

**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 LIVE STREAMED VIA MICROSOFT TEAMS ON WEDNESDAY, 28 FEBRUARY 2024
COMMENCING AT 10.37 AM**

PRESENT: His Worship the Mayor T Cadogan (Chairperson), Cr N Gillespie (via Microsoft Teams), Cr T Alley, Cr S Browne, Cr L Claridge, Cr I Cooney, Cr S Duncan, Cr S Feinerman, Cr C Laws, Cr N McKinlay, Cr M McPherson, Cr T Paterson

IN ATTENDANCE: P Kelly (Chief Executive Officer), L van der Voort (Group Manager - Planning and Infrastructure), L Fleck (General Manager - People and Culture), J Muir (Three Waters Director), S Righarts (Group Manager - Business Support), D Rushbrook (Group Manager - Community Vision), D Scoones (Group Manager - Community Experience), C Martin (Project Manager – Organisational), C Green (Infrastructure Financial Officer), N Jorgensen (Special Contracts Engineer), L Hunter (Solid Waste Team Leader), J Quiding (Q Penniall (Infrastructure Manager), P Fleet (Roading Manager), A Crosbie (Senior Strategy Advisor), D McKewen (Systems and Corporate Accountant), S Reynolds (Governance Support Officer), W McEnteer (Governance Manager)

1 KARAKIA

Cr Alley gave a karakia to begin the meeting.

2 APOLOGIES

There were no apologies.

3 PUBLIC FORUM

James Dacey – Update to the Register of Delegations

Mr Dacey spoke to the Register of Delegations item. He noted various agreements between the Cromwell Borough Council and the Crown. He noted the Cromwell Community Board's statement of position and also enquired about the status of endowment land within the Cromwell Ward.

Werner Murray – Update to the Register of Delegations

Mr Murray spoke to the Register of Delegations item. He noted the history of the Cromwell Borough Council and its relationship with the Crown. He suggested that there were two decisions to be made, one on delegations and one on districtisation.

Shirley Calvert – Update to the Register of Delegations

Ms Calvert spoke to the Register of Delegations item. She believed that the report lacked information and that there was no comment about what comes next. She also pointed to the good work that community boards had done on behalf of their communities.

Robin Dacey – Update to the Register of Delegations

Mr Dacey spoke to the Register of Delegations item. He questioned the need for the change and noted that the process had been quick. In comparison he noted that the Cromwell Memorial Hall project had taken much longer, lasting years.

Trevor Tinworth – Update to the Register of Delegations

Mr Tinworth spoke to the Register of Delegations item. He advocated for consultation with the community on this matter.

Bob Scott – Update to the Register of Delegations

Mr Scott spoke to the Register of Delegations item. He noted that he was critical of the lack of consultation and timing of the discussions.

Wally Sanford - Update to the Register of Delegations

Mr Sanford spoke to the Register of Delegations item. He noted his belief that due process had not been followed. He also was concerned that the proposed changes would lead to a diminishing role for the community boards. He then responded to questions.

Odelle Morshuis – Update to the Register of Delegations

Ms Morshuis spoke to the Register of Delegations item. She noted land purchases in the 1990s in the Cromwell Ward and suggested it was a matter of envy. She also noted that while Cromwell had benefitted from wastewater upgrades, they were now supporting other projects in Alexandra and Clyde.

4 CONFIRMATION OF MINUTES**RESOLUTION**

Moved: Alley
Seconded: Paterson

That the public minutes of the Ordinary Council Meeting held on 31 January 2024 be confirmed as a true and correct record.

CARRIED

5 DECLARATIONS OF INTEREST

Members were reminded of their obligations in respect of declaring any interests. Cr Alley declared an interest in item 24.2.20. She left the room and did not take part in the conversation or vote.

6 REPORTS

Note: With the permission of the meeting, item 24.2.28 was moved forward in the meeting.

24.2.28 OPTIONS FOR THE DELIVERY OF 2024-34 LONG-TERM PLAN

To consider the options provided by the Government for the delivery of the 2024-34 Long-term Plan.

After discussion it was agreed that the 2024/34 Long-term Plan should be deferred until 2025 and that an Annual Plan should be completed in 2024 instead.

RESOLUTION

Moved: McPherson
Seconded: Laws

That the Council

- A. Receives the report and accepts the level of significance.
- B. Notes the legislative options provided by the Water Services Acts Repeal Bill for the delivery of the 2024-34 Long-term Plan.

