

**MEETING OF THE**

**Clutha District Council**

**Thursday 15 September 2022**

**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 in the Council Chambers, 1 Rosebank Terrace Balclutha on Thursday 15 September 2022, 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 Lloyd McCall  
Councillor Alison Ludemann  
Councillor Ken Payne  
Councillor Carol Sutherland  
Councillor Jo-anne Thomson  
Councillor Bruce Vollweiler  
Councillor Selwyn Wilkinson

# CLUTHA DISTRICT COUNCIL

## Thursday 15 September 2022

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### APOLOGIES

None at the time of printing this agenda

### DECLARATIONS OF INTEREST

None at the time of printing this agenda

### PUBLIC FORUM

Correspondence from Dave Shaw

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1	7	<b>Vehicles on Beaches Recommendations</b> <i>(For Council's Decision)</i> Report seeking Council's decision on the Vehicles on Beaches Bylaw
2	45	<b>Our Place West Otago Community Plan</b> <i>(For Council's Decision)</i> Report seeking Council's decision on the West Otago Community Plan
3	71	<b>West Otago Community Board Recommendation</b> <i>(For Council's Decision)</i> Report seeking Council's decision on the West Otago's Community Board Recommendation in regard to the West Otago Community Plan
4	72	<b>Kaitangata-Matau Reserve Management Plan</b> <i>(For Council's Decision)</i> Report seeking Council's decision on the Kaitangata-Matau Reserve Management Plan
5	129	<b>Water Treatment Upgrades Budget Request</b> <i>(For Council's Decision)</i> Report seeking Council's decision on a budget request for the Water Treatment Plant Compliance Upgrades.
6	132	<b>Notification of Weight and Speed Restrictions on Bridges</b> <i>(For Council's Decision)</i> Report seeking Council's decision on the weight and speed limits recommended to be imposed on bridges within the Clutha District.

7	136	<b>Road Stopping – Town Hall Street, Balclutha</b> <i>(For Council's Decision)</i> Report seeking Council's decision on the proposed road stopping of Town Hall Street, Balclutha.
8	139	<b>Road Stopping – Unformed Roads Danone area</b> <i>(For Council's Decision)</i> Report seeking Council's decision on unformed legal roads in the Clutha Valley (Danone) area
9	149	<b>Toshvale Roof Replacement</b> <i>(For Council's Decision)</i> Report seeking Council's decision on the roof renewal at Toshvale Council Housing units
10	152	<b>Regulatory and Policy Committee Recommendations</b> <i>(For Council's Decision)</i> Report seeking Council's decision on a Regulatory Services Committee recommendation from their meeting held 1 September 2022
11	153	<b>Risk and Assurance Committee Recommendations</b> <i>(For Council's Decision)</i> Report seeking Council's decision on a Risk and Assurance Committee recommendation from their meeting held 1 September 2022
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15	178	<b>Committee of the Whole Minutes</b> <i>(For Council's Confirmation)</i> Minutes of the Council Meetings held on the 1 September 2022

16	180	<b>Service Delivery Committee Minutes</b> <i>(For Council's Confirmation)</i> Minutes of the Service Delivery Committee meeting held 1 September 2022
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19	194	<b>West Otago Community Board Minutes</b> <i>(For Council's Information)</i> Unconfirmed minutes of the West Otago Community Board meeting held 17 August 2022
20	201	<b>Lawrence Tuapeka Community Board Minutes</b> <i>(For Council's Information)</i> Unconfirmed minutes of the Lawrence Community Board meeting held 17 August 2022.
21	206	<b>Risk and Assurance Committee Minutes</b> <i>(For Council's Confirmation)</i> Unconfirmed minutes of the Risk and Assurance Committee meeting held 1 September 2022
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**From:** dave shaw <[daveshaw018@gmail.com](mailto:daveshaw018@gmail.com)>  
**Sent:** Friday, 17 June 2022 9:40 am  
**To:** Steve Hill <[Steve.Hill@Cluthadc.govt.nz](mailto:Steve.Hill@Cluthadc.govt.nz)>; [daveshaw@gmail.com](mailto:daveshaw@gmail.com)  
**Subject:** Water scheme- Balmoral1 Tank-t34

**Caution: This message originated from outside CDC.**

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Steve Hill CEO-CDC, I am writing to inform you of my extreme disappointment of the way the upgrade of Balmoral 1 water scheme has been managed. My water supply was interrupted on January 29 (tank indicator down). I was not informed of this upgrade or any interruption to supply which was not resumed until the 1st of April, 2 months of lack of supply during the hottest and driest time of the year. I found out that advice was given not to do this upgrade on a water scheme (approximately 95% stock water usage) at this time of year but good advice was not heeded. During these two months I fully consulted water services, City Care employees, The farmer representative on the committee- [REDACTED] CDC.

[REDACTED] told me of a leak in the line causing problems however a City Care worker told me he had tested the line for leaks and had found none but pressure was down [REDACTED] had a pressure gauge put at my tanks inflow and stated to me that it was 'good' but less than 2 hours later there was no water going into my tanks at all. This happened twice. When phoned [REDACTED] did not even reply to me as asked. Unnecessary excuses and a lack of transparency from all levels to the 'customer'.

My stock- ewes, lambs, cattle, hinds and stags all suffered from water deprivation and some stags and hinds died (6 stags, 7 hinds) at which time I contacted MPI.

I have paid my 4th installment of rates less the cost of 2 tanker loads of water (paid for by myself) when I was told by [REDACTED] water delivered would no longer be paid for by council 'as they could no longer afford it'. I also checked with [REDACTED] and informed him I had lost stock. This was while my water tanks remained empty and no supply continued nor was I informed of any change to the situation. Given this is not accepted as payment in full of my water service or lack of then I will pursue this further. I run a business too and also cannot afford to pay for anything twice.

I would appreciate that this letter be read at a full council meeting and answers provided.

With thanks Dave Shaw. Valuation ref; 28606 097 00

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# Clutha District Council

## Item for DECISION

<b>Report</b>	Vehicles on Beaches Recommendations
<b>Meeting Date</b>	15 September 2022
<b>Item Number</b>	1
<b>Prepared By</b>	Mike Goldsmith, Senior Policy Advisor (Contract)
<b>File Reference</b>	749474

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### REPORT SUMMARY

This report provides an overview of a special consultative procedure for a proposed Vehicles on Beaches Bylaw. The report identifies five options which Council could choose from when deciding how to manage the negative impacts of vehicles on beaches in the Clutha District. Once Council has decided on an overall approach, some consequential changes to specific bylaw clauses are recommended.

The options and recommended changes are based on a review of submissions received and other investigations.

### RECOMMENDATIONS

1. That Council receives the 'Vehicles on Beaches Recommendations' Report.
2. That Council does not adopt a Vehicles on Beaches Bylaw, OR
3. That Council adopts the bylaw included as Attachment 2, or as amended, with:
  - a. a set of district-wide rules, and
  - b. a framework for adding safe zone beaches if required, OR
4. That Council adopts the bylaw included as Attachment 2, or as amended, with:
  - a. a set of district-wide rules, and
  - b. selected safe zone beaches where vehicle access is restricted, including:
    - i. Taieri Beach
    - ii. Kaka Point to Karoro Creek
    - iii. Karoro Creek to Nugget Point
    - iv. Cannibal Bay
    - v. Papatowai Beach, and
  - c. exemptions on safe zone beaches for emergency situations, emergency services, boat launching/ retrieval, and access to property, and

- d. a framework for adding, deleting or amending safe zone beaches if required, OR
5. That Council adopts the bylaw included as Attachment 2, or as amended, with:
    - a. a set of district-wide rules, and
    - b. safe zone beaches where vehicle access is restricted, including those originally proposed and those requested during consultation:
      - i. Taieri Mouth (north bank)
      - ii. Taieri Beach
      - iii. Chrystalls Beach
      - iv. Measly Beach
      - v. Molyneux Bay
      - vi. Kaka Point to Karoro Creek
      - vii. Karoro Creek to Nugget Point
      - viii. Cannibal Bay
      - ix. Surat Bay
      - x. Cabbage Point to Catlins Heads
      - xi. Jacks Bay
      - xii. Purakaunui Bay
      - xiii. Tahakopa Beach
      - xiv. Papatowai Beach
      - xv. Tautuku Beach, and
    - c. exemptions for an appropriate list of specified activities and purposes, and
    - d. a framework for adding, deleting or amending safe zone beaches if required, OR
  6. That Council adopts a bylaw which prohibits vehicles on all beaches in the Clutha District and confirms an appropriate list of exemptions for specified activities and purposes.
  7. That Council approve the setting of speed limits on beaches to be in accordance with the requirements of *Land Transport Rule Setting of Speed Limits 2022*.
  8. That Council Officers determine safe and appropriate speed limits for beaches through the application of the *Land Transport Rule Setting of Speed Limits 2022* and the *Speed Management Guide, Road to Zero Edition*.

## REPORT

### 1 Background

On 12 May 2022 Clutha District Council unanimously decided to consult the public on a proposal to create a new Vehicles on Beaches Bylaw. Other options considered were to retain the status quo (no bylaw), or to use non-regulatory methods such as signage or education. Perceived benefits associated with a bylaw were that it would allow Council to regulate vehicle access to beaches, considering local conditions and the requirements of local communities.



The recommended approach (to create a bylaw) was in response to a range of issues previously identified by Council staff and the public, including:

- Negative impacts on ecosystems
- Safety concerns and nuisance for other beach users.

The objective of the proposed bylaw was to “ensure public health and safety, protect the public from nuisance, and protect vulnerable wildlife and ecosystems, by regulating the use of vehicles on beaches in the Clutha District.”

The proposed bylaw adopted for consultation included:

- A speed limit of 30km/hr,
- A requirement to avoid dunes except for access, and to drive in a courteous, appropriate, safe, and responsible manner
- Eight safe zone beaches where vehicles were prohibited, except for emergency services, boat launching/retrieval and access to property.

Council held a Special Consultative Procedure for the proposed Vehicles on Beaches Bylaw between 19 May and 20 June 2022.

Written and verbal submissions on the proposed bylaw were received by the Regulatory and Policy Committee on 20 July. A [Feedback Report](#) providing analysis of the submissions was received by Council on 4 August, and a public Council [workshop](#) to discuss potential bylaw options was held on 25 August 2022.

## 2 Strategic goals and outcomes

Relevant strategic direction already adopted by Council includes the following:

- The *Living & Working in Clutha Strategy* includes ‘Improved Environmental Footprint’ and ‘Healthy Safe Communities’ as key priority areas. The strategy notes the importance of protecting and enhancing habitats of local significance.
- The *Our Place Catlins Community Plan* states that restrictions on vehicle access should be considered, and that greater protection of natural resources is important to the Catlins community.
- The Vision of the *Clutha Destination Strategy* is that ‘our visitors are respectful of our destinations, communities, and environment’.

## 3 Assessment of bylaw options

This section assesses five different approaches Council could take when deciding how to manage the negative impacts of vehicles on beaches in the Clutha District. These approaches are illustrated below as a continuum, from Option 1 to Option 5.



Figure 1. Five potential approaches to managing vehicles on beaches

A revised bylaw is included as Attachment 2. This incorporates the changes recommended in section 4 of this Agenda Item. The attached bylaw could be adapted to meet the requirements of options 2, 3 or 4, although a decision would be required on the number of safe zone beaches to include in Schedule 1 if options 3 or 4 are adopted.<sup>1</sup>

### 3.1 Option 1: Do not adopt a bylaw

Of the 789 submissions received, there were 140 (18%) which indicated a clear preference to not develop any form of bylaw. Given the feedback provided through the consultation process, Council could decide that a bylaw is not required to address the perceived problem (i.e., retain the status quo).

This option was included as part of the package of information<sup>2</sup> presented to Councillors on 12 May 2022. This approach was not preferred at that time, as it was not considered adequate to manage or reduce the number of incidents involving vehicles on beaches.

Under this approach, clause 56.1 of the Regulatory Bylaw 2022 would remain as a relevant Council bylaw requirement. This clause requires people to not drive in a manner which is dangerous or inconsiderate to pedestrians or other vehicles in a public place. It does not specifically list beaches as public places or require people to consider wildlife or the environment when driving on the beach.

This approach would mean that vehicles would continue to have unrestricted access to the Clutha District shoreline (including beaches). Council's compliance staff could continue to monitor incidents and take an educational approach towards driver behaviour that is negatively impacting ecosystems or is causing safety concerns for other beach users. Council could erect signs at beach access points, reminding drivers of existing requirements. An example is shown in Figure 2.

<sup>1</sup> A bylaw which would meet the requirements of option 5 would need to be developed and bought back to Council for adoption if this approach was preferred.

<sup>2</sup> This package included an *Issues and Options Report*, a *Statement of Proposal*, and proposed bylaw provisions.



Figure 2. Sign at Foxton Beach in the Horowhenua District

Issues associated with vehicles on beaches and recent incidents are described in previous reports. There is no legislative requirement for Councils to manage these types of incidents through a bylaw. However, 12 other local authorities have developed similar bylaw provisions, where a need to protect ecosystems or public safety has been identified.

If Council was to retain the status quo, but take a more proactive approach (e.g. erect signs, education) then serious incidents involving vehicles on beaches may occur less frequently. However, vehicles would continue to have unrestricted access to beaches and some of the key values<sup>3</sup> identified through the consultation process may still be diminished.

### 3.2 Option 2: Adopt a bylaw with a set of district-wide rules

Council could adopt a bylaw which specified a set of rules which would apply to all beaches in the district. Compared to Option 1, this approach would increase awareness through a dedicated ‘Vehicles on Beaches’ bylaw. It would allow for additional, coastal bylaw provisions to be included e.g., not driving in a manner which has an adverse effect on plants, native animals or their habitats.

There were several submissions which support such an approach. A common theme expressed was that Council should not restrict responsible users, just the ‘idiots’ (noted in 117 submissions, 15% of the total). Option 2 would allow responsible users to access all beaches, but also outline clear expectations for driver behaviour, what constitutes an offence and associated penalties.

Another common theme was that ‘a bylaw won’t stop the idiots’. It is more likely that a district-wide set of rules in a bylaw would help to reduce the number of incidents, although some people may choose to ignore it. This approach doesn’t provide the flexibility to consider local conditions and the requirements of local communities - the same rules would apply everywhere. Prohibiting vehicles in more vulnerable areas would

<sup>3</sup> In particular: “wildlife/the natural environment should be protected” (noted in 230 submissions), and “it is important to avoid nuisance value/ensure safety of people” (noted 175 times).

provide an additional level of protection which may reduce (but probably not eliminate) poor driver behaviour, where this is most needed.

This approach could therefore include a framework through which safe zone beaches could be added in the future. This could be included in the bylaw as an Advisory Note, as shown in Attachment 2.

### 3.3 Option 3: Adopt a bylaw which restricts vehicles on selected beaches

This option is to continue with the approach proposed in May 2022, with the following amendments:

1. A smaller number of safe zone beaches would be included and only where:
  - a. There is general support from the local community,
  - b. This would help to protect the values associated with that beach, and
  - c. This would help to mitigate the threats to that beach, as identified by local residents.<sup>4</sup>
2. As for Option 2, a framework through which safe zone beaches can be added, amended or removed.
3. Removal of the speed limit restriction (see section 4.4).

Reasons why Council may consider this approach include:

1. A dedicated bylaw would be created, emphasising that district-wide rules, along with some site-specific restrictions are required to manage the negative impacts of vehicles on beaches in Clutha.
2. It provides for additional restrictions on vehicles in areas where poor behaviour has been observed, or where vehicles are generally not appropriate, given local conditions and usage.
3. It provides a balance between:
  - a. Legislative and policy requirements, including the NZCPS and the Regional Plan: Coast,
  - b. Community expectations that Council will more closely manage the negative impacts of vehicles on beaches, and
  - c. Community expectations that responsible beach users will, in general, still be able to access the beach for recreational activities.
4. This approach would be less restrictive than that taken by Dunedin<sup>5</sup> and Invercargill,<sup>6</sup> but more restrictive than the approach in the Southland District.
5. It would provide a framework within which local communities can refine their preferred management approach, through future bylaw changes.

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<sup>4</sup> Further information relating to potential safe zone beaches is provided in Attachment 1.

<sup>5</sup> *Dunedin City Reserves and Beaches Bylaw 2017*: You cannot take vehicles onto a beach, except to launch/retrieve a boat, for emergency services, in areas set aside for vehicular traffic, or where a permit has been approved by Council.

<sup>6</sup> *Invercargill Roading & Traffic Bylaw 2021*: Except with prior written permission, vehicles are prohibited on beaches. The exception is Oreti Beach, where conditions apply – you must drive safely, and at less than 30km per hour.

6. It would help to mitigate the two most common threats identified by submitters: that vehicles can endanger wildlife on beaches (noted 571 times), and the loss of habitat for wildlife (noted 516 times).

It is noted that the Director General of the Department of Conservation submitted in support of the draft bylaw (including the eight safe zone beaches as originally proposed). There was also a level of support from Māori for a bylaw which included safe zone beaches. There were submissions from mana whenua in favour of creating safe zones at Taieri Beach and from Karoro Creek to Nugget Point.

Key reasons against a bylaw which included safe zone beaches include:

1. Responsible beach users will no longer be able to access safe zone beaches unless they meet one of the exemption criteria. Reducing the number of safe zone beaches and introducing a permit system would mitigate this to some extent.
2. Most (approximately 60%) of survey respondents said they were not in favour of creating safe zones.<sup>7</sup>

Attachment 3 provides a series of maps showing potential safe zone areas.

### **3.4 Option 4: Adopt a bylaw which restricts vehicles on beaches, as originally proposed**

This option is to continue with the same approach as originally proposed in May 2022, with the following amendments:

1. Additional safe zone beaches could be included, where there is general support for this, particularly from the local community.
2. A framework through which safe zone beaches can be added, amended, or removed.
3. Removal of the speed limit restriction (see section 4.4).

Reasons for and against this approach are similar to those listed under Option 3. The key difference is that responsible beach users (e.g., using a vehicle for fishing, diving or picnics) would be excluded from more beaches, with most of these being in The Catlins.

### **3.5 Option 5: Adopt a bylaw which restricts vehicles on all beaches**

A bylaw which restricted vehicles from all beaches was not previously considered as an option by Council, but 39 respondents (5% of the total) indicated a clear preference for this approach. Reasons why Council may consider this approach include:

1. The same rules would apply everywhere.
2. It could be used to provide a greater level of protection for all beaches in the Clutha District.
3. More consistent with the approach taken by Dunedin and Invercargill city councils.

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<sup>7</sup> The exception was residents of Papatowai, who, by a slim majority, were in favour of creating safe zones at Tahakopa and Tautuku beaches.

Key reasons against such a bylaw include:

1. Could significantly limit people's ability to undertake recreational activities using a vehicle (depending on the type of exemptions included in the bylaw – see below).
2. May require a high level of compliance monitoring/enforcement.
3. Limited support for this type of approach.
4. Quite different to the approach taken by the Southland District Council.

If Council chose this option, then a decision would also be required on what exemptions should be provided for, noting that:

- A wider range of exemptions would allow vehicles to access any beach for more activities, while bylaw rules would still outline clear expectations for driver behaviour, what constitutes an offence, and associated penalties.
- A narrow range of exemptions within the bylaw could effectively ban vehicles from using the beach for recreational purposes.

Exemptions are discussed further in section 4.6.

## **4 Assessment of other bylaw provisions**

### **4.1 Recommended Changes**

Please note that recommended changes below are all included and identified within the revised bylaw (Attachment 2). Any changes to the recommendations will require consequential amendment to the relevant bylaw sections.

### **4.2 Definition of 'Vehicle'**

#### **Discussion:**

Submissions were received requesting a clear definition of a vehicle to be included in the bylaw, rather than referencing the definition in the Land Transport Act 1988.

Submissions requested that various means of transport not be included in the definition of a vehicle. The proposed change would mean that the items listed in a) to f) below would be exempt from:

1. Rules relating to vehicles on beaches in section 5 of the bylaw,
2. Restrictions on accessing certain areas, as specified in section 6 of the bylaw.

If Council agrees that the items listed in a) to f) below are unlikely to cause issues when used on any beach in the Clutha District, then the definition of vehicle could be changed as proposed, or with items added/deleted.

#### **Current definition:**

“Vehicle has the same meaning as in section 2(1) of the Act, and includes a contrivance equipped with wheels, tracks, or revolving runners on which it moves or is moved.”

**Recommended definition:**

“Any means of transport whatsoever which is equipped with wheels or revolving runners or tracks regardless of its means of motive power, and is not limited to cars, trucks, and motorbikes, but does not include:

- a) Bicycles
- b) Wind powered vehicles
- c) Prams
- d) Wheelbarrows
- e) Wheelchairs
- f) Mobility scooters used by persons with a physical or neurological condition.”

**4.3 Impact of vehicles on wildlife****Discussion:**

Submissions requested changes to the bylaw, to emphasise the need to minimise adverse effects on plants, animals, and their habitats.

**Recommended changes:**

- Rephrase clause 5.1 as follows:  
“Any person operating any vehicle, on any part of the beach must show due consideration for other users of the beach and vulnerable wildlife.”
- Add the following Advisory Note to section 5:  
“The Marine Mammals Protection Regulations 1992 also apply to all vehicles on beaches.”

**4.4 Speed****Discussion:**

Currently the open road speed limit (100km/hr) applies on all beaches, as no other speed limit is specified in Council’s Register of Speed limits. Waka Kotahi have indicated that speed limits should not be specified in bylaws, but rather through a national database. If a Vehicles on Beaches Bylaw is adopted, Council could instruct staff to include appropriate speed limits in Council’s Register of Speed Limits and that these are in turn updated into the National Speed Limit Register. Council will need to justify why these speed limits are appropriate and more work may be required to determine this. Council could decide to specify different speed limits on different beaches.

**Recommendations:**

- Remove clause 5.6.
- Add the following Advisory Note to section 5:  
“Speed limits on beaches in the Clutha District will be determined and included in Council’s Speed Management Plan, which will be subject to a further public consultation process.”
- That Council approve the setting of speed limits on beaches to be in accordance with the requirements of *Land Transport Rule Setting of Speed Limits 2022*.

- That Council Officers determine safe and appropriate speed limits for beaches through the application of the *Land Transport Rule Setting of Speed Limits 2022* and the *Speed Management Guide, Road to Zero Edition*.

#### 4.5 Driving on the dunes/above MHWS

##### Discussion:

Submissions requested that where driving is permitted, it should be below the high-water mark, as the area above MHWS can be an important breeding area for birds and resting sea lions. It was also noted by several submitters that it is safer to drive below the high tide mark. The clause proposed below would effectively prohibit vehicles on beaches at certain times (when the tide is at its highest).

##### Recommended change:

Insert the following clause as 6.1.2 (and renumber subsequent clauses):

“No vehicle should be driven along a beach above the high-water mark except in the case of an emergency.”

#### 4.6 Exemptions

The draft bylaw included the following exemptions, where vehicles are able to drive onto safe zone beaches:

1. In the case of an emergency.
2. For emergency vehicles, central government vehicles and Council vehicles.
3. With written permission of Council.
4. To launch or retrieve a boat.
5. Where a property can only be accessed via the beach.

If Council chooses to adopt a bylaw which includes safe zones, then these same exemptions could be included, or other exemptions (as requested through submissions) could be added. These include:

- |                                      |   |
|--------------------------------------|---|
| 1. Collecting seaweed                | 6. Historical use rights                                    |
| 2. Collecting rubbish                | 7. Fishing  |
| 3. Surfing                           | 8. Diving   |
| 4. For tour operators                | 9. Where authorised by DOC                                  |
| 5. Disabled access / medical reasons | 10. Tangata whenua cultural reasons (e.g., whale stranding) |

Potential changes to section 7 (Exemptions) of the bylaw are discussed in sections 4.6.1 to 4.6.3.

##### 4.6.1 Permits

##### Discussion:

An exemption provided through clause 7.1.3 of the draft bylaw is that:



“Vehicles may access any beach located within a Safe Zone ... with written permission of Council.”

Submitters requested more clarity on when permits would be required to access safe zone beaches, and the changes proposed listed below are intended to address this issue. It is suggested that permits should not be used to regulate activities which would generally be allowed to occur on safe zone beaches - these are better off included in a list of exempt activities (see section 4.6.3 below).

**Proposed changes:**

- Delete clause 7.1.3.
- Add the following as clause 7.2:  
 “The Chief Executive Officer may issue an exemption from clause 6 of this Bylaw to any person who shall be subject to any conditions as deemed necessary or advisable. In granting any permission under this Bylaw, the Chief Executive Officer may impose such conditions as is deemed necessary or advisable on matters including, but not limited to the activities permitted, times, locations, erection of warnings or any other matter whatsoever.”

#### **4.6.2 Boat launching/retrieval**

**Discussion:**

The exemption provided in clause 7.1.4 of the draft bylaw is:

“To launch or retrieve a boat, provided the vehicle follows the most direct route from the beach access point to the water, and that the vehicle is removed from the beach immediately upon retrieval or launching of the boat.”

Submitters noted that it is often not practical or safe to:

1. require vehicles to follow the most direct route from the access point to the water, because suitable launching sites are frequently located some distance from the beach access point, or
2. require a vehicle to be removed from the beach immediately upon retrieval or launching of the boat.

Submitters stated that vehicles and trailers parked on a beach do not create a threat or inconvenience for the public or for wildlife.

**Proposed bylaw clause 7.1.4:**

“Vehicles may access any beach located within a Safe Zone ... To launch or retrieve a boat, provided the vehicle follows the most direct route from the beach access point to a safe launching site.”

#### **4.6.3 Other exemptions**

The original intent of safe zone beaches was that, as far as possible, and for valid reasons, vehicles would be prohibited. Exemptions were included to allow vehicle access in limited, but reasonable circumstances. If more exemptions are added, this would reduce the level of protection afforded to safe zone beaches but allow more responsible beach users to undertake recreational activities in these areas using their vehicles.

The following table shows how the list of exemptions could be adjusted, depending on the overall approach taken. It also notes that some modes of transport would already be exempt if the definition of vehicle is amended as per section 4.1 above.

Selected safe zones (Option 3)	Safe zones as proposed (Option 4)	Restrict vehicles on all beaches (Option 5)
<p><b>Description:</b> A high level of protection for areas which are particularly vulnerable or sensitive, by prohibiting most vehicles. Exemptions may be limited to those originally proposed.</p>	<p><b>Description:</b> A moderate level of protection for more safe zone beaches. Vehicles generally prohibited, but some activities with a low impact are allowed (e.g., seaweed collection).</p>	<p><b>Description:</b> Most recreational activities involving vehicles provided for, through a long list of exemptions (e.g., fishing, diving, surfing).</p>
<p>If the definition of vehicle was amended, some modes of transport would be exempt and could access all beaches, regardless of option chosen (includes bicycles, wheelbarrows and mobility scooters).</p>		

**Recommended action:**

That Council adopt an appropriate set of exemptions, depending on which overall approach is preferred, and how ‘vehicle’ is defined in the bylaw.

#### 4.7 Enforcement

**Discussion:**

A common theme identified through consultation was the need to enforce a bylaw, and likely challenges associated with enforcement. Some respondents stated that there was no point having a bylaw, as Council do not have the ability to enforce it. It is noted that Council’s Freedom Camping Ranger currently undertakes work responding to incidents and educating beach users on appropriate behaviour, particularly around wildlife. His ability to remove people from the beach is currently limited by a lack of clear direction on what constitutes appropriate behaviour, and a lack of restrictions on vehicles in sensitive areas.

If Council adopts a bylaw, an enforcement officer<sup>8</sup> may request a person to stop any behaviour that is in breach of the bylaw – e.g., behaviour which may endanger the public, animals or birds. Any refusal to comply with the request would be an offence against the bylaw, and the enforcement officer can require the person to leave the beach immediately.

The experience of the Dunedin City Council has been that, over time, compliance with their bylaw has improved, due to ongoing compliance work, and a range of non-regulatory measures such as signs and education.

Submitters also noted it would be easier to enforce any restrictions in safe zone areas if the extent of these were mapped more accurately.

**Recommended changes:**

- If a bylaw including safe zones is adopted, outline and shade the extent of any areas in Schedule 1.
- Add the following Advisory Note to section 9:  
“This Bylaw is one tool Council will use to manage vehicles on beaches. Other tools to be used in conjunction with the Bylaw include education, signage, monitoring

<sup>8</sup> Under section 113 of the Land Transport Act 1998, an enforcement officer may enforce a bylaw made under that act. An enforcement officer be a Police constable, or a Council officer who has been appointed by warrant.

and reporting and collaboration with other agencies and groups such as iwi, DOC, conservation groups, the NZ Police and community groups.”

## 5 Consultation

Consultation on the draft bylaw is described in the [Feedback Report](#), dated 4 August 2022.

## 6 Policy Considerations

N/A

## 7 Legal Considerations

Under the Local Government Act 2002 Council can make bylaws for the following purposes:

- (a) Protecting the public from nuisance*
- (b) Protecting, promoting, and maintaining public health and safety*
- (c) Minimising the potential for offensive behaviour in public places.*

The [Statement of Proposal](#) for the draft Vehicles on Beaches Bylaw states that a bylaw would help to achieve these three functions, and address observed issues associated with vehicles on beaches in the Clutha District, as described in the [Issues and Option Report](#).<sup>9</sup>

Policies included in the New Zealand Coastal Policy Statement (NZCPS) are listed below to help inform Council’s decision. A broader assessment of relevant policy and legislation is provided in the Issues and Options Report.

Council also requested a legal opinion relating to the proposed Vehicles on Beaches Bylaw, and this is discussed in the [Agenda Item](#) which accompanies the Vehicles on Beaches Bylaw Feedback Report.

### ***New Zealand Coastal Policy Statement***

The NZCPS provides guidance for Councils attempting to manage issues and to protect the recreational values of the coastal environment.<sup>10</sup> Policy 20 is paraphrased below:

*Policy 20: Control use of vehicles, apart from emergency vehicles, on beaches where:*

- (a) damage to dunes ...; or*
- (b) harm to ecological systems or to indigenous flora and fauna; or*
- (c) danger to other beach users; or*
- (d) disturbance of the peaceful enjoyment of the beach environment; or*
- (e) damage to historic heritage; or*
- (f) damage to the habitats of fisheries resources; or*
- (g) damage to sites of significance to tangata whenua;*

*might result.*

## 8 Financial Impact

Council may choose to provide resources to address the issues associated with vehicles on beaches, regardless of whether or not it adopts a bylaw. Potential activities which may

<sup>9</sup> Both reports prepared for Council in March 2022.

<sup>10</sup> The NZCPS is a national policy statement under the Resource Management Act 1991.

have a financial impact are described in section 8.1.1 below. A budget for these activities has not been quantified, and the budget implications of any decision taken would need to be included within the 2023/24 Annual Plan process.

Table 1 shows where Council could choose to undertake certain activities, for each of the five options described in section 3 above.

*Table 1. Potential activities which may have a financial impact, for each of the five options described above. A tick indicates that this activity could be undertaken, if Council chose this option.*

Potential Council activity	Option 1: No bylaw	Option 2: District-wide rules	Option 3: Selected safe zones	Option 4: Safe zones as proposed	Option 5: Prohibit vehicles on all beaches
Education	✓	✓	✓	✓	✓
Monitor/respond to incidents	✓	✓	✓	✓	✓
Compliance & enforcement		✓	✓	✓	✓
Signs, information, brochures	✓	✓	✓	✓	✓
Add/amend safe zones in future		✓	✓	✓	

### 8.1.1 Potential activities which may have a financial impact

#### *Education:*

Council's Freedom Camping Ranger already works to educate beach users about appropriate behaviour. If Council adopts a bylaw this work would continue and be strengthened by beach-specific bylaw rules, without any significant additional cost.

Other educational work which could be undertaken (regardless of the approach adopted) includes visiting Telford and/or local high schools. This work may be able to be undertaken within existing budgets.

#### *Monitor/respond to incidents, and compliance work:*

Council's Freedom Camping Ranger already responds to incidents involving vehicles on beaches. The number of incidents is not anticipated to change significantly if a bylaw is adopted, so additional costs associated with this activity would be minimal. In the unlikely event Council chose to pursue a prosecution, additional costs would be incurred, although these may be offset in part by fines or costs orders.

#### *Signage and information:*

Council could choose to install signs, or prepare information brochures, regardless of the approach adopted. There may be an ongoing cost to repair or replace signs in some areas.

#### *Add/amend safe zones:*

There would be an additional cost to review a bylaw, if a decision was made to consider additional safe zones, or to amend/delete existing safe zones.

## 9 References – Tabled/Agenda Attachments

### Attachment 1: Further Information relating to potential safe zone beaches.

The beaches listed in Table 2 below include those which are considered more suitable for inclusion in a bylaw if Option 3 is adopted.

*Table 2. Beaches to be considered for inclusion as safe zones if Option 3 is adopted*

Beach	Issues	Support for/against creating a safe zone
Taiari Beach	<ul style="list-style-type: none"> <li>• Several vehicle access points, some via private property or DOC reserve.</li> <li>• Tension noted between recreational vehicle users and passive beach users.</li> <li>• Dunedin residents travel to Taiari Mouth to use their vehicles on the beach.</li> <li>• Local iwi support a safe zone, provided access to Taiari Island for environmental restoration work remains.</li> <li>• Noise, and damage to vegetation and wildlife due to vehicles noted.</li> <li>• Local residents use vehicles to access the beach for multiple purposes, and believe this does not endanger other beach users, wildlife, or the coastal environment.</li> </ul>	<ul style="list-style-type: none"> <li>• 31% of all survey respondents in favour.</li> <li>• 52% of all survey respondents not in favour</li> <li>• 40% of Taiari Mouth respondents in favour.</li> <li>• 60% of Taiari Mouth respondents not in favour.</li> </ul>
Kaka Point to Karoro Creek	<ul style="list-style-type: none"> <li>• One of the most popular beaches in the district for swimming and walking, and a popular surf beach.</li> <li>• Tension noted between recreational vehicle users (including motorbikes) and passive beach users (e.g., walking, playing).</li> <li>• Provides habitat for wildlife, including sea lions.</li> <li>• Boat launching at Willsher Bay (just outside the proposed safe zone).</li> <li>• Can access the beach from Esplanade Road, with some designated car park areas.</li> </ul>	<ul style="list-style-type: none"> <li>• 33% of all survey respondents in favour.</li> <li>• 54% of all survey respondents not in favour.</li> <li>• 42% of Kaka Point respondents in favour.</li> <li>• 58% of Kaka Point respondents not in favour.</li> </ul>
Karoro Creek to Nugget Point	<ul style="list-style-type: none"> <li>• Mataitai area already established.</li> <li>• Can access the beach from Nuggets Road, but limited car park areas.</li> <li>• DOC/local iwi submissions to create a safe zone.</li> </ul>	<ul style="list-style-type: none"> <li>• Not included in the original survey.</li> <li>• 6 submissions request this area be included as a safe zone.</li> </ul>
Cannibal Bay	<ul style="list-style-type: none"> <li>• Under normal conditions, it is easy to access the beach using a 4WD or 2WD vehicle.</li> <li>• Incidents involving vehicles occur relatively frequently.</li> <li>• Tension noted between vehicle users and passive beach users (walkers, visitors).</li> <li>• A highly valued recreational area, although lower numbers of users than other Catlins beaches.</li> <li>• An isolated location.</li> <li>• Important wilderness, scenic, wildlife and flora values.</li> </ul>	<ul style="list-style-type: none"> <li>• 37% of all survey respondents in favour.</li> <li>• 52% of all survey respondents not in favour.</li> <li>• 35% of Catlins respondents in favour.</li> <li>• 58% of Catlins respondents not in favour.</li> </ul>

	<ul style="list-style-type: none"> <li>• Beach used to access private property.</li> </ul>	
Papatowai Beach	<ul style="list-style-type: none"> <li>• Two vehicle access points.</li> <li>• Can access the beach from the carpark on Lily Street.</li> <li>• Approximately 750m from the carpark to Picnic Point (used for diving and fishing).</li> <li>• The beach is narrow in parts.</li> <li>• A popular recreation spot for visitors and children throughout the year, and particularly during summer.</li> <li>• High environmental values noted (trees, plants, wildlife, birds).</li> </ul>	<ul style="list-style-type: none"> <li>• Not included in the original survey.</li> <li>• 86 submissions (11%) requested that Papatowai be included as a safe zone. Of these, 16 were from Papatowai, with another 7 from The Catlins.</li> </ul>

Beaches proposed in the draft bylaw or suggested by respondents as additional safe zone beaches are listed below. These beaches were assessed as part of the Feedback Report and during a Council Workshop on 25 August 2022. They are considered more suitable for inclusion in a bylaw if Option 4 is adopted.

1. Taieri Mouth (north bank)
2. Chrystalls Beach
3. Measly Beach
4. Molyneux Bay
5. Surat Bay
6. Cabbage Point to Catlins Heads
7. Jacks Bay
8. Purakaunui Bay
9. Tahakopa Beach
10. Tautuku Beach

### **Attachment 2: Revised Clutha District Council Vehicles on Beaches Bylaw 2023**

[Separate attachment]

### **Attachment 3: Maps of potential safe zone beaches**

[Separate attachment]



**Clutha District Council**  
~~Proposed~~ **Vehicles on Beaches**  
**Bylaw 2023**

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## 1 INTRODUCTION

- 1.1 This Vehicles on Beaches Bylaw has been created to ensure public health and safety, protect the public from nuisance, and protect vulnerable wildlife and ecosystems, by regulating the use of vehicles on beaches in the Clutha District.

## 2 TITLE

- 2.1 This Bylaw is the Clutha District Council Vehicles on Beaches Bylaw 2023.

## 3 COMMENCEMENT, AND REVIEW

- 3.1 This Bylaw comes into force on 1 January 2023 and shall apply to the whole of the Clutha District.
- 3.2 This Bylaw is required to be reviewed no later than 5 years after the Bylaw was made and no more than 10 years after the Bylaw was last reviewed.

## 4 DEFINITIONS AND INTERPRETATIONS

In this Bylaw, unless the context requires otherwise, the following definitions apply:

- 4.1 **Act** means the Land Transport Act 1998.
- 4.2 **Beach** means the foreshore being any area covered and uncovered by the ebb and flow of the tide, and any adjacent area which can reasonably be considered part of the beach environment including areas of sand, pebbles, shingle, dunes or coastal vegetation, but does not include any private property or land administered by the Department of Conservation.
- 4.3 **Council** means Clutha District Council or any Committee of the Council or officer delegated to exercise the authority of Council.
- 4.4 **Dune** means any natural hill, mound or ridge of sediment, or any series of such, landward of a coastal beach that is deposited by wind action or storm over wash or sediment deposited by artificial means, and serving the purpose of storm damage prevention or flood control, but does not include any private property or any land administered by the Department of Conservation.
- 4.5 **Enforcement Officer** means
- 4.5.1 any person appointed by Council under section 177 of the Local Government Act 2002 as an enforcement officer.
- 4.5.2 any person defined as an enforcement officer under section 2(1) of the Land Transport Act 1998.
- 4.6 **Safe Zone** means the areas described in Schedule 1 of this Bylaw.
- 4.7 **Vehicle** means any form of transport whatsoever which is equipped with wheels or revolving runners or tracks regardless of its means of motive power, and is not limited to cars, trucks, and motorbikes, but does not include:
- a) Bicycles



- b) Wind powered vehicles
- c) Prams
- d) Wheelbarrows
- e) Wheelchairs
- f) Mobility scooters used by persons with a physical or neurological condition.

~~has the same meaning as in section 2(1) of the Act, and includes a contrivance equipped with wheels, tracks, or revolving runners on which it moves or is moved.~~

- 4.8 Every Schedule to this Bylaw shall be deemed to form part of the Bylaw.
- 4.9 Any explanatory notes and attachments are for information purposes, do not form part of this Bylaw, and may be made, amended and revoked without formality.

