



**MINUTES OF AN ORDINARY COUNCIL MEETING DATED THURSDAY, 31 OCTOBER 2019 AT THE
ŌPŌTIKI RSA, 103 ST JOHN STREET, ŌPŌTIKI AT 10.12AM AND RECONVENED IN THE ŌPŌTIKI
DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, ŌPŌTIKI AT 11.03AM**

PRESENT:

Mayor Lyn Riesterer
Councillors:
Shona Browne
Debi Hocart
Barry Howe
David Moore
Steve Nelson
Louis Rāpihana

Coast Community Board Members:
Michael Collier
Gail Keepa
Jack Parata
Allen Waenga

IN ATTENDANCE:

Aileen Lawrie (Chief Executive Officer)
Gerard McCormack (Planning and Regulatory Group Manager)
Ari Erickson (Engineering and Services Group Manager)
Gae Finlay (Executive Assistant and Governance Support Officer)
Several other Ōpōtiki District Council staff members

PUBLIC:

Elected Members' guests
Invited guests
Several members of the public

MEDIA:

James Sandbrook (Ōpōtiki News)

A pohiri and morning tea took place prior to the commencement of the meeting.

The Chief Executive Officer took the Chair. She welcomed everyone to the meeting.

Louis Rāpihana opened the meeting with a karakia.

APOLOGIES

Nil.

The Chief Executive Officer extended congratulations to the elected members. She noted the high voter turnout in the Ōpōtiki district and thanked the candidates who went out and encouraged people to vote.

1. ELECTION RESULTS

p3

The Electoral Officer's Declaration of Results of Election for the Ōpōtiki District Council 2019 elections was received.

2. DECLARATIONS

p5

Her Worship the Mayor

Lyn Riesterer attested her declaration for the Mayoral position which was received by the Chief Executive Officer.

Robert Edwards, Danny Poihipi and Bill Maxwell then placed the Mayoral chains on Her Worship the Mayor.

Her Worship the Mayor took the Chair for the remainder of the meeting.

Councillors

Her Worship the Mayor received the declarations for each of the Councillors in the order of:

Councillor Browne

Councillor Hocart

Councillor Howe

Councillor Moore

Councillor Nelson

Councillor Rāpihana

Coast Community Board Members

Her Worship the Mayor received the declarations for each of the Coast Community Board members in the order of:

Michael Collier

Gail Keepa

Tiaki (Jack) Parata

Allen Waenga
Louis Rāpihana

Her Worship the Mayor addressed the meeting.

The meeting adjourned at 10.44am and reconvened in the Ōpōtiki District Council Chambers at 11.03am.

3. APPOINTMENT OF DEPUTY MAYOR **p9**

RESOLVED

- (1) That the report titled “Appointment of Deputy Mayor” be received.**
- (2) That the Council endorses the appointment by the Mayor of Councillor Shona Browne as Deputy Mayor.**

HWTM/Hocart

Carried

4. ELECTION OF COAST COMMUNITY BOARD CHAIRPERSON AND DEPUTY CHAIRPERSON **p11**

It was agreed that System A be used to determine the appointment of the Coast Community Board Chairperson and Deputy Chairperson.

Jack Parata nominated Louis Rāpihana as Chairperson and Allen Waenga as Deputy Chairperson of the Coast Community Board. This was seconded by Mike Collier.

Councillor Rāpihana and Allen Waenga accepted their respective nominations.

RESOLVED

- (1) That the report titled “Election of Coast Community Board Chairperson and Deputy Chairperson” be received.**
- (2) That the Coast Community Board resolve to use System A to determine the appointment of the Chairperson and Deputy Chairperson.**
- (3) That Coast Community Board member Louis Rāpihana be elected to the position of Coast Community Board Chairperson.**
- (4) That Coast Community Board members Allen Waenga be elected to the position of Coast Community Board Deputy Chairperson.**

Parata/Collier

Carried

5. PROPOSAL TO APPOINT CULTURAL AMBASSADOR

p14

RESOLVED

- (1) That the report titled "Proposal to Appoint Cultural Ambassador" be received.**
- (2) That Council appoint Councillor Louis Rāpihana to the role of Ōpōtiki District Council Cultural Ambassador.**

Howe/Browne

Carried

The Engineering and Services Manager entered the meeting at 11.09am.

