

# 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 5 December 2024 commencing 1.30pm.

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| <b>Present</b> | 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 |
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| <b>In Attendance</b> | Steve Hill (Chief Executive), Jules Witt (Deputy Chief Executive), Sharon Jenkinson (Chief Financial Officer), Diane Byars (Communications Manager) and Julie Gardner (EA/Governance Advisor) |
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Linda Till (HoD Three Waters), Donna McArthur (HoD Infrastructure Strategy & Operations), Peter Stafford (Strategic Planning Manager), Greg Bowie (Financial Accounting Team Leader), Trey Willis-Croft (Financial Support Accountant)

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| <b>Apologies</b> | There were no apologies. |
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His Worship the Mayor Bryan Cadogan welcomed Councillors, staff and the media to the last meeting for 2024 and advised that this meeting was being livestreamed.

Mayor Cadogan said a Whakatauki to start the meeting.

## DECLARATIONS OF INTEREST

*Councillor Vollweiler: Item 2 – Bruce Community Facility 2024*

Board member of Project Bruce and Tokomairiro Community Recreation Centre who submitted as part of the consultation process.

Stated that he had taken no part in those submissions and is comfortable to state that he doesn't believe he has a conflict of interest in this item.

## **PUBLIC FORUM**

### ***Representatives from South Otago Athletics Club – President Veronica Paulin & Kate Stainton***

- Spoke re Clutha Parks Trust current plans for Centennial Park.
- Believes these plans could affect the athletics club use of these grounds.
- Club reestablished in 2021 – initially at SOHS but issues with transporting equipment, lack of toilet facilities.
- Club has grown immensely, affiliated to various NZ sporting organisations.
- Have adjusted their activities to fit around the current playground layout and bike park.
- Reached out to Clutha Parks Trust to address safety issues, meeting held and agreed that communication re future development would be maintained.
- However, there was no communication until Sport Clutha intervened.
- Want to continue to use track – season runs from October to March.
- Concerned that future developments (basketball court, pump track) would mean the 400m track would not be viable.
- Highlighted cultural and historical connections to the site.
- Respectfully ask CDC/Clutha Parks Trust to carefully consider placement of future developments.
- Goal is to work collaboratively with all parties to have a park that benefits the whole community.

### ***Craig Gordon – Sport Clutha***

- Promotes active recreation and play.
- Highlighted during AP 2020/21 that club would be reestablishing and starting again at SOHS until a decision could be made on future use of their old grounds.
- 2 years with no communication from Clutha Parks Trust.
- Believes there should have been some enquiries done as to where the club was at prior to allowing the project to go ahead at Centennial Park.
- SOHS – not possible for athletics club to be at their grounds, or at the Balclutha showgrounds area due to other clubs using these grounds.
- A lot of greenspaces there to use so why can't one of the new pieces be moved to accommodate the track.
- Acknowledged that the CPT have done a great job but would like a little give so that everyone can be accommodated in this space.
- If there's a way for the CPT to have a representative on the SOAC as well as a Sport Otago representative, then things could be progressed to the satisfaction of everyone.

## **1 LOCAL WATER DONE WELL – WATER SERVICE DELIVERY PLANNING**

The Chief Executive presented a report informing Council on the outcomes of the Local Water Done Well Review and requests approval for Clutha District Council participation in the next stage of work required to consult with the public on the Water Services Delivery Plan (WDSP) options.

Councillors debated this item at length and questioned the Chief Executive on various aspects of the report, particularly around the 3 options that were presented.

The Chief Executive explained that the DIA have offered resources to help council to develop the plans and populate the status quo and single council options. The multi council option would involve cost sharing with other councils if any were interested.

The Morrison Low report had refined the options down to those that would give the best benefit and under legislation councils are required to choose a pathway.

Consideration also needs to be given to the impacts these decisions will have on the rural water schemes, with the Chief Executive stating that they would all be included.

Mayor Cadogan gave a brief rundown on progress with other councils. He highlighted that Invercargill are not interested and would rather stand alone, Dunedin also has a clear preference to stand alone, Southland while in a precarious position want time to look at the figures, however the water plan has to be sorted by mid-2025 so there is no time to waste. Waitaki is currently in discussion with Canterbury but may end up coming back south.