## **5 VEHICLES ON BEACHES**

- 5.1 Any person operating any vehicle, on any part of the beach must show due consideration for other users of the beach and vulnerable wildlife.
- 5.2 Any person operating any vehicle on the beach, shall operate that vehicle in a courteous, appropriate, safe, and responsible manner, giving due consideration to other vehicle operators and to other users of the beach at all times.
- 5.3 Any person operating any vehicle on the beach shall not operate that vehicle in such a manner as to present a real or implied danger or threat to the wellbeing and safety of any other user of the beach at all times.
- 5.4 No person may use a vehicle to cause any damage to any part of a beach, including structures or fixtures.
- 5.5 No person may use a vehicle in a manner which has adverse effects on plants or native animals or their habitats.
- ~~5.6 No person shall, except for emergency purposes, on any part of the beach:~~
  - ~~5.6.1 Drive a vehicle through a beach access point at a speed greater than 10 km/hr.~~
  - ~~5.6.2 Drive a vehicle at a speed greater than 30 km/hr.~~
- 5.6 *Advisory Note: The provisions of other Council bylaws also apply to all vehicles on beaches. This includes, but is not limited to, the Roading Bylaw 2018, the Freedom Camping Bylaw 2021, and the Regulatory Bylaw 2018.*
- 5.7 *Advisory Note: The Act defines a beach as a road and therefore all relevant traffic rules and regulations apply to any vehicles on beaches.*
- 5.8 *Advisory Note: The Marine Mammals Protection Regulations 1992 also apply to all vehicles on beaches.*
- 5.9 *Advisory Note: Speed limits on beaches in the Clutha District will be determined and included in Council's Speed Management Plan, which will be subject to a further public consultation process*

## 6 PROHIBITIONS

- 6.1 Subject to lawful exemptions provided for elsewhere in this Bylaw:
- 6.1.1 All vehicles are prohibited on dunes at all times, except to access the beach via the most direct route possible, and only via existing, defined tracks.
- 6.1.2 No vehicle should be driven along a beach above the high-water mark except in the case of an emergency.
- 6.1.3 All vehicles are prohibited from any Safe Zone shown in Schedule 1.
- 6.1.4 Any Safe Zone is reserved for pedestrian beach users only.
- ~~6.2 Advisory Note: Council would be required to use a special consultative procedure to inform any decision on changes to its bylaw regarding the location of Safe Zones.~~
- 6.2 Advisory Note: Safe Zones may be created, deleted or amended by Council resolution following appropriate monitoring and consultation.
- Monitoring may include:
- 6.2.1 Effectiveness of existing bylaw provisions
- 6.2.2 Impacts of vehicles on human safety, wildlife and ecosystems.
- Consultation would need to align with:
- 6.2.3 Councils Consultation and Engagement Policy
- 6.2.4 Sections 82 & 83 of the Local Government Act 2002.

## 7 EXEMPTIONS

- 7.1 Vehicles may access any beach located within a Safe Zone in the following situations:
- 7.1.1 In the case of an emergency.
- 7.1.2 Emergency vehicles, police vehicles, central government vehicles and Council vehicles.
- ~~7.1.3 With written permission of Council.~~
- 7.1.3 To launch or retrieve a boat, provided the vehicle follows the most direct route from the beach access point to a safe launching site, ~~the water, and that the vehicle is removed from the beach immediately upon retrieval or launching of the boat.~~
- 7.1.4 Where a property can only be accessed via the beach.
- 7.2 The Chief Executive Officer may issue an exemption from clause 6.1.3 of this Bylaw to any person who shall be subject to any conditions as deemed necessary or advisable. In granting any permission under this Bylaw, the Chief Executive Officer may impose such conditions as is deemed necessary or advisable on matters including, but not limited to the activities permitted, times, locations, erection of warnings or any other matter whatsoever.

## 8 OTHER RESTRICTIONS

- 8.1 No person shall displace, or otherwise interfere with any fence, barrier, notice or other temporary or permanent structure or warning device provided by Council or by any Surf Life Saving Club without permission from Council.

## 9 OFFENCES, ENFORCEMENT AND PENALTIES

- 9.1 Every person commits an offence against the Bylaw who:
- 9.1.3 Commits a breach of this Bylaw.
  - 9.1.4 Omits, fails, or refuses to do anything required by this Bylaw.
- 9.2 Where an enforcement officer has reasonable grounds to believe a person has failed to comply with any provision of this Bylaw the person shall, on demand by an enforcement officer, give his or her full name and full address.
- 9.3 Where an enforcement officer has reasonable grounds to believe a person has failed to comply with any provision of this Bylaw, the enforcement officer may direct the person to immediately leave the beach, and the person may be further prohibited by that officer from re-entering the beach for a period of 24 hours.
- 9.4 Where a person fails to comply with this Bylaw, the following penalties apply:
- 9.4.3 Breach of Bylaw made under LTA (infringement offence): \$150.
  - 9.4.4 Breach of Bylaw made under LTA (ordinary offence): fine not exceeding \$1000.
- 9.5 Under section 242(4) of the Local Government Act 2002, a person who is convicted of an offence against a Bylaw is liable to a fine not exceeding \$20,000.
- 9.6 *Advisory Note: This Bylaw is one tool Council will use to manage vehicles on beaches. Other tools to be used in conjunction with the Bylaw include education, signage, monitoring and reporting and collaboration with other agencies and groups such as iwi, DOC, conservation groups, the NZ Police and community groups.*

## SCHEDULE 1: SAFE ZONES

[Insert the following text if an Option 2 bylaw is adopted:]

No Safe Zones are included in this version of the Bylaw.

[Insert the following text for each Safe Zone beach if an Option 3 or Option 4 bylaw is adopted:]

### **Map 1 – TBC Beach**

Subject to lawful exemptions provided for in this Bylaw, vehicles are prohibited at all times from accessing the beach between [TBC] and the [TBC].

Insert map.

## APPENDIX A1.0 ADDITIONAL INFORMATION

This section is for information purposes only and does not form part of this Bylaw. It contains information to help users to understand, use and maintain this Bylaw. The information may be updated at any time.

### A1.1 History of Bylaw

Action	Description	Date of decision	Commencement
Make	Vehicles on Beaches Bylaw 2023	15 September 2022	1 January 2023

### A1.2 Related documents

Document	Description	Location
<i>Council Documents</i>		
Our Place Catlins Feedback Report	Feedback relates to issues associated with vehicles on beaches.	CDC website – Our Place Community Plans, May 2019 <a href="#">[link]</a>
Long Term Plan Decisions	Includes submissions to manage impact of vehicles on beaches, through Council’s 2021/31 LTP.	CDC website - Agendas and minutes, 20/5/2021 <a href="#">[link]</a>
Consultation and engagement strategy	Seeks approval to implement activities listed in the consultation and engagement strategy for sections of the Regulatory Bylaw, relating to vehicles on beaches.	CDC website - Agendas and minutes, 13/10/2021 <a href="#">[link]</a>
Issues and Options Report	Examines issues associated with vehicles on beaches and assesses options to manage any negative effects.	CDC website - Agendas and minutes, 12/5/2022 <a href="#">[link]</a>
Statement of Proposal	Statement of Proposal including draft Bylaw adoption for public consultation	CDC website - Agendas and minutes, 12/5/2022 <a href="#">[link]</a>
Hearings	Three verbal hearings for the 47 submitters who wished to be heard.	1. 23 June 2022 <a href="#">[link]</a> 2. 28 June 2022 <a href="#">[link]</a> 3. 29 June 2022 <a href="#">[link]</a>
Written and verbal submissions	Provides all written and verbal submissions.	CDC website – Agendas and minutes, 20 July 2022 <a href="#">[link]</a>
Vehicles on Beaches Bylaw – Feedback Report	Feedback Report summarising all submissions received.	CDC website – Agendas and minutes, 4/08/2022 <a href="#">[link]</a>
Making of Bylaw	Deliberations and decision to make final bylaw	CDC website - Agendas and minutes, TBC <a href="#">[link]</a>
<i>Legislation</i>		
Local Government Act 2002	Provides certain functions, duties, powers and penalties to make and enforce this bylaw.	<a href="http://www.legislation.govt.nz">www.legislation.govt.nz</a>
Land Transport Act 1998	Provides certain functions, duties, powers and penalties to make and enforce this bylaw.	<a href="http://www.legislation.govt.nz">www.legislation.govt.nz</a>
Bylaws Act 1910	Provides for certain matters related to the validity of bylaws.	<a href="http://www.legislation.govt.nz">www.legislation.govt.nz</a>

Interpretations Act 1999	Provides for certain matters related to the interpretation of bylaws.	www.legislation.govt.nz
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### A1.3 Enforcement powers

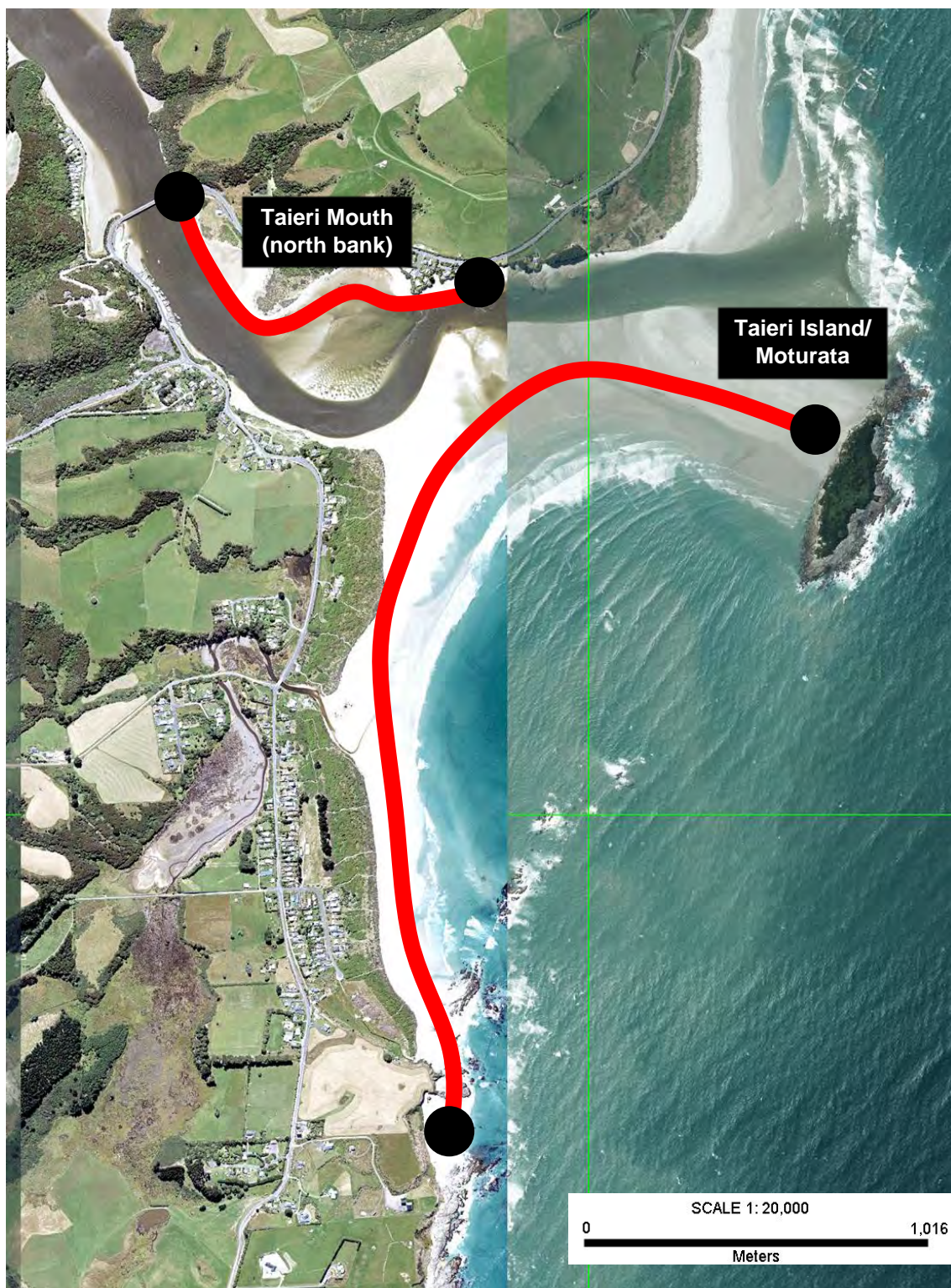
Legislative provision	Description
Local Government Act 2002	<p><i>Section 239 Offences in respect of breaches of bylaws (other than alcohol bans)</i></p> <p>Every person commits an offence and is liable on conviction to the penalty set out in section 242(4) or (5) (as the case may be), who breaches a bylaw made under Part 8 (other than a bylaw made under section 147).</p> <p><i>Section 242 Penalties for offences</i></p> <p>(4) A person who is convicted of an offence against a bylaw made under Part 8 (other than a bylaw made under Part 8 referred to in subsection (5)) is liable to a fine not exceeding \$20,000.</p>
Land Transport Act 1998	<p><i>Part 9</i></p> <p>Allows enforcement officers, including members of Police, to enforce the provisions of the Local Government Act 1974, the Local Government Act 2002, the Road User Charges Act 2012, the Government Rounding Powers Act 1989, the Railways Act 2005, the Land Transport Management Act 2003, and the Land Transport Act 1998, and any regulations and rules and bylaws in force under any of those Acts.</p> <p><i>Section 128E</i></p> <p>Allows parking wardens to enforce any stationary vehicle offence or special vehicle lane; may remove or direct the driver to remove any vehicle if it is obstructing the road, or it is desirable to remove the vehicle in the interests of road safety or for the convenience or interests of the public.</p> <p><i>Section 139</i></p> <p>Allows enforcement officers and parking wardens to issue an infringement notice or proceed with a prosecution under the Criminal Procedures Act 2011.</p>

### A1.4 Offences and penalties

Bylaw Provision	Legislative provision	Description of offence	Maximum fine upon conviction	Infringement fee
Clause 9.4	Land Transport (Offences and Penalties) Regulations 1999	Failure to comply with the relevant provisions of a bylaw made under section 22AB	\$1,000	\$150
Clause 9.5	Local Government Act 2002	Breach of Bylaw	\$20,000	NA

Attachment 3: Maps of potential safe zone beaches

Map 1 – Taieri Mouth (north bank) and Taieri Beach



Map 2 – Chrystalls Beach





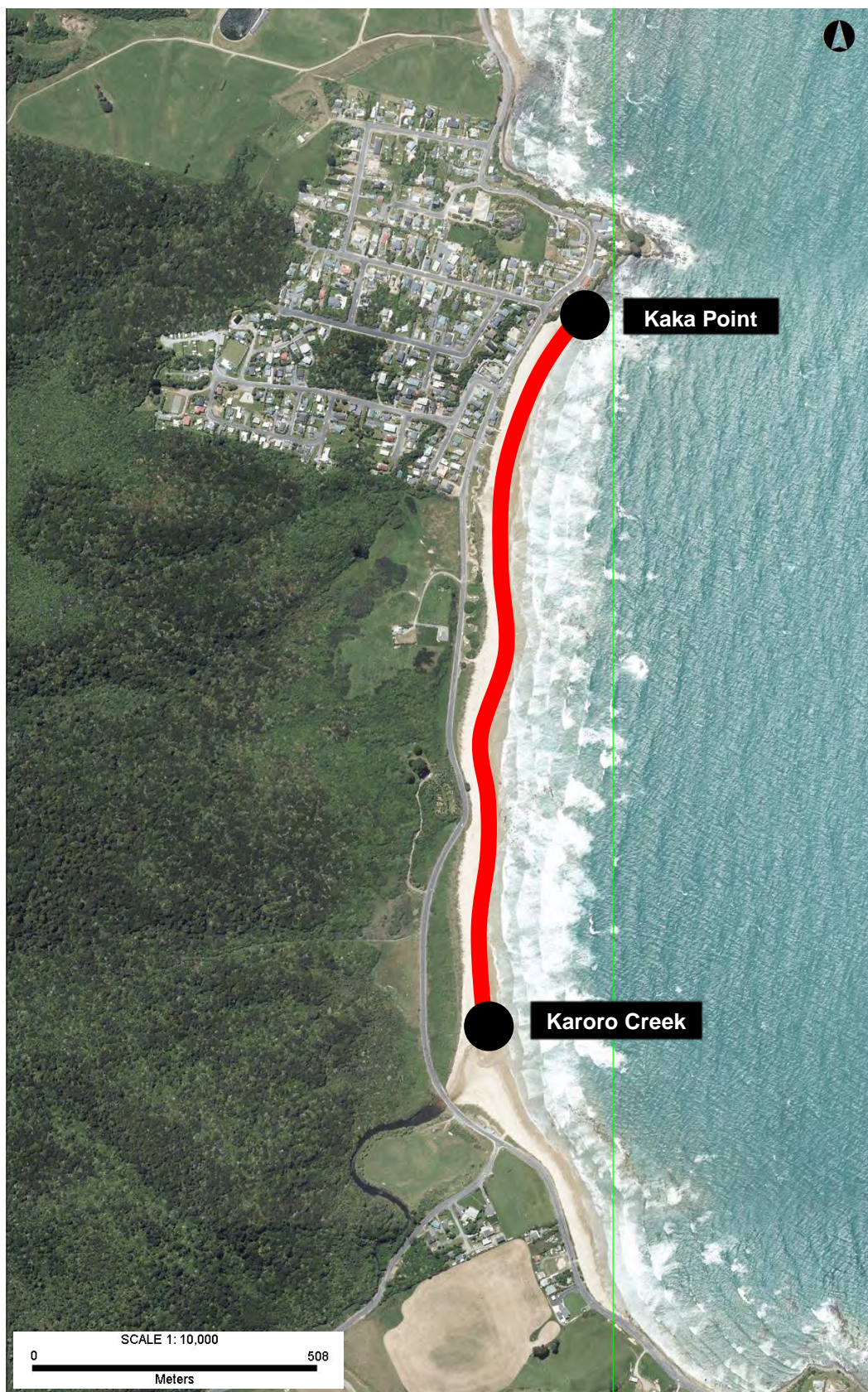
Map 3 - Measly Beach



Map 4 - Molyneux Bay



Map 5 - Kaka Point to Karoro Creek



Map 6 – Karoro Creek to Nugget Point



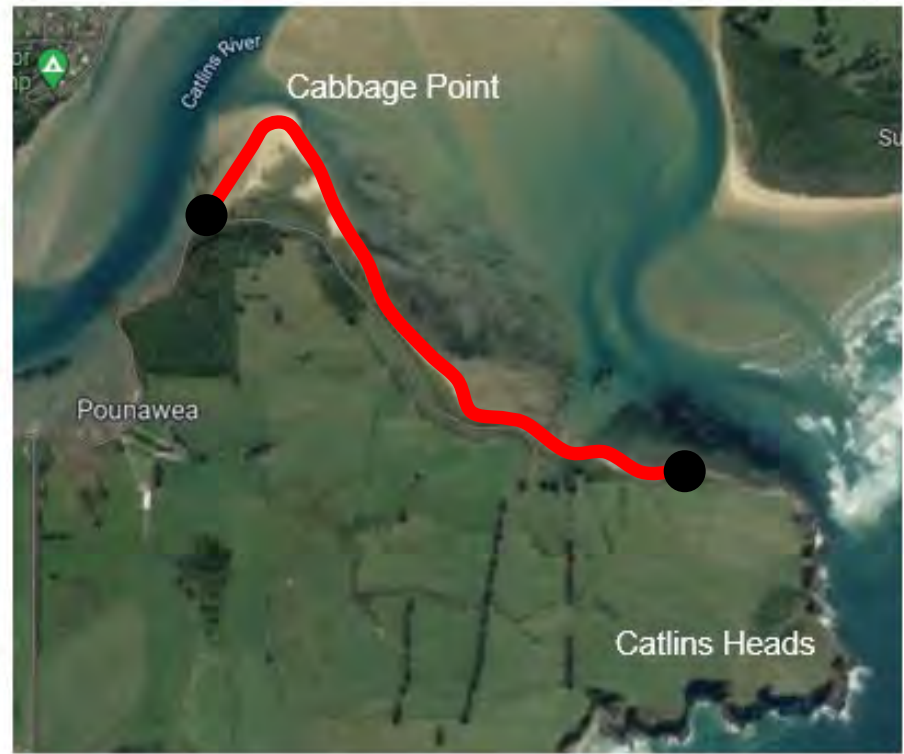
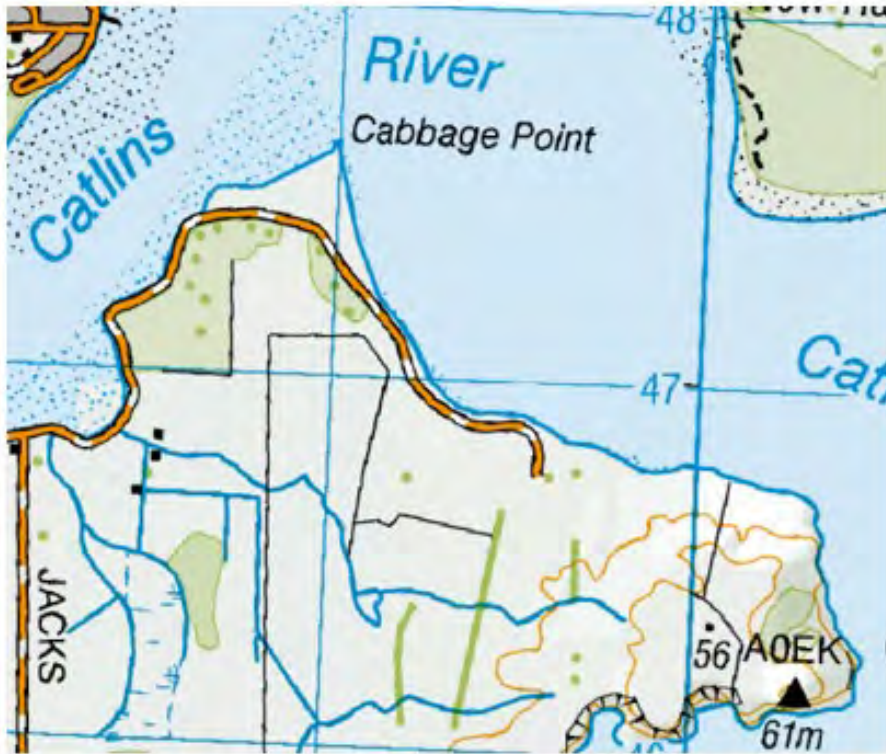
Map 7 - Cannibal Bay



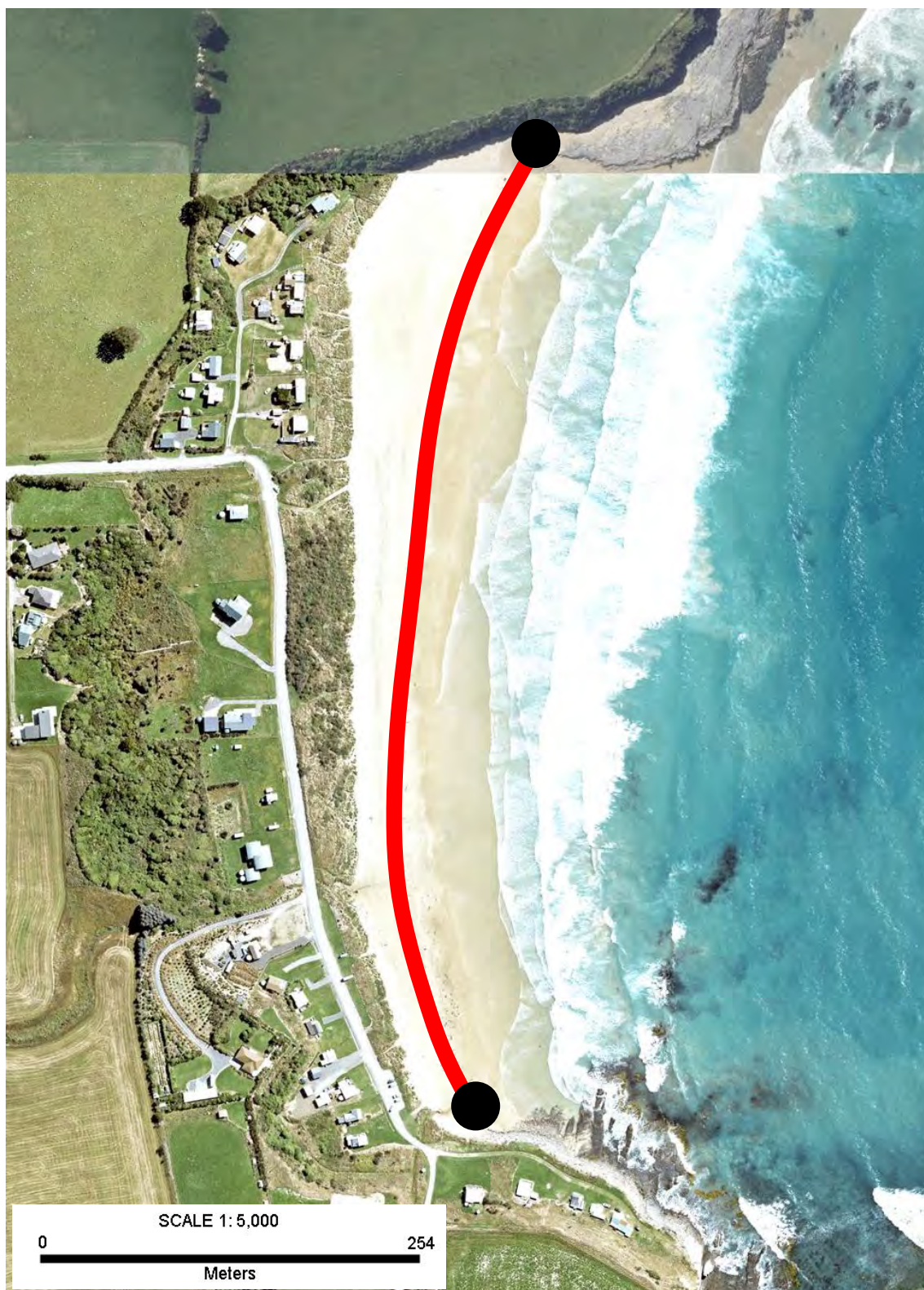
Map 8 - Surat Bay



Map 9 – Cabbage Point to Catlins Heads

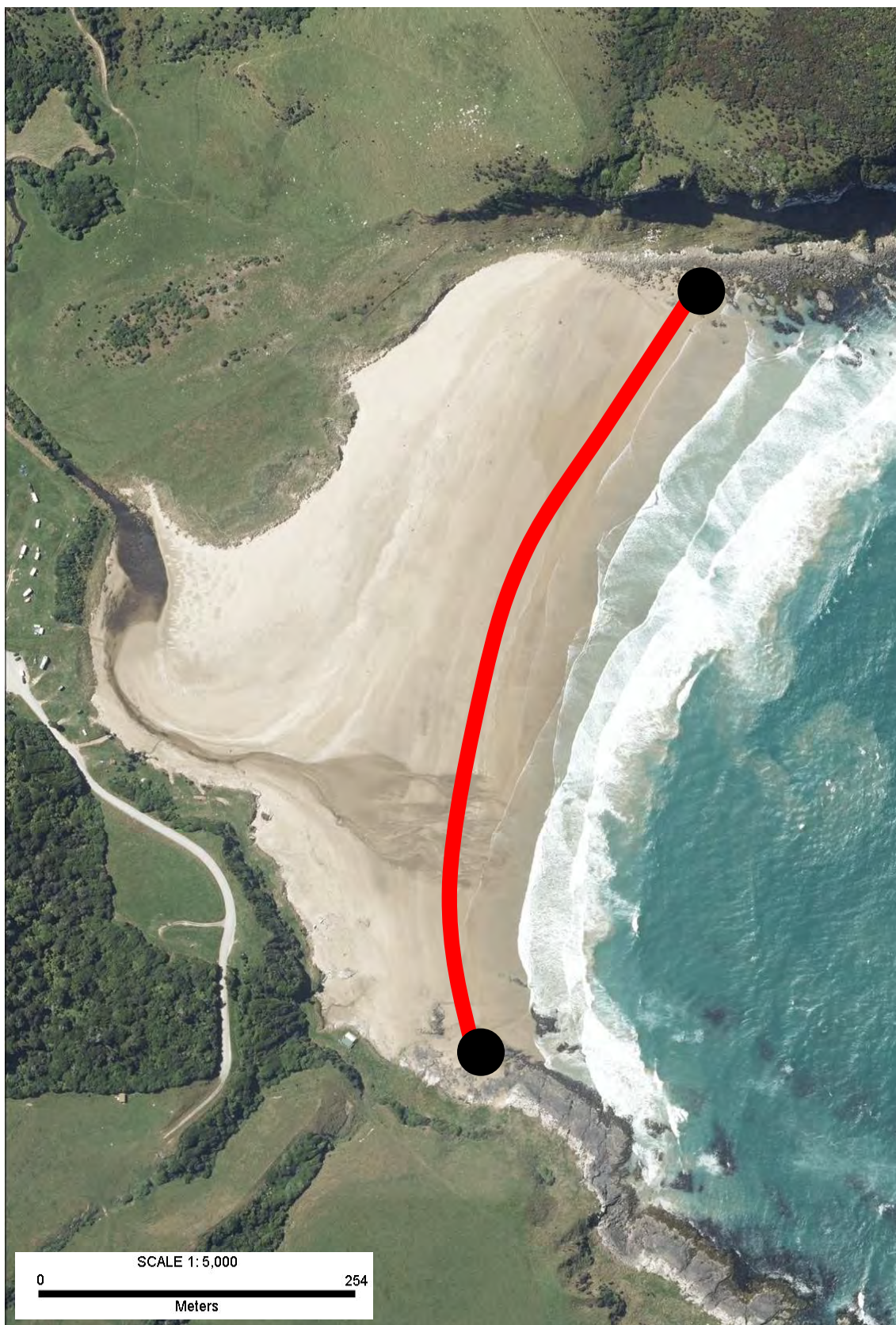


Map 10 - Jacks Bay

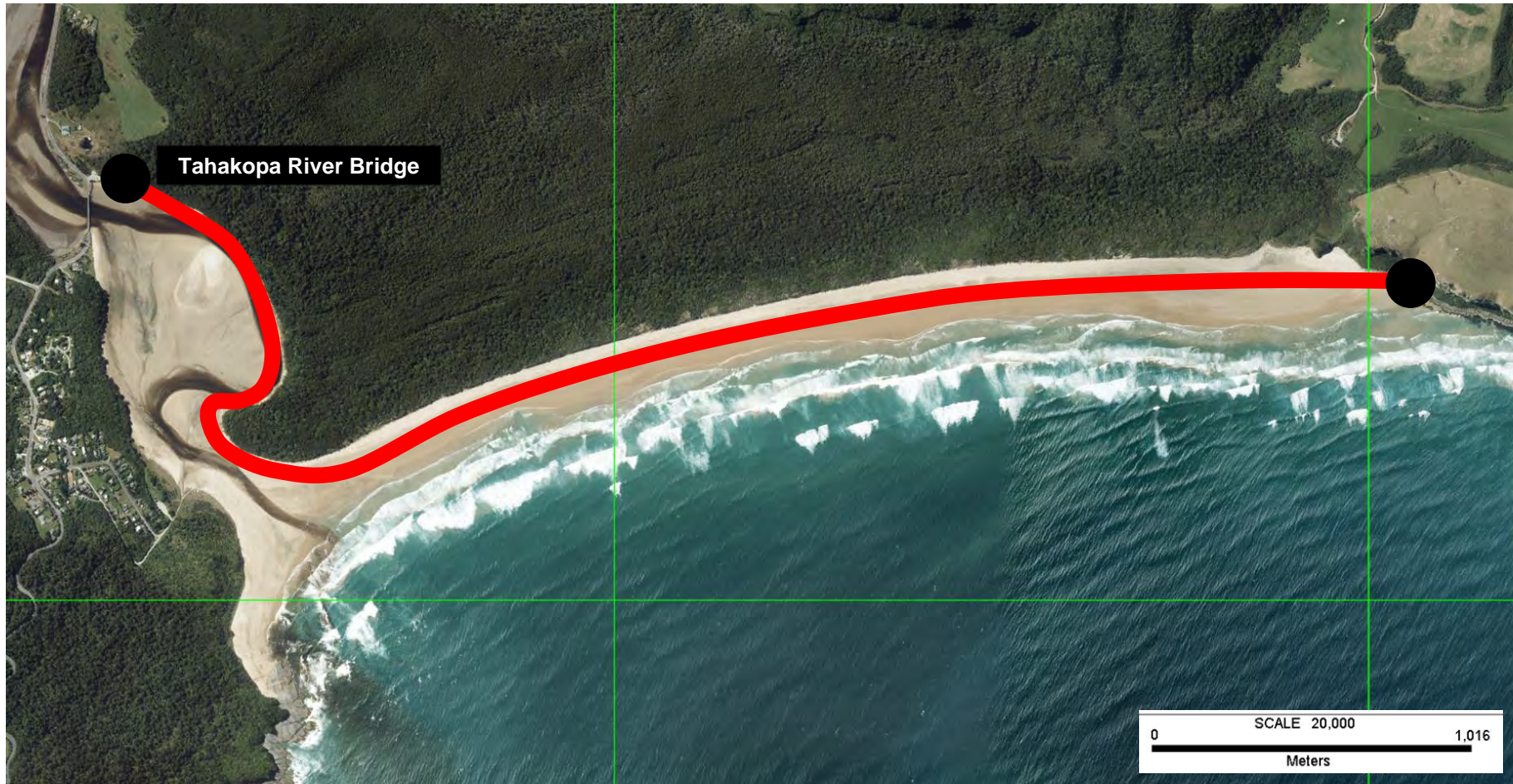




Map 11 - Purakaunui Bay



Map 12 - Tahakopa Beach



Map 13 – Papatowai Beach



Map 14 - Tautuku Beach



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# Clutha District Council

## Item for RECOMMENDATION

<b>Report</b>	Our Place West Otago Community Plan
<b>Meeting Date</b>	15 September 2022
<b>Item Number</b>	2
<b>Prepared By</b>	Mike Goldsmith – Senior Policy Advisor (Contract)
<b>File Reference</b>	734003

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### REPORT SUMMARY

This item seeks Council approval to adopt the Our Place West Otago Community Plan, and to move forward with the priority projects identified as part of the Our Place West Otago consultation.

### RECOMMENDATIONS

1. That Council receives the 'Our Place West Otago Community Plan' report.
2. That Council approves the following project groupings, as set out in the project information, or as amended for:
  - Residential development (Attachment 1)
  - Community facilities (Attachment 2)
  - Whiskey Gully and Black Gully reserves (Attachment 3)
  - Walking and Cycling (Attachment 4)
  - Main Street improvements (Attachment 5)
  - Opportunities to work and trail (Attachment 6).
3. That Council adopts the 'Our Place West Otago Community Plan' (Attachment 7), or as amended.
4. That Council delegates authority to the Chief Executive to approve corrections to the 'Our Place West Otago Community Plan' if required, prior to publication of the final document.

## REPORT

### 1 Background

Clutha District Council's goal is to promote living and working in the Clutha District. This is a key platform in our long term plan, that ties closely with the *Living and Working in Clutha Strategy*. The focus of the Our Place West Otago Community Plan is to identify priority projects that support the *Living and Working in Clutha Strategy* in West Otago.

The formal process of developing the community plan began on 28 January 2022 with community consultation, concluding on 9 March. A report summarising feedback was presented to the Regulatory and Policy Committee on 28 April 2022. Staff received feedback from the West Otago Community Board on the projects on 17 August 2022.

This item seeks Council's confirmation of priority projects identified through the consultation process. Adoption of the final community plan document is also recommended, or as amended subject to changes directed at this meeting.

### 2 Strategic Goals and Outcomes

As set out above, and within Attachments 1-6.

### 3 Assessment of Options

At the Regulatory and Policy Standing Committee meeting on 28 April 2022 elected members discussed feedback results from the consultation process. Staff were instructed to come back to Council with a report outlining the proposed scope, roles and responsibilities for specific projects. Project information sheets have been developed for six key areas, and these are appended to this report.<sup>1</sup>

The following headings have been applied to each project so that Council can provide the required direction:

- **Scope** or clear definition of the project.
- **Structure** including roles and responsibilities, groups, individuals, and stakeholders.  
Whether the project is:
  - Council directed and led,
  - Community-led with Council playing a key part,
  - Community-led with Council at a distance, or
  - Some other structure.
- **Parameters** that should be applied from a Council perspective, for example existing funding for a particular project.
- Any decision-points or **trigger** points where Council wishes to exercise controls, meaning the project does not proceed past the trigger without Council approval.
- Council **resourcing** to be applied to a project.
- Any **timing** issues or notes.

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<sup>1</sup> The 28 April report listed eight 'focus areas'. These were opportunities for development, green waste initiative, work opportunities, landscape and environment, walking & cycling, community facilities, and main street improvements. Specific activities within these areas have been allocated to one of the six project information sheets attached to this report.

- Relevance to the *Living and Working in Clutha Strategy*.
- **Communications** and key messaging.

#### 4 Consultation

Extensive consultation was carried out between January and March 2022, with nine public consultation events held in West Otago. Feedback was received through the following methods:

- a ranking system for various items
- yes/no options for key questions
- notes and feedback from conversations with locals.

Six priority projects have been selected from that process and are included within this proposal. For full details of the consultation and feedback process refer to the *Our Place West Otago Feedback Report* [here](#).

#### 5 Policy Considerations

Consultation for this project has been prepared in accordance with Council's [Policy on Significance and Engagement](#).

#### 6 Legal Considerations

This approach to consultation and community plan development is in keeping with section 82 of the Local Government Act 2002.

#### 7 Financial Impact

Possible financial impact is one of the triggers for the priority projects to come back to Council. The *2021/31 Long Term Plan* and *2022-23 Annual Plan* included funding for activities which relate to some of the key projects, as identified in the following table.

Activity	Relevant Projects (Attachment No.)	Amount	Year
Investigate options to enable residential development	Residential development (Attachment 1)	\$30,000	2022/23
Bushyhill Street Playground upgrade	Community facilities (Attachment 2)	\$40,000 as a 50% share	2022/23
Additional recreational facility	Community facilities (Attachment 2)	\$50,000 as a 50% share	2022/23
Amenity improvements & pest eradication at Whiskey Gully	Whiskey & Black Gully Reserves (Attachment 3)	\$30,000	2023/24
Amenity improvements & pest eradication at Whiskey Gully	Whiskey & Black Gully Reserves (Attachment 3)	\$10,000	2022/23
Walking & cycle trail investigation	Walking & Cycling (Attachment 4)	\$20,000	2022/23
Assist building owners to improve street appeal and work with the community to enhance town entrances	Main street improvements (Attachment 5)	\$20,000	2022/23

Enhancement of the triangle reserve area	Main street improvements (Attachment 5)	\$20,000 as a 50% share	2022/23
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At their annual plan decisions meeting on 19 May 2022 Council approved \$220,000 from the investment fund surplus for the above, subject to final project confirmation.

## 8 References – Tabled/Agenda Attachments

- Information about each of the projects that make up the Our Place West Otago Community Plan is attached below. It is noted that these projects are not listed in terms of priority, and that the community would expect to see progress on all projects included within their Plan.
- Our Place West Otago Community Plan.



## Attachment 1: Project Information – Residential development

### 1. Background

One of the most consistent messages was the need for additional residential development in Tapanui and West Otago. However, there was less agreement on the type of housing required, and the best methods to deliver it. Various suggestions were received, relating to housing types (affordable, community, rental, retirement), the need to provide additional land, the need for adequate infrastructure, and Council’s role. The option of using Hancox Park for residential or recreational activities was also a key issue.

There were 326 feedback items received on the ‘opportunities for development’ focus area, which was 26% of the total.



### 2. Scope

Investigate options to enable residential development in Tapanui and West Otago. These include:

- a. improve or create infrastructure to urban undeveloped land (e.g., kerb & channel, water).
- b. assist landowners to navigate Council processes (i.e., a Council-appointed advocate to help streamline consenting processes).
- c. development of an urban planning guide, showing innovation in streetscape architecture (e.g., plantings, traffic-calming, signage, lighting, etc).
- d. investigate other options which could be used in the future (e.g., increasing rates on bare land, Council-funded interest free loans, discussions with landowners outside the urban boundary).

