

# 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 Wednesday 23 October 2024 commencing 1.30pm.

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**Present** His Worship the Mayor Bryan Cadogan, Councillors Kevin Barron, Dane Catherwood, Wayne Felts, Gaynor Finch, Bruce Graham, John Herbert, Michele Kennedy, Alison Ludemann, Simon McAtamney, Dean McCrostie, Brent Mackie, Jock Martin, Ken Payne and Bruce Vollweiler

**In Attendance** Steve Hill (Chief Executive), Jules Witt (Deputy Chief Executive), Sharon Jenkinson (Chief Financial Officer), Diane Byars (Communications Manager), Pauline Young (Communications Advisor) and Julie Gardner (EA/Governance Advisor)

**Apologies** There were no apologies.

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His Worship the Mayor Bryan Cadogan welcomed Councillors, staff and the media to the meeting and advised that this meeting was being livestreamed.

Mayor Cadogan said a Whakatauki to start the meeting.

## DECLARATIONS OF INTEREST

There were no declarations of interest.

## PUBLIC FORUM

### ***Brodie Dodds – Furever Homes***

- Animal rescue and rehoming charity based in Invercargill.
- Highlighted the work the charity does rehoming dogs.
- Works alongside councils throughout the country.

- Purpose is to rehome dogs that have been taken from homes due to neglect and those that are unclaimed.
- Highlighted that the financial strain on people will cause an increase in unwanted dogs/puppies being dumped.
- Is working with CDC animal control officers to rehome unwanted dogs.
- Only funding is through fundraising or donations at this stage.
- Also rehome cats, birds, chickens, goats and fish.
- All Furever Homes dogs are vaccinated before rehoming.
- Not asking for funding but would like CDC to allow free microchipping and waiving of dog registration fees for each dog that comes into their care from the Clutha district and CDC pound.

## **1 2023/24 ANNUAL REPORT AND SUMMARY – REPLACEMENT REPORT**

The Chief Financial Officer presented the 2023/24 Annual Report and summary for adoption. She advised that outstanding issues relating to prior year transactions have been resolved with audit and the Office of the Auditor General.

Comments from David Ward (Risk & Assurance Chair) were provided to Council prior to the meeting, and he was in attendance via teams.

Sharon highlighted the items in the annual report that had caused concern with the audit team and advised that there has since been a review by staff, David Ward (Risk & Assurance Chair) and the audit team from Deloitte.

The tabled report provided updated information that was picked up after this review.

She advised that any other minor items would be dealt with under CE's edits.

Sharon then took the elected members through the changes that had been made since Friday's initial report.

There was discussion on a number of items in the report with a query raised regarding the October 2024 weather event and why it was included in the 2023/24 annual report. Sharon explained that subsequent events need to be highlighted to give audit surety that there is nothing catastrophic that could cause issues in the next financial year.

David Ward advised that he had met with the auditors and staff and is comfortable that the edits made fairly reflect the annual report.

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

***“That Council receives the ‘Adoption of 2023/24 Annual Report and Summary – REPLACEMENT REPORT’.”***

**Unanimous.**

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

***“That Council confirms the Risk & Assurance Committee Chair’s clearance on the 2023/24 Annual Report and Summary.”***

**Unanimous.**

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

***“That Council adopts the Accounting Policies contained within the Annual Report 2023/24.”***

**Unanimous.**

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

***“That Council adopts the 2023/24 Annual Report and Summary.”***

**Unanimous.**

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

***“That Council receives the Letter of Representation for the 2023/24 Annual Report.***

***That Council approves the Mayor and Chief Executive sign the Letter of Representation for the 2023/24 Annual Report.***

***That Council approves the Chief Executive to make minor editorial changes if required.”***

**Unanimous.**

## **2 REPRESENTATION REVIEW 2024 – FINAL PROPOSAL REPORT**

The Chief Executive presented the final proposal for the Representation Review 2024 for Council’s approval.

Ben Roser (Election Services Ltd) was in attendance via teams for this item and summarised the key points ahead of the discussion.