He further reinforced that council's duty is to do the very best for the ratepayers and there is a lot of commonalities with Gore, Central Otago, Waitaki and Southland, and there is a need to grab what we can if we're going to make it work.

Current gains will be carried forward when we do 'hold hands' with other councils, so there is no money being thrown away as those gains go with us when we move to another entity.

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

***"That Council receives the 'Local Water Done Well – Water Service Delivery Planning' report."***

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

***"Notes that Clutha District Council must draft a Water Services Delivery Plan and include as a minimum two options with one being the status quo."***

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

***"That Council directs the CE to develop a Water Services Delivery Plan that includes the following options:***

- **Status Quo**
- **Single Council – Council Controlled Organisation, and**
- **Multi Council – Council Controlled Organisation”**

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

***“That Council authorises the CE in partnership with participating Councils to further develop the detail required to support a multi council CCO Water Services Delivery Plan.”***

## **2 BRUCE COMMUNITY FACILITY 2024**

The HoD Infrastructure Strategy & Delivery and the Strategic Planning Manager submitted a report which summarises public feedback received about the options proposed in the Bruce Community Facility consultation process and asks Council to confirm which option it approves.

Donna McArthur and Peter Stafford were in attendance for this item, with Donna acknowledging the huge team effort from all staff involved in this project to-date.

Before the discussion started the Chief Executive highlighted the following:

- Refer to addendum as part of the decision process.
- Additional rate requirement still not being picked up correctly – original rates requirement is IN THE BUDGET. Only additional rate requirement is for the \$1.5M which is part of the consultation to proceed. Saying ‘No’ will create savings as will be taken out of budget.
- Issues arising from submissions – have tried to capture and answer these in the body of the report.
- Potential questions as to why there is a report with choices that are additional to what the consultation was. The whole process is to listen to submissions and look at what people are asking which may result in additional options for consideration.
- Request to deal with the merits of these options.

The Elected Members asked various questions which included:

- Projected population figures
- Projected patronage for the next 10 years
- Geotech testing – this has been done and the required piling is included in the current estimated conceptual design costs.
- Funding from external providers – this is a question for the Trust.

When questioned about the new draft Technical Specification for building foundation work, Donna advised that this was a voluntary inclusion as determined by Standards NZ, which our CDC Building Control team have confirmed. This has also been discussed with the potential contractor and they are comfortable with this stance.

She further highlighted that the project is currently only at the detailed design stage, and it is important to remember that.

Queries were raised about the Better Off Funding, and it was confirmed that this can be redirected to other projects but is not available for refurbishing the existing pool.

The number of submissions received was also queried as these only equate to 5% of the district and some Councillors believed that this was not a fair representation of the district. They also felt that the consultation document wasn't clear enough, however Mayor Cadogan stated that the number of submissions received was one of the highest in his memory.

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

***“That Council receives the ‘Bruce Community Facility 2024’ report.***

***That Council receives the ‘Bruce Community Facility 2024 – ADDENDUM’ report.”***

In discussions regarding the summary of submissions it was highlighted that in both the ‘For’ and ‘Against’ submissions a number of these had provided alternatives for Option 1 and the feeling was that these should also be considered.

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

***“That Council receives written and verbal submissions received within the submission period as listed in Attachment A: Part 1 (Pages 1-16), subject to where a submitter has lodged more than one submission Council accepts the most recent submission on the basis that it is assumed that this is a replacement submission.***

***That Council approves the receipt of the four late written submissions as listed in Attachment A: Part 2 (Page 16).”***

In his addendum to the original item, the Chief Executive had provided an alternative funding option which uses a fair base line that has already been applied to other projects across the district.

When queried about the 2- or 5-year period, the Chief Executive explained that these timeframes align to the next LTPs where consideration can then be given to looking at a future funding decision.

Councillor Finch thanked staff for presenting this option as it highlights that we are all even and equal.

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

***“That Council determines the method of funding the Community Library and Pool facility should it proceed as: Part funded by Investment Equity of \$2.5 million and thereafter Interest only funded by Rates for a period of 2 years.”***

Before the vote on this resolution there was discussion about the use of investment funds to part-fund the project with some Elected Members unhappy with this option.