### 3. Structure

This will be a Council-led project, with regular input from the community. It is noted that privately led housing initiatives may occur, and these may be additional to, and outside the scope of this project.

### 4. Key parameters to be considered

- a. Availability of land.
- b. Capacity and extent of existing infrastructure.

- c. Objectives of other stakeholders e.g., landowners, major employers, West Otago Community Board.
- d. Alignment with activities identified in the *Living and Working in Clutha Strategy* and the *Strategic Direction for Housing in the Clutha District*.

## 5. Trigger points where Council may wish to exercise additional controls

- a. District Plan review.
- b. Option analysis and further consultation.
- c. Requests for expenditure of Council funds not provided for in existing budgets.

## 6. Resources

- a. Council approved \$30,000 in the 2022/23 Annual Plan budget for investigation and consultation of the options listed above.
- b. Council information and technical support, as required.

## 7. Timing

This project will be an ongoing, multi-year initiative. The timing of key milestones may depend on the review of the District Plan, or private plan change/resource consent applications. This project is scheduled to begin in the 2022/23 year.

## 8. Links to Council strategic direction

Relevant "priority areas" within the *Living & Working in Clutha Strategy* include:

Invest in Infrastructure	<i>"Facilitating growth – we will plan for and be adaptive to growth and enable private infrastructure investment where it will benefit our community's wellbeing."</i>
More quality housing	<i>"A well-functioning, dynamic housing system with housing stakeholders working in coordination and/or partnership to grow our choice and availability of housing."</i>
Healthy Safe Communities	<i>"Council will continue to engage with local communities, to determine the best way to deliver community facilities, services and infrastructure."</i>

The *Strategic Direction for Housing in the Clutha District* includes the following guiding principles, which are relevant to this project:

1. Council will play an active leadership role to enable housing solutions.
2. Council will continue to build on existing partnerships with central government and communities – we will be easy to do business with and remove any unnecessary obstacles.
3. Council will make informed decisions that are strategic and coordinated.
4. Council acknowledges that housing has broader context and is key to supporting a resilient and sustainable district.

## 9. Communications

- Included in general Community plan messaging and progress reports.
- Included as part of West Otago Community Board meeting agendas.

## Attachment 2: Project Information – Community Facilities

### 1. Background

Community facilities are important to West Otago residents, and 34% of all feedback (414 items) related to this focus area. Most of the feedback focused on the creation of new recreational facilities or upgrading existing playgrounds, although several other concepts were also put forward. Based on the feedback received, five separate projects are proposed, which together will provide a significantly improved level of service for the West Otago community.



Figure 1. West Otago Community Centre

### 2. Scope

The scope of work includes the following five components:

- a. *Bushyhill Street playground*: creating additional play equipment and/or improvements to existing equipment.
- b. *New recreational facilities*: investigate options and locations for additional recreational facilities. Options identified through consultation include a skate park, bike or pump track, basketball court, frisbee golf, or outdoor gym equipment.
- c. *Halls and community centres*: renewal work on halls and community centres in West Otago to ensure they:
  - are fit for purpose and are well-used by residents and visitors.
  - are well maintained or refurbished where necessary.
  - reflect community requirements and aspirations.
- d. *Freedom camping*: investigate improvements to existing, and/or create additional sites which provide for overnight camping in self-contained vehicles.
- e. *Waste management*: provide administration and technical support for waste management and minimisation projects (e.g., greenwaste).

### 3. Structure

- a. *Bushyhill Street playground*: the playground upgrade will be community led, with project management, funding, administrative, or technical support from Council.
- b. *New recreational facilities*: investigative work to be led by the community, with support from Council.
- c. *Halls and community centres*: renewal work to be community-led where assets are community-owned or managed, with Council support as identified on a case-by-case basis.
- d. *Freedom camping*: Council-led with community direction, support and partnerships where required.
- e. *Waste management*: Local initiatives community-led, district-wide initiatives to be led by Council.

### 4. Parameters that should be applied from a Council perspective

- a. Identification of costs in excess of existing budgets.
- b. Cost to undertake improvements/provide additional facilities.
- c. Identification and implementation of any easy wins which could be completed quickly, and for a relatively small cost.
- d. Alignment with activities identified in the Living and Working in Clutha Strategy, and the Clutha Destination Strategy.

### 5. Trigger points where Council may wish to exercise additional controls

- a. Costs in excess of existing budgets.
- b. Projects on Council land.
- c. Funding allocations through Long Term/Annual Plans.

### 6. Resources

General resources may include:

- a. Council representation on project groups.
- b. Provision of Council information and administrative/technical support.
- c. Development of the West Otago Reserve Management Plan (anticipated to be completed by early 2023).

Project-specific resources:

- a. *Bushyhill Street Playground*: Through the 2022/23 Annual Plan, Council approved \$40,000, as a 50% share of new play equipment.
- b. *New recreational facilities*: Through the 2022/23 Annual Plan, Council approved \$50,000, as a 50% share for a new facility.
- c. *West Otago Community Centre*: This key community-owned and operated facility will have ongoing maintenance and renewals needs, to be considered for Council support.
- d. *West Otago Health*: This is a key community-owned and operated facility. It has been supported by Council previously, and Council will continue to support opportunities led by the Trust.

- e. *Freedom camping*: monitoring and education work by Council's Freedom Camping Ranger. No specific budget for investigations or improvements.
- f. *Waste management*: No specific budget for investigations or improvements.

## 7. Timing

- a. *Bushyhill Street playground*: estimate 2-3 years to complete project; dependant on community funding and leadership.
- b. *New recreational facilities*: estimate 2-3 years to complete project; dependant on community funding and leadership.
- c. *Halls and community centres*: routine maintenance – ongoing.
- d. *Freedom camping*: ongoing, will depend on specific requests from the community, and community leadership.
- e. *Waste management*: dependent on Council or community funding and leadership.

Parks and reserves projects will also need to align with the West Otago Reserve Management Plan, once finalised.

## 8. Links to Living and Working Strategy

The relevant community outcome within the Living & Working in Clutha Strategy is 'Vibrant Rural Towns and Communities'.

The relevant priority areas are:

- ✓ 'Healthy Safe Communities' (recreational opportunities, safe buildings)
- ✓ 'Support Culture and Heritage' (design of new facilities)

## 9. Communications

- Included in general Community plan messaging and progress reports.
- Provision of resources through the Our Place West Otago [website](#).

## Attachment 3: Project Information – Whiskey Gully and Black Gully Reserves

### 1. Background

The Whiskey Gully Domain is located 2km to the east of Tapanui, while the Black Gully Domain is located approximately 8km from both Tapanui and Heriot. Both domain areas form part of larger gazetted recreation reserves and provide walking access to the Blue Mountains. They are valued highly by West Otago residents, with some submissions received on potential improvements and required maintenance.

More work to manage or eradicate pest species was a common suggestion, as was assisting with wildlife regeneration. A range of other suggestions related to improving trails, signage, seating, picnic tables, viewpoints, playground facilities etc.

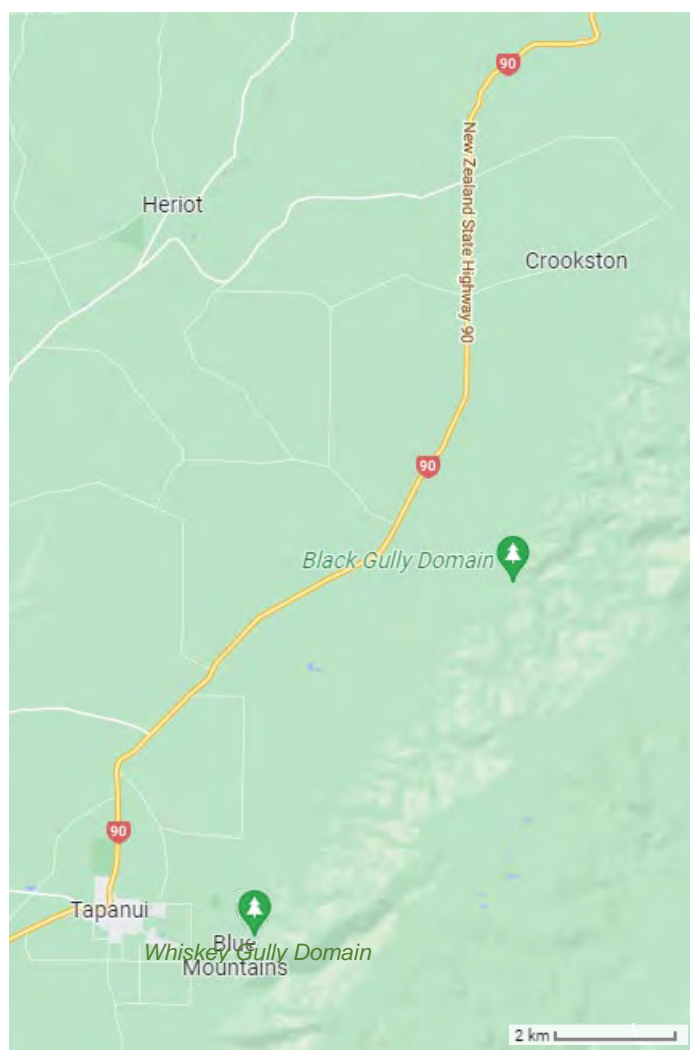


Figure 2. Map showing location of Whiskey and

Black Gully reserves

### 2. Scope

The scope of this project is to provide for amenity improvements and pest eradication at Whiskey Gully and Black Gully reserves to enhance their environmental and amenity value.

Although the Reserve Management Plan for West Otago is yet to be created, sufficient feedback has been provided through consultation to enable various improvements and maintenance/pest management work to commence at both reserves.

### 3. Structure

This project will be a partnership between Council and the community. Council and DOC have administrative responsibility for these reserves, while community-led reserve committees have been established to ensure they are well-managed.

If improvements can be undertaken within existing budgets, these can generally proceed.

#### 4. Parameters that should be applied from a Council perspective

- a. Identification of costs in excess of existing budgets.
- b. Cost to undertake improvements/pest eradication work.
- c. Identification and implementation of any easy wins which could be completed quickly, and for a relatively small cost.
- d. Alignment with activities identified in the *Living and Working in Clutha Strategy* and *Clutha Destination Strategy*.

#### 5. Trigger points where Council may wish to exercise additional controls

Costs in excess of existing budgets.

#### 6. Resources

General resources may include:

- a. Council representation on any project groups, or through reserve committees.
- b. Provision of Council information and administrative/technical support.
- c. Development of the West Otago Reserve Management Plan (anticipated to be completed by early 2023).
- d. Appropriate use of resources through Council's parks and reserves maintenance contract.

Project-specific resources:

- a. *Whiskey Gully Reserve*: Through the 2022/23 Annual Plan, Council approved \$30,000 for amenity improvements and pest eradication at this reserve.
- b. *Black Gully Reserve*: Through the 2022/23 Annual Plan, Council approved \$10,000 for amenity improvements and pest eradication at this reserve.

#### 7. Timing

This project will need to align with the West Otago Reserve Management Plan, once finalised.

#### 8. Links to Living and Working Strategy

The relevant 'priority area' within the Living & Working in Clutha Strategy is:

Healthy Safe Communities	"Support accessible and well-maintained facilities to increase levels of participation in active and passive recreation."
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#### 9. Communications

Included in general Community plan messaging.

## Attachment 4: Project Information – Walking and cycling

### 10. Background

Improving walking and cycling opportunities in West Otago was the fifth most popular option as rated by respondents during the consultation process. A total of 184 feedback items were submitted on this topic, which is 15% of the items received.

Creating trails to local destinations such as the Blue Mountains or the Kelso Gorge was the most popular choice, followed by improving trails in and around Tapanui and creating trails to other districts.



### 11. Scope

Investigate options, prepare a business case, and create a project plan for the development of walking and cycle trails in West Otago and beyond. Key elements include:

- a. Creation of a project group, including involvement of the West Otago Community Board.
- b. Explore route options, including routes in and around Tapanui, and linkages to other sites of interest within, and outside the district.

### 12. Structure

The first stage of this project (as outlined in the Scope) is to be facilitated by Council, with input and support from community leaders. Subsequent stages (such as obtaining access to land and accessing funding sources) will be led by the community.

### 13. Parameters that should be applied from a Council perspective

The key parameters to be applied in the implementation of this project include:

- a. Identification and implementation of any easy wins which can be completed quickly, and for a relatively small cost.
- b. Annual budget for routine maintenance of footpaths.
- c. Identification of costs in excess of existing budgets.
- d. Route definition and whether easements will be required.
- e. Council's Policy on Road Occupation (legal road reserve/paper roads).
- f. Existing facilities on the route.
- g. Key crossing points & access to schools.
- h. Landowner support (access).

### 14. Trigger points where Council may wish to exercise additional controls

- Costs in excess of existing budgets.
- Requests for expenditure of Council funds not provided for in existing budgets.



- Projects on Council land.

## 15. Resources

Through the 2022/23 Annual Plan, Council approved \$20,000, as a 50% share of investigative work, administrative and technical support. Other resources include:

- Representation on, and technical support for project groups.
- Provision of Council information, analysis, and website.
- Council contractors – appropriate use of resources through road maintenance contract.

## 16. Timing

- Funding dependent

## 17. Links to Living and Working Strategy

The relevant 'priority area' within the Living & Working in Clutha Strategy is:

Healthy Safe Communities	<i>“Support accessible and well-maintained facilities to increase levels of participation in active and passive recreation.”</i>
--------------------------	--

## 18. Communications

- Included in general Community plan messaging and progress reports.

## Attachment 5: Project Information – Main Street Improvements

### 1. Background

The main streets of Tapanui and Heriot provide a range of essential services and activities and are an integral part of life in West Otago. An attractive main street with a positive atmosphere, regular activity and a range of destinations is more likely to become a focal/stopping point and be more inviting to the public.

There were 139 feedback items relating to main street improvements (11% of the total), with several concepts coming up regularly during consultation. Based on the feedback received, a range of projects are proposed for main street areas.



Figure 3. Tapanui main street

### 2. Scope

The scope of this project is to work with commercial building owners and community leaders to improve the main street appeal in Tapanui and Heriot. Work will include:

- a. Providing guidance and information to building owners.
- b. General street improvements such as planters and screening.
- c. Enhancing town entrances.
- d. Safety improvements.
- e. Investigate/create seating areas or shelters.
- f. Design/develop the Triangle Reserve (corner of Northumberland & Maple streets).

### 3. Structure

This project will be a partnership between Council and the community, due to the mix of Council and privately-owned assets and the importance of these areas to the community. Community representation may include the West Otago Community Board, community groups such as Tapanui West Otago Promotions, individuals and local businesses.

### 4. Parameters that should be applied from a Council perspective

- a. Identification and implementation of any easy wins which could be completed quickly and for a relatively small cost.
- b. Identification of costs in excess of existing budgets.
- c. Waka Kotahi requirements (responsible for SH90).
- d. Council's Regulatory Bylaw 2022 (Abandoned or Vacant Buildings)

## 5. Trigger points where Council may wish to exercise additional controls

- a. Costs in excess of existing budgets.

## 6. Resources

General resources may include:

- a. Council representation on project groups or reserve committees.
- b. Provision of council information and administrative / technical support.
- c. Development of the West Otago Reserve Management Plan (anticipated to be completed by early 2023).
- d. Council contractors – through maintenance/greenspace contracts.

Project-specific resources:

- a. Through the 2022/23 Annual Plan, Council approved \$20,000 to work with and provide guidance/assistance to commercial building owners to improve general street appeal and to work with the community to enhance town entrances.
- b. Through the 2022/23 Annual Plan, Council approved \$20,000 for a 50% share for enhancement of the area known as the triangle reserve.

## 7. Timing

Council funding is for the 2022/23 year to enable initial work to commence.

Work at the triangle reserve will need to align with the West Otago Reserve Management Plan, once finalised.

## 8. Links to Living and Working Strategy

The relevant community outcomes within the *Living & Working in Clutha Strategy* are 'Vibrant Rural Towns and Communities' and 'Healthy Sustainable Environment'.

The relevant priority areas are:

- |   |                                |                                 |
|---|--------------------------------|---------------------------------|
| ✓ | 'Healthy Safe Communities'     | (road safety, safe buildings)   |
| ✓ | 'Support Culture and Heritage' | (design of physical works)      |
| ✓ | 'Jobs are filled'              | (improved retail opportunities) |

## 9. Communication

- a. Included in general community plan messaging.
- b. Provision of resources through the Our Place West Otago [website](#).

## Attachment 6: Project Information – Opportunities to Work and Train

### 1. Background

Creating or improving opportunities to work and train in West Otago was ranked highly through the consultation survey (third highest at an average score of 4.17 out of 5). This shows that giving young people opportunities to find work, upskill and live nearby is important to this community. This project may also encourage young people to return to the area once they have completed some form of tertiary education or overseas experience.

### 2. Scope

Develop, fund and implement actions which create opportunities for younger people to train and work in West Otago.

### 3. Structure & resources

Council provides resources through the [Jobbortunities](#) program, which supports people in the district to find employment outcomes and bring job seekers and businesses together.<sup>2</sup> The program is funded through the Ministry of Social Development, on a year-by-year basis.

[Clutha Development](#) also undertake work in this area on Council's behalf. This includes:

- a. Listing job opportunities within the district on their website.
- b. Assisting people to live and work in Clutha, as part of their overall promotion of the district.
- c. Assisting businesses with staff recruitment.

### 4. Parameters that should be applied from a Council perspective

- a. Alignment with the objectives of the *Living and Working Strategy*.
- b. Ongoing MSD funding for the Jobbortunities programme.

### 5. Triggers

Costs in excess of existing budgets.

### 6. Timing

Council already supports this project, through Jobbortunities and Clutha Development's work program. Ongoing support for these, or similar initiatives is likely to continue.

### 7. Links to Living and Working Strategy

The relevant priority area is *Filling our jobs*.

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<sup>2</sup> JOBBORTUNITIES works with job seekers one-on-one to find outcomes for people looking for a job. It also supports people into employment by assisting with any needs they have to achieve a positive outcome, e.g., support to get their driver's license, attending a first aid course, or support with tools needed for a job.

**8. Communications**

Included in general community plan messaging.

**Attachment 7: Our Place West Otago Community Plan**

# Our Place

## Community Plan

# West Otago



# INTRODUCTION

## The Our Place West Otago plan identifies key projects to support and promote living and working here

Clutha District Council's goal is to promote living and working in the Clutha District.

With help from West Otago Community Board and the community this plan has been developed to identify key projects intended to support and promote living and working in West Otago.

This plan ties closely with the *Living and Working in Clutha Strategy* which aims to help generate growth and develop the Clutha District as a great place to live and work. This plan and its projects provide a structure and means to implement the *Living and Working in Clutha Strategy*. Similar plans have also been developed for the District's other main towns.

Although the projects are primarily about Council infrastructure and facilities, they are also intended to help support and guide the activities of community groups when they make decisions about the assets owned and managed on behalf of their community.



## Contents

- 2 Introduction
- 3 Community Feedback
- 4 Survey Results
- 5 Making it Happen
- 6 – 8 Priority Projects



# COMMUNITY FEEDBACK

## Community feedback played a crucial part in developing this plan and its projects

Consultation was designed to stimulate interest in the project, encourage feedback and provide information about future projects and initiatives in West Otago.

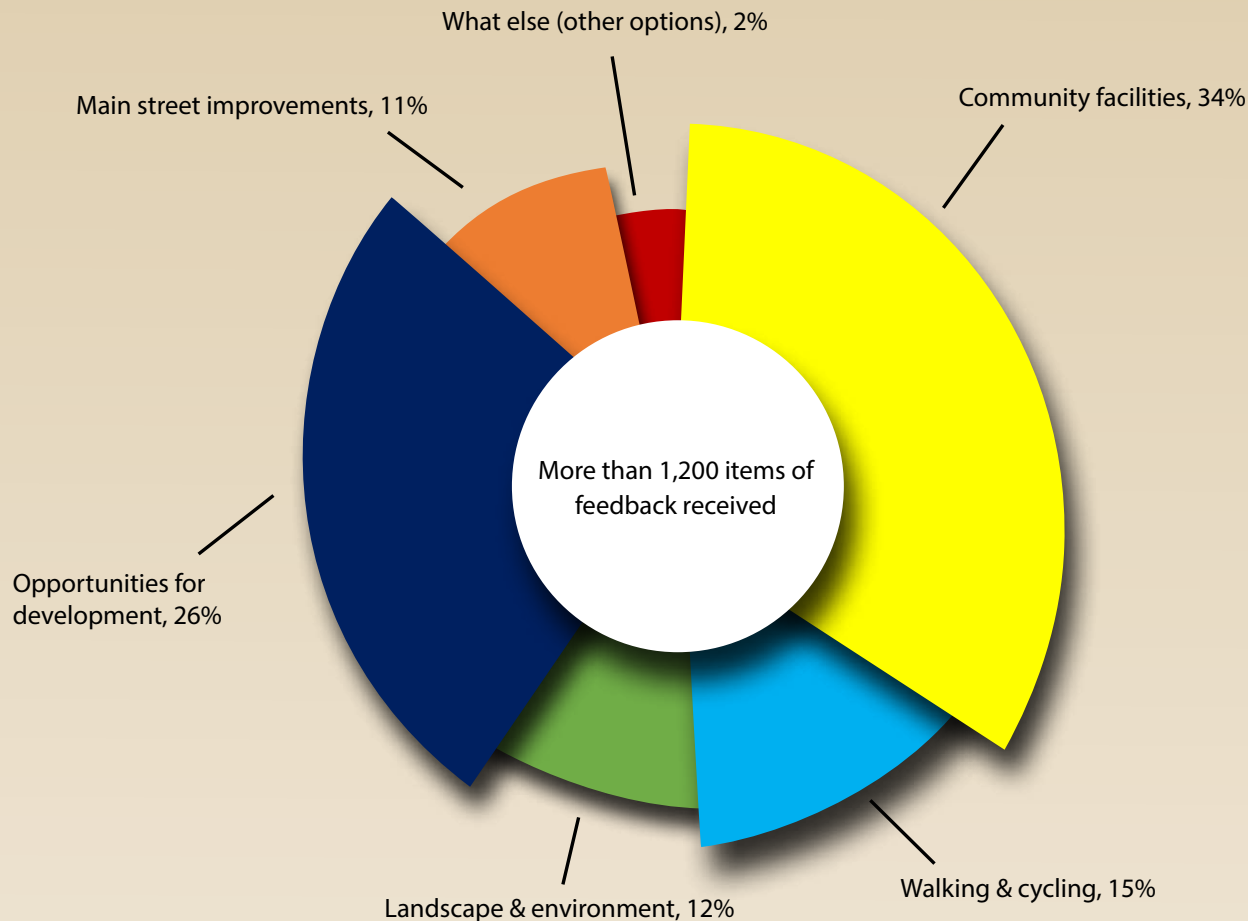
Council's elected members provided input and leadership, as well as approving consultation material and assisting with consultation activities. Public consultation took place from late January to March 2022. Council staff and councillors attended drop-in sessions at Tapanui, Heriot, Waikoikoi and Waipahi, local businesses. We attended consultation sessions at local hotels and cafes, as well as with local groups and schools.

A consultation document was developed to help prompt ideas and discussion. It was delivered to all mailboxes in West Otago and was also available from West Otago Service Centre and Council's website.

Six focus topics were identified (see below graph), representing key feedback areas. There were over 1,200 feedback items received in total. These items were from one-on-one conversations with locals, notes from meetings and written submissions.

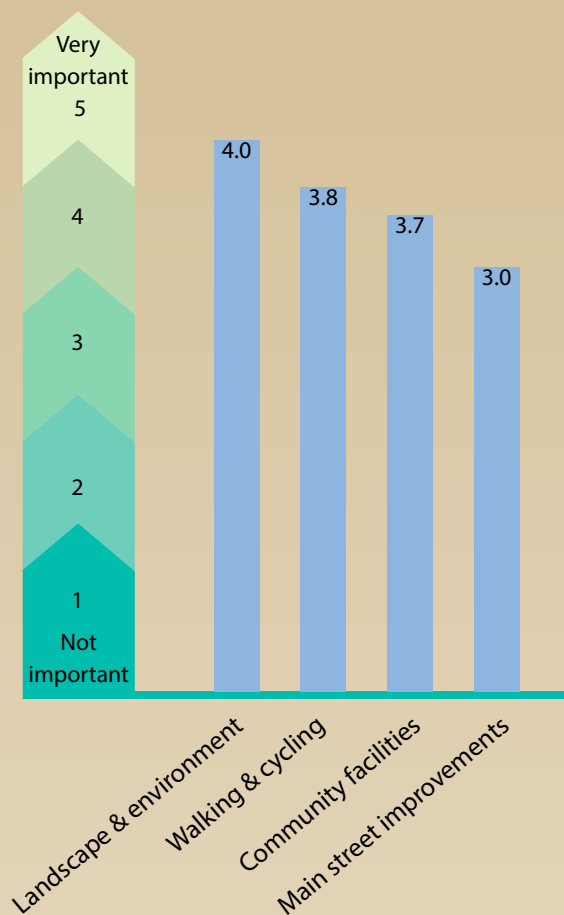
***We received great feedback from West Otago residents. A big thanks to all that got involved!***

## Topics people talked about the most



# SURVEY RESULTS

## What people indicated was important

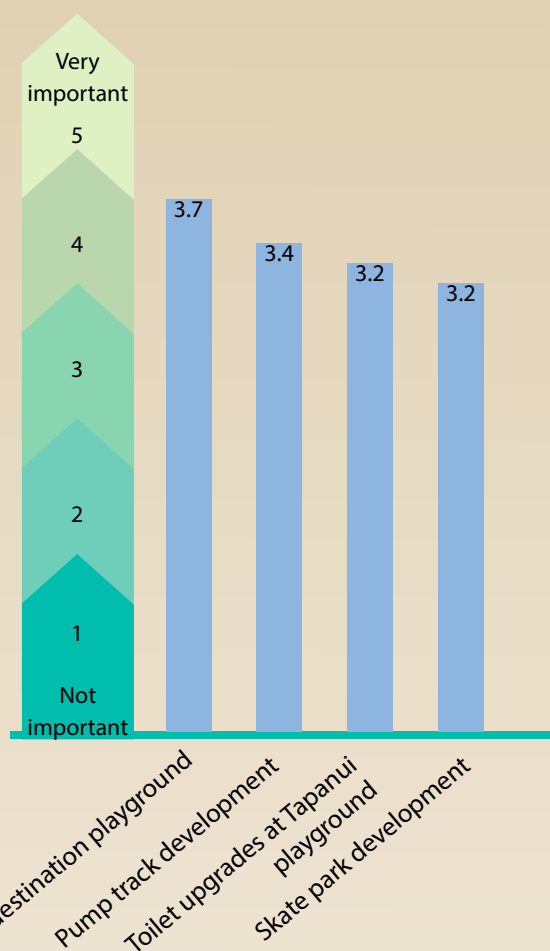


Part of the consultation included a structured survey for respondents to rank the importance (or priority) of existing facilities within West Otago, as well as possible projects and ideas. The survey asked respondents to rank various items, on a scale between 1 (not important) to 5 (very important) for five of the focus areas we asked about. There were 94 survey forms returned and the average rank for each focus area is shown in the graph on the left. Residents placed the highest the highest importance on West Otago's landscape and environment. This was followed by walking and cycling trails in West Otago, supporting community facilities and then main street improvements.

## Community facility upgrades

We asked how important were potential upgrades of community facilities. The graph (right) shows these results.

**For more details about community feedback the Our Place West Otago Feedback Report is available at [www.cluthadc.govt.nz](http://www.cluthadc.govt.nz) or by getting in touch on 0800 801 350.**



# MAKING IT HAPPEN

## Implementing Our Place West Otago

The priority projects on pages 6-8 summarise the key outcomes that are anticipated, who is leading them and describes why they are important to the community.

The timeframe and scope vary between each project. In some cases the timeframe is clearly defined, while other projects which simply reflect community aspirations may not yet have specific funding allocated, or an implementation plan in place. These will likely take longer to develop and are included to help guide planning and decision-making.

Updates on progress for all projects

will be made available on Council's website ([www.cluthadc.govt.nz](http://www.cluthadc.govt.nz)).

Council has made it clear that projects can generally proceed where financially it is rates neutral, but where a project would be seeking additional Council funding it may require additional consultation through the Long Term Plan and Annual Plan process.

Alternative sources of funding will also be considered, and Council will work alongside community groups and other agencies to make progress on projects.

As noted, some of the projects in this plan may not be progressed immediately, due to budget constraints or other limitations. However, in the short term, Council has built into each project a requirement to consider "easy wins" as a priority.

## Council's role

Council's role will be to help facilitate community plan projects. This will vary from project to project, but examples of the type of support Council may provide include:

- Staff and contractors undertaking work as directed, within existing budgets and work programmes.
- Advocating on behalf of the community for actions or decisions by other agencies, to progress priority projects.
- Direct involvement of a Council project manager to direct and implement work.
- Providing administrative support to groups or organisations which have been set up to manage projects.
- Providing other technical support (e.g. mapping, guidance on consenting issues).



# PRIORITY PROJECTS COUNCIL IS BACKING

## Project 1: Residential development

Outcome	Who's leading it?	Description
Residential development in Tapanui and West Otago has been enabled.	This will be a Council-led project, with regular input from the community.  Privately-led housing initiatives may still occur, which may be outside the scope of this project.	This project may include the following components: <ol style="list-style-type: none"> <li>Investing in infrastructure to encourage</li> <li>development in urban areas.</li> <li>Assisting landowners to navigate Council</li> <li>processes.</li> <li>Development of an urban planning guide, showing innovation in streetscape design (e.g. plantings, traffic-calming, signage, lighting).</li> <li>Investigating other options which could be used in the future (e.g. increasing rates on bare land, Council-funded interest free loans, discussions with landowners outside the urban boundary).</li> </ol>



## Project 2: Community facilities

Outcome	Who's leading it?	Description
Community facilities in West Otago are fit for purpose and well used by residents and visitors.	This project will generally be community-led, especially where the assets are community-owned or managed.  Community leaders who want to advance specific projects have been identified and there is support for these projects.	This project includes the following components: <ol style="list-style-type: none"> <li>Bushyhill Street playground: Create additional play equipment and/or improve existing equipment.</li> <li>Investigation new recreational facilities: The more popular options include a skate park, bike or pump track or a basketball court.</li> <li>Halls and community centres: Renewal work to ensure they are well maintained or refurbished and meet community requirements and aspirations. In particular, Council will consider requests to support renewal and maintenance work on the West Otago Community Centre.</li> <li>West Otago Health: This is a key community-owned and operated facility. It has been supported by Council previously and we will continue to support opportunities led by the West Otago Health Trust.</li> <li>Freedom camping: Improve existing or create additional sites which provide for overnight camping in self-contained vehicles.</li> <li>Waste management: This may involve administrative and technical support from Council for waste management and minimisation projects.</li> </ol>



## Project 3: Whiskey Gully and Black Gully reserves

Outcome	Who's leading it?	Description
Provide for improvements and maintenance at the Whiskey and Black Gully Reserves.	This project will be a partnership between Council, Department of Conservation and the community. Existing community-led reserve committees already play a key role in the management of these reserves.	This project will aim to provide for amenity improvements, maintenance and pest eradication at Whiskey Gully and Black Gully reserves to enhance their environmental and amenity value. Suggestions from the community for these two reserves included trail improvements, signage, seating, picnic tables, viewpoints and additional playground facilities.



*Black Gully Reserve*

## Project 4: Walking and cycling

Outcome	Who's leading it?	Description
This project is intended to create connections to local destinations and to existing trail networks. A further objective is to improve trails and linkages in and around Tapanui.	This project will be community-led, with Council playing a key part, especially in the early stages.	Council will work with community leaders to initiate the first part of this project. This will involve investigating trail options and creating project plans, with the aim of developing walking and cycling trails in West Otago.



The second part of the project involves accessing funding, gaining access to land and trail construction. This part will be led by the community.

## Project 5: Tapanui and Heriot main street improvements

Outcome	Who's leading it?	Description
<p>The concept behind this project is that, over time, the main street areas of Tapanui and Heriot will become more attractive, and a more appealing place to stop and spend time.</p>	<p>This project will be a partnership between Council and the community, due to the mix of Council and privately-owned assets, and the importance of these areas to the community.</p>	<p>This project will involve working with building owners and community leaders to improve the main street appeal in Tapanui and Heriot. Work will include:</p> <ol style="list-style-type: none"> <li>Providing guidance and information to building owners.</li> <li>General street improvements such as planters and screening.</li> <li>Enhancing town entrances.</li> <li>Safety improvements.</li> <li>Investigate/create seating areas or shelters.</li> <li>Development of the triangle reserve at the corner of Northumberland and Maple streets.</li> </ol>



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# Clutha District Council

## Item for DECISION

<b>Report</b>	West Otago Community Board Recommendation
<b>Meeting Date</b>	15 September 2022
<b>Item Number</b>	3
<b>Prepared By</b>	Jules Witt – Group Manager Service Delivery
<b>File Reference</b>	749167

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### REPORT SUMMARY

This report advises of a recommendation made by the West Otago Community Board to Council at their meeting held on 17 August 2022 regarding the Our Place West Otago Community Plan.

*Moved Councillor Herbert/S Wink and Resolved:*

*“That the West Otago Community Board recommends that Council adopts the ‘Our Place West Otago Community Plan’.”*

### RECOMMENDATIONS

- 1 That Council receives the ‘West Otago Community Board Recommendation’ report.**
- 2 That Council adopts the ‘Our Place West Otago Community Plan’.**

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# Clutha District Council

## Item for DECISION

<b>Report</b>	Kaitangata-Matau Reserve Management Plan
<b>Meeting Date</b>	15 September 2022
<b>Item Number</b>	4
<b>Prepared By</b>	Mike Goldsmith – GHC Consulting
<b>File Reference</b>	746237

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### REPORT SUMMARY

This report presents an amended Kaitangata-Matau Reserve Management Plan which incorporates feedback from submitters, as well as previous Council direction. The plan is recommended for adoption. If approved, the plan will be effective immediately.

### RECOMMENDATIONS

1. That Council receives the ‘Kaitangata-Matau Reserve Management Plan’ report.
2. That Council adopts the Kaitangata-Matau Reserve Management Plan 2022-32.

### REPORT

#### 1 Background

Clutha District Council is the administering body appointed under the Reserves Act 1977 (the Act) to control and manage reserves within the district for the particular purpose for which those reserves were classified.

The Act requires the administering body to prepare management plans for all reserves under its control. The management plans are to be reviewed regularly to ensure they reflect changing circumstances or increased knowledge. The Kaitangata-Matau Reserve Management Plan 2022-32 is the first management plan to be developed for Council-administered reserves in the Kaitangata-Matau Ward.

Clutha District Council as the administering body can approve reserve management plans for reserves under its control, management, or administration.

#### 2 Consultation

The draft Kaitangata-Matau Reserve Management Plan was approved for consultation by Council on 17 March 2022. The submission period started on 28 March and remained open until 27 May 2022. Five submissions were received, and one submitter made a verbal submission to Council on 9 June 2022.



### 3 Discussion

A report on 20 July advised Council's Service Delivery Committee on submissions received. The Committee requested that staff update the draft plan and incorporate feedback relating to the following items:

- a. That Council will continue to work with the Kaitangata Pool Committee regarding future upgrades and ownership arrangements for this facility.
- b. That rental income from the Kaitangata Recreation Reserve reserve is used for general maintenance and improvements to Kaitangata reserves.
- c. That the recreational use of motorbikes and cars is provided for at the Kaitangata Recreation Reserve, although lease conditions or resource consents may be required before this activity could occur.
- d. That the development of a wetland on Drainage Reserve R159 was suggested, but that any such development would need to avoid any negative impact on the operation of flood protection works.
- e. That Council intends to gazette the following reserves:
  - Kaitangata War Memorial Reserve
  - Kaitangata BMX Track Reserve
  - Water Street Reserve – North
  - Water Street Reserve – South
  - Salcombe Street Reserve and Cemetery
- f. That Council, with the involvement of the community, will remove the old building on the Wangaloa Recreation Reserve.
- g. That drainage issues at the Kaitangata Cemetery reserve will be investigated and remediated if possible.
- h. That the following policies are added:
  - That Council considers internationally recognised design standards to ensure accessibility to facilities and amenities for people with disabilities.
  - That when drinking water is provided it will be from a safe Council supply and that Council will consider installation of drinking fountain facilities near playgrounds as need and budget dictates.
  - That Council will consider the likely impacts of climate change when preparing relevant Activity Management Plans.
- i. That an objective is added to confirm that Council will engage with tangata whenua to explore opportunities for the practical expression of mātauranga Māori, and that the following policies relating to this objective are added:
  - To engage with tangata whenua on major developments proposed on reserves, adjacent to Māori land or places of cultural significance.
  - That engagement with tangata whenua will aim to provide improved outcomes and new opportunities.

- j. Amend the following policy: “Priority should be given to initiatives which prioritise the use of native plant species, or community-managed edible fruit and nut trees in any development activities.”
- k. That the following is added to Section 1.1 (Purpose): “enable reserves to be managed in a consistent manner, while still providing for different community needs and preferences.”

The Reserve Management Plan has been amended to incorporate Council’s direction and is attached.

#### **4 Financial Impact**

If approved, the Kaitangata-Matau Reserve Management Plan 2022-32 will be implemented in accordance with its objectives and policies, and within approved annual budgets.

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

- Kaitangata-Matau Reserve Management Plan 2022-32 – attached under separate cover.

**Kaitangata-Matau Reserve Management Plan  
2022-32**

**Clutha District Council**

**July 2022**



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## 1.0 INTRODUCTION

This section outlines the purpose of this Reserve Management Plan, and then describes:

- *the reserves to which the plan applies,*
- *relevant statutory obligations, and*
- *the strategic and policy setting within which the plan will be implemented.*

### 1.1 PURPOSE OF THIS PLAN

The purpose of the Kaitangata-Matau Reserves Management Plan is to provide Clutha District Council with a framework to guide day to day management and longer-term decision making for Council-owned reserves in the Kaitangata-Matau Ward. The plan will enable reserves in the Kaitangata-Matau Ward to be managed in a consistent manner, while still providing for different community needs and preferences.

