



**MINUTES OF AN ORDINARY COUNCIL MEETING DATED TUESDAY, 13 MARCH 2018 IN THE
OPOTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, OPOTIKI AT 9.00AM**

PRESENT:

Mayor John Forbes (Chairperson)
Deputy Mayor Lyn Riesterer (Deputy Chairperson)
Councillors:
Shona Browne
Barry Howe
Haki McRoberts
Ken Young

IN ATTENDANCE:

Aileen Lawrie (Chief Executive Officer)
Bevan Gray (Finance and Corporate Services Group Manager)
Gerard McCormack (Planning and Regulatory Group Manager)
Mike Houghton (Community Facilities Manager)
Ari Erickson (Engineering Services Group Manager)
Tina Gedson (Property Officer)
Gae Newell (Personal Assistant to CEO and Mayor)

MEDIA:

Sven Carlsson (Opotiki News)

PUBLIC:

Reuben Fraser and Janine Barber (Bay of Plenty Regional Council)
John Galbraith
Chris Bishop
Glenda John

Councillor Browne opened the meeting with an inspirational prayer.

APOLOGY

Councillor Tuoro.

RESOLVE

(1) That the apology be sustained.

McRoberts/Riesterer

Carried

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

Nil.

PUBLIC FORUM

Chris Bishop – Sale of 26 King Street

Chris Bishop, supported by Glenda John, tabled a letter addressed to His Worship the Mayor. The letter provided background information regarding the formation of the Ōpōtiki Community Centre, its merger with the Volunteer Information Co-ordination group and the emergence of the Volunteer Network. She then gave an overview of the services which the Volunteer Network provides and the assistance they give to people in the community around budgeting, advocacy and other forms of support.

Funding to the Volunteer Network via the Ministry of Social Development (MSD) ceased in October 2016. MSD only fund one service in each Eastern Bay of Plenty town and another provider is the recipient in Ōpōtiki.

Chris Bishop stated that Volunteer Network will not be able to pay rent at the commercial rate. It would be very difficult and time-consuming if they have to find alternative rent-free premises and more difficult if they had to close down.

Chris Bishop asked Council for more time and continued support. She further asked that Volunteer Network be given first option to purchase the building and be able to view the earthquake and asbestos assessment reports.

His Worship the Mayor extended thanks to the Volunteer Network for the challenging work they undertake.

The Property Officer left the meeting at 9.22am.

1. CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING: 19 DECEMBER 2017 p4

RESOLVED

(1) That the minutes of the Ordinary Council meeting held on 19 December 2017 be confirmed as a true and correct record.

McRoberts/Young

Carried

2. CONFIRMATION OF MINUTES –ORDINARY COUNCIL MEETING 30 JANUARY 2018 p16

RESOLVED

- (1) That the minutes of the Ordinary Council meeting held on 30 January 2018 be confirmed as a true and correct record.**

Riesterer/Browne

Carried

3. MINUTES – COAST COMMUNITY BOARD MEETING 5 DECEMBER 2017 p20

RESOLVED

- (1) That the minutes of the Coast Community Board meeting held on 5 December 2017 and any recommendations therein be received.**

McRoberts/HWTM

Carried

4. MINUTES – CIVIL DEFENCE EMERGENCY MANAEMENT GROUP JOINT COMMITTEE MEETING 4 DECEMBER 2017 p26

RESOLVED

- (1) That the minutes of the Civil Defence Emergency Management Group Joint Committee meeting held on 4 December 2017 be received.**

HWTM/Browne

Carried

5. MINUTES – REGIONAL TRANSPORT COMMITTEE MEETING 2 FEBRUARY 2018 p35

RESOLVED

- (1) That the minutes of the Regional Transport Committee meeting held on 2 February 2018 be received.**

HWTM/Young

Carried

6. MAYORAL REPORT 26 JANUARY 2018 – 8 MARCH 2018 p42

RESOLVED

- (1) That the report titled “Mayoral Report 26 January 2018 – 8 March 2018” be received.**

HWTM/Browne

Carried

7. ŌPŌTIKI MARINE ADVISORY GROUP (OMAG) UPDATE p45

RESOLVED

- (1) That the report titled "Opotiki Marine Advisory Group (OMAG) Update be received.**

Browne/HWTM

Carried

8. FINANCIAL STRATEGY FOR THE 2018-2028 LONG TERM PLAN p49

The Chief Executive Officer commended Council for allowing the investment into the Financial Strategy. The Strategy represents a large piece of work by staff.

