

NOTICE OF AN ORDINARY COUNCIL MEETING

**Opōtiki District Council Chambers, 108 St John Street, Opōtiki
Tuesday, 13 November 2016
Commencing at 9.00am**

ORDER PAPER

OPENING KARAKIA / PRAYER / INSPIRATIONAL READING – DEPUTY MAYOR RIESTERER

APOLOGIES

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

PUBLIC FORUM

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PUBLIC EXCLUDED BUSINESS

- ITEM 12 CONFIRMATION OF IN-COMMITTEE MINUTES – ORDINARY COUNCIL MEETING 9 OCTOBER 2018**
- ITEM 13 IN-COMMITTEE MINUTES – AUDIT AND RISK COMMITTEE MEETING 13 SEPTEMBER 2018**
- ITEM 14 DRAFT MINUTES – TOI-EDA MEETING 1 OCTOBER 2018**
- ITEM 15 2017-18 CAPITAL EXPENDITURE CARRY FORWARDS**
- ITEM 16 ŌPŌTIKI WATER SUPPLY RESILIENCE – ST JOHN STREET VARIATION**
- ITEM 17 LAND ACQUISITION UPDATE**
- ITEM 18 RESOLUTION TO RESTATE RESOLUTIONS AND READMIT THE PUBLIC**

Chair: His Worship the Mayor – John Forbes

Members: Cr Lyn Riesterer (Deputy Mayor)

Cr Shona Browne

Cr Barry Howe

Cr Haki McRoberts

Cr Arihia Tuoro

Cr Ken Young

Committee Secretary: Gae Newell

Quorum: 4

LOCAL AUTHORITIES (MEMBERS' INTERESTS) ACT 1968

Councillors are reminded that if you have a pecuniary or non-pecuniary interest in any item on the agenda, then you must declare this interest and refrain from discussing or voting on this item, and are advised to withdraw from the Council chamber.

Aileen Lawrie

CHIEF EXECUTIVE OFFICER



**MINUTES OF AN ORDINARY COUNCIL MEETING DATED TUESDAY, 9 OCTOBER 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
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)
Ari Erickson (Engineering and Services Group Manager)
Joseph Hayes (Events and Senior i-SITE Officer)
Gae Newell (Personal Assistant to CEO and Mayor)

MEDIA:

James Sandbrook (Opotiki News)

PUBLIC:

Rangitahi Wharepapa
George and Susan Holt
Janet Thompson
Susan Cook

Councillor Tuoro opened the meeting with a prayer.

APOLOGIES

Nil.

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

Councillors Young, Howe and Tuoro declared an interest in relation to any items pertaining to the Opotiki Harbour Development Project and Whakatōhea Mussels (Opotiki) Ltd.

PUBLIC FORUM

Liquor Ban – Maraetai Bay

Rangitahi Wharepapa stated there are issues with people drinking and using drugs at Maraetai Bay on a regular basis. There was an occurrence recently where relatives were cleaning up the aftermath of a party. Rangitahi Wharepapa said she is trying to change this continuous cycle; she is doing this on her own as she believes it is quite simple: Do we want a beautiful pristine beach or do we want broken glass on the beach?

Rangitahi Wharepapa further stated that she has 253 signatures on a petition in support of her plea to Council, adding that she has made contact with the local police on many occasions but they have not got back to her but she is still trying to build a relationship with them. She asked Council to consider her concerns.

His Worship the Mayor suggest to Rangitahi Wharepapa that she talk to the Coast Community Board. Council does have jurisdiction over the reserve and some jurisdiction, along with DOC and the Regional Council, in relation to beaches.

The Planning and Regulatory Group Manager stated that there are different aspects to the points raised by Rangitahi Wharepapa. Council is in the process of introducing a litter infringement regime and has some funding from central Government to do compliance monitoring. Currently, there is a liquor ban in place for two weeks over summer. The Liquor Bylaw will be reviewed in December. Crime and disorder are factors and it is important that incidents are reported to the police and to Council as a service request. The more information Council has will assist with the bylaw review.

Rangitahi Wharepapa and the Planning and Regulatory Group Manager left the meeting at 9.15am.

1. CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING: 28 AUGUST 2018 p4

RESOLVED

- (1) That the minutes of the Ordinary Council meeting held on 28 August 2018 be confirmed as a true and correct record.**

Riesterer/Tuoro

Carried

2. MINUTES – AUDIT AND RISK COMMITTEE MEETING 16 AUGUST 2018 p15

RESOLVED

- (1) That the minutes of the Audit and Risk Committee meeting held on 16 August 2018 and any recommendations therein be received.**

Tuoro/Young

Carried

3. MINUTES – COAST COMMUNITY BOARD MEETING 31 JULY 2018 p24

RESOLVED

- (1) That the minutes of the Coast Community Board meeting held on 31 July 2018 and any recommendations therein be received.**

McRoberts/Tuoro

Carried

4. MINUTES – REGIONAL TRANSPORT COMMITTEE MEETING 14 SEPTEMBER 2018 p29

Councillor Young advised that he raised the cleaning of the Waioeka Bridge at the Regional Transport Committee meeting. The response was that there is no budget for bridge cleaning.

RESOLVED

- (1) That the minutes of the Regional Transport Committee meeting held on 14 September 2018 be received.**

Young/HWTM

Carried

The Planning and Regulatory Group Manager rejoined the meeting at 9.18am.

5. MAYORAL REPORT 24 AUGUST 2018 – 4 OCTOBER 2018 p37

RESOLVED

- (1) That the report titled “Mayoral Report 24 August 2018 – 4 October 2018” be received.**

HWTM/McRoberts

Carried

6. ŌPŌTIKI MARINE ADVISORY GROUP (OMAG) UPDATE p41

RESOLVED

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

Riesterer/Browne

Carried

7. ŌPŌTIKI HARBOUR DEVELOPMENT PROJECT VALIDATION STAGE CLOSURE REPORT p44

RESOLVED

- (1) That the report titled "Opotiki Harbour Development Project Validation Stage Closure Report" be received.**

HWTM/Tuoro

Carried

8. REGIONAL GROWTH LEADERSHIP GROUP p60

His Worship the Mayor commended Kiri Allan and Sir Michael Cullen for the work they have done in bringing this together.

