

**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, 25 OCTOBER 2023
COMMENCING AT 10.30 AM**

PRESENT: Cr N Gillespie (Chair), Cr T Alley, Cr S Browne, Cr I Cooney, Cr S Duncan, Cr S Feinerman, Cr C Laws, Cr M McPherson

IN ATTENDANCE: P Kelly (Chief Executive Officer), L van der Voort (Group Manager - Planning and Infrastructure), L Fleck (General Manager - People and Culture), S Righarts (Group Manager - Business Support), D Rushbrook (Group Manager - Community Vision), D Scoones (Group Manager - Community Experience), P Keenen (Acting Three Waters Director), Q Penniall (Infrastructure Manager), P Penno (Community and Engagement Manager), A Lines (Risk and Procurement Manager), A Rodgers (Principal Policy Planner), A Crosbie (Senior Policy Advisor), P Bain (Water Services Customer and Compliance Team Leader), L Stronach (Team Leader – Statutory Property), H Harries (Welcoming Communities Officer), W McEnteer (Governance Manager)

Note: Cr Alley gave a karakia to begin the meeting.

1 APOLOGIES

APOLOGY

RESOLUTION

Moved: Duncan

Seconded: Alley

That the apologies received from Crs Claridge, McKinlay and Paterson and His Worship the Mayor be accepted.

-----**CARRIED**-----

2 PUBLIC FORUM

Ken Churchill – Half Mile

Mr Churchill noted that the Half Mile Reserve was still scruffy after the felling had taken place and that there was a significant amount of slash left at the site. He also noted that there are still a few trees that needed to be removed.

Sean Railton – Landpro – Formation of Legal Road in Bannockburn

Mr Railton spoke in support of the formation of a legal road in Bannockburn (23.10.5) before responding to questions.

3 CONFIRMATION OF MINUTES

RESOLUTION

Moved: Alley
Seconded: Browne

That the public minutes of the Ordinary Council Meeting held on 27 September 2023 be confirmed as a true and correct record.

CARRIED

4 DECLARATIONS 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 Alley assumed the Chair as the Community Vision and Experience portfolio lead.

23.10.2 REQUEST FOR MINISTER OF CONSERVATION'S CONSENT TO THE GRANTING OF EASEMENTS OVER LOCAL PURPOSE RESERVE

To consider granting (pursuant to delegated authority) the Minister of Conservation's consent to the granting of easements over Lot 801 Deposited Plan 590724.

RESOLUTION

Moved: Duncan
Seconded: Browne

That the Council:

- A. Receives the report and accepts the level of significance.
- B. To grant (pursuant to the Instrument of Delegation dated 12 June 2013) the Minister of Conservation's consent to the granting of:
 - A support easement over Lot 801 Deposited Plan 590724 in favour of Lot 604 Deposited Plan 593119; and,
 - A support easement over Lot 801 Deposited Plan 590724 in favour of Lot 807 Deposited Plan 593119.

CARRIED

23.10.3 WELCOMING COMMUNITIES 6 MONTH REPORT TO COUNCIL

To inform Council of the Welcoming Communities programme activities that transpired within Central Otago from January to June 2023, and to demonstrate how the programme plans to further develop and gain momentum from July to December 2023.

RESOLUTION

Moved: McPherson
Seconded: Cooney

That the report be received.

CARRIED

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

23.10.4 OCTOBER WASTEWATER COMPLIANCE STATUS UPDATE

To consider progress on achieving Otago Regional Council Consent compliance for Central Otago District Council wastewater activities.

RESOLUTION

Moved: Alley
Seconded: Feinerman

That the report be received.

CARRIED

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

23.10.5 FORMATION OF LEGAL ROAD - BANNOCKBURN

To consider an application to form an unformed legal road for a proposed subdivision at Hawksburn Road, Bannockburn.

RESOLUTION

Moved: McPherson
Seconded: Alley

That the Council

- A. Receives the report and accepts the level of significance.
 - B. Notes no response has been received back from the objector's lawyer.
 - C. Approves the request to form an unformed legal road to provide property access for the applicant, with the following conditions:
 - 1. The road be formed to the relevant right of way subdivision standard.
 - 2. The road be surveyed to ensure construction occurs within the legal alignment.
 - 3. The survey and road construction are undertaken at no cost to Council.
 - 4. 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.
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5. The applicant acknowledges they are aware that Council does not accept any responsibility for future maintenance costs.
 6. The applicant shall not locate any improvements on the road without the prior consent of the Council.
 7. The applicant shall not impede others from using the road.
 8. All costs associated with fencing and cattle stops will be the responsibility of the applicant if required.
 9. As the existing track from Hawksburn 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.
 10. The applicant will complete an Archaeological Assessment (AA) of the affected area prior to any construction commencing.

CARRIED

Note: Cr Gillespie resumed the Chair.

23.10.6 PLAN CHANGE 18 RATIFICATION OF DECISION OF INDEPENDENT COMMISSIONER

To consider accepting the recommendation on Plan Change 18 and publicly notifying the decision.

RESOLUTION

Moved: McPherson

Seconded: Alley

That the Council

- A. Receives the report and accepts the level of significance.
- B. Accepts recommendation pursuant to clause 29 (4) (a) of the First Schedule of the Resource Management Act 1991 to approve Plan Change 18 to the operative Central Otago District Plan.
- C. Serve a copy of its decision on every person who made a submission/further submission along with a statement of the time within which an appeal to the Environment Court may be lodged.
- D. Publicly notify that it has approved the Plan Change 18.
- E. Provide a copy of the decision to approve Plan Change 18 to every library in the District.

CARRIED

23.10.7 MEDIA POLICY

To revise and adopt the Media Policy for Central Otago District Council.

After discussion it was agreed to include a sentence that specifically stated that the policy did not apply to elected members.

RESOLUTION

Moved: McPherson
Seconded: Browne

That the Council

- A. Receives the report and accepts the level of significance.
- B. Adopts the Media Policy for a three-year term.

CARRIED

23.10.8 REVISED RISK MANAGEMENT POLICY

To note the recommendation from the Audit and Risk Committee and adopt the revised Risk Management Policy.

RESOLUTION

Moved: Duncan
Seconded: Cooney

That the Council

- A. Receives the report and accepts the level of significance.
- B. Notes the recommendation from the Audit and Risk Committee.
- C. Adopts the revised Risk Management Policy.

CARRIED

23.10.9 REVISED PROCUREMENT POLICY

To note the recommendation from the Audit and Risk Committee and adopt the revised Procurement Policy.

RESOLUTION

Moved: Feinerman
Seconded: Alley

That the Council

- A. Receives the report and accepts the level of significance.
- B. Notes the recommendation from the Audit and Risk Committee that the revised Procurement Policy be adopted.
- C. Adopts the revised Procurement Policy.

CARRIED

23.10.10 2024 MEETING SCHEDULE

To approve a schedule of Council meetings for 2024.

RESOLUTION

Moved: **Laws**
Seconded: **Cooney**

That the Council

- A. Receives the report and accepts the level of significance.
- B. Adopts the proposed 2024 meeting schedule for Council.

CARRIED

23.10.11 REGISTER OF DELEGATIONS REVIEW AND UPDATE

To consider an update of the Register of Delegations.

After discussion it was agreed to accept the proposed changes and to include the following:

- On page 463 of the agenda, to add that there is one liaison from the Teviot Valley Community Board appointed to the Teviot Valley Walkways Committee.
 - On page 465 of the agenda, to add the title '*Appointment of the Chair*'
 - On page 472 of the agenda, to add 'Hearing' to the title so it reads '*District Licensing Committee Hearings*'.
 - On page 472 of the agenda, add commentary about how and when District Licensing Committee members are appointed.
 - On page 485 of the agenda, in the section called Authorised Officer Delegations and Warrants, on the first bullet point should end with '*or their equivalent*'.
 - On page 486 of the agenda, add the act to the Civil Defence section to say '*Civil Defence and Emergency Management Act 2022*'.
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RESOLUTION

Moved: **Alley**
Seconded: **Feinerman**

That the Council

- A. Receives the report and accepts the level of significance.
- B. Notes the proposed changes to the Register of Delegations as presented in appendix one of the report and noted above.
- C. Adopts the updated Register of Delegations, to come into effect from 26 October 2023.

CARRIED

6 STATUS REPORTS**23.10.12 OCTOBER 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.

RESOLUTION

Moved: Browne
Seconded: Laws

That Council receives the report.

CARRIED

7 COMMUNITY BOARD MINUTES**23.10.13 MINUTES OF THE MANIOTOTO COMMUNITY BOARD MEETING HELD ON 14 SEPTEMBER 2023**

RESOLUTION

Moved: Duncan
Seconded: Cooney

That the unconfirmed Minutes of the Maniototo Community Board Meeting held on 14 September 2023 be noted.

CARRIED

8 COMMITTEE MINUTES**23.10.14 MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING HELD ON 29 SEPTEMBER 2023**

RESOLUTION

Moved: Duncan
Seconded: Cooney

That the unconfirmed Minutes of the Audit and Risk Committee Meeting held on 29 September 2023 be noted.

CARRIED

9 DATE OF NEXT MEETING

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

10 RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION

Moved: Browne
Seconded: Alley

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	<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>	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
23.10.15 - October 2023 Confidential Governance Report	<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>	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
23.10.16 - Confidential Minutes of the Audit and Risk Committee Meeting held on 29 September 2023	<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</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

	(including commercial and industrial negotiations) 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	
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CARRIED

The public were excluded at 12.00 pm and the meeting closed at 12.08 pm.