

Clutha District Council

Minutes of the meeting of Clutha District Council held in the Council Chambers, 1 Rosebank Terrace, Balclutha on Thursday, 12 May 2022 commencing at 1.30pm.

Present His Worship the Mayor Bryan Cadogan (via Zoom), Councillors Stewart Cowie, Wayne Felts, Mel Foster, Bruce Graham, 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), Larissa Brown (Strategic Planning Manager), Diane Byars (Communications Coordinator) and Julie Gardner (Service Delivery Administrator)

Apologies Councillors Dane Catherwood, Gaynor Finch, Lloyd McCall

Moved Councillors Graham/Thomson and Resolved:

“That the apologies be accepted.”

Deputy Mayor Stewart Cowie welcomed everyone to the meeting and advised he would be chairing the meeting as Mayor Cadogan was attending via zoom from Australia.

DECLARATIONS OF INTEREST

There were no declarations of interest.

PUBLIC FORUM

There was no public forum.

1 OTAGO CDEM PARTNERSHIP AGREEMENT

Matt Alley – Manager/Group Controller, Emergency Management Otago was in attendance to present the partnership agreement between Otago Regional Council and the five territorial authorities of Otago for the delivery of Civil Defence and Emergency Management responsibilities within the Otago CDEM Group area.

He also shared a PowerPoint presentation outlining how the role of Emergency Management Otago fits with the member Councils and how the roles and responsibilities are defined.

Moved Councillors Payne/Ludemann and Resolved:

“That Council receives the ‘Otago CDEM Partnership Agreement’ report.

That Council endorses the proposed Otago Civil Defence and Emergency Management Partnership Agreement.

That Council notes that the proposed agreement has been endorsed by the Otago Civil Defence and Emergency Management Coordinating Executive Group.

That Council ratifies this arrangement by empowering Mayor Bryan Cadogan to sign the document on behalf of the Clutha District Council.”

2 PROPOSED VEHICLES ON BEACHES BYLAW

The Senior Policy Advisor submitted a report of available options for managing issues associated with vehicles on beaches and seeks approval to undertake public consultation on a proposed Vehicles on Beaches Bylaw.

Mike Goldsmith – Senior Policy Advisor was in attendance for this item.

There was discussion on the proposed Bylaw and how it would be implemented, and it was further explained that the Bylaw would provide for local conditions eg Tautuku which needs to be accessed by vehicles along the beach.

Moved Councillors Payne/Felts and Resolved:

“That Council receives the ‘Proposed Vehicles on Beaches Bylaw’ report.

That Council approves the attached consultation package (attachments A, B and C).

That Council delegates authority to the Chief Executive to edit the attached consultation material if required, prior to publication of the final document.

That Council approves formal consultation by way of a special consultative procedure for the proposed Vehicles on Beaches Bylaw 2023.”

3 TREE REMOVAL UPDATE – NAISH PARK & VICTORIA PARK

The Transportation Team Leader and Transportation Operations & Facilities Manager submitted a report advising Council of consultation undertaken regarding the removal of trees at Naish Park, Balclutha and Victoria Park, Kaitangata and requesting authorisation for their removal.

Henri van Zyl and James Allison were in attendance for this item.

Councillors firstly discussed the impact that the trees were having on the Balclutha Bowling Club, in particular causing shading and dampness of the Clubrooms and damage

to the greens from small twigs and stick. Removing the identified trees should rectify this problem.

Councillors acknowledged the recent presentation regarding shade around play areas but felt that there were still enough trees remaining at Victoria Park with the removal of the identified trees to provide this.

Selling of the trees was discussed with Councillors agreeing to leave it to council staff to progress this.

Moved Councillors Vollweiler/Graham and Resolved:

“That Council receives the ‘Tree Removal Update’ report.”

Moved Councillors Sutherland/Wilkinson and Resolved:

“That Council agrees to the removal of the 3 identified trees at Naish Park, Balclutha.”