6. RISK AND ASSURANCE COMMITTEE AND APPOINTMENT OF CHAIR

p16

Councillor Howe said he believed Council should advertise on the open market for the independent positions on the Risk and Assurance Committee. He further stated that Councillors all campaigned on inclusiveness and he wants the community to have the opportunity to come forward. The community has always felt it has not been brought on board by Council.

The Chief Executive Officer stated that some Councils have advertised for independent positions. There is a Job Description and there would be a cost for recruitment. The successful applicant would need to be someone who has an understanding of the processes involved.

Councillor Browne stated that Arihia Tuoro has proven in the last two terms that she is more than capable of chairing the Risk and Assurance Committee and she has no problem with that appointment whatsoever.

Her Worship the Mayor put forward that it is not about the people; it is about how you want to view this committee. Council is in the middle of some significant projects and she was looking for some continuity by having an ex-Councillor who has the knowledge. David Love also brings the capabilities Council needs from the wider perspective, adding that there is a Councillor also appointed to the Risk and Assurance Committee.

Councillor Moore was in favour of going out to the market.

Councillor Nelson thought it would be good to go out to the market.

Councillor Hocart stated that she was sitting on the fence but maybe Arihia Tuoro is the best person for the position of independent Chair.

Councillor Rāpihana supported Councillor Howe's view of including the entire community.

The Chief Executive Officer noted that the Risk and Assurance Committee meeting is set down for 25 November. A recruitment process could take four weeks which would mean an appointment could not be made until the January Council meeting. She suggested that the independent member, David Love, be retained in the role during the recruitment process time. The Mayor could Chair the committee during this time.

It was agreed that clause 3 of the recommendations be replaced as follows:

- (3) *That Council direct staff to bring recommendations for undertaking an expressions of interest process for the position of independent Risk and Assurance Committee Chair and independent member.*
- (4) *That David Love continue in the interim until those appointments are made.*

RESOLVED

- (1) That the report titled "Risk and Assurance Committee and Appointment of Chair" be received.**
- (2) That the Council endorses the decision to continue the committee and adopts the attached Terms of Reference.**
- (3) That Council direct staff to bring recommendations for undertaking an expressions of interest process for the position of independent Risk and Assurance Committee Chair and independent member.**
- (4) That David Love continue in the interim until those appointments are made.**

Browne/Hocart

Carried

7. CONFIRMATION OF COUNCIL AND JOINT COMMITTEES AND EXTERNAL ORGANISATION APPOINTMENTS

p22

Councillor Howe stated that he would like to be on the Property Working Party. He did not agree with an ex-Councillor being appointed to this working party and suggested that Councillors Moore and Nelson would be suitable.

Her Worship the Mayor noted the importance of continuity. There are other appointment positions which will take time to become familiar with.

The Chief Executive Officer stated that the Property Working Party was set up as an advisory group to give advice to staff. It is quite an informal mechanism.

Councillor Howe moved an amendment to the proposed membership of the Property Working Party:

That Councillors Moore, Nelson, Howe and Browne be appointed to the Property Working Party.

MOTION

Moved: Councillor Howe

Seconded: Councillor Rāpihana

The motion was PUT and CARRIED.

RESOLVED

That Councillors Moore, Nelson, Howe and Browne be appointed to the Property Working Party.

