end of 2023.
- C. Approves the establishment of the Eden Hore Central Otago Charitable Trust for the purpose of holding and utilising community-raised funds towards projects and activities that benefit the collection and related experiences.

CARRIED

Note: Cr Duncan left the meeting at 11.22 am and returned at 11.24 am.

Note: Cr McPherson left the meeting at 11.31 am and returned at 11.33 am.

Note: Cr Cooney left the meeting at 11.34 am.

21.9.4 RESPONSIBLE CAMPING NATIONAL LEGISLATIVE UPDATE AND PLANS FOR MANAGING THE 2021/22 SUMMER SEASON

To provide an update on the national legislative framework development and plans for managing responsible camping in the district this season. The Mayor provided an update from the Ministerial Working Group on Responsible Camping, including recent comments from Minister Nash on responsible camping.

RESOLUTION

Moved: Alley
Seconded: Paterson

That the report be received.

CARRIED

21.9.5 REQUEST FOR MINISTER OF CONSERVATION'S CONSENT TO RECLASSIFY PART OF THE ALEXANDRA TOWN BELT RECREATION RESERVE [PRO: 61-2000-00]

To consider granting the consent of the Minister of Conservation (under delegated authority) to the reclassification of part of the Alexandra Town Belt Recreation Reserve. It was noted that the Hearings Panel had met the day before to consider any submissions, and none had been received. Accordingly, the recommendation remained unchanged.

RESOLUTION

Moved: Paterson
Seconded: Claridge

That the Council

- A. Receives the report and accepts the level of significance.
- B. To grant consent (under delegated authority), on behalf of the Minister of Conservation, to Council:
 - 1. *Reclassifying approximately 250 square metres of Lot 8 Deposited Plan 492123, being part of the Alexandra Town Belt/Recreation Reserve, as Local Purpose (Water Reservoir) Reserve.*

CARRIED

Note: Cr Cooney returned to the meeting at 11.37 am.

21.9.6 PROPOSAL TO REVOKE THE RESERVE STATUS, AND DISPOSE OF PART SARGOOD LOCAL PURPOSE (AMENITY) RESERVE

To consider revoking the reserve status of part of the Sargood Highway Local Purpose (Amenity) Reserve, being part of Lot 202 Deposited Plan 359519, to facilitate its disposal to (Waka Kotahi New Zealand Transport Agency as agents of) the Crown.

RESOLUTION

Moved: Gillespie
Seconded: McKinlay

- A. Receives the report and accepts the level of significance.
- B. Agrees to:
1. Revoke the reserve status and dispose of the 'required land' being approximately 0.6700 hectares of Lot 202 DP 359519, (Local Purpose (Amenity) Reserve), to (Waka Kotahi New Zealand Transport Agency as agents of) the Crown, for 'Road or Use in Connection with a Road' in accordance with the provisions of the Public Works Act.
 2. Accept payment of \$350,000 as assessed by the independent valuer in accordance with the provisions of the Public Works Act as compensation.
 3. Use the proceeds of the disposal for the purpose of improving existing reserves under the control of Council or in, or toward, the purchase of other land for reserves within in the Cromwell Ward.
 4. Notify the Minister of Conservation of Council's intention to:
 - revoke the reserve status and dispose of the 'required land',
 - accept the payment of \$350,000 as compensation,
 - use the proceeds of the disposal to improve existing reserves, or to purchase land for new reserves, and to,
 - request that the revocation, disposal, and use of the proceeds be approved and notified by publication of notice in the New Zealand Gazette.

CARRIED

Note: The Mayor assumed the Chair.

Note: Cr Laws declared a conflict for item 21.9.7 and withdrew from discussion and voting.

21.9.7 CONSIDERATION OF CONTRIBUTION TO WOONG TREE UNDERPASS

To consider a financial contribution to the Woong Tree underpass.

An update was provided on issues raised during the public forum. It was noted that construction of the underpass had been included in a previous Long-term Plan, however Waka Kotahi had not approved the funding given it was a condition of consent for the Woong Tree development. Consequently, it was removed from the Long-term Plan and this had been made clear to the developer prior to the fast track consent process.

During discussion, the wording of the resolution was changed to decline the request.