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- C. Agrees to defer adopting the 2024-34 Long-term Plan by 1-year in accordance with the clauses contained within Part 8 "Provisions relating to Water Services Acts Repeal Act 2024" of the Local Government Act 2002.
- D. Agrees to progress with the development of an Annual Plan for the financial year 2024/25.
- E. Authorise the Chief Executive Officer to do all that is necessary to give effect to this resolution.

CARRIED

Note: Anna Harrison, Chair of the Cromwell Community Board and Mark Jessop, Deputy Chair of the Teviot Valley Community Board joined the meeting for item 24.2.2.

24.2.2 UPDATE TO THE REGISTER OF DELEGATIONS

To consider a potential update to the Register of Delegations.

Ms Harrison spoke to the Cromwell Community Board statement of position of behalf of the Board and Mr Jessop spoke to the Teviot Valley Community Board submission on behalf of the Board. They both spoke to the feeling that not enough consultation had taken place between Council and community boards and not enough information especially around land holdings had been provided and enough time had been given for community boards to make a submission before the report had gone before Council for its consideration. They then responded to questions.

Note: Cr McKinlay left the meeting at 11.50 am and returned at 11.53 am.

His Worship the Mayor invited each councillor to speak to discuss their position in regards to the proposal.

Note: The meeting was adjourned at 12.28 pm and resumed at 12.38 pm.

After discussion it was agreed that further discussion should be deferred until after a proposed discussion on districtisation, but that the discussions on this matter should be concluded by the end of 2024.

A vote was taken by a show of hands and was carried by a total of 10/2.

RESOLUTION

Moved: Cadogan

Seconded: Gillespie

That the Council

- A. Receives the report and accepts the level of significance.
- B. Agrees to defer further discussion on proposed changes to the Register of Delegations regarding delegations to community boards until after a special consultative procedure on districtisation.
- C. Agrees that these discussions will be concluded in 2024.

CARRIED with Crs Duncan and Paterson recording their votes against

Note: The meeting was adjourned at 1.20 pm and resumed at 1.49 pm.

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

24.2.3 REVISED THREE WATERS CAPITAL WORKS PROGRAMME TO 30 JUNE 2024

To consider the proposed revised capital works programme for Three Waters to 30 June 2024.

RESOLUTION

Moved: Paterson
Seconded: Claridge

That the Council

- A. Receives the report and accepts the level of significance.
- B. Approves the following revised capital works programme for Three Waters to 30 June 2024:

Project	Revised Estimates for Approval		
	(d) Actual Spend to 30 June 2023	(e) Revised Estimated Spend to 30 June 2024	(f) Revised Total Estimated Spend for the 2 Years to 30 June 2024 (d + e)
Three Waters Total	23,978,737	21,671,695	45,650,432
Stormwater Total	375,665	1,092,776	1,468,441
Pipe Renewals	126,887	633,113	760,000
Network improvements	248,778	459,663	708,441
Wastewater Total	9,234,796	5,063,251	14,298,048
Alexandra Network Upgrades with Developments	0	25,000	25,000
Cromwell Network Upgrades with Developments	0	0	0
Alexandra Treatment Plant Upgrades	644,456	477,069	1,121,525
Clyde Reticulation	3,896,573	262,341	4,158,914
Clyde Main Pump Station	1,298,125	6,389	1,304,514
Cromwell Treatment Plant Future Works	863	0	863
Influent and Effluent Monitoring Devices	48,347	50,000	98,347
Treatment Screens	99,561	0	99,561
Pumpstation Flow Meters	138,814	77,918	217,732
Lake Roxburgh Village Treatment Plant Upgrade	113,942	260,000	373,942
Ormakau Treatment Plant Upgrades	0	0	0
Roxburgh Treatment Plant Improvements	3,781	39,615	43,396
Earns cleugh Road Pumpstation Upgrade	1,735	489,777	491,512
Generators	11,917	476,021	487,938
Dunorling Street Pumpstation Storage Upgrade	1,229,361	91,500	1,320,861
Wrightsons/Cromwell Pumpstation Storage Upgrades	10,665	1,506	12,171
Point Renewals	68,795	40,000	108,795
Pipe Renewals	105,784	1,760,000	1,865,784
Plant Renewals	367,899	710,000	1,077,899
Cromwell Growth Upgrades	1,193,174	286,115	1,479,289
Water Supply Total	14,368,275	15,625,668	29,993,943
Alexandra Network Upgrades with Developments	0	120,000	120,000
Cromwell Network Upgrades with Developments	0	0	0
Back flow Prevention	66,199	648,821	715,020
Bannockburn Reservoir Power Supply	36,188	38,812	75,000
Bannockburn Pipeline	32,192	217,808	250,000
Cromwell Fisa Reservoir and Rising Main	0	100,000	100,000
Cromwell Rising Main	432,628	6,407,801	6,840,429
Cromwell Treatment Plant Upgrade	225,674	430,000	655,674
Dunstan Flats Reticulation	0	192,000	192,000
Lake Dunstan Water Supply	10,617,229	351,767	10,968,996
Ormakau Treatment Plant Upgrade	107,856	40,533	148,389
Patearoa Treatment Plant Upgrade	79,146	9,050	88,196
Ranfurly Treatment Plant Upgrade	128,089	244,329	372,418
Roxburgh Source Investigation	40,040	266,312	306,352
Valve Upgrades	12,874	203,000	215,874
Demand Management	0	150,000	150,000
Patearoa Upgrades	0	0	0
Naseby Treatment Plant Upgrades	165,975	30,000	195,975
Pipe Renewals / Bridge Hill Main	1,210,257	3,955,458	5,165,715
Point Renewals	372,796	1,405,000	1,777,796
Plant Renewals	780,810	474,777	1,255,587
Continuous Monitoring Devices	523	0	523
Cromwell Growth Upgrades	0	0	0
Ripponvale Scheme	59,800	240,200	300,000