This Reserve Management Plan:

- *Establishes the objectives and policies which give guidance for the development, management, protection, operation, and public use of reserves in the Kaitangata–Matau Ward.*
- *Summarises the statutory framework for reserve management under the Reserves Act 1977.*
- *Describes each of the reserves, including the purpose and activities that may be undertaken on that reserve.*

Once finalised, this plan is intended to respond to the needs of the Kaitangata–Matau community and provide a framework for on-going community involvement in the area. It should provide clarity to:

- *Users of reserves in the Kaitangata-Matau Ward.*
- *Community groups who actively provide for the use, management, or promotion of these reserves.*
- *Council staff responsible for maintenance and development of reserves.*
- *Elected representatives responsible for allocating resources towards projects or activities on reserves.*

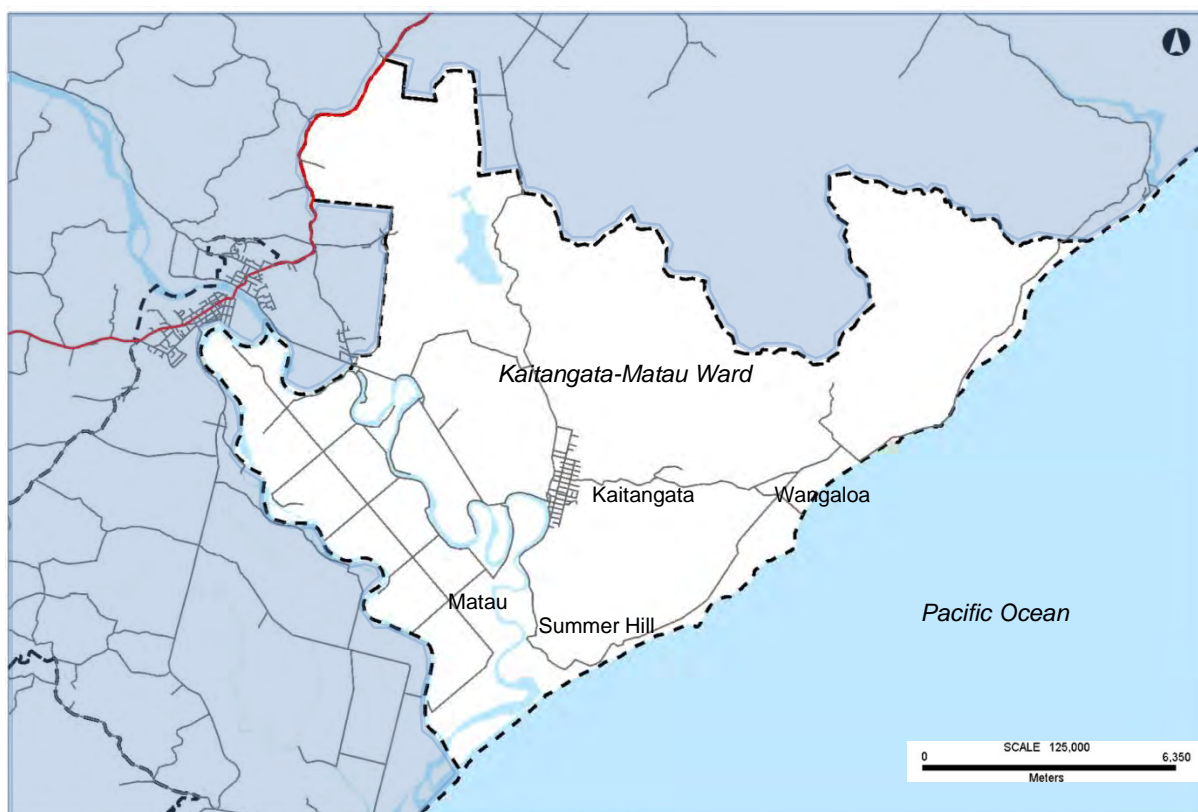
### 1.2 KAITANGATA-MATAU WARD RESERVES

The Clutha District Council (Council) administers 12 reserves in the Kaitangata–Matau Ward (Table 1-1). This Reserve Management Plan, prepared in accordance with the Reserves Act 1977 (the Act), establishes the framework for the management and development of these reserves.

The current character of these reserves is a result of factors such as their history, size, location, form, connectedness, wider land use and facilities. This character reflects community input and activities over a long period and has informed Council's intentions for the future development and management of these reserves. This Reserve Management Plan also supports Council's wider strategy of promoting the district as an attractive place to work and live.

**Table 1-1** Council-administered reserves in the Kaitangata-Matau Ward

No.	Reserve	No.	Reserve
1	Victoria Park	7	Water Street Reserve – South
2	Kaitangata Recreation Reserve	8	Salcombe Street Reserve and Cemetery
3	Drainage Reserve R159	9	Castlehill Recreation Reserve
4	Kaitangata War Memorial Reserve	10	Wangaloa Recreation Reserve
5	Kaitangata BMX Track Reserve	11	Kaitangata Cemetery
6	Water Street Reserve – North	12	Wangaloa Cemetery

**Figure 1-1** Kaitangata-Matau Ward and the main localities described in this Reserve Management Plan

### 1.3 SCOPE

This management plan applies to all reserves in the Kaitangata-Matau Ward that are administered by Council and that are classified under the Act at the time of notification of the plan. It also applies to other properties that are managed by Council for parks and recreation purposes that are not classified in accordance with Section 16 of the Act - it is Council's intention that the policies and plans in this Reserve Management Plan will also guide the use and development of these areas. A legal description of the reserves included in this management plan is provided in Appendix A1.0.

Other parties may also own or administer lands in the Kaitangata-Matau Ward that are registered as reserves, such as the Department of Conservation (DOC) or private landowners. This plan does not apply to those areas.

## 1.4 STATUTORY OBLIGATIONS

The Act governs the management and control of reserves in New Zealand. It also defines the purposes for which a reserve may be established and used, and the requirements for a reserve to be gazetted after approval by the Minister of Conservation.

Section 41 of the Act requires the administering body (Council) to prepare reserve management plans for reserves under its control, management, or administration. This Reserve Management Plan outlines Council's general intentions for the balanced use, development, and protection of all reserves in the Kaitangata–Matau Ward administered by Council.

The key responsibilities for Council under the Act are to:

- *Classify its reserve land according to its primary purpose.<sup>1</sup> The potential classifications set out in the Act (sections 17-23) are:*
  - *Recreation*
  - *Historic*
  - *Scenic*
  - *Nature*
  - *Scientific*
  - *Government purpose*
  - *Local purpose*
- *Manage the land for its primary purpose*
- *Prepare a management plan and keep it under continuous review; and*
- *Put in place formal agreements for leases and licenses.*

In addition, the Reserve Management Plan provides for and ensures the use, enjoyment, maintenance, protection, and preservation (as the case may require), and the development (as appropriate) of the reserve for the purpose for which it is classified (as required by section 41(3) of the Act).

To inform the development of the Reserve Management Plan, Council is required to consult with the community and iwi in order to identify their wishes and aspirations for the reserves.

## 1.5 STRATEGIC SETTING

The Vision identified in Council's *Living and Working Strategy* is that the Clutha District is a great place to live, work and play. The work programs that Council will undertake over the next 10 years will help to ensure that the Clutha District:

- *has vibrant rural towns and communities*
- *is connected and collaborative*
- *has a healthy and sustainable environment.*

This Reserve Management Plan is intended to help achieve these objectives, as they relate to the Kaitangata-Matau Ward. In particular, this plan will help to support recreation, culture and heritage, and ensure that our communities are healthy and safe.

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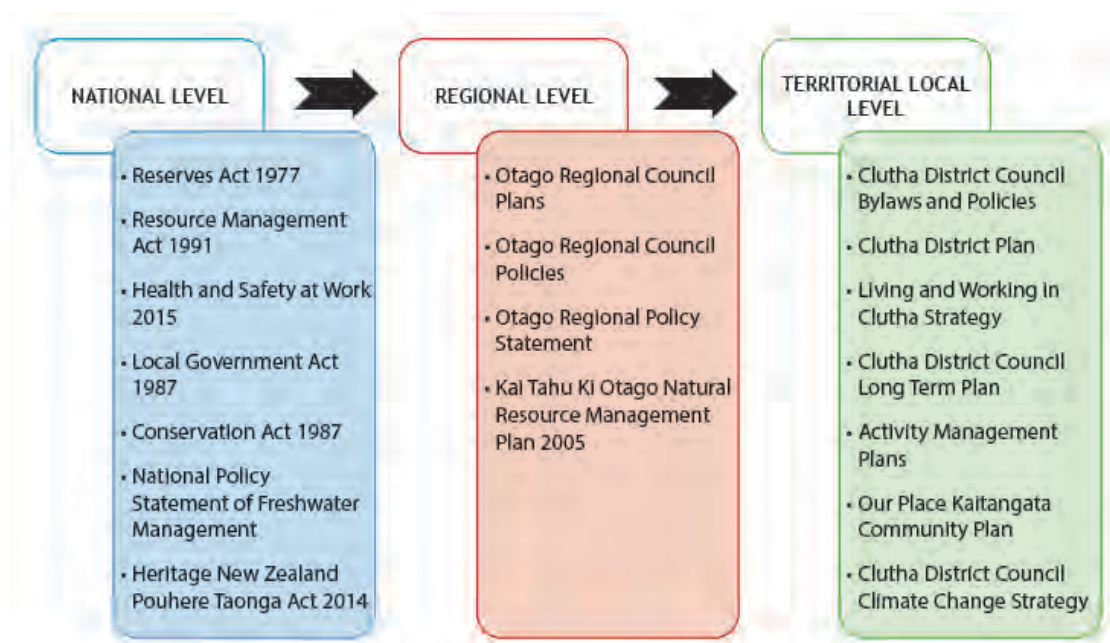
<sup>1</sup> Appendix A6.0 describes these classifications more fully.

## 1.6 OTHER RELEVANT DOCUMENTS

Activities and developments undertaken on reserve land remain subject to other legislation. Regional, district and national policy and bylaws may apply depending on the status of the reserve and the nature of the activity being undertaken.

The provisions of the District Plan also apply to reserves and any activity which may be permitted by this Reserve Management Plan may need to be consented by Council or other authorities.

The legislation, policies, and strategic direction which are relevant to this Reserve Management Plan are shown in Figure 1-2.



**Figure 1-2** Relevant legislation and policy

## 2.0 OPPORTUNITIES

This section describes various opportunities and projects which have been proposed for Council-administered reserves in the Kaitangata-Matau Ward. This Reserve Management Plan provides an overarching framework to guide day to day management and longer-term decision making for these reserves. It also identifies which activities are authorised to occur on particular reserves. The plan does not set out the operational details of such activities, and these are handled by other mechanisms, for example agreements, leases or licenses to individuals or clubs.

### 2.1 OUR PLACE KAITANGATA PROJECTS

Consultation as part of the 'Our Place Kaitangata Community Plan' process was undertaken in early 2021 to better understand the ways in which Council-owned and operated assets and land are used, their value to the community and aspirations for their future use. Feedback was sought about what improvements or changes should be considered for parks and reserves, to help with the development of the Kaitangata–Matau Reserves Management Plan

This Reserve Management Plan provides the framework to support the Community Plan and any reserve-based projects which arise from that work. Relevant Community Plan projects are summarised in Table 2-1. More information is available on the Our Place Kaitangata page website [\[link\]](#). Community feedback regarding reserves is summarised in Appendix A4.0.

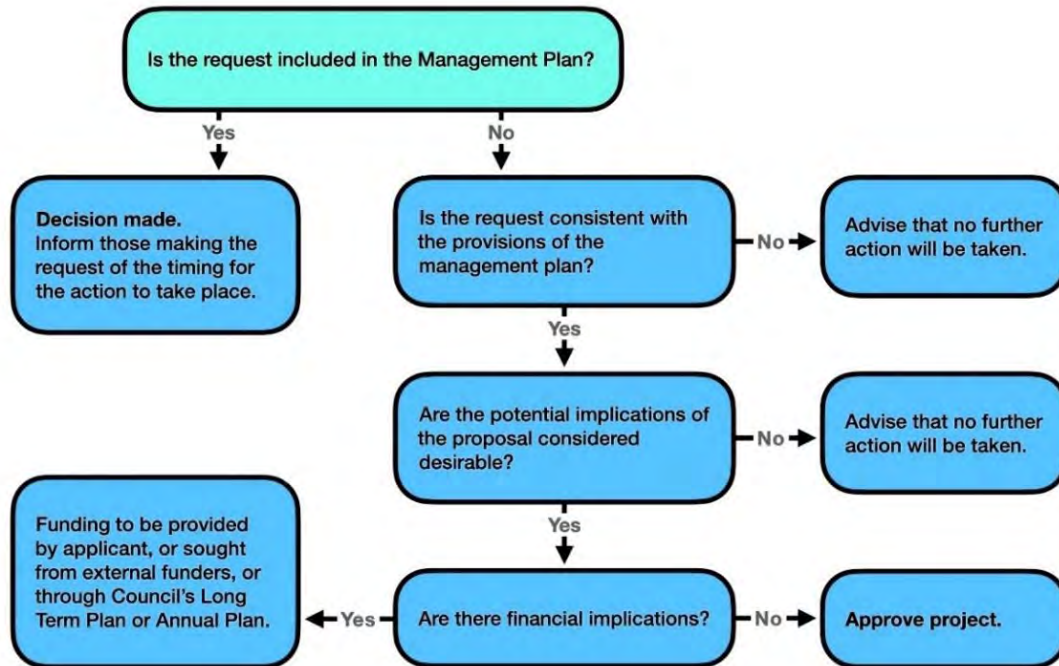
**Table 2-1** Relevant projects from the Our Place Kaitangata Community Plan

Project	Outcome	Lead Agency
River access <i>Water Street Reserve</i>	<ol style="list-style-type: none"> <li>Improvements to the boat ramp, carpark &amp; Water Street Reserve.</li> <li>Riverbank improvements to mitigate erosion, and to improve access to the river.</li> </ol>	This will be a community-led project, with project management and funding support from Council.
Walking and cycling <i>Improving access to or through various public reserves</i>	<ol style="list-style-type: none"> <li>Improving linkages within Kaitangata.</li> <li>Creating connections to the wider area.</li> </ol>	<ol style="list-style-type: none"> <li>Council-led, as footpaths and tracks are generally 'Council-owned' assets.</li> <li>Community-led, given the ability of community groups or trusts to access alternative funding sources.</li> </ol>
Kaitangata Pool <i>Victoria Park Reserve</i>	Council will continue to engage with the Kaitangata community regarding the future ownership of the Kaitangata Pool. Upgrades and funding will be considered once the long-term plans and future of the pool is considered.	This will be a Council-led project, with input from the Kaitangata Pool Group.
Park improvements <i>Victoria Park Reserve</i>	<ol style="list-style-type: none"> <li>Improvements or additional facilities at Victoria Park Reserve.</li> <li>Trim or remove trees shading the pool and playground.</li> </ol>	<ol style="list-style-type: none"> <li>Community-led. Council may provide funding, technical or administrative support.</li> <li>Council-led.</li> </ol>
Community park <i>War Memorial Reserve</i>	The aim is to create an attractive community park in central Kaitangata, on the site of the old town hall and War Memorial Reserve.	This will be a community-led project, with support from Council.
Public toilets <i>Water Street Reserve</i>	Provide additional public toilets in central Kaitangata.	This will be a Council-led project, with community input on key decisions.

Improvements <i>Wangaloa Recreation Reserve</i>	Improvements to make the reserve more user-friendly and accessible.	This will be a Council-led project, with support from the local community.
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## 2.2 FUTURE PROPOSALS

The decision-making process shown in Figure 2-1 will be used to decide on future proposals not specifically provided for in this Reserve Management Plan.



**Figure 2-1** Decision-making process for proposals to develop Council-administered reserves

Approved projects, able to be achieved within existing budgets can generally proceed. Additional Council funding may be available via the Long Term Plan and Annual Plan process. Council will work alongside community groups and other agencies to progress some projects. The intention is that this Reserve Management Plan will enable future developments and projects to be undertaken.

### 3.0 OBJECTIVES AND POLICIES

#### 3.1 BACKGROUND

Clutha District Council manages and maintains a range of reserves, playgrounds, and open spaces in the Kaitangata–Matau Ward. The population of this area is likely to gradually increase over the next decade, and a challenge for Council will be understanding the current and future levels of use of these reserves, to efficiently and effectively provide for their future management.

There are some general principles which govern management and operational decisions relating to Council reserves. These principles recognise the importance of the natural environment to residents and visitors, and the desire to enable improvements that contribute to this environment. They are:

- *To provide for passive and active recreation and enjoyment of the natural environment*
- *To encouraging walking and cycling activities*
- *To seek to protect and enhance the environment*
- *To facilitate nature tourism so residents and visitors can enjoy the environment.*
- *To encourage native tree/species planting*
- *To enable residents and visitors to be ‘Tidy Kiwis’*
- *To limit and control any building development.*

The main outcome sought from this plan is to enhance the reserve areas in the Kaitangata-Matau Ward for the local community and visitors to the area. The objectives and policies in this plan seek to provide a framework to support the future maintenance and development of these reserves.

#### 3.2 GOAL

The vision for Council's reserves, playgrounds and open spaces is:

*“To provide a variety of passive and active recreational spaces that enable the local community and visitors to experience and enjoy the unique natural environment of Kaitangata and the Kaitangata–Matau Ward.”*

#### 3.3 OBJECTIVES

The objectives sought from this plan are as follows:

1. *The unique character of the Kaitangata–Matau environment is reflected in the development, design, maintenance, and management of reserves.*
2. *Retain a high level of unrestricted access to reserves and encourage improved cycling and walking opportunities.*
3. *Provide a selection of reserves to meet a range of visitor and community needs for passive and active recreation.*
4. *Identify opportunities to enhance the facilities in the reserves for the enjoyment of the wider community and for those who visit the Kaitangata area.*
5. *To ensure that Council engages actively with tangata whenua to explore opportunities for the practical expression of mātauranga Māori.<sup>2</sup>*

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<sup>2</sup> Mātauranga Māori: Māori knowledge - the body of knowledge originating from Māori ancestors, including the Māori world view and perspectives, Māori creativity and cultural practices (Source: Te Aka Māori Dictionary)

The objectives and policies set out below apply across all reserves covered under this plan.

## **OBJECTIVE 1**

The unique character of the Kaitangata-Matau environment is reflected in the development, design, maintenance, and management of reserves.

### **POLICIES:**

- *Development at Council reserves, playgrounds and open spaces should be consistent with the natural environment of Kaitangata–Matau.*
- *Vegetation will be maintained in accordance with the standards and techniques of approved arborcultural practice.*
- *Council will retain the overall responsibility for pest plant and pest animal maintenance of reserves unless otherwise specified.*
- *Priority should be given to initiatives which prioritise the use of native plant species, or community-managed edible fruit and nut trees in any development activities.*
- *Investigate the use of reserves for planting trees to offset carbon emissions and to qualify for central government grants.*
- *Provide facilities that enable people to manage their waste effectively and avoid spreading litter and other waste in the environment.*
- *Ensure that all leases and licenses meet the requirements of the Reserves Act 1977 and are in accordance with the Clutha District Plan and other Council policies and bylaws.*
- *Council will actively manage leases on reserves and ensure that any negative impacts of new, current, or lapsed leases are mitigated.*
- *Ensure the safety of reserve users and the protection of the environment by:*
  - *limiting the recreational riding of motorcycles or other vehicles to designated areas within reserves, and*
  - *requiring active management by leaseholders where motorcycles or other vehicles are used for recreational activities, to ensure the safe operation of potentially conflicting activities.*
- *Only permit the grazing of horses or stock on reserves through a formal license or agreement.*
- *Only permit excavation or earthworks on reserves with prior Council consent and ensure that physical works are designed to be compatible with the local environment.*
- *Require approval from Council staff for the erection of signs on reserves by clubs or lease holders.*
- *Identify heritage and cultural sites (including mana whenua culture and heritage) within reserves and provide for their protection and restoration as appropriate.*
- *Ensure compliance with Council’s Freedom Camping Bylaw 2021.*
- *Ensure that playground equipment is maintained in fully operational condition.*
- *Consider the likely impacts of climate change when preparing Activity Management Plans for reserves in the Kaitangata-Matau Ward.*

## **OBJECTIVE 2**

Retain a high level of unrestricted access to reserves and encourage improved cycling and walking opportunities.

### **POLICIES:**



- *To improve walking and cycling opportunities throughout the Kaitangata–Matau Ward.*
- *To increase awareness of reserves by providing signage to identify their location, facilities, and attractions.*
- *To allow for the development of recreational tracks and formal pathways on reserves, where the adverse effects on the environment can be adequately mitigated.*
- *To provide effective entry points and pathways into reserves to encourage public access.*
- *To consider access to, and linkages between reserves in land transport policy planning.*

### **OBJECTIVE 3**

Provide a selection of reserves to meet a range of community needs for passive and active recreation.

#### **POLICIES:**

- *Continue to review and confirm that all reserve classifications and boundaries (including any reclassification) meet this objective as appropriate.*
- *To protect and enhance the opportunities for people of all ages and physical abilities to access and enjoy the outdoor environment.*
- *To seek input from the disabled community when upgrading access to reserves.*
- *To take into account guidelines such as universal design principles to ensure accessibility to a range of facilities and amenities for people with disabilities.*
- *To provide areas for quiet reflection, including seating and shade.*
- *Provide for imaginative play that integrates playground structures with the surrounding natural environment.*
- *Promote and facilitate community use of Council open spaces for temporary events.*
- *Commercial recreational activity will be supported where appropriate and where the impact on the environment is controlled and the ability of the public to use and enjoy the reserves is not significantly affected.*

### **OBJECTIVE 4**

Identify opportunities to enhance the facilities in the reserves for the enjoyment of the wider community and for those who visit the Kaitangata-Matau Ward.

#### **POLICIES:**

1. *Appropriate facilities will be identified, installed, and maintained to provide for the enjoyment of the community and visitors to reserves.*
2. *Council will work with the community and Kaitangata & District Promotions Board to identify and implement opportunities to enhance reserves, including projects identified in the Our Place Kaitangata Community Plan.*
3. *Council will consult with the community prior to any major development on a reserve.*
4. *The establishment of native planting on reserves to encourage native wildlife will be supported.*
5. *Opportunities to enhance passive and active surveillance of reserve areas will be identified and promoted.*

6. *Implement the Clutha District Smokefree Public Places Policy, including by maintaining 'smoke-free' signage within playgrounds, parks, sports grounds, and reserves.*
7. *When drinking water is provided, it will be from safe Council supply and Council will consider installation of drinking fountain facilities near playgrounds as need and budget dictates.*

## **OBJECTIVE 5**

To ensure that Council engages actively with tangata whenua to explore opportunities for the practical expression of mātauranga Māori.

### **POLICIES:**

1. *Council will engage with tangata whenua on all major developments proposed on reserves, or adjacent to Māori land or other lands, resources, or places of cultural significance.*
2. *Engagement with tangata whenua will be conducted with the aim of leading to improved outcomes and new opportunities.*

## 4.0 THE KAITANGATA-MATAU WARD

Approximately 1,100 people live in the Kaitangata-Matau Ward, the majority of whom live in Kaitangata. There are no other major settlements in the ward, with Stirling, Benhar and Toko Mouth all located just outside its boundary. The ward covers 164 km<sup>2</sup> (Figure 1-1), most of which is used for farming or forestry activities, with a coal mine also operating near Kaitangata.<sup>3</sup>

The key roads which link Kaitangata to the rest of the Clutha District include the Kaitangata Highway (west towards Balclutha), and Lakeside Road (north towards State Highway 1 and Milton). The South Island Main Trunk Line also passes through the northern part of the ward.

### 4.1 PHYSICAL CHARACTERISTICS

#### *Topography*

A range of hills dominate the eastern half of the Kaitangata-Matau Ward, separating the flat, gently sloping Clutha Delta from the Pacific Ocean. This coastal range rises to 180m, and gradually slopes down towards the mouth of the Matau Branch of the Clutha River at Summer Hill (Figure 4-1). A narrow plain, up to 1km wide in places and elevated 20-40m above sea level extends along the eastern side of the coastal range.



**Figure 4-1** View to the east over the Clutha Delta towards Kaitangata and the Pacific coast (Google Earth)

Much of the Clutha Delta lies within the ward, including 'Inch Clutha' (the island separated by the two branches of the Clutha River), and a low-lying area to the north which includes extensive wetlands and Lake Tuakitoto. The Clutha Delta can be affected by large flood events, although a level of protection is provided by the Lower Clutha Flood Protection and Drainage Scheme, which is administered by the Otago Regional Council.

#### *Climate*

The Kaitangata-Matau Ward experiences a reasonably mild maritime climate. Average maximum temperatures during the summer months lie between 18°C and 20°C, while average

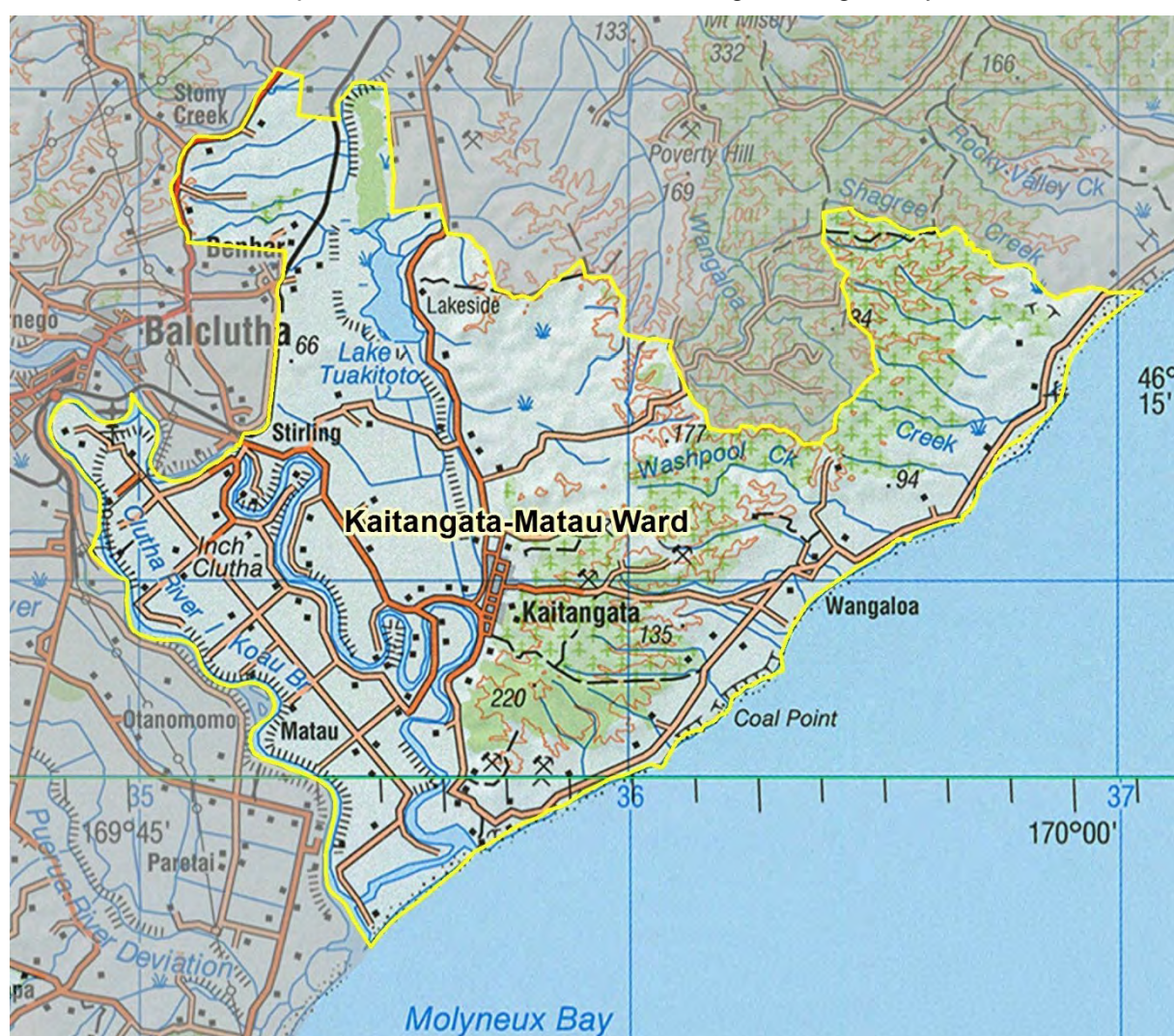
<sup>3</sup> There are a range of resources describing the environment and history of Kaitangata. This section provides a summary of some key aspects, including material drawn from *History of Kaitangata 1800s-2004* by Irene Sutton and Bill Proctor.

minimum winter temperatures lie between 0°C and 4°C. Annual rainfalls range from 700 to 900 mm.

#### *Vegetation and ecology*

The Kaitangata-Matau Ward is covered predominantly with pasture and exotic forestry plantations, although there is a reasonably large area (approximately 430 hectares) of native bush near Summer Hill (Figure 4-2). The Lake Tuakitoto wetland area also lies within the ward, and this attracts a wide range of species, including native and non-native threatened species. Common species found at Lake Tuakitoto are Mallard Duck, Grey Teal, Paradise Shelduck, Canada Goose, Black Swan, South Island Fern Bird, and White Heron.

Lake Tuakitoto provides an educational resource for local and visiting schools, community groups, and families visiting the area. Several educational programs are held at the site and information boards can be accessed on the lake's surrounding walkway. As well as ecological value, Lake Tuakitoto provides limited flood water storage during heavy rainfall events.



**Figure 4-2** Topographical map showing the main features of the Kaitangata-Matau Ward

## **4.2 CULTURAL VALUES**

Given its key location near the mouth of the Clutha River/Mata-Au, Kaitangata has an ancient history, with Māori occupation dating back hundreds of years. The Mata-Au was an important pathway for Māori from the ocean to Central Otago and then on to Tai Poutini (the West Coast). With abundant food sources and a mild climate, several small settlements were scattered

across the lower Clutha Delta. The Rapuvai and then Waitaha lived in the area, and Māori were well established when Europeans first began to arrive in the 1840's.

Before European settlement, the Waitaha people would visit Lake Tuakitoto via waterways which linked to the Mata-Au, gathering food at certain times of the year. From the Mata-Au, a channel called Te Auahi Roa (referring to the long cloud of mist that looked like smoke) connected to Lake Kaitangata (which has now been drained) and on to Lake Tuakitoto. The wetlands were like a supermarket for local Māori, providing easy access by waka or raft to rich feeding grounds for food gathering.<sup>4</sup>

As Europeans began to settle in the Kaitangata area, sheep and dairy farms were established, and the township started to develop – it's first resident is thought to have been a Mr Thomas in the early 1840's. The Kaitangata-Matau Ward remains an important farming area today, with coal and forestry also contributing to the local economy. Currently, the open cast mine produces approximately 55,000 tonnes per annum. Whitebaiting and fishing remain popular activities, and several huts have been established along the Matau Branch of the Clutha River.

Cultural values which are associated with specific reserves are discussed in sections 5, 6 and 7.



**Figure 4-3** Kaitangata looking down River, New Zealand, 1904-1915, Kaitangata, by Muir & Moodie studio. Purchased 1998 with New Zealand Lottery Grants Board funds. Te Papa

<sup>4</sup> Source: Ruth Baldwin, a descendent of Haimona Rakiraki, a Waitaha leader who was known by early settlers as Chief Lakitapu in the 1850's.



**Figure 4-4** Crown Grant Index Record for Kaitangata, with key reserves identified. Source: Archives NZ.

### 4.3 POPULATION

In 2018, Kaitangata's population was approximately 750, with 20% of Māori descent. Although the latest census data shows a small decline in population over the last two decades, the town does offer significant potential for more residential development. Promotion of an affordable 'House and Land' package is enabling more people to shift into the area, with work opportunities in Balclutha or nearby.

Kaitangata offers an attractive natural landscape and good recreational activities, and it is expected that with the provision of affordable housing alongside steady employment opportunities, growth in this small town will turn around. Kaitangata does have a relatively high unemployment rate, so establishing more employment opportunities is crucial to ensuring the future growth of the town. Census data for the wider Kaitangata-Matau Ward is shown in Table 4-1.

**Table 4-1** Population data for the Kaitangata-Matau Ward (- indicates the data is not available)

<b>Statistical area: Kaitangata–Matau Ward</b>	<b>2006</b>	<b>2013</b>	<b>2018</b>
Permanent residents	1,137	1,104	1,092
Census night count	1,158	1,083	1,074
Median age	-	-	40.4 years
Full-time employment	57.8%	55.6%	54.6%
Part-time employment	13.8%	13.1%	13%
Unemployed	2.5%	4%	4.8%
Number of occupied dwellings	-	-	444
Number of unoccupied dwellings	-	-	72

## 5.0 KAITANGATA RESERVES

Clutha District Council is responsible for nine reserves in the town of Kaitangata (Table 1-1). They fulfil a variety of purposes, including children's playgrounds, recreation areas, and the provision of community amenities. Legal descriptions of reserves and details of existing leases can be found in in this document's appendices.

### 5.1 VICTORIA PARK

Victoria Park was gazetted as a Recreation Reserve in 1881 and is owned and administered by the Clutha District Council. The reserve is bounded by Eddystone, Branksea, Water and St Albans streets. Previously the reserve has housed tennis courts with a pavilion, a croquet green, and Kaitangata's first swimming baths, built in 1911-12 at the corner of Water and St Albans streets.

Victoria Park remains a popular recreational area today, due to the range of facilities available and its central location. Amenities include the public pool (opened in 1969), children's playground (opened in 2000), seating areas, public toilets, rubbish bins, mature trees, and a grassed area on the western side of the reserve. The reserve has no designated onsite parking although street parking is available.



**Figure 5-1** Victoria Park Recreation Reserve

#### 5.1.1 Maintenance

Victoria Park is maintained by Clutha District Council under its greenspace contract. As of July 2022, the Kaitangata Pool remains a Council-owned asset, with management delegated to the Kaitangata Pool Group.





**Figure 5-2** Part of the playground at Victoria Park reserve



**Figure 5-3** View of Victoria Park from Branksea Street

### 5.1.2 Development

'Our Place' community consultation identified that Victoria Park is very important to the Kaitangata community, and Council does not intend to make significant changes to this reserve. However, the feedback received did include suggestions from residents for further improvements, and the 'Our Place' projects which relate to this reserve include:

- *An assessment of future options for the Kaitangata Pool.*
- *Improvements to the reserve itself (playground, greenspace).*
- *Work to trim or remove trees which are shading the pool and playground.*

Other feedback related to sealing and/or closing off the western entrance to St Albans Street, to provide for additional angle parking, and to improve safety.

Any proposed physical works or improvements will be considered by Council in the context of its reserve status, and the objectives and policies set out in this Reserve Management Plan.

## 5.2 KAITANGATA RECREATION RESERVE

This large reserve is located on the northern outskirts of Kaitangata, and is made up of the following areas (as mapped in Figure 5-5):

- *Gazetted Recreation Reserve.* There are seventeen separate parcels of land which are gazetted as Recreation Reserve. The combined area of these parcels is approximately 17.8 hectares. Sixteen of these parcels are Council property, while one<sup>5</sup> has the Department of Conservation (DOC) as the landowner.
- *Road Reserve.* There are areas designated as Road Reserve (or 'paper road') between the Recreation Reserve areas. The total area of road reserve is approximately 6.3 hectares.
- *Freehold Title.* There is a small section of Council-owned land with freehold title, where the clubrooms and carpark are located. The Crescent Rugby Football Club has leasehold title over the part of this section where the club rooms are situated.



**Figure 5-4** View of the playing fields, clubrooms, and grandstand at the Kaitangata Recreation Reserve

Several important features are present on the reserve, including:

- *A flood bank and scheduled drain which form part of the Lower Clutha Flood Protection and Drainage Scheme.*
- *The Crescent Rugby Football Club clubrooms, car park and grandstand.*
- *Playing fields, which are used for cricket in summer and rugby in winter.*

The reserve is also used for the Kaitangata Car Show which is held in early November. The show provides an opportunity to view hundreds of rarely viewed vehicles and attracts a large crowd to Kaitangata.

<sup>5</sup> the parcel marked as playing fields on Figure 5-5

The irregular shape of the western reserve boundary aligns with the extent of 'Kaitangata Lake' – a low-lying area of land which is marked on Figure 4-5. This area has now been drained and is used as farmland.

It is noted that a Drainage Reserve area overlies this reserve (as described in section 5.3). There are three parcels of freehold land to the south of the rugby club (on Water Street) which do not form part of the reserve.



**Figure 5-5** Kaitangata Recreation Reserve.

### 5.2.1 Maintenance

With the exception of the playing fields, practice field, the clubrooms and carpark, this reserve is leased as farmland, to be used for grazing. The 10-year lease expires in 2026. Maintenance, pest control, and any improvements are the responsibility of the lessee. Rental income from

the lease of this reserve is added to the Kaitangata Parks and Reserves Fund. This is used for general maintenance of reserves, and when required, for improvements (including Community Plan projects).

The scheduled drain and flood bank which pass through the reserve are maintained by the Otago Regional Council, under the Flood Protection Management Bylaw.

The playing fields, which primarily lie on the section of the reserve administered by DOC are maintained under Council's greenspace contract. The rugby club rooms are owned and maintained by the rugby club, on freehold land, with a 'Facilities' designation (F72) in the Clutha District Plan.

### 5.2.2 Development

No major developments are currently planned by Council for this reserve. However, a community-based proposal to develop facilities for the recreational use of motorbikes and cars was put forward in early 2022. The proposal is that improvements could be made to the Kaitangata Recreation Reserve over time, to eventually provide for the following:

- *Motocross track*
- *'Burn-out' pad*
- *Stock car track (gravel)*
- *Go-cart track (sealed)*

The objective of this work would be to provide a controlled environment for such activities, which may help to reduce negative impacts on local roads, and for the wider community. The general area where such an activity might be located is shown in Figure 5-6.



**Figure 5-6** A view to the south over the northern end of the Kaitangata Recreation Reserve, from Lakeside Road/Smyth Street

Feedback on whether motor-sport activities are appropriate on the Kaitangata Recreation Reserve was sought as part of the consultation process for this Reserve Management Plan. Two submissions in favour of this proposal were received, and none against.

The recreational use of motorbikes and cars is an activity provided for at this reserve, although lease conditions or resource consents may be required before this activity could occur. These might include formation of a club to manage the activity, a lease agreement, and specific conditions to provide for the wellbeing of users, neighbours, and the wider community. The provisions of the Flood Protection Management Bylaw and flood hazards will need to be considered if this activity is pursued.

Council could also consider the revocation of reserve status and potential sale of all, or some of the Council-administered section of this reserve (shaded yellow in Figure 5-5). Revocation

of a gazetted reserve needs to follow a statutory process that requires the Minister of Conservation involvement and approval (Appendix A5.0).

### 5.3 DRAINAGE RESERVE R159

A separate Drainage Reserve overlies the Kaitangata Recreation Reserve. This reserve is identified in the Clutha District Plan as R159, and the mapped extent is shown in Figure 5-7. This shows that the reserve extent does not completely align with the actual location of the drain and flood bank.

A view of the drain and flood bank is shown in Figure 5-8. As noted above, these features form part of the Lower Clutha Flood Protection and Drainage Scheme, under the Flood Protection Management Bylaw 2012. This bylaw is intended to protect the effective operation and integrity of flood protection works which are under the control of the Otago Regional Council. It is noted that the bylaw only controls activities that may affect the integrity or operation of such works.

Through the consultation process for this Reserve Management Plan, a suggestion was put forward that this area could be allowed to regenerate as a wetland. Any such development would need to avoid any negative impact on the operation of flood protection works and would require approval from the Otago Regional Council.



**Figure 5-7** Drainage Reserve R159 (shaded blue)



**Figure 5-8** View of Drainage Reserve R159 and the wider Kaitangata Recreation Reserve, looking upstream from the bridge

## 5.4 KAITANGATA WAR MEMORIAL RESERVE

This key public space to the southwest of the Eddystone/Exmouth Street intersection comprises two non-gazetted sections of land which are owned by Council (Figure 5-10). The corner section has historically been used as a greenspace/park area, with a picnic table, information board and old coal train wagons located on a flat grassed area (Figure 5-9). The section to the south previously housed the Kaitangata War Memorial Hall which opened in 1955 and was demolished in 2020 due to safety issues.

There is another section of Council-owned land to the south of the old hall site. This previously housed the old service centre building which was also demolished in 2020. The site is now used as a carpark for the neighbouring fire station. Access to 8 Exmouth Street is through this site, and across the corner of the old War Memorial Hall section (Figure 5-10).



**Figure 5-9** Greenspace at the corner of Exmouth and Eddystone streets

### 5.4.1 Maintenance

The greenspace/park area is currently maintained by Council under its greenspace contract. The old War Memorial Hall site is currently bare land.

