

**MEETING OF THE**

**Clutha District Council**

**Thursday, 18 February 2021**

**Commencing at 1.30pm**

**At the Council Chambers**

**1 Rosebank Terrace**

**BALCLUTHA**

# CLUTHA DISTRICT COUNCIL

Notice is hereby given that a Meeting of the Clutha District Council will be held at the Council Chambers, 1 Rosebank Terrace, Balclutha on Thursday, 18 February 2021, commencing at 1.30pm.

Steve Hill  
**CHIEF EXECUTIVE OFFICER**

## Committee Members

Mayor: Bryan Cadogan

Councillor Dane Catherwood  
Councillor Stewart Cowie  
Councillor Wayne Felts  
Councillor Gaynor Finch  
Councillor Mel Foster  
Councillor Bruce Graham  
Councillor John Herbert

Councillor Alison Ludemann  
Councillor Ken Payne  
Councillor Carol Sutherland  
Councillor Bruce Vollweiler  
Councillor Jo-Anne Thomson  
Councillor Selwyn Wilkinson

# CLUTHA DISTRICT COUNCIL

## Thursday, 18 February 2021

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### APOLOGIES

### DECLARATIONS OF INTEREST

### PUBLIC FORUM

### DEPUTATIONS

Item	Page #	Title
1	5	<b>Clutha Development – Appointment of elected member</b> <i>(For Council's Decision)</i> Report seeking Council's decision on an election of an elected member to sit at meetings of the Executive of Clutha Development as a non-voting member.
2	6	<b>Taieri Mouth Private Road Naming</b> <i>(For Council's Decision)</i> Report seeking Council's decision on a road name for the private road at Taieri Mouth.
3	14	<b>Notification of Weight and Speed Limits on Bridges</b> <i>(For Council's Decision)</i> Report seeking Council to accept the February 2021 Notification of Weight and Speed Limits on Bridges Certificate and that the public notification process be initiated.
4	17	<b>Lead Testing in Water</b> <i>(For Council's Decision)</i> Report seeking Council to make a decision whether to test for Lead in Council water supplies.
5	18	<b>Otago Southland Councils Water Services Bill Submission</b> <i>(For Council's Confirmation)</i> Report seeking council to approve the Otago Southland Council's Water Services Bill Submission.
6	29	<b>Confirmation of Council Minutes</b> <i>(For Council's Confirmation)</i> Minutes of the Council Meeting held on 10 December 2020.

7	42	<b>Corporate and Property Minutes</b> <i>(For Council's Confirmation)</i> Minutes of the Corporate and Property meeting held 4 February 2021.
8	47	<b>Service Delivery Committee Minutes</b> <i>(For Council's Confirmation)</i> Minutes of the Service Delivery Committee meeting held 4 February 2021.
9	53	<b>Regulatory and Policy Committee Minutes</b> <i>(For Council's Confirmation)</i> Minutes of the Regulatory and Policy Committee meeting held 4 February 2021..
10	57	<b>West Otago Community Board Minutes</b> <i>(For Council's Information)</i> Unconfirmed minutes of the meeting of the West Otago Community Board held 27 January 2021.
11	63	<b>Lawrence/Tuapeka Community Board Minutes</b> <i>(For Council's Information)</i> Unconfirmed minutes of the meeting of the Lawrence/Tuapeka Community Board held 27 January 2021.
12	69	<b>Risk &amp; Assurance Minutes</b> <i>(For Council's Information)</i> Unconfirmed minutes of the Risk & Assurance Committee meeting held 4 February 2021.
13	74	<b>Committees of Council – Reappointments</b> <i>(For Council's Information)</i> Report confirming the membership of the Executive Committee.
14	77	<b>Mayoral Report</b> <i>(For Council's Information)</i>
15	80	<b>Chief Executives Report</b> <i>(For Council's Information)</i>
16	89	<b>Documents for Consent and Seal</b> <i>(For Councils's Confirmation)</i>
17	91	<b>Reasons to move into Public Excluded</b> <i>(For Council's Decision)</i>

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# Clutha District Council

## Item for DECISION

<b>Report</b>	Clutha Development – appointment of elected member
<b>Meeting Date</b>	18 February 2021
<b>Item Number</b>	1
<b>Prepared By</b>	Steve Hill
<b>File Reference</b>	509760

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### REPORT SUMMARY

Clutha Development as an incorporated society is a membership organisation and members of the Executive Committee are elected annually as part of the annual general meeting process.

#### 1. **Clutha Development Incorporated Rules Clause 4.2 Executive Committee**

Only Members of the Society or their appointed representatives may be members of the Executive provided that in no event shall representatives appointed by the Clutha District Council be members of the Executive. For the avoidance of doubt, this shall not prevent officers or employees of the Clutha District Council being members of the Executive if they are not appointed by the Clutha District Council in its capacity as a Member to represent its interests.

#### 2. **Representative of the Clutha District Council on the Clutha Development Executive Committee Inaugural Minutes Clutha Development Incorporated 17 June 2015**

Resolution 5:

The Chief Executive of the Clutha District Council be co-opted to sit at the meetings of the Executive. Notwithstanding such position at the executive table, the Chief Executive will not have the same status as an executive member and will not be entitled to vote.

Council has recently indicated that they wish to have elected member representation on the Board of Clutha Development. Such a position is an appointment and would not be entitled to vote. Council is requested to resolve which elected member is to be appointed.

### RECOMMENDATIONS

1. That the “Clutha Development – appointment of elected member” report be received.
2. That Councillor ..... be co-opted to sit at meetings of the Executive of Clutha Development Inc. as a non-voting member.

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# Clutha District Council

## Item for INFORMATION

<b>Report</b>	Taieri Mouth Private Road Naming
<b>Meeting Date</b>	18 February 2021
<b>Item Number</b>	2
<b>Prepared By</b>	Steve Hill
<b>File Reference</b>	508997

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### REPORT SUMMARY

Council has previously decided on road naming for the relevant private road. Attachment A has all the background and explanations as to why the process of road naming was restarted. Three Submissions have been received and are at Attachment's B, C and D. Council is requested to decide on the road name.

### RECOMMENDATIONS

1. That the Taieri Mouth Private Road Naming report be received.
  2. That Council affirms the decision of 29 October to name the road "Sydnee Heights"
- OR
3. That Council rescinds the decision of 29 October and names the road "Totara ....."

### REPORT

#### 1 Background

At a meeting of Council on 29 October 2020 Council resolved:

***Moved Councillors Finch/Catherwood and Resolved:***

***"That Council receives the 'Sydnee Heights Road Naming' report.***

***That Council agrees to name the road 'Sydnee Heights'. "***

Attachment A explains that the process of naming the road was restarted with 3 submissions. The alternative road name provided by the developer was "Totara Close".

The submission at Attachment B is comprehensive reasoning on the matter. No submission was received from the original proposer of “Sydnee Heights” as a road name, but contact will be made before the date of the Council meeting.

All correspondence has made it clear that there is no fault attached to the original proposal and indeed Council is grateful for the proposer contributing to the process.

It is confirmed that there are 3 roads in the District using the word “Totara”:

- Totara Avenue
- Totara Island Road
- Totara Street

All roads are more than 40 kms away from this Private Road and it would not be considered a conflict such as to prevent the word Totara being used in some form.

The original developer has suggested “Totara Close”, but alternatives are “Totara Heights or Totara Rise”.

Council could still re-affirm the original decision to name the road “Sydnee Heights”.

## **2 References - Agenda Attachments**

- a. Letter sent to residents 27 January 2020 (separate attachment)**
- b. Isobel and Robert Barry email**
- c. Garry and Rosanne Skinner email**
- d. Tony and Jan Gow email**

**ATTACHMENT B**

For the Attention of Steve Hill Chief Executive Clutha District Council

My husband Robert Barry and I are the new owners of the property currently referred to as 9D Riverside Road. Our purchase of this property was completed on 30 November and we moved in on 14 December so were obviously not relevant parties at the time to the application for the proposed name change adjudicated by the Council on the 29th October 2020. We were not even aware of the proposal to change the name until we received the letter dated 27 January 2020 (mistake on letter should be 2021).

We understand and accept the reason for the requirement for change of name in order to issue the appropriate RAPID numbers for the dwellings.

Being new to the area we have no knowledge of why the roads were originally shown as Humber, Leeds and York Streets and therefore do not see what relevance such names would have to the area at this point in time. We make no further comments on these proposals which you state were considered by Council as starting points only.

With regard to the proposed name of Sydnee Heights, we do not support this as an appropriate name for this road. Our understanding is that this is the name of the youngest daughter of one of the current land owners. We stand corrected if we are wrong in saying that the O'Leary's are the owners of 1 out of the 11 sections in this development (We ourselves bought our property from them). Whilst we understand there are no specific policy considerations that Clutha District Council have to adhere to and that the Council has discretion to accept any name proposed, it is a commonly held principle here in New Zealand and other countries that whilst the naming of roads etc can often commemorate a person, the use of names of people who are still alive should be avoided where possible as community attitudes, events and opinions can frequently change over time. The naming of a road or building after a person is normally only considered once the person is deceased as a mark of respect for extraordinary public service or exemplary contribution to public events. Whilst I am sure that Sydnee O'Leary is a well liked person and much involved in community run activities this is unlikely to be of such a significant or exemplary nature as to warrant that a road should be named for her in perpetuity. Once the naming process is completed then the name chosen is one that must have relevance for a very long time and should not be subject to further change. Therefore naming the road after a young person connected to only one of the current 11 section owners does not seem equitable or a long term solution.

We appreciate that from the Council's point of view, this matter was considered decided on the basis of no objection until the current objection was received out of time from the original developer of the subdivision. It is certainly unfortunate that the objection was not tabled at the appropriate time but we do agree that it is only right



that the developer be heard especially as he is still a landowner privately owning a proportion of the road in question. It is unfortunate for Ms O'Leary that whilst she thought the road was to be named after her, the whole process is now being opened up again. This naturally must be a disappointment for her and as we say unfortunate but the naming of a road is a very important matter and must reflect the views of the whole community and work for anyone joining the community at a later date,

Now to our views on the proposal submitted by the original developer. In principle we support this, although for reasons we will go on to explain we think either Totara Heights or Totara Rise would be more appropriate than Totara Close. Generally in planning matters it is considered that names will be reflective of themes relevant to the local area in particular local historical, cultural or environmental themes or names that recognise unique characteristics or features of the local area. The paragraph noted in your letter of 27 January explaining the developer's reason for Totara Close clearly reflects these principles. It also has to be accepted that without the vision and input of the developer this subdivision would not exist so we feel that his views must be given substantial consideration. The primary beauty of this development for us is the amazing sea views provided from being so high up, however the properties being sensitively integrated within the existing native bush is a further reason why we chose to buy our particular property and join this community. The peace and quiet provided by the bush is a real bonus and we are entertained all day by the local bird life which seems to flourish in the surrounding bush. The importance of the native bush and trees was obviously in the mind of the developer and the council when providing development consents as covenants exist for how you can build with relevance to the protection of native bush around the properties.

There are many trees within this development, the predominance of which appear to be Manuka however it is interesting to hear of the history of the track and the fact that re-generating totaras were seen as the block was being developed. Totara trees and the uses made of them have a significant relevance to New Zealand history and therefore it seems appropriate that the road name should reflect their regenerating presence. Being a name that reflects the environment both historically and currently and not a name personally connected to any one family should in theory not offend, satisfy everyone involved and be a name that can last in perpetuity.

We note from a search of google, that this is definitely not a name just conjured up now by the developer as we can find reference to Totara Close back in 2005 in an article in [goodreturn.co.nz](http://goodreturn.co.nz) and also it would seem that when the sections were marketed in 2018 on [realestate.co.nz](http://realestate.co.nz) the development was marketed as Totara Close.

We have mentioned that we think either Totara Heights or Totara Rise would be a more suitable name than Totara Close. The name of a road should be one that accurately reflects the form, layout, topography & type of road being named. Whatever the Road ends up being called, we think all section owners can agree that the road is of a

significant gradient and we are sure the O'Learys must have had this in mind when submitting the word "Heights". Heights or Rise would make it very clear that we live in a particularly elevated community which is of course why we are blessed with spectacular views of the Taieri Mouth Coastline.

We hope that our representations are clear and we are happy to answer any questions that the Council may have. To summarise we do not support the naming of the road Sydnee Heights and in so opposing mean no offence to Sydnee O'Leary whose family proposed this name in good faith through the proper procedures. In our opinion the name is simply too personal to one family when it would be more equitable to everyone invested in this subdivision to have a name that reflects the beautiful environment in which we live. Whilst we prefer Totara Heights or Rise to reflect the elevation of the Road we do not strongly object to the word Close if that is what the Council thinks best. To us, Totara Heights seems like a sensible compromise.

Regards

Isobel and Robert Barry

Mobile: 021 0815 2321

#### **ATTACHMENT C**

Hi Jo

You have been talking to my wife Rosanne. We are not in favour of the name Sydnee Heights but like Totara Close.

Thanks Garry Skinner

9A Riverside Road Taieri Mouth

#### **ATTACHMENT D**

We are writing to let you know our thoughts on the naming of our road at Taieri Mouth which is up for consideration , at first we were happy with whatever eventuated but since hearing the views of the developer Kim Rapley we are now leaning towards the Totara Close proposal , it is a mainly Native block and most of us are trying to preserve as much Native around our Builds as possible.

Also just to add we always thought that Totara Close was the Rd name.

I hope this helps with the final decision?

Cheers

Tony & Jan Gow



# CLUTHA DISTRICT COUNCIL

Address all correspondence to:  
The Chief Executive

Our Reference

id508653

27 January 2020

XXXXXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXXXX

## Proposed Road Naming

Further to our letter of 26 August 2020 and the subsequent road naming process where Council approved the name "Sydnee Heights" on 29 October 2020, I regret to advise that Council received an objection to the road naming that will need to be brought before Council. Council has been approached by the original developer of the subdivision and still current landowner of a portion of the private road that will be on private land (that landowner's land) with advice that the development and road name was always intended to be "Totara Close" and that landowner has objected to the approved road name.

Whilst the road naming process has been carried out correctly and notification provided to contact addresses for all immediately adjacent owners to the road, and even though this objection is well after the process and the road naming decision, the issue is that the road is a private road. Council should consider this objection and the proposed alternative road name and can do so as the approved name has not been actioned and implemented yet.

I apologise for this advice but the road naming process will need to be continued. Consequently the alternative proposed road name is Totara Close and the following information is provided as to why that name is proposed:

*"There is an old track through the middle of this subdivision, it was used from 1860 onwards for access from Taieri Mouth to Waihola. It was the known as the "breakneck track" due to the treacherous track from the hill to the river. When clearing the old man pines as we developed the block I noticed regenerating totaras both sides of the definitive old track as the new road had no name I thought totara close would be an appropriate name. Confirmation of the history can be corroborated by George McIntosh an 88 year old resident of Taieri Mouth."*

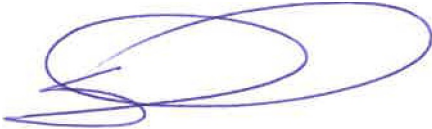
All correspondence supportive or not supportive for the name Totara Close along with any other suggested road names received in this office by the 5th of February 2021 will be considered at the Council meeting to be held on the 18th of February 2021 and a final decision made then.

Clutha District Council  
1 Rosebank Tenace  
P O Box 25, Balclutha 9240, New Zealand  
Telephone+ 64 3 4190200 Fax+ 64 3 4183185  
Email: help.desk@duthadc.govt.nz  
Website: www.cluthadc.govt.nz

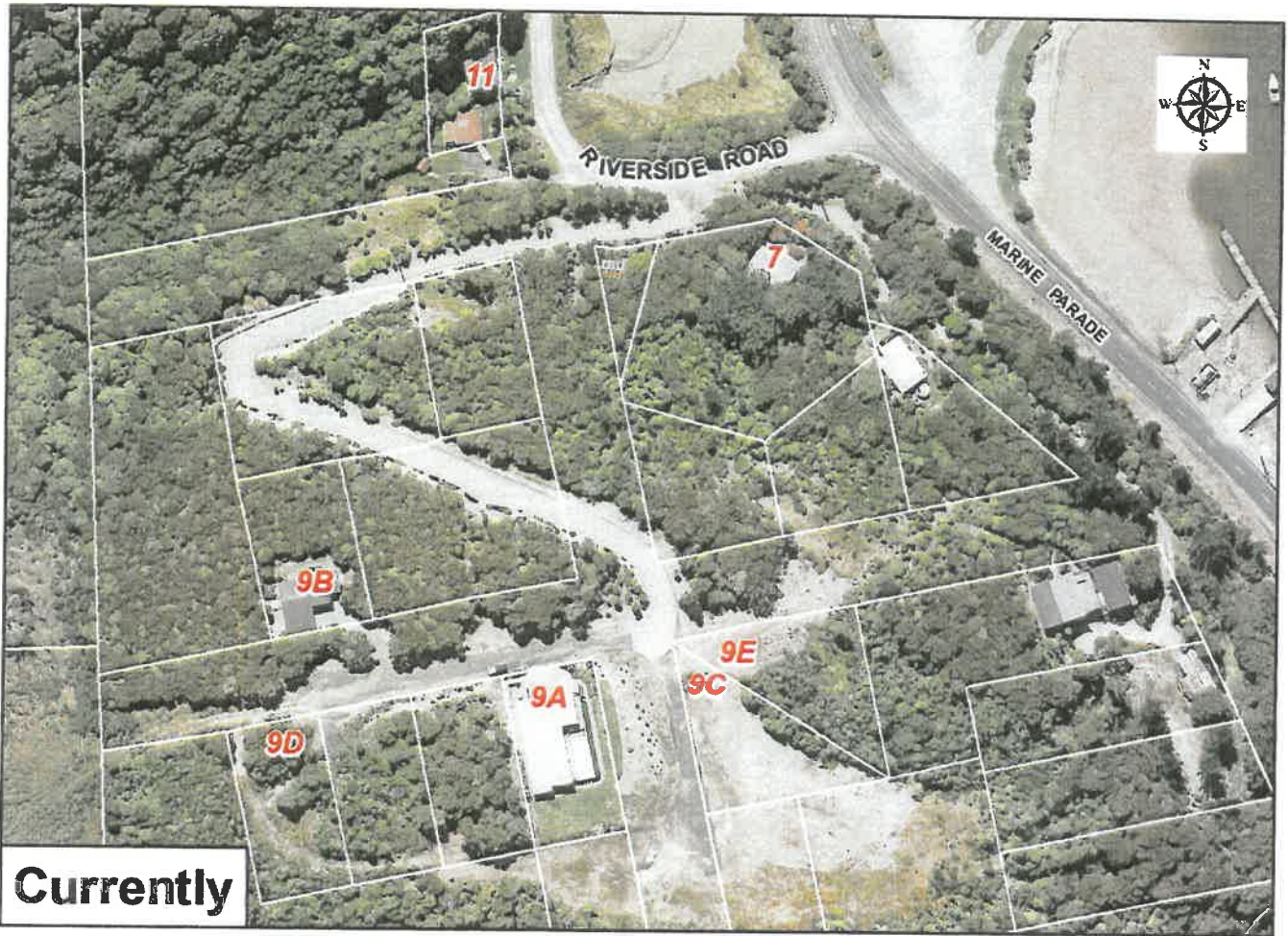


I wish to reiterate that there was nothing wrong with the initial process for road naming and the proposed road name that was put before Council on 29 October, and I wish to thank the family that took the effort to put forward a name at that time. That name will still also be considered by Council.