He advised that after the final proposal is adopted it will need to be further advertised and a month-long submission period will ensue. Only those that submitted to the original proposal will be able to submit, unless there are any changes no matter how minor.

Elected members debated the item at length with a few stating that they believed the process had been rushed and felt there were a large number in the community that were unaware the review was happening.

Comments were made that there should have been other options of numbers considered along with different ward changes as the current proposal feels like a slimmed down version of the status quo.

However, the majority of the elected members disagreed reiterating that it had been a transparent process from the start and there was a legal obligation to do the review by the deadline of 28 October 2024 as advised by Ben Roser.

Reducing the number of Community Board members was also raised, with a Point of Order for Irrelevance called by Councillors Vollweiler and Catherwood, who stated that this had never been considered in the submission document so could not be discussed at this time.

The Chief Executive stated that the workshop had given clear direction to staff and the team to write up the initial proposal as the final proposal, so to change it now would require reasons that would be able to stand up to a legal challenge.

It was further highlighted that if this new structure does not work it can always be changed in 3 years. The consultation process had been thorough and if some did not know about it then it obviously hadn't been important enough for them to worry about.

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

***“That Council receives the ‘Representation Review 2024 – Final Proposal’ report.***

**Unanimous.**

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

***“That Council receives the ‘2024 Representation Review – Initial Proposal submission hearings, reviewing and deliberations of the submissions, and direction setting for the Final Proposal’ report for the 12 September 2024 workshop.”***

**Vote by show of hands:**

**For (13)**

**Mayor Cadogan, Councillors Catherwood, Vollweiler, Martin, Ludemann, Mackie, Herbert, Graham, Payne, McAtamney, Felts, Kennedy, Barron**

**Against (2) - Councillors McCrostie, Finch**

**Motion was carried.**

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

***“That Council receives the 26 written submissions to its Initial Proposal including the minutes of the four verbal submissions heard on 12 September 2024.”***

**Unanimous**

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

***“That Council notes the initial proposal deliberations, following review and consideration of the submissions on 12 September 2024 at the Council workshop, including considering possible options based on the feedback.”***

**Vote by show of hands:**

**For (11)**

**Mayor Cadogan, Councillors Catherwood, Vollweiler, Martin, Ludemann, Mackie, Herbert, Payne, McAtamney, Kennedy, Barron**

**Against (4)**

**Councillors Graham, McCrostie, Finch, Felts**

**Motion was carried.**

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

***“That Council notes the justification of the rejection of submissions and the direction provided at the workshop for staff to develop the Final Proposal without any amendments to the Initial Proposal.”***

**Vote by show of hands:**

**For (11)**

**Mayor Cadogan, Councillors Catherwood, Vollweiler, Martin, Ludemann, Mackie, Herbert, Payne, McAtamney, Kennedy, Barron**

**Against (4)**

**Councillors Graham, McCrostie, Finch, Felts**

**Motion was carried.**

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

***“That Council, in accordance with sections 19H and 19J of the Local Electoral Act 2001, adopts its initial proposal as its final proposal for at least the 2025 triennial local elections, being:***

- Clutha District Council to comprise nine councillors elected under the ward system, plus the mayor elected at large.***
- Clutha District Council be divided into eight wards, these being:***

**Balclutha Ward (two councillors), comprising the urban area of Balclutha township, the boundaries of which are shown on Appendix 1 – Map 8.**

**Bruce-Waihola Ward (one councillor), comprising rural areas north of Milton township, including Taieri Mouth, Waihola, and Milburn, the boundaries of which are shown on Appendix 1 – Map 4.**

**Catlins Ward (one councillor), comprising the area from the southern Koau branch of the Clutha River Mata-Au, and including the rural areas of Paretai, Otanomomo and Romahapa, through to the southern coastline to the Otago and Southland regional border, and the Awatea and Slopedown areas, the boundaries of which are shown on Appendix 1 – Map 7.**

**Clinton-Clydevale Ward (one councillor), comprising the inland rural area around Clinton (noting the addition to the existing Clinton Ward of Te Houka, Clifton, Clydevale and Rongahere, along with the Waipahi area along the northern boundary), the boundaries of which are shown on Appendix 1 – Map 9.**