RESOLVED

- (1) That the report titled "Financial Strategy for the 2018 – 2028 Long Term Plan" be received.**

- (2) That the Financial Strategy be adopted for use in the 2018-2028 Long Term Plan.**

Young/Riesterer

Carried

The Community Facilities Manager entered the meeting at 9.43am.

9. INFRASTRUCTURE STRATEGY FOR THE 2018-2028 LONG TERM PLAN p62

An updated Infrastructure Strategy was tabled.

RESOLVED

- (1) That the report titled "Infrastructure Strategy for the 2018-2028 Long Term Plan" be received.**

- (2) That the Infrastructure Strategy be adopted for use in the 2018-2028 Long Term Plan.**

Riesterer/Young

Carried

10. FEES AND CHARGES FOR THE 2018-2028 LONG TERM PLAN p159

Replacement pages under the heading "Water Supply" were tabled.

RESOLVED

- (1) That the report titled "Fees and Charges for the 2018-2028 Long Term Plan" be received.**

- (2) That the draft Fees and Charges be approved for use in the preparation of the Long Term Plan.**

- (3) That the draft Fees and Charges be made available for feedback from the public.**

Browne/Riesterer

Carried

The meeting adjourned for a Citizenship Ceremony at 10.00am and reconvened at 10.38am. Sven Carlsson did not rejoin the meeting at this time.

Reuben Fraser and Janine Barber joined the reconvened meeting at 10.38am.

Bay of Plenty Regional Council Presentation

Janine Barber spoke to a powerpoint presentation titled "Groundwater Resources Ōpōtiki". The presentation covered the following points:

- Background
- Groundwater evaluation
- Groundwater 'catchments'
- Geology
- Geological model
- Groundwater data
- Largest use of groundwater is within the Ōpōtiki Plain
- Estimating groundwater resources
- Estimating groundwater flows
- Groundwater allocation
- Groundwater available for allocation – Plan Change 9
- Ōpōtiki Plains groundwater
- Conclusions
- Considerations

Reuben Fraser spoke to a powerpoint presentation titled "Consent Framework (Inc Surfacewater Allocation)". The presentation covered the following points:

- Is a consent required?
- Allocation regime
- Allocation status around Ōpōtiki
- Consenting considerations

Following a question and answer time, His Worship the Mayor thanked Reuben Fraser and Janine Barber for presenting to Council.

Janine Barber left the meeting at 11.11am and returned at 11.16am.

Janine Barber left the meeting at 11.17am and returned at 11.24am.

Reuben Fraser and Janine Barber left the meeting at 11.27am.

11. DOG CONTROL REGISTRATION FEES

p188

RESOLVED

- (1) That the report titled "Dog Control Registration Fees" be received.**
- (2) That the Council, in accordance with Section 37 of the Dog Control Act 1996, fix by way of resolution the following fees for dog registration for the 2018/19 registration year:**

Dog Registration		
The following fees apply to registration of dogs in the Ōpōtiki District		
Discounted fee (applies if paid on or before 1 August 2018)		
Complete dog	\$110.00	\$110.00
Neutered dog	\$55.00	\$55.00
Working dog	40.00	\$40.00
Full fee (applies if paid after 1 August 2018)		
Complete dog	\$165.00	\$165.00
Neutered dog	\$82.50	\$82.50
Working dog	\$60.00	\$60.00

	Charges 1 July 2017	Charges 1 July 2018
(All charges include GST)		
Implant of micro-chip transponder	\$25.00	\$25.00 – Free for dogs with annual registration for 2018/19 paid before 1 st August 2018

Browne/Young

Carried

12. SECTION 17A LGA REVIEW FOR SOLID WASTE SERVICE DELIVERY

p194

RESOLVED

- (1) That the report titled "ODC Section 17A Solid Waste Service Delivery Review" and the attached review titled "Section 17A LGA Review for Solid Waste Service Delivery" be received.**
- (2) That Option 1 Council Service Delivery of Solid Waste Services (Status Quo) be adopted as the best option of delivering current solid waste service delivery levels as reviewed under Section 17A of the Local Government Act.**

