

**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, 19 APRIL 2023
COMMENCING AT 10.30 AM**

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

IN ATTENDANCE: L van der Voort (Acting Chief Executive Officer – via Microsoft Teams), L Fleck (General Manager - People and Culture via Microsoft Teams), S Righarts (Group Manager - Business Support via Microsoft Teams), D Rushbrook (Group Manager - Community Vision), D Scoones (Group Manager - Community Experience), S Finlay (Chief Financial Officer – Contractor), J Muir (Three Waters Director), G Bailey (Parks and Recreation Manager), Q Penniall (Infrastructure Manager), M Hardman (Roading Asset Manager), L Stronach (Team Leader – Statutory Property), C Green (Infrastructure Financial Officer), N Lanham (Economic Development Manager), M Tohill (Communications Support) and R Williams (Community Development Officer)

1 APOLOGIES

RESOLUTION

Moved: Alley
Seconded: Paterson

That the apologies received from Crs Cooney and McPherson be received and accepted.

CARRIED

Note: Cr Browne opened the meeting with a karakia.

2 PUBLIC FORUM

Sharyn and Noel Miller – Application for a Road Stopping in Branxholm Street, Roxburgh.

Mr and Mrs Miller spoke to their application to stop a piece of road on Branxholm Street, Roxburgh. They then responded to questions.

Note: Proceedings were interrupted when the Mayor noted that a member of the public was taking photographs during the public forum. The Mayor advised that person that prior permission was required from the Chair and that he would ask him to leave if he did it again.

3 CONFIRMATION OF MINUTES

RESOLUTION

Moved: Alley
Seconded: Paterson

That the public minutes of the Ordinary Council Meeting held on 30 March 2023 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. Crs Gillespie and Laws declared an interest in item 23.4.3. They did not take part in the discussion or vote on the item.

5 REPORTS

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

23.4.2 APPLICATION TO STOP PART OF BRANXHOLM STREET

To consider an application to stop an unformed section of Branxholm Street, to legalise an historic encroachment, in accordance with the provisions of the Public Works Act 1981.

With the leave of the meeting, it was **AGREED** to let the item lie on the table, pending further investigation into when the road was originally surveyed. Specifically, whether the road reserve was defined prior to the house being built.

Note: The Mayor advised the member of the public taking photographs that he was now free to take photographs if he wished to do so, clarifying that it was not appropriate to take photographs while members of the public are presented to the meeting.

Note: Crs Gillespie and Laws declared an interest in item 23.4.3. They did not take part in the discussion or vote on the item.

23.4.3 RATIFICATION OF RESOLUTION 23.2.4 (PROPOSAL TO DISPOSE OF LAND TO WAKA KOTAHI NEW ZEALAND TRANSPORT AGENCY).

To consider ratifying the proposal to dispose of approximately 1,740 square metres of Record of Title OT13B/86, to Waka Kotahi New Zealand Transport Agency.

RESOLUTION

Moved: Cadogan
Seconded: McKinlay

That the Council

- A. Receives the report and accepts the level of significance.
- B. Agrees to ratify Resolution 22.4.4 of the Cromwell Community Board, to:

Uphold the Community Board resolution of 21 June 2022 to dispose of approximately 1,740 square metres of Record of Title OT13B/860 to Waka Kotahi New Zealand Transport Agency for \$118,000 (One Hundred and Eighteen Thousand Dollars) plus GST (if any).

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

CARRIED

23.4.4 REQUEST FOR ADDITIONAL MAINTENANCE FUNDING TO MAXIMISE WAKA KOTAHI SUBSIDY

To consider funding additional roading maintenance expenditure to maximise Waka Kotahi's cost sharing contribution.

Roading reserves and General reserves have to date been presented together. Future transfers will be itemised and reported back to the Audit & Risk committee as in part C of the resolution.

RESOLUTION

Moved: Paterson
Seconded: Alley

That the Council

- A. Receives the report and accepts the level of significance.
- B. Approves increasing the 2022/23 subsidised roading maintenance budget by an additional \$512,674, recognising council's contribution will be \$251,210.
- C. Resolves to request staff to investigate the make up of the General reserves account to ensure transfers are occurring as per expectations and report back to the Audit & Risk Committee.

CARRIED

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

23.4.5 INCREASED SAMPLING COST TO MEET NEW DRINKING WATER RULES

To consider additional costs of water sampling to meet the new drinking water rules.

Discussions followed on what effect the increased standards and monitoring would have on rates and how these cost increases will be presented in the LTP.

RESOLUTION

Moved: Laws
Seconded: Claridge

That the Council

- A. Receives the report and accepts the level of significance.
 - B. Notes that new Drinking Water Quality Assurance Rules came into force on 14 November 2022, and that those rules include new monitoring and sampling requirements for drinking water.
 - C. Approves an increase in the water supply operational budget for 2022/23 to reflect these new requirements by \$181,093.15.
 - D. Approves an increase in the water supply operational budget for 2023/24 to reflect these new requirements by \$310,445.40.
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CARRIED

Note: Cr Alley assumed the Chair as the Community Vision and Experience portfolio lead.

23.4.6 ELDERLY PERSONS HOUSING RENT REVIEW

To advise of the impact of the rent review for Council's Elderly Persons Units for 2023/2024.

RESOLUTION

Moved: Duncan
Seconded: Alley

That the report be received.

CARRIED

23.4.7 ECONOMIC DEVELOPMENT WORK PROGRAMME PROGRESS REPORT

To provide an update on the implementation of the Economic Development Work Programme for 2022, and to outline the annual Economic Development Work Programme for 2023.

RESOLUTION

Moved: Paterson
Seconded: Duncan

That the report be received.