The Chief Executive pointed out that a precedent had already been set as investment funds had previously been used for TPÖMA and there had been no hesitation using that fund then, so it was no different for this project.

**Vote:**

**For (11)**

**Mayor Cadogan, Councillors Vollweiler, Herbert, Graham, Payne, McCrostie, Finch, McAtamney, Felts, Kennedy, Barron.**

**Against (4)**

**Councillors Catherwood, Martin, Ludemann, Mackie.**

**The motion was carried.**

There was rigorous debate on whether to approve or not approve support for the Milton Pool/Community Library with Councillor Kennedy acknowledging the current financial situation. However, she also stated that towns need facilities to attract people, our district is a great place to live but we need to ensure that people want to stay and by having modern facilities this will encourage families to stay in our district.

Councillor Barron stated that he agrees with the submissions both 'For' and 'Against' so believes that *Option 7 – That Council approves support for another option, as specified*, is the best option.

The Chief Executive advised that he then needed to specify another option.

*Moved Councillors Barron/Mackie:*

*“That Council approves support for upgrading of the existing pool, roof and support structure, new floor, physio pool, spa pool, toddlers pool and solar heating for \$6M plus upgrading of existing library for \$1.5M.”*

The Elected Members then debated this motion with those against, stating that this option would mean going backwards instead of moving Milton forward. They requested Council to move with the times and move forward for the sake of the town.

Councillor Catherwood strongly believes that there are other options that should be considered and is concerned about the rising debt level, non-qualified engineers stating that there is no need to build to the new standards and the risk in escalation of pricing due to exclusions.

The Chief Executive explained again that the only increase in cost is \$1.5M as the balance of the project is already included in the LTP.

**Vote:**

**For (2)**

**Councillors Mackie, Barron**

**Against (11)**

**Mayor Cadogan, Councillors Vollweiler, Martin, Ludemann, Herbert, Graham, Payne, Finch, McAtamney, Felts, Kennedy**

**Abstained (2)**

**Councillors Catherwood, McCrostie**

**The motion was lost.**

The meeting was adjourned at 4.07pm.

The meeting was reconvened at 4.30pm

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

***“That Council approves support for \$19.4M for a community library & pool facility with a 6-lane swimming pool (Consultation Option 1), funded by resolution 4 e.”***

Before this motion went to the vote there was considerable discussion about the impacts this decision would have on the community. All submitters, the financial impacts and the increasing council debt were acknowledged but all communities need facilities to attract and retain people or the community stagnates.

It was also pointed out that 63% of the locals want this new facility and as a district we are trying to promote growth. Good amenities attract people, and this is a wise and prudent investment in the future of Milton. Milton residents have significantly supported this project and want this facility for their town.

Mayor Cadogan stated that Milton is a town on the precipice and by backing the Milton community and the BCF Trust to get this across the line Council is showing its faith in the people of Milton.

**Vote:**

**For (10)**

**Mayor Cadogan, Councillors Vollweiler, Ludemann, Herbert, Graham, Payne, Finch, McAtamney, Felts, Kennedy**

**Against (5)**

**Councillors Catherwood, Martin, Mackie, McCrostie, Barron.**

**The motion was carried.**

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

***“That Council directs the Chief Executive to advise submitters of Council’s decisions concerning the Bruce Community Facility.”***

### **3 GENERAL RESERVE TRANSFER FOR 2023/24**

The Chief Financial Officer presented a report which requests a decision on funding options for surplus/deficits calculated for the UAGC and overhead components now that the Annual Report has been adopted.

Sharon Jenkinson was in attendance for this item.

The Chief Executive advised that he has sent a clear message to each department to understand and monitor their budgets and if there are likely to be overspends, find ways to reduce or eliminate these prior to year-end.

The Elected Members stated that they would be happy with level of service changes if it meant keeping within budget this year.