RESOLUTION

Moved: Gillespie
Seconded: McKinlay

That the Council

- A. Receives the report and accepts the level of significance.
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- B. Declines the request to Council from Wooing Tree Estate to consider either:
- i. A fair and equitable contribution to the roundabout and underpass construction costs, or
 - ii. Entering into a developer's agreement with Wooing Tree Estate whereby costs associated with the underpass are credited against roading development contributions.

CARRIED on a show of hands

Note: Cr McKinlay assumed the Chair as the Three Waters and Waste Portfolio Lead.

Note: Cr Alley left the meeting at 12.18 pm and returned 12.20 pm.

21.9.8 SOLID WASTE CONTRACT - LEVEL OF SERVICE

To approve the level of service options for tendering of Solid Waste Services Contract.

During discussion, the Ministry for the Environment's draft Waste Strategy and draft Emissions Reduction Plan and the proposed waste reduction targets by 2030 were noted. It was also noted that the proposal for Queensberry would require further consultation as there would be an additional cost involved to these ratepayers if the proposed extension of service proceeded.

The wording of the resolution was changed to ensure future clarity.

RESOLUTION

Moved: Cadogan
Seconded: Laws

That the Council

- A. Receives the report and accepts the level of significance.
- B. Approves the proposed level of service for tender, as follows:
 - i. Kerbside Collection Configuration as explained in option three of that section of the report.
 - ii. Kerbside Collection Extension as explained in option one of that section of the report, subject to further consultation with the Queensberry community.
 - iii. Rural Rubbish Drop Off Sites as explained in option one of that section of the report.
 - iv. Bin Ownership as explained in option one of that section of the report.
 - v. Transfer Stations as explained in option one of that section of the report.
 - vi. Resource Recovery Centre(s) as explained in option one of that section of the report.

CARRIED

21.9.9 TENDERING OF WASTE SERVICES CONTRACT

To approve the Waste Services Contract for tender, the contract type and term for tendering.

RESOLUTION

Moved: Duncan
Seconded: Alley

That the Council

- A. Receives the report and accepts the level of significance.
- B. Approves tendering waste services using a traditional contract model.
- C. Approves a contract term of eight years, with one two-year extension subject to contract performance.

CARRIED

21.9.10 WATER AND WASTEWATER OPERATIONS AND MAINTENANCE CONTRACT

To consider extending the Water Services Maintenance Contract, with revised contract conditions, payment clauses, and specification.

RESOLUTION

Moved: Gillespie
Seconded: Jeffery

That the Council

- A. Receives the report and accepts the level of significance.
- B. Notes responsibility for the management of water, wastewater, and stormwater operations will move to a new entity on 1 July 2024.
- C. Notes that a new maintenance contract is required for two years for council to deliver the required physical works from 1 July 2022 to 30 June 2024.
- D. Notes that the new entity is likely to need the ability to extend existing contracts beyond 30 June 2024 until they are in a position to review and re-tender these.
- E. Agrees to directly negotiate with the incumbent contractor for an initial two year contract with the ability for three one year extensions subject to the agreement of the contractor and the new water entity.

CARRIED

Note: The meeting adjourned at 1.00 pm and reconvened at 1.36 pm.

Note: Cr Claridge returned to the meeting at 1.40 pm.

21.9.11 CLYDE WASTEWATER PROJECT

To consider the budget for the Clyde Wastewater Project. During discussion an inconsistency was noted in the report about the contingency level and it was noted that the correct figure was 10%.

RESOLUTION

Moved: **Laws**
Seconded: **Paterson**

That the Council

- A. Receives the report and accepts the level of significance.
- B. Authorises an increase in the budget for the Clyde wastewater project of \$4.7 million which includes a 10% contingency on the reticulation project.
- C. Authorises increased debt funding of \$4.7 million to be included in the 2022/23 Annual Plan to fund the increase in cost of the Clyde Wastewater Project.

CARRIED

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

21.9.12 MANIOTOTO BRIDGE UPDATES

To provide a further update of the three Maniototo Bridges currently closed to traffic. An update was provided on the three bridges and it was noted that the next report would have options on each for Council to consider.