### 5.4.2 Development

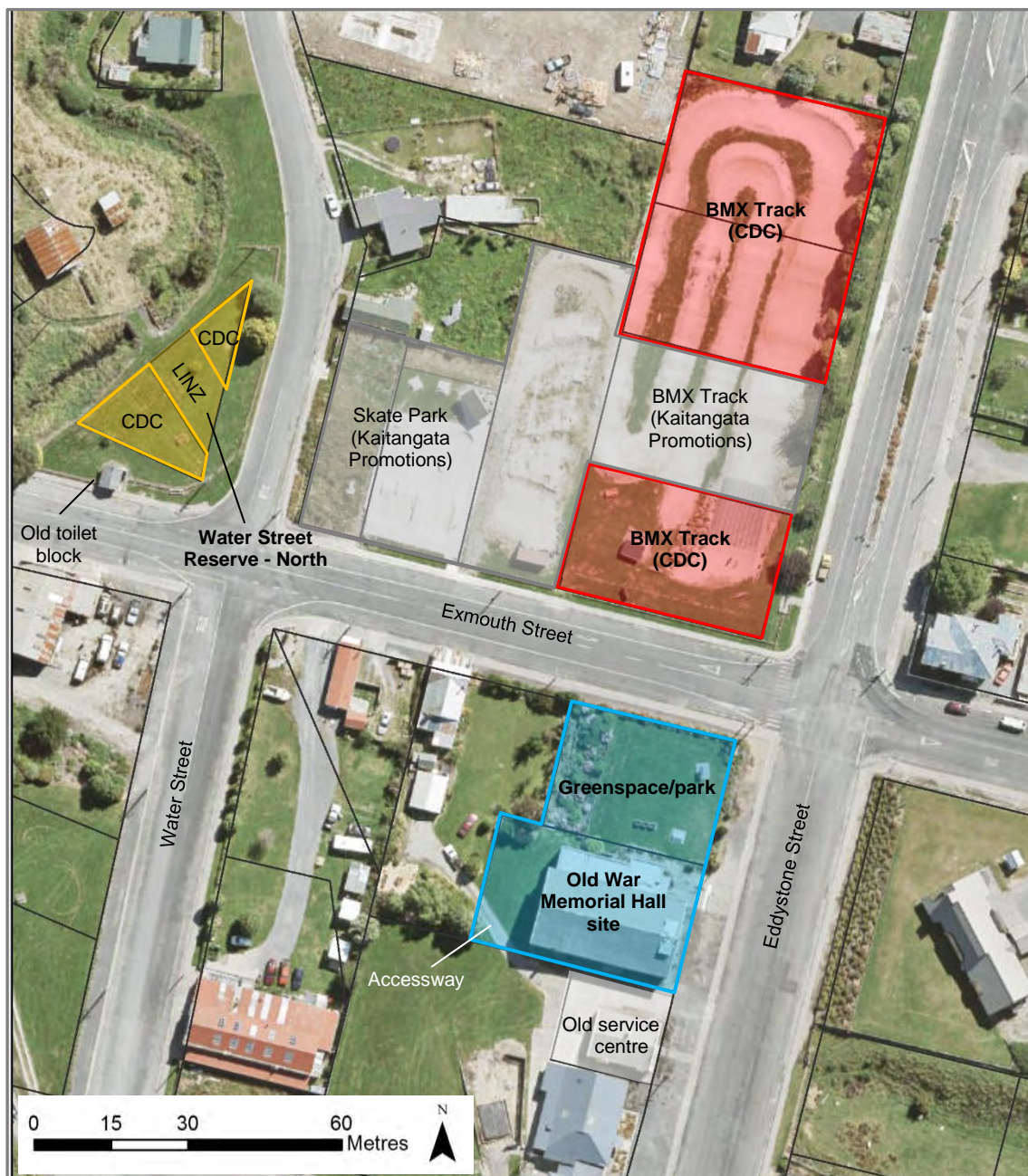
Council's intention is to improve this area, so that it becomes a key public space in central Kaitangata, with links to the nearby BMX track, skate park, community centre, and the Clutha River. A concept plan has been developed for this reserve, with the main elements to include:

- *an open space for community gatherings*
- *a children's play area, incorporating the existing train*
- *a passive rest/contemplative area*
- *heritage/cultural elements, and*
- *connections to the wider community.*

Improvements to this reserve will be carried out in conjunction with the community and will need to be considered in the context of the objectives and policies set out in this Reserve Management Plan.

Once improvements to this reserve have been completed, Council will continue to maintain the whole reserve through its greenspace maintenance contract. There are no plans to remove the accessway to 8 Exmouth Street as part of any development of this reserve.

To ensure that the present and potential future values associated with this public space are safeguarded into the future, Council intends to classify this area according to its primary purpose. The most suitable classification is likely to be as a historic reserve (as described in Appendix A6.0). More information about the classification process is provided in Appendix A8.0.



**Figure 5-10** Reserve areas in central Kaitangata, including the Kaitangata War Memorial Reserve (blue); Council-owned section of the BMX Track (red), and the Water Street Reserve (orange). Land owned by Kaitangata & District Promotions is shaded grey.



## 5.5 KAITANGATA BMX TRACK RESERVE

The Kaitangata BMX track is located to the northwest of the Eddystone/Exmouth Street intersection. The track is laid out across three non-gazetted parcels of land owned by Council, and one parcel which is owned by Kaitangata & District Promotions Incorporated ('Kai Promotions'), as shown in Figure 5-10. The track was constructed primarily through donated labour by locals, contractors, farmers, and community volunteers, and was officially opened in 2008. The land on which the track lies was previously privately-owned bare ground.

Kai Promotions also own three parcels of land to the west of the BMX track, where they have developed a skate park which was opened in 2016 and extended in 2021. With these two neighbouring facilities, this part of central Kaitangata has become a popular recreational area for residents and visitors. Both the BMX track and skate park are well utilised and highly valued within the local community, with BMX meetings held weekly during summer.

### 5.5.1 Maintenance

The berm areas along Eddystone and Exmouth streets, and some of the reserve area is maintained by Clutha District Council under its greenspace contract (Appendix A7.0). The BMX track itself is maintained by the Black Gold BMX Club.

### 5.5.2 Development

Council does not plan to change the ownership, usage, or maintenance of the three Council-owned parcels of land which form part of the BMX track. However, to ensure that the present and potential future values associated with this public space are safeguarded into the future, it is Council's intent to amalgamate the BMX track and skate park and classify the entire area as a reserve. The most suitable classification, according to its primary purpose, would be as a recreation reserve (see Appendix A6.0). As part of this process, Council may request that ownership of the land currently owned by Kaitangata & District Promotions be transferred to Council. More information about the classification process is provided in Appendix A8.0.



**Figure 5-11** Action from the starting chute of the Kaitangata BMX track (Photo courtesy of Allied Press)

## 5.6 WATER STREET RESERVE - NORTH

The Water Street Reserve - North is located near the western entrance to Kaitangata and lies within a much larger area of public land which extends north from Exmouth Street, alongside Water Street and the Kaitangata Contour Channel. The reserve is centrally located between the boat ramp, BMX track and skate park, and the War Memorial Reserve.

Although the area outlined in Figure 5-10 is identified in Council's database as a park with the designation 'Water Street Reserve', it is not a gazetted reserve. It is separated into three sections, the outer two being Council-owned land, while the middle section is administered by Land Information New Zealand (LINZ). The section administered by LINZ previously formed part of the Kaitangata Railway Line which operated from 1876 to 1970. An old railway bridge lies to the northwest of this section.

### 5.6.1 Maintenance

The reserve, and some of the wider area to the north along Water Street is mowed under Council's greenspace contract and is the responsibility of the Service Delivery Department. (Appendix A7.0).

### 5.6.2 Development

The Water Street Reserve – North is strategically located near the western entrance to Kaitangata, as well as some key community facilities. The 'Our Place' Community Plan includes a project to provide public toilets in this area. The location preferred by the community is the site of an old toilet block on Exmouth Street, immediately to the south of the reserve (Figure 5-12). This development may have implications for the usage and maintenance of the reserve.

Kai Promotions have also indicated they would like to develop angle parking on Water Street, alongside this reserve. This would provide additional parking for BMX meets and other events at adjacent reserves. Any decisions by Council regarding this development will be considered in the context of its status as Council and LINZ-owned land, and the goal, objectives and policies set out in this Reserve Management Plan.

To ensure that the values associated with this public space are safeguarded, it is Council's intent to classify this area as a reserve. The most suitable classification, according to its primary purpose, would be as a recreation reserve. As part of this process, Council may request that ownership of the LINZ land be transferred to Council.



**Figure 5-12** View across the Water Street Reserve towards Exmouth Street

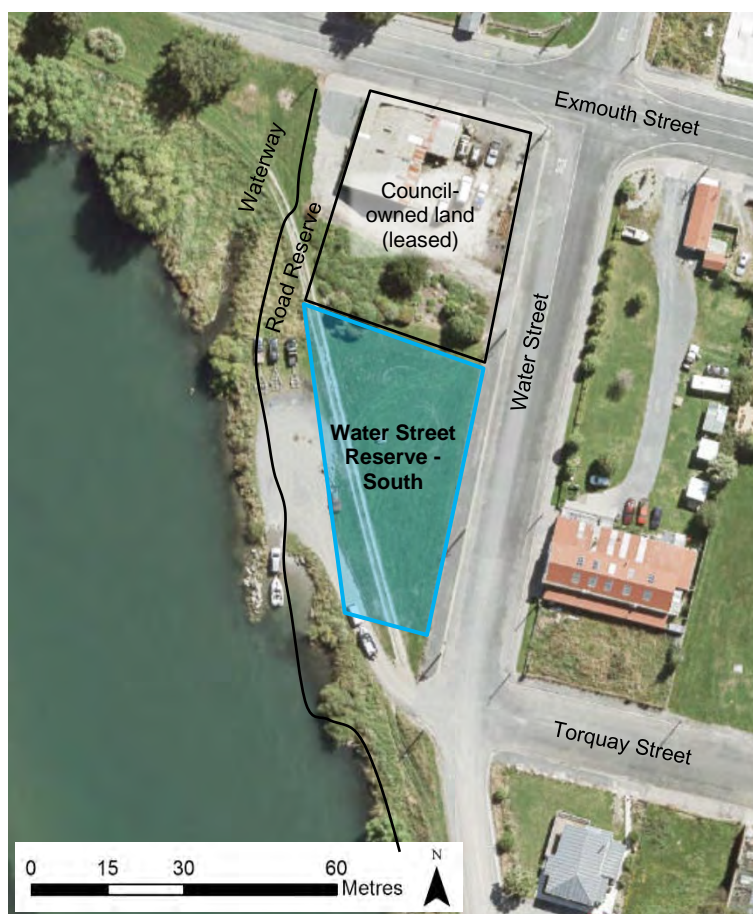
## 5.7 WATER STREET RESERVE - SOUTH

The Water Street Reserve – South is located on two parcels of non-gazetted, Council-owned land between the Clutha River/Mata-Au and Water Street, in central Kaitangata (Figure 5-13). The reserve and the surrounding area is a simple, but pleasant greenspace area which is used by the public for a range of purposes, including as a means of accessing the river. The adjacent boat ramp is well-used, as is the adjacent parking area. A low flood bank passes through the reserve, which is also used as a vehicle accessway (Figure 5-14).

The reserve is surrounded by other public land, including:

- *road reserve to the east (Water Street) and west (paper road),*
- *'hydro' (waterway) to the west, which is used as part of the wider public reserve,*
- *another section of Council-owned land to the north which is currently leased.*

There is easy pedestrian access from the Water Street – South Reserve to adjacent greenspace areas on the bank of the Clutha River/Mata-Au. In addition, existing links to nearby reserves and to Eddystone Street will be improved once the pedestrian crossing on Exmouth Street is moved away from the intersection.



**Figure 5-13** Water Street Reserve – South, and adjacent public land



**Figure 5-14** View towards the Water Street Reserve – South, showing the car park, boat ramp and Clutha River/Mata-Au

### 5.7.1 Maintenance

The reserve is mowed by Council under its greenspace contract (Appendix A7.0). The flood bank which passes through the reserve is maintained by the Otago Regional Council, under the Flood Protection Management Bylaw 2012. The riverbank, and other adjacent areas are well-maintained by local volunteers.

### 5.7.2 Development

Council's intention is to maintain, develop and upgrade this area as a riverside reserve, in conjunction with the community. The *Our Place Kaitangata Community Plan* includes a project to improve the boat ramp, parking, and adjacent reserve area. Amenities which will help to improve access to the river, such as a boat loading facility, swimming or kayak launching areas will also be investigated and developed where possible (Appendix A4.0). Flood hazard, and the provisions of the Flood Protection Management Bylaw will need to be considered as part of any planned improvements.

Any decisions by Council regarding improvements or development on this reserve will be considered in the context of its status as Council-owned land, and the goal, objectives and policies set out in this Reserve Management Plan.

To ensure that the present and potential future values associated with this public space are safeguarded into the future, Council intends to classify this area according to its primary purpose. The most suitable classification is likely to be as a recreation reserve (as described in Appendix A6.0). More information about the classification process is provided in Appendix A8.0.

## 5.8 SALCOMBE STREET RESERVE AND CEMETERY

The Salcombe Street Reserve and Cemetery is a peaceful, special area within the Kaitangata community. It was first established as the Southern Cemetery in 1874, although the earliest burials are thought to have occurred in the 1860's. Thirty of the thirty-four men killed in the February 1879 Kaitangata mine disaster were also buried here.

The Northern Cemetery (section 7.2) was established in 1897, and the Kaitangata Borough Council decreed that burials in this cemetery would be discontinued from 1<sup>st</sup> February 1900. However, it appears that burials did continue in the Southern Cemetery until 1930, probably in established family plots.<sup>6</sup> In the early 1970's, the tombstones were removed, and the ground cleared, with the best-preserved stones relocated to one central area. The memorial to the miners killed in the 1879 explosion was erected in 1979, and information panels were erected in 2021 (Figure 5-15).



**Figure 5-15** Gravestones and information panels at the Salcombe Street Reserve and Cemetery

Council manages this non-gazetted reserve, and the area is designated as a Cemetery, Playground and Recreation Reserve within the Council database.

The reserve is located on an elevated site, with approximately 12 mature trees. As well as the cluster of gravestones, the area has a picnic table, a large grass area, and play equipment consisting of a slide, monkey bars, and a three-person swing set. A gravel parking area has been formed alongside the playground on Exmouth Street.

<sup>6</sup> Information in this section is based on previous research undertaken by Irene Sutton, Bill Proctor and Denise Dent



**Figure 5-16** Salcombe Street Reserve and Cemetery

### 5.8.1 Maintenance

The reserve is maintained by Clutha District Council under the greenspace contract. Bollards to stop vehicles from driving over the reserve were erected by Council in late 2021.

### 5.8.2 Development

There is no specific project within the Our Place Kaitangata Community Plan that relates to this reserve. Suggestions put forward for this reserve through the Our Place Community Plan and Reserve Management Plan consultation processes include an upgrade of the playground, and creation of a 'flying fox'. Council does not plan to make significant changes or improvements to this reserve.

To ensure that the historic, current, and potential future values associated with this public space are safeguarded into the future, Council intends to classify this area according to its primary purpose. The most suitable classification is likely to be as an historic reserve (as described in Appendix A6.0). More information about the classification process is provided in Appendix A8.0.

## 5.9 CASTLEHILL RECREATION RESERVE

This Recreation Reserve lies at the northern end of Eddystone Street and was gazetted in 1983. The land is owned by Council and was previously used by the local Pony Club. There is an informal lease in place for the reserve to be used as farmland. The reserve comprises 22 separately surveyed parcels of land, each 1,012m<sup>2</sup> in area. The land slopes gradually towards Lakeside Road, with lower-lying areas potentially flood prone. Council do not maintain the reserve as this is the responsibility of the lessee.



**Figure 5-17** Castlehill Recreation Reserve

### 5.9.1 Development

No developments are planned. Council may consider the revocation of reserve status and potential sale of this reserve. Revocation of a gazetted reserve needs to follow a statutory process that requires the Minister of Conservation involvement and approval (Appendix A5.0).



**Figure 5-18** View towards the Castlehill Recreation Reserve from Eddystone Street (approximate extent reserve shown)

## 6.0 WANGALOA

Wangaloa is located on the coast, approximately ten minutes' drive from Kaitangata. Land use is primarily farming and forestry, and the small population is spread sparsely along the coast, between Summer Hill and Toko Mouth.

### 6.1 WANGALOA RECREATION RESERVE

This gazetted Recreation Reserve is located on Wangaloa Domain Road. Most of the reserve is used as the Kaitangata Golf Course, with smaller sections used as a public reserve, and the closed Wangaloa Cemetery (section 7.3). The land is owned by Council, with a formal lease in place to the Kaitangata Golf Club which relates to the area used as the golf course (Figure 6-1). The golf course consists of nine holes and has Smith's Beach as a stunning seaside background. The club is seen as a positive social asset to the Kaitangata community and has a large local support base. A club house has also been built on the reserve.



**Figure 6-1** Wangaloa Domain, comprising the Kaitangata Golf Course, Wangaloa Cemetery, and the public reserve which provides access to the beach



### 6.1.1 Maintenance

As provided for in the lease, the management and maintenance of the golf course and club house is undertaken by the Golf Club. Mowing of the cemetery and public section of the reserve is also undertaken by the Golf Club.



**Figure 6-2** View of the Kaitangata Golf Course part of the Wangaloa Domain (source: Kaitangata Golf Club)



**Figure 6-3** View of the public section of the Wangaloa Domain, looking north along the coast

### 6.1.2 Development

Some improvements to the public section of the Wangaloa Domain were proposed through the 'Our Place' Kaitangata consultation process. These are described in Appendix A4.0, and include:

- *Facilities to enable self-contained vehicles to camp overnight.*
- *Improved access to the beach.*
- *Bollards to protect the public reserve from damage by vehicles.*

Although any development on the public reserve area will be Council-led, it would also require significant input and support from the local community. Any proposed physical works or

improvements will be considered by Council in the context of its reserve status, and the objectives and policies set out in this Reserve Management Plan.

Issues with vandalism and graffiti are evident on the public part of this reserve (Box 1), and people attempting to camp overnight have been harassed. Any attempt to improve this reserve would need to consider how these issues would be managed.

#### **Box 1. Old toilet building - Wangaloa Domain**

A small building (previously a toilet) located on the public part of the reserve has been heavily graffitied and requires maintenance. Based on community feedback on this Reserve Management Plan, Council (with the involvement of the community) intends to demolish and remove this building.



## 7.0 CEMETERIES

There are three cemeteries, current and historic, in the Kaitangata-Matau Ward. Two of these are described below, while the Salcombe Street reserve and cemetery is described above in section 5.8.

### 7.1 KAITANGATA CEMETERY

The Kaitangata Cemetery<sup>7</sup> is managed by Council and is located to the north of Kaitangata on Lakeside Road. It was gazetted as a public cemetery in 1896, making it Kaitangata's second cemetery after the Southern Cemetery at Salcombe Street. The first person to be interred in 1897 was Mrs Jeannie Poole, wife of Mr. F.T. Poole, a Mayor and Kaitangata businessman.<sup>8</sup>

In 1946, the matter of creating a lawn cemetery for the remainder of this cemetery was discussed at a meeting of the Kaitangata Borough Council, with concrete strips where the headstones would be erected. In 2002, redevelopment work was undertaken, including the construction of a new car parking area, shelter trees and landscaping, as well as the creation of a 'Memorial Beam' for cremation plaques to be erected.

Council's GIS database shows the parcel boundary as being offset from the actual (i.e., 'on the ground') cemetery extent, as shown in Figure 7-1. The surveyed extent of the cemetery is 3.43 hectares. The Cemetery Reserve is maintained under Council's greenspace contract.

Issues with poor drainage have previously been identified by local residents on this reserve. The 2024-34 Parks and Reserves Activity Management Plan (AMP) will provide for the investigation and remediation of drainage issues at the Kaitangata Cemetery.



**Figure 7-1** Kaitangata Cemetery

<sup>7</sup> Also known as the Kaitangata Lawn Cemetery or Kaitangata Northern Cemetery

<sup>8</sup> *History of Kaitangata*, 2005. Irene Sutton & Bill Proctor



**Figure 7-2** The entrance to Kaitangata Cemetery

## **7.2 WANGALOA CEMETERY**

Wangaloa Cemetery is a closed cemetery located on Wangaloa Domain Road, approximately halfway along the northern side of the Wangaloa Domain (Figure 6-1). The cemetery is well-maintained, with grass, shrubs, and cabbage trees. A group of volunteers work to maintain this area, and mowing is undertaken by the Kaitangata Golf Club. It is not mowed or maintained under Council's greenspace contract.

Land for a cemetery in Wangaloa was first set aside in 1871, and the current extent forms part of the wider Wangaloa Recreation Reserve (section 6.1). As well as the local residents who were buried in this cemetery, there is an unmarked grave for four sailors who were washed ashore at Wangaloa.



**Figure 7-3** View of Wangaloa Cemetery

## APPENDICES

## A1.0 APPENDIX 1: LEGAL DESCRIPTIONS

**Table A1.1** Legal descriptions of Council-administered reserves

Description	Legal description	Classification	Area (m <sup>2</sup> )	District Plan Zone (Reserve No.)
<b>Victoria Park</b>	Sections 1-15, Block XXVI Town of Kaitangata	Recreation Reserve	15,252	Rural (R213)
<b>Kaitangata Recreation Reserve:</b>				
Council owned (leased as farmland)	PT SEC 5 BLK XVI KAITANGATA TN	Recreation Reserve & Road Reserve	261,907	Rural (R214)
Administered by DOC (sportsground)	PT SEC 5 BLK XLVI KAITANGATA TOWN	Recreation Reserve	18,536	Rural (R214)
<b>Kaitangata War Memorial Reserve:</b>				
Town Hall site	SEC 2 BLK XXXI KAITANGATA TOWN	Council owned land	1,012	Urban
Vacant section beside town hall site	Part Section 1 Block XXXI Town of Kaitangata	Council owned land	820	Urban
<b>Kaitangata BMX Track Reserve:</b>				
Council owned	SEC 2, 3, 5 BLK XXX KAITANGATA TOWN	Council owned land	3,176	Urban
Kaitangata & District Promotions owned	SEC 4 BLK XXX KAITANGATA TOWN	Fee Simple	1,062	Urban
<b>Water Street Reserve – North:</b>				
Council owned	SECS 1-2 SO 23654	Council owned land	415	Urban
LINZ owned	PT SEC 14 BLK XXX KAITANGATA TN	Government owned land	164	Urban
<b>Water Street Reserve – South:</b>				
Northern part	SEC 2 PT SECS 1 BLK LXXXIV KAITANGATA TN	The Trustees of the Kaitangata Athenaeum	632 Check	Urban
Southern part	PT SEC 1 BLK LXXXIV KAITANGATA TOWN	The Trustees of the Kaitangata Athenaeum	708 Check	Urban
<b>Salcombe Street Reserve &amp; Cemetery</b>	SECS 12/15 BLK V KAITANGATA TN - OLD CEMETERY	Council owned land	4,047	Urban (R98, D337)
<b>Castlehill Recreation Reserve</b>	SECS 1/22 BLK LV KAITANGATA TOWN-CASTLE HILL RECREATION RESERVE-GAZ 83/2763	Recreation Reserve	22,264	Rural (R99)
<b>Wangaloa Recreation Reserve</b>	PT SEC 16 BLK VII COAST S D WANGALOA RECREATION RESERVE	Recreation Reserve	165,691	Rural (R353)
<b>Kaitangata Cemetery</b>	PTS SECS 1 2 BLK II STH TUAKITOTO SD	Public Cemetery	3,439	Rural (D402)

<b>Wangaloa Cemetery</b>	PT SEC 16 BLK VII COAST S D WANGALOA RECREATION RESERVE	Recreation Reserve (part of R353). Designated by CDC as a Public Cemetery.	1,041	Rural (R353)
<b>Drainage Reserve R159 (Kaitangata Contour Channel)</b>	Part Water, Hurst, Cowes, Bembridge, Catherine Streets, and Part Section 5, Block XLVI, Town of Kaitangata	Drainage Reserve	NA	Rural (R159)

## A2.0 APPENDIX 2: LEASES, LICENSES AND CONCESSIONS

**Table A2.1** List of leases, licences, and concessions on Council-administered reserves

Location	Known as	Concession Holder	Expiry	Lease term
Wangaloa Domain Road, Wangaloa	Wangaloa Domain	Kaitangata Golf Club	1 Jan 2024	33 years
Water Street / Lakeside Drive, Kaitangata	Kaitangata Recreation Reserve	Collingwood Farms Trust	1 Sep 2026	10 years
Eddystone Street, Kaitangata	Castlehill Recreation Reserve	James Durham	Informal lease	



## **A3.0 APPENDIX 3: RELEVANT DISTRICT PLAN OBJECTIVES AND POLICIES**

### **RURAL RESOURCE AREA**

The objective and policies potentially relevant to the development of reserves with an underlying zoning of Urban Resource Area are:

#### **OBJECTIVE RRA.1**

To provide a management framework for the rural environment that promotes the sustainable management of the resources of the district.

#### **POLICY RRA.2**

To ensure that the adverse effects that activities can have on the soil resource including the adverse effects of:

- *Erosion*
- *Instability*
- *Nutrient loss*
- *Soil contamination*
- *Soil compaction*

are avoided, remedied or mitigated.

### **RURAL SETTLEMENT RESOURCE AREA**

The objective and policies potentially relevant to the development of reserves with an underlying zoning of Rural Settlement Resource Area

#### **OBJECTIVE RST.1**

To maintain the low density and quiet amenity values of rural settlements.

#### **OBJECTIVE RST.2**

To promote the sustainable management of public services developed in rural settlements.

#### **OBJECTIVE RST.3**

To take into account the fact that some natural features may migrate inland as the result of dynamic coastal processes when considering subdivision, use and development of rural settlements located in the coastal environment.

#### **POLICY RST.3**

To avoid, remedy or mitigate the adverse effects that activities can have on the amenity values of rural settlements.

### **URBAN RESOURCE AREA**

The objective and policies potentially relevant to the development of reserves with an underlying zoning of Urban Resource Area are:

#### **OBJECTIVE URB.1**

To manage the development of the urban area in order to:

- *provide a framework which enables people and communities to provide for their social, economic and cultural wellbeing, and their health and safety, while*

- *maintaining and where possible enhancing the environmental quality of particular environments within the urban area, and*
- *avoiding, remedying or mitigating any adverse effects on the natural and physical resources of the Urban Resource Area.*

#### POLICY URB.1

To avoid, remedy or mitigate the adverse effects that activities can have on existing amenity levels of the District's Urban areas.

#### A4.0 APPENDIX 4: 'OUR PLACE' RESERVE FEEDBACK

As part of the Our Place consultation, Kaitangata residents were asked to rate reserves in the Kaitangata Ward using a scale of 1 to 6, where 1 was not important and 6 was very important. Feedback (through a survey) was received from 69 people, and the results are shown in Table A5.1.

The Water Street Reserve was ranked highest, at 5.39 out of 6. This aligns with the level of community support for improving access to the Clutha River/Mata-Au, and with the outcomes of Project 1: River Access (as listed in Table A4.1).

Overall, reserves in the Kaitangata area were rated highly. For example, although it was ranked lowest of all reserves, a large majority of respondents (77%) still rated the Salcombe Street Reserve & Cemetery as 4 or higher (Table A5.1).

More information is available in the Our Place Kaitangata Feedback Report, available on Council's website [\[link\]](#).

**Table A4.1** Rankings assigned to parks and reserves within Kaitangata and surrounding area

How important are the following parks and reserves?	Not Important			Very Important			Average score	Topic Rank
	1	2	3	4	5	6		
Water Street Reserve	0	1	2	7	16	37	5.37	1
BMX Track Reserve	0	0	6	7	18	33	5.22	2
Victoria Park	2	1	3	8	17	33	5.13	3
Kaitangata Domain	1	2	4	12	19	24	4.90	4
Wangaloa Reserve	2	3	5	11	17	23	4.78	5
Kaitangata Cemetery Reserve	0	5	10	10	10	28	4.73	6
War Memorial Reserve	6	3	4	11	13	26	4.59	7
Salcombe Street Reserve & Cemetery	2	4	8	12	14	22	4.58	8

## A5.0 APPENDIX 5: PROCESS FOR REVOKING RESERVE STATUS

Any land subject to the Reserves Act 1977 must have its reserve status revoked prior to disposal.<sup>9</sup> Although Council can formally approve a resolution seeking to revoke the status of the reserve, it does not have the power to revoke the reserve status and must apply to the Department of Conservation to do so. Once the reserve status has been revoked and the land is fee simple, it may be disposed of, subject to any other impediments or claims on the title.

The process to revoke is prescribed by Sec 24 of the Reserves Act 1977. In the case of reserves in the Kaitangata-Matau Ward, the steps required to revoke status are described generally below:

1. Recommendation put forward from within the local community to Council for reserve status to be revoked for one or more reserves.<sup>10</sup>
2. Council resolution to seek revocation and proceed with disposal.
3. Council approaches Commissioner with the resolution and seeks advice on the revocation of the reserve. Commissioner responds with instruction how to proceed.
4. Property or properties to be evaluated for disposal:
  - a. Assess reserve value.
  - b. Consider effects of disposing of the land.
  - c. Consult with affected parties, if any.
5. Council to publicly notify intent to revoke reserve status and make evaluation publicly available. Objections able to be made over a 1-month period.
6. Submissions received and assessed, and report prepared for Council.
7. Council decides on reserve revocation and disposal.
8. Council recommendation to Commissioner on revocation. The decision on the revocation is that of the Commissioner.

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<sup>9</sup> Reference: Carterton District Council, 2019: <https://cdc.govt.nz/your-council/consultation/proposal-to-revoke-reserve-status-fisher-place/>

<sup>10</sup> The recommendation could be through the consultation process for this Reserve Management Plan, or later. The recommendation could come from an individual or a group such as Kaitangata & District Promotions Incorporated.

## **A6.0 APPENDIX 6: RESERVE ACT CLASSIFICATIONS**

### **RECREATION RESERVES**

Reserves classified as recreation reserves fall under section 17 of the Reserves Act 1977 (the Act) and have a duty to provide areas for sporting and recreation activities to promote the physical enjoyment and welfare of the public whilst enhancing and protecting the natural environment. Provisions under the RA state that recreation reserves must:

- *provide freedom of entry and access to the reserve, subject to conditions and bylaws set by the district council*
- *be managed to protect the scenic, historic, archaeological, biological, geological, or other indigenous flora and fauna that are present on the reserve. This is to be done in a way that is compatible with primary purpose of the reserve.*

Activities undertaken on the reserve shall not conflict with the Wildlife Act 1953, or the Heritage New Zealand Pouhere Taonga Act 2014.

Conservation of qualities that contribute to the pleasantness, harmony and cohesion of the natural environment and those which enable the better use and enjoyment of the reserve shall be retained.

### **HISTORIC RESERVES**

Reserves classified as historic reserves fall under section 18 of the Act, where its purpose is the protection of places, objects and natural features that are of special interest historically, archaeologically, culturally, or educationally. To be classified as historic reserves must:

- *have structures, objects or sites that illustrate the history of New Zealand*
- *have significant or notable features which shall be managed and protected to the extent compatible with the primary purpose of the reserve*
- *provide freedom of entry and access to the reserve, subject to conditions and bylaws set by the district council.*

### **SCENIC RESERVES**

Reserves classified as scenic reserves fall under section 19 of the Act and have a primary purpose of either protecting and preserving flora where it possesses qualities of scenic interest, beauty, natural landscape or enabling the provision and development of indigenous or exotic flora where such improvements enhance and protect areas that are desirable and in public interest.

### **NATURE RESERVES**

Reserves classified as nature reserves fall under section 20 of the Act and are for the purpose of protection of natural features, flora and fauna of rarity, scientific interest, importance and so unique their preservation is in public interest. Nature reserves must:

- *be kept in its natural state as far as possible*
- *extermination of exotic flora and fauna unless otherwise determined*
- *public entry not permitted within the reserve for better protection of the natural environment, except by form of permit granted under sections 48a or 57 of the Act.*

### **SCIENTIFIC RESERVES**

Reserves classified as scientific reserves fall under section 21 of the Act and have a primary function to protect and preserve for scientific research, study, education the benefit of the country, ecological associations, plant or animal communities, types of soil, geomorphological phenomena, and like matters of special interest. Scientific reserves must:

- *ensure the eradication of exotic species unless otherwise specified*
- *reserve may prohibit public access by notice in order to achieve management priorities in accordance with Wildlife and Heritage Acts.*

#### **GOVERNMENT PURPOSE RESERVES**

Reserves classified as government purpose reserves fall under section 22 of the Act and are for the purpose of providing and retaining areas for government purpose or as otherwise specified. These may be assigned as such for the purposes of wildlife management or other specified wildlife purposes.

#### **LOCAL PURPOSE RESERVES**

Reserves classified as local purpose reserves fall under section 23 of the Act and serve the purpose of providing and retaining areas for local purpose or as otherwise specified in the classification of the reserve. Where a local purpose reserve is vested in a local authority, it may by public notice prohibit access to the whole or any specified part of the reserve except under the authority of a permit

### A7.0 APPENDIX 7. RESERVE AREAS MOWED UNDER COUNCIL'S GREENSPACE CONTRACT



## A8.0 APPENDIX 8. CLASSIFICATION OF RESERVES

Classification of reserves under the Reserves Act 1977 Act identifies the primary purpose of a reserve and helps direct its management, usage, and development. Classifying land as reserve provides an additional layer of legislative protection under the Act. Classification binds the Council and limits how the land can be used. This increases the protection that the land has and provides the community with certainty as to the types of activities that can take place on the land.

The Act outlines a process and methodology for the declaration and classification of land as a reserve. Section 14 provides Council with the statutory authority to pass a resolution to declare any land owned by Council as a reserve subject to undertaking the necessary public notification procedures<sup>11</sup> and obtaining Ministerial approval as required.<sup>12</sup>

Classification involves assigning a reserve (or parts of a reserve) to the appropriate class (as listed in Appendix A6.0). The “class” determines the principle or primary purpose of the reserve. The determination of an appropriate classification category for a reserve should follow a robust methodology and criteria and is a matter the community should have adequate input into.

The following is sourced from the *Reserves Act Guide*, published by the Department of Conservation.

Council is able to classify a reserve in any of the following circumstances:

- *the reserve remains vested in the council and was either:*
  - *not derived from the Crown*
  - *or was created or purchased under any of the statutory provisions specified in s.16(2A) of the Reserves Act 1977*
- *the Council has delegated authority under s.16(1) of the Act*
- *the classification is made by resolution under s.14(1) when the land is declared to be a reserve (s.16(2)).*

The delegation under s.16(1) applies only when the council is the administering body and the classification is to be for the same purpose as the reserve currently holds under s.16(6), whether created before or after 1 April 1978.

For example, if the current purpose is “recreation” then as a result the council could classify the reserve as a recreation reserve under s.17 of the Act

The Council can, in the above circumstances, classify a reserve or group of reserves according to its/their principal or primary purpose(s), as defined in ss.17 to 23 of the Reserves Act. These sections deal with the various classes of reserve listed in Appendix A6.0.

If a reserve is not covered by the circumstances listed above, then the Minister of Conservation can classify the reserve.

<sup>11</sup> As defined in section 119 of the Act.

<sup>12</sup> As outlined in Section 120 of the Act.



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# Clutha District Council

## Item for DECISION

<b>Report</b>	Water Treatment Plant Compliance Upgrades Budget Request
<b>Meeting Date</b>	15 September 2022
<b>Item Number</b>	5
<b>Prepared By</b>	Jules Witt – Group Manager Service Delivery
<b>File Reference</b>	747912

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### REPORT SUMMARY

This report seeks additional budget for the supply and installation of new equipment at Water Treatment Plants, to comply with new Drinking Water Standards.

### RECOMMENDATIONS

1. That Council receives the 'Water Treatment Plant Compliance Upgrades Budget Request' report.
2. That Council approves a budget increase of \$411,000 for the Water Treatment Plant compliance upgrades and this will be funded from reserves where these are available and interest only loan funded otherwise.

### REPORT

#### 1 Background

In July 2022 Taumata Arowai, the new water regulator published a new version of the New Zealand Drinking Water Standards. These standards come into effect on 14 November 2022 and intention to comply must be demonstrated by all water suppliers. Additional quality monitoring will be required at Clutha District Council's Water Treatment Plants to be compliant with these standards.

#### 2 Discussion

An initial assessment has been undertaken by Ben Gold – Engineering Consultant of the required upgrades. Below is a table of the equipment and its associated cost for each treatment plant to comply with the new drinking water standards. A new UV reactor will need to be installed at the Tapanui Water Treatment Plant to meet bacteria and protozoa compliance. A UV reactor is also required at the Puerua Water Treatment Plant, however this has been budgeted in another project.

CDC Water Treatment Plants Compliance Upgrades				
Treatment Plant	Equipment			Total
	pH/Conductivity Meter	UVT Meter	New UV Reactor	
Balclutha	\$11,000	\$21,000		\$32,000
Clydevale	\$11,000	\$21,000		\$32,000
Glenkenich	\$11,000			\$11,000
Kaitangata	\$11,000	\$21,000		\$32,000
Milton	\$11,000			\$11,000
Lawrence	\$11,000	\$21,000		\$32,000
Moa Flat	\$11,000	\$21,000		\$32,000
North Bruce	\$11,000	\$21,000		\$32,000
Richardson North (Whitelea)	\$11,000			\$11,000
Richardson South (Puerua)	\$11,000	\$21,000		\$32,000
Stirling	\$11,000	\$21,000		\$32,000
Tapanui	\$11,000	\$21,000	\$90,000	\$122,000
<b>Total</b>				<b>\$411,000</b>

There is the possibility that UVT meters may not be needed at all the identified sites, however we are awaiting clarification from Taumata Arowai regarding this.

The Evans Flat and Waitahuna treatment plants have not been included, as these will be made redundant with the installation of the Greenfield Water Scheme.

### 3 Assessment of Options

#### Option 1 (Proceed with the Water Treatment Plant compliance upgrades)

These upgrades will be funded from reserves where these are available and interest only loan funded otherwise. The only disadvantage of this option is a small rate increase where loan funding is required.

#### Option 2 (Not to proceed with the Water Treatment Plant compliance upgrades)

As a water supplier, it will be compulsory to comply with the Drinking Water Standards Requirements. If these upgrades do not proceed, this will not be achievable. As part of the new water regulator (Taumata Arowai) Council could be fined and legally forced to upgrade the treatment plants and as such this is not considered a viable option for a public water supplier.

### 4 Policy Considerations

There are no specific policy considerations regarding this report.

## **5 Financial Impact**

The worst-case scenario would be if the full cost of the upgrades are interest only loan funded. For the total of \$411K of capital expenditure this equates to loan repayments in the 2023/24 financial year of approximately \$13,000 +GST.

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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>	15 September 2022
<b>Item Number</b>	6
<b>Prepared By</b>	Christian Bopp – Senior Infrastructure Engineer Jocelyn Lindner – Roading Asset Management Officer
<b>File Reference</b>	747434

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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 September 2022 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 2021, with the recommended postings adopted by Council in February 2022, as per Attachment 8.2 “Bridge Posting Certificate February 2022”. Subsequent to the February 2022 report, there has been further recommended postings and it was deemed appropriate to notify these postings ahead of the February 2023 notification due to safety reasons. The updated postings are as per Attachment 8.1 “Bridge Posting Certificate September 2022”. 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

Bridge 138 has been removed as the deck has been strengthened, Bridge 225 has been removed from the list as abutments were replaced and Bridge 482 has been added after carrying out a load carrying capacity assessment.

#### **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 September 2022**

##### **8.2 Bridge Postings Certificate February 2022**

## Attachment 8.1 – “Bridge Posting Certificate September 2022”

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) Position on Bridge	Gross limit (% Class I)	Speed limit (km/hr)
41	Riverbank Road	Clutha River (Matau branch)		44,000kg	10
106	Benny Road	Washpool Stream	5000	60%	10
112	Ross Road	Pomahaka Tributary		70%	
118	Allangrange Road	Clutha River			10
121	Taumata Road	Pomahaka Tributary		60%	10
134	Hillfoot Road	Awakia Stream	6,000kg	80%	10
147	Slopedown Road	Mokoreta River	7,500kg	90%	10
157	Fleming Road	Main South Railway		44,000kg	10
173	Waitepeka Road	Puruhaua Stream	3,500kg	40%	10
193	Jackmans Creek Road	Glenomaru Stream		44,000kg	10
212	The Bonnet Road	Owaka River		44,000kg	10
219	Forsyth Road (Catlins)	Owaka River	4,400kg	80%	10
223	Katea Road	Tuck Stream		44,000kg	10
329	Mount Allen Road	Spylaw Burn		44,000kg	10
386	Franklin Road	Tuapeka Tributary		90%	10
390	Kelso Settlement Road	Heriot Burn		300kg	10
395	Park Hill Road	Heriot Burn		44,000kg	10
439	Mahinerangi Road	Lake Mahinerangi		44,000kg	20
443	Chapman Road	Tributary Pomahaka		44,000kg	10
450	Gabriels Gully Road	Hospital Creek Drainage Channel	6,500kg	80%	10
462	Tuapeka Flat Road	Tuapeka River	5,000kg	60%	10
466	Corkscrew Road	Tuapeka Tributary	6,500kg	80%	10
471	Matheson Road	Old Railway Ditch		300kg	10
476	Ashton Road	Waitahuna River	650kg	1,250kg	5
482	Roberts Road	Roberts Road	4,400kg <b>Central on bridge</b>		10
485	Lammerlaw Road	Lake Mahinerangi		44,000kg	10

## Attachment 8.2 – “Bridge Posting Certificate February 2022”

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 1)	Speed limit (km/hr)
41	Riverbank Road	Clutha River (Matau branch)		44,000kg	10
106	Benny Road	Washpool Stream	5000kg	60%	10
112	Ross Road	Pomahaka Tributary		70%	
118	Allangrange Road	Clutha River			10
121	Taumata Road	Pomahaka Tributary		60%	10
134	Hillfoot Road	Awakia Stream	6000kg	80%	10
138	Three Stones Road	Kuriwao Stream		44,000kg	10
147	Slopedown Road	Mokoreta River	7500kg	90%	10
157	Fleming Road	Main South Railway		44,000kg	10
173	Waitepeka Road	Puruhaia Stream	40%	3,500kg	10
193	Jackmans Creek Road	Glenomaru Stream		44,000kg	10
212	The Bonnet Road	Owaka River		44,000kg	10
219	Forsyth Road (Catlins)	Owaka River	80%	4,400kg	10
223	Katea Road	Tuck Stream		44,000kg	10
225	Katea Road	Owaka River	5000kg	70%	10
329	Mount Allen Road	Spylaw Burn		44,000kg	10
386	Franklin Road	Tuapeka Tributary		90%	10
390	Kelso Settlement Road	Heriot Burn		300kg	10
395	Park Hill Road	Heriot Burn		44,000kg	10
439	Mahinerangi Road	Lake Mahinerangi		44,000kg	20
443	Chapman Road	Tributary Pomahaka		44,000kg	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
476	Ashton Road	Waitahuna River	650kg	1,250kg	5
485	Lammerlaw Road	Lake Mahinerangi		44,000kg	10

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# Clutha District Council

## Item for DECISION

<b>Report</b>	Road Stopping – Town Hall Street, Balclutha
<b>Meeting Date</b>	15 September 2022
<b>Item Number</b>	7
<b>Prepared By</b>	Christian Bopp – Senior Infrastructure Engineer
<b>File Reference</b>	749523

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### REPORT SUMMARY

This report informs Council of the proposed road stopping of Town Hall Street, Balclutha.

### RECOMMENDATIONS

1. That Council receives the ‘Road Stopping – Town Hall Street, Balclutha’ report.
2. That Council agrees to:
  - 2.1 The proposed Road Stopping of Town Hall Street, Balclutha (1,422m<sup>2</sup>) as per Attachment 8.1.
  - 2.2 The initiating of the consultation process for the proposed Road Stopping in 2.1 as per the Local Government Act 1974 Schedule 10 procedures.

### REPORT

#### 1 Background

As part of the Balclutha Hub development, the challenges provided around the end use of the various areas and in specific Town Hall Street, a discussion was held on Tuesday, 9 August 2022 with the consultants responsible for the traffic engineering and the landscape architecture.

#### 2 Strategic Goals and Outcomes

Roading infrastructure that sustainably supports the community and economy.

#### 3 Assessment of Options

As part of the safety audit completed on the design of the Balclutha Hub carpark (triangle), concerns have been raised with the use of Town Hall Street, and in specific the various treatments of the surface of the road, pedestrian access etc.



Some of the main concerns are the proposed diagonal pedestrian crossing point / walkway and potential future temporary closures of Town Hall Street for events such as a market day etc. In view of this, it was deemed appropriate to consider the change of Town Hall Street from a legal road to Council freehold land.

Such a change will allow more flexibility in the design and application of surface treatments, pedestrian access points etc. with Town Hall Street operating more as a 'Shared Space' than a road, whilst still providing acceptable safety to all operating in this area.

As Town Hall Street is legal access to the Clutha River, Otago Regional Council, Walking Access Commission New Zealand and Fish & Game have been approached with regard to their views on the proposed road stopping. Physical foot access to the Otago Regional Council flood bank and the Clutha River will remain unchanged and could even be improved.

In view of the above, it is proposed to carry out the following actions:

- Stop 1,422m<sup>2</sup> of Formed Legal Road, Town Hall Street, as per Attachment 8.1

#### **4 Consultation**

Consultation on this matter is as set out in the Local Government Act Schedule 10 procedures, which would afford all other affected/interested parties to raise their support or objection to the proposal.

As it is a road stopping in an urban area, there is no legal requirement to obtain the consent from the Minister of Land Information.

#### **5 Policy Considerations**

- Council's draft 'Policy on Road Stopping and Temporary Road Closure', Policy Number 02-01-004, refers.
- Council's 'Policy on Rural Roding', Policy Number 02-01-008, refers (under review).

#### **6 Legal Considerations**

Legal considerations are outlined under:

- Local Government Act 1974 section 342 and section 345, with Council having the authority to stop a road and sell land no longer required for road, as also contained in *Council's Delegations Manual 2019/22*.
- Conservation Act 1987 Section 24 (1) and (2).
- Clutha District Council District Plan RULE FIN.8

#### **7 Financial Impact**

The road stopping and road legalisation process is at Council's cost and could be considered as part of the Balclutha Hub or Carpark project cost.

## 8 References/Attachments

### 8.1 Town Hall Street: Area of Proposed Road Stopping



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# Clutha District Council

## Item for DECISION

<b>Report</b>	Road Stopping – Unformed Legal Roads, Danone Area
<b>Meeting Date</b>	15 September 2022
<b>Item Number</b>	8
<b>Prepared By</b>	Christian Bopp – Senior Infrastructure Engineer
<b>File Reference</b>	749521

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### REPORT SUMMARY

This report informs Council of the Unformed Legal Roads in the Clutha Valley (Danone) area and the request to stop some of these Unformed Legal Roads, as requested by R G Paterson Holdings Limited, now trading as Paterson Capital Limited.

### RECOMMENDATIONS

1. That Council receives the ‘Road Stopping – Unformed Legal Roads, Danone Area’ report.
2. That Council agrees to:
  - 2.1 The proposed Easement/Right of Way or other acceptable legal mechanism as per Attachment 8.2, to serve as legal access to the Clutha River in lieu of the proposed Road Stopping in 2.2 and 2.3 below.
  - 2.2 The proposed Road Stopping of the Unformed Legal Road “Area A” (28,475m<sup>2</sup>) as per Attachment 8.3.
  - 2.3 The proposed Road Stopping of the Unformed Legal Road “Area B” (6,254m<sup>2</sup>) as per Attachment 8.3.
  - 2.4 The proposed Road Stopping of the Unformed Legal Road “Area C” (21,545m<sup>2</sup>) as per Attachment 8.3.
  - 2.5 The obtaining of an independent valuation for the combined 56,274 m<sup>2</sup> area of Unformed Legal Road to be stopped in 2.2, 2.3 and 2.4 above.
  - 2.6 That on agreement of the value of the 56,274 m<sup>2</sup> of road to be stopped, the obtaining of the approval of the Minister of Land Information for the proposed Road Stopping in 2.2, 2.3 and 2.4 above.
  - 2.7 That on agreement of the value of the 56,274 m<sup>2</sup> of road to be stopped, the initiating of the consultation process for the proposed Road Stopping in 2.2, 2.3 and 2.4 as per the Local Government Act 1974 Schedule 10 procedures.

- 2.8 That on the successful completion of the Local Government Act 1974 Schedule 10 procedures, inclusive of approval of the Minister of Land Information and on the receipt of the agreed purchase price for the land (stopped road), the land is transferred to the ownership of Paterson Capital Limited.**

## REPORT

### 1 Background

A request has been received from R G Paterson Holdings Limited, now trading as Paterson Capital Limited, for the stopping of various Unformed Legal Roads in the Danone and Paterson Capital Limited farm area.

This request is as the result of public safety concerns Paterson Capital Limited has with both their own farming operations and Danone operations in this area.

### 2 Strategic Goals and Outcomes

Roading infrastructure that sustainably supports the community and economy.

### 3 Assessment of Options

Correspondence relating to the proposed Road Stopping and Easement/Right of Way creation has been appended for ease of reference as Attachment 8.1.

Paterson Capital Limited has raised Health and Safety concerns for the public accessing the various Unformed Legal Roads associated with their farming operations and the Danone Nutricia NZ Limited's operations in this area.

As a point of clarification, the roads in question, whilst formed up and maintained by others, for the most part is located within the legal road reserve or Unformed Legal Road, also commonly referred to as Paper Roads.

Council's Policy on Unformed Roads state:

*"Public access is a public right provided the type of transport used is limited by the physical nature of the road and the state of the surface. Any type of transport used must not cause damage to the ground or pavement. It shall be the responsibility of the public wishing to access an Unformed Road to determine the status and location of the road before entering on to it."*

Other than a legal survey, there is no guarantee that by following the formed private road, users are within the Unformed Legal Road area. There is a specific small section where there is a kink in the legal road and the formed private road indeed appears to be on private property, which would mean any other users could be potentially trespassing.

This in essence is NOT an area for Council to manage, but certainly one for the owners of the land adjoining the Unformed Legal Road, which could include fencing etc. However, this is a relatively vast area and to double fence the Unformed Legal Road

would be impractical. The more effective long-term solution could indeed be the stopping of the Unformed Legal Roads in question, for potential amalgamation with Paterson Capital Limited.

There is existing use of both the Unformed Legal Road areas and private property by Danone, and mechanisms have been put in place by Paterson Capital Limited to formalise this and protect the ongoing use of these areas. This should also be actioned for the areas subject to the proposed road stopping, if successful. These mechanisms and any agreement between Danone and Paterson Capital Limited would be tested via the public consultation process.

The Unformed Legal Roads further provide access to the Clutha River and Paterson Capital Limited has proposed an alternate access to the Clutha River by creating an Easement/Right of Way as in Attachment 8.2. It is required, as per Council policy, that Paterson Capital Limited engage the services of a registered land surveyor to prepare the legal survey plan for use in the Local Government Act 1974 Schedule 10 procedures for the proposed road stopping.

It is further required that the preparation of the survey plan includes for the creation of the Easement/Right of Way or other acceptable legal mechanism to ensure the alternate public access to the Clutha River. This needs to be confirmed, especially by Walking Access Commission New Zealand as the proposal does not provide for vesting this area as legal road. It has been recommended to Paterson Capital Limited to approach Fish and Game and Walking Access Commission New Zealand re this proposal to obtain their view prior to obtaining a legal survey plan to be used in the Local Government Act 1974 Schedule 10 procedures.

There is no demonstrated need for a public road to be formed up and maintained by Council in this area and as there are no Council utilities associated with the proposed Road Stopping, the Unformed Legal Road is deemed to be superfluous to Council needs from a Roding and Utilities perspective.

In view of the above, it is proposed to carry out the following actions:

- The creation by others, of an Easement/Right of Way or other acceptable legal mechanism as per Attachment 8.2, to serve as legal access to the Clutha River in lieu of the proposed Road Stopping below.
- Stop 28,475m<sup>2</sup> of Unformed Legal Road as per Area A, Attachment 8.3
- Stop 6,254m<sup>2</sup> of Unformed Legal Road as per Area B, Attachment 8.3
- Stop 21,545m<sup>2</sup> of Unformed Legal Road as per Area C, Attachment 8.3
- Obtain an independent valuation for the proposed Road Stopping area, amounting to approximately 56,274m<sup>2</sup> in total.
- Obtain the approval of the Minister of Land Information for the proposed Road Stopping.

- Initiate the Local Government Act 1974 Schedule 10 procedures for the proposed Road Stopping.

#### **4 Consultation**

Consultation on this matter is as set out in the Local Government Act Schedule 10 procedures, which would afford all other affected/interested parties to raise their support or objection to the proposal.

As it is a road stopping in a rural area, it is a further legal requirement that the consent from the Minister of Land Information is obtained.

#### **5 Policy Considerations**

- Council's draft 'Policy on Road Stopping and Temporary Road Closure', Policy Number 02-01-004, refers.
- Council's 'Policy on Rural Roading', Policy Number 02-01-008, refers (under review).

#### **6 Legal Considerations**

Legal considerations are outlined under:

- Local Government Act 1974 section 342 and section 345, with Council having the authority to stop a road and sell land no longer required for road, as also contained in *Council's Delegations Manual 2019/21*.
- Conservation Act 1987 Section 24 (1) and (2).
- Clutha District Council District Plan RULE FIN.8

#### **7 Financial Impact**

The road stopping and road legalisation process is at the applicant's cost with no negative financial impact on Council.

#### **8 References/Attachments**

- 8.1 Correspondence
- 8.2 Area of Proposed Easement/Right of Way
- 8.3 Areas of Proposed Road Stopping

## Attachment 8.1 – Correspondence

**VAN AART  
SYCAMORE**  
LAWYERS

25 July 2022

Christian Bopp

Clutha District Council

**BALCLUTHA**

By email: [chris.bopp@cluthadc.govt.nz](mailto:chris.bopp@cluthadc.govt.nz)

**ROAD CLOSURE APPLICATION – CLUTHA DISTRICT**

- 1 Further to our previous discussions we confirm that we act for R G Paterson Holdings Limited in relation to a proposed application for road stopping in the Clutha District.
- 2 As you will recall, we have corresponded with the Council intermittently since 2017 regarding this application. For various reasons, this has not been progressed and we have been in consultation with effected parties.
- 3 We are pleased to now set out the full details of our client's application below.
- 4 Various matters have been outstanding between our client and Danone Nutricia NZ Limited (**Danone**) which have all now been resolved and Danone's requirements across our client's land are now protected by registered easements.
- 5 Our client is now deeply concerned about the safety on the farm property. The farm property is extremely unique in that the existence of a heavy industrial use in the milk dryer effectively sitting on the farming operation presents risks that mean that having paper roads in existence is inherently dangerous.

**Background**

- 6 R G Paterson Holdings Limited is the proprietor of Certificates of Title 557230, OT13C/594, OT390/168, and OT18A/400. The properties are primarily used to graze dairy cattle.
- 7 Danone Nutricia NZ Limited ("Danone") is the registered proprietor of land, which neighbours our client's property. Danone operates a large scale dairy plant on the property.
- 8 Paper roads run through the properties, as marked on the **attached** map. They are approximately 2.5km long and provide flat and direct access over the properties. Heavy vehicles, machinery, farm vehicles, and stock use the paper roads to cross the properties on a daily basis.

ED-101594-157-157-V2

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#### Safety

- 9 Members of the public frequently use the paper roads to access the Clutha River for recreational fishing. We understand that these paper roads provide a key access point to the Clutha River.
- 10 Our client is becoming increasingly concerned about the safety of those pedestrians, many of whom do not seem to realise that they share the road with heavy vehicles and machinery. Some walk with headphones on, others bring their dogs without leads, and many appear to be oblivious to any noise of approaching vehicles.
- 11 Against that background, the paper roads represents a significant health and safety risk and we request that the Clutha District Council exercise its discretion under clause 100 of the Clutha District Council Roading Bylaw 2018 to close them:
- If the Council considers a road... to be unsafe for any form of traffic, whether vehicular, animal or human, then it may at any time, close that part of the road or restrict its use.*
- 12 In our client's experience, pedestrian flow increases significantly during the fishing season which is due to start in September and run through to April. Therefore, this application now requires urgent consideration.

#### Proposal

- 13 Our client understands that the Clutha River has significant recreational importance in the region and that public access to the River is already limited. They are very supportive of public access rights and eager to preserve safe access as much as possible.
- 14 One suitable solution discussed with the Council previously is a "like for like" swap for access. Our client has now identified a proposed alternative access to the river down the border of its property which it proposes to protect by registered easement creating a safe public walkway. We confirm that our client will meet all costs associated with re-establishing access at a standard acceptable to the Council.
- 15 The key benefit with this proposal is that it will provide better access to the River than already exists. It is more direct and pedestrians will enjoy a much shorter walk from their car to the River itself.
- 16 In our view, the proposed alternative access balances the safety concerns outlined above while still preserving access to the River.
- 17 The paper roads provide no public benefit that can't be better achieved by a public walkway and presents serious risk to users. The risks are unique and exasperated by the existence of a large scale international dairy dryer next door. All Danone's access is provided for and protected by agreements and easements between our client and Danone.

#### Next Steps

- 18 We respectfully request that you liaise with your staff in the roading and utilities departments and present this proposal at the next Council Resolution Meeting. If a date for the next Meeting has already been confirmed, please let us know.
- 19 In the meantime, if you can offer a provisional formal opinion on this proposal, that would be greatly appreciated.

ED-101594-157-157-V2



- 20 Once the viability of the proposal confirming that the road is surplus to requirements can be established, we look forward to assisting you to obtain a notice of completion of survey plan by the Council defining the area of road to be stopped.
- 21 We will then engage a registered valuer to establish the value of the area of road that needs to be stopped.
- 22 At this time, our client would also appreciate an estimate on the costs the Council will incur in association with the road stopping process.
- 23 Should you wish to call to discuss, please do not hesitate to get in contact: (03) 477 8863.
- 24 We look forward to hearing from you.

Yours faithfully

**VAN AART SYCAMORE LAWYERS LTD**

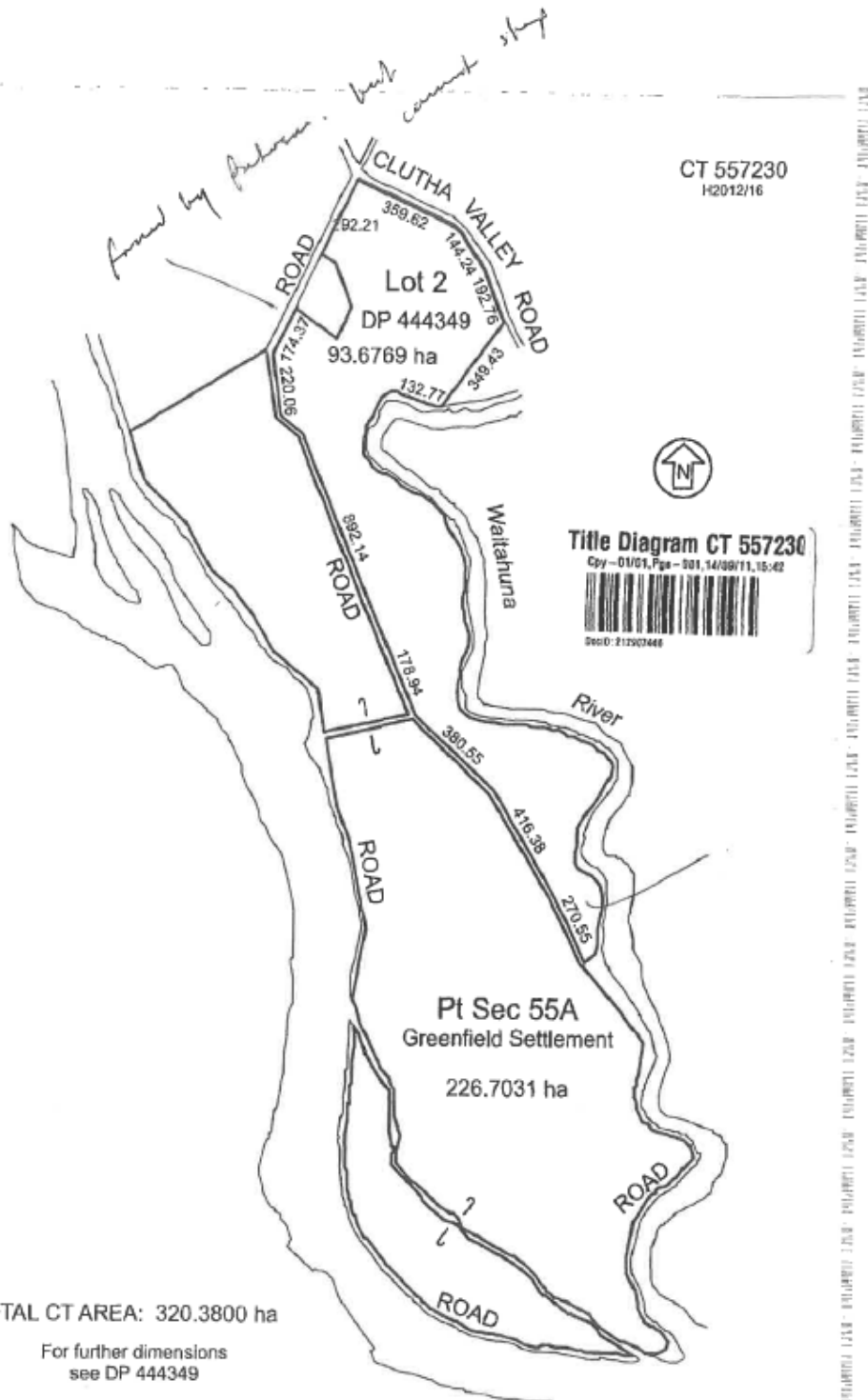
P. P.  


**TONY SYCAMORE LLB/BCom / EDWARD DRYDEN LLB/BA**

**Director / Solicitor**

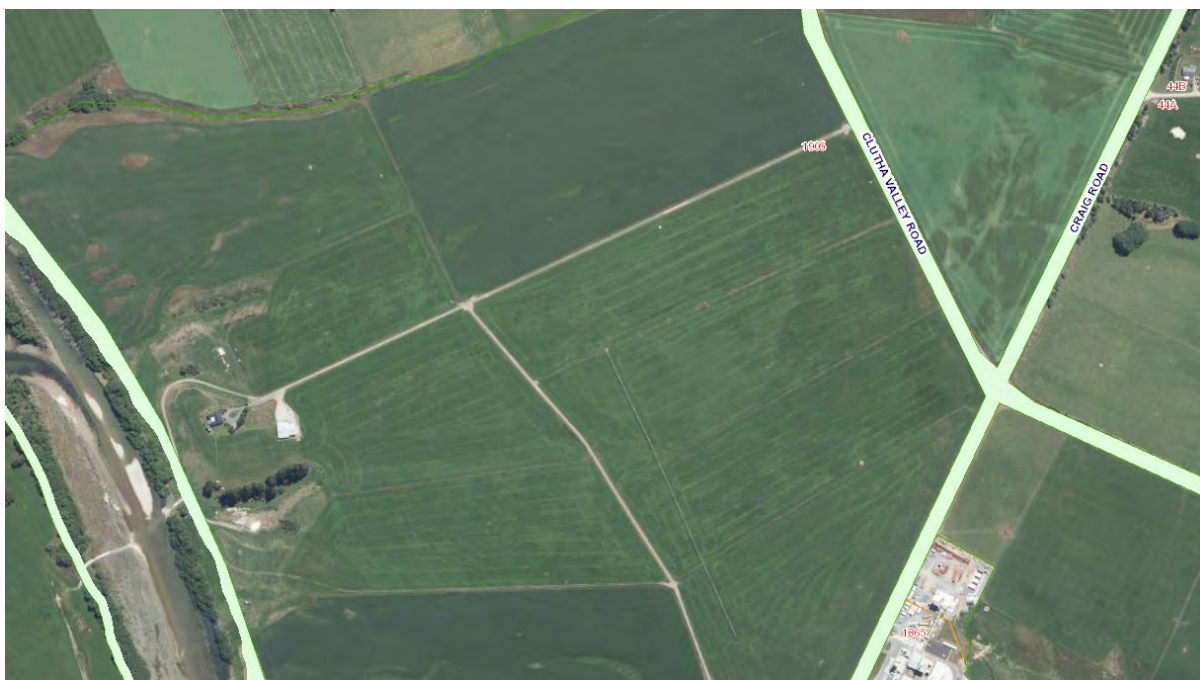
Email: [tsycamore@vslawyers.co.nz](mailto:tsycamore@vslawyers.co.nz) / [edryden@vslawyers.co.nz](mailto:edryden@vslawyers.co.nz)

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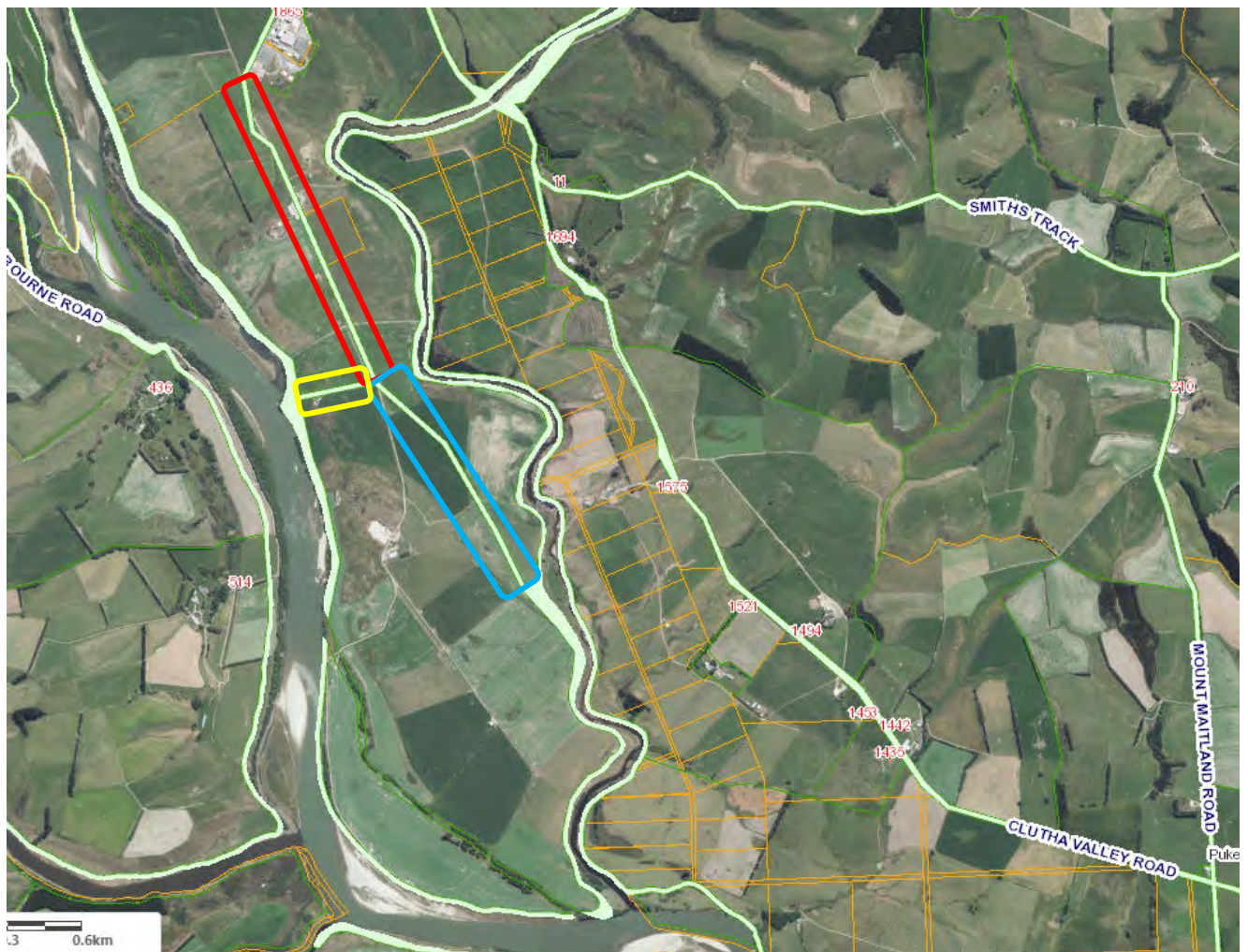


**TOTAL CT AREA: 320.3800 ha**  
For further dimensions  
see DP 444349

Attachment 8.2 – Area of Proposed Easement/Right of Way



## Attachment 8.3 – Areas of Proposed Road Stopping



Area A = 28,475 m<sup>2</sup>

Area B = 6,245 m<sup>2</sup>

Area C = 21,545 m<sup>2</sup>

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# Clutha District Council

## Item for DECISION

<b>Report</b>	Toshvale Roof Replacement
<b>Meeting Date</b>	15 September 2022
<b>Item Number</b>	9
<b>Prepared By</b>	Evelyn Guiguet – Senior Project Engineer
<b>File Reference</b>	750011

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### REPORT SUMMARY

This report provides information regarding changes to the capital programme for the Toshvale Council Housing Units and also a rental review process based on a cost recovery.

### RECOMMENDATIONS

1. That Council receives the ‘Toshvale Roof Replacement’ report.
2. That Council approve an increase in capital for the 2022/2023 year of \$372k to enable the roof renewal to be completed at Toshvale CHU and that this is funded by a mix of reserves and an additional \$200K loan.

### REPORT

#### 1 Background

Council has been actively working on the upgrades for Community Housing units to achieve the new Healthy Homes Standards (HHS). A capital budget over the next two years around the District for HHS Upgrades is well above \$941K.

In the Council meeting of 9 December 2021, Council approved a budget of \$273K for the Toshvale Roof Replacement project, based on an estimate of replacing like-for-like. The aim is to replace the roof because it is leaking and could not be repaired long term.

#### 2 Strategic Goals and Outcomes

This report relates to the Community Outcome of Vibrant Rural Towns and Communities and contributes to Council’s objectives as part of the District Housing Strategy.

#### 3 Assessment of Options

As outlined above the Toshvale Roof Replacement project was based on an estimate of replacing like-for-like, however the detailed design later revealed some major changes were needed structurally to comply with current standards, achieve watertightness and

avoid risk of the issue repeating. There are issues around the skylights that cannot be resolved without removing them or changing the structure. Another item that has been added is insulation, since it is viable and easily achievable while the roof replacement is underway. The consultant also detected the spouting, downpipes and connections need upgrading and cannot be avoided.

At the time, an estimate has also been completed for Lawrence Community Housing Units, the budget was estimated at \$156K and has been \$157K due to additional auxiliary work requested during the project (see ID728894 for more information). But overall, the like-for-like replacement was viable and completed at the estimated price (+0.64%)

This shows that, if being able to replace like-for-like as intended, we would not have needed the extra \$372K but unfortunately, since we need to achieve HHS for all the units there is no option to not proceed with this work unless we close our Toshvale units to new tenants and have leaking buildings for the existing tenants.

#### **4 Consultation**

There is no specific consultation that relates to this issue, but Council is acutely aware of the impact on tenants of rental increases.

#### **5 Policy Considerations**

The CHU Policy requiring housing units to be self-funding and that cost recovery rentals are particularly relevant to this report.

Unfortunately, this work needs to be completed to achieve HHS, otherwise the Council will need to vacate the units. Once again this has highlighted a disconnect between the Council policy of having the Community Housing Business units fully self-funded and the total cost of the activity. As a matter to note, this has also impacted on the project for new housing where it is proving problematic to build new units where the Business unit needs to be fully self-funding under current financial models.

#### **6 Legal Considerations**

Council is required to comply with the Residential Tenancies Act and Healthy Homes requirements and other regulations.

#### **7 Financial Considerations**

As outlined in the Background Information section, a budget for renewals and HHS work for the existing Toshvale CHUs has been approved at \$273K – this was based on a straight roof renewal. The detailed design process has confirmed that to be able to complete the roof replacement there are structural changes and additional framing required to meet current building codes. As such the renewal required at Toshvale Flats is estimated at \$645K and an additional capital approval is sought for \$372K of capital work. The final cost will be determined through a tender process.

This can be funded from a mix of reserves and loan funding. It is proposed that \$127K of this work be funded from reserves over the next year. This will mean that \$200K will need to be loan funded.

Funding this work from a 25-year loan will require an annual repayment of approximately \$12,330. This would normally need to be incorporated into the cost recovery model for rental calculations in due course, however it is intended to bring to Council early in the new year proposals to address the financial modelling disconnect. This will provide direction for the new builds and costs of repairs and improvements moving forward.

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# Clutha District Council

## Item for DECISION

<b>Report</b>	Regulatory Services Committee Recommendation
<b>Meeting Date</b>	15 September 2022
<b>Item Number</b>	10
<b>Prepared By</b>	Wendy Copeland – Regulatory Services Administrator
<b>File Reference</b>	750152

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### REPORT SUMMARY

Recommendation made by the Regulatory Services Committee to Council at a meeting held on 1 September 2022.

As the Regulatory Services Committee is a committee made up of all elected members it is assumed the detail of the recommendation is known to Council and a detailed report is therefore not required.

### RECOMMENDATIONS

1. **That the following recommendation made by the Regulatory Services Committee to Council at the meeting on 1 September 2022 be adopted:**

#### **Agenda Item 2 – Strategic Planning Manager’s Report**

**‘That Council retire the Policy on the Use of Council Venues for Itinerant Traders 2011, as the contents of the policy had been incorporated into the Trading in Public Places section of the Regulatory Bylaw 2022.’**



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# Clutha District Council

## Item for DECISION

<b>Report</b>	Risk & Assurance Committee Recommendations
<b>Meeting Date</b>	15 September 2022
<b>Item Number</b>	11
<b>Prepared By</b>	Lilly Paterson – Corporate Services Administrator
<b>File Reference</b>	749955

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### REPORT SUMMARY

Recommendations made by the Risk & Assurance Committee to Council at a meeting held on 1 September 2022.

As the Risk & Assurance Committee is not a full committee of Council the decision report is attached as attachment A.

### RECOMMENDATIONS

**That the following recommendations made by the Risk & Assurance Committee to Council at the meeting on 1 September 2022 be adopted:**

#### **Agenda Item 3 – Fraud Policy Review**

- 1. That Council retires the Policy on Fraud 2013.**
- 2. That Council approves the Fraud Policy 2022 (Attachment B).**

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## Risk & Assurance Committee

### Item for RECOMMENDATION

<b>Report</b>	Fraud Policy Review
<b>Meeting Date</b>	1 September 2022
<b>Item Number</b>	3
<b>Prepared By</b>	Peter Stafford, Senior Policy Advisor, Strategic Planning Larissa Brown, Manager, Strategic Planning
<b>File Reference</b>	748754

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### REPORT SUMMARY

The report proposes an update to the Council Fraud Policy.

### RECOMMENDATIONS

1. That the Risk & Assurance Committee receives the Fraud Policy Review report dated 1 September 2022.
2. That the Risk & Assurance Committee recommends to Council that the Policy on Fraud 2013 be retired.
3. That the Risk & Assurance Committee recommends to Council that they approve the Fraud Policy 2022, or as amended.
4. That the Risk and Assurance Committee notes the revised Fraud Policy includes separation and revision of the organisational procedures components as a separate Fraud Procedure.

### REPORT

#### 1 Background

The review of the Fraud Policy is part of Council's current work program to systematically review all policies on a periodic basis.

The review has been informed by:

- The existing Policy on Fraud 2013 (Attachment 1);
- Council's internal risk management framework;
- Council's internal policy management system and policy review priorities;
- Controller and Office of the Auditor General guide: *Discouraging Fraud*<sup>1</sup>;
- Ministry of Justice guide: *Create a fraud and corruption policy*<sup>2</sup>
- Consultation with key Council staff.

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<sup>1</sup> Controller and Office of the Auditor General guide, *Discouraging Fraud* ([Good Practice Summary: Discouraging Fraud \(oag.parliament.nz\)](#)) Accessed 15 August 2022.

<sup>2</sup> Ministry of Justice, Create a fraud and corruption policy, [Create-a-fraud-and-corruption-policy.pdf \(justice.govt.nz\)](#), Accessed 15 August 2022.

## 2 Strategic Goals and Outcomes

This report contributes towards meeting Councils' obligations under legislative Acts including:

- Local Government Act 2002
- Local Authority (Members' Interests Act 1968)
- Public Audit Act 2001
- Crimes Act 1961
- Employment Relations Act 2000
- Privacy Act 1993.

## 3 Policy Considerations

### 3.1 Review Priority

The current policy was last reviewed on 26 September 2013. The policy register identifies this review as high priority due to the risks associated with it being dated, and the potential it does not address current standards and practices.

### 3.2 Policy restructure

The current Fraud Policy has been split into two parts.

- Fraud Policy (Council policy) - Attachment 1.
- Fraud Procedures (Organisational procedure) – Attachment 2.

This separation seeks to manage policy risks more effectively by enabling the Council to focus on higher order direction and scrutiny consistent with Council's internal risk management framework and policy management system.

Matters with an internal focus related to procedures are subject to Chief Executive signoff, with review by Council if required.

This approach is being progressively implemented as policies are reviewed. The approach is summarised in the following figure.

### Policy System Overview

#### Policy – "What"

- Council policy (highest level of scrutiny, often required by legislation, Council sign off)
- Organisational policy (internal focus, CE sign off)

#### Procedures – "How"

- How policies will be applied (CE sign off)

#### Operational Documents – Step by step guidance on "how"

### 3.3 Policy review findings and amendments

The current policy was found to substantially meet current good practice requirements from a functional perspective.

The proposed policy (Attachment 2) has been updated to include greater clarity on the following:

- Council's zero tolerance approach to fraud; and
- Elected member and employee obligations requirements
  - to act honestly and with integrity to safeguard the public resources, services and interests for which the Council is responsible.
  - where fraud, bribery or corruption is suspected it must be reported.
- Council's fraud risk prevention framework, encompassing organisational risk reviews, detection and prevention, internal controls, reporting and awareness and education.

Definitions have been updated to include:

- 'corruption', which includes bribery as a component of fraud
- 'elected members' and 'employees'.

### 3.4 Procedure review findings and amendments

The current procedures were also found to substantially meet good practice requirements from a functional perspective.

The proposed procedure (Attachment 3) contains additional content on management responsibilities, education, awareness and communication, fraud assessment and management (Sections 1.1 to 1.3)

## 4 Implementation

Subject to the endorsement of the Fraud Policy and Procedures by the Risk and Assurance Committee and the approval of the policy by Council, the management team will promulgate the policy within Council. This will include

- briefing sessions for elected members and employees on the policy and procedures; and
- implementation of capacity building measures outlined in Section 1.2 of the procedures.

## 5 Agenda Attachments

Attachment 1 – Policy on Fraud 2013

Attachment 2 – Fraud Policy

Attachment 3 - Fraud Procedures



# POLICY

<b>FRAUD POLICY</b>		<b>ACTIVITY GROUP:</b>	<b>CORPORATE SERVICES</b>
<b>Policy Type:</b>	Council		
<b>Approved by:</b>	Council		
<b>Department:</b>	Corporate Services		
<b>Date Approved:</b>	15 September 2022	<b>Next Review Date:</b>	15 September 2025
<b>Relevant Legislation:</b>	Protected Disclosures (Protection of Whistleblowers) Act 2022 Local Government Act 2002 Local Authority (Members' Interests Act 1968) Public Audit Act 2001 Crimes Act 1961 Employment Relations Act 2000 Privacy Act 1993		
<b>Clutha District Council Related Documents:</b>	Policy on Sensitive Expenditure Policy on Procurement Councillors Code of Conduct Employee Code of Conduct Policy on Protected Disclosures		

## PURPOSE

Council is required to function with competence, reliability and integrity in the application of public money. This requires high standards of financial prudence, probity and being able to withstand public scrutiny, in order to ensure trust and confidence in Council.

The purpose of this policy is to assist those who have responsibility for discouraging and managing fraud against Council. This includes measures that will:

- Establish Council's zero tolerance to fraud;
- Aid in the prevention of fraud including awareness and education of employees and elected members, and risk identification and management; and
- Support detection, investigation and reporting of fraud against Council.

## SCOPE

This policy applies to any fraud involving elected members, employees and/or any other parties with a business relationship with Council.

Note: The *Public Audit Act 2001* gives the Auditor-General authority to examine and report on any act or omission that shows or appears to show, waste, lack of probity or financial prudence by a public organisation. The Auditor-General has provided a statement (AG ISA (NZ) 240) on the auditors' responsibilities in relation to fraud in an annual audit<sup>1</sup>.

<sup>1</sup> [The Auditor-General's auditing standards 2020: AG ISA \(NZ\) 240 Fraud \(oag.parliament.nz\)](https://www.oag.parliament.nz/), Accessed 3 August 2022.

## DEFINITIONS

<b>Fraud</b>	<p>Fraud is an intentional act by one or more individuals involving the use of deception to obtain an unjust or illegal advantage.</p> <p>This may include, but is not limited to the following:</p> <ul style="list-style-type: none"> <li>• any dishonest or fraudulent act;</li> <li>• forgery or alteration of any document or account belonging to the Council;</li> <li>• forgery or alteration of a cheque, bank draft, or any other financial document;</li> <li>• misappropriation of funds, securities, supplies, or other assets;</li> <li>• impropriety in the handling or reporting of money or financial transactions;</li> <li>• intentional misstatement of financial information for example obtaining funds or any other benefit through misleading claims, representations or by false pretences;</li> <li>• disclosing confidential and proprietary information to outside parties;</li> <li>• disclosing to other persons securities or activities engaged in or contemplated by the Council;</li> <li>• accepting or seeking anything of material value from contractors, vendors, or persons providing services/materials to the Council. This excludes accepting any gifts in accordance with Sensitive Expenditure Policy and Procedures;</li> <li>• an individual falsely representing themselves as either another person, or a fictitious person to an agency for some benefit;</li> <li>• destruction, removal, or inappropriate use of records, furniture, fixtures, and equipment;</li> <li>• any similar or related inappropriate conduct; and/or corruption.</li> </ul>
<b>Corruption</b>	<p>Corruption means the abuse of entrusted power for private gain (such as soliciting or receiving gifts or other gratuities to perform an official duty or omit to perform an official duty). Corruption is a type of fraud and includes bribery.</p>
<b>Council</b>	<p>Means Clutha District Council.</p>
<b>Elected Members</b>	<p>Means the Mayor, Councillors and Community Board Members of the Clutha District Council.</p>
<b>Employee</b>	<p>Means a person employed by the Clutha District Council.</p>

**POLICY**

1. Council regards fraud as unacceptable and will apply a zero tolerance approach to any such behaviour.
2. Elected members and employees are required to act honestly, with integrity and to safeguard the public resources, services and interests for which the Council is responsible at all times.
3. Elected members and employees who suspect fraud must report such behaviour as outlined in this policy and associated procedures.
4. Council will maintain a fraud risk prevention framework encompassing organisational risk reviews, detection, prevention, internal controls, reporting, awareness and education.
5. Council will investigate all instances of suspected fraud against Council, or other personnel, suppliers or contractors of Council.
6. In every case of suspected fraud Council will make every effort to gather sufficient reliable evidence to support a decision for criminal prosecution.
7. Should any elected members and employees be found guilty of fraud, Council will take action in accordance with the councillor and employee codes of conduct.
8. Should consultants, suppliers, contractors and/or any other parties who have a business relationship with Council be suspected of fraud, Council will refer the matter (along with supporting evidence) to the appropriate law enforcement agencies.
9. Council will seek to recover all funds or other Council property lost through fraud.
10. Elected members and employees must follow the procedures associated with this policy and any Council procedures developed to give effect to the policy and procedures.

**Version Control**

<b>Version History</b>			
<b>Date:</b>	<b>Action:</b>	<b>Name:</b>	<b>Version:</b>
26 September 2013	Policy on Fraud 2013	Council	1 (ID 162378)
15 September 2022	(Proposed) Fraud Policy 2022 presented for Council adoption	Council	2 (ID 748759)

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# Clutha District Council

## Item for DECISION

<b>Report</b>	Delegations to the Chief Executive
<b>Meeting Date</b>	15 September 2022
<b>Item Number</b>	12
<b>Prepared By</b>	Steve Hill – Chief Executive
<b>File Reference</b>	748510

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### REPORT SUMMARY

The purpose of this report is to request that Council delegate to the Chief Executive all of its responsibilities, duties and powers under all legislation without limitation, except for those set down in legislation that cannot be delegated, from election day until the inauguration of the new Council, in order for the normal business of the Council to be carried out without interruption. It also provides for the non-dissolution of the District Licensing Committee, the Regulatory Hearings Committee, Clutha District Youth Council, and Clutha District Creative Communities Assessment Committee until 28 October 2022.

### RECOMMENDATIONS

- 1 That Council receives the Delegations to the Chief Executive report.**
- 2 That subject to the limitations set out in Clause 32 (1) of the Seventh Schedule of the Local Government Act 2002, the Council delegates to the Chief Executive all of the functions, duties and powers of the Council, from the period of 8 October 2022 to 27 October 2022, subject to a requirement that the Chief Executive may only exercise this delegation after the following:**
  - a. consultation with the person elected to the position of the Mayor.**
  - b. may only attend to those matters that cannot reasonably await the first meeting of the new Council, and**
  - c. shall be reported to the first meeting of the new Council.**
- 3 That the District Licensing Committee, the Regulatory Hearings Committee, Clutha District Youth Council, and Clutha District Creative Communities Assessment Committee are not discharged until 28 October 2022 in accordance with Clause 30 (7) of Schedule 7 to the Local Government Act 2002.**



## REPORT

### 1. Background

The local body elections will be held on Saturday 8 October 2022, and although the new Council will come into office on the day after the day on which the successful candidates are declared to be elected (Section 115 of the Local Electoral Act 2001) they cannot act until they have taken the oath of office at the inaugural meeting (Clause 14 of Schedule 6 – Declaration by Member). This date will be Friday 28 October 2022, following the inaugural Council meeting on Thursday 27 October 2022. The relevant legislation is reflected below.

To ensure there is continuity of service for certain functions and there may be other matters, as yet unforeseen, Council needs to grant delegations to accommodate this situation.

For that reason, it is recommended that this Council delegate to the Chief Executive all of its responsibilities, duties, and powers without restriction for the period from the day of the election (8 October 2022) until the inauguration of the new Council, leaving only the limitations and exclusions set out in legislation, but with caveats suggested below.

It is suggested that the Chief Executive may only exercise this delegation after the following:

- a. consultation with the person elected to the position of the Mayor,
- b. may only attend to those matters that cannot reasonably await the first meeting of the new Council, and
- c. shall be reported to the first meeting of the new Council.

In addition, the following legislative limitations still apply:

*31 Clause 32 (1) of Schedule 7 of the Local Government Act 2002 sets out several powers of a local authority which cannot be delegated:*

- (a) the power to make a rate; or*
- (b) the power to make a bylaw; or*
- (c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or*
- (d) the power to adopt a long-term plan, annual plan, or annual report; or*
- (e) the power to appoint a chief executive; or*
- (f) the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement.*
- (g) Repealed*
- (h) the power to adopt a remuneration and employment policy*

In addition, both the Resource Management Act 1991 and Sale and Supply of Alcohol Act 2012 impose time limits on Council to provide decisions on applications for resource consents and liquor licenses. To this end it is proposed in accordance with Clause 30 (7) of Schedule 7 that both the District Licensing Committee and Hearings Panel (if both are required) remain in place until Council confirms the committee structure, delegations, and appointments for the 2022-2025 triennium at the inaugural meeting on 27 October 2022. This will require a resolution.

The Clutha District Youth Council consists of the following members:

- Maximum of 2 representatives aged between 14-24 from each of the Clutha District's secondary/area schools (South Otago High, Tokomairiro High, Blue Mountain College, Lawrence Area and Catlins Area schools).
- 2 workplace representatives (aged between 16-24).
- 2 on-campus student representatives from Telford A Division of Lincoln University (aged between 16-24) and 2 members of Council.

The Youth Council needs to continue, as the representatives do not change in line with the 2022 Local Body Elections.

The Clutha District Creative Communities Assessment Committee consists of 2 members of Council and 6 Community Representatives, including 1 Local Mana Whenua representative.

The Creative Communities Assessment Committee needs to continue, as the representatives do not change in line with the 2022 Local Body Elections.

## **2 Strategic Goals and Outcomes**

The matters in this item are to ensure normal business of Council can continue without potential disruption.

## **3 Assessment of Options**

Where applicable, this report has considered and presented all reasonably practicable options.

## **4 Consultation**

Not applicable.

## **5 Policy Considerations**

Significance and Engagement Policy and Clutha District Council Delegations Manual.

## **6 Legal Considerations**

Not applicable.

## **7 References**

**Relevant Legislation under Local Government Act 2002 and Local Electoral Act 2001**

**LOCAL GOVERNMENT ACT 2002****Clause 14 of Schedule 7 - Declaration by member**

A. A person may not act as a member of a local authority until—

(i) that person has, at a meeting of the local authority following the election of that person, made an oral declaration in the form set out in subclause (3); and

(j) a written version of the declaration has been attested as provided under subclause (2).

B. The written declaration must be signed by the member and witnessed by—

(k) the chairperson; or

(l) the mayor; or

(m) a member of the local authority; or

(n) the chief executive of the local authority; or

(o) in the absence of the chief executive, some other officer appointed by the chief executive.

C. The form of the declaration must consist of the following elements:

**“Declaration by mayor or chairperson or member**

“I, AB, declare that I will faithfully and impartially, and according to the best of my skill and judgment, execute and perform, in the best interests of [region or district], the powers, authorities, and duties vested in, or imposed upon, me as [mayor or chairperson or member] of the [local authority] by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act

“Dated at [place, date]

“Signature:

“Signed in the presence of:

“CD, [mayor or chairperson or member or chief executive of local authority]”.

**Clause 30 (7) of Schedule 7**

A committee, subcommittee, or other subordinate decision-making body is, unless the local authority resolves otherwise, deemed to be discharged on the coming into office of the members of the local authority elected or appointed at, or following, the triennial general election of members next after the appointment of the committee, subcommittee, or other subordinate decision-making body.

**Clauses 31 of Schedule 7**

**Clause 31 (4)**

(4) Despite subclause (3), —

(p) at least 1 member of a committee must be an elected member of the local authority; and

(q) an employee of a local authority acting in the course of his or her employment may not act as a member of any committee unless that committee is a subcommittee.

**Clause 31 (5)**

If a local authority resolves that a committee, subcommittee, or other decision-making body is not to be discharged under clause 30 (7), the local authority may replace the members of that committee, subcommittee, or other subordinate decision-making body after the next triennial general election of members.

**Clause 32 (1) of Schedule 7**

Unless expressly provided otherwise in this Act, or in any other Act, for the purposes of efficiency and effectiveness in the conduct of a local authority's business, a local authority may delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority any of its responsibilities, duties, or powers except—

(r) the power to make a rate; or

(s) the power to make a bylaw; or

(t) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or

(u) the power to adopt a long-term plan, annual plan, or annual report; or

(v) the power to appoint a chief executive; or

(w) the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement.

(x) Repealed

(y) the power to adopt a remuneration and employment policy.

**LOCAL ELECTORAL ACT 2001****Section 86 – Declaration of Result**

The electoral officer conducting an election or poll must give public notice declaring the official result of the election or poll in the prescribed manner as soon as practicable after—

(z) Repealed.

(aa) the validity of all special votes has been determined; and

(bb) all valid votes have been counted.

#### **Section 115 - When members come into office**

Candidates at a triennial general election who are declared to be elected come into office on the day after the day on which the official result of the election is declared by public notice under section 86.

#### **Section 116 - When members leave office**

D Every member of a local authority or community board, unless vacating office sooner, vacates office, — (cc) in a case where the member's office is the subject of an election, when the members elected at the next election come into office:

(dd) in a case where provision is made by any enactment to fill a vacancy by appointment, when the member's successor comes into office.

E Despite subsection (1) (a), if a member's office is the subject of an election, and neither the member nor any other person is elected at the election to that office, the member vacates office at the same time as any other member of the local authority who is not re-elected at the election

# Clutha District Council

## Item for INFORMATION

<b>Report</b>	Citizenship Ceremony
<b>Meeting Date</b>	15 September 2022
<b>Item Number</b>	13
<b>Prepared By</b>	Steve Hill – Chief Executive
<b>File Reference</b>	750345

### REPORT SUMMARY

The following candidates will be in attendance to participate in a New Zealand citizenship ceremony at approximately 2.45pm.

First Name	Surname	Nationality	Oath or Affirmation
Denise Lesley	Dent	England	Affirmation
Grant Hylton	Bradbury	South Africa	Oath
Tanya Dorothy Ann	Bradbury	South Africa	Oath
Christina Josine	Potgieter	South Africa	Oath
Evert Frederik	Potgieter	South Africa	Oath
Franceita Sybil	Martin	Jamaica	Oath
Katie Frances	Voaden	England	Affirmation
Joanne	Barber	United Kingdom	Affirmation
Andrew Ralph William	Barber	United Kingdom	Affirmation

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## Clutha District Council

### Item for CONFIRMATION

<b>Report</b>	Confirmation of Council Minutes
<b>Meeting Date</b>	15 September 2022
<b>Item Number</b>	14
<b>Prepared By</b>	Julie Gardner – Service Delivery Administrator
<b>File Reference</b>	750641

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#### REPORT SUMMARY

Attached for confirmation are the minutes of the meeting of the Clutha District Council held on 4 August 2022.

#### RECOMMENDATION

1. That the minutes of the meeting of the Clutha District Council held on 4 August 2022 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, 4 August 2022 commencing at 1.30pm.

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

**In Attendance** Steve Hill (Chief Executive), John Scott (Group Manager Corporate Services), Ian McCabe (Group Manager Regulatory & Planning), Larissa Brown (Strategic Planning Manager – via zoom), Sarah Bedford (Communications Manager) and Julie Gardner (Service Delivery Administrator)

**Apologies** There were no apologies.

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Mayor Cadogan welcomed everyone to the meeting and advised that the meeting was being recorded.

### DECLARATIONS OF INTEREST

There were no declarations of interest.

### PUBLIC FORUM

#### ***Michael Jago (Toko 4-Square) and Chris McDonald (Framing Plus)***

- Michael used to live in Eltham in South Taranaki, now owns 4-square at the kink in the road.
- Supports the work – stormwater drains, power.
- Main street is extremely busy and cluttered so current works will definitely improve that.
- Eltham had done the same with their main street, NZTA had told them – no bulbous kerbs, no planter boxes, no trees however this changed. Their shop in Eltham ended up losing 4 carparks.



- Ended up voting out incumbent councillors then reverted the street back to the way it was.
- Need to encourage people to stop by adding more carparks, not removing them!
- Add speed humps to slow people down.
- Thanked team that spoke to the concerned residents, reiterated their support for the project but said there are other ways of beautifying the main street without costing carparks. Repositioning of the crossing by the chemist to nearer the corner needs to be considered carefully as it would make that intersection area more dangerous.
- Not against beautification but trees in the main retail street have the potential to block views. There are appropriate places for trees but not taking up carparks.
- Consider using artworks as a way of beautifying the main street.
- Consider widening the street.

## 1 BRUCE COMMUNITY FACILITY CONSULTATION

The Group Manager Service Delivery and the Strategic Planning Manager submitted a report summarising the public feedback received on the options proposed in the Bruce Community Facility consultation process and asking Council to confirm which option it approves.

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

***“That Council receives the ‘Bruce Community Facility Consultation’ report.***

***That Council receives written and verbal submissions as listed in Attachment 1: Summary of Written and Verbal Submissions to the Bruce Community Facility Consultation.***

***That Council approves a late submission from De Silva.”***

After a lengthy discussion focusing on the pros and cons of a bigger facility Councillors were in agreement that after extensive public consultation, the community had decided that Option 1 was the most favourable and Council had a duty to respect that.

The Bruce Community Facility Trust have committed to Option 1 and the fundraising involved and it would be wrong to ignore or change the proposal. This option is also the most achievable for the community and Council.

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

***“That Council approves support for a \$13-\$14M Bruce Community Facility, including a 6-lane pool.”***

The vote was:

For 14, Against 1 – Councillor Wilkinson requested his vote be recorded.

## 2 VEHICLES ON BEACHES BYLAW FEEDBACK REPORT

The Senior Policy Advisor (Contract) submitted the Vehicles on Beaches Bylaw Feedback for information as well as proposed options for further work by staff and approval of a timeline including a workshop to ensure a decision can be made.

Mike Goldsmith was in attendance for this item.

Further explanation of the 5 options was provided along with clarification on the setting of speed limits. The bylaw should reference the Council Register of Speed Limits as the only source of truth for enforcement purposes.

Mayor Cadogan expressed his thanks to all staff involved for the time and effort that had gone into this draft bylaw proposal.

The importance of sticking to the timeline was reiterated so that the decision is not made by new incoming Councillors.

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

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

***That Council receives the attached ‘Vehicles on Beaches Bylaw – Feedback’ report.***

***That Council approves Table 1 as the timeline for development of the Vehicles on Beaches Bylaw, or as amended.”***

## 3 PROJECT CATERGORISATION – 2022/23

The Group Manager Corporate Services presented proposed Category A Projects for confirmation as well as Category B and C Projects for information.

It was agreed that the Mt Cooe landfill consent should be added to Category A.

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

***That Council receives the ‘Project Categorisation 2022/23’ report.”That Council confirms the following Category A projects 2022/23 for regular reporting and monitoring to the Audit & Risk Committee:***

- a) ERP Upgrade***
- b) Community Housing Group of Projects***
- c) Community Hub Including Streetscape***
- d) Milton and Balclutha Destination Toilets***
- e) Greenfield Bore Project Water Supply for Waitahuna and Evans Flat WTP***
- f) Sewerage Treatment Plant Upgrades Group of Projects***
- g) Milton Main Street Group of Projects***
- h) Stormwater Tapanui Patterson's Creek lower catchment improvements***
- i) Milton to Waihola pipeline***
- j) Water Services Facilities Health and Safety Improvements***

**k) Water and Wastewater Compliance Group of Projects, or as amended.**

**l) Mt Cooee Landfill Group of Projects**

***That Council confirms project reporting for Category B and C projects as attached in Appendix 1: Proposed Project Categories 2022/23.***

#### **4 THREE WATERS CAPITAL WORKS PROGRAMME 2022/23 AND 2023/24 REVIEW**

The Infrastructure Strategy Manager submitted a report requesting budget adjustments for three waters capital programmes to be delivered in the next two years of the LTP programme 2021/24.

Councillors expressed their support for the report and the proposed programme commenting on the quality of the information provided.

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

***“That Council receives the ‘Three Waters Capital Programme 2022/23 and 2023/24’ report.***

***That Council approves the work programme changes for 2022/23 and 2023/24 and consequential budget impacts.”***

#### **5 2021-24 LAND TRANSPORT PROGRAMME UPDATE**

The Senior Infrastructure Engineer submitted a report informing Council of the status of the 2021-24 Land Transport Programme, as measured against the Waka Kotahi NZ Transport Agency’s approved budget and the financial achievements for 2021-22.

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

***“That Council receives the ‘2021-24 Land Transport Programme Update’ report.***

***That Council confirms the carry forward of \$65,100 of 2021-22 unspent funding for Activity Management Planning, with Council’s share of \$22,800 to be funded from Reserves.***

***That Council confirms the carry forward of \$2,876,500 of 2021-22 unspent funding for Local Road Operations, Maintenance & Renewals, with Council’s share of \$1,006,800 to be funded from Reserves.***

***That Council confirms the carry forward of \$8,500 of 2021-22 unspent funding for Special Purpose Road Operations, Maintenance & Renewals, with Council’s share of \$1,300 to be funded from Reserves.***

***That Council confirms the carry forward of \$293,800 of 2021-22 unspent funding for Local Road Low-Cost Low Risk Improvements, with Council’s share of \$102,800 to be funded from Reserves.***

***That Council confirms the carry forward of \$123,200 of 2021-22 unspent funding for Special Purpose Road Low-Cost Low Risk Improvements, with Council’s share of \$18,500 to be funded from Reserves.***

***That Council confirms the carry forward of \$505,700 of 2021-22 unspent funding for The Nuggets Road Slip Remediation, with Council's share of \$177,000 to be funded from Emergency Fund Reserves.***

***That Council confirms the carry forward of \$46,000 of 2021-22 unspent funding for Road Safety Promotion, with Council's share of \$16,100 to be funded from Reserves.***

***That Council confirms the balance of the Low-Cost Low Risk Improvements for completion in 2022-24 as per Attachment 8.1, to be managed within the overall budget allocation area and where required, projects to be deferred to the 2024-27 Land Transport Programme development."***

## **6 PROPOSED REVOCATION OF LINCOLN TERRACE PLAYGROUND RECREATION RESERVE STATUS**

The Infrastructure Strategy Manager and the Facilities Asset Officer submitted a report requesting Council to consider initiating the process to revoke the Recreation Reserve status of Lincoln Terrace Playground in Balclutha, Sec 3 Block XXIV and Part Lot DP 9773 (658m<sup>2</sup>).

The Chief Executive provided further information on this item highlighting that when a similar process was undertaken with another local Playground public feedback had resulted in the process being stopped. This report gives Elected Members the option to stop this process now.

After a robust discussion amongst the Elected Members, it was agreed to defer the decision until a new Council has been elected.

Local residents will be encouraged to attend a public forum to air their concerns.

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

***"That Council receives the 'Proposed Revocation of Lincoln Terrace Playground Recreation Reserve Status' report."***

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

***That Council proceeds with the specific public consultation process and reserve revocation process for the Recreation Reserve of the Lincoln Terrace Playground in Balclutha Sec 3 Block XXIV and Part Lot DP 9773."***

The vote was:

For 5, Against 10 – the motion was lost.

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

***That Council does not proceed with the specific public consultation process and reserve revocation process for the Recreation Reserve of the Lincoln Terrace Playground in Balclutha Sec 3 Block XXIV and Part Lot DP 9773."***

The vote was:

For 12, Against 3 – Councillors Cowie and Herbert requested their votes be recorded

**7 ROAD STOPPING – UNFORMED LEGAL ROAD, BEAUMONT HOTEL**

The Senior Infrastructure Engineer submitted a request received from Alison Mills for the proposed road stopping of an Unformed Legal Road located on the southern boundary of her property, the Beaumont Hotel.

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

***"That Council receives the 'Road Stopping – Unformed Legal Road, Beaumont Hotel' report.***

**That Council agrees to:**

- ***The proposed road stopping of the Unformed Legal Road amounting to 3,658m<sup>2</sup> as per Attachment 8.1.***
- ***Obtaining the approval of the Minister of Land Information for the proposed road stopping, where relevant.***
- ***The initiating of the consultation process under the Local Government Act 1974 Schedule 10 procedures for the proposed road stopping of the Unformed Legal Road as in 2.1.***
- ***That on the successful completion of the Local Government Act 1974 Schedule 10 procedures, the land sale (stopped road) in 2.1 be completed, with the purchase price to be negotiated based on an independent valuation."***

**8 REGULATORY SERVICES COMMITTEE RECOMMENDATIONS**

The Regulatory Services Administrator submitted recommendations made by the Regulatory Services Committee at their meeting held on 20 July 2022.

An additional map was tabled that replaces Map 1 of the Balclutha alcohol ban area that was included in the Regulatory Committee agenda in order to include the Naish Park/Centennial Park. This has not been consulted on and therefore cannot be included at this stage.

Councillors debated the item stating that the new playground being built should be alcohol-free 24 hours a day whereas Naish Park was a multi-use area available for a variety of events and therefore the after dark ban was appropriate for that area.

The Smoking and Vaping policy is currently being reviewed but cannot be prohibited by a bylaw so stands separately from alcohol.

It was further noted that Public Health South had supported the original inclusions and had no areas to add during the submission process.

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

***“That the following recommendations made by the Regulatory Services Committee to Council at the meeting on 20 July 2022 be adopted:***

***Agenda Item 5 – Regulatory Bylaw Review 2022***

***‘That Council adopts the following three requests (3a, 3b and 3c) raised by submissions that may be of further public and Council interest.’***

- 3a. That further consultation is undertaken with Jacks Bay residents on making Jacks Bay a leash control area under the Regulatory Bylaw 2022 and the Policy on Dog Control 2022. Signage options are also consulted on.***
- 3b. That additional consultation is undertaken with Taieri Mouth residents, local iwi and stakeholder groups on Moturata Island isthmus being added to the dog prohibited areas in Schedule B of the Regulatory Bylaw 2022. Signage options are also consulted on.***
- 3c. That mandatory microchipping and desexing of cats is not implemented in the Regulatory Bylaw 2022.’***

***‘That Council adopts the Clutha District Council Regulatory Bylaw 2022 (Attachment B), to come into force on 1 October 2022.***

***That Council adopts the Policy on Dog Control 2022 (Attachment C) to come into force on 1 October 2022.***

***That Council adopts the Policy on Dangerous and Insanitary Buildings 2022 (Attachment D) to come into force on 1 October 2022.’***

3.20pm – the meeting was adjourned.

3.43pm – the meeting was reconvened.

## **9 CONFIRMATION OF COUNCIL MINUTES**

The minutes of the meeting of the Clutha District Council held on 23 June 2022 were submitted for confirmation.

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

***“That the minutes of the meeting of the Clutha District Council held on 23 June 2022 be approved as a true and correct record.”***

**10 CONFIRMATION OF COUNCIL MINUTES – VEHICLES ON BEACHES BYLAW HEARINGS**

The Hearing minutes of the Vehicles on Beaches Bylaw Submissions meetings held on 23 June, 28 June and 29 June 2022 were submitted for confirmation.

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

***“That the Hearing minutes of the Vehicles on Beaches Bylaw Submissions meetings held on 23 June, 28 June and 29 June 2022 be approved as a true and correct record.”***

**11 CONFIRMATION OF COUNCIL MINUTES – BRUCE COMMUNITY FACILITY CONSULTATION 2022**

The Hearing minutes of the Bruce Community Facility Consultation 2022 meeting held on 14 July 2022 were submitted for confirmation.

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

***“That the Hearing minutes of the Bruce Community Facility Consultation 2022 meeting held on 14 July 2022 be approved as a true and correct record.”***

**12 REGULATORY AND POLICY COMMITTEE MINUTES**

The minutes of the meeting of the Regulatory and Policy Committee held on 20 July 2022 were submitted for confirmation.

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

***“That the minutes of the meeting of the Regulatory and Policy Committee held on 20 July 2022 be approved as a true and correct record.”***

**13 CORPORATE & PROPERTY COMMITTEE MINUTES**

The minutes of the meeting of the Corporate & Property Committee held on 20 July 2022 were submitted for confirmation.

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

***“That the minutes of the meeting of the Corporate & Property Committee held on 20 July 2022 be approved as a true and correct record.”***

**14 SERVICE DELIVERY COMMITTEE MINUTES**

The minutes of the meeting of the Service Delivery Committee held on 20 July 2022 were submitted for confirmation.

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

***“That the minutes of the meeting of the Service Delivery Committee held on 20 July 2022 be approved as a true and correct record.”***

**15 WEST OTAGO COMMUNITY BOARD MINUTES**

The unconfirmed minutes of the meeting of the West Otago Community Board held on 6 July 2022 were submitted.

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

***“That the unconfirmed minutes of the West Otago Community Board meeting held on 6 July 2022 be noted.”***

**16 LAWRENCE/TUAPEKA COMMUNITY BOARD MINUTES**

The unconfirmed minutes of the Lawrence/Tuapeka Community Board meeting held on 6 July 2022 were submitted.

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

***“That the unconfirmed minutes of the Lawrence/Tuapeka Community Board meeting held on 6 July 2022 be noted.”***

**17 RISK & ASSURANCE COMMITTEE MINUTES**

The unconfirmed minutes of the Risk & Assurance Committee meeting held on 20 July 2022 were submitted.

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

***“That the unconfirmed minutes of the Risk & Assurance Committee meeting held on 20 July 2022 be noted.”***

**18 YOUTH COUNCIL MINUTES**

The unconfirmed minutes of the Youth Council meeting held on 27 June 2022 were submitted.

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

***“That the unconfirmed minutes of the Youth Council meeting held on 27 June 2022 be noted.”***

**19 MAYORAL REPORT**

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

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

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

**20 CHIEF EXECUTIVE’S REPORT**

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

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

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



**21 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 Catherwood/Foster 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>DEED OF LEASE</b>
<b>1.1</b>	Land described as Lot 5 DP 2480 Block XIII Glenkenich Survey District between the Clutha District Council and Tapanui Racing Club Incorporated and West Otago A & P Society

**22 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 (b)(ii), A2 (i) and A2 (j).”***

The meeting moved into public excluded session at 4.17pm.

The meeting moved out of public excluded session and closed at 4.36pm.

**Read and Confirmed**

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

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## Clutha District Council

### Item for CONFIRMATION

<b>Report</b>	Confirmation of Committee of The Whole Minutes
<b>Meeting Date</b>	15 September 2022
<b>Item Number</b>	15
<b>Prepared By</b>	Julie Gardner – Service Delivery Administrator
<b>File Reference</b>	749394

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#### REPORT SUMMARY

Attached for confirmation are the minutes of the meeting of the Committee of The Whole held on 1 September 2022.

#### RECOMMENDATION

1. That the minutes of the meeting of the Committee of The Whole held on 1 September 2022 be approved as a true and correct record.

## Committee of the Whole

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Minutes of the Meeting of the Committee of the Whole held in the Council Chambers, 1 Rosebank Terrace, Balclutha on Thursday 1 September 2022, commencing at 4.21pm.

**Present** His Worship the Mayor Bryan Cadogan, Councillors Dane Catherwood, Stewart Cowie, Wayne Felts, Gaynor Finch, Mel Foster, Bruce Graham, John Herbert, Alison Ludemann, Lloyd McCall, Kenneth Payne, Bruce Vollweiler and Selwyn Wilkinson

**In Attendance** Steve Hill (Chief Executive), Grant Bullin (Senior Projects Engineer), Chris Bopp (Senior Infrastructure Engineer) and Julie Gardner (Service Delivery Administrator)

**Apologies** Councillors Carol Sutherland, Jo-anne Thomson

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

***“That the apologies be accepted.”***

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

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

The meeting moved into public excluded session at 4.22pm.

The meeting moved out of public excluded session and closed at 5.03pm.

**Read and Confirmed**

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**B A Cadogan  
MAYOR**

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## Clutha District Council

### Item for CONFIRMATION

<b>Report</b>	Service Delivery Committee Minutes
<b>Meeting Date</b>	15 September 2022
<b>Item Number</b>	16
<b>Prepared By</b>	Julie Gardner – Service Delivery Administrator
<b>File Reference</b>	749108

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#### REPORT SUMMARY

Attached are the minutes of the meeting of the Service Delivery Committee held on 1 September 2022.

#### RECOMMENDATIONS

1. That the minutes of the meeting of the Service Delivery Committee held on 1 September 2022 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, 1 September 2022, commencing at 1.30pm.

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**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, Lloyd McCall, Kenneth Payne, Bruce Vollweiler and Selwyn Wilkinson

**In Attendance** Steve Hill (Chief Executive), Henri van Zyl (Transportation & Facilities Operations Manager), Thyagu Gopalan (Infrastructure Strategy Manager), and Julie Gardner (Service Delivery Administrator)

**Apologies** Councillors Carol Sutherland, Jo-anne Thomson

*Moved Mayor Cadogan/Councillor Felts and Resolved:*

*“That the apologies be sustained.”*

---

### LATE ITEMS

There were no late items.

### PUBLIC FORUM

There was no public forum.

### DECLARATIONS OF INTEREST

There were no declarations of interest.

### 1. 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.

The Group Manager explained that there are a few glitches in the CSR data being received and reported on through the Datascope system and these issues are currently being worked through with the IT team.

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

***“That the Service Delivery Committee receives the ‘Organisational Performance - Service Delivery’ report, dated 1 September 2022.”***

**2. GROUP MANAGER’S UPDATE**

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

Discussion on –

- Meeting with Milton Pool committee at 4pm today
- Kaitangata Pool Committee meeting – explained AP decisions and funding and how these funds can be used going forward. Highlighted to get funding items in early (November) so they could be considered for budgets before these are finalised.
- Otago/Std 3 Waters sub-regional meeting – any discussion around collaboration? Advised there have been initial discussions but these are at a very early stage.
- CCH meeting – carpark/civil works – how are these progressing? Refining road safety aspect, update will be provided at PCG meeting on 8 September.
- Milton to Waiholo tender – 2 tenders received, working through evaluation stage.

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

***“That the Service Delivery Committee receives the ‘Group Manager’s Update’ report 1 September 2022.”***

**3. OPERATIONS UPDATE – TRANSPORTATION & FACILITIES**

The Transport & Facilities Operations Manager submitted a report advising on operational matters within the Department.

There was discussion on the following –

- Centennial Pool – any closer to pool being open on a Saturday morning? Staffing being sorted, with current staff being consulted on the extended weekend hours. 50<sup>th</sup> anniversary happening in November and plans are underway to celebrate this.
- Naish Park Trees – these have been removed.
- Tree budget was discussed – came in under budget as some trees did not get removed, trees were also disposed of onsite, so no costs were incurred in their removal.
- Contractors are on call 24/7 and available at all times to deal with any network issues that arise.

- Waipori Road is now open and fully usable. Coal Gully Road is being fixed by Calder Stewart in conjunction with repairs to their quarry.
- Warehouse Service Lane Trial was discussed. Businesses affected believe it is working well with only occasional vehicles going the wrong way. Will need final sign-off from Council before this is made permanent.

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

***“That the Service Delivery Committee receives the ‘Operations Update – Transportation & Facilities’ report dated 1 September 2022.”***

**4. OPERATIONS UPDATE – WATER & WASTE**

The Group Manager Service Delivery submitted a report advising on operational matters within the Department.

There was discussion on the following –

- Item 2.2 – Waihola Reservoir Cleaning – work plan to be sorted before this goes ahead.
- Waihola multiple water outages – reported that some people were out of water for 11 days. Important to ensure that consumers have adequate storage. An information newsletter is being prepared to send out to all consumers on the scheme. Councillors concerned that storage information is not being conveyed for new builds. Staff advised that there are some consumers that are in breach of CDC bylaws as well.
- I&I Inspections – timeframe for those requiring further investigation was discussed. Work program will be established once all the inspections have been completed.
- Owaka Biofiltro – has this been reinstated? Advised that it is but may not be completely operational.

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

***“That the Service Delivery Committee receives the ‘Operations Update – Water & Waste’ report dated 1 September 2022.”***

**5. INFRASTRUCTURE STRATEGY UPDATE**

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

There was discussion on the following –

- Item 3.4 – Milton to Waihola Pipeline
- Item 3.1.2 – Greenfield Bore Replacement and Potential Land Purchase – looking to purchase an additional 1-2 ha. approx. to future proof the borefield.
- Discharge to water and discharge to land options – final report is not completed yet.
- Biofiltro compliance was discussed in-depth.

***Moved Councillors Finch/Herbert and Resolved:******“That the Service Delivery Committee receives the ‘Infrastructure Strategy Update’ report dated 1 September 2022.”*****6. CAPITAL DELIVERY UPDATE**

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

There was discussion on the following -

- Balclutha Toilets – can the current toilets be relocated to the Balclutha Lawn Cemetery as the existing one is not desirable?
- Chatham St/Sheerness St Slip tender price – waiting on confirmation from Waka Kotahi of pricing. Possibility this may not be resolved until the new year.
- The Nuggets Road slip – when is this likely to get fixed? Needs a resource consent as it is in the coastal marine area. Process has been extended due to all the additional reports that need generated – eg. effect on local environment (birds, mammals).
- Moa Flat Treatment Plant – how is the trial period going for meeting the drinking water standards? Still under proving period.
- Taylor Park cabins – how are these progressing? Delayed due to covid, CDC contribution is the materials. First unit is built and will be onsite soon.
- Dog Pound storage – will be used for project materials, overflow from other storage areas.
- Lack of tenders for projects is a concern and unlikely to improve in the near future, although this can fluctuate quite quickly. Staff are looking at alternative ways to package future tenders.
- Contract 825 – Box Culverts – consents are with ORC, limited time to work in the waterway. Still in discussion with ORC but expect to get the go ahead shortly.

***Moved Councillors Finch/Herbert and Resolved:******“That the Service Delivery Committee receives the ‘Capital Delivery Update’ report dated 1 September 2022.”*****7. COMPLIANCE UPDATE REPORT**

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

Updates were provided as follows -

- BWN lifted for Tuapeka West scheme.
- Glenkenich plant to be commissioned later in the year.
- New Drinking Water Standards – report to Council to come.



- I&I - are there any fines likely from ORC? CDC staff advised we are getting abatement notices that will need to be addressed.
- Milton WWTP – new motors and gearboxes have been installed on the trickling filter arms.

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

***“That the Service Delivery Committee receives the ‘Compliance Update’ report dated 1 September 2022.”***

**8. 2022 RURAL WATER SCHEMES ANNUAL MEETINGS**

The Service Delivery Administrator submitted the minutes from the 2022 Rural Water Schemes Annual meetings for noting.

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

***“That the Service Delivery Committee receives the ‘2022 Rural Water Schemes Annual Minutes’ for noting.”***

The meeting closed at 2.38pm.

Confirmed

Bruce Graham  
**CHAIRPERSON**

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## Clutha District Council

### Item for CONFIRMATION

<b>Report</b>	Regulatory and Policy Committee Minutes
<b>Meeting Date</b>	15 September 2022
<b>Item Number</b>	17
<b>Prepared By</b>	Wendy Copeland – Regulatory Services Administrator
<b>File Reference</b>	750151

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#### REPORT SUMMARY

Attached are the minutes of the meeting of the Regulatory and Policy Committee held on 1 September 2022.

#### RECOMMENDATIONS

1. That the minutes of the meeting of the Regulatory and Policy Committee held on 1 September 2022 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 Thursday 1 September 2022, commencing 2.45pm

**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, Lloyd McCall, Ken Payne and Selwyn Wilkinson

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

**Apologies:** Councillors Jo-anne Thomson and Carol Sutherland

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

***“That the apologies be sustained.”***

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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.

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

***'That the Regulatory and Policy Committee receives the report titled 'Manager's Report', dated 1 September 2022.'***

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

The Strategic Planning Manager submitted a report providing updating the Committee on the following matters:

1. Activity
2. Our Place Community Plans
3. Bylaw Update
4. Policy Update
5. Climate Change
6. Otago Regional Well-Being
7. Long Term Plan 2024 Update

Cr Vollweiler introduced Peter Stafford, Senior Planning Advisor who recently started working with Larissa in the Strategic Planning team.

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

***'That the Regulatory and Policy Committee receives the 'Strategic Planning Manager's report' dated 1 September 2022.'***

***'That the Regulatory and Policy Committee recommends Council retire the Policy on the Use of Council Venues for Itinerant Traders 2011, as the contents of the policy have been incorporated into the Trading in Public Places section of the Regulatory Bylaw 2022.'***

## **3. DOG CONTROL ANNUAL REPORT 2021/22**

Ian McCabe – Group Manager Planning and Regulatory presenting a report on the annual dog control activity for 2021/22 year.

***Moved Councillors / and Resolved:***

1. ***'That the Regulatory and Policy Committee receives the Dog Control Annual Report 2021/22, dated 1 September 2022.'***

- 2. That the Regulatory and Policy Committee adopts the Dog Control Annual Report 2021/22, with the dates on the 3<sup>rd</sup> page changed to 2021/2022.'**

#### **4. ORGANISATIONAL PERFORMANCE REPORT**

Report providing up-to-date stats for the Customer Service Reporting for Regulatory activities.

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

**'That the Regulatory and Policy Committee receives the Organisational Performance Report dated 1 September 2022.'**

#### **5. BUILDING STATISTICS**

Regulatory Services Administrator providing building statistics and comparisons for June 2022.

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

**'That the Regulatory and Policy Committee receives the report titled 'Building Statistics', dated 1 September 2022.'**

This being the last Regulatory & Policy Committee meeting before the Local Body Elections, Councillor Vollweiler thanked staff for their assistance to the Committee over the term.

The meeting closed at 3.22pm

Confirmed

Bruce Vollweiler  
**CHAIRMAN**

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## Clutha District Council

### Item for INFORMATION

<b>Report</b>	Corporate & Property Minutes
<b>Meeting Date</b>	15 September
<b>Item Number</b>	18
<b>Prepared By</b>	Lilly Paterson – Corporate Services Administrator
<b>File Reference</b>	750117

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#### REPORT SUMMARY

Attached are the unconfirmed minutes of the meeting of the Corporate & Property Committee held on 1 September 2022.

#### RECOMMENDATIONS

1. That the unconfirmed minutes of the Corporate & Property Committee held on 1 September 2022 be noted.

## Corporate & Property Committee

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Minutes of the meeting of the Corporate & Property Committee held in the Council Chambers, 1 Rosebank Terrace, Balclutha, on Thursday 1 September 2022, following the Regulatory & Policy Committee, commencing at 3.35 pm.

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**Present** Councillors Ken Payne (Chairperson), His Worship the Mayor Bryan Cadogan, Dane Catherwood, Stewart Cowie, Wayne Felts, Gaynor Finch, Mel Foster, Bruce Graham, John Herbert, Alison Ludemann, Lloyd McCall, Selwyn Wilkinson, and Bruce Vollweiler.

**In Attendance** Steve Hill (Chief Executive), John Scott (Group Manager Corporate Services), Schalk Breytenbach (ICT Manager), Richard Davidson (Otago Daily Times Representative) and Lilly Paterson (Corporate Services Administrator).

**Apologies** Councillor Jo-Anne Thomson & Carol Sutherland

*Moved His Worship Mayor Cadogan /Councillor Felts and Resolved:  
"That the apologies be sustained."*

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### DECLARATIONS OF INTEREST

### URGENT BUSINESS

### LATE ITEM

### PUBLIC FORUM

There was no public forum.

### 1. DATASCAPE AND IT AWARDS REPORT

The ICT Manager gave a presentation on CDC's IT Projects for the ALGIM awards.

Schalk Breytenbach (ICT Manager) presented to the Corporate & Property Committee

*Moved Councillors Finch/McCall and Resolved:*

*"That the Corporate & Property Committee receives the Datascape and IT Awards Report."*

## 2. INVESTMENT PORTFOLIO UPDATE REPORT

The investment portfolio for the months of April to July 2022 was presented.

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

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

## 3. COMMUNITY LIBRARIES REPORT

The Community Libraries report for July was presented.

- Lawrence Museum has taken over the visitor information centre in Lawrence, since Tuapeka Lawrence Community Company has closed
- Community Libraries are now distribution centres for masks and RAT tests
- The community libraries new website was officially uploaded at 1pm today.

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

***“That the Corporate & Property Committee receives the Community Libraries report.”***

## 4. CORPORATE SERVICES REPORT

The Corporate Services Report was presented.

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

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

## 5. CORPORATE PROPERTIES UPDATE REPORT

The Corporate Properties Update Report to 30 June 2022 was presented.

- Valuation on Hairworkz was done this morning.

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

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

## 6. DEVELOPMENT PROPERTIES UPDATE REPORT

The Development Properties Report as of 30 June 2022 was presented.

- Two properties left to sell at Rosebank Industrial
- Survey work is all complete at Stirling just waiting on the titles
- Waiting on consent for Rosebank Terrace.

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



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

## **7. CORPORATE & PROPERTY COMMITTEE WORK PROGRAMME REPORT**

The Corporate & Property Work Programme Report was presented.

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

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

## **8. TUAPEKA VINTAGE CLUB COUNCIL REIMBURSEMENT REPORT**

Tuapeka Vintage Club has applied for a Reimbursement of Council fees and charges for their building warrant of fitness fees.

It is unclear whether this reimbursement fits within the Policy on Reimbursement of Charges, Hire Fees, and Rents, therefore is referred to the Corporate & Property Committee for decision.

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

***“That the Corporate & Property Committee receives the Tuapeka Vintage Club Council Reimbursement report.***

***That the Corporate & Property Committee does not approve a reimbursement of \$150.00 to Tuapeka Vintage Club for the Building Warrant of Fitness Fees.”***

The meeting closed at 4.20 pm.

Confirmed

Ken Payne  
Chairperson

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## Clutha District Council

### Item for INFORMATION

<b>Report</b>	West Otago Community Board Minutes
<b>Meeting Date</b>	15 September 2022
<b>Item Number</b>	19
<b>Prepared By</b>	Julie Gardner – Service Delivery Administrator
<b>File Reference</b>	749106

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#### REPORT SUMMARY

Attached are the unconfirmed minutes of the meeting of the West Otago Community Board held on 17 August 2022.

#### RECOMMENDATIONS

1. That the unconfirmed minutes of the meeting of the West Otago Community Board held on 17 August 2022 be noted.

## West Otago Community Board

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Minutes of the meeting of the West Otago Community Board held in the West Otago RSA, 51 Northumberland Street, Tapanui on Wednesday 17 August 2022, commencing at 10.36 am.

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<b>Present</b>	Barbara Hanna (Chairperson), Cecil Crawford, Councillor John Herbert (left at 12.13pm), Councillor Lloyd McCall (left at 11.02am), Antony Robertson, Bruce Robertson, Linda Roulston and Sue Wink.
<b>In Attendance</b>	His Worship the Mayor Bryan Cadogan (left the meeting at 10.37am), Jules Witt (Group Manager Service Delivery), Jocelyn Lindner (Roading Asset Management Officer) and Lilly Paterson (Corporate Services Administrator).
<b>Apologies</b>	There were no apologies.

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The Chairperson welcomed everyone to the meeting.

His Worship the Mayor Bryan Cadogan left the meeting at 10.37am.

### LATE ITEMS

#### PUBLIC FORUM

##### **Playground Committee – Ruth Stiven and Gloria McHutchon**

Presented to the WOCB, with updates, seeking approval of the plans from the WOCB

- Wanting approval and help from the West Otago Community Board and Clutha District Council with what to do next with consideration of current costings.
- Working within the budget that they've got.
- CDC to appoint a project manager to work with the playground committee in the future.

##### **West Otago Health Trust Ribbonwood extension upgrade – Hans and Allistair**

Presented an update to the WOCB.

- Thanked WOCB and CDC re the funding to extend Ribbonwood.
- Building costs came in at 1.6 million, decisions re to pause or proceed with build.

- WO Health Trust feel as though they can proceed and have insulated themselves with funding from various sources from any other cost escalations.
- Asked about the piece of land that they want to use that is part of the golf course. CDC disclosed that it is a recreation reserve and were told to submit to the reserve management plan.

## 1 RESIGNATION OF COMMUNITY BOARD MEMBER

The Chief Executive submitted a report advising of the resignation of Board member Suzanne Wink. The report also outlines replacement options for consideration.

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

***“That the West Otago Community Board receives the ‘Resignation of Community Board Member’ report.***

***That the West Otago Community Board resolves to not fill the vacancy created by the resignation of member Suzanne Wink.”***

Councilor McCall left the meeting at 11.02am.

## 2 MAXIMUM 5-MINUTE PARKING RESTRICTION: NORTHUMBERLAND STREET (SH90), TAPANUI

The Roading Asset Management Officer submitted a request from La Hood’s The Chemist asking the Community Board to consider implementing a maximum 5-minute parking restriction in front of their shop located at 42 Northumberland Street, Tapanui.

This request is part of the ‘Our Place West Otago’ consultation which concluded on 18 March 2022.

The Roading Asset Management Officer was present at the meeting to speak to the report and answer questions.

***Moved Councillor Herbert/C Crawford and Resolved:***

***“That the West Otago Community Board receives the ‘Maximum 5-Minute Parking Restriction: Northumberland Street (SH90), Tapanui’ report.***

***That the West Otago Community Board agrees with the requested Maximum 5-Minute Parking, right outside the Chemist Shop on Northumberland Street.”***

## 3 OUR PLACE WEST OTAGO COMMUNITY PLAN

The Senior Policy Advisor (Contract) submitted a report which seeks Board approval to recommend that Council adopts the Our Place West Otago Community Plan and progresses the priority projects as identified as part of this process.

The Senior Policy Advisor was present at the meeting to speak to the report and answer questions.

**Moved Councillor Herbert/S Wink and Resolved:**

***“That the West Otago Community Board receives the ‘Our Place West Otago Community Plan’ report.***

***That the West Otago Community Board approves the following project groupings, as set out in the project information for:***

- ***Residential development (Attachment 1)***
- ***Community facilities (Attachment 2)***
- ***Whiskey Gully and Black Gully reserves (Attachment 3)***
- ***Walking and Cycling (Attachment 4)***
- ***Main Street improvements (Attachment 5)***
- ***Opportunities to work and train (Attachment 6)***

***That the West Otago Community Board recommends that Council adopts the ‘Our Place West Otago Community Plan’ (Attachment 7).”***

#### **4 WEST OTAGO COMMUNITY BOARD MINUTES**

The minutes of the meeting of the West Otago Community Board held on 6 July 2022 were presented for the Board’s confirmation.

**Moved L Roulston/A Robertson and Resolved:**

***“That the West Otago Community Board confirms the minutes of the meeting held on 6 July 2022, as a true and correct record.”***

#### **5 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.

##### **5.1 Projects**

###### **5.1.1 Christmas Tree**

Remove from WIP.

##### **5.2 Items to stay on WIP**

###### **5.2.1 Hancox Park**

Fenced area is Hancox Park, the rest of the area is council owned land. Highlight as an area for RMP consultation.

###### **5.2.2 Land around Sewerage Pond**

Advertised again shortly.

##### **5.3 Aitchison Runs Road Grade Adjustment**

To stay on WIP.

#### 5.4 Our Place West Otago

Separate agenda item included for further discussion.

#### 5.5 Station Road Trees/Tapanui Trees

Remove beech tree with no consultation.

Discussion to remove Station Road Trees with no consultation as they are damaging infrastructure, provide quotes to next meeting.

#### 5.6 Old Courier Building – Main Street, Tapanui

The owner has advised that remediation work will be undertaken in the spring.

***Moved L Roulston/A Robertson and Resolved:***

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

***Moved S Wink/C Crawford and Resolved:***

***“That the Beech tree on the main street be removed.”***

### 6 SERVICE DELIVERY UPDATE

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

The following items were discussed –

- Tapanui Zone Metering.

***Moved Councillor Herbert/S Wink and Resolved:***

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

### 7 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 2021 to 30 June 2022.

Councillor Herbert left the meeting at 12.13 pm

***Moved S Wink/B Robertson and Resolved:***

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

***“That the West Otago Community Board agrees to fund \$965.55 towards the New Zealand Caravan Association to reinstate their iron maiden honesty box.”***

## 8 CORRESPONDENCE

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

### **Inwards Correspondence**

- West Otago Health Trust – Thank you letter
- West Otago Lions – Public Noticeboard Tapanui Cemetery.

### **Outwards Correspondence**

- West Otago Community Centre Funding Request – confirmation of funds
- West Otago Community Centre – Tapanui Commonage Income allocation 2022/23
- West Otago Health Trust – Tapanui Commonage Income allocation 2022/23
- West Otago Swimming Pool Committee – Tapanui Commonage Income allocation 2022/23

***Moved L Roulston/S Wink and Resolved:***

***“That the West Otago Community Board receives the Correspondence report.”***

## 9 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 A Robertson/L Roulston and Resolved:***

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

## 10 BUILDING REPORT

The Regulatory Administrator submitted a report on building consents for June and July 2022.

***Moved B Robertson/S Wink and Resolved:***

***“That the West Otago Community Board receives the Building Consent Statistics for June and July 2022 report.”***

## 11 MAYORAL UPDATE

In His Worship the Mayor Bryan Cadogan’s absence, Jules Witt (Group Manager Service Delivery) gave a verbal update on –

- Rural Water Select Committee

The meeting closed at 12.31pm

**Confirmed**

**Barbara Hanna  
CHAIRPERSON**

UNCONFIRMED



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# Clutha District Council

## Item for INFORMATION

<b>Report</b>	Lawrence/Tuapeka Community Board Minutes
<b>Meeting Date</b>	15 September 2022
<b>Item Number</b>	20
<b>Prepared By</b>	Julie Gardner – Service Delivery Administrator
<b>File Reference</b>	749107

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### REPORT SUMMARY

Attached are the unconfirmed minutes of the meeting of the Lawrence/Tuapeka Community Board held on 17 August 2022.

### RECOMMENDATIONS

1. That the unconfirmed minutes of the meeting of the Lawrence/Tuapeka Community Board held on 17 August 2022 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 17 August 2022, commencing at 3.00pm.

**Present** Geoff Davidson (Chairperson), Garry McCorkindale, Matthew Little and Suzanne Stephenson

**In Attendance** Jules Witt (Group Manager Service Delivery), Jocelyn Lindner (Roading Asset Management Officer) and Lilly Paterson (Corporate Services Administrator)

**Apologies** His Worship the Mayor Bryan Cadogan, Lindy Chinnery, Tim Dickey and Councillor Mel Foster

*Moved M Little/S Stephenson and Resolved:*

*“That the apologies be sustained.”*

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The Chairperson welcomed everyone to the meeting.

## 1 LAWRENCE/TUAPEKA COMMUNITY BOARD MINUTES

The minutes of the meeting of the Lawrence/Tuapeka Community Board held on 6 July 2022 were presented for the Board’s confirmation.

*Moved M Little/S Stephenson and Resolved:*

*“That the minutes of the meeting of the Lawrence/Tuapeka Community Board held on 6 July 2022 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 Gabriels Gully Walkway

Nothing further to report.

**2.2 Extension of Cycle Trail**

WIP.

**2.3 Wetherstons Creek**

Waiting on ORC to come up with options.

**2.4 Steep Street Domain**

WIP.

**2.5 Tuapeka Transport Ltd – Transfer Site and Entrancesways**

Transfer Site – revised quote received. Work due to start shortly.

Entrancesways – comment in Service Delivery report.

**2.6 Boarded up Shop – Ross Place**

WIP.

**2.7 Zig Zag Track Maintenance**

Awaiting an update from Tim Dickey.

Include a seat halfway up the track.

**2.8 Chinese Memorial Section – Lawrence Cemetery**

Final price is \$673.95 not including installation – all in agreement.

**2.9 Picnic Kiosks**

WIP.

**2.10 Whitehaven Street Playground Upgrade**

Drawing down the deposit from council for stage one of the project, fence is purchased and hope to have the fence up this spring.

**2.11 Freedom Camping Site Trial**

WIP.

**2.12 Cemetery Maintenance**

Five people have responded to the advertisement in the Tuapeka Times and are interested to help with the 'Friends of the Cemetery' group. Community Board Member Suzanne Stephenson will start creating a brief and circulate it to the Board.

**2.13 Peace Garden**

'Friends of the Peace Garden' group have had a meeting. Want the cenotaph assessed and would like quotes circulated at the next meeting.

**2.14 Gabriels Gully Destination Plan**

To be added to the WIP. Follow up with Linda from Clutha Development.

***Moved M Little/G McCorkindale 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:

- Tuapeka Transport – Entranceways – query about the sandbags, waiting for cost before any decisions.

***Moved G McCorkindale/S Stephenson 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 2021 to 30 June 2022.

***Moved M Little/S Stephenson and Resolved:***

***“That the Lawrence/Tuapeka 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 M Little/G McCorkindale and Resolved:***

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

### **6 BUILDING REPORT**

The Regulatory Services Administrator submitted a report on building consents for June and July 2022.

*Moved G McCorkindale/M Little and Resolved:*

*“That the Lawrence/Tuapeka Community Board receives the Building Consent Statistics for June and July 2022 report.”*

## **7 MAYORAL UPDATE**

In His Worship the Mayor Bryan Cadogan’s absence, Jules Witt (Group Manager Service Delivery) gave a verbal update on:

- Rural Water Select Committee.

The meeting closed at 3.58 pm.

**Confirmed**

Geoff Davidson  
**CHAIRPERSON**

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# Clutha District Council

## Item for INFORMATION

<b>Report</b>	Risk & Assurance Minutes
<b>Meeting Date</b>	15 September 2022
<b>Item Number</b>	21
<b>Prepared By</b>	Lilly Paterson – Corporate Services Administrator
<b>File Reference</b>	750118

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### REPORT SUMMARY

Attached are the unconfirmed minutes of the meeting of the Risk & Assurance Committee held on 1 September 2022.

### RECOMMENDATIONS

1. That the unconfirmed minutes of the Risk & Assurance Committee held on 1 September 2022 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 1 September 2022, commencing at 10.37 am.

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<b>Present</b>	Stephen Halliwell (Chairperson), His Worship the Mayor Bryan Cadogan Councillors Stewart Cowie, John Herbert, Bruce Graham, Alison Ludemann, Ken Payne, and Bruce Vollweiler.
<b>In Attendance</b>	Steve Hill (Chief Executive), John Scott (Group Manager Corporate Services), Christina Johnston (Risk Management Support Officer, via zoom), Larissa Brown (Strategic Planning Manager), Peter Stafford (Senior Policy Advisor), Trey Willis-Croft (Management Accountant Trainee), Schalk Breytenbach (ICT Manager), Councillors Lloyd McCall, Wayne Felts and Lilly Paterson (Corporate Services Administrator).
<b>Apologies</b>	There were no apologies

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### DECLARATIONS OF INTEREST

There were no Declarations of Interests

### 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 20 July 2022 were submitted for confirmation.

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

***“That the Risk & Assurance Committee confirms as a true and correct record the minutes of the Risk & Assurance Committee held 20 July 2022.”***

## 2. SENSITIVE EXPENDITURE POLICY REVIEW

The report proposes an update to the Council Sensitive Expenditure Policy

Larissa Brown and Peter Stafford spoke to the report and answered any questions.

- The Risk & Assurance Committee discussed the policy and supported separation of policy from procedure and Elected Members and Staff policy elements.
- The Risk & Assurance Committee decided that the policy should be further developed and reported back after the elections.

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

***“That the Risk & Assurance Committee receives the Sensitive Expenditure Policy Review report dated 1 September 2022.”***

## 3. FRAUD POLICY REVIEW

The report proposes an update to Council Fraud Policy

Larissa Brown and Peter Stafford spoke to the report and answered any questions.

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

1. ***“That the Risk & Assurance Committee receives the Fraud Policy Review report dated 1 September 2022.***
2. ***That the Risk & Assurance Committee recommends to Council that the Policy on Fraud 2013 be retired.***
3. ***That the Risk & Assurance Committee recommends to Council that they approve the Fraud Policy 2022.***
4. ***That the Risk and Assurance Committee notes the revised Fraud Policy includes separation and revision of the organisational procedures components as a separate Fraud Procedure.”***

## 4. TREASURY MANAGEMENT REPORT

The latest Treasury Management Report was tabled for information.

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

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



## 5. ANNUAL PLAN PERFORMANCE MONITORING REPORT

The Non-Financial Key Performance Indicators (KPIs) for July 2022 were tabled. Financial reports were unavailable due to year end reporting requirements.

***Moved His Worship Mayor Cadogan/Councillor Ludemann and Resolved:***

***“That the Risk & Assurance Committee receives the Annual Plan Performance Monitoring report.”***

## 6. RISK & ASSURANCE COMMITTEE WORK PROGRAMME UPDATE

The Work Programme was presented with actions completed.

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

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

## 7. CYBER RISK PROGRAMME REPORT

The Cyber Risk Programme was presented for information.

Councillor McCall and Ludemann left the meeting at 11.35am

Councillor Ludemann returned to the meeting at 11.37am

***Moved His Worship the Mayor Cadogan/Councillor Graham and Resolved:***

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

## 8. WITHDRAWN - DRAFT ANNUAL REPORT

The Draft Annual Report for the 2021/2022 financial year was withdrawn.

Meeting closed at 12.03 pm.

Read and Confirmed

Stephen Halliwell  
**CHAIRPERSON**

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## Clutha District Council

### Item for INFORMATION

<b>Report</b>	Youth Council Minutes
<b>Meeting Date</b>	15 September 2022
<b>Item Number</b>	22
<b>Prepared By</b>	Lilly Paterson – Corporate Services Administrator
<b>File Reference</b>	750119

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#### REPORT SUMMARY

Attached are the unconfirmed minutes of the meeting of the Clutha District Youth Council held on 8 August 2022.

#### RECOMMENDATIONS

1. That the unconfirmed minutes of the Youth Council meeting held on 8 August 2022 be noted.

## Youth Council

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Minutes of the meeting of Youth Council of the Clutha District Council held in the Council Chambers, 1 Rosebank Terrace, Balclutha, on Monday 8 August 2022 commencing at 6.33 pm.

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**Present** Youth Councillor Ryan Williams (Chairperson), Youth Councillors Nancy Antill, Brayden Ferguson, Lucious Mann (via zoom), Yui Nakajima (via zoom), Lilly Paterson and Councillor Gaynor Finch.

**In Attendance** His Worship the Mayor Bryan Cadogan, Steve Hill (Chief Executive), Jean Proctor (Community Support & Development Advisor), and Lilly Paterson (Corporate Services Administrator).

**Apologies** Youth Councillors Mirissa Burgess, Isabella Jenks, Caitlin McDonald and Councillor Ken Payne.

*Moved Youth Councillors Finch/Antill and Resolved:*

*“That the apologies be sustained.”*

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### 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 Youth Council held on 27 June 2022 were presented for confirmation.

*Moved Youth Councillors Paterson/Antill and Resolved:*

*“That the Youth Council confirms as a true and correct record the minutes of the meeting held 27 June 2022.”*

#### 2. METHAMPHETAMINE AWARENESS CAMPAIGN REPORT

For the benefit of new Youth Councillors, this report provides the history and status of the Clutha District Youth Council Methamphetamine Awareness Campaign as included in the Community Development Work Program.

- Jean Proctor (Community Support & Development Advisor) confirmed that the AMPED 4 LIFE community awareness talks would be going ahead, with three community talks and one school talk in October

***Moved Youth Councillors Antill/Mann and Resolved:***

***“That the Youth Council receives the Methamphetamine Awareness Campaign report.”***

### **3. QUIZ NIGHT 2022 REPORT**

The report advises of the Youth Council’s planned Quiz Night.

- Jean Proctor (Community Support & Development Advisor) confirmed that Youth Councillor Lilly Paterson in her role at council will be the contact person for registrations/entries, due to Jean being away over this period.

***Moved Youth Councillors Paterson/Mann and Resolved:***

***“That Youth Council receives the Quiz night 2022 report.”***

***“That Youth Council plans for 2022 in relation to this event.”***

### **4. BALCLUTHA BRIDGE PARK**

The Community Support and Development Advisor submitted a report outlining details of the Balclutha Bridge destination park project.

***Moved Youth Councillors Antill/Mann and Resolved:***

***“That Youth Council receives the Balclutha Bridge Park Project report.”***

***“That Youth Council plan with Balclutha Rotary to move this project forward.”***

### **5. THE RIPPLE EFFECT PROPOSAL 2022**

The Community Support and Development Advisor submitted a report introducing The Ripple Effect 2022 proposal.

***Moved Youth Councillors Antill/Ferguson and Resolved:***

***“That Youth Council receives the Ripple Effect Proposal report.”***

### **6. ITEM 8 IN AGENDA RUNNING ORDER: CACTUS PROGRAMME**

The Community Support and Development Advisor submitted a report introducing the Cactus Programme.

- Craig Gordon, Ginny Young (Of Sport Clutha) and two Balclutha Police reps were present at the meeting to report to Youth Council with what they envision. The Youth

Council agreed that they would support this project and are to discuss further how it may fit into the current Diversity Item in respect to wellbeing.

**Moved Youth Councillors Finch/Paterson and Resolved**

**“That the Youth Council receives the Cactus Programme report.”**

**“That the Youth Council, following on from Craig Gordons presentation, discuss and decide any further involvement in the project.”**

**7. ITEM 6 IN AGENDA RUNNING ORDER: CANCER AND RAISING AWARENESS**

The Community Support and Development Advisor submitted a report introducing The Cancer Awareness proposal.

***Moved Youth Councillors Paterson/Antill and Resolved***

***“That the Youth Council receives The Cancer and Raising Awareness report.”***

***“That the Youth Council discuss and decide on any further involvement and planning.”***

**8. ITEM 7 IN AGENDA RUNNING ORDER: ISSUES IMPACTING ON CLUTHA DISTRICT YOUTH AND COMMUNITY**

The Community Support and Development Adviosr submitted the report.

- In the pre meeting workshop Youth Councillors decided that they would design a Clutha Oath and Pledge, that had a distinctive ribbon/logo to go with it.
- Along with this the Youth Council decided they would promote the new oath, logo and ribbon by having a float in the Balclutha Santa Parade to be held on December the 3<sup>rd</sup>.

***Moved Youth Councillors Paterson/Ferguson and Resolved***

**“That the Youth Council receives the Issues impacting on youth and community report.”**

**“That the Youth Council, following on from the topic specific workshop, discuss further involvement in the project.”**

**9. ASPIRING LEADERS FORUM 2022**

The Clutha District Council supported delegates Lilly Paterson and Nancy Antill of the Clutha District to attend the Aspiring Leaders forum held in Wellington from the 30 June to the 3 July 2022.

- Both Nancy and Lilly gave a report to Youth Council on their time at the Aspiring Leaders Forum. Both had very positive experiences. Thanking Council and the Otago Community Trust for the opportunity to go.

***Moved Youth Councillors Mann/Finch and Resolved***

**“That the Youth Council receives the Aspiring Leaders Forum 2022 report.”**

**10. YOUTH COUNCIL MEMBERS UPDATE**

Members of the Youth Council are asked to give a verbal report to the meeting.

- Discussion was held around Youth Council along with the Clutha District Council communications creating a webpage linked to the CDC website opposed to a Facebook page. Everyone was in support.

**11. YOUTH COUNCIL MEETING DATES 2022**

The report outlines the meeting dates for the Youth Council meetings in 2022.

***Moved Youth Councillors Antill/Mann and Resolved***

***“That the Youth Council receives the Youth Council Meeting Dates 2022 report.”***

The meeting closed at 7.54 pm.

Confirmed

Ryan Williams

**CHAIRPERSON**

# Clutha District Council

## Item for INFORMATION

<b>Report</b>	Mayoral Report
<b>Meeting Date</b>	15 September 2022
<b>Item Number</b>	23
<b>Prepared By</b>	Bryan Cadogan - Mayor
<b>File Reference</b>	749546

### 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
5 August 2022	Phone call with Ingrid Leary's office regarding resident citizenship matter
	Attended Community Awards debrief meeting
	Participated in zoom planning meeting ahead of Entity D Takiwa meeting the following week in Dunedin
8 August 2022	Met with Community Development Manager re Balclutha Foodbank
	Attended Dr Michael Stevens (Kāi Tahu) speaking on the history and migration of Māori towards the Southern Region
	Attended Youth Council meeting
9 August 2022	Jobbortunities fortnightly catch up
11 August 2022	Attended PCG meeting

	Participating in Judging South Otago Theatrical Window Display competition
	Regular weekly meeting with Chief Executive
13 August 2022	Participated in Clutha Gold Trail committee Cycle Trail signage working bee
15 August 2022	Conference call with consultant ahead of Chief Executives' Annual Review
16 August 2022	Regular weekly meeting with Chief Executive
	Meeting with potential Jobbortunities team member
	Attended Waihola Looking Forward AGM
17 August 2022	Travelled to Tapanui to attend West Otago Community Board and farewell outgoing Community Board member Sue Winks
	Travelled to Dunedin to provide verbal submission to Water Services Entities Bill hearings in Dunedin
18 August 2022	Attended meeting regarding Balclutha Foodbank services
	Travelled to Milburn to meet with General Manager Pan Pac regarding staffing
	Travelled to Dunedin to attend LGNZ Zone 5 & 6 meeting at Dunedin City Council
	Attended end of triennium Zone 5 & 6 Mayors and Chairs dinner
19 August 2022	Attended Entity D Takiwa meeting regarding Three Waters reform in Dunedin
20 August 2022	Travelled to Lawrence to attend Helipad opening event
22 August 2022	Travelled to Milton to address Milton Elder Care group
23 August 2022	Jobbortunities fortnightly meeting
	Regular weekly meeting with Chief Executive
	Met with Otago Medical School students for Community Contact Week to give feedback on community health



	Participated in Daffodil Day window judging
24 August 2022	Travelled to Dunedin to attend Otago Polytechnic update event
25 August 2022	Attended Vehicles on Beaches Bylaw Workshop
27 August 2022	Attended South Otago Museum Annual Meeting
31 August 2022	Participated in all day Executive Committee meeting for the purpose for the purpose of the Chief Executive's Annual Review
	Attended Clutha Foundation Annual Public Meeting in the evening
1 September 2022	Travelled to Dunedin to attend MSD breakfast event
	Attended Risk & Assurance & Standing Committee meetings
	Attended extraordinary Citizenship Ceremony to welcome new citizens over the COVID period
2 September 2022	Provided JP Duty session at Clutha Development
7 September 2022	Attended Kaitangata Promotions meeting
8 September 2022	Attended PCG meeting
	Regular weekly meeting with Chief Executive
	Attended Balclutha Meet the Candidates evening
9 September 2022	Travelled to Lawrence to attend the Lawrence Lantern Festival
12 September 2022	Attended Milton Meet the Candidates evening
13 September 2022	Attended West Otago Meet the Candidates evening
14 September 2022	Attended Cross Recreation centre supporters evening
15 September 2022	Regular weekly meeting with Chief Executive
	Attended Clutha Hub tour then Council Meeting

# Clutha District Council

## Item for INFORMATION

<b>Report</b>	Chief Executive's Report
<b>Meeting Date</b>	15 September 2022
<b>Item Number</b>	24
<b>Prepared By</b>	Steve Hill – Chief Executive
<b>File Reference</b>	749548

### 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
8 August 2022	Attended Dr Michael Stevens (Kāi Tahu) speaking on the history and migration of Māori towards the Southern Region
	Attended Youth Council Meeting
10 August 2022	Met with a Developer from Waihola
	Met with a Ratepayer from Waihola
11 August 2022	Attended the Otago CE's fortnightly catch up via Teams
	Attended the PCG Meeting
	Met with the CEO of Te Ao Marama
12 August 2022	Met with a potential administrator for 3 Waters Rural Water support

Date	Activity
15 August 2022	Met with CEO Clutha Development
17 August 2022	Travelled to Dunedin to provide a verbal submission on behalf of Clutha District Council to Water Services Entities Bill hearings
18 August 2022	Travelled to Dunedin to attend a Rural Water Scheme governance group and Three Waters meeting
19 August 2022	Travelled to Dunedin to attend an Entity D Takiwa meeting
	Met with the Planning Review Consultants for a verbal debrief of the findings
25 August 2022	Attended the Otago CE's fortnightly catch up via Teams
	Attended the Vehicles on Beaches Bylaw Workshop
26 August 2022	Met with two local Milton residents and ratepayers regarding a number of matters in Milton
	Travelled to Dunedin and met with the CEO of Aukaha
29 August 2022	Attended the CDEM monthly meeting via zoom
	Attended the Otago/Southland Three Waters sub-regional group via zoom
	Attended a zoom regarding the Community Hub Landscaping and Civil budget.
30 August 2022	Met with a Developer from Waihola
	Meeting with a Developer about affordable buildings
31 August 2022	Chief Executive's Annual Review
1 September 2022	Attended Risk and Assurance and Standing Committee Meetings
	Travelled to Dunedin to attend the CE's Annual Dinner
2 September 2022	Attended the Otago CE Forum in Dunedin
	Attended the Otago Civil Defence Emergency Management Co-ordinating Executive Group Meeting.

Date	Activity
5 September 2022	Attended Pou Te Ropu Taiao meeting via Teams
	Met with the Planning Review Consultants via zoom.
7 September 2022	Met with a local Milton ratepayer regarding a potential development.
8 September 2022	Attended the Otago CE's fortnightly catch up via Teams
	Attended the PCG Meeting
12 September 2022	Travelled to Dunedin to attend the NTU tour presentation
14 September 2022	Met with Auditors
15 September 2022	Tour of the Community Hub
	Attended Council Meeting

## 2 Contracts Awarded

There have been no contracts awarded since the last meeting on 4 August 2022.

## 3 Staffing

### 3.1 Staff Appointments

**Jocelyn Lindner** joined us as our Roading Asset Management Officer on 1 July 2022. Jocelyn has been with CDC since May 2021 working on a fixed-term basis as a full-time Library Assistant (Relief). She has an MSc in Zoology as well as a Post Graduate Diploma in Wildlife Management.

**Scott Martin** joined us on 11 July 2022 (having recently returned to South Otago after living in Israel) as our Waste Education Officer. He was previously with CDC between 2017 and 2019 as Project Manager for the Responsible Camping Programme.

Scott is also a qualified surveyor and has worked in surveying jobs both here in NZ and abroad.

**Kellie Post** took up the role of Customer Experience and Promotions Officer on 22 July 2022 after joining us in September 2021 as a part-time Customer Services Officer based primarily in Owaka.

**Olivia Butler** started with us on Monday, 25 July as a Customer Experience Officer (part-time, 30 hours per week) primarily based in Milton.

Olivia was Head Girl at Blue Mountain College and studied for a BA in Teaching at the University of Otago. She has also worked as a security officer, seasonal worker in the agricultural sector and in various retail roles. Olivia will also be undertaking the NZ

Diploma in Library and Information Studies; with support from CDC; with a view to becoming a “next generation” professional Librarian with CDC.

**Lara Sanderson** joined us on Monday, 15 August as our Children’s and Teen Librarian.

Lara has the following education achievements through the University of Otago:-

Master of Information Studies. Bachelor of Arts with Majors. Certificate of Proficiency in Education. Postgraduate Diploma in Child Advocacy (Distinction). Master of Arts (Child and Youth Studies – Distinction) and Doctor of Philosophy (Education).

**Sue Wink** joined us on Wednesday, 24 August as a Customer Experience Officer (part-time, 14 hours per week) primarily based at Tapanui.

Sue was a Salon Owner/Manager (S.O.O.H.S) at Tapanui and has stood down as Deputy Chair of West Otago Community Board. Sue is also a senior volunteer member of FENZ in Tapanui.

**Cassidy Robertson** started with us as a permanent, full-time Lifeguard on 8 August 2022.

**Erica Anderson**, who lives in Lawrence, started with us as our IT Business and Application Analyst on 8 August 2022.

Erica has a diverse career including being Operations Manager for the Qantas Contact Centre in Auckland, a Business Analyst and Specialist Consultant. Most recently Erica has run her own flower shop.

**Daniel Sutherland** started with us on 16 August 2022 as our Operations Assistant in the Water and Waste Operations Team of Service Delivery.

Daniel was educated at South Otago High School. He has the New Zealand Certificate in Electrical Engineering Theory (Level 3) from Otago Polytechnic.

He has done a variety of jobs before joining us including labouring and retail.

Daniel will be studying towards the New Zealand Diploma in Engineering with us.

**Nathan Riley** joined us on Thursday 1 September 2022 as our new Manager Consents.

Nathan is an Australian qualified Planner with almost twenty years in the industry. He has experience across both the consulting and corporate sectors as well as Local Government experience in both Australia and NZ.

His most recent employed position was Senior Planner for the Queenstown Lakes District Council.

Nathan has over fifteen years' experience in mentoring/coaching and counselling including a range of clients from business owners and entrepreneurs to international athletes and coaches at Olympic and World Championship level.

### 3.2 Staff Resignations

**Graham Hill**, Contracts Supervisor, left us on 26 August 2022.

**Mandy Finn** left us on 31 July 2022 from her part-time weekend/relief Visitor Information Officer role at the I-Site for a full-time position with NZ Post. Mandy has, however, committed to staying with us on a casual contract to help us out into the future.

**Ria Tyrell** left us on 28 August 2022 from her role as a part-time cleaner in Owaka.

## 4 Requests received under the Official Information Act

Name	Request
Member of the public	Information about Toko Mouth Road
Member of the public	Information about number plate recognition cameras
Member of the public	Toko mouth cribs and climate change
4sight consulting	Pioneer Energy Milton Wood Hub - Resource Consent application
Council candidate	Bruce hub
Council candidate	Plantings at Plantation Heights and wider district
Exterior Creations Ltd	280 Jacks Bay Rd Hinahina
Fair Go	Median residential rates bill
Radio NZ	Dog attacks
Member of the public	CDC salary bands

## 5 Health and Safety

For this reporting period, 4 staff events were reported, made up of:

1x First aid injuries

1x Hazards

1x Near hit

1x Incidents (low level)

0 x Notifiable events reported to Worksafe

1 x High level contractor health and safety events occurred in this reporting period.

- Vehicle control lost resulting in decent down steep hillside
- Person escaped vehicle before descent
- No injuries
- Clear Drug and Alcohol test results
- Wellbeing being monitored
- Vehicle damaged – likely a right off

Key points for this reporting period:

- 52% of staff have been infected with Covid-19
- Infections have been slower in this period compared to other months
- 1 staff member has had a reinfection

## 6 Community Development

Date	Activity
8 August 2022	Food bank planning meeting
	Youth Council Workshop
	Youth Council Meeting
9 August 2022	Malcam Trust Youth Worker vacancy planning
	Food bank meeting at possible premises
10 August 2022	South Otago Mountain Bike Club monthly meeting
11 August 2022	Youth worker interview panel by Zoom
12 August 2022	Youth worker interview panel in person
	Downhill Mountain Bike Park meeting on site re road access
16 August 2022	Pork Pie Run meeting with Graeme Blackmore
17 August 2022	Met with community members to establish a Samoan Society for Clutha District
18 August 2022	Clutha Development met with Linda Moore
	Salvation Army Closure Hui by Zoom with Lisa Little
19 August 2022	Diversity Project scoping with Ruth Carraway of Jobbortunities
22 August 2022	Attended the Canterbury Community Vehicle Trust Annual Networking meeting in Christchurch with Justine Barrie
23 August 2022	Otago Medical Student Community Contact session
24 August 2022	Food bank meeting
25 August 2022	Ripple Effect and other Youth project planning with Rachel Harrison
30 August 2022	Christmas Parade meeting

Date	Activity
2 September 2022	Sport Clutha re Clutha District Play Strategy



# Clutha District Council

## Item for CONFIRMATION

<b>Report</b>	Documents for Consent and Seal
<b>Meeting Date</b>	15 September 2022
<b>Item Number</b>	25
<b>Prepared By</b>	Jo Jack – Executive Assistant
<b>File Reference</b>	749549

### 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>WARRANT OF APPOINTMENT</b>
<b>1.1</b>	David Craig warranted by the Clutha District Council to support the Local Government Act 2002, Clutha District Council Water Services Bylaw 2019 and the General Bylaws of Council.
<b>1.2</b>	Christian Anthony Wakelin warranted by the Clutha District Council to support the Local Government Act 2002, Clutha District Council Water Services Bylaw 2019 and the General Bylaws of Council.
<b>1.3</b>	Daniel Thomas Sutherland warranted by the Clutha District Council to support the Local Government Act 2002, Clutha District Council Water Services Bylaw 2019 and the General Bylaws of Council.
<b>2</b>	<b>CONTRACT AGREEMENT</b>
<b>2.1</b>	Contract Agreement 821 – Road Network Maintenance 2022/27 between Southroads Limited and Clutha District Council
<b>2.2</b>	Contract Agreement 831 – Greenspace Maintenance 2022/27 between Southroads Limited and Clutha District Council

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# Clutha District Council

## Item for DECISION

<b>Report</b>	Reasons to Move to Public Excluded Session
<b>Meeting Date</b>	15 September 2022
<b>Item Number</b>	26
<b>Prepared By</b>	Steve Hill – Chief Executive
<b>File Reference</b>	749550

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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), A2 (b)(ii), A2 (i) and A2 (j).

### REPORT

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.

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

#### 1 Greenfield Water Scheme Pipeline Budget Approval

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

#### 2 Milton to Waiholo Pipeline Budget Approval

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

### **3 Public Excluded Council Minutes – 4 August 2022**

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

### **4 Public Excluded Committee of the Whole Minutes – 1 September 2022**

Under Sections A2 (b), A2 (i) and A2 (j) 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.