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

***“That Council receives the ‘General Reserve Transfer for 2023/24’ report.”***

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

***“That Council approves the UAGC Deficit of \$801,311 be addressed as part of the Annual Plan 2025/26 process.***

***That Council approves the Overhead Deficit of \$1,748,574 be addressed as part of the Annual Plan 2025/26 process.”***

### **4 CLINTON COMMUNITY COMMITTEE CCTV FUNDING REQUEST**

The Project Manager – Community Plan Implementation submitted a request from the Clinton Community Committee for Council to provide 50% of the funding for security cameras in Clinton.

Mike Goldsmith was in attendance to answer questions.



The Elected Members were supportive of this report as it is very deflating for community groups who work hard for their areas and then have their work vandalised. CCTV cameras are a useful deterrent and not a cost but a saving.

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

***“That Council receives the ‘Clinton Community Committee CCTV funding request’ report.”***

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

***“That Council agrees to fund \$9,751 from Investment fund and \$947 from Parks and Reserves towards the purchase of CCTV cameras for Clinton.”***

## **5 SOLID WASTE MANAGEMENT AND MINIMISATION BYLAW 2025**

The HoD Infrastructure Operations submitted a report requesting Council approval to initiate the statutory process for reviewing and implementing the draft updated Waste Management and Minimisation Bylaw 2025.

Jason Foster was in attendance for this item, and he highlighted the bylaw review and the additional bins that are currently not being funded, noting that some properties do have these, which prompted this to be included as part of the bylaw review.

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

***“That Council receives the ‘Solid Waste Management and Minimisation Bylaw 2025’ report.”***

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

***“That Council endorses the proposal to initiate the statutory process under the Local Government Act 2002 for reviewing and implementing the Solid Waste Management and Minimisation Bylaw 2025, including public consultation and submission processes.”***

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

***“That Council provides direction on the management of additional bins by limiting second bins to properties that have completed a satisfactory waste audit. This would require an additional targeted rates payment based on fees and charges.”***

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

***“That Council determines a transition approach for existing second bin users by implementing an immediate cessation of collection for unauthorised second bins.”***

## **6 YOUTH COUNCIL REPRESENTATION REPORT**

The Community Support & Development Advisor submitted a report requesting approval to update the current Youth Council Terms of Reference to include representation for home-schooled or those undertaking alternative educational or vocational pursuits within the district.

Kelly Gay was in attendance for this item.

Councillor Finch highlighted the issues with filling positions on the Youth Council and agreed that flexibility about the appointments was crucial to getting the positions filled.

Mayor Cadogan supported increasing the number of members as he believes the more the merrier.

Councillor Payne supported the status quo but allow for more flexibility.

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

***“That Council receives the ‘Youth Council Representation Report’.***

***That Council approves revising the current structure of youth council to maintain the 14 positions with more flexibility.”***

## **7 REGULATORY AND COMMUNITY COMMITTEE RECOMMENDATION**

The Regulatory Services Administrator submitted a recommendation from the Regulatory and Community Committee for consideration.

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

***“That Council receives the ‘Regulatory and Community Committee Recommendations’ report.***

***That Council approves funding of \$10,617 + GST from the investment surplus, for the completion of ground preparation work at the Whitehaven Street Playground.”***

## **8 CONFIRMATION OF COUNCIL MINUTES**

The minutes of the meetings of the Clutha District Council held on 23 October 2024 and the minutes of the Bruce Community Facilities Submission Hearing held on 7 November 2024 were submitted for confirmation.

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

***“That the minutes of the meeting of the Clutha District Council held on 23 October 2024 be approved as a true and correct record.***

***That the minutes of the Bruce Community Facilities Submission Hearing held on 7 November 2024 be approved as a true and correct record.”***

## **9 INFRASTRUCTURE STRATEGY & OPERATIONS COMMITTEE MINUTES**

The minutes of the meeting of the Infrastructure Strategy & Operations Committee held on 21 November 2024 were submitted for confirmation.

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

***“That the minutes of the meeting of the Infrastructure Strategy & Operations Committee held on 21 November 2024 be approved as a true and correct record.”***

## **10 REGULATORY & COMMUNITY COMMITTEE MINUTES**

The minutes of the meeting of the Regulatory & Community Committee held on 21 November 2024 were submitted for confirmation.