Moved Councillors Graham/Thomson and Resolved:

“That Council agrees to the removal of the 6 identified trees at Victoria Park, Kaitangata.”

Moved Councillors Vollweiler/Felts and Resolved:

“That Council priority for the use of timber is to sell to recoup costs incurred in the tree removal or offered to community groups if selling is not a viable option.”

4 REVIEW OF REGULATORY BYLAW

Mel Needham (Senior Policy Advisor) submitted a summary of the review of the Regulatory Bylaw for Council’s consideration.

Mel Needham was in attendance via zoom for this item.

Councillors discussed this item in depth and requested a number of amendments be made to the consultation document, which were noted for inclusion by council staff.

Moved Councillors Vollweiler/Payne and Resolved:

“That Council receives the ‘Regulatory Bylaw Issues and Options Report’ dated April 2022 (Attachment A).

That Council approves formal consultation by way of special consultative procedure as set out in the Statement of Proposal (Attachment B) for the draft Regulatory Bylaw 2022 (Attachment C), the draft Dog Control Policy 2022 (Attachment D) and the draft Policy on Dangerous and Insanitary Buildings 2022 (Attachment E) with the amendments as noted by the Senior Policy Advisor.”

5 FINAL ROAD STOPPING – STIRLING BOWLING CLUB ROAD

The Senior Infrastructure Engineer submitted a report on the road stopping process associated with the Old Stirling Bridge Approach Road and the results of the recently completed Local Government Act 1974 Schedule 10 Road Stopping process.

Chris Bopp was in attendance for this item.

Moved Councillors Ludemann/Sutherland and Resolved:

“That Council receives the ‘Final Road Stopping – Stirling Bowling Club Road’ report.

That Council agrees to:

- ***The advertising of the successful road stopping of Section 1, SO 566901 as per Attachment 8.1;***
- ***That the matters relating to the above item be handed over to Council’s Solicitors for completion of a Sale and Purchase Agreement.”***

The meeting was adjourned at 3.02pm.

The meeting was reconvened at 3.19pm.

6 CONFIRMATION OF COUNCIL MINUTES

The minutes of the meeting of the Clutha District Council held on 30 March 2022 were submitted for confirmation.

Moved Councillors Herbert/Sutherland and Resolved:

“That the minutes of the meeting of the Clutha District Council held on 30 March 2022 be approved as a true and correct record.”

7 CONFIRMATION OF COMMITTEE OF THE WHOLE MINUTES

The minutes of the meeting of the Committee of the Whole held on 28 April 2022 were submitted for confirmation.

Moved Councillors Herbert/Graham and Resolved:

“That the minutes of the meeting of the Committee of the Whole held on 28 April 2022 be approved as a true and correct record.”

8 SERVICE DELIVERY COMMITTEE MINUTES

The minutes of the meeting of the Service Delivery Committee held on 28 April 2022 were submitted for confirmation.

Moved Councillors Graham/Felts and Resolved:

“That the minutes of the meeting of the Service Delivery Committee held on 28 April 2022 be approved as a true and correct record with the addition of Councillor Jo-anne Thomson’s apology.”

9 REGULATORY AND POLICY COMMITTEE MINUTES

The minutes of the meeting of the Regulatory and Policy Committee held on 28 April 2022 were submitted for confirmation.

Moved Councillors Vollweiler/Payne and Resolved:

“That the minutes of the meeting of the Regulatory and Policy Committee held on 28 April 2022 be approved as a true and correct record with the addition of Councillor Jo-anne Thomson’s apology.”

10 CORPORATE & PROPERTY COMMITTEE MINUTES

The minutes of the meeting of the Corporate & Property Committee held on 28 April 2022 were submitted for confirmation.

Moved Councillors Payne/Herbert and Resolved:

“That the minutes of the meeting of the Corporate & Property Committee held on 28 April 2022 be approved as a true and correct record.”

11 WEST OTAGO COMMUNITY BOARD MINUTES

The unconfirmed minutes of the meeting of the West Otago Community Board held on 13 April 2022 were submitted.