RESOLUTION

Moved: **Jeffery**
Seconded: **McKinlay**

That the report be received.

CARRIED

21.9.13 PROPOSED ROAD STOPPING - UNNAMED ROAD OFF ROXBURGH EAST ROAD

To consider a proposal to stop part of an unnamed unformed road off Roxburgh East Road in accordance with the provisions of the Local Government Act 1974.

RESOLUTION

Moved: **Jeffery**
Seconded: **Paterson**

That the Council

- A. Receives the report and accepts the level of significance.
- B. Approves the proposal to stop the unnamed unformed road, and to legalise the existing formation of Roxburgh East Road as shown in figure 4 (Legalisation Plan) by:
 - 1. Stopping the parcels marked 'C' and 'D', and amalgamating these with Record of Title 61571, and;
 - 2. Taking the parcels marked 'A' and 'B' and vesting them as legal (Roxburgh East) road.

Subject to:

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- Public notification and advertising in accordance with the Local Government Act 1974.
 - No objections being received within the objection period.
 - An easement (in gross) in favour of (and as approved by) Aurora Energy Limited being registered over the areas marked 'A' to 'D' in figure 4 (Legalisation Plan).
 - Council and the applicant sharing the survey costs.
 - The applicant paying for the nett area of land they are acquiring at valuation, and all other costs associated with the stopping.
 - The final survey plan being approved by the Chief Executive Officer.

C. Authorises the Chief Executive to do all that is necessary to give effect to the resolution.

CARRIED

21.9.14 PROPOSED ROAD STOPPING (PARTIAL WIDTH) - ADJACENT TO 56 LADYSMITH ROAD

To consider a proposal to stop a portion of Ladysmith Road adjacent to 56 Ladysmith Road in accordance with the provisions of the Public Works Act 1981.

RESOLUTION

Moved: Jeffery

Seconded: Alley

That the Council

- A. Receives the report and accepts the level of significance.
- B. Approves the proposal to stop an unformed portion of Ladysmith Road, being approximately 340 square metres as shown in figure 4 (Legalisation Plan), subject to:
 - The applicant paying for the land at valuation as prescribed in the Public Works Act 1981.
 - The applicant paying all other costs associated with the stopping.
 - The land being amalgamated with the Record of Title resulting from the boundary adjustment shown in figure 2.
 - The land being amalgamated with the applicant's Record of Title.
 - An easement (in gross) in favour of (and as approved by) Aurora Energy Limited being registered on the applicant's Record of Title.
 - The final survey plan being approved by the Chief Executive Officer.

C. Authorises the Chief Executive to do all that is necessary to give effect to the resolution.

CARRIED

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

21.9.15 DANGEROUS AND INSANITARY BUILDINGS POLICY

To consider the approval of the proposed Dangerous and Insanitary Buildings Policy for public consultation.

RESOLUTION

Moved: Jeffery
Seconded: Laws

That the Council

- A. Receives the report and accepts the level of significance.
- B. Approves the proposed Dangerous and Insanitary Buildings Policy for public consultation.
- C. Appoints Crs Cooney, Alley and Paterson to hear submissions, if necessary.

CARRIED

Note: Cr Alley left the meeting at 2.28 pm and returned at 2.39 pm.

Note: Cr Duncan left the meeting at 2.29 pm and returned at 2.33 pm.

21.9.16 EARTHQUAKE PRONE BUILDINGS

To consider the approval of the earthquake prone buildings statement of proposal regarding thoroughfares and strategic routes for public consultation.

RESOLUTION

Moved: Duncan
Seconded: McKinlay

That the Council

- A. Receives the report and accepts the level of significance.
- B. Approves the earthquake prone building statement of proposal of thoroughfares and strategic routes for public consultation.
- C. Notes the identification of potentially earthquake prone priority buildings is required by 1 July 2022.
- D. Appoints Crs Cooney, Alley and Paterson to hear submissions, if necessary.

CARRIED

Note: The Mayor assumed the Chair.

21.9.17 ADOPTION OF THE AUDITED ANNUAL REPORT 2020/21

To adopt the audited 2020/21 Annual Report. It was noted that a signed opinion had been received that day, and that like every other council, Central Otago District Council had received an emphasis of matter on the Government's three waters reform programme announcement.