Howe/Rāpihana

Carried

RESOLVED

- (1) That the report titled "Confirmation of Council and Joint Committees and External Organisation Appointments" be received.**
- (2) That Council endorse the confirmation of the following committees for the 2019-2022 Triennium:**
 - A) Risk and Assurance Committee (refer separate report).**
 - B) Regulatory Appeals Committee.**
 - C) Eastern Bay of Plenty Joint Committee.**
 - D) Eastern Bay of Plenty Road Safety Committee.**
 - E) Regional Transport Committee.**
 - F) Civil Defence Emergency Management Group Joint Committee.**
- (3) That the Council approve the Terms of Reference and any associated delegations for the committees as attached to this report.**
- (4) That Council appoints/reconfirms the following members (and chairpersons) to the Council and Joint Committees as below.**

- (5) That Council appoints/reconfirms the following members to external organisations as below.
- (6) That the Council delegate to the Regulatory Appeals Committee the authority to hear, consider and determine objections under the Dog Control Act 1996 in respect of:
Classification as a probationary owner (s22)
Classification as a disqualified owner (s26)
Classification as a dangerous dog (s31)
Classification as a menacing dog (s33b and 33d).
- (7) That Council delegates to the Regulatory Appeals Committee the authority to hear, consider and determine objections under the Litter Act 1979 in respect of:
A notice issued under Section 10 of this Act requiring an occupier of private land to clear litter from it.
- (8) That Council delegates to the Regulatory Appeals Committee the authority to hear objections against certain decisions as set out in Section 357 of the Resource Management Act 1991.

Council Committees	2019-2022 Triennium
Risk and Assurance	Member: Cr Steve Nelson Mayor Riesterer Ex Officio Interim external member David Love

Council Committees	2019-2022 Triennium
Hearings Committee – Regulatory Appeals	Member 1: Cr Howe Member 2: Cr Rāpihana Member 3: Cr Hocart Committee to elect Chairperson at first meeting

Joint Committees	2019-2022 Triennium
Eastern Bay of Plenty Joint Committee	Mayor Riesterer Cr Nelson
Regional Transport Committee	Mayor Riesterer Reserve: Cr Moore

Civil Defence Emergency Management Group Joint Committee	Mayor Riesterer Reserve: Cr Browne
Eastern Bay Road Safety Committee	Cr Moore

Non-Statutory Internal Working Parties/Groups	2019-2022 Triennium Representatives
CBD/Town Revitalisation Project	Mayor Riesterer Crs Howe, Browne, Nelson
Youth initiative (details to be confirmed following consultation) e.g. Future leaders, Tuia	TBC
Property Working Party	Cr Howe Cr Moore Cr Nelson Cr Browne
Library Fundraising Working Party	Mayor Riesterer Cr Browne Cr Rāpihana

External Organisation	2019-2022 Triennium Representative
Creative Communities New Zealand (Two required)	Cr Hocart Mayor Riesterer ex officio
Waiouka-Otara Flood Scheme Liaison Group (Two Required)	Cr Nelson Cr Moore
Ōhiwa Harbour Implementation Forum (One required)	Mayor Riesterer Reserve: Cr Hocart
Ōpōtiki Marine Advisory Group (OMAG) (Two required)	Mayor Riesterer Cr Howe Cr Browne
Ōpōtiki Theatre Trust	Cr Hocart
Sport NZ Rural Travel Fund	Cr Howe

HWTM/Howe

Carried

8. LEGISLATIVE ADVICE FOR THE INCOMING COUNCIL 2019-2020 **p38**

The Chief Executive Officer spoke to the report with the aid of a powerpoint presentation.

RESOLVED

- (1) That the report titled "Legislative Advice for the Incoming Council" be received.**

Nelson/Hocart

Carried

Councillor Browne left the meeting at 11.47am and returned at 11.49am.

9. FIXING OF DATE AND TIME OF FIRST ORDINARY COUNCIL MEETING **p57**

RESOLVED

- (1) That the report titled "Fixing of Date and Time of First Ordinary Council Meeting" be received.**
- (2) That the first Ordinary meeting of the Ōpōtiki District Council be held on Tuesday, 12 November 2019, commencing at 9.00am in the Council Chambers, 108 St John Street, Ōpōtiki.**

Hocart/Browne

Carried

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 12.15PM.

THE FOREGOING MINUTES ARE CERTIFIED AS BEING A TRUE AND CORRECT RECORD AT A SUBSEQUENT MEETING OF THE COUNCIL HELD ON 12 NOVEMBER 2019

L J RIESTERER

HER WORSHIP THE MAYOR