



**MINUTES OF AN ORDINARY COUNCIL MEETING DATED TUESDAY, 24 JULY 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
Arihia Tuoro
Ken Young

IN ATTENDANCE:

Aileen Lawrie (Chief Executive Officer)
Bevan Gray (Finance and Corporate Services Group Manager)
Gerard McCormack (Planning and Regulatory Group Manager)
Gae Newell (Personal Assistant to CEO and Mayor)

MEDIA:

James Sandbrook and Mike Fletcher (Opotiki News)

PUBLIC:

Mayor Tony Bonne (Whakatāne District Council)
Julie Gardyne (GM Strategy & Economic Development, Whakatāne District Council)
Francis Pauwels (General Manager, Toi-EDA)
Mr Chen
Shona Hammond Boys
Anton Steel
Kim Webby
Susan Impey
Hirini Gerrard
Daphne Beattie

In the absence of Councillor McRoberts, there was no prayer to open the meeting.

APOLOGIES

Councillor McRoberts.

Councillor Young for lateness.

RESOLVED

- (1) That the apologies be sustained.**

Tuoro/Riesterer

Carried

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

Nil.

His Worship the Mayor advised that a confidential item (tabled) will be considered in-committee as a matter of urgency. Although the item was not on the agenda, an issue which needs immediate attention has come to light and in order for a solution to be implemented, a resolution is required from Council as soon as possible.

Councillor Young entered the meeting at 9.02am.

PUBLIC FORUM

Nil.

- 1. CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING: 5 JUNE 2018** p4

RESOLVED

- (1) That the minutes of the Ordinary Council meeting held on 5 June 2018 be confirmed as a true and correct record.**

Browne/Tuoro

Carried

- 2. CONFIRMATION OF MINUTES – EXTRA ORDINARY COUNCIL MEETING 30 JUNE 2018** p15

RESOLVED

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

Riesterer/Browne

Carried

- 3. MINUTES – AUDIT AND RISK COMMITTEE MEETING 30 APRIL 2018** p24

RESOLVED

- (1) That the minutes of the Audit and Risk Committee meeting held on 30 April 2018 and any recommendations therein be received.**

Tuoro/Young

Carried

4. MINUTES – COAST COMMUNITY BOARD MEETING 8 MAY 2018 p42

RESOLVED

- (1) That the minutes of the Coast Community Board meeting held on 8 May 2018 and any recommendations therein be received.**

HWTM/Tuoro **Carried**

5. MINUTES – REGIONAL TRANSPORT COMMITTEE MEETING 15 JUNE 2018 p48

RESOLVED

- (1) That the minutes of the Regional Transport Committee meeting held on 15 June 2018 be received.**

HWTM/Young **Carried**

6. MINUTES – CIVIL DEFENCE EMERGENCY MANAGEMENT GROUP JOINT COMMITTEE MEETING 22 JUNE 2018 p57

RESOLVED

- (1) That the minutes of the Civil Defence Emergency Management Group Joint Committee meeting held on 22 June 2018 be received.**

HWTM/Browne **Carried**

7. MINUTES – EASTERN BAY OF PLENTY JOINT COMMITTEE MEETING 3 JULY 2018 p66

RESOLVED

- (1) That the minutes of the Eastern Bay of Plenty Joint committee meeting held on 3 July 2018 be received.**

Riesterer/HWTM **Carried**

8. MAYORAL REPORT 1 JUNE 2018 – 19 JULY 2018 p71

RESOLVED

- (1) That the report titled “Mayoral Report 1 June 2018 – 19 July 2018” be received.**

HWTM/Browne **Carried**

9. ŌPŌTIKI MARINE ADVISORY GROUP (OMAG) UPDATE

p74

RESOLVED

(1) That the report titled “Ōpōtiki Marine Advisory Group (OMAG) Update” be received.

Riesterer/HWTM

Carried

10. PROPOSED ŌPŌTIKI DISTRICT PLAN APPEALS IN RELATION TO DECISIONS ON SUBMISSIONS

p77

His Worship the Mayor requested that the Planning and Regulatory Group Manager periodically report back to Council. It was agreed that this will be added to the recommendations as clause 3.

RESOLVED

(1) That the report titled “Proposed Ōpōtiki District Plan Appeals in Relation to Decisions on Submissions” be received.

(2) That the Planning and Regulatory Group Manager be delegated full authority to represent, participate and settle on behalf of Ōpōtiki District Council in mediation, alternative resolution and/or court proceedings on all matters in relation to appeals to the Ōpōtiki District Plan.

(3) That the Planning and Regulatory Group Manager periodically report back to Council.

Riesterer/Tuoro

Carried

Mr Chen entered the meeting at 9.07am.

Mayor Tony Bonne and Julie Gardyne entered the meeting at 9.18am.

PRESENTATION – WHAKATĀNE WHARF/WATERFRONT PROJECT

Mayor Tony Bonne and GM Strategy and Economic Development Julie Gardyne, Whakatāne District Council gave a presentation on the Whakatāne Wharf/Waterfront Project. The presentation covered the following points:

- Wharf and Jetty Overview
- Current Wharf Situation
- Engineering Issues
- Economic Issues
- Relationship to Ōpōtiki Harbour
- Linkage CBD to Waterfront
- Wharf/Waterfront Objectives
- Why Focus on Tourism

- Collaborative Approach
- Work to Date
- Options

Following a discussion and question time, His Worship the Mayor thanked Mayor Bonne and Julie Gardyne for the presentation.

Francis Pauwels entered the meeting at 9.52am.

The meeting adjourned for morning tea at 9.59am and reconvened at 10.20am.

PRESENTATION – TOI-EDA

Francis Pauwels, General Manager of Toi-EDA, provided an update to Council with the aid of a powerpoint presentation which covered the following:

- Eastern Bay of Plenty Economic Development Story
- Provincial Growth Fund
- Priority Projects
- Tourism Key Insights and Research
- Start with the Best
- Logistics (Provincial Growth Fund)
- Māori Land – Ōmaio Model: driven by Core Values – He Tangata
- Workforce Supply

After some points of the presentation were discussed further with Council, His Worship the Mayor thanked Francis Pauwels for his attendance.

Shona Hammond Boys Kim Webby and Anton Steel entered the meeting at 10.52am.

Mayor Tony Bonne, Julie Gardyne and Francis Pauwels left the meeting at 10.59am.

PRESENTATION – THE BIG O

Shona Hammond Boys, standing in for Toiroa Williams, introduced Council to the concept of the Big O, along with naming the Board members. She stated that the initiative would be working with educational facilities around the teaching of introductory level media with a progression to having professional mentors on board for the higher level training.

The Big O will be producing a film adaptation of Shona Hammond Boys' book "Hair Do" and local youths will feature in various parts of the production of the movie.

Shona Hammond Boys noted that a long term goal of the Big O is to create a museum type attraction in Ōpōtiki, which would show the history of film in New Zealand, with focus progressing from the Eastern Bay to the Bay of Plenty and then New Zealand as a whole.

Kim Webby gave Council some background to films which have been made with a local influence.

Anton Steel shared the vision of bringing projects to the Bay of Plenty.

Susan Impey and Hirini Gerrard entered the meeting at 11.05am.

Daphne Beattie entered the meeting at 11.12am.

Susan Impey introduced Hirini Gerrard, who has a bright future in the world of film, to Council.

His Worship the Mayor thanked Shona Hammond Boys for the work she does in the community.

The Planning and Regulatory Group Manager left the meeting at 11.14am and returned at 11.16am.

The Finance and Corporate Services Group Manager left the meeting at 11.26am and returned at 11.37am.

The meeting adjourned for a break at 11.32am and reconvened at 11.38am. Shona Hammond Boys, Anton Steel, Kim Webby, Susan Impey, Hirini Gerrard and Daphne Beattie did not rejoin the meeting at this time.

11. TOWNSHIP ADDRESSING PROJECT

p137

Councillor Young expressed concern at the cost and the problems a change of address creates for people. He stated that he was against the project as the problems have not been defined, nor the cost.

Deputy Mayor Riesterer said she was wondering if Council should consult the public about the project.

His Worship the Mayor asked that the Planning and Regulatory Group Manager report back to Council on progress with the project.

RESOLVED

- (1) That the report titled "Township Addressing Project" be received.**
- (2) That Option 4 're-address roads and streets within the township where more than 60% of the properties have incorrect addresses' be adopted.**

Tuoro/Howe

Carried

Councillor Young asked for his vote against to be recorded.

Deputy Mayor Riesterer abstained from voting.

The Corporate Services Manager and the Property Officer entered the meeting at 11.41am.

12. NOTIFICATION OF LITTER INFRINGEMENT REGIME AS SET OUT IN SECTION 13 AND 14 OF THE LITTER CONTROL ACT 1979 **p142**

Deputy Mayor Riesterer stated she is not against fining for fly tipping but is concerned about the consequences on the community and would like to see more thought put into this.

In response to a query, the Planning and Regulatory Group Manager stated that enforcement is in accordance with Council's Enforcement Policy and there is capacity within Council to effect enforcement.

RESOLVED

- (1) That the report titled "Notification of Litter Infringement Regime as Set out in Section 13 and 14 of the Litter Control Act 1979" be received.**
- (2) That the proposed litter infringement fee structure as set out in Appendix A be approved for public notification.**

Riesterer/Howe

Carried

13. DOG CONTROL POLICIES AND PRACTICES REPORT 2017-2018 **p148**

Deputy Mayor Riesterer queried if the discontinuance of the drop box was right or wrong.

The Planning and Regulatory Group Manager stated litters were being dumped and the cost of euthanising was on Council. The onus has now been put back on people to be responsible owners and there is also the neutering programme. However, it is hard to quantify if there are more dogs around because of there being no drop box.

RESOLVED

- (1) That the report titled “Dog Control Policies and Practices Report 2017-2018” be received.**
- (2) That the Dog Control Policies and Practices Report 2017-18 attached in appendix 01 be adopted by Council and its availability publicly notified in the Opotiki News in accordance with Section 10A(3) of the Dog Control Act.**
- (3) That the Dog Control Policies and Practices Report 2017-18 attached in appendix 01 be filed with the Secretary for Local Government (Department of Internal Affairs) in accordance with section 10A(4) of the Dog Control Act.**

HWTM/Young

Carried

14. POLICY REVIEW: ROAD NAMING POLICY

p156

RESOLVED

- (1) That the report titled “Policy Review: Road Naming Policy” be received.**
- (2) That Council adopts the amended “Road Naming Policy”.**

Young/Riesterer

Carried

15. PROPERTY, i-SITE AND LIBRARY SIX MONTHLY ACTIVITY REPORT

p171

It was thought important that there are events at other times of the year rather than just the January/February Summer Festival. Staff will investigate options for events throughout the year.

RESOLVED

- (1) That the report titled “Property, i-SITE and Library Six Monthly Activity Report” be received.**

Browne/Tuoro

Carried

16. CHIEF EXECUTIVE OFFICER’S UPDATE

p179

Driver Licensing Function

Further to the update in the report, the Chief Executive Officer advised that NZTA are motivated to keep the licensing service and for Council to assist with facilitating that. The Chief Executive Officer said she was reasonably comfortable that the right long term solution has been identified and, hopefully, something can be arranged in the short term. She has offered NZTA some funding of around \$1,500 to support an interim solution.

Rates Increase

Referring to the rates increase, the Chief Executive Officer stated that a significant amount of the increase is the Regional Council river scheme targeted rate.

Council agreed with the suggestion from His Worship the Mayor that a letter to the Bay of Plenty Regional Council in order to keep up the momentum regarding river scheme equity and asking for ongoing dialogue around the issues. It was further agreed that a clause to that effect be added to the recommendations.

It was also agreed, following a suggestion from His Worship the Mayor, that a submission be sent to the Productivity Commission regarding the funding of Local Government. A clause will be added to the recommendations to note this.

The mover and seconder agreed to the two additional clauses being added to the recommendations.

RESOLVED

- (1) That the report titled "Chief Executive Officer's Update" be received.**
- (2) That a letter from Council be sent to the Bay of Plenty Regional Council regarding river scheme equity and asking for ongoing dialogue around the issues.**
- (3) That Council make a submission to the Productivity Commission regarding the funding of Local Government.**

HWTM/Riesterer

Carried

The meeting adjourned for lunch at 12.16pm and reconvened at 12.40pm. Mr Chen did not rejoin the meeting at this time.

A replacement Resolution to Exclude the Public was tabled, noting the extra item (Property Matter) which needs to be considered as a matter of urgency.

17. RESOLUTION TO EXCLUDE THE PUBLIC

Tabled

SECTION 48 LOCAL GOVERNMENT OFFICIAL INFORMATION & MEETINGS ACT 1987

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

18. Confirmation of In-Committee Minutes – Ordinary Council Meeting 5 June 2018

19. Minutes – Toi-EDA Meeting 11 June 2018.

Extra Item – Property Matter

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
18.	Confirmation of In-Committee Minutes – Ordinary Council Meeting 5 June 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)
19.	Minutes – Toi-EDA Meeting 11 June 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)
Extra Item	Property Matter	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)

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:

18.	Protect the privacy of natural persons Protect information Free and frank expression of opinions Protection from improper pressure or harassment Prevent disclosure or use of official information Carry out negotiations Maintain legal professional privilege Carry out commercial activities Avoid prejudice to measures protecting the health and safety of members of the public Avoid prejudice to measures that prevent or mitigate material loss to members of the public	Section 7(2)(a) Section 7(2)(b (i) & (ii) and Section 7(2)(c)(i) & (ii) Section 7(2)(f)(i) Section 7(2)(f)(ii) Section 7(2)(j) Section 7(2)(i) Section 7(2)(g) Section 7(2)(h) Section 7(2)(d) Section 7(2)(e)
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19.	Protect the privacy of natural persons Protect information	Section 7(2)(a) Section 7(2)(b)(i) & (ii)
Extra Item	Protect information Free and frank expression of opinions Protection from improper pressure or harassment Carry out commercial activities Avoid prejudice to measures protecting the health and safety of members of the public	Section 7(2)(b)(i) & (ii) Section 7(2)(f)(i) Section 7(2)(f)(ii) Section 7(2)(h) Section 7(2)(d)

Browne/Young

Carried

RESOLVED

- (1) That the resolutions made while the public was excluded be confirmed in open meeting.**
- (2) That the public be readmitted to the meeting.**

Tuoro/Browne

Carried

RESOLVED

- (1) That the in-committee minutes of the Ordinary Council meeting held on 5 June 2018 be confirmed as a true and correct record.**

Tuoro/Young

Carried

RESOLVED

- (1) That the minutes of the Toi-EDA meeting held on 11 June 2018 be received.**

Browne/Tuoro

Carried

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 1.37PM.

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING A
TRUE AND CORRECT RECORD AT A SUBSEQUENT
MEETING OF THE COUNCIL HELD ON 28 AUGUST 2018**

J H FORBES

HIS WORSHIP THE MAYOR