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

***“That the minutes of the meeting of the Regulatory & Community Committee held on 21 November 2024 be approved as a true and correct record.”***

## **11 CORPORATE & POLICY COMMITTEE MINUTES**

The minutes of the meeting of the Corporate & Policy Committee held on 21 November 2024 were submitted for confirmation.

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

***“That the minutes of the meeting of the Corporate & Policy Committee held on 21 November 2024 be approved as a true and correct record.”***

## **12 RISK & ASSURANCE COMMITTEE**

The unconfirmed minutes of the Risk & Assurance Committee meeting held on 21 November 2024 were submitted.

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

***“That the unconfirmed minutes of the Risk & Assurance Committee meeting held on 21 November 2024 be noted.”***

### **13 WEST OTAGO COMMUNITY BOARD MINUTES**

The unconfirmed minutes of the meeting of the West Otago Community Board held on 13 November 2024 were submitted.

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

***“That the unconfirmed minutes of the West Otago Community Board meeting held on 13 November 2024 be noted.”***

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

The unconfirmed minutes of the Lawrence/Tuapeka Community Board meeting held on 13 November 2024 were submitted.

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

***“That the unconfirmed minutes of the Lawrence/Tuapeka Community Board meeting held on 13 November 2024 be noted.”***

### **15 YOUTH COUNCIL MINUTES**

The unconfirmed minutes of the meeting of the Youth Council held on 4 November 2024 were submitted.

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

***“That the unconfirmed minutes of the Youth Council meeting held on 4 November 2024 be noted.”***

### **16 MAYORAL REPORT**

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

*Councillor Finch left the room at 5.45pm and returned at 5.47pm.*

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

***“That the ‘Mayoral Report’ dated 5 December 2024 be received.***

***That Council receives the latest LGNZ four-monthly report July-October 2024.”***

## 17 CHIEF EXECUTIVE’S REPORT

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

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

***“That the ‘Chief Executive’s Report’ dated 5 December 2024 be received.”***

## 18 DOCUMENTS FOR CONSENT AND SEAL

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

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

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

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| <b>1</b>   | <b>WARRANT OF APPOINTMENT</b>   |
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| <b>1.1</b> | Warranted under Local Government Act 2002 as an Enforcement Officer,<br>Resource Management Act 1991 as Authorised Person/Officer <ul style="list-style-type: none"><li>• Amber-Marie Marsh</li></ul> |
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## 19 REASONS TO MOVE TO PUBLIC EXCLUDED SESSION

***Moved Mayor Cadogan/Councillor Ludemann 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>  |
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| Bruce Community Facility Contractor – Procurement Process | The information contained in the report contains commercially sensitive financial information about specific commercial businesses. | A2 (bii)<br><br>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 |

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|   |  | <p>withholding of the information is necessary to:</p> <p>Protect information where the making available of the information would:</p> <p>Be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</p>  |
| Our Place Project Funding Update  | The information contained in the report contains sensitive financial information about a council contractor. | <p>A2 (bii)</p> <p>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:</p> <p>Protect information where the making available of the information would:</p> <p>Be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</p> |
| <p>Public Excluded Council Minutes – 23 October 2024</p> <p>Matters dealt with in these minutes:</p> <ul style="list-style-type: none"> <li>• Road Safety Funding Decision</li> <li>• Risk &amp; Assurance Committee Minutes – 10 October 2024</li> </ul> | To protect the privacy of individuals.   | The specific provisions of the Act that relate to these minutes can be found in the open minutes of the Council meeting held on 23 October 2024.  |
| Lawrence/Tuapeka Community Board  |  | The specific provisions of the Act that relate to these minutes can be found in the open minutes of the   |

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| Minutes – 13 November 2024<br><br>Matters dealt with in these minutes:<br><br><ul style="list-style-type: none"> <li>• TLCC Community Fund</li> </ul> |  | Lawrence/Tuapeka Community Board meeting held on 13 November 2024. |
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***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 5.47pm.

The meeting moved out of public excluded session at 6.20pm.

Mayor Cadogan thanked all Councillors and staff for their attendance and wished everyone a restful Christmas break.

The meeting closed at 6.22pm.

**Read and Confirmed**

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