**Kaitangata-Matau Ward (one councillor), comprising the urban areas of Kaitangata, and including the urban and rural areas of Stirling, Benhar, Lovells Flat, Moneymore, Toko Mouth (from Koau Branch of the Clutha River on Inch Clutha), the boundaries of which are shown on Appendix 1 – Map 6.**

**Lawrence-Tuapeka Ward (one councillor), comprising the urban area of Lawrence, and rural areas to include the south and southwest areas of Pukeawa, Hillend, Awamangu, Adams Flat and Crichton, the boundaries of which are shown on Appendix 1 – Map 3.**

**Milton Ward (one councillor), comprising the urban area of Milton township, the boundaries of which are shown on Appendix 1 – Map 5.**

**West Otago Ward (one councillor), comprising the key areas around West Otago, including Tapanui and Heriot (noting some areas have been moved south into the Clinton-Clydevale Ward), the boundaries of which are shown on Appendix 1 – Map 2.**

**The eight wards, the population per ward, the number of councillors per ward and the population per councillor is as follows:**

<b>Ward</b>	<b>Population</b>	<b>Councillors</b>	<b>Ratio</b>
Balclutha	4,270	2	2,135
Bruce-Waihola	1,990	1	1,990
Catlins	1,910	1	1,910
Clinton-Clydevale	2,150	1	2,150
Kaitangata-Matau	2,140	1	2,140
Lawrence-Tuapeka	2,010	1	2,010
Milton	2,140	1	2,140
West Otago	2,270	1	2,270
<b>Total</b>	<b>18,880</b>	<b>9</b>	<b>2,098</b>

***In accordance with section 19V(2) of the Local Electoral Act 2001, the population that each councillor represents must be within the range of 2,099 plus or minus 10% (1,888-2,308). All of the proposed wards comply with this range.”***

**Vote by show of hands:**

**For (10)**

**Mayor Cadogan, Councillors Catherwood, Vollweiler, Martin, Ludemann, Mackie, Herbert, Payne, Kennedy, Barron**

**Against (5)**

**Councillors Graham, McCrostie, Finch, McAtamney, Felts**

**Motion was carried.**

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

***“The reason the total number of councillors is proposed to be reduced from 14 to nine is to ensure effective representation of communities of interest in both rural and urban areas.”***

**Vote by show of hands:**

**For (9)**

**Mayor Cadogan, Councillors Catherwood, Martin, Ludemann, Mackie, Herbert, Payne, Kennedy, Barron**

**Against (5)**

**Councillors Graham, McCrostie, Finch, McAtamney, Felts**

**Abstained (1) – Councillor Vollweiler**

**Motion was carried.**

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

***“The reason for the boundary changes is to accommodate the reduction in the number of elected members and to ensure fair representation is provided.”***

**Vote by show of hands:**

**For (11)**

**Mayor Cadogan, Councillors Catherwood, Vollweiler, Martin, Ludemann, Mackie, Herbert, Payne, McAtamney, Kennedy, Barron**

#### **Against (4) - Councillors Graham, McCrostie, Finch, Felts**

**Motion was carried.**

Councillors discussed reducing the size of the Community Boards as they are now over-represented according to their population base, which would then increase the remuneration to make it more attractive to stand for a Board and reduce the risk of having to 'shoulder tap' when there are insufficient nominations for the number of positions.

However, the majority agreed that with a reduction in councillors it is now more important to retain the number of Board members as they are a great conduit to Council. It was further highlighted that it had not been part of the consultation so is irresponsible and unfair to the communities to be raising it now.