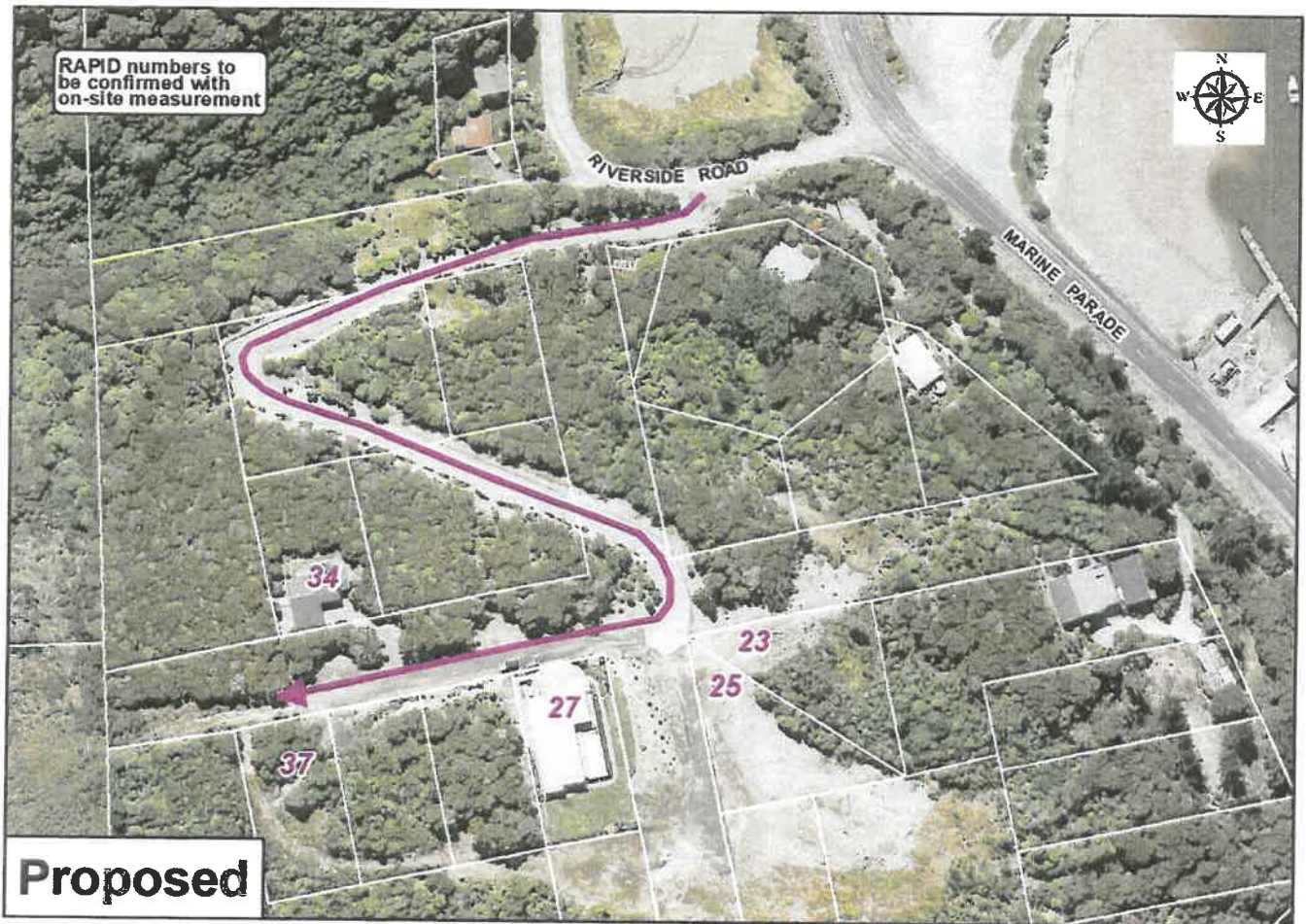
Yours sincerely



Steve Hill  
**CHIEF EXECUTIVE**



**Currently**



**Proposed**

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# Clutha District Council

## Item for DECISION

<b>Report</b>	Notification of Weight and Speed Limits on Bridges
<b>Meeting Date</b>	18 February 2021
<b>Item Number</b>	3
<b>Prepared By</b>	Christian Bopp – Senior Infrastructure Engineer
<b>File Reference</b>	509131

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### REPORT SUMMARY

This report presents information on the weight and speed limits recommended to be imposed on bridges within the Clutha district.

### RECOMMENDATIONS

1. That Council receives the “Notification of Weight and Speed Limits on Bridges” report.
2. That Council accepts the February 2021 Notification of Weight and Speed Limits on Bridges Certificate and that the public notification process be initiated.

### REPORT

#### 1 Background

As part of annual bridge inspections, Council’s Roading Network Professional Services provider, Stantec, recommends the posting of weight and speed limits on bridges identified as being susceptible to damage or increased deterioration, should they be subjected to “normal” open road loads and speeds.

#### 2 Strategic Goals and Outcomes

Roading infrastructure that sustainably supports the community and economy.

#### 3 Assessment of Options

The annual bridge inspections were completed in December 2020, with the recommended postings as per Attachment 8.1 “Bridge Posting Certificate 2021”. The public notification is given pursuant to Regulation 11 (3) of the Heavy Motor Vehicle Regulations 1974, advising the public of the various bridges which the Clutha District Council has fixed maximum weight and/or speed limits.

### Summary of Changes

The following bridges had strengthening/repair work carried out in 2019/20 and 2020/21 and have been removed from the list:

- Bridge 149, Whitelea Road
- Bridge 183, Romahapa Road
- Bridge 459, Tuapeka West Road

The restrictions to Bridge 390, Kelso Settlement Road and Bridge 471, Matheson Road have been increased as a reflection of the need to have these bridges closed and removed.

No further additional bridges were required to be added, following the completion of the annual bridge inspections.

#### **4 Consultation**

This matter has a low level of significance. Council already has a sound understanding of the views and preferences of those likely to be affected or interested in the matter. The bridges in question will be notified as per the requirements of the Heavy Motor Vehicle Regulations 1974, Regulation 11 Section 3.

#### **5 Policy Considerations**

Authority to impose weight and speed restrictions on roads and bridges is under Council's area of responsibility as stated in section D5 (pg. 70) of Council's Delegation Manual 2019-21.

#### **6 Legal Considerations**

Legal considerations are outlined under the Heavy Motor Vehicle Regulations 1974, Regulation 11 Section 3.

#### **7 Financial Impact**

There are no financial implications.

#### **8 References – Tabled/Agenda Attachments**

##### **8.1 - Bridge Postings Certificate 2021**

## Attachment 8.1 – “Bridge Posting Certificate 2021”

CLUTHA DISTRICT COUNCIL

## NOTIFICATION OF WEIGHT AND SPEED LIMITS ON BRIDGES

## HEAVY MOTOR VEHICLE REGULATIONS 1974 - REGULATION 11

Notice is hereby given that pursuant to Regulation 11 (3) of the Heavy Motor Vehicle Regulations 1974, the Clutha District Council has fixed the following maximum weight (and/or speed) limits for heavy motor vehicles and combinations including a heavy motor vehicle on the bridges described hereunder.

Bridge No.	Road Name	Structure or Waterway Name	Axle limit (kg)	Gross limit (% Class I)	Speed limit (km/hr)
41	Riverbank Road	Clutha River (Matau branch)		44000kg	10
112	Ross Road	Pomahaka Tributary		70%	
118	Allangrange Road	Clutha River			10
121	Taumata Road	Pomahaka Tributary	7500kg	90%	10
134	Hillfoot Road	Awakia Stream	6000kg	80%	10
138	Three Stones Road	Kuriwao Stream		44000kg	10
147	Slopedown Road	Mokoreta River	7500kg	90%	10
157	Fleming Road	Main South Railway		44000kg	10
173	Waitepeka Road	Puruhaua Stream		44000kg	10
193	Jackmans Creek Road	Glenomaru Stream		44000kg	10
212	The Bonnet Road	Owaka River		44000kg	10
219	Forsyth Road (Catlins)	Owaka River		44000kg	10
223	Katea Road	Tuck Stream		44000kg	10
225	Katea Road	Owaka River	5000kg	70%	10
229	Hinahina Road	Catlins River	2500kg	5000kg	10
329	Mount Allen Road	Spylaw Burn		44000kg	10
386	Franklin Road	Tuapeka Tributary		90%	10
390	Kelso Settlement Road	Heriot Burn		300kg	10
395	Park Hill Road	Heriot Burn		44000kg	10
439	Mahinerangi Road	Lake Mahinerangi		44000kg	20
443	Chapman Road	Tributary Pomahaka		44000kg	10
450	Gabriels Gully Road	Hospital Creek Drainage Channel	6500kg	80%	10
462	Tuapeka Flat Road	Tuapeka River	5000kg	60%	10
466	Corkscrew Road	Tuapeka Tributary	6500kg	80%	10
471	Matheson Road	Old Railway Ditch		300kg	10
474	Mitchell's Flat Road	Waitahuna Tributary		44000kg	10
476	Ashton Road	Waitahuna River	650kg	1250kg	5
485	Lammerlaw Road	Lake Mahinerangi		44000kg	10



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# Clutha District Council

## Item for INFORMATION

<b>Report</b>	Lead Testing in Water
<b>Meeting Date</b>	18 February 2021
<b>Item Number</b>	4
<b>Prepared By</b>	Steve Hill
<b>File Reference</b>	509889

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### REPORT SUMMARY

This report is a placeholder for a discussion and decision about whether to test for lead in Council water supplies. At the time of writing this report there was insufficient information to make an informed decision on this matter. It is intended that a replacement report on this subject be researched and tabled at this Council meeting.

Given the significant publicity this matter has attracted it is deemed appropriate to bring it before Council in this way rather than wait for future meetings.

### RECOMMENDATIONS

1. That the "Lead Testing in Water" report be received.

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# Clutha District Council

## Item for CONFIRMATION

<b>Report</b>	Otago Southland Councils Water Services Bill Submission
<b>Meeting Date</b>	18 February 2021
<b>Item Number</b>	5
<b>Prepared By</b>	Jules Witt – Group Manager Service Delivery
<b>File Reference</b>	509702

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### REPORT SUMMARY

A joint submission on the Water Services Bill on behalf of the eight territorial authorities of the Otago and Southland Regions, referred to hereafter as 'the Otago Southland Councils' is being made to the Health Committee of Government.

The attachment provides details of the submission with recommendations for Elected Members to consider.

### RECOMMENDATIONS

- 1 That Council receives the 'Otago Southland Councils Water Services Bill Submission' report.**
- 2 That Council approves the Otago Southland Council's Water Services Bill Submission.**

### REPORT

#### **1 Background**

As territorial authorities, a core responsibility of the Otago Southland Councils' is provision of three waters services. Other responsibilities of relevance to matters raised in the Bill include district planning, building regulation, environmental health and safety, and civil defence. Accordingly, the Otago Southland Councils' have a keen interest in the Water Services Bill as part of the Three Waters Reform Programme.

It should be noted that the Water Services Bill is about the regulation and not the 3 Waters reform process.

#### **2 Strategic Goals and Outcomes**

Water services that sustainably support the community and economy.

### **3 Assessment of Options**

As this submission has been made in collaboration of all Otago Southland Councils Staff recommend that Council approves the submission.

### **4 Consultation**

The submission has been drafted by the Otago Southland Water Office with feedback from all Councils.

### **5 References – Tabled/Agenda Attachments**

- Draft Otago Southland Councils' Submission on the Water Services Bill.

01 March 2021

Committee Secretariat  
Health Committee  
Parliament Buildings  
Wellington  
[he@parliament.govt.nz](mailto:he@parliament.govt.nz)

## **OTAGO SOUTHLAND COUNCILS' SUBMISSION ON THE WATER SERVICES BILL**

The following is a joint submission on behalf of the eight territorial authorities of the Otago and Southland Regions; Central Otago District Council (CODC), Clutha District Council (CDC), Dunedin City Council (DCC), Gore District Council (GDC), Invercargill City Council (ICC), Queenstown Lakes District Council (QLDC), Southland District Council (SDC) and Waitaki District Council (WDC), referred to hereafter as 'the Otago Southland Councils'.

The Otago Southland Councils' thank the Health Committee for the opportunity to submit on the Water Services Bill (the Bill).

### **1. The Otago Southland Councils'**

As territorial authorities, a core responsibility of the Otago Southland Councils' is provision of three waters services. Other responsibilities of relevance to matters raised in the Bill include district planning, building regulation, environmental health and safety, and civil defence. Accordingly the Otago Southland Councils' have a keen interest in the Water Services Bill as part of the Three Waters Reform Programme.

Collectively the Otago Southland Councils' territorial areas had a usually resident population of 322,653 people as at the 2018 New Zealand Census<sup>1</sup>. Settlement patterns across the two regions are diverse, comprising many small rural communities, 20 urban areas (as defined by Statistics New Zealand<sup>2</sup>) including Dunedin, New Zealand's seventh largest city, and Queenstown, a key tourist destination.

### **2. Support for the intent of the Bill**

The Otago Southland Councils' are broadly supportive of the steps that have been outlined within the Water Services Bill and the intent shown to ensure that drinking water supplies across Aotearoa are safe and reliable, particularly in the light of the findings of the inquiry into the Havelock North contamination incident.

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<sup>1</sup> Stats NZ, 2018 Census Place Summaries, <https://www.stats.govt.nz/tools/2018-census-place-summaries/>

<sup>2</sup> Stats NZ (2020), Urban accessibility – methodology and classification, [www.stats.govt.nz](http://www.stats.govt.nz)

Specific areas of support:

- Improved sharing of information between agencies in relation to source water (clauses 44 and 45 of the Bill).
- The staged approach to further regulation of wastewater and stormwater services as set out in the Bill is supported. Integrated regulation for provision of water, wastewater and stormwater services is important, however there is lot of complexity to be worked through in the drinking water space alone.
- The requirement for all persons who perform or exercise functions, powers, and duties under the Bill to give effect to Te Mana o te Wai. The role Taumata Arowai Māori Advisory Group will have in providing advice and guidance on how to interpret and give effect to Te Mana o te Wai will be important; clarity around application of this concept in practical terms would be beneficial. The Otago Southland Councils' also believe that application of Te Mana o te Wai should be shaped by and evolve through conversations with local iwi.

### **3. Responsibilities for Territorial Authorities to assess access to drinking water, and to act when supplies fail or are at risk of failing**

As outlined in the Bill's Explanatory note, the proposed amendment to the Local Government Act 2002 (LGA) will:

- *“require territorial authorities to assess every 3 years the access that communities in their district have to drinking water services, and consider its implications for local government planning requirements:*
- *require territorial authorities to work with a supplier, consumers of a supply, and Taumata Arowai to find a solution if drinking water services fail, or are at risk of failing, and ensure that consumers continue to have access to drinking water services—whether provided by the territorial authority itself, or by another supplier.”*

The above requirements would apply to all drinking water services within the territorial boundaries, including services provided by both council and private drinking water suppliers. Fulfilling these requirements would require appropriate resourcing, process development and ongoing management. The resourcing and cost burden placed on territorial authorities will be substantial.