RESOLUTION

Moved: Cadogan
Seconded: Gillespie

That the Council:

- A. Receives the report.
-

B. Adopts the 2020/21 Audited Annual Report

CARRIED

21.9.18 FINANCIAL REPORT FOR THE PERIOD ENDING 30 SEPTEMBER 2021

To consider the financial performance for the period ending 30 September 2021.

RESOLUTION

Moved: Cadogan

Seconded: Gillespie

That the report be received.

CARRIED

Note: Cr McPherson returned to the meeting at 2.55 pm.

21.9.29 THE NEW COVID-19 PROTECTION FRAMEWORK AND WHAT IT MEANS FOR COUNCIL FACILITIES AND STAFFING

To note the decisions made on access to council facilities under the new COVID-19 Protection Framework (the traffic light system).

The CEO provided an update on activities to date before responding to questions. Following discussion, Council endorsed the decisions made to date and included a new resolution.

RESOLUTION

Moved: Cadogan

Seconded: Gillespie

A. That the report be received.

B. That Council endorses the decisions made by the CEO on access to council facilities under the new COVID-19 Protection Framework (the traffic lights system).

CARRIED

6 MAYOR'S REPORT**21.9.19 MAYOR'S REPORT**

In speaking to his report, the Mayor reflected on the apparent lack of health board preparation for COVID-19 arriving in the Central Lakes area, including the lack of a testing centre and inadequate room space being prepared for visitors who become unwell while visiting.

He noted that he had attended one meeting of the Three Waters working group and clarified that he received no compensation as a result of his appointment, however the government did cover the costs of participation.

The Mayor thanked elected members for their work over the course of the year. In reply, Deputy Mayor thanked the Mayor for his mahi as well.

RESOLUTION

Moved: Cadogan
Seconded: Gillespie

That the Council receives the report.

CARRIED

7 STATUS REPORTS**21.9.20 DECEMBER 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: Jeffery

That the Council receives the report.

CARRIED

8 COMMUNITY BOARD MINUTES**21.9.21 MINUTES OF THE VINCENT COMMUNITY BOARD MEETING HELD ON 16 NOVEMBER 2021**

RESOLUTION

Moved: McKinlay
Seconded: Alley

That the unconfirmed Minutes of the Vincent Community Board Meeting held on 16 November 2021 be noted.

CARRIED

21.9.22 MINUTES OF THE MANIOTOTO COMMUNITY BOARD MEETING HELD ON 18 NOVEMBER 2021

RESOLUTION**Moved: McKinlay****Seconded: Alley**

That the unconfirmed Minutes of the Maniototo Community Board Meeting held on 18 November 2021 be noted.

CARRIED

21.9.23 MINUTES OF THE CROMWELL COMMUNITY BOARD MEETING HELD ON 23 NOVEMBER 2021

RESOLUTION**Moved: McKinlay****Seconded: Alley**

That the unconfirmed Minutes of the Cromwell Community Board Meeting held on 23 November 2021 be noted.

CARRIED

21.9.24 MINUTES OF THE TEVIOT VALLEY COMMUNITY BOARD MEETING HELD ON 25 NOVEMBER 2021

RESOLUTION**Moved: McKinlay****Seconded: Alley**

That the unconfirmed Minutes of the Teviot Valley Community Board Meeting held on 25 November 2021 be noted.

CARRIED

9 DATE OF NEXT MEETING

The date of the next scheduled meeting is 26 January 2022.

10 RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION**Moved: Cadogan****Seconded: Jeffery**

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)(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 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
21.9.25 - December 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
21.9.26 - Confidential Minutes of the Vincent Community Board Meeting held on 16 November 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
21.9.27 - Confidential Minutes of the Maniototo Community Board Meeting held on 18 November 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
21.9.28 - Confidential Minutes of the Cromwell Community Board Meeting held on 23 November 2021	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 s7(2)(h) - the withholding of the information is necessary to	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

	enable Council to carry out, without prejudice or disadvantage, commercial activities 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)	
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CARRIED

The public were excluded at 3.07 pm and the meeting closed at 3.10pm.