It was agreed that a letter be sent to Kiri Allan and Sir Michael acknowledging their work in relation to the Regional Growth Leadership Group. The mover and seconder agreed to a clause being added to the recommendations in this regard.

His Worship the Mayor also acknowledged the Finance and Corporate Services Group Manager for his input. He thanked the Chief Executive Officer for the resources which went into the Regional Growth Leadership Group, acknowledging that this put a lot of pressure on the organisation.

Council agreed that a presentation to the community in the form of a public meeting to present the Eastern Bay Report would be advantageous. The Chief Executive Officer was asked to look at organising a public meeting

The Chief Executive Officer suggested that a further clause be added to the recommendations endorsing the continuation of the Regional Growth Leadership Group to drive the recommendations of the report. The mover and seconder agreed to the additional clause.

RESOLVED

- (1) That the report titled "Regional Growth Leadership Group" be received.**
- (2) That Council endorse the report "Eastern Bay of Plenty: Regional Development Project" authored by Stakeholder Strategies.**
- (3) That a letter be sent to Kiri Allan and Sir Michael Cullen, acknowledging the work they have put into the Regional Growth Leadership Group.**
- (4) That Council endorses the continuation of the Regional Growth Leadership Group to drive the recommendations of the report.**

McRoberts/Riesterer

Carried

The Events and Senior i-SITE Officer entered the meeting at 9.49am.

Councillor Tuoro left the meeting at 9.56am and returned at 9.59am.

Councillor Howe left the meeting at 10.00am and returned at 10.02am.

The meeting adjourned for morning tea at 10.05am and reconvened at 10.19am.

Item 12 was considered prior to item 9.

9. APPROVAL OF LITTER INFRINGEMENT REGIME AS SET OUT IN SECTION 13 AND 14 OF THE LITTER CONTROL ACT 1979

In response to a query, the Planning and Regulatory Group Manager advised that Council does have the personnel resource to undertake the work.

Councillor Tuoro stated she would like to see the community involved in owning the litter infringement regime and some exposure given to it on Facebook and social media.

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 1 be approved:**

Infringement	First Offence	Second of subsequent offence within one year
Litter, of less than or equal to 1L, left in a public space, or on private land, without the occupier's consent	\$75	\$200
Litter, of more than 1L and less than or equal to 20L, left in a public space, or on private land without the occupier's consent*	\$100	\$400
Litter, of more than 20L and less than or equal to 120L, left in a public space, or on private land without the occupier's consent**	\$250	\$400
Litter, of more than 120L, left in a public space, or on private land without the occupier's consent	\$400	\$400
Hazardous litter or offensive litter left in a public space, or on private land without the occupier's consent	\$400	\$400

*20L is the approximate maximum capacity of two standard supermarket bags in normal conditions.

**120L is the approximate maximum capacity of a standard mobile garbage bin in normal conditions.

Hazardous litter refers to broken glass, barbed wire, jagged metal, medicines, hazardous waste.

Offensive waste refers to rotting food, animal remains, faeces and discarded nappies.

Browne/Howe

Carried

10. REVIEW OF COUNCIL'S CLASS 4 VENUE POLICY (GAMBLING POLICY)

p147

The Planning and Regulatory Group Manager tabled two papers: Gambling Harm Statistics for Ōpōtiki and The Southern Trust Grant Return.

Deputy Mayor Riesterer stated that Ōpōtiki is oversubscribed with the number of gaming machines and we cannot get rid of them any faster. She questioned how could Council get central Government to help with that.

Following a discussion regarding the impact of gaming machines on the community, it was agreed that the Planning and Regulatory Group Manager will bring a report back to Council around the social impact.

RESOLVED

- (1) That the report titled "Review of Council's Class 4 Venue Policy (Gambling Policy)" be received.**

Browne/Howe

Carried

11. ŌPŌTIKI COMMUNITY DRIVER MENTOR PROGRAMME – UPDATE AND PLANS FOR 2018-2019

p157

RESOLVED

- (1) That the report titled "Ōpōtiki Community Driver Mentor Programme – Update and Plans for 2018-2019 be received.**
- (2) That the support and involvement of the Eastern Bay of Plenty Road Safety Committee, Toi-EDA, and Bay of Plenty Regional Council in enabling the Ōpōtiki Community Driver Mentor Programme to continue for a further year be acknowledged.**

Riesterer/Browne

Carried

Janet Thompson left the meeting at 10.47am

Item 12 was considered prior to Item 9

12. SUMMER FESTIVAL FUNDING APPLICATIONS **p161**

Deputy Mayor Riesterer expressed the view that Council should be applying for a higher amount of funding, adding that the gambling organisations are not putting as much back into the community as they could be.

RESOLVED

- (1) That the report titled "Summer Festival Funding Applications" be received.**
- (2) That Council approves a funding application to be lodged with the Southern Trust to support the 2018/19 Summer Festival subject to quotes.**
- (3) That Council approves a funding application to be lodged with The Lion Foundation to support the 2018/19 Summer Festival subject to quotes.**

McRoberts/Tuoro

Carried

The Events and Senior i-SITE Officer left the meeting at 10.21am.

13. CHIEF EXECUTIVE OFFICER'S UPDATE **p164**

RESOLVED

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

HWTM/Riesterer

Carried

Susan Cook, George Holt, Susan Holt and James Sandbrook left the meeting at 11.07am.