- The requirement to assess adequacy of community access to drinking water services on a 3 yearly basis. This assessment period may be appropriate for areas experiencing rapid population growth however for many communities in the Otago and Southland regions this is not the case. While this period is understood to be aligned with the 3 year long-term plan preparation cycle, a tailored approach is considered more appropriate. For instance, following the first assessment of drinking water services a 6 yearly assessment may be adequate for some territorial authorities, and would reduce the staffing and cost burden.
- The requirements introduced by the Bill will be a significant step-change for the many smaller, private water suppliers that would become regulated under the Bill. To give a sense of scale, DCC has preliminarily identified more than 150 such water suppliers. In the Central Otago District there are currently 27 private water supplies on the New Zealand Drinking Water Register and staff are aware of many others which would become regulated under the Bill. The cost and administrative load may prove

prohibitive, leading to the need for council intervention. Some Councils are already receiving approaches from small private water suppliers seeking to transfer supplies to Council, or to gain access to water stimulus funding to undertake upgrades. The implications for territorial authorities are numerous:

- i. Information regarding assets, condition, upgrading requirements and compliance levels for small private supplies is likely to be limited. Significant work would be required by Councils to investigate these and identify programmes of work to address current issues.
- ii. The cost burden will be significant, including costs associated with compliance (immediate upgrade costs to meet the New Zealand Drinking Water Standards), operational transfer (recording asset data, valuing assets, contracting arrangements for maintenance and operations), management (development of water safety plans, source water risk management plans), short and long term improvements (to achieve level of service expectations, renewal, efficiency upgrades, resilience and capacity upgrades), and depreciation funding. Careful consideration will be required around the equitable allocation of these costs between water supply users, existing water ratepayers and central government funding.
- iii. Technical expertise will be required to undertake assessment of existing schemes and to meet the regulatory requirements of the Bill going forward. This is unlikely to be currently resourced by Councils. Shortage of suitably experienced and qualified people within the industry is likely to lead to staffing difficulties and increased use of consultants (if available) with associated cost implications.

#### Recommendation

- Longer review periods following first review in 2026
- Taumata Arowai to hold responsibility for working with suppliers to ensure compliance?
- Longer transitional period?
- Funding?

#### 4. Funding and resourcing

The Otago Southland Councils' wish to voice general concern regarding the ability of territorial authorities to fund and resource the new regulatory requirements to be introduced under the Bill, in the timeframes specified in the transitional arrangements.

The new requirements are numerous, and collectively will substantially increase the administrative responsibilities of territorial authorities. Examples include the record keeping requirements under clause 37, and the obligations on drinking water suppliers under clause 38 to provide prescribed information to consumers, to establish and maintain a consumer complaints process, and to report annually to Taumata Arowai on their consumer complaints process. In addition to these responsibilities are the requirements to assess access to water supplies and assist private water suppliers (as discussed in point 1), which will further compound the problem.

Difficulties in securing appropriate resourcing are also anticipated. There are capacity issues for technical expertise in the industry at present, and these will only be exacerbated with the additional regulatory requirements under the Bill. There is a need to prioritise the development of a skills strategy for the water services sector.

#### **Recommendation**

- **Prioritise the development of a skills strategy for the water services sector.**

### **5. Clarity around division of responsibilities**

Throughout the Bill as drafted there is confusion around the division of responsibilities between drinking water suppliers, local authorities and territorial authorities. The Government's intention to create regional water entities as part of the Three Waters Reform Programme is not clearly understood yet. More clarity is required.

- Whilst separate to this Bill, the Otago Southland Councils' wish to emphasise the need to reconsider some provisions in the Bill should water entities be created as part of the reform programme. One example is the responsibilities assigned to territorial authorities through the proposed LGA amendments (refer to point 1 above). It is not appropriate for these to responsibilities to continue to sit with territorial authorities once they are no longer drinking water suppliers; they should be transferred to the water entities, who will hold the mandate and technical expertise for supply of drinking water.

More generally it is anticipated that territorial authorities will need to operate under the provisions of the Bill for a short period of time, prior to the creation of water entities. This raises concern around the amount of work, resources and skills required of territorial authorities for the interim period before entities are established. In order for councils to make informed decisions in the drinking water supply space councils need to have an understanding of the size, design and responsibilities of the water entities and wider reform programme. For this reason the transitional periods for compliance should be extended.

- There are difficulties in the drafting around Source Water Risk Management Plans (SWRMP) in clause 42 of the Bill.

There is tension between a water supplier's obligations to identify how source water risks will be managed, controlled, monitored or eliminated in a SWRMP (s42 (2)(c)), and the requirement for local authorities to contribute implementation under s42 (4)(b)) – undertaking actions to address risks or hazards to a source on behalf of a water supplier as agreed in a SWRMP. If the supplier and local authority aren't aligned on the risks or the strategies required to manage them, it is not clear how this will be resolved. Will responsibility ultimately fall back to the water supplier, who must implement a robust treatment regime to address any risks? Further clarity is required.

The requirement for local authorities to share information with drinking water suppliers to inform SWRMP is supported. However clarity is required around the timeframes for the provision of this information, and if the duty sits with the water supplier to ensure the SWRMP is up-to-date. For example, land-use activities may be subject to frequent change through the resource consent and plan change processes.

- The provisions around emergency powers in clause 61 of the Bill also raise questions around appropriate division of responsibility between territorial authorities and drinking water suppliers.

Clause 61(2)(g) enables Taumata Arowai to direct a *territorial authority* to supply drinking water to affected persons, while clause 61(2)(h) enables Taumata Arowai to direct a *drinking water supplier* to make arrangements to ensure that an alternative drinking water supply is available to affected consumers. The territorial authority may not have the ability to act if they are not the supplier in the area, or in the event water entities are created, have any role in water drinking supply at all. It is suggested that clause 61(2)(g) is redundant; if the territorial authority is the water supplier, they will be required to act under clause 61(2)(h).

#### Recommendation

- **Government commitment to revisiting the territorial authority responsibilities under the Bill should water entities be established**
- **Provide for longer transition periods under the Bill, in recognition of the work still required through the reform programme.**
- **Provide clarity around territorial authority and water supplier responsibilities in the creation and implementation of the Source Water Risk Management Plans.**
- **Delete of clause 61(2)(g).**

## 6. Requirements for smaller suppliers and approach to exemptions

As touched on in point 1 above, the drinking water regulations introduced through the Bill will be a significant step-change for smaller private water suppliers, and should they be unable or unwilling to comply, territorial authorities will be required by the proposed LGA amendments to fill the void. For this reason it is in the interests of the Otago Southland Councils' that the regulations are proportionate to the scale, complexity and risk profile of the supply.

This proportionate approach is signalled in the Bill, in clauses 31 and 32 (drinking water safety plans), clauses 42 and 43 (source water risk management plans), and clause 40 (consumer complaints processes), with the mechanism to ensuring this being the exemptions for drinking water suppliers under clause 56.

It is noted that clause 134 requires Taumata Arowai to prepare a drinking water compliance, monitoring and enforcement strategy within 12 months of commencement, and that this must include their intended approach to exemptions issued under clause 56. Whilst this should provide the necessary clarity around exemptions, the timing of this guidance is problematic particularly for those suppliers serving just over 500 consumers who must have a drinking water safety plan within the same 12 month period.

Lastly, the current drafting of the Bill gives Taumata Arowai absolute discretion in the approach to exemptions for drinking water suppliers. Opportunity for public engagement is necessary, to ensure stakeholder and public buy-in. It is recommended that requirements to engage on the compliance, monitoring and enforcement strategy be added to clause 134 of the Bill, not only in respect to determining the scope of the clause



56 exemptions but to ensure credibility of the compliance, monitoring and enforcement strategy more generally.

#### **Recommendation**

- **To consult on, and provide timing guidance around the approach to exemptions for drinking water suppliers under clause 56 of the Bill.**
- **Provide for longer transition periods under the Bill, in recognition regulatory burden faced by suppliers.**

## **7. Liability of elected officials**

Clause 161 of the Bill will exempt a member of a local authority, local board, or community board elected or appointed under the Local Electoral Act 2001 from being charged with offences under the Bill.

There is a delicate balance to be found between ensuring people are not afraid of becoming elected members for fear of criminal or civil liability, and making elected members aware of the potential serious health consequences of decision-making, particularly around funding for establishment, operation, maintenance and renewal of drinking water supplies through Long Term Plans and other planning documents. The Otago Southland Councils' hold concerns around the broad exemption of elected members of Council from any liability under the Bill.

As drafted, the exemptions for elected officials in the Bill are much broader than those under the Health and Safety at Work Act 2015 (HSWA), to which comparisons are being made. Under the HSWA model exemptions for elected members apply to offences relating to failure to comply with the due diligence duties of officers. The HSWA does not exempt elected officials from other serious offences relating to adverse, coercive, or misleading conduct. In this respect the Otago Southland Councils' consider the exemption of liability for elected members should be narrowed.

The Local Government Act 2002 (LGA) provides an example of how the exemption in the Bill could be drafted. The LGA creates a limited indemnity for elected or appointed members. The indemnity protects members against costs and damages for any civil liability, provided that the member was acting in good faith and pursuing the responsibilities or powers of the local authority. There is an indemnity against costs arising from criminal action, provided that these costs flowed from acts or omissions done in the person's capacity as a member. Also, members can be liable for financial loss in circumstances where the Auditor-General has made a report, although there are some defences available (for example, that the loss arose from something contrary to the way that the member voted at a council meeting).

Accordingly, the following drafting is recommended:

*If a report by the Auditor-General or any Board of Inquiry has found that a drinking water supplier has failed to comply with the requirements of the Act, with serious consequences for people's health and/ or safety, the exemption in clause 161 shall not apply.*

Defences could be provided in the same way as section 46(4) of the LGA. In particular, this could include a defence for an elected official who has voted against a decision that led to a failure to comply with the Act.

The definition of “officer” within the Bill is supported, in that it includes a person who exercises “significant influence over the management of the drinking water supply (for example, a chief executive)”, but does not include a person who “merely advises or makes recommendations” to a person exercising significant influence. This is appropriate, as it gives protection to Council officers who do not ultimately have decision-making power.

#### **Recommendation**

**To amend the drafting of clause 161 of the Bill, as outlined above, to narrow the scope of exemptions of elected officials from being charged with offences under the Bill.**

### **8. RMA amendments**

The Water Services Bill would insert a new section 104G into the Resource Management Act 1991, requiring consent authorities to have regard to the following when considering an application for a resource consent:

- a) *the actual or potential effect of the proposed activity on the source of a drinking water supply that is registered under section 54 of the Water Services Act 2020; and*
- b) *any risks that the proposed activity may pose to the source of drinking water supply that are identified in a source water risk management plan prepared in accordance with the requirements of the Water Services Act 2020.*

The Otago Southland Councils’ support the assessment of the impacts on drinking water sources through the resource consent process. Further, the Councils’ consider that consent authorities should be directed to seek input from drinking water suppliers where the suppliers hold interests in particular areas, catchments and/or types of activities that are subject to consent applications. It is important that drinking water suppliers are provided the opportunity to comment on proposed activities that may adversely affect a drinking water source, and are identified by the consent authority as affected parties to consent applications where appropriate.

Other provisions of the Bill will require collaboration between drinking water suppliers and Local Authorities; notably the provision of information by Local Authorities to inform the preparation of Source Water Risk Management Plans. It is suggested that this collaboration should extend to determining, at a local level, parameters for resource consent applications that are of particular interest to water suppliers, and where and to what degree input should be sought.

It is noted that amendments are proposed to the existing National Environmental Standard for Sources of Human Drinking Water Regulations 2007 (NES) as part of the Three Waters Reform Programme, with consultation to occur before June 2021. The NES currently requires regional councils to ensure that effects of activities on drinking water sources are considered in decisions on resource consents and regional plans. It is therefore suggested the NES be the primary mechanism to ensure: a) the interests of drinking water suppliers

are represented in the resource consent process, with their input sought as appropriate, and b) that information regarding registered drinking water supplies (including Source Water Risk Management Plans) is taken into account by both consent authorities and applicants.

#### **Recommendation**

- **Provide for input of drinking water suppliers into the consent process.**
- **Require collaboration between consent authorities and drinking water suppliers to determine the scope for input into resource consent applications.**

#### **SOLGM Submission**

The Otago Southland Councils' wish to express support for the following aspects of the SOLGM submission:

- That the Water Services Regulator Act be amended to include knowledge of the operation of three waters services as one of the mandatory skillsets for the Board.
- That the Select Committee seek further advice on the relationships between drinking water emergencies under this Bill where they are the result of a civil defence emergency (declared under Civil Defence and Emergency Management Act 2002).

#### **Briefing note – for discussion at workshop**

The following points were not included in submission:

- End-point treatment; this has a more technical focus and is assumed to be covered by WNZ Tech Group

We propose to include the above points from the SOLGM submission as they align with points raised by some Councils during the interview process. In addition, the SOLGM submission raises the points set out below.

These are listed for discussion – should these be included in the submission?

#### **Customer complaints framework**

Concerns regarding lack of clarity around the purpose of the review of complaints by Taumata Arowai. Particularly the intention of the review, natural justice, scope of the review process, steps taken following completion of review, and further discretion to reject requests for review.

Recommendation:

- That clause 39(2) be amended by adding an explicit power for Taumata Arowai to make recommendations in regards the complaint, or the handling of future complaints
- That clause 39(3) be amended to include the ability to decline to act on complaints regarding decisions made to give effect to a direction from Taumata Arowai, or to comply with regulations made under the Act

#### **Drinking water emergencies**

Concerns regarding how emergency provisions are activated and how they link to the emergency provision of other legislation.

Recommendation:

- That clause 58(3) be amended to add a duty to consult the Medical Officer of Health in the affected and the principal administrative officer of the drinking water supplier before declaring a drinking water emergency.
- That any additional clause 58(3) obligations to consult before declaring a drinking water emergency be subject to the Chief Executive having considered the nature of the risk, the urgency of the corrective actions proposed (where known) and the source of any information held on the risk.

#### Regulation-making powers

Concerns regarding lack of obligations on the Minister to engage when exercising the regulation-making powers under clause 190. Particularly around the cost and practicability of these requirements.

Recommendation:

- That requirements to engage with Local Government New Zealand and operators of three waters services be added to clause 190 of the Bill.

#### Technical amendments

- That the term “company” be defined in the Bill as “*Company means a company as defined in section 2 of the Companies Act 1993.*”
- That a definition of the term “point of discharge” for wastewater and stormwater serviced be added to the Bill.
- That the definition of “owner” (clause 12(2)) is amended, deleting all the words after the word “infrastructure”. This will allow for alternative charging arrangements, e.g. a local authority collecting charges set by a water entity.

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## Clutha District Council

### Item for CONFIRMATION

<b>Report</b>	Confirmation of Council Minutes
<b>Meeting Date</b>	18 February 2021
<b>Item Number</b>	6
<b>Prepared By</b>	Julie Gardner – Service Delivery Administrator
<b>File Reference</b>	508124

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#### REPORT SUMMARY

Attached for confirmation are the minutes of the meeting of the Clutha District Council held on 10 December 2020.

#### RECOMMENDATION

1. That the minutes of the meeting of the Clutha District Council held on 10 December 2020 be approved as a true and correct record.

## Clutha District Council

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Minutes of the meeting of Clutha District Council held in the Council Chambers, 1 Rosebank Terrace Balclutha on Thursday 10 December 2020, commencing at 1.32pm.

**Present** His Worship the Mayor Bryan Cadogan, Councillors Dane Catherwood, Stewart Cowie, Wayne Felts, Gaynor Finch, Bruce Graham, John Herbert, Alison Ludemann, Mel Foster, Kenneth Payne, Carol Sutherland, Jo-anne Thomson, Bruce Vollweiler and Selwyn Wilkinson.

**In Attendance** Steve Hill (Chief Executive), Jules Witt (Group Manager Service Delivery), John Scott (Group Manager Corporate & Property), Ian McCabe (Group Manager Planning & Regulatory), Larissa Brown (Strategic Planning Manager), Diane Byars (Communications Coordinator), and Julie Gardner (Service Delivery Administrator).

**Apologies** There were no apologies.

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Mayor Cadogan welcomed everyone to the last meeting of the year.

### LATE ITEMS

***Moved Councillors Finch/Foster and Resolved:***

***“That Item 11 ‘Kaitangata Build’ be moved to Item 4 in the agenda running order.***

***That Council accepts the ‘Request to Accept Late Items’ to the Clutha District Council Public Excluded Meeting Agenda.***

***That Council accepts the following items as Late Items:***

- **Stirling Consent Decision Appeal**
- **40 Ross Place, Lawrence.”**

### DECLARATIONS OF INTEREST

There were no additional declarations of interest.

## PUBLIC FORUM

There was no public forum.

### 1 BRONSON BLACKBOURN REPORT – TUIA PROGRAMME 2020

Bronson Blackbourn was Clutha District Council’s participant in the 2020 TUIA mentoring programme and provided an update to Council on what he has learned from participating in this.

***Moved Councillors Vollweiler/Sutherland and Resolved:***

***“That Council receives the ‘Bronson Blackbourn – TUIA Programme 2020’ report.***

### 2 WATER SUPPLY FLUORIDATION REINSTATEMENT

The Group Manager Service Delivery submitted a report asking Council to consider the reintroduction of Fluoridation in the townships of Balclutha, Milton, Kaitangata and Tapanui.

Dr Susan Jack (Medical Officer SDHB) spoke to the item on behalf of Public Health South and provided elected members with further information as to why our water supplies should be fluoridated. She reiterated that fluoridation was safe at the recommended levels and does occur naturally in the water supply.