- C. Notes any projects that were originally planned for in the 2021-23 Long-term Plan period and have not been completed have been included in the 2024-34 Long-term Plan draft budgets.

CARRIED

24.2.4 WATERS OPERATIONAL FINANCIAL POSITION 2023/24 YEAR

To consider the Waters operational financial position for the 2023/24 year, which is forecast to require \$1.28m additional funding when compared against the budget approved in the current Long-term Plan.

RESOLUTION

Moved: McPherson

Seconded: Feinerman

That the Council

- A. Receives the report and accepts the level of significance.
- B. Authorises increased wastewater operational expenditure of \$760,000 for 2023/24 to meet the expected actual costs of providing service.
- C. Authorises increased water operational expenditure of \$520,000 for 2023/24 to meet the expected actual costs of providing service.
- D. Notes that both the water and wastewater reserves are in deficit and this will increase the deficit balance and interest costs in future financial years.
- E. Notes that the Waters Team will continue to look for efficiencies and minimise operational expenditure where it can do so.
- F. Authorises the Chief Executive to carry out the necessary actions.

CARRIED

24.2.5 BACKFLOW PREVENTION INSTALLATION PROJECT

To consider the scale of backflow prevention required to meet legal requirements and identify which connections should be funded by Council.

After discussion it was noted that the dollar figure should be added to the resolution to give clarity on the amount coming from the budget.

RESOLUTION

Moved: Claridge

Seconded: Alley

That the Council

- A. Receives the report and accepts the level of significance.
- B. Approves allocating the 2023/24 backflow prevention budget (\$648,821) to progressing backflow installation on council property connections.
- C. Authorises staff to progress backflow installation on council property connections under the Three Waters Operations and Maintenance Contract.
- D. Agrees in principle, subject to further policy development, that the costs of backflow installation for private properties will be met by the property owner.

CARRIED

24.2.6 WASTE MANAGEMENT AND MINIMISATION PLAN 2024-2030

To consider the proposed Statement of Proposal and Waste Management and Minimisation Plan 2024-2030 for public consultation.

RESOLUTION

Moved: Feinerman
Seconded: McPherson

That the Council

- A. Receives the report and accepts the level of significance.
- B. Approves the proposed Statement of Proposal and Waste Management and Minimisation Plan 2024-2030 for public consultation.

CARRIED

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

24.2.7 SEPTEMBER 2023 RAINFALL EVENT - EMERGENCY WORKS FUNDING

To consider funding options for emergency works for damage to the roading network as a result of a high rainfall and wind event in September 2023.

RESOLUTION

Moved: Paterson
Seconded: McKinlay

That the Council

- A. Receives the report and accepts the level of significance.
- B. Approves \$89,795 of funding from the Emergency Event Reserve (1750264028) for repairs across the roading network following the September 2023 rainfall and wind event.

CARRIED

Note: His Worship the Mayor resumed the Chair.

Note: Cr McPherson left the meeting at 2.31 pm.

24.2.8 COMMUNITY VISION POLICY EXTENSIONS

To consider extending two Community Vision Policy documents - the Community Development Strategy and the Grants Policy - to August 2024.

After discussion it was noted that any proposed changes to the Grants Policy should be done as part of the 2025/34 Long-term Plan process so the extension was lengthened to reflect this.

RESOLUTION

Moved: Alley
Seconded: Browne

That the Council

- A. Receives the report and accepts the level of significance.
- B. Approves extension of the Community Development Strategy to August 2024.
- C. Approves extension of the Grants Policy to align with the Long-term Plan 2025/34 process.