McRoberts/Riesterer

Carried

13. TE TĀHUHU Ō TE RANGI FUNDING FEASIBILITY REPORT **p214**
(and separate document)

RESOLVED

- (1) That the report titled "Te Tāhuhu ō Te Rangi Funding Feasibility Report" be received.**

Browne/HWTM

Carried

14. EASTERN BAY OF PLENTY VISITOR ECONOMY REPORT **p217**

Following a discussion, it was agreed that the Chief Executive Officer will write to Toi-EDA enquiring as to why Council was not consulted on the two main priorities to go forward into the Regional Tourism Strategy.

It was further agreed that another clause be added to the recommendations, noting that Council endorses the Executive Summary in the eastern Bay of Plenty Visitor Economy Report for submission to the Bay of Connections.

RESOLVED

- (1) That the report titled "Eastern Bay of Plenty Visitor Economy Report" be received.**
(2) That Council endorses approval of the report by Bay of Connections.
(3) That Council endorses the Executive Summary in the Eastern Bay of Plenty Visitor Economy Report for submission to Bay of Connections.

Riesterer/McRoberts

Carried

The Finance and Corporate Services Group Manager left the meeting at 11.31am and returned at 11.34am.

Councillor Browne left the meeting at 11.47am and returned at 11.50am.

John Galbraith entered the meeting at 11.55am.

15. APPOINTMENT OF COMMISSIONER TO HEAR AND DECIDE ON RESOURCE CONSENT APPLICATION RC2017-43 **p251**

- (1) That the report titled "Appointment of Commissioner to Hear and Decide on Resource Consent Application RC2017-43" be received.**
(2) That the Council appoint Russell DeLuca as Commissioner to hear resource consent application RC-2017-43 and that he is delegated all functions, powers and duties of the

Council under section 34A, 39B and 100A of the Resource Management Act 1991 to enable him to hear and make a decision on resource consent RC2017-43.

HWTM/Young

Carried

16. COMMUNITY FACILITIES – SIX MONTHLY ACTIVITY REPORT

p255

RESOLVED

(1) That the report titled “Community Facilities – Six Monthly Activity Report” be received.

Young/Browne

Carried

17. BOPLASS LTD – STATEMENT OF INTENT FOR 2018-2021 AND HALF YEARLY REPORT

p261

It was agreed that the Chief Executive Officer will send a general note of support to BOPLASS. Clause 3 of the recommendations will be amended to reflect this.

RESOLVED

(1) That the report titled “BOPLASS Ltd – Statement of Intent for 2018-2021 and Half Yearly Report” be received.

(2) That Council write a general note of support to BOPLASS.

Riesterer/Browne

Carried

18. CHIEF EXECUTIVE OFFICER’S UPDATE

p292

BOPRC Consultation Document

The Chief Executive Officer noted some items which she considered should be included in Council’s submission to the Bay of Plenty Regional Council’s Long Term Plan, and suggested further discussion at the workshop following this meeting.

Staff Departure

The Chief Executive Officer extended a personal thank you to Mike Houghton, Council’s Community Facilities Manager, who is leaving at the end of the week after 25 years of service to Council.

Councillor Browne stated that Mike Houghton was great to work with and wished him well.

His Worship the Mayor acknowledged Mike Houghton's work at Council. He stated that for quite some time Mike has been an integral part of Council management, noting especially the environmental work which he has nurtured, e.g. Hikutaia Domain. His Worship the Mayor said that Mike Houghton has stamped his mark on Ōpōtiki and done it in a positive way.

Councillor McRoberts thanked Mike Houghton for the support he has given to the Coast Community Board.

Mike Houghton expressed his thanks for the kind words, adding that he was grateful for the opportunities the role has given him. He concluded by acknowledging the great staff he has had.

RESOLVED

(1) That the report titled "Chief Executive Officer's Update" be received.

HWTM/Riesterer

Carried

The meeting adjourned for lunch at 12.36pm and reconvened at 12.58pm. The Community Facilities Manager and the Engineering and Services Group Manager did not rejoin the meeting at this time.