Councillors discussed the item in-depth with some stating that fluoridation only ceased because of a breakdown with the equipment so it should be reinstated. This has already been consulted on previously and it should not be going back for consultation. The general public already think the water is being fluoridated so it should be reinstated.

***Moved Councillors Ludemann/Herbert and Resolved:***

***“That Council receives the ‘Water Supply Fluoridation Reinstatement’ report.***

***That Council approve a budget of \$352,000+GST for the reintroduction of fluoride in the townships of Balclutha, Milton, Kaitangata and Tapanui to be funded from a loan and notes that increased operating costs of approximately \$57,000+GST per annum also be included in budgets.”***

The motion went to the vote –

For: 10

Against: 4 – Councillor Cowie requested his vote be recorded.

### 3 CLUTHA DEVELOPMENT QUARTERLY REPORT

Linda Moore – CE Clutha Development presented the Quarterly Report for the period 1 July to 30 November 2020.

Linda Moore and Sarah Hayward were in attendance to speak to the report.

***Moved Councillors Herbert/Felts and Resolved:***

***“That Council receives the ‘Clutha Development Quarterly Report’.***

#### 4 **WAS ITEM 11 IN AGENDA RUNNING ORDER: KAITANGATA BUILD**

The Chief Executive submitted a report on behalf of Clutha Development and Kaitangata Promotions requesting Council purchase 10 sections in Kaitangata to support the KaiBuild initiative and ensure section prices can remain at affordable levels commensurate with affordable house prices.

Joyce Beck and Evan Dick were in attendance to speak to the item and answer questions. They reiterated that the KaiBuild would be run differently in that there would be no opportunity for purchasers to 'landbank' as they did with the KiwiBuild project. Builders have committed to building 3 houses per year.

Councillors asked about funding from the Government and the Tindall Foundation and Joyce explained that while they are keen to support this, they have also said that other funding partners are essential to enable this project to progress.

*Mayor Cadogan left the meeting at 2.44pm and returned at 2.45pm.*

***Moved Councillors Herbert/Wilkinson and Resolved:***

***"That Council receives the Kaitangata Build report.***

***That Council delegates to the Chief Executive to purchase 10 sections at an average of \$40,000 per section to be repaid through the Kaitangata Build process to be rates neutral."***

#### 5 **WAS ITEM 4 IN AGENDA RUNNING ORDER: OUR PLACE KAITANGATA CONSULTATION AND ENGAGEMENT**

The Senior Policy Advisor submitted a revised Our Place Kaitangata Consultation and Engagement Strategy and requested Council approval to implement the activities listed in this document in February-March 2021.

***Moved Councillors Finch/Graham and Resolved:***

***"That Council receives the 'Our Place Kaitangata Consultation and Engagement' report.***

***That Council approves the consultation methodology outlined in the attached Strategy and that this is implemented in February – March 2021.***

***That if required, due to timing, Council delegates the approval of the Our Place Kaitangata Consultation Document to the Chief Executive, Mayor & Kaitangata-Matau ward councillor."***

The meeting was adjourned at 3.09pm.

The meeting reconvened at 3.27pm.



**6 WAS ITEM 5 IN AGENDA RUNNING ORDER: LGFA GUARANTOR ACCESSION REPORT**

The Group Manager Corporate Services submitted a report requesting Council approve the documents required to be executed in order to become a guarantor member of the LGFA and delegate authority.

***Moved Councillors Cowie/Catherwood and Resolved:***

***“That Council receives the LGFA Guarantor Accession Report.***

***Approves the Council's entry into the documents in relation to the Council's accession to the LGFA as a guarantor member.***

***Authorises any two of the Council's elected members to execute the following for the purposes of the above recommendations:***

- a. Accession Deed to Equity Commitment Deed; and***
- b. Accession Deed to Guarantee and Indemnity.***

***Delegates authority to the Chief Executive to execute the following documents for the purpose of the recommendation in (2) above:***

- a. Security Stock Certificate (in relation to the Equity Commitment Deed);***
- b. Security Stock Certificate (in relation to the Guarantee); and***
- c. Stock Issuance Certificate (relating to each of the above Security Stock Certificates).***

***Delegates authority to the Chief Executive to execute such other documents and take any other steps on behalf of the Council necessary to give effect to the above recommendations.***

**7 WAS ITEM 6 IN AGENDA RUNNING ORDER: TE KAHU RIDGE ROAD NAMING**

The GIS Officer submitted a report requesting Council allocate a name to a road to vest in Council off Chaplin Road.

***Moved Councillors Felts/Sutherland and Resolved:***

***“That Council receives the ‘Te Kāhu Ridge Road Naming’ report.***

***That Council agrees to name the road ‘Te Kāhu Ridge’ subject to consultation with the local runanga.”***

**8 WAS ITEM 7 IN AGENDA RUNNING ORDER: FREEDOM CAMPING POLICY & BYLAW**

The Senior Policy Advisor submitted a report which provides an overview of the special consultative procedure to review Council’s freedom camping policy and bylaw provisions and requests Council to consider recommendations designed to improve the way freedom camping is managed in the Clutha District.

Promotional material was distributed at the meeting. Additional items from The Whistling Frog and local Runanga were circulated to elected members by email.

***Moved Councillors Catherwood/Mayor Cadogan and Resolved:***

***“That Council receives the ‘Freedom Camping Policy and Bylaw’ report.***

***That Council approves the responses and recommendations included in Attachment 4: Submission Responses and Recommendations for the Freedom Camping Policy and Bylaw.***

***That Council approves the following methods to support effective implementation of the Policy on Freedom Camping Policy and the Freedom Camping Bylaw:***

- a. Communication material identifying available options for camping for self-contained and non-self-contained vehicles.***
- b. Provide for the employment of a seasonal Responsible Camping Ranger through draft 2021-31 Long Term Plan budgets.***
- c. Continue to work with Department of Conservation, Catlins Coast Incorporated and Southland District Council to ensure consistent messaging around the ability to freedom camp, particularly in The Catlins.***
- d. Install appropriate signage at locations where freedom camping is prohibited or restricted, and at key locations where freedom camping occurs regularly.***
- e. Continue to maintain and operate the Restricted Freedom Camping Area on Inn Street Owaka, with permission of the landowner.***

***That Council approves an additional budget of \$22,000 in the 2020-21 financial year to implement freedom camping initiatives.***

***That Council prepares a submission to Central Government which incorporates the submissions received on the proposed policy and bylaw, and addresses any other issues previously identified.***

***That Council include the Florence Hill carpark as a prohibited area within Schedule 1 of the Clutha District Council Freedom Camping Bylaw 2021.***

***That Council adopts the Clutha District Council Policy on Freedom Camping, to take effect from 1 January 2021.***

***That Council adopts the Clutha District Council Freedom Camping Bylaw 2021, to take effect from 1 January 2021.***

***That Council rescinds section 19 (Freedom Camping) of the Regulatory Bylaw 2018, to take effect from 1 January 2021.***

***That Council approves delegation to the Chief Executive for any final corrections to the Clutha District Council Policy on Freedom Camping and Clutha District Council Freedom Camping Bylaw 2021.”***

Freedom camping at the Willsher Bay Domain was discussed with the local Councillor stating that the express wishes of the community are that there is no camping in this area.

***Moved Councillor Catherwood/Mayor Cadogan and Resolved:***

***That Council includes the Willsher Bay Domain as a prohibited area within Schedule 1 of the Clutha District Council Freedom Camping Bylaw 2021.***

The motion went to the vote:

For 10

Against 4 – Motion Carried

**9 WAS ITEM 8 IN AGENDA RUNNING ORDER: MERRETT FAMILY – REQUEST TO PURCHASE 2 ADDITIONAL BURIAL PLOTS**

The Group Manager Service Delivery submitted a request from the family of the late Caleb Merrett who wish to purchase the plots on either side of his plot.

***Moved Councillors Thomson/Herbert and Resolved:***

***“That Council receives the ‘Merrett Family – Request to Purchase 2 Additional Burial Plots’ report.***

***That Council agrees to the request and notes the decision is contrary to the intent of the Cemetery Policy.”***

**10 WAS ITEM 9 IN AGENDA RUNNING ORDER: ROAD LEGALISATION AND ROAD STOPPING – WANGALOA ROAD**

The Senior Infrastructure Engineer submitted a report requesting Council to consider legalising a section of Wangaloa Road and stopping part of the unformed legal roads associated with Council’s properties fronting Wangaloa Road, Reid Street, Branksea Street and Saint Albans Street in Kaitangata.

***Moved Councillors Vollweiler/Cowie and Resolved:***

***“That Council receives the ‘Road Legalisation and Road Stopping – Wangaloa Road’ report.***

***The proposed road stopping amounting to approximately 561m<sup>2</sup> as per (C) and 880m<sup>2</sup> (D) in Attachment 8.1.***

***The vesting of approximately 559m<sup>2</sup> of Council freehold land as legal road reserve as per (F) in Attachment 8.1, in order to legalise Wangaloa Road in this area.***

***That part of the proposed stopped road in 2.1 be used in an approximate 561m<sup>2</sup> land swap with the Ministry for Education as per (E) in Attachment 8.1, in order to legalise Wangaloa Road in this area, with the balance of approximately 880 m<sup>2</sup> (D) of proposed stopped road to be offered for sale.***

***The vesting of approximately 561m<sup>2</sup> of Ministry for Education land as legal road reserve as per (E) in Attachment 8.1.***

*The proposed part road stopping of approximately 1,200m<sup>2</sup> of Branksea Street unformed legal road as per (B) in Attachment 8.1.*

*The proposed part road stopping of approximately 3,500m<sup>2</sup> of the unformed legal road adjacent to the east boundary of Council's properties as per (A) in Attachment 8.1.*

*The initiating of the consultation process for the respective proposed part road stoppings of the unformed legal roads as in 2.1, 2.5 and 2.6 under the Local Government Act 1974 Schedule 10 procedures.*

*That on the successful completion of the Local Government Act 1974 Schedule 10 procedures, the proposed road vesting, land swap and land sale (stopped road) in 2.2, 2.3, 2.4, 2.5 and 2.6 above be completed."*

#### **11 WAS ITEM 10 IN AGENDA RUNNING ORDER: CAPITAL PROJECTS UPDATES**

The Capital Delivery Manager submitted a report providing an update on budgets for Capital Projects to be delivered in the Annual Plan for 2020/21 where additional funding is requested.

*Moved Councillors Felts/Thomson and Resolved:*

*"That Council receives the 'Capital Projects Updates' report.*

*Moved Councillors Cowie/Graham and Resolved:*

*"That Council approves the following changes to the current 2020/21 Approved Budgets:*

<b>Job No</b>	<b>Description of Service Delivery Project</b>	<b>Proposed 2020/21 Budget</b>	<b>Revised</b>
360092	Richardson North Pipeline	\$440,000	
360119	Moa Flat Crookston Reservoir Renewal	\$0	
360121	Moa Flat Haughs Airstrip Reservoir Renewal	\$0	
360127	Moa Flat Haughs Booster Pump Station Renewal	\$61,000	
New	Council Hub Sewer Pump Station	\$50,000	
400039	Gabriels Gully Sewer Line Extension	\$121,200	
New	Campbelton Street Sewer Line	\$80,000	
610007	Kaka Point Hall	\$189,000	
610008	Owaka Hall Upgrade	\$186,494	
900033/38/71/72	Balclutha Council Building	\$2,280,000	

**Moved Councillors Vollweiler/Herbert and Resolved:**

***“That Council approve a project budget of \$1.53 million plus GST for the North Bruce Water Treatment Plant Upgrade funded from existing budgets and \$700K of government water stimulus funding subject to the North Bruce Rural Water Scheme approval.***

***That Council approve a project budget of \$1.46 million plus GST for the Moa Flat Water Treatment Plant Upgrade funded from existing budgets and \$700K of government water stimulus funding subject to the Moa Flat Rural Water Scheme approval.***

***That Council approve Filtration Technology Ltd as the nominated contractor for the North Bruce Water Treatment Plant Upgrade based on recent tender processes, an assessment that it provides best value to Council and approval from the North Bruce Rural Water Scheme.***

***That Council approve Filtration Technology Ltd as the nominated contractor for the Moa Flat Water Treatment Plant Upgrade based on recent tender processes, an assessment that it provides best value to Council and approval from the Moa Flat Rural Water Scheme.”***

## 12 REGULATORY & SERVICES COMMITTEE RECOMMENDATIONS

The Regulatory Services Administrator submitted recommendations made by the Regulatory & Planning Committee at a meeting held on 26 November 2020.

**Moved Councillors Herbert/Ludemann and Resolved:**

***“That Council approves the Draft Policy on Gambling Venues for public consultation with the following option:***

***Sinking Lid – which does not allow for any new venues or machines. Once a venue closes, any machines cannot be replaced. They can relocate to another venue in certain circumstances, but no relocation of machines between premises. Sinking Lid policy for TAB, i.e., no new TABs may establish in the district.”***

## 13 RISK & ASSURANCE COMMITTEE RECOMMENDATION: INTERNAL BORROWING RATE

The Group Manager Corporate Services submitted recommendations made by the Risk & Assurance Committee to Council at a meeting held on 26 November 2020 on the Internal Borrowing Rate.

**Moved Councillors Ludemann/Payne and Resolved:**

***That Council receives the report “Risk & Assurance Committee Recommendation: Internal Borrowing Rate Report.”***

***That Council adopts 1.52% as an assumption for Council’s internal loan rate for the 2021-31 Long Term Plan.”***

**14 CONFIRMATION OF COUNCIL MINUTES**

The minutes of the meeting of the Clutha District Council held on 29 October 2020 were submitted for confirmation.

***Moved Councillors Foster/Sutherland and Resolved:***

***“That the minutes of the meeting of the Clutha District Council held on 29 October 2020 be approved as a true and correct record.”***

**15 SERVICE DELIVERY COMMITTEE MINUTES**

The minutes of the meeting of the Service Delivery Committee held on 26 November 2020 were submitted for confirmation.

***Moved Councillors Ludemann/Graham and Resolved:***

***“That the minutes of the meeting of the Service Delivery Committee held on 26 November 2020 be approved as a true and correct record.”***

**16 REGULATORY AND POLICY COMMITTEE MINUTES**

The minutes of the meeting of the Regulatory and Policy Committee held on 26 November 2020 were submitted for confirmation.

***Moved Councillors Vollweiler/Sutherland and Resolved:***

***“That the minutes of the meeting of the Regulatory and Policy Committee held on 26 November 2020 be approved as a true and correct record.”***

**17 CORPORATE & PROPERTY COMMITTEE MINUTES**

The minutes of the meeting of the Corporate & Property Committee held on 26 November 2020 were submitted for confirmation.

***Moved Councillors Payne/Sutherland and Resolved:***

***“That the minutes of the meeting of the Corporate & Property Committee held on 26 November 2020 with the addition of an apology from Councillor Bruce Graham, be approved as a true and correct record.”***

**18 WEST OTAGO COMMUNITY BOARD MINUTES**

The unconfirmed minutes of the West Otago Community Board meeting held on 11 November 2020 were submitted.

***Moved Councillor Herbert/Mayor Cadogan and Resolved:***

***“That the unconfirmed minutes of the meeting of the West Otago Community Board held on 11 November 2020 be noted.”***

## 19 LAWRENCE/TUAPEKA COMMUNITY BOARD MINUTES

The unconfirmed minutes of the Lawrence/Tuapeka Community Board meeting held on 11 November 2020 were submitted.

***Moved Councillors Foster/Herbert and Resolved:***

***“That the unconfirmed minutes of the meeting of the Lawrence/Tuapeka Community Board held on 11 November 2020 be noted.”***

## 20 RISK & ASSURANCE COMMITTEE MINUTES

The unconfirmed minutes of the meeting of the Risk & Assurance Committee held on 26 November 2020 were submitted.

***Moved Councillors Ludemann/Payne and Resolved:***

***“That the unconfirmed minutes of the Risk & Assurance Committee meeting held on 26 November 2020 be noted.”***

## 21 YOUTH COUNCIL MINUTES 30 OCTOBER 2020

The unconfirmed minutes of the meeting of the Clutha District Youth Council held on 30 October 2020 were submitted.

***Moved Councillors Ludemann/Payne and Resolved:***

***“That the unconfirmed minutes of the Youth Council meeting held on 30 October 2020 be noted.”***

## 22 PROJECT PROGRESS REPORTING

The Chief Executive submitted a report which provides an update of project progress for the period ending 30 November 2020.

***Moved Councillors Herbert/Catherwood and Resolved:***

***“That Council receives the ‘Project Progress Reporting’ report.”***

## 23 MAYORAL REPORT

The Mayor and Councillors provided an update on meetings and events they had attended since the previous meeting of Council.

***Moved Councillors Finch/Felts and Resolved:***

***“That the Mayoral Report and Councillors’ Attendances be received.”***

## 24 CHIEF EXECUTIVE’S REPORT

Reports on events attended, the award of tenders and other matters in hand at present.

***Moved Councillors Foster/Ludemann and Resolved:***

***“That the Chief Executive’s report be received.”***

## 25 DOCUMENTS FOR CONSENT AND SEAL

A report was submitted advising use of the Clutha District Council Common Seal since the previous Council Meeting.