Moved Councillors Herbert/Cowie and Resolved:

“That the unconfirmed minutes of the West Otago Community Board meeting held on 13 April 2022 be noted.”

12 LAWRENCE/TUAPEKA COMMUNITY BOARD MINUTES

The unconfirmed minutes of the Lawrence/Tuapeka Community Board meeting held on 13 April 2022 were submitted.

Moved Councillors Foster/Herbert and Resolved:

“That the unconfirmed minutes of the Lawrence/Tuapeka Community Board meeting held on 13 April 2022 be noted.”

13 RISK & ASSURANCE COMMITTEE MINUTES

The unconfirmed minutes of the Risk & Assurance Committee meeting held on 28 April 2022 were submitted.

Moved Councillors Graham/Herbert and Resolved:

“That the unconfirmed minutes of the Risk & Assurance Committee meeting held on 28 April 2022 be noted.”

14 YOUTH COUNCIL MINUTES

The unconfirmed minutes of the Youth Council meeting held on 4 April 2022 were submitted.

Moved Councillors Payne/Cowie and Resolved:

“That the unconfirmed minutes of the Youth Council meeting held on 4 April 2022 be noted.”

15 MAYORAL REPORT

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

Moved Councillors Herbert/Thomson and Resolved:

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

16 CHIEF EXECUTIVE’S REPORT

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

Moved Councillors Felts/Sutherland and Resolved:

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

17 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 Foster/Thomson and Resolved:

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

1	DEED OF ASSIGNMENT OF LEASE
1.1	The section of land at the Toko Mouth Beach Resort known as Section 40 (also known as 63 Toko Mouth Domain Road) from John Harry Lean to John Gordon Cooke, Wendy Margaret Cooke and Guest Carter Trustees Limited as trustees of the W M and J G Cooke family Trust.
1.2	75 Domain Road, Toko Mouth from Riveridge Investments Limited to Melanie Rose Norman and Sam Francis Johnson.
1.3	The section of land at the Toko Mouth Beach Resort known as Section 2 from Darren Henry Murray to John Francis Titterton and Ainslie Titterton
2	DEED OF LEASE
2.1	Parcel of land situated at Crown Street, Balclutha containing 241 square metres between Clutha District Council and AA Coutts and GTM Schouten
3	CONTRACT AGREEMENT
3.1	Contract 826 – Renewal of CDC Bridges 225 and 472 between Concrete Structures Ltd and Clutha District Council.
3.2	Contract 827 – Bridge Repairs 2021/22 between Andrew Haulage (2011) Ltd and Clutha District Council.
3.3	Contract 832 – Road Marking 2022-2027 between Fulton Hogan Dunedin and Clutha District Council.
4	WARRANT OF APPOINTMENT
4.1	Olivia Geddes warrant of appointment to the position of Litter Control Officer (Litter Act 1979), Enforcement Officer (Resource Management Act 1991, Freedom Camping Act 2011, Local Government Act 2002, Council Bylaws) and a Authorised Person/Officer (Local Government Act 2002, Council Bylaws)
4.2	Michaela Abby Groenewegen warrant of appointment to the position of Litter Control Officer (Litter Act 1979), Enforcement Officer (Resource Management Act 1991, Freedom Camping Act 2011, Local Government Act 2002, Council Bylaws) and a Authorised Person/Officer (Local Government Act 2002, Council Bylaws)
4.3	Fiona Joy Boss warrant of appointment to the position of an Authorised officer, Enforcement Officer, Litter Control Officer, Environmental Heal Officer, Authorised Persons, a Food Verifier and a Licensing Inspector.

18 REASONS TO MOVE TO PUBLIC EXCLUDED SESSION

Moved Councillors Payne/Sutherland 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 (c)(i), A2 (i) and A2 (j).”

The meeting moved into public excluded session at 4.01pm.

The meeting moved out of public excluded session and closed at 4.38pm.

Read and Confirmed

**Stewart Cowie
DEPUTY MAYOR**