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

***"Two community boards electing 12 members, these being:***

- Lawrence-Tuapeka Community Board (six members elected from the community at large, plus one councillor representing the Lawrence-Tuapeka Ward as appointed by Council), comprising the existing Lawrence-Tuapeka ward area as delineated on Plan LG072-2019-W-2 deposited with the Local Government Commission, the boundaries of which are shown on Appendix 1 – Map 18.***
- West Otago Community Board (six members elected from the community at large, plus one councillor representing the West Otago Ward as appointed by Council) comprising the existing West Otago ward area as delineated on Plan LG-0722013-W-1 deposited with the Local Government Commission, the boundaries of which are shown on Appendix 1 – Map 19.***

***The boundaries of the community boards are proposed to be retained as status quo under the existing ward boundaries. The reason for retaining the existing communities and their boundaries is to ensure the communities of interest in West Otago and Lawrence-Tuapeka continue to be effectively represented by their respective community boards."***

**Vote by show of hands:**

**For (13)**

**Mayor Cadogan, Councillors Catherwood, Martin, Ludemann, Mackie, Herbert, Graham, Payne, McCrostie, McAtamney, Felts, Kennedy, Barron**

**Against (1) – Councillor Finch**

**Abstain (1) – Councillor Vollweiler**

**Motion was carried.**



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

***“The final proposal be publicly notified on 28 October 2024, providing the opportunity for appeals/objections to be lodged in the period 28 October 2024 to 28 November 2024, noting that any appeal or objection received must be forwarded on to the Local Government Commission for determination.”***

**Vote by show of hands:**

**For (14)**

**Mayor Cadogan, Councillors Catherwood, Vollweiler, Martin, Ludemann, Mackie, Herbert, Graham, Payne, McCrostie, McAtamney, Felts, Kennedy, Barron**

**Against (1) - Councillor Finch**

**Motion was carried.**

Meeting was adjourned at 3.07pm.

Meeting was reconvened at 3.29pm.

### **3 LAND TRANSPORT PROGRAMME UPDATE 2024-27**

The Senior Asset Manager Transportation presented the NZTA Waka Kotahi approved 2024-27 Land Transport Programme to Council.

The report also asked Council to consider an adjustment in timing to enable the Milton Mainstreet Footpath Renewals to occur at the same time as the overall project.

Reymar Tiburcio (Project Management Team Leader) was in attendance for this item.

The Deputy Chief Executive highlighted the additional information regarding the Footpath Renewals that had been discussed at a previous meeting.

Councillors requested details of footpaths that were on the list that would not get done because of the reduced funding to ensure that funding was going in the right direction.

Any additional funding will need to be requested through the Annual Plan and rate funded as previously happened 6 years ago. A footpath funding discussion paper will be coming back to council for the annual plan process.

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

***“That Council receives the ‘Land Transport Programme Update 2024-27’ report.***

***That Council notes the significant reduction in funding for the Walking and Cycling Activity Class (\$1.9M), with the resultant outcome that the Long-Term Plan Key Performance Indicator (KPI) for Footpaths for 2024-27 will not be able to be achieved.***

***That Council notes the significant reduction in funding for the Low-Cost Low-Risk Improvement Work Category (\$2.4M), with the resultant outcome that the funding of the Balclutha to Finegand Cycle Path (\$1.1M) and the Dual Laning of the Kaitangata Highway under the Balclutha railway bridge (\$1.1M) has not been approved and that these projects have been deferred to 2027-30.***

***That Council approve funding of the work by advancing the NZTA Footpath Renewals budget allocation for Years 2 & 3 to Year 1 and sourcing the additional Council share from the Roading Deferred Maintenance Fund for the 2024/25 year.***

**Unanimous.**

#### **4 CONFIRMATION OF COUNCIL MINUTES**

The minutes of the meeting of the Clutha District Council held on 12 September 2024 were submitted for confirmation.

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

***“That the minutes of the meeting of the Clutha District Council held on 12 September 2024 be approved as a true and correct record.”***

#### **5 CONFIRMATION OF REPRESENTATION REVIEW HEARING MINUTES**

The minutes of the Representation Review Hearing held on 12 September 2024 were submitted for confirmation.

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

***“That the minutes of the Representation Review Hearing held on 12 September 2024 be approved as a true and correct record.”***

#### **6 REGULATORY AND COMMUNITY COMMITTEE MINUTES**

The minutes of the meeting of the Regulatory and Community Committee held on 10 October 2024 were submitted for confirmation.

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

***“That the minutes of the meeting of the Regulatory and Community Committee held on 10 October 2024 be approved as a true and correct record.”***

## **7 CORPORATE AND POLICY COMMITTEE MINUTES**

The minutes of the meeting of the Corporate and Policy Committee held on 10 October 2024 were submitted for confirmation.