***Moved Councillors Sutherland/Payne and Resolved:***

***“That Council approves the fixing of its seal, under the hands of the Chief Executive to the documents as listed.”***

<b>1.</b>	<b>LEASE AGREEMENT</b>
1.1	Part Lot 5 Deposited Plan 10440 and Part Section 1 Block XXVIII Town of Clinton and Part legal roads Skerry and Low between CDC and Tony Wilson Holden.
1.2	Sections 9-18 Block XXIX Town of Molyneux and Sections 1 – 9 Block XXXIX Town of Molyneux being the land contained in Computer Freehold Register OT3A/23 between CDC and JM and MJ Hall.
<b>2.</b>	<b>CONTRACT AGREEMENT</b>
2.1	Contract 818 – Plantation Heights between Monowai Ecological and CDC.
<b>3.</b>	<b>COMMUNITY SERVICE AWARDS 2020</b>
	Joyce Beck
<b>4.</b>	<b>REQUESTS AND CONSENTS</b>
4.1	Realignment of the Gabriels Gully Road, Lawrence Section 3 SO 536128 (part record of title OT378/183) road to be stopped and amalgamated.
4.2	Realignment of Falla Burn Road, Hillend, Clutha District Lots 1 & 2 DP 24894, more particularly shown as Area A on SO 24300

## 26 REASONS TO MOVE TO PUBLIC EXCLUDED SESSION

***Moved Councillors Finch/Cowie and Resolved:***

***“That Council resolves to exclude the public on the grounds contained in Appendix 1 of the Clutha District Council’s Standing Orders under Sections A2 (a), A2(d)(i), A2(b)(ii), A2 (i), A2 (j) and A2(k).”***

The meeting moved into public excluded at 4.24pm.

The meeting moved out of public excluded and closed at 5.32pm.



Read and Confirmed

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**B A Cadogan**  
**MAYOR**

UNCONFIRMED

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## Clutha District Council

### Item for CONFIRMATION

<b>Report</b>	Corporate & Property Committee Minutes
<b>Meeting Date</b>	18 February 2021
<b>Item Number</b>	7
<b>Prepared By</b>	Karen Piercy – Corporate Services Administrator
<b>File Reference</b>	509117

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#### REPORT SUMMARY

Attached are the unconfirmed minutes of the meeting of the Corporate & Property Committee held on 4 February 2021.

#### RECOMMENDATIONS

1. That the unconfirmed minutes of the Corporate & Property Committee held on 4 February 2021 be approved as a true and correct record.

## Corporate & Property Committee

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Minutes of the meeting of Corporate & Property Committee held by in the Council Chambers, 1 Rosebank Terrace, Balclutha, on Thursday 4 February 2021, commencing at 1.32 pm.

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<b>Present</b>	Councillor Kenneth Payne (Chairperson), His Worship the Mayor Bryan Cadogan, Councillors Dane Catherwood, Stewart Cowie, Wayne Felts, Gaynor Finch, Mel Foster, Bruce Graham, John Herbert, Alison Ludemann, Carol Sutherland, Jo-Anne Thomson, Selwyn Wilkinson and Bruce Vollweiler.
<b>In Attendance</b>	Steve Hill (Chief Executive), Sharon Jenkinson (Finance Manager), Sue Wilkins (Communications Co-ordinator), Debbie Duncan (Library Service Centre Manager) and Karen Piercy (Corporate Services Administrator),
<b>Apologies</b>	There were no apologies.

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### DECLARATIONS OF INTEREST

There were no declarations of interest.

### URGENT BUSINESS

There was no urgent business.

### PUBLIC FORUM

There was no public forum.

### 1. MANAGEMENT ACCOUNTS REPORT

The Finance Manger presented the Management Accounts report for the period 1 July 2020 to 31 December 2021, noting that the Government Stimulus funding has been received.

***Moved Councillor Herbert/Mayor Cadogan and Resolved:***

***“That the Corporate & Property Committee receives the Management Accounts Report.”***

## 2. INVESTMENT PORTFOLIO UPDATE REPORT

The Finance Manger submitted a report on the investment portfolio for the months April to December 2020.

The portfolio made a small surplus for January, after quarterly management fees.

***Moved Councillors Cowie/Wilkinson and Resolved:***

***“That the Corporate & Property Committee receives the Investment Portfolio Update report.”***

## 3. LIBRARIES - SERVICE CENTRES REPORT

The Library Service Centre Manager submitted a report on the activities of the district libraries and service centres in the past period, including statistics and activities.

It was noted that 1.3 on page 21 – should be A& P shows, not AMP shows.

Approval has been given to get Dora (digital on road access bus) down to travel around the district providing digital support to communities.

The Chief Executive thanked the Library/Service Centre Manager for her work in securing funding for the additional positions.

***Moved Councillors Catherwood/Sutherland and Resolved:***

***That the Corporate & Property Committee receives the Libraries/Service Centres report.”***

## 4. CORPORATE SERVICES REPORT

The Corporate Services Administrator submitted a report updating the Committee on the activities of the Corporate Services Department in the past period, including funding schemes. The report covered:

- Creative Communities New Zealand Funding Scheme.
- Sport New Zealand Rural Travel Fund.
- Tuapeka Bursary.
- General Grant Allocations:
  - Reimbursement of Council Fees and Charges.
  - Reimbursement of Rent or Lease.
- District Swimming Pools.
- Rates Rebate Scheme.

***Moved Councillors Ludemann/Graham and Resolved:***

***“That the Corporate & Property Committee receives the Corporate Services Report.”***

## 5. CREATIVE COMMUNITIES ASSESSMENT COMMITTEE MINUTES

The Corporate Services Administrator submitted the unconfirmed minutes of the meeting of the Creative Communities Assessment Committee held on 9 December 2020 for noting.

***Moved Councillors Vollweiler/Foster and Resolved:***

***“That the unconfirmed minutes of the meeting of the Creative Communities Assessment committee held on 9 December 2020 be noted.”***

## 6. SPORT NZ RURAL TRAVEL FUND ASSESSMENT COMMITTEE MINUTES

The Corporate Services Administrator submitted the unconfirmed minutes of the meeting of the Sport New Zealand Rural Travel Fund Assessment Committee held on 11 December 2020.

***Moved Councillors Herbert/Felts and Resolved:***

***“That the unconfirmed minutes of the meeting of the Sport New Zealand Rural Travel Fund Assessment committee held on 11 December 2020 be noted.”***

## 7. CORPORATE PROPERTIES UPDATE REPORT

The Group Manager Corporate Services submitted the Corporate Properties Update report.

***Moved Councillors Ludemann/Graham and Resolved:***

***“That the Corporate & Property Committee receives the Corporate Properties Update Report.”***

## 8. DEVELOPMENT PROPERTIES UPDATE REPORT

The Group Manager Corporate Services and the Chief Executive submitted the Development Properties Update report.

### 8.1 Plantation Heights

There are only four sections of the original Plantation Heights subdivision left. The additional 14 lots are open for offers now.

### 8.2 Rosebank Industrial

Resource consents have been applied for and waiting for these before settling title.

***Moved Councillors Cowie/Herbert and Resolved:***

***“That the Corporate & Property Committee receives the Development Properties Update Report.”***

## 9. CORPORATE & PROPERTY COMMITTEE WORK PROGRAMME REPORT

The Group Manager Corporate Services presented the Corporate & Property Work Programme report.

***Moved Councillors Felts/Thomson and Resolved:***

***“That the Corporate & Property Committee receives the Corporate & Property Committee Work Programme report.”***

The meeting closed 2.18 pm.

Confirmed

Kenneth Payne  
**CHAIRPERSON**

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# Clutha District Council

## Item for CONFIRMATION

<b>Report</b>	Service Delivery Committee Minutes
<b>Meeting Date</b>	18 February 2021
<b>Item Number</b>	8
<b>Prepared By</b>	Julie Gardner – Service Delivery Administrator
<b>File Reference</b>	508126

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### REPORT SUMMARY

Attached are the minutes of the meeting of the Service Delivery Committee held on 4 February 2021.

### RECOMMENDATIONS

1. That the minutes of the meeting of the Service Delivery Committee held on 4 February 2021 be approved as a true and correct record.

## Service Delivery Committee

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Minutes of the meeting of the Service Delivery Committee held in the Council Chambers, 1 Rosebank Terrace, Balclutha on Thursday 4 February 2021, commencing at 2.24pm.

**Present** Councillor Bruce Graham (Chairman), His Worship the Mayor Bryan Cadogan, Councillors Dane Catherwood, Stewart Cowie, Wayne Felts, Gaynor Finch, Mel Foster, John Herbert, Alison Ludemann, Kenneth Payne, Carol Sutherland, Jo-anne Thomson, Bruce Vollweiler and Selwyn Wilkinson.

**In Attendance** Steve Hill (Chief Executive), Jules Witt (Group Manager Service Delivery), Ben Gold (Infrastructure Strategy Manager), Thyagu Gopalan (Water & Waste Manager) Henri van Zyl (Transport & Facilities Operations Manager), Chris Bopp (Senior Infrastructure Engineer), Sue Wilkins (Communications Coordinator) and Julie Gardner (Service Delivery Administrator).

Sharon Cousins (Project Manager Community Plan Implementation), Ken Murray (Facilities Asset Officer), Niko Trbuhovic (Roading Asset Management Officer), Bernadette van der Lem (Community Facilities Supervisor)

**Apologies** There were no apologies.

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### DECLARATIONS OF INTEREST

There were no additional declarations of interest.

#### 1. CATLINS-CLUTHA INFORMATION LAYBY

The Project Manager – Community Plan Implementation submitted a report requesting the Service Delivery Committee to consider a budget from Special Purpose Road funding for the construction of the Catlins-Clutha Information Layby on the Owaka Highway at Invertiel.



Lisa Biginato, Hilary McNab and Dianne Miller representing Catlins Coast Inc. were in attendance to speak to the report and answer Elected Members questions.

The Senior Infrastructure Engineer informed Elected Members that Waka Kotahi NZ Transport Agency were very supportive of the project and if completed in the 2020/21 financial year it would attract 95% funding from them.

Councillors debated the issue with some expressing concerns about the location, in particular the smell from the nearby meat works and the closeness of the sewage pond, while also pointing out that the Kiosk would be in a flood zone.

Locating the Kiosk in the proposed area also provides an opportunity to use the north side of the Kiosk to promote Balclutha and the wider district.

There was further discussion about locating the Kiosk within Balclutha, however this was ruled out.

In agreeing to support the recommendation it was noted that Catlins Coast Inc. had done their due diligence by looking at all other options before deciding on this site. The area will be developed and beautified by CCI and while it would be susceptible to flooding there should be no long-term damage to the area.

***Moved Councillors Finch/Wilkinson and Resolved:***

***“That the Service Delivery Committee receives the ‘Catlins-Clutha Information Layby’ report.***

***Moved Councillors Catherwood/Vollweiler and Resolved:***

***“That the Service Delivery Committee approves the allocation of a budget of \$120,000 from Special Purpose Road funding for the construction of the Catlins-Clutha Information Layby on the Owaka Highway at Invertiel.”***

The motion went to the vote:

For – 9

Against – 4 – Motion Carried.

Councillors Foster and Ludemann requested their votes be recorded.

Before the meeting was adjourned the Group Manager Service Delivery introduced the new Community Facilities Supervisor – Bernadette van der Lem, the new Transportation & Facilities Operations Manager – Henri van Zyl and the Roading Asset Officer – Niko Trbuhovic to the Elected Members.

The meeting was adjourned at 3.19pm.

The meeting reconvened at 3.36pm.

Councillors Finch, Herbert and Ludemann re-joined the meeting at 3.37pm.

## 2. ORGANISATIONAL PERFORMANCE - SERVICE DELIVERY

The Group Manager Service Delivery presented the Organisational Performance report for information. The report includes customer service reporting statistics and information on customer and contractor response times.

An additional report in graph form was tabled by the Group Manager Service Delivery. This format will be used in future agendas.

***Moved Councillors Payne/Sutherland and Resolved:***

***“That the Service Delivery Committee receives the ‘Organisational Performance - Service Delivery’ report, dated 4 February 2021.”***

## 3. GROUP MANAGER’S UPDATE

The Group Manager Service Delivery submitted a report which set out his activities since the last meeting of the Committee.

A special thanks was made to the staff involved in putting the RFI together for the \$6.4M of water stimulus funding, noting that CDC were the first council in the southern area to submit the completed RFI.

***Moved Councillors Felts/Ludemann and Resolved:***

***“That the Service Delivery Committee receives the ‘Group Manager’s Update’ report dated 4 February 2021.”***

## 4. OPERATIONS UPDATE - TRANSPORTATION

The Acting Operations Transportation Manager submitted a report advising on operational matters within the Department.

The Group Manager Service Delivery advised that 47% of the operational budget had been spent to date. An updated report that includes additional funding already approved by council will be provided after 31 March 2021. He also advised that future works are dependent on contractor availability.

***Moved Councillors Catherwood/Finch and Resolved:***

***“That the Service Delivery Committee receives the ‘Operations Update – Transportation’ report dated 4 February 2021.”***

## 5. OPERATIONS UPDATE – ALL OTHER AREAS

The Water & Waste Operations Manager submitted a report advising on operational matters within the Department.

A query was raised regarding testing for lead in water. CDC do not specifically do this but in light of recent events will look at doing this periodically.

**Moved Councillors Finch/Thomson and Resolved:**

***“That the Service Delivery Committee receives the ‘Operations Update – All Other Areas’ report dated 4 February 2021.”***

**6. CAPITAL DELIVERY UPDATE**

The Capital Delivery Manager submitted a report advising on matters within the Department.

The Chief Executive gave a briefing on the upcoming Rosebank Office alterations and the impact on staff, customers and governance during this time. The February 18 Council meeting will be the last one held in the Council Chambers until October.

**Moved Councillors Payne/Foster and Resolved:**

***“That the Service Delivery Committee receives the ‘Capital Delivery Update’ report dated 4 February 2021.”***

**7. INFRASTRUCTURE STRATEGY UPDATE**

The Infrastructure Strategy Manager submitted a report advising on matters within the Department.

There was discussion on the following -

- Electric Charging Station for council fleet – need to find a suitable site.
- Greenfield Bores – test results are back, meeting to be held with Beca next week regarding a full production test bore.
- Community Housing Balclutha/Milton/Waihola – concept designs on each site will be done and brought back to Council.

Councillor Vollweiler left the meeting at 4.20pm and returned at 4.25pm.

**Moved Councillors Cowie/Catherwood and Resolved:**

***“That the Service Delivery Committee receives the ‘Infrastructure Strategy Update’ report dated 4 February 2021.”***

**8. COMPLIANCE UPDATE REPORT**

The Group Manager Service Delivery submitted a report advising on all compliance-related issues across the Department.

The next round of WWTP visits is commencing next month.

Compliance Engineer recruitment is underway.

**Moved Councillors Herbert/Sutherland and Resolved:**

***“That the Service Delivery Committee receives the ‘Compliance Update’ report dated 4 February 2021.”***

## 9. COMMUNITY PROJECTS UPDATE

The Project Manager – Community Plan Implementation submitted a report updating the Committee on progress with projects identified through the Our Place Community Plan process.

There was discussion on the following –

- Naish & Centennial Parks – naming of these to remain as is due to the historical nature of these areas.
- Dog Park – Naming Rights to be considered?
- Balclutha Bridge Playground – user survey to be initiated by Youth Council and used to inform the wider park design team.
- Walking Track on Flood Bank – with ORC for Flood Protection Bylaw Approval – may need gravel relocated?
- Decommissioned playground equipment in good condition will be reused in other playgrounds where possible.
- Lincoln Terrace playground is to go through a revocation process.

***Moved Councillors Finch/Felts and Resolved:***

***“That the Service Delivery Committee receives the ‘Community Projects Update’ report dated 4 February 2021.”***

The meeting closed at 4.42pm.

Confirmed

Bruce Graham  
Chairman

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## Clutha District Council

### Item for CONFIRMATION

<b>Report</b>	Regulatory & Policy Committee Minutes 4 February 2021
<b>Meeting Date</b>	18 February 2021
<b>Item Number</b>	9
<b>Prepared By</b>	Wendy Copeland – Regulatory Services Administrator
<b>File Reference</b>	509713

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#### REPORT SUMMARY

Attached are the minutes of the meeting of the Regulatory & Policy Committee held on 4 February 2021.

#### RECOMMENDATIONS

1. That the minutes of the meeting of the Regulatory & Policy Committee held on 4 February 2021 be approved as a true and correct record.

## Regulatory and Policy Committee

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Minutes of the meeting of Regulatory and Policy Committee held in the Council Chambers, 1 Rosebank Terrace, Balclutha on Wednesday 4 February 2021, commencing 4.45pm

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**Present** Councillor Bruce Vollweiler (Chairman), Mayor Bryan Cadogan, Councillors Dane Catherwood, Stewart Cowie, Wayne Felts, Gaynor Finch, Mel Foster, Bruce Graham, John Herbert, Alison Ludemann, Ken Payne, Carol Sutherland, Jo-anne Thomson, Selwyn Wilkinson

**In Attendance** Steve Hill (Chief Executive), Wendy Copeland (Regulatory Services Administrator), Ian McCabe (Group Manger Planning and Regulatory), Larissa Brown (Strategic Planning Manager), Michael Goldsmith (Senior Policy Advisor)

**Apologies:** Jo-anne Thomson (early departure – not needed)

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### DECLARATIONS OF INTEREST

There were no declarations of interest.

### URGENT BUSINESS

There was no urgent business.

### PUBLIC FORUM

#### 1. GROUP MANAGER'S REPORT

The Group Manager – Regulatory and Planning submitted a report updating the Committee on the following matters:

1. Manager's Activity
2. Building Control
3. Animal Control
4. Enforcement and Monitoring
5. District Licensing Committee
6. Planning/Resource Consents
7. Freedom Camping
8. Staffing.

Ian McCabe gave a verbal report on the IANZ audit of Council’s Building Control held last week. They issued 21 GNCs (general non-compliance), most of which were of a very minor nature. CDC has been classed as a ‘low risk’ Building Control Authority. The GNCs have to be attended to and approved within 3 months of receiving the IANZ report.

***Moved Councillors Herbert / Foster and Resolved:***

***“That the Regulatory and Policy Committee receives the report titled ‘Manager’s Report’, dated 4 February 2021.”***

## **2. STRATEGIC PLANNING MANAGER’S REPORT**

The Strategic Planning Manager and Senior Policy Advisor jointly submitted a report providing updates on various matters of interest in the Policy and Strategic Planning area.

***Moved Councillors Finch / Thompson and Resolved:***

***That Council receives the ‘Strategic Planning Manager’s report’ dated 4 February 2021.***

## **3. OUR PLACE LAWRENCE – TUAPEKA FEEDBACK**

Policy Advisor (Contract) presenting feedback from the Our Place Lawrence – Tuapeka community consultation process and seeking direction for bringing back further information about priority projects.

***Moved Councillors Finch / Felts and Resolved;***

***That the Committee receives the Our Place Lawrence – Tuapeka Community Plan Feedback report.***

***Moved Councillors Finch / Felts and Resolved;***

***That the Committee approves the following project groupings, or as amended, for full project information to be developed:***

<b>Theme:</b>	<b>Potential projects:</b>
1. Heritage	<ul style="list-style-type: none"> <li>○ Protect and enhance heritage values of central Lawrence</li> </ul>
2. Council facilities, infrastructure, and services	<ul style="list-style-type: none"> <li>○ Whitehaven Street playground</li> <li>○ Reducing flood risk</li> <li>○ Trail network / Steep Street Reserve improvements</li> </ul>
3. Entrance to Gabriel’s Gully	Investigate and consult on potential projects: <ul style="list-style-type: none"> <li>○ General improvements to this area</li> <li>○ Create a community hub</li> <li>○ Destination toilets</li> </ul>

4. Work Opportunities	<ul style="list-style-type: none"> <li>○ Opportunities to work and train in Lawrence</li> </ul>
5. Community-owned or managed facilities	<ul style="list-style-type: none"> <li>○ Lawrence Rodeo and Gymkhana Grounds</li> <li>○ Chinese Camp</li> <li>○ Community Wetlands</li> <li>○ Glass recycling</li> <li>○ Wetherston's Brewery and Daffodils</li> <li>○ Simpson Park</li> <li>○ Skate Park</li> </ul>
6. Gabriel's Gully	<ul style="list-style-type: none"> <li>○ Additional walking trails</li> <li>○ Promotion and marketing</li> <li>○ Visitors' centre</li> <li>○ Public toilets</li> <li>○ Virtual animation tours</li> </ul>
7. Beaumont, Waipori & Waitahuna	<ul style="list-style-type: none"> <li>○ Support for various initiatives to improve community facilities</li> </ul>

#### 4. BUILDING STATISTICS

Regulatory Services Administrator providing building statistics and comparisons for November and December 2020.

***Moved Mayor Cadogan / Councillor Thomson and Resolved:***

***That the Regulatory and Policy Committee receives the report titled 'Building Statistics', dated 4 February 2021.***

The meeting closed at 5.02pm

Confirmed

Bruce Vollweiler  
**CHAIRMAN**



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## Clutha District Council

### Item for INFORMATION

<b>Report</b>	West Otago Community Board Minutes
<b>Meeting Date</b>	18 February 2021
<b>Item Number</b>	10
<b>Prepared By</b>	Julie Gardner – Service Delivery Administrator
<b>File Reference</b>	508527

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#### REPORT SUMMARY

Attached are the unconfirmed minutes of the meeting of the West Otago Community Board held on 27 January 2021.

#### RECOMMENDATIONS

1. That the unconfirmed minutes of the meeting of the West Otago Community Board held on 27 January 2021 be noted.

## West Otago Community Board

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Minutes of the meeting of West Otago Community Board held in the West Otago Community Centre, Sussex Street, Tapanui on Wednesday 27 January 2021, commencing at 10.34am.

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<b>Present</b>	Barbara Hanna (Chairperson), Cecil Crawford, Councillor John Herbert, Bruce Robertson, Linda Roulston and Sue Wink.
<b>In Attendance</b>	Jules Witt (Group Manager Service Delivery) and Julie Gardner (Service Delivery Administrator).
<b>Apologies</b>	His Worship the Mayor Bryan Cadogan, Antony Robertson <i>Moved Councillor Herbert/Linda Roulston and Resolved:</i> <i>“That the apologies be sustained.”</i>

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The Chairperson welcomed everyone to the first meeting of 2021.

WOCB By-election candidates Gabrielle Mills and Lloyd McCall were in attendance to observe the meeting.

### LATE ITEMS

- **Roadside Spraying**
- **Northumberland Street section**

### 1 WEST OTAGO COMMUNITY BOARD MINUTES

The minutes of the meeting of the West Otago Community Board held on 11 November 2020 were presented for the Board’s confirmation.

*Moved Councillor Herbert/Sue Wink and Resolved:*

*“That the West Otago Community Board confirms as a true and correct record the minutes of the meeting held on 11 November 2020.”*

### 2 WORK IN PROGRESS UPDATE

The Service Delivery Administrator submitted a report that updated the Community Board on progress in relation to issues that had been raised at previous meetings.

## **2.1 Projects**

### **2.1.1 Christmas Tree**

This item is to stay on the work in progress.

Enquiries have been made to other Councils regarding artificial trees as these could be an option instead of a real tree.

Community Board members raised concerns about the tree beside the Seasons shop, noting that there is a huge dead branch that they consider is a safety issue. An arborist report will be obtained before a decision is made on either removing/retaining the tree, with a decision to be made at the next meeting.

If removed the tree will be replaced with a more suitable specimen.

### **2.1.2 Cell phone Tower Booster**

Mayor Cadogan advised he has organised MP Joseph Mooney to attend the WOCB meeting on 3 March 2021.

Linda Roulston will try and arrange for Joe Stringer (Yrless) to attend as well.

## **2.2 Irresponsible Camping**

The Freedom Camping Bylaw was adopted at the Council meeting on 10 December 2020.

## **2.3 50km signs at Tapanui – item to be renamed ‘Duncan Road Intersection’**

Signs have been shifted and reinstalled.

School signage has not been reviewed yet.

The WOCB have expressed further concerns about the Duncan Road intersection as there has been a recent accident involving a local. CDC staff will arrange for another review of this area.

## **2.4 Nut Trees at Tapanui Cemetery**

This item can be removed from the WIP.

## **2.5 Tapanui Water Supply**

See Service Delivery report for an update on progress with the Water Conservation sign.

## **2.6 Items to stay on WIP**

### **2.6.1 Kelso Triangle**

This item is to stay on the Work in Progress Report until it has been completed. Still being mowed.

### 2.6.2 Hancox Park

This item is to stay on the WIP so a decision can be made before the lease is renewed. This is due 31 August 2021 – *(this item was added to the WIP on 10 July 2019).*

### 2.6.3 Land around Sewerage Pond

This item is to stay on the WIP so a decision can be made before the lease is renewed which is due by 31 October 2021.

### 2.7 Road Signs & Barriers

See Service Delivery Update report.

### 2.8 Aitchison Runs Road Grade Adjustment

See Service Delivery Update report.

### 2.9 Whisky Gully

This item can be removed from the WIP.

### 2.10 Carpark Lighting

The light was installed prior to Christmas. Further maintenance will be undertaken as required.

***Moved Linda Roulston/Bruce Robertson and Resolved:***

***“That the West Otago Community Board receives the Work in Progress Update report.”***

## 3 SERVICE DELIVERY UPDATE

The Group Manager Service Delivery submitted a report of activities in respect to the Service Delivery Department.

The rainfall event at New Year highlighted the need for physical barriers at Wooded Hill, Ardmore Road and Greenvale Road with placement of these still to be decided.

There is still a concern that NZTA don't have updated road information on their site, with local roads not included and this is frustrating the WOCB. The Detour signage highlighted that there needs to be advance warning of any barriers as there were still some people that chose to drive around these.

Concerns were also raised about the lack of staffing at the Service Centre over the Christmas-New Year Break and this will be discussed with the Emergency Management Officer.

Communications between SouthRoads and the local councillor ensured that everyone was kept informed and up-to-date and the written report was also appreciated by Board members. WOCB members thanked the SouthRoads staff for the promptness with which the signs were erected considering that some came back from holiday early to deal with the situation.

The Conserve Water sign is being manufactured with the site still to be confirmed. Barbara Hanna has spoken to the owner of 4-Square, but approval is required from Foodstuffs. It is anticipated that the sign will be up from November-April each year.

Changes to recycling come into effect from 1 February. Workshops will be held to encourage recycling/waste minimisation.

***Moved Linda Roulston/Sue Wink and Resolved:***

***“That the West Otago Community Board receives the Service Delivery Update Report.”***

#### **4 REVENUE & EXPENDITURE REPORT**

The Management Accountant submitted a copy of the Revenue and Expenditure Statement for the activities within the West Otago Community Board’s area for the period 1 July 2020 to 31 December 2020.

***Moved Councillor Herbert/Linda Roulston and Resolved:***

***“That the West Otago Community Board receives the Revenue and Expenditure report.”***

#### **5 CORPORATE SERVICES REPORT**

The Corporate Services Administrator submitted a report that covered activities of the Corporate Services Department in the past period including funding schemes.

***Moved Bruce Robertson/Cecil Crawford and Resolved:***

***“That the West Otago Community Board receives the Corporate Services Report.”***

#### **6 BUILDING REPORT**

The Regulatory Administrator submitted a report on building consents for October, November and December 2020.

***Moved Councillor Herbert/Linda Roulston and Resolved:***

***“That the West Otago Community Board receives the Building Consent Statistics for October, November and December 2020 report.”***

#### **7 ADDITIONAL ITEMS/LATE ITEMS**

##### **Possible Land Purchase**

Discussion about potential sites for development in Tapanui as the current subdivision is filling up and there may be the option to purchase land for a future subdivision. If this item is to be progressed further the landowners will need to be contacted.

##### **Roadside Spraying**

Concern raised that some grasses/weeds are becoming immune to the spray currently being used, however there are restrictions on certain types of sprays due to runoff etc. Any areas of concern should be dealt with by lodging a service request.

**Northumberland Street section**

The WOCB have received a number of calls about the containers on this section. Barbara Hanna has spoken to the owner who advised that he is planning to beautify the section, but it will be a work in progress. No consent is currently required for the containers.

**Zone 6 Community Boards Conference**

Being held in April 2021 at Gore. No further details yet but will be sent out once these have been received.

The meeting closed at 11.43am.

**Confirmed**

**Barbara Hanna  
CHAIRPERSON**

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## Clutha District Council

### Item for INFORMATION

<b>Report</b>	Lawrence/Tuapeka Community Board Minutes
<b>Meeting Date</b>	18 February 2021
<b>Item Number</b>	11
<b>Prepared By</b>	Julie Gardner – Service Delivery Administrator
<b>File Reference</b>	508129

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#### REPORT SUMMARY

Attached are the unconfirmed minutes of the meeting of the Lawrence/Tuapeka Community Board held on 27 January 2021.

#### RECOMMENDATIONS

1. That the unconfirmed minutes of the meeting of the Lawrence/Tuapeka Community Board held on 27 January 2021 be noted.

## Lawrence/Tuapeka Community Board

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Minutes of the meeting of the Lawrence/Tuapeka Community Board held at the Lawrence Service Centre, Peel Street, Lawrence on Wednesday 27 January 2021, commencing at 3.00pm.

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<b>Present</b>	Geoff Davidson (Chairman), Lindy Chinnery, Councillor Mel Foster, Matthew Little, Garry McCorkindale and Suzanne Stephenson.
<b>In Attendance</b>	Jules Witt (Group Manager Service Delivery) and Julie Gardner (Service Delivery Administrator).
<b>Apologies</b>	His Worship the Mayor Bryan Cadogan, Tim Dickey  <i>Moved Matt Little/Suzanne Stephenson and Resolved:</i>  <i>“That the apologies be sustained.”</i>

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The Chairman welcomed everyone to the first meeting of 2021.

### **PUBLIC FORUM**

#### ***Roger Cotton – Zig Zag Track Maintenance***

Would like the WOCB/Council to consider allowing the gardening contractor employed by the Lawrence Athenaeum to maintain both sides of the Zig Zag Track to ensure that both areas are maintained to the same standard.

A project plan is currently being drawn up by an interested party to redo the whole area, which would include paths etc. as well as plantings, allowing access to the public and drawing them up to the Heritage precinct in Colonsay Street.

The proposal is yet to be discussed with the Lawrence Athenaeum Trust, but Roger would like the LTCB to consider contributing towards this project if it progresses.

Lindy Chinnery declared a conflict of interest as her partner is the maintenance person.

### **1 LAWRENCE/TUAPEKA COMMUNITY BOARD MINUTES**

The minutes of the meeting of the Lawrence/Tuapeka Community Board held 11 November 2020 were presented for the Board’s confirmation.



***Moved Matt Little/Councillor Foster and Resolved:***

***“That the minutes of the meeting of the Lawrence/Tuapeka Community Board held on 11 November 2020 be approved as a true and correct record.”***

**2 WORK IN PROGRESS**

The Service Delivery Administrator submitted a report that updated the Community Board on progress in relation to issues that had been raised at previous meetings.

**2.1 Gabriel’s Gully Walkway**

Agreements have been drawn up and will be sent to 3 landowners whose properties are required for track access once they have been approached by the Chairman. An agreement will also be resent to Graham Laing and Helen Gibbs for signing.

Geoff rang Malcolm Ritchie – has been doing digger work to restore the track. Will purchase culverts as required.

**2.2 Extension of Cycle Trail**

Lawrence to Milton section of the trail should be completed by October 2021.

There was comment that the cycle trail had been changed to go into the main street, then start again from the Arches however this could not be confirmed at the time of the meeting. The Chairman is to follow this up.

**2.3 Peace Garden**

The oak tree will be removed by Powernet within the next 6-8 weeks.

The LTCB agreed to have a working bee to take care of minor maintenance until further arborist advice is received.

Council staff to arrange for an arborist report before any major work is undertaken.

This item will stay on the WIP until completed.

**2.4 Hospital Creek/Wetherstons Creek**

No CSR was lodged as the creek is looking okay. Keeping an eye on the willows.

Part of the LTP and could be a submission from the LTCB.

**2.5 Steep Street Domain**

The picnic setting has not been made – this will be an autumn project.

**2.6 Tuapeka Transport Ltd – Transfer Site and Entranceways**

A site meeting was held on Friday 22 January. The Waste Minimisation Officer is working through the final site details with the RTL Manager.

An update on AgRecovery was provided in the Service Delivery Update report.

**2.7 Boarded up Shop – Ross Place**

A builder has been onsite measuring up so hopeful that there will be progress before the next meeting.

**2.8 Waitahuna Mobile Coverage**

There has been no further progress with Crown Infrastructure.

This item can be removed from the WIP.

**2.9 Speed Limit Reviews**

This is to stay on the WIP until the speed reviews have been completed in 2021.

An updated Waitahuna speed review has been requested as the previous one was done during lockdown and will not show the correct information.

**2.10 Sale of Unused Council Land**

To stay on the WIP for LTCB decision in conjunction with community plan – agenda item for Corporate & Property Committee.

***Moved Garry McCorkindale/Suzanne Stephenson and Resolved:***

***“That the Lawrence/Tuapeka Community Board receives the Work in Progress Update report.”***

**3 SERVICE DELIVERY UPDATE**

The Group Manager Service Delivery submitted a report on activities in respect to the Service Delivery Department.

The following items were discussed:

- AgRecovery – hopeful a site will be identified in Lawrence and that funding will be available for this through the Waste Levy Contestable Fund
- Grading schedule was queried – CSR was lodged by G Davidson 27/1.
- Phoenix Dam – no report received yet.
- Greenfield Borefield – included in LTP for consultation, no results from drilling back yet.
- Transfer Station – no consultation is required as only open for 2 hours twice a week. Conversations still happening, neighbour will be contacted.
- Motorhome rubbish – where can this be dumped? Coin-operated? Manned sites? Skips? CDC staff will follow this up.
- Glass recycling – glass crusher? This will be investigated through the community plan.

***Moved Lindy Chinnery/Matt Little and Resolved:***

***“That the Lawrence/Tuapeka Community Board receives the Service Delivery Update Report.”***

#### **4 REVENUE & EXPENDITURE REPORT**

The Management Accountant submitted a copy of the Revenue and Expenditure Statement for the activities within the Lawrence/Tuapeka Community Board’s area for the period 1 July 2020 to 31 December 2020.

***Moved Garry McCorkindale/Suzanne Stephenson and Resolved:***

***“That the Lawrence/Tuapeka Community Board receives the Revenue and Expenditure report.”***

#### **5 CORRESPONDENCE**

The Service Delivery Administrator presented correspondence received and sent since the last Community Board meeting.

##### **Inwards Correspondence**

- Lawrence Lions Club – Thank you for funding for Raizer Lift Chair

##### **Outwards Correspondence**

- Lawrence Lions Club – confirmation of funding for Raizer Lift Chair

***Moved Suzanne Stephenson/Lindy Chinnery and Resolved:***

***“That the Lawrence/Tuapeka Community Board receives the Correspondence report.”***

#### **6 CORPORATE SERVICES REPORT**

The Corporate Services Administrator submitted a report that covered activities of the Corporate Services Department in the past period including funding schemes.

***Moved Councillor Foster/Matt Little and Resolved:***

***“That the Lawrence/Tuapeka Community Board receives the Corporate Services report.”***

#### **7 BUILDING REPORT**

The Regulatory Administrator submitted a report on building consents for October, November and December 2020.

***Moved Matt Little/Lindy Chinnery and Resolved:***

***“That the Lawrence/Tuapeka Community Board receives the Building Consent Statistics for October, November and December 2020 report.”***

**LATE ITEMS**

**Planter Boxes**

Councillor Foster advised that Marie Keen is leaving Lawrence this week and her helpers no longer want to look after the planter boxes. These need to be watered every 2<sup>nd</sup> day. Lindy Chinnery offered to visit the main street businesses explaining the situation and asking them to adopt the planter outside their shops.

**Lawrence CHU – Picnic Setting**

LTCB agreed to provide a picnic setting for the CHU residents. To have separate seats and a roof and will be on a concrete slab.

**Lawrence Cemetery Chinese Burial Project**

Reinterment of the bodies located outside the cemetery area - there will be consultation with the LTCB and community before this proceeds.

The meeting closed at 3.51pm.

**Confirmed**

Geoff Davidson  
**CHAIRPERSON**

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## Clutha District Council

### Item for INFORMATION

<b>Report</b>	Risk & Assurance Committee Minutes
<b>Meeting Date</b>	18 February 2021
<b>Item Number</b>	12
<b>Prepared By</b>	Karen Piercy – Corporate Services Administrator
<b>File Reference</b>	509121

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#### REPORT SUMMARY

Attached are the unconfirmed minutes of the meeting of the Risk & Assurance Committee held on 4 February 2021.

#### RECOMMENDATIONS

1. That the unconfirmed minutes of the Risk & Assurance Committee held on 4 February 2021 be noted.

## Risk & Assurance Committee

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Minutes of the meeting of Risk & Assurance Committee held in the Council Chambers, 1 Rosebank Terrace, Balclutha on Thursday 4 February 2021, commencing at 10.35 am.

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<b>Present</b>	Stephen Halliwell (Chairperson), His Worship the Mayor Bryan Cadogan, Councillors, Stewart Cowie, Bruce Graham, John Herbert, Alison Ludemann, Ken Payne, and Bruce Vollweiler.
<b>In Attendance</b>	Steve Hill (Chief Executive), Sharon Jenkinson (Finance Manager), Christina Johnston (Risk Management Support Officer) Larissa Brown (Strategic Planning Manager), Sue Wilkins (Communications Advisor), Karen Piercy (Corporate Services Administrator) and Councillors, Wayne Felts, Joanne Thomson and Carol Sutherland.
<b>Apologies</b>	There were no apologies.

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### DECLARATIONS OF INTEREST

There were no declarations of interest.

### URGENT BUSINESS

There was no urgent business.

### PUBLIC FORUM

There was no public forum.

### 1. CONFIRMATION OF MINUTES

The minutes of a meeting of the Risk & Assurance Committee held on 26 November 2020 were submitted for confirmation.

***Moved Mayor Cadogan/Councillor Vollweiler and Resolved:***

***“That the Risk & Assurance Committee confirms as a true and correct record the minutes of the Risk & Assurance Committee held 26 November 2020.***

Councillor Ludemann joined the meeting at 10.36am.

## 2. HEALTH AND SAFETY, RISK MANAGEMENT AND MAJOR PROJECTS REPORT

The Risk Management Support Officer submitted the Health and Safety, Risk and Major Projects report.

A video from Hamilton City Council on verbal abuse was played to the meeting. Councillors will be invited to the next de-escalation training.

Councillor Sutherland joined the meeting at 10.54am.

There was some discussion on the risk of major contractors not fulfilling their contractual obligations and how this was being managed.

The category A Major Projects list was tabled as this was not included in the agenda.

***Moved Councillors Vollweiler/Cowie and Resolved:***

***“That the Risk & Assurance Committee receives the Health and Safety, Risk and Major Projects Report.”***

The Risk Management Support Officer left the meeting at 11.15 am.

## 3. TREASURY MANAGEMENT REPORT

The Finance Manager presented the Treasury Management report which brings together the Treasury Services Advisory Report and the Investment Portfolio Compliance & Monitoring Report into one as requested by the Committee last year.

Ben Trollip from MJW joined by Zoom at 11.16 am. He gave an outline of the investment portfolio and answered questions. In answer to a question on supply chain disruptions due to Covid19, supply chain disruptions are apparently disconnected from the share market gains, however fiscal and monetary stimulus are adding to inflation and inflated pricing. Income disappeared in form of dividends and coupons, but capital gains are still increasing, therefore it may be necessary to cash out of investments. Council is in a good position with a balanced portfolio.

Fund manager Nikko is managing the funds well. There is a case to diversify fund management exposure, however it is acceptable to have one fund manager as different parts of the portfolio are managed by different people.

It was asked if the reporting period could be changed to December, but this will create other reporting issues.

***Moved Councillors Ludemann/Cowie and Resolved:***

***“That the Risk & Assurance Committee receives the Treasury Management Report.”***

## ITEMS TO BE TAKEN OUT OF ORDER

7. Management Accounts report

8. Risk & Assurance Committee Work Programme

***Moved S Halliwell/Councillor Cowie and Resolved:***

***“That the order of the agenda be changed to take item 7 and 8 before items 4, 5 and 6.”***

**4. WAS ITEM 7 IN AGENDA RUNNING ORDER: - MANAGEMENT ACCOUNTS REPORT**

The Finance Manager presented the Management Accounts Report for the period 1 July 2020 to 31 December 2020.

***Moved Councillors Cowie/Herbert and Resolved:***

***“That the Risk & Assurance Committee receives the Management Accounts report.”***

**5. WAS ITEM 8 IN AGENDA RUNNING ORDER: - RISK & ASSURANCE COMMITTEE WORK PROGRAMME**

The Group Manager Corporate Services submitted the Risk & Assurance Committee Work Programme, seeking input and agreement on the programme’s focus.

***Moved Councillor Vollweiler/Mayor Cadogan and Resolved:***

**1. *“That the Risk & Assurance Committee receives the Risk & Assurance Committee Work Programme report.”***

**2. *“That the Risk & Assurance Committee approves the Work Programme report.”***

**6. WAS ITEM 4 IN AGENDA RUNNING ORDER: - FINANCIAL STRATEGY REVIEW**

The Strategic Planning Manager presented the Financial Strategy which is required to be reviewed by the Risk & Assurance Committee for feedback to Council. The Financial Strategy was circulated to the Committee separate to the agenda.

Mayor Cadogan left the meeting at 12.03pm and returned at 12.04pm.

The Finance Manager left the meeting at 12.04pm.

The Policy on Financial Contribution and Draft Revenue and Financing Policy 2021 were discussed in conjunction with the Financial Strategy Review. Committee members gave feedback on various amendments to the strategy and policies which will be referred to the council workshop on 11 February 2021.

***Moved Councillors Vollweiler/Payne and Resolved:***

***“That the Risk & Assurance Committee receives the Policy on Financial Contribution, Revenue and Financing Policy and Draft Revenue and Financing Policy reports.”***

**7. WAS ITEM 5 IN AGENDA RUNNING ORDER: - POLICY ON FINANCIAL CONTRIBUTION**

This item was taken with the Financial Strategy Review report.



**8. WAS ITEM 6 IN AGENDA RUNNING ORDER: - DRAFT REVENUE AND FINANCING POLICY 2021**

This item was taken with the Financial Strategy Review report.

The meeting closed at 12.45 pm.

Read and Confirmed

Stephen Halliwell  
**CHAIRPERSON**

UNCONFIRMED

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## Clutha District Council

### Item for INFORMATION

<b>Report</b>	Committees of Council - Reappointments
<b>Meeting Date</b>	18 February 2021
<b>Item Number</b>	13
<b>Prepared By</b>	Karen Piercy – Corporate Services Administrator Steve Hill – Chief Executive
<b>File Reference</b>	507340

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### REPORT SUMMARY

The Council inaugural meeting of 31 October 2019 confirmed the establishment of committees of Council and the Chairmanship of each as advised by the Mayor exercising his powers. Since then, the resignation of Councillor Michele Kennedy has necessitated replacement on the Executive Committee, Risk & Assurance Committee and Tuapeka Bursary Trustee. Any appointments will require a change in portfolio type for remuneration purposes.

In addition to the above, there is a need to formalise the reappointment of the Trustpower Award Committee as the Clutha District Community Service Award Panel.

### RECOMMENDATIONS

1. That the Council receives the report “Committees of Council - Reappointments” report.
2. That Council confirms the membership of the Executive Committee as Mayor (chair), Deputy Mayor, chairpersons of the Corporate & Property, Service Delivery, Regulatory & Policy, and Councillor’s Herbert and Ludemann, and that Councillor Kennedy is replaced by Councillor ...../is not replaced.
3. That the replacement for Councillor Kennedy on the Risk and Assurance Committee is .....

OR

4. That there is no replacement for Councillor Kennedy on the Risk and Assurance Committee.

5. That Council confirms that Councillor Herbert is appointed as Tuapeka County Bursary Fund Trustee.
6. That Council confirms the appointment of Councillors Ludemann (chair), Graham, Sutherland, Wilkinson and the Mayor, as members of the Clutha District Community Service Award Committee.

## REPORT

### 1 Committees of Council

Council, last triennium had eight committees.

- Executive Committee
- Corporate & Property Committee
- Service Delivery Committee
- Regulatory & Policy Committee
- Committee of the Whole
- Risk & Assurance Committee
- Youth Council

The function and roles of the committees are set out in the Delegations Manual. Changes made to the Committee structures will require amendments to the Delegations Manual.

This report provides for the replacement of Councillor Kennedy as Executive Committee and Risk & Assurance Committee member and as Tuapeka Bursary Trustee.

The Mayor has exercised his powers under Clause 3 of s41A of the LGA 200.

The Executive Committee is chaired by the Mayor and membership has consisted of the Deputy Mayor, and the chairpersons of the Corporate & Property, Service Delivery, and Regulatory & Policy committees. The membership of the Executive Committee is not necessarily limited to these Councillors and the Council may change the membership as it believes necessary. The Mayor is proposing to add the following appointed Councillor to the Executive Committee xxxx.

One of the main roles of the Executive Committee is to be responsible for the selection process and recommendation to Council of the appointment of its Chief Executive Officer.

The Corporate & Property, Service Delivery, and Regulatory & Policy Committees are proposed to have a membership of all Councillors.

The Risk & Assurance Committee is made up of the Executive Committee and is chaired by an independent member.

The Committee of the whole is chaired by the Mayor and includes all Councillors and is used to consider “Non-Public” business rather than each committee going in and out of Non-Public during the committee meeting day.

## 2 Mayoral Powers

Clause 3 of section 41A of the Local Government Act 2002 which came into force on 12 October 2013 states:

For the purposes of subsections (1) and (2), a mayor has the following powers:

(a) to appoint the deputy mayor:

(b) to establish committees of the territorial authority:

(c) to appoint the chairperson of each committee established under paragraph (b), and, for that purpose, a mayor -

(i) may make the appointment before the other members of the committee are determined; and

(ii) may appoint himself or herself.

Clause 4 however provides Council with the ability to discharge, reconstitute, or establish other committees and to discharge chairperson appointed by the Mayor.

However, nothing in subsection (3) limits or prevents a territorial authority from –

(a) removing, in accordance with clause 18 of Schedule 7, a deputy mayor appointed by the mayor under subsection (3)(a); or

(b) discharging or reconstituting, in accordance with clause 30 of Schedule 7, a committee established by the mayor under subsection (3)(b); or

(c) appointing, in accordance with clause 30 of Schedule 7, 1 or more committees in addition to any established by the mayor under subsection (3)(b); or

(d) discharging, in accordance with clause 31 of Schedule 7, a chairperson appointed by the mayor under subsection (3)(c). Committees.

# Clutha District Council

## Item for INFORMATION

<b>Report</b>	Mayoral Report
<b>Meeting Date</b>	18 February 2021
<b>Item Number</b>	14
<b>Prepared By</b>	Bryan Cadogan - Mayor
<b>File Reference</b>	508954

### REPORT SUMMARY

This report details mayoral matters, the meetings and functions I have attended since the last meeting. Councillors will report verbally on their attendances.

### RECOMMENDATIONS

1. That the Mayoral Report and councillors' attendances be received.

### REPORT

#### 1 Mayoral Attendances

Date	Activity
17 December 2020	Attended morning tea with elected members and Taieri MP at CDC
	Met with Chief Executive and representatives of Otago Corrections regarding corrections community work
	Attended Clydevale Rural Water Scheme meeting
18 December 2020	Travelled to Milton to attend thank you morning tea for businesses and organisations involved with Jobbortunities initiative
22 December 2020	Met with Hub Trust representatives and representatives of former JC's regarding time capsule under Memorial Hall
24 December 2020	Travelled to Tapanui for West Otago Christmas parade
	Council Annual Shutdown

11 January 2021	Fortnightly Jobbortunities catch up
12 January 2021	Weekly meeting with Chief Executive
13 January 2021	Met with ratepayers
17 January 2021	Attended farewell event for departing church ministers
18 January 2021	Met with ratepayers regarding (Hilary and Ken?)
	Met with representatives from Countdown
19 January 2021	Zoom meeting regarding Zone 5 & 6 meeting planning
	Met with TUIA programme South Island mentor regarding 2021 TUIA programme
	Attended PCG meeting in Chambers
22 January 2021	Zoom meeting regarding Zone 5 & 6 meeting planning
	Regularly weekly meeting with Chief Executive
25 January 2021	Fortnightly Jobbortunities catch up and travelled to Lawrence to meet with website editor re website
26 January 2021	Travelled to Clydevale to meet with Danone Operations Manager and tour of site with Deputy Mayor
28 January 2021	Attended Long Term Plan workshop
1 February 2021	Met with Jobbortunities coordinator and builder regarding apprenticeship opportunity
2 February 2021	Met with representative of BCITO
	Regular weekly meeting with Chief Executive
3 February 2021	Met with Jobbortunities coordinator and representative of building trades/apprenticeships
4 February 2021	Attended Executive Committee, Risk & Assurance Committee and Standing Committee meetings
5 February 2021	Travelled to Invercargill to attend Joint Southland Otago Mayoral Forum and Te Ropu Taiao hui
6 February 2021	Attended commemoration events at Bluff Marae

11 February 2021	Attended Long Term Plan workshop via zoom
16 February 2021	Attended Civil Defence Controller meeting
	Regular weekly meeting with Chief Executive
	Attended Clutha Schools' Future Focussed Learning project launch at Rosebank Lodge
17 February 2021	Travelled to Milton to attend Jobbortunities night with Milton builders around potential apprenticeships
18 February 2021	Travelled to Dunedin to attend Job Fair event as part of Jobbortunities initiative
	Attended Council Meeting

# Clutha District Council

## Item for INFORMATION

<b>Report</b>	Chief Executive's Report
<b>Meeting Date</b>	18 February 2021
<b>Item Number</b>	15
<b>Prepared By</b>	Steve Hill – Chief Executive
<b>File Reference</b>	508955

### REPORT SUMMARY

Reports on events attended, the award of tenders and other matters in hand at present.

### RECOMMENDATIONS

1. That the Chief Executive's report be received.

### REPORT

- 1 **Activities I have attended since the previous Council meeting.**

Date	Activity
11 December 2020	Travelled to Dunedin and attended the Otago Mayoral Forum and Te Roopu Taiao.
15 December 2020	Met with a local ratepayer regarding a Council owned playground.
16 December 2020	Met with a local Real Estate agent regarding Plantation Heights.
17 December 2020	Met with the Project Manager of the Community Hub.
	Morning tea with Ingrid Leary – Labour MP.
	Met with representatives from the Department of Corrections.
	Meeting with ratepayers re roading issues.
	Attended a Rural Waterscheme Meeting at Clydevale.



Date	Activity
18 December 2020	Met with a local farmer regarding water issues.
19 December 2020	Met with a local Camping Ground lessee.
	Met with a local businessman regarding Rosebank Industrial subdivision.
25 December 2020 – 11 January 2021	Leave
14 January 2021	Met with a local property developer.
18 January 2021	Met with Countdown representatives.
19 January 2021	Met with Danone Management.
	Meeting with the Department of Corrections.
	Attended the Project Control Group meeting for the Community Hub.
20 January 2021	Met with a local ratepayer regarding a playground.
22 January 2021	Met with a property owner in Kaitangata.
25 January 2021	Attended the Civil Defence monthly meeting
26 January 2021	Attended a Rosebank Office Refurbishment meeting.
	Meeting with ORC re water treatment plants audits
28 January 2021	Attended the Long Term Plan Workshop.
29 January 2021	Meeting with Milton property owners.
	Met with the Clutha Community Hub.
1 February 2021	Attended a Rosebank Office Refurbishment meeting.
2 February 2021	Meeting with local rate payers from Waihola.
	Meeting regarding a local playground.
3 February 2021	Meeting with one of our Contractors.
4 February 2021	Attended the Risk and Assurance Meeting.

Date	Activity
	Attended Standing Committees.
5 February 2021	Travelled to Invercargill to attend the joint Southland/Otago Mayoral forum.
	Attended the Combined Southland/Otago Te Roopu Taiao Hui.
10 February 2021	Attended the Project Control Group meeting for the Community Hub.
	Met with a local property developer from Milton.
	Met with a local real estate agent.
	Meeting with Clutha Health First.
12 February 2021	Travelled to Christchurch to attend a meeting with City Care Water.
15 February 2021	Attended the Climate Change Risk Assessment Workshop.
16 February 2021	Attended a Zoom Meeting with Waka Kotahi.

## 2 Contracts Awarded

### 2.1 Contract 812 – Mt Cooee Landfill Drainage Realignment (around railway)

This contract was awarded to Thomson Earthmoving in the sum of \$882,237.10+GST.

A total of three tenders were received with prices ranging from \$882,237.10 to \$1,541,850.57+GST.

### 2.2 Contract 814 – CDC Administration Building Refurbishment

Contract 814 – CDC Administration Building Refurbishment is a contract for the construction of improved customer services spaces, the addition of meeting rooms, HVAC system improvements and other minor alterations to the administration building at Rosebank Terrace.

This contract was advertised on the Government Electronic Tender Service (GETS) which is monitored by contractors across the country.

Council approved a budget of \$2.33 million for this project as part of the 2020/21 Annual Plan deliberations.

At the time the tenders closed, no confirming tenders were received. Submissions were received from two tenders and these were evaluated. Negotiations were entered into with the lowest tenderer and the contract was awarded to Amalgamated Builders

Limited for \$1,535,879.23+GST. The balance of the budget is allocated outside this main construction contract and includes items such as contingencies, asbestos removal and dump fees, contract management, design and specialist services fees and project management costs.

Amalgamated Builders Limited have undertaken this type of work around Otago and Southland and they have also included a significant proportion of local sub-contractors as part of their tender. This project is expected to be completed in September 2021 and as such some funding will need to be moved into the 2021/22 financial year.

### **2.3 Contract 817 – RWS Pipe Renewal (>100mm) 2020-21**

This contract was awarded to Southern Trenching and Excavation Ltd in the sum of \$512,800.07+ GST.

A total of four conforming tenders were received from contractors across Otago and Southland, with the prices ranging from \$512,800.07 to \$1,000,533.41+GST. The Engineer's Estimate for this contract was \$563,257.25+GST and the final approved budget for the work was \$630,000+GST.

Southern Trenching and Excavation Ltd have undertaken pipeline renewal works for Council previously and have performed well to date.

## **3 Staffing**

### **3.1 Staff Appointments**

Andrea Dudding has joined as a casual, relief Customer Services Officer in the Library/Service Centre area. Andrea has been a Venue Manager, Chef/Proprietor and a Catering Manager.

Bernadette van der Lem is our new Community Services Supervisor in the Service Delivery Department. Bernadette has previously managed area offices for Southland District Council and has 14 years in Local Government as well as business, quality systems and property management experience.

Rebecca Begg is undertaking a fixed-term, part-time contract as an Information and Communications Technology (ICT) Manager focussing on projects. She has previously been an Environmental Officer for Otago Regional Council and a Programme Manager and Community Relations Officer for DOC.

Melissa Ellison is now our permanent Customer Services Officer in the Library/Service Centre area. Her previous roles have been Educator, Teacher-Aide, Reference Librarian at the US Embassy, Wellington and Librarian at the Parliamentary Library.

Bevan Mullions has joined as a Senior Development Engineer (Fixed-Term, Part-Time) in the Service Delivery Department. Bevan has worked as an Engineer, at various levels, for Waikato District Council, Kaipara District Council, Fulton Hogan and Opus International.

Vicki Woodrow has been promoted, following a competitive recruitment process, to the role of Customer Experience Team Leader in the Library/Service Centre area.

Henri van Zyl has started as our Transport and Facilities Operations Manager. Henri has a Bachelor of Engineering as well as a Master of Business Leadership degree. He has worked for the Northern Transport Alliance and Kaipara District Council in management roles in the roading, waste and transport disciplines.

Chris Till is Council's new Human Resources Manager in the Chief Executive's Department. Previously, Chris was at Kaikoura District Council, Christchurch City Council and Woking Borough Council in the UK.

### 3.2 Resignations

Rebecca Shaw, who was a Planner in our Regulatory Services Department has left us along with our long serving Human Resources Manager, Valerie Bell - who has retired.

Valerie completed 23 years of service with CDC in a wide variety of roles. We are very pleased that Valerie will remain available for casual, relief work for Council, so happily we are not losing her entirely.

I acknowledge Rebecca and Valerie's contributions to Council and my appreciation for their service during their time here.

### 3.3 Vacancies

Council's jobs are advertised on our recruitment hub website <https://cluthadc.recruitmenthub.co.nz/>. Currently listed are two new jobs for full-time, fixed-term (to June 2022) roles in the Library/Service Centre staff covered by central government funding – a Digital Programmes Coordinator and a Community Heritage Coordinator.

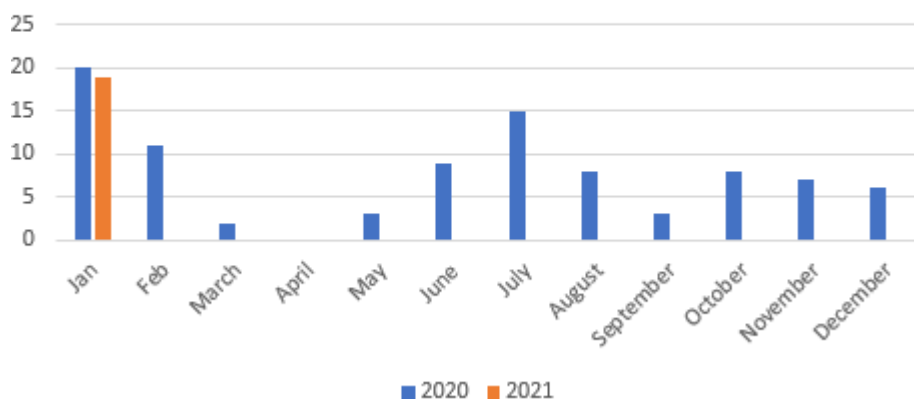
Other vacancies in various stages of recruitment are Senior Project Engineer (replacement for Ben Gold), Senior Asset Engineer (replacement for Thyagu Gopalan), Compliance Engineer, Senior Operations Engineer, Planner and Children and Teens Librarian (Balclutha). We are well advanced with the recruitment processes for Water Services Officer, Water Services Technician, and the Compliance Engineer and anticipate positive outcomes in due course. As advised in previous reports, we put alternative resources in place to fill these gaps and this is continuing. Due to the volume of current recruitment we have a close focus on both outcomes and workload.

## 4 Requests received under the Official Information Act

Name	Request
NZ Taxpayers Union	Discretionary funds attributed to the Mayor
NZ Taxpayers Union	Contracts awarded and Council's procurement policy
Rebecca Bennett	Town Centre feature
Luke Stewart	Waste water treatment
ODT	Waste water treatment
Stuff	Future landfill capacity

## 5 Health and Safety

Staff reports  
Comparisons graph 2020/2021



The H&S Critical risk profile has been updated to include COVID-19 and Contractor Work.

Risk	What are we doing to be proactive and keep everyone safe & well in 2021
<b>Stress</b>	<ul style="list-style-type: none"> <li>H&amp;S Induction updated to strengthen our commitment to wellbeing</li> <li>Staff offered tickets to the John Kirwan Mental Health presentation</li> <li>Recruitment underway to support workloads</li> </ul>
<b>Dealing with abusive people</b>	<ul style="list-style-type: none"> <li>Training dates for next course to be booked</li> </ul>
<b>Driving</b>	<ul style="list-style-type: none"> <li>Advanced Driving training dates booked</li> </ul>
<b>Asbestos/hazardous substance exposure</b>	<ul style="list-style-type: none"> <li>Confined Space and Management and Handling of hazardous substances training to be booked for key staff</li> <li>Milton WTP chemical room upgrades</li> </ul>
<b>Structural integrity of assets</b>	<ul style="list-style-type: none"> <li>Any hazardous spaces explained during induction</li> </ul>
<b>Lone work and security</b>	<ul style="list-style-type: none"> <li>Rosebank office upgrades include security provisions</li> </ul>
<b>COVID-19</b>	<ul style="list-style-type: none"> <li>Included in H&amp;S Induction</li> <li>CDC H&amp;S Convo for Feb/March is on COVID-19</li> </ul>
<b>Contractor work</b>	<ul style="list-style-type: none"> <li>Increased inspection frequency</li> </ul>

## 6 Community Development

<b>Date</b>	<b>Activity</b>
11 December 2020	Digital Programmes meeting
16 December 2021	Brave Hearts monthly meeting
13 January 2021	Planning meeting MTFJ's Ruth Carraway
15 January 2021	Met with Denise Dent Clutha Foundation
18 January 2021	Met with Youth Councillors Luke Thomson and Brayden Ferguson
	Met with Richard Davison ODT
19 January 2021	Met with Malcam Trust
	Brave Hearts monthly meeting
21 January 2021	Malcam Trust followup planning
	Met with David Kenny CommUnity Funding
25 January 2021	Civil Defence monthly meeting
	Community Transport meeting with ORC
26 January 2021	Interview Youth Council applicant
27 January 2021	Interview Youth Council applicant
28 January 2021	Met with Tuapeka Heritage Hub Group
2 February 2021	Met with Linda Wilson Owaka Pool Group
	Met with new Brave Hearts facilitators
5 February 2021	Met with Donna Bryan re community transport
	Met with Brad Proctor Clutha Classic Woods for Youth Council Workplace
9 – 10 February 2021	Attended CIMS 4 Training
11 February 2021	Facilitated network meeting - Clutha District Job Seeker Skill Resource Sharing

Date	Activity
12 February 2021	Youth Council Workshop
16 February 2021	Bruce Stewart Leadership Programme – Calder Stewart
	Future Focused Learning Project
	Waihola Looking Forward Playground meeting

## 6. Clutha District Community Transport.

The issue of the lack of a taxi service and public transport across the Clutha District was raised to Council by the South Otago Interagency Group as well as several residents and community groups.

In response to these contacts Justine Barrie, Assistant to the Mayor, Clutha District Council and Jean Proctor Community Support and Development Advisor, Clutha District Council held a public meeting to further identify, assess, discuss, and record issues.

The meeting on 3 November 2020, was attended by representatives from: Otago Regional Council, Balclutha Primary School, Clutha Valley School, Project Bruce, Friendship Club, Clutha District Youth Programme, Milton Information Centre, Anglican Family Care, Clinton Senior Citizens, Catlins Senior Citizens, Jenny's Group, COGS Trust, Clutha Health First, CDC elected member, and numerous district residents and prospective users of community transportation.

The meeting identified the pressing needs as being:

Lack of a regular, reliable, and frequent service connecting Clutha District to Dunedin. This is required to provide transport to medical appointments, court appointments,

Lack of a regular, reliable, and frequent service connecting the smaller towns of the Clutha District to Balclutha.

It was agreed by those attending that the following responses be undertaken.

1. To make submission to the Otago Regional Council Long Term Plan and Regional Passenger Transport Plan.  
Evidence and support letters will be canvassed to support the submission. Justine Barrie and Jean Proctor are working on this and along with Chris Bopp (CDC) have met with ORC representatives, Letitia McRodden and to clarify details.  
Confirmation of the timeline for these actions to be confirmed by ORC.
2. Community Vehicle Trust. To research this option Jean proctor has been in contact with the coordinator of the Canterbury model and will lead a working party to study the feasibility of establishing a service of this type for Clutha District.  
It is planned to initiate this working party coming together in March 2021.

We wish to be clear that the work that we are doing does not preclude anyone from establishing a taxi business in the district. On the contrary, a commercial taxi operation would fit well with a community vehicle trust and a regional council transport connection with Dunedin to create a good transport network for our district.



# Clutha District Council

## Item for CONFIRMATION

<b>Report</b>	Documents for Consent and Seal
<b>Meeting Date</b>	18 February 2021
<b>Item Number</b>	16
<b>Prepared By</b>	Jo Jack – Executive Assistant
<b>File Reference</b>	509856

### REPORT SUMMARY

Documents for consent and seal are scheduled hereunder.

### RECOMMENDATIONS

1. That Council approves the fixing of its seal, under the hands of the Chief Executive to the documents as listed.

<b>1.</b>	<b>LEASE AGREEMENT</b>
1.1	Section of land at the Toko Mouth Beach Resort known as Section 50 between CDC and Neville and Suzanne Maunder.
1.2	Section of land at the Toko Mouth Beach Resort known as Section 51 between CDC and Neville and Suzanne Maunder.
<b>2.</b>	<b>CONTRACT AGREEMENT</b>
2.1	Contract 817 – Rural Water Schemes Pipe up grades, between CDC and Southern Trenching and excavation Ltd.
2.2	Contract 818 – Mt Cooee Landfill – Earthworks between Thomson Earthmoving and CDC.
<b>3.</b>	<b>WARRANT OF APPOINTMENT</b>
3.1	Ian Royle warrant of appointment to the position of Freedom Camping Officer Enforcement Officer.
3.2	Mary Jo Tohill warrant of appointment to the position of Freedom Camping Officer Enforcement Officer.

<b>4.</b>	<b>DEED OF ASSIGNMENT OF LICENCE</b>
4.1	Bryan Graham Darling deed of assignment of licence to Dwayne Hubac for site No 10 on Sections 10/11 Block 1 Waipori SD.
<b>5</b>	<b>RATES POSTPONEMENT CAVAET</b>
5.1	Between the CDC and Peter Bee Enterprises Limited pursuant to the Local Government Rating Act 2002.

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# Clutha District Council

## Item for DECISION

<b>Report</b>	Reasons to Move to Public Excluded Session
<b>Meeting Date</b>	18 February 2021
<b>Item Number</b>	17
<b>Prepared By</b>	Steve Hill – Chief Executive
<b>File Reference</b>	509219

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### REPORT SUMMARY

The Council may upon resolution or upon motion being made, exclude the public from the whole or any part of the proceedings of any meeting,

Grounds to exclude the public under the Local Government Official Information and Meetings Act 1987 are contained in Appendix 1 of the Clutha District Council's Standing Orders as attached.

### RECOMMENDATIONS

- 1. That if required, Council resolves to exclude the public on the grounds contained in Appendix 1 of the Clutha District Council's Standing Orders under Sections A2(b)(ii), A2(d)(i), A2 (i), A2(j) and A2(k)**

### REPORT

Items included in the public excluded section of this agenda and the reasons to consider them in public excluded session are:

#### **1 Public Excluded report on Stirling Subdivision**

Under Section A2 (b)(ii), A2(i) and A2(j) of Appendix 1 of the Clutha District Council's Standing Orders.

#### **2 Public Excluded Council Minutes**

Under Section A2 (b)(ii), A2 (d)(i), A2(i), A2(j) and A2(k) of Appendix 1 of the Clutha District Council's Standing Orders.

## Appendix 1: Grounds to exclude the public

A local authority may, by resolution, exclude the public from the whole or any part of the proceedings of any meeting only on one or more of the following grounds:

- A1** That good reason exists for excluding the public from the whole or any part of the proceedings of any meeting as the public disclosure of information would be likely:
- (a) to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial; or
  - (b) to endanger the safety of any person.
- A2** That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:
- (a) Protect the privacy of natural persons, including that of deceased natural persons; or
  - (b) Protect information where the making available of the information would:
    - i. disclose a trade secret; or
    - ii. be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; or,
  - (c) In the case only of an application for a resource consent, or water conservation order, or a requirement for a designation or heritage order, under the Resource Management Act 1991, to avoid serious offence to tikanga Māori i, or to avoid the disclosure of the location of waahi tapu; or
  - (d) 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:
    - i. be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied; or
    - ii. be likely otherwise to damage the public interest; or

- (e) Avoid prejudice to measures protecting the health or safety of members of the public; or
- (f) Avoid prejudice to measures that prevent or mitigate material loss to members of the public; or
- (g) Maintain the effective conduct of public affairs through –the protection of such members, officers, employees, and persons from improper pressure or harassment; or
- (h) Maintain legal professional privilege; or
- (i) Enable any Council holding the information to carry out, without prejudice or disadvantage, commercial activities; or
- (j) Enable any Council holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or
- (k) Prevent the disclosure or use of official information for improper gain or improper advantage.

Provided that where A2 of this Appendix applies the public may be excluded unless, in the circumstances of the particular case, the exclusion of the public is outweighed by other considerations which render it desirable, in the public interest, that the public not be excluded.

- A3** That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information, the public disclosure of which would:
- (a) Be contrary to the provisions of a specified enactment; or
  - (b) Constitute contempt of Court or of the House of Representatives.
- A4** That the purpose of the whole or the relevant part of the proceedings of the meeting is to consider a recommendation made to that Council by an Ombudsman under section 30(1) or section 38(3) of this Act (in the case of a Council named or specified in Schedule 1 to this Act).
- A5** That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Council to deliberate in private on its decision or recommendation in:
- (a) Any proceedings before a Council where
    - i. A right of appeal lies to any Court or tribunal against the final decision of the Council in those proceedings; or
    - ii. The Council is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings; and

- (b) Any proceedings of a Council in relation to any application or objection under the Marine Farming Act 1971.