CARRIED

Note: Cr McKinlay left the room at 11.33 am and returned at 11.38 am.

Note: His Worship the Mayor resumed the Chair.

23.4.8 PUBLIC TOILET POLICY

To consider approving the Public Toilet Policy for a three-year cycle.

RESOLUTION

Moved: Cadogan
Seconded: Alley

That the Council

- A. Receives the report and accepts the level of significance.
- B. Adopts the Public Toilet Policy.

CARRIED

23.4.9 WILDING CONIFER CONTROL POLICY

To amend the Wilding Conifer Control Policy.

RESOLUTION

Moved: Paterson

Seconded: Duncan

That the Council

- A. Receives the report and accepts the level of significance.
- B. Amends the Wilding Conifer Control Policy.

CARRIED with Cr Claridge recording her vote against

23.4.10 PROCESS FOR THE APPOINTMENT OF AN AUDIT AND RISK CHAIR

To seek agreement on the process to appoint an independent chair to the Audit and Risk Committee.

RESOLUTION

Moved: McKinlay

Seconded: Duncan

That the Council

- A. Receives the report and accepts the level of significance.
- B. Agrees to seek applications for the independent chair of the Audit and Risk Committee.
- C. Appoints His Worship the Mayor and Cr Paterson as a member of the Audit and Risk Committee to the appointment panel, along with the Group Manager – Business Support, as the Acting Chief Executive's appointment.
- D. Agrees that the appointment panel will recommend a preferred candidate to Council for final approval.

CARRIED

23.4.11 UPDATE TO THE REGISTER OF DELEGATIONS

To consider an update to the Register of Delegations.

During discussion it was agreed that the names of appointees should be included in the delegations, as appropriate. It was also suggested that a first principles review of the register take place when the work programme allowed.

RESOLUTION

Moved: Gillespie

Seconded: Alley

That the Council

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- A. Receives the report and accepts the level of significance.
- B. Notes the proposed changes to the Register of Delegations with the inclusion of names of appointees as appropriate.
- C. Adopts the updated Register of Delegations, to come into effect on 20 April 2023.

CARRIED

6 MAYOR'S REPORT

23.4.12 MAYOR'S REPORT

His Worship the Mayor gave an update on his activities and issues of interest since the last meeting.

As part of his report, the Mayor acknowledged the work done by Sanchia Jacobs as the Chief Executive Officer and wished her all the best for her future role.

RESOLUTION

Moved: Cadogan

Seconded: Gillespie

That the Council receives the report.

CARRIED

7 STATUS REPORTS

23.4.13 APRIL 2023 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.

It was requested that the report be amended to be presented in reverse chronological order.

RESOLUTION

Moved: Browne

Seconded: Alley

That the Council receives the report.

CARRIED

8 COMMUNITY BOARD MINUTES

23.4.14 MINUTES OF THE MANIOTOTO COMMUNITY BOARD MEETING HELD ON 16 MARCH 2023

RESOLUTION

Moved: Alley
Seconded: McKinlay

That the unconfirmed Minutes of the Maniototo Community Board Meeting held on 16 March 2023 be noted.

CARRIED

23.4.15 MINUTES OF THE VINCENT COMMUNITY BOARD MEETING HELD ON 21 MARCH 2023

RESOLUTION

Moved: Alley
Seconded: McKinlay

That the unconfirmed Minutes of the Vincent Community Board Meeting held on 21 March 2023 be noted.

CARRIED

23.4.16 MINUTES OF THE CROMWELL COMMUNITY BOARD MEETING HELD ON 22 MARCH 2023

RESOLUTION

Moved: Alley
Seconded: McKinlay

That the unconfirmed Minutes of the Cromwell Community Board Meeting held on 22 March 2023 be noted.

CARRIED

23.4.17 MINUTES OF THE TEVIOT VALLEY COMMUNITY BOARD MEETING HELD ON 23 MARCH 2023

RESOLUTION

Moved: Alley
Seconded: McKinlay

That the unconfirmed Minutes of the Teviot Valley Community Board Meeting held on 23 March 2023 be noted.

CARRIED

9 COMMITTEE MINUTES

23.4.18 MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING HELD ON 24 MARCH 2023

RESOLUTION

Moved: Alley
Seconded: McKinlay

That the unconfirmed Minutes of the Audit and Risk Committee Meeting held on 24 March 2023 be noted.

CARRIED

10 DATE OF NEXT MEETING

The date of the next scheduled meeting is 31 May 2023.

11 RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION

Moved: Cadogan
Seconded: Paterson

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 reason for withholding would exist under section 6 or section 7
23.4.19 - Alexandra Airport Commercial Hangar Site Request	s7(2)(h) - the withholding of the information is necessary to 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)	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
23.4.20 - Water Services Update on Compliance Status	s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege	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
23.4.21 - Proposal to revoke Resolution	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
23.4.22 - Strategic Risk Register 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
23.4.23 - April 2023 Confidential Governance Report	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
23.4.24 - Confidential Minutes of the Vincent Community Board Meeting held on 21 March 2023	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
23.4.25 - Confidential Minutes of the Cromwell Community Board Meeting held on 22 March 2023	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
23.4.26 - Confidential Minutes of the Teviot Valley Community Board Meeting held on 23 March 2023	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
23.4.27 - Confidential Minutes of the Audit and Risk	s7(2)(c)(ii) - the withholding of the information is necessary to protect information which is	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting

<p>Committee Meeting held on 24 March 2023</p>	<p>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)(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>	<p>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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CARRIED

The public were excluded at 12.05pm and the meeting adjourned for lunch until 12.43pm, when it resumed in non-public. The meeting closed at 1.45pm.