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

***“That the minutes of the meeting of the Corporate and Policy Committee held on 10 October 2024 be approved as a true and correct record.”***

## **8 INFRASTRUCTURE STRATEGY AND OPERATIONS COMMITTEE MINUTES**

The minutes of the meeting of the Infrastructure Strategy and Operations Committee held on 10 October 2024 were submitted for confirmation.

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

***“That the minutes of the meeting of the Infrastructure Strategy and Operations Committee held on 10 October 2024 be approved as a true and correct record.”***

## **9 RISK & ASSURANCE COMMITTEE**

The unconfirmed minutes of the Risk & Assurance Committee meeting held on 10 October 2024 were submitted.

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

***“That the unconfirmed minutes of the Risk & Assurance Committee meeting held on 10 October 2024 be noted.”***

## **10 YOUTH COUNCIL MINUTES**

The unconfirmed minutes of the meeting of the Youth Council held on 23 September 2024 were submitted.

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

***“That the unconfirmed minutes of the Youth Council meeting held on 23 September 2024 be noted.”***

## **11 WEST OTAGO COMMUNITY BOARD MINUTES**

The unconfirmed minutes of the meeting of the West Otago Community Board held on 25 September 2024 were submitted.

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

***“That the unconfirmed minutes of the West Otago Community Board meeting held on 25 September 2024 be noted.”***

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

The unconfirmed minutes of the Lawrence/Tuapeka Community Board meeting held on 25 September 2024 were submitted.

***Moved Councillors Martin/Kennedy and Resolved:***

***“That the unconfirmed minutes of the Lawrence/Tuapeka Community Board meeting held on 25 September 2024 be noted.”***

## **13 MAYORAL REPORT**

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

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

***“That the ‘Mayoral Report’ dated 12 September 2024 be received.”***

## **14 CHIEF EXECUTIVE’S REPORT**

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

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

***“That the ‘Chief Executive’s Report’ dated 23 October 2024 be received.”***

## **15 DOCUMENTS FOR CONSENT AND SEAL**

Documents for consent and seal were presented for Council’s information.

***Moved Mayor Cadogan/Councillor Catherwood 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>WARRANT OF APPOINTMENT</b>
<b>1.1</b>	Warranted under Local Government Act 2002 as an Enforcement Officer, Resource Management Act 1991 as Authorised Person/Officer

	<ul style="list-style-type: none"> <li>• Olivia Restieaux</li> <li>• Michaela Groenewegen</li> <li>• Jessica Craik</li> <li>• Olivia Dickson</li> </ul> <p>Warranted under Local Government Act 2002, Clutha District Council Water Services Bylaw 2019 and General Bylaws of Council</p> <ul style="list-style-type: none"> <li>• Sankar Ganesh</li> </ul>

## 16 REASONS TO MOVE TO PUBLIC EXCLUDED SESSION

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

***“That Council receives the ‘Reasons to Move to Public Excluded Session’ report.***

***That if required, Council excludes the public from the following part of the proceedings of this meeting pursuant to the provisions of the Local Government Official Information and Meetings Act 1987 namely:***

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48(1) for the passing of this resolution</b>
Road Safety Funding Decision	To protect the privacy of individuals.	A2(a) Protect the privacy of natural persons, including that of deceased natural persons.
Risk & Assurance Minutes – 10 October 2024  Matters dealt with in these minutes:  <ul style="list-style-type: none"> <li>• Annual Report 2023/24</li> </ul>	To allow the auditors time to verbally report on their findings from the Annual Report process.	The specific provisions of the Act that relate to these minutes can be found in the open minutes of the Risk & Assurance meeting held on 10 October 2024.

***This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987, and the particular interest or interests protected by Section 6 or Section 7 of that Act or Section 6 or Section 7 or Section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as shown after each item.”***

The meeting moved into public excluded session at 4.19pm.

The meeting moved out of public excluded session and closed at 4.51pm.

**Read and Confirmed**

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**B A Cadogan  
MAYOR**