CARRIED

Note: Cr McPherson returned to the meeting at 2.35 pm.

24.2.9 FINANCIAL REPORT FOR THE PERIOD ENDING 31 DECEMBER 2023

To consider the financial performance for the period ending 31 December 2023.

RESOLUTION

Moved: Alley
Seconded: McKinlay

That the report be received.

CARRIED

7 MAYOR'S REPORT

24.2.10 MAYOR'S REPORT

His Worship the Mayor spoke to his report and noted the passing of Efeso Collins recently. He also noted the recent newspaper report of a pause to the proposed airport at Tarras.

RESOLUTION

Moved: Cadogan
Seconded: Duncan

That the Council receives the report.

CARRIED

8 STATUS REPORTS

24.2.11 FEBRUARY 2024 GOVERNANCE REPORT

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

RESOLUTION

Moved: Alley

Seconded: Browne

That Council receives the report.

CARRIED

9 COMMUNITY BOARD MINUTES

24.2.12 MINUTES OF THE CROMWELL COMMUNITY BOARD MEETING HELD ON 23 JANUARY 2024

RESOLUTION

Moved: Alley
Seconded: Browne

That the unconfirmed Minutes of the Cromwell Community Board Meeting held on 23 January 2024 be noted.

CARRIED

24.2.13 MINUTES OF THE VINCENT COMMUNITY BOARD MEETING HELD ON 23 JANUARY 2024

RESOLUTION

Moved: Alley
Seconded: Browne

That the unconfirmed Minutes of the Vincent Community Board Meeting held on 23 January 2024 be noted.

CARRIED

24.2.14 MINUTES OF THE MANIOTOTO COMMUNITY BOARD MEETING HELD ON 25 JANUARY 2024

RESOLUTION

Moved: Alley
Seconded: Browne

That the unconfirmed Minutes of the Maniototo Community Board Meeting held on 25 January 2024 be noted.

CARRIED

24.2.15 MINUTES OF THE VINCENT COMMUNITY BOARD MEETING HELD ON 7 FEBRUARY 2024

RESOLUTION

Moved: Alley

Seconded: Browne

That the unconfirmed Minutes of the Vincent Community Board Meeting held on 7 February 2024 be noted.

CARRIED

24.2.16 MINUTES OF THE TEVIOT VALLEY COMMUNITY BOARD MEETING HELD ON 8 FEBRUARY 2024

RESOLUTION

Moved: Alley
Seconded: Browne

That the unconfirmed Minutes of the Teviot Valley Community Board Meeting held on 8 February 2024 be noted.

CARRIED

24.2.17 MINUTES OF THE CROMWELL COMMUNITY BOARD MEETING HELD ON 12 FEBRUARY 2024

RESOLUTION

Moved: Alley
Seconded: Browne

That the unconfirmed Minutes of the Cromwell Community Board Meeting held on 12 February 2024 be noted.

CARRIED

10 DATE OF NEXT MEETING

The date of the next scheduled meeting is 20 March 2024.

11 RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION

Moved: Cadogan
Seconded: Alley

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

- A. 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
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Confidential Minutes of Ordinary Council Meeting	<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)(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
24.2.18 - Open Spaces Maintenance Contract	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
24.2.19 - Alexandra Riverside Park Project: Procurement of a Construction Partner	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	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
24.2.20 - Proposal to Freehold Ground Lease	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
24.2.21 - Cromwell Memorial Hall - Operating Model and Funding Principles	<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)(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 (including commercial and industrial negotiations)	
24.2.22 - Cromwell Memorial Hall Project - Construction Contract Award	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
24.2.23 - February 2024 Confidential Governance Report	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)(g) - the withholding of the information is necessary to maintain legal professional privilege 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
24.2.24 - Confidential Minutes of the Vincent Community Board Meeting held on 23 January 2024	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
24.2.25 - Confidential Minutes of the Cromwell Community Board Meeting held on 23 January 2024	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
24.2.26 - Confidential Minutes of the Vincent Community Board Meeting held on 7 February 2024	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

<p>24.2.27 - Confidential Minutes of the Cromwell Community Board Meeting held on 12 February 2024</p>	<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)(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>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</p>
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- B. That Andrew Lovelock from Galloway Cook Allen and Edward Guy and Ben Gonzales from Rationale be allowed to stay for item 24.2.21 due to their knowledge of the Cromwell Memorial Hall project.

CARRIED

The public were excluded at 2.45 pm and the meeting closed at 5.29 pm.