19. RESOLUTION TO EXCLUDE THE PUBLIC

p296

SECTION 48 LOCAL GOVERNMENT OFFICIAL INFORMATION & MEETINGS ACT 1987

1. THAT the public be excluded from the following parts of the proceedings of this meeting, namely:

- 20. Confirmation of In-Committee Minutes – Ordinary Council meeting 19 December 2017.**
- 21. Draft Minutes – Toi-EDA meeting 12 February 2018.**
- 22. Contracts For Offshore Geotechnical Investigations.**
- 23. WMO Factory Business Case Assessment.**
- 24. Ōpōtiki Harbour Development Project.**
- 25. Sale of 26 King Street.**

2. THAT the following persons be permitted to remain at this meeting after the public has been excluded because of their knowledge of the subject item in relation to the following. This knowledge will be of assistance and is relevant to the matters to be discussed:

Name: John Galbraith

Items: 22, 23 and 24

Business: **Contracts for Offshore Geotechnical Investigations, WMO Factory Business Case Assessment and Opotiki Harbour Development**

Reason: **To enable the accurate presentation of sensitive information to the Council and to provide responses to queries.**

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Item No	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
20.	Confirmation of In-Committee Minutes – Ordinary Council Meeting 19 December 2017	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.	Section 48(1)(a)
21.	Draft Minutes – Toi-EDA Meeting 12 February 2018	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.	Section 48(1)(a)
22.	Contracts For Offshore Geotechnical Investigations	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.	Section 48(1)(a)
23.	WMO Factory Business Case Assessment	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.	Section 48(1)(a)
24.	Ōpōtiki Harbour Development Project	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.	Section 48(1)(a)

25.	Sale of 26 King Street	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.	Section 48(1)(a)
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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 follows:

20.	Maintain effective conduct of public affairs Protect the privacy of natural persons Carry out negotiations Maintain legal professional privilege Protect information Carry out commercial activities Protection from improper pressure or harassment Prevent disclosure or use of official information	Section 7(2)(f)(i) & (ii) Section 7(2)(a) Section 7(2)(i) Section 7(2)(g) Section 7(2)(b)(i) & (ii); (c)(i) & (ii) Section 7(2)(h) Section 7(2)(f)(ii) Section 7(2)(j)
21.	Protect the privacy of natural persons Protect information	Section 7(2)(a) Section 7(2)(b) (i) & (ii)
22.	Protect the privacy of natural persons Protect information Carry out negotiations	Section 7(2)(a) Section 7(2)(b)(i) & (ii); (c)(i) Section 7(2)(i)
23.	Protect the privacy of natural persons Protect information Carry out negotiations	Section 7(2)(a) Section 7(2)(b)(i) & (ii); (c)(i) Section 7(2)(i)
24.	Protect the privacy of natural persons Protect information Prevent disclosure or use of official information	Section 7(2)(a) Section 7(2)(b)(i) & (ii); (c)(i) Section 7(2)(j)
25.	Protect the privacy of natural persons Protect information Free and frank expression of opinions Protection from improper pressure or harassment Carry out negotiations	Section 7(2)(a) Section 7(2)(b)(ii) Section 7(2)(f)(i) Section &(2)(f)(ii) Section 7(2)(i)

Young/McRoberts

Carried

RESOLVED

(1) That the resolutions made while the public was excluded, except for the resolutions for Items 22, 23 and 24, be confirmed in open meeting.

(2) That the public be readmitted to the meeting.

McRoberts/Young

Carried

RESOLVED

- (1) That the minutes of the Ordinary Council In-Committee meeting held on 19 December 2017 be confirmed as a true and correct record.**

HWTM/Browne

Carried

RESOLVED

- (1) That the draft minutes of the Toi-EDA meeting held on 12 February 2018 be received.**

Browne/Young

Carried

RESOLVED

- (1) That the report titled "Sale of 26 King Street" be received.**
(2) That officers complete the earthquake reassessment and reconsider options in conjunction with the Property Committee.

Riesterer/Browne

Carried

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 2.39PM.

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING A
TRUE AND CORRECT RECORD AT A SUBSEQUENT
MEETING OF THE COUNCIL HELD ON 24 APRIL 2018**

J H FORBES

HIS WORSHIP THE MAYOR