14. RESOLUTION TO EXCLUDE THE PUBLIC **p173**

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:

- 15. Confirmation of In-Committee Minutes – Ordinary Council Meeting 28 August 2018.**
- 16. In-Committee Minutes – Audit and Risk Committee Meeting 16 August 2018.**
- 17. Draft Minutes – Toi-EDA Meeting 3 September 2018.**
- 18. Financial 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
15.	Confirmation of In-Committee Minutes – Ordinary Council Meeting 28 August 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)
16.	In-Committee Minutes – Audit and Risk committee Meeting 16 August 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)
17.	Draft Minutes – Toi-EDA Meeting 3 September 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)
18.	Financial 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:

15.	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	Section 72(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)
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	Avoid prejudice to measures that prevent or mitigate material loss to members of the public Commercial sensitivity	Section 7(2)(e) Section 7(2)(ii)
16.	Maintain effective conduct of public affairs Protect information Protect the privacy of natural persons Carry out negotiations	Section 7(2)(f)(i) & (ii) Section 7(2)(b)(i) & (ii), (d) and (e) Section 7(2)(a) Section 7(2)(i)
17.	Protect the privacy of natural persons Protect information	Section 7(2)(a) Section 7(2)(b)(i) & (ii)
18.	Protect the privacy of natural persons Protect information	Section 7(2)(a) Section 7(2)(b)(ii)

McRoberts/Young

Carried

RESOLVED

- (1) That the in-committee minutes of the Audit and Risk Committee meeting held on 16 August 2018 and any recommendations therein be received.**

Young/Tuoro

Carried

RESOLVED

- (1) That the report draft minutes of the Toi-EDA meeting held on 3 September 2018 be received.**

HWTM/Riesterer

Carried

RESOLVED

- (1) That the report titled "Financial Matter" be received.**

HWTM/McRoberts

Carried

RESOLVED

- (1) That the resolutions made while the public was excluded, except for clause 2 of the resolutions for Item 18 (Financial Matter), be confirmed in open meeting.**
- (2) Clause 2 of the resolutions for Item 18 (Financial Matter) will be retained in-committee until the next in-committee meeting of Council.**
- (3) That the public be readmitted to the meeting.**

Riesterer/Browne

Carried

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 11.48AM.

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING A
TRUE AND CORRECT RECORD AT A SUBSEQUENT
MEETING OF THE COUNCIL HELD ON 13 NOVEMBER
2018**

J H FORBES

HIS WORSHIP THE MAYOR



**MINUTES OF AN EXTRA ORDINARY COUNCIL MEETING DATED TUESDAY, 30 OCTOBER 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
Haki McRoberts
Ken Young

IN ATTENDANCE:

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

APOLOGY

Councillor Tuoro.

RESOLVED

(1) That the apology be sustained.

Browne/Riesterer

Carried

DECLARATION OF ANY INTERESTS IN RELATION TO AGENDA ITEM

Nil.

1. ADOPTION OF 2017/18 ANNUAL REPORT

p3

The 2017/18 Annual Report was tabled, together with an updated 2017/18 Summary Annual Report.

The Finance and Corporate Services Group Manager spoke to the report and answered queries.

Councillors acknowledged the large amount of work put into the Annual Report process and document from the Finance and Corporate Services Group Manager and staff.

RESOLVED

- (1) That the report titled "Adoption of 2017/18 Annual Report" be received.**
- (2) That the 2017/18 Annual Report and Summary Annual Report be adopted.**

Young/Riesterer

Carried

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 9.26AM.

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING A
TRUE AND CORRECT RECORD AT A SUBSEQUENT
MEETING OF THE COUNCIL HELD ON 13 NOVEMBER
2018.**

J H FORBES

HIS WORSHIP THE MAYOR



MINUTES OF A MEETING OF THE COAST COMMUNITY BOARD HELD AT TE RUNANGA O TE WHĀNAU OFFICES, STATE HIGHWAY 35, TE KAHA ON TUESDAY, 11 SEPTEMBER 2018 AT 10.13AM

PRESENT:

Haki McRoberts (Chairperson)

Mike Collier

Gail Keepa

Jack Parata

Allen Waenga

Deputy Mayor Lyn Riesterer

IN ATTENDANCE:

Ari Erickson (Engineering and Services Group Manager)

Gae Newell (PA to CEO and Mayor)

The Chairperson welcomed everyone to the meeting and thanked Deputy Mayor Riesterer for attending.

KARAKIA

The Chairperson opened the meeting with a karakia.

APOLOGIES

Nil.

PUBLIC FORUM

Nil.

1. CONFIRMATION OF MINUTES – COAST COMMUNITY BOARD MEETING 31 JULY 2018 p3

RESOLVED

- (1) That the minutes of the Coast Community Board meeting held on 31 July 2018 be confirmed as a true and correct record.**

Parata/Collier

Carried

2. ACTION SCHEDULE

p14

The Engineering and Services Group Manager spoke to the Action Schedule.

Tōrere School Walking Track

It was noted that the track has been tidied up and a gate installed. Mike Collier will follow up regarding further development of a footpath up to the school.

Te Kaha Water Supply

The southern extension is still in negotiations. Staff are investigating the potential to move the infrastructure which will come at a substantial cost if the families still in negotiation do not agree.

The Te Kaha water supply has turbidity issues that could be resolved by moving. There are, however, technical solutions at the current location that could also resolve the issues, such as flocculation. Council is looking at all options.

RESOLVED

- (1) That the Action Schedule be received.**

Waenga/Parata

Carried

3. 2018 ELECTED MEMBER DETERMINATION

p11

RESOLVED

- (1) That the report titled "2018 Elected Member Determination" be received.**
(2) That the changes to remuneration and allowances be endorsed for use:

Coast Community Board

Member

\$4,891

Allowances

Vehicle Mileage

- a rate of 73 cents per km for petrol and diesel vehicles up to 10,000km.
- a rate of 81 cents per km for electric and hybrid vehicles up to 10,000km.
- a rate of 37 cents per km for travel over 10,000km.

Travel Time

- a reimbursement of \$37.50 per hour of travel after the first hour per day.
- a maximum reimbursement of 8 hours travel time per day.

Communications

- For the use of a personal computer, tablet, or laptop \$200 per annum.
- For the use of a printer, \$40 per annum.
- For the use of a mobile phone, \$150 per annum.
- For the use of own internet service, \$400 per annum.
- For the use of mobile phone service and calls, either \$400 per annum, or actual cost of calls.

Waenga/McRoberts

Carried

4. COAST INITIATIVES FUND

p15

RESOLVED

- (1) That the report titled "Coast Initiatives Fund" be received.**

Parata/Waenga

Carried

5. COAST INITIATIVES FUND APPLICATION – TAUIRAMAITAWHITI KAPA HAKA

p20

The Board approved the application from Tauramaitawhiti Kapa Haka to assist with the costs associated with the group's attendance at Te Matatini 2019. It was agreed that funding be provided in the sum requested of \$10,000.

RESOLVED

- (1) That the funding application from the Tauramaitawhiti Kapa Haka be received.**
- (2) That the sum of \$10,000 be paid to Tauramaitawhiti Kapa Haka to assist with the costs associated with the group's attendance at Te Matatini 2019.**

Waenga/Parata

Carried

6. COAST INITIATIVES FUND APPLIATION (RE-SUBMITTED) –MĀORI GIRLS CHARITABLE TRUST

p27

The Board agreed that they would not reconsider the re-submitted funding application from Maori Girls Charitable Trust.

The Board members agreed that as the building is located on private Maori title, the application does not meet the criteria. The decision to decline the application made at the last Board meeting stands.

The Secretary will advise the applicant of the Board's decision.

RESOLVED

- (1) That the re-submitted funding application from Māori Girls Charitable Trust be received.**
- (2) That the secretary advise the applicant that the Board's original decision stands and the application is declined.**

Collier/Parata

Carried

The Chairperson closed the meeting with a karakia.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 11.18AM.

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING
A TRUE AND CORRECT RECORD AT A SUBSEQUENT
MEETING OF THE COAST COMMUNITY BOARD HELD
ON TUESDAY, 23 OCTOBER 2018.**

HAKI McROBERTS

CHAIRPERSON

COAST COMMUNITY BOARD



MINUTES OF AN ŌPŌTIKI DISTRICT COUNCIL AUDIT AND RISK COMMITTEE MEETING HELD ON MONDAY, 13 SEPTEMBER 2018 IN THE OPOTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, ŌPŌTIKI AT 10.00AM

PRESENT:

Councillor Arihia Tuoro (Chairperson)
Councillor Ken Young
David Love
Mayor John Forbes

Deputy Mayor Lyn Riesterer

IN ATTENDANCE:

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

MEDIA:

James Sandbrook (Ōpōtiki News)

APOLOGIES

His Worship the Mayor for lateness; Councillor Young for lateness.

RESOLVED

(1) That the apologies be sustained.

Love/Tuoro

Carried

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

David Love noted that he is a Bay of Plenty Regional Councillor and is also a member of the Regional Council's Audit and Risk Committee.

Councillor Young entered the meeting at 10.03am.

PUBLIC FORUM

Nil.

1. CONFIRMATION OF MINUTES – AUDIT AND RISK COMMITTEE MEETING 16 AUGUST 2018

p5

In response to a query from David Love as to whether there has been any action regarding banking, the Finance and Corporate Services Group Manager stated that this is an in-committee item later in the agenda.

Councillor Young queried if a letter has been sent to the Bay of Plenty Regional Council in relation to the current position with the Harbour Development Project.

The Chief Executive Officer advised that letters have been sent to the Regional Council.

The Ōpōtiki Harbour Development Project will be discussed at the 27 September 2018 Bay of Plenty Regional Council meeting.

Action: David Love to provide feedback to the Bay of Plenty Regional Council in relation to the current position with the Ōpōtiki Harbour Development Project.

The Chairperson noted that all action items which come out of Audit and Risk Committee meetings are to go on the Action Schedule.

It was noted that the Chairperson and Deputy Mayor Riesterer recently attended an LGNZ Chairing Practice Workshop.

RESOLVED

- (1) That the minutes of the Audit and Risk Committee meeting held on 16 August 2018 be confirmed as a true and correct record.**

Love/Young

Carried

His Worship the Mayor entered the meeting at 10.08am.

2. ACTION SCHEDULE

p14

The Finance and Corporate Services Group Manager stated that, despite the quick turnaround time between meetings, a couple of items on the Action Schedule have been completed.

Legislative Compliance

There is a report in the Draft Annual Report document (pages 103-110). This has been sent to Audit New Zealand for feedback on whether it meets the requirements. He noted that the auditors are on-site next week for two weeks.

The Chief Executive Officer commented that staff found the Legislative Compliance section difficult to populate.

Tolerance Levels on Purchase Orders

The Finance and Corporate Services Group Manager stated that he is comfortable with the tolerance levels Council now has. He will discuss this matter further with the auditors through the audit process, although he sees this item as completed.

The Finance and Corporate Services Group Manager advised that Audit New Zealand have not provided any specific guidance on the tolerance levels they wish to see but they are comfortable that Council is on the way to a controls based audit for next year.

His Worship the Mayor asked that the names of items such as Purchase Orders be written out in full, rather than using acronyms.

RESOLVED

(1) That the Action Schedule be received.

Young/Tuoro

Carried

The Planning and Regulatory Group Manager entered the meeting at 10.15am.

3 ADOPTION OF 2018 DRAFT ANNUAL REPORT FOR AUDIT

p15

The Chairperson and Councillor Young both noted that the Draft Annual Report document was received late and there was no time to read it properly.

David Love extended congratulations to staff for getting the document out, given the problems around the Harbour Project.

David Love conveyed some annoyance that the list of payments detailed on page 134 of the agenda showed miscellaneous items as being far more than the rest of the list, something which he always objects to. If miscellaneous items are that significant, there should be further detailing as to what they are.

The Finance and Corporate Services Group Manager will note the comments made by David Love on the Action Schedule to ensure consideration is given to providing more information where required through the process to complete the Annual Report.

The Finance and Corporate Services Group Manager advised the Committee of the items in the Draft Annual Report which need finalising.

RESOLVED

- (1) **That the report titled "Adoption of 2018 Draft Annual Report For Audit" be received.**
- (2) **That the committee adopt the 2018 Draft Annual Report for audit, noting the additions which still need to be made.**

Young/HWTM

Carried

4. KOHA REPORT

p21

RESOLVED

- (1) **That the report titled "Koha Report" be received.**

HWTM/Young

Carried

5. RESOLUTION TO EXCLUDE THE PUBLIC

p20

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:

- 6. Confirmation of In-Committee Minutes – Audit and Risk Committee Meeting 16 August 2018.**
- 7. Banking Update.**
- 8. Property Update.**
- 9. IANZ Audit Update.**

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
6.	Confirmation of In-Committee Minutes – Audit and Risk Committee Meeting 16 August 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)
7.	Banking Update	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)
8.	Property Update	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)
9.	IANZ Audit Update	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:

6.	Maintain effective conduct of public affairs Protect information Protect the privacy of natural persons Protection from improper pressure or harassment Carry out negotiations	Section 7(2)(f)(i) & (ii) Section 7(2)(b)(i) & (ii), (d) & (e) Section 7(2)(a) Section 7(2)(f)(ii) Section 7(2)(i)
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7.	Protect the privacy of natural persons Protect information Free and frank expression of opinions Carry out negotiations	Section 7(2)(a) Section 7(2)(b)(ii) Section 7(2)(f)(i) Section 7(2)(i)
8.	Protect the privacy of natural persons Protect information Free and frank expression of opinions Protection from improper pressure or harassment	Section 7(2)(a) Section 7(2)(b)(ii) Section 7(2)(f)(i) Section 7(2)(f)(ii)
9.	Protect information Protect the privacy of natural persons Free and frank expression of opinions Protection from improper pressure or harassment Prevent the disclosure of official information	Section 7(2)(b)(i) & (ii) Section 7(2)(a) Section 7(2)(f)(i) Section 7(2)(f)(ii) Section 7(2)(j)

The Chief Executive Officer advised that there are three items not on the agenda which need to be discussed with the Committee today and cannot be delayed. These items will be additions to the Resolution to Exclude the Public. The reasons why the items are not on the agenda are noted under each item listed below.

Pursuant to Section 48(1)(a) of the Local Government Official Information and meetings Act 1987, these three items will be discussed in-committee for the reasons noted.

Stormwater Update

Information has just come to hand and the Committee needs to be advised of the risk.

LGOIMA Section 7(2)(h) –Carry out commercial activities without prejudice or disadvantage.

Harbour Update

The latest information needs to be shared with the Committee.

LGOIMA Section 7(2)(b)(ii) – Protect information (commercial sensitivity).

Evolution Networks Update

Legal advice was only received earlier today.

LGOIMA Section 7(2)(b)(ii) – Protect information (commercial sensitivity).

Young/Love

Carried

The Property Officer entered the meeting at 10.35am.

James Sandbrook left the meeting at 10.37am.

RESOLVED

- (1) That the resolutions made while the public was excluded, except for clause 2 of the resolutions for the Evolution Networks Update item, be confirmed in open meeting.**
- (2) That the public be readmitted to the meeting.**

HWTM/Young

Carried

RESOLVED

- (1) That the in-committee minutes of the Audit and Risk Committee meeting held on 16 August 2018 be confirmed as a true and correct record.**

Love/Young

Carried

RESOLVED

- (1) That the Banking Update be received.**

Love/Young

Carried

RESOLVED

- (1) That the Property Update report as tabled be received.**

Love/Young

Carried

RESOLVED

- (1) That the IANZ Audit Update be received.**

Love/Young

Carried

RESOLVED

- (1) That the Stormwater Update be received.**

Tuoro/Love

Carried

RESOLVED

- (1) That the Evolution Networks Update be received.**

HWTM/Love

Carried

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 12.34PM.

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING A
TRUE AND CORRECT RECORD AT A SUBSEQUENT IN-
COMMITTEE MEETING OF THE AUDIT AND RISK
COMMITTEE ON 15 OCTOBER 2018.**

**COUNCILLOR ARIHIA TUORO
CHAIRPERSON**

Minutes of the Ōhiwa Harbour Implementation Forum Meeting held in Council Chambers, Ōpōtiki District Council, 108 St John Street, Ōpōtiki on Tuesday, 25 September 2018 commencing at 9.30 a.m.

Present:

Chairman: Councillor T Marr (Bay of Plenty Regional Council)

Deputy Chairman: Councillor L Riesterer (Ōpōtiki District Council)

Appointees: Councillor A Iles - Whakatane District Council; Te Runanga o Ngati Awa: Charlie Bluett, T O'Brien – Alternate; Gaylene Tuari-Kohunui - Whakatōhea Maori Trust Board; Te Upokorehe: Trevor Ransfield, Maui Manuel – Alternate.

Attendance in part: Rachel Korā, Kero Te Pou (Alternate) - Te Waimana Kaaku (Ngāi Tūhoe).

In Attendance: Bay of Plenty Regional Council Toi Moana: Simon Stokes – Eastern Catchments Manager, Tim Senior – Land Management Officer, Lisa Bevan – Environmental Data Officer, S Kameta – Committee Advisor; Mike Houghton, Manager Places and Open Spaces – Whakatāne District Council; Gerard McCormack – Planning and Regulatory Group Manager, Ōpōtiki District Council; Department of Conservation Te Papa Atawhai: Mike Jones - Senior Community Ranger, Nikora Heitia – Community Ranger; Tanja Rother – Contractor; External Presenter: Dr Kura Paul-Burke – NIWA: Taihoro Nukurangi, Joe Burke – MUSA Dive Marine & Environmental Services.

Apologies: Councillor W Clark (Alternate) - Bay of Plenty Regional Council.

1 Karakia

Provided by Trevor Ransfield.

2 Apologies

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Accepts the apology from Cr Bill Clark tendered at the meeting.

Iles/Marr
CARRIED

3 **Public Forum**

Nil

4 **Acceptance of Late Items**

Nil

5 **General Business**

Nil

6 **Confidential Business to be Transferred into the Open**

Nil

7 **Declaration of Conflicts of Interest**

Nil

8 **Previous Minutes**

8.1 **Ōhiwa Harbour Implementation Forum minutes - 19 March 2018**

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 **Confirms the Ōhiwa Harbour Implementation Forum minutes - 19 March 2018, as a true and correct record.**

**Marr/G Kohunui
CARRIED**

9 **Ōpōtiki District Council Verbal Update**

Councillor Lyn Riesterer provided an update on matters of interest for Ōpōtiki District Council.

Key points:

- Introduced new Planning and Regulatory Group Manager Gerard McCormack and advised that the Parks & Reserves Manager Garry Page would be working with the Forum;
- The proposed Ōpōtiki District Plan was at the appeal stage with no significant points raised for the Ōhiwa zone. The proposed plan aligned with the Ōhiwa Harbour Strategy, with protection of the Ōhiwa zone strengthened, stronger emphasis placed on harbour values, more consistency of boundary lines, setbacks and ridgeline controls and a managed approach taken to rural production activities;
- Maintenance was underway on walking and cycle paths around the eastern side of the harbour in readiness for summer season.

- Ōpōtiki District Council had provided funding for planting and trap placements to assist care group work under the umbrella of the Ōhiwa Harbour Strategy.
- Vehicles seen on mudflats and beaches around the Ōhiwa spit was still an ongoing concern, with publicity being undertaken to discourage bylaw breaches.
- Noted attendance at the blessing for installation of harbour signage at Ōhiwa spit and pending release of the Ōhiwa Harbour Trail pamphlets at information i-sites.

In response to Questions:

- Ōpōtiki District Council and other coastal territorial authorities were responsible for compliance monitoring and enforcement of the Vehicles on Beaches Bylaw.
- Noted Ōpōtiki District Council sent follow-up letters to vehicle owners who breached the bylaw, with records maintained followed by enforcement taken for repeat offenders.

10 Reports

10.1 Ōhiwa Harbour Integrated Catchment Programme Annual Work Plan results for 2017-18 and update to September 2018

Refer PowerPoint Presentation (Objective ID A2975792).

Land Management Officer Tim Senior presented the item.

Key points:

- 39 deliverables from the 2017-18 work programme had been completed with six still in progress and three incomplete;
- There was increased focus in water quality within the Nukuhou catchment, with over half of the catchment's land use in dairy.
- Fonterra had offered to fund the preparation of 10 farm environment plans. Once the farm plans were complete, Regional Council staff would arrange follow-up discussions with the respective farmers;
- Pest control undertaken by local volunteers continued to grow around the harbour margins;
- The submission made on behalf of the Forum to the Whakatāne District Bylaw review had been assisted with guidance of the Ōhiwa Harbour Recreation Strategy;
- Ministry for Primary Industries (MPI) staff had attended the OHSCG hui in May and were keen to engage with the Forum's work.
- Summarised the MPI compliance report and 2016 intertidal shellfish monitoring noting: impacts from sediment sizing was still unknown, starfish had not been considered, with the next MPI survey would be undertaken sometime in 2019;
- Removal of the Tuck house at Te Onekawa Te Mawhai Regional Park completed. The area has been incorporated into sheep pasture and transformed the park, with subsequent opportunity to transform the space into a picnic area.

- Provided a brief overview of the draft Ōhiwa Harbour website;

In response to questions:

- Farm environment plans being prepared by Fonterra were estimated to cost between \$2,500-5,000 per plan, which would include staff time and consideration of farm size and complexity;
- Commercial fishing quotas were held in perpetuity, could be transferred or retired by the quota holder, or ceased, subject to due diligence by authority of the Minister of Primary Industries. Quota holder information was public knowledge and could be obtained.
- Archaeological sites within Te Onekawa Te Mawhai Regional Park were mapped to ensure they were managed appropriately.

Members' Comments:

- Ngati Awa issued customary permits for pipi that were in excess of recreational takes however, were being more proactive to ensure takes were not excessive.
- Personal observations of pipi and cockle numbers reflected that reported within the MPI report;

10:21 am – Rachel Kora and Kero Te Pou **entered** the meeting.

- The Ōhiwa Wharf was progressing well with the toilet block to be installed and the Lions' shed extended for a period of two years.

Follow-up Action:

- Request that staff provide further information on commercial fishing quota holders.
- Request the proposed website replace use of "Jewel" with "Taonga".

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Receives the report, Ōhiwa Harbour Integrated Catchment Programme Annual Work Plan results for 2017-18 and update to September 2018;**
- 2 Requests a letter of appreciation to be sent to Fonterra for supporting the preparation of 10 farm environment plans for dairy farmers in the Nukuhou catchment.**

**Iles/Riesterer
CARRIED**

Order of Business

With the leave of the Forum, the Chairman asked that Agenda item 10.3 'Shellfish Restoration Trial in Ōhiwa Harbour 2018-2019' be taken next to accommodate the departure of the presenter.

10.2 Shellfish Restoration Trial in Ōhiwa Harbour 2018-2019

Refer PowerPoint Presentation (Objective ID A2981402).

Dr Kura Paul-Burke from NIWA was accompanied by her husband and MUSA expert diver Mr Joe Burke and were in attendance to present the item.

Key points:

- Outlined the project aims and actions to trial growing and restoring mussel spat on lines in Ōhiwa harbour for recruitment into the substrate;
- The trial would be a first of its kind to trial different design methods and natural (Mātauranga Māori) and artificial materials. Cage designs would allow for water flow and trial how mussel and starfish would react;
- Consultation with Ngati Awa, Upokorehe, the Harbour Master and maritime staff had been undertaken for the selection of four restoration sites at remaining mussel beds;
- Co-funding had been provided by Bay of Plenty Regional Council and NIWA over two financial years;
- Stage 1 and 2 would commence in October 2018 when water conditions were clear. Monitoring and maintenance would start in November 2018 and continue through 2019, with reporting and recommendations completed in March 2020.
- Acknowledged the support of those who had assisted with the project, noting NIWA was open to collaborate and assist the Forum on this work.
- Hoped the trial would provide answers to a number of questions, including mussel restoration success, level of seastar predation, how collective ideas worked, level of resourcing and options for biodiversity moving forward;

In response to questions:

- Mrs Paul-Burke and Mr Burke had worked closely with the harbour master to ensure the trial was protected, away from recreational users and navigation lanes;
- Sites were adjacent to the swimming area on the western side of the harbour, parallel to the shore and shallow in depth at low tide;
- It was hoped that control sites would identify levels of starfish predation, which would be beneficial to the study;
- Origin of spat from the sea was unknown and overseas studies had reported that the transfer of spat was low;
- Funding from Auckland University had been unsuccessful, however the trial would look at other options moving forward.

Comments:

- Eastern Catchments Manager Mr Simon Stokes acknowledged the Forum's patience and perseverance regarding seastar concerns and the importance of the trial. Mr Stokes expressed appreciation to Mrs Paul-Burke and Mr Burke for their continued support, in anticipation of the progress that would be made.

- Forum partners were asked to communicate to their organisation and wider networks the importance and need for support and awareness of the project.
- Noted several Iwi from the North Island had visited Ōpōtiki to discuss spat and that the Ōpōtiki mussel marine area maybe a potential option for consideration in the future.

Follow-up Action:

- Requested Mrs Paul-Burke present to the Whakatōhea Māori Trust Board, which she acknowledged and supported.
- Staff to provide public communication to bring awareness of the project.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Receives the report, Shellfish Restoration Trial in Ōhiwa Harbour 2018-2019.**
- 2 Endorse the proposed actions.**

**Marr/Kora
CARRIED**

11.00am – The meeting **adjourned** and **reconvened** at 11:16 am.

10.3 State of Environment Report for Ōhiwa Harbour and Catchment

Refer PowerPoint Presentation (Objective ID A2977880).

Environmental Data Officer Lisa Bevan gave an update on the current State of Ōhiwa Harbour and Catchment since the previous report in 2013.

Key points:

- State of the Environment Report provided an important role of collating information from various sources and identifying negative changes;
- Nukuhou River water quality trends were significantly improving over time and ecosystem health was good however, water temperature levels could be assisted with more riparian planting to reduce stress on aquatic life;
- Estuary water quality overall was good in comparison to similar estuaries around New Zealand and was safe for swimming and kaimoana gathering;
- Threat of myrtle rust was predicted to have a severe impact on two plant species;
- Pest control was important to safeguard threatened plant and bird species. It was noted that NZ Dotterel, North Island Fernbird and Pimelea tomentosa had increased because of pest control operations.
- Faecal contamination indicator levels on the eastern side of the harbour had showed an increasing trend, however work was occurring to help improve water quality;

In response to Questions:

- Six parameters had been used in comparing Ōhiwa harbour water quality with other estuaries, of which Ōhiwa Harbour was in the top half;
- Faecal source tracking hadn't been undertaken in the Nukuhou catchment, but tracking carried out in the Waitahe catchment had found a vast majority of faecal contamination was from cows with some from avian sources and it was suspected that similar findings would be present in other tributaries like the Nukuhou River, possibly with some presence of human influence from septic tanks;
- Staff would continue to work with landowners and industry to mitigate and minimise contaminants entering the river and harbour system;
- Combining climatic condition impacts for water temperature levels would be difficult with sampling occurring on an annual basis only;
- Bank stability along the Nukuhou River made revegetation difficult, but planting of shrub willows was occurring to help improve water temperatures over time;
- Under the National Policy Statement for Freshwater Management (NPS-FM) the Nukuhou River at the Glenholme monitoring site rated in the highest band for nitrate levels, meaning this was unlikely to affect the river's ecosystem. However, the indicator for ecosystem health, macroinvertebrate indices had showed possible degradation and was unlikely to improve to an excellent state. As there were multiple factors that could affect ecosystem health (such as substrate, temperature and riparian planting), these other factors could be affecting the health of the ecosystem.
- Mr Stokes advised that land management staff had been asked to put greater effort into the nutrient management trends with Nukuhou landowners;
- Farm environment plans were between Fonterra and the landowners however, collaboration was occurring with Bay of Plenty Regional Council staff; and a summary of issues and recommendation could be reported back to the Forum.

Members' Comments:

- Over August, Ōpōtiki had recorded more rainfall compared to the last two years and with climate change, anticipated more intense rain events;
- Considered faecal contamination was a key indicator over time that should be monitored as an ongoing measure. It was noted that the State of Environment report had a recommendation for respective councils to action;
- Requested more detailed information on monitoring trends in the State of Environment report;

11:55 am – Cr Lyn Riesterer **withdrew** from the meeting.

- Queried progress made on reducing swan numbers in Ōhiwa harbour.
- Supported the continuation of State of Environment reporting and implementation of the recommendations contained under Part 7 of the State of Environment report.

Staff Follow-up Action:

- Investigate ways to manage swans in Ōhiwa Harbour. Department of Conservation Senior Community Ranger Mike Jones advised the Department would assist with multi-agency coordination.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Receives the report, State of Environment Report for Ōhiwa Harbour and Catchment;**
- 2 Notes the importance of the monitoring programme and supports the ongoing implementation of the monitoring programme.**
- 3 Supports the implementation of the recommendations contained within Part 7 of the State of Environment Report for Ōhiwa Harbour and Catchment 2018.**

Iles/Tuari-Kohunui
CARRIED

10.4 **Mangrove management in the Ōhiwa Harbour 2011 - 2018**

Refer PowerPoint Presentation (Objective ID A2976163).

Land Management Officer Tim Senior was accompanied by contractor Tanja Rother and presented the item on the Ohiwa mangrove management project.

Key points:

- Outlined the spread and extent of mangroves since 2008 and work undertaken by the Regional Council and Te Upokorehe to gain resource consent for removal;
- The consent referred to mangrove coverage recorded in 2007, allowed for removal on the seaward side of the consent boundary to avoid biodiversity areas and DOC reserves with hand-held tools only, which required hard intensive labour;
- Observations showed mangroves had not expanded from the 2011 map extents;
- Next steps would involve revisiting mangrove removal around the islands, requiring boats, which would present some challenges;
- The current consent would expire in 2020, which would require coastal planner input, consideration of renewal and public engagement. An update on this matter would be provided to the next Forum meeting;
- Acknowledged the support of Te Upokorehe who had led and obtained consent and provided voluntary labour;
- Sought feedback from members on next steps and their desire to support consent renewal and the opportunity to engage the wider community on the removal or retention of mangroves;

- Considered a mana whenua-led consent application would go a long way to gain and develop support from the community;

In response to Questions:

- Utilising periodic detention workers had been trialled previously without success, with the current crew established and working well;
- Access to Department of Conservation reserve would be difficult and removal of native plants from reserves was illegal;
- Mangrove removal as a commercial venture had been considered however, noted current costs, including providing participants with a koha was \$10,000 and provided volunteers with additional income.

Members' Comments:

- Recognised the labour intensive work of removing mangroves however, supported the renewal of consent, which needed to be considered;
- Tūhoe members would take the matter back to their Iwi/hapū for consideration.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Receives the report, Mangrove management in the Ōhiwa Harbour 2011 – 2018.**

**Iles/Ransfield
CARRIED**

10.5 An introduction to the draft Bay of Plenty Conservation Management Strategy

Refer PowerPoint Presentation (Objective ID A2981403).

Department of Conservation Senior Community Ranger Mike Jones provided a summary of the report.

Key points:

- Provided background on the statutory framework and Conservation Management Strategy (CMS) proposed new structure, which would be out for consultation;
- The new CMS was currently at the pre-notification stage for drafting, with conversations initiated with Iwi partners across the Bay of Plenty region;
- Outlined the outcome statement and proposed wording currently within the working draft CMS.

Members' Comments:

- Supported the suggestion made by Eastern Catchments Manager Simon Stokes for the CMS to align with the Ōhiwa Harbour Strategy objectives as a starting point;

- Sought recognition of the relationship of Ōhiwa and its association with a number of people and tangata whenua affiliations, which was noted and acknowledged.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Receives the report, An introduction to the draft Bay of Plenty Conservation Management Strategy.**

**Iles/Ransfield
CARRIED**

10.6 Business Case: Western Coastal Cycle Trail Extension

Refer PowerPoint Presentation (Objective ID A2977663).

Whakatane District Council Manager Places and Open Spaces Mike Houghton outlined the the Western Coastal Cycle Trail Extension joint project between Whakatane and Ōpōtiki District Councils.

Key points:

- Stage 1 concept proposal had been completed with support indicated from the Ministry of Business, Innovation & Employment (MBIE) for a Mōtū trail extension from Ōpōtiki to Whakatāne Airport;
- Stage 2 Business Case had been lodged with MBIE to request funding to proceed to Stage 3 with more detailed work, costings and consenting required;
- Outlined the proposed area of interest to the Forum within the Ōhiwa Harbour catchment and the impacts on the harbour from the trail at the Ōhiwa Loop Road and Port Ōhope boat ramps or wharf where ferry services were proposed.
- The proposal had been previously reported to the Forum in 2017 and aligned with the Ōhiwa Harbour Strategy and Ōhiwa Recreation Strategy;
- Independent Cost Benefit Analysis undertaken by Martin Jenkins Consultant outlined forecasted economic growth and contribution to local economy;
- The business case was seeking funding of approximately \$18M however, cost estimates for a new walking and cycling bridge over Whakatane River had come down to \$14M for the total trail.

In Response to Questions:

- The potential funding split being sought from MBIE was 90 percent of the cost, with 10 percent to come from the two councils at a cost of \$2 million each;
- MBIE did not support applications being made to both the Provincial Growth Fund and New Zealand Cycle Trail: Enhancement and Extension Fund;
- Further consultation with the Forum partners would be needed, and it was noted that separate consultation with Iwi partners was still to come;
- The full business case was available to Forum members on request.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Receives the report, Business Case: Western Coastal Cycle Trail Extension.**

**Iles/Kora
CARRIED**

The meeting closed at 1:11 pm.

CONFIRMED DATE

Councillor Tīpene Marr, Chairperson

Minutes of the Civil Defence Emergency Management Group Joint Committee Meeting held in Mauao Rooms, Bay of Plenty Regional Council Building, 87 First Avenue, Tauranga on Friday, 28 September 2018 commencing at 10.00 a.m.

Present:

Chairman: Mayor G Brownless - Tauranga City Council (TCC)

Deputy Chairman: Councillor D Love - Bay of Plenty Regional Council (BOPRC)

Appointees: Mayor M Campbell - Kawerau District Council (KDC); Mayor A Bonne - Whakatāne District Council (WDC); Deputy Mayor J Turner - Alternate, WDC; Mayor S Chadwick - Rotorua Lakes Council (RLC); Councillor S Browne - Alternate, Ōpōtiki District Council (ODC); Mayor G Webber - Western Bay of Plenty District Council (WBOPDC)

In Attendance: Clinton Naude - Director, Emergency Management Bay of Plenty (EMBOP); Russell George - Chair of Coordinating Executive Group & Chief Executive Officer, KDC; John Titmus - Regional Coordinator, Ministry of Civil Defence Emergency Management; Geoff Williams - Chief Executive, RLC; Miriam Taris - Chief Executive, WBOPDC; Lee Barton - Local Controller, KDC; Barbara Dempsey - Local Controller, WDC; Bruce Horne - Local Controller, RLC; Dr Sharon Kletchko – Coordinating Executive Group (CEG) Member, Lakes District Health Board, Matt Harrex - Manager, Planning and Development, EMBOP; Angela Reade - CEG Member, Group Welfare Manager; Sarah Omundsen - CEG Operations Sub Committee, BOPRC; Gerard McCormack - Local Controller, ODC; Donna Llewellyn - In-house Legal Counsel, BOPRC; Andrea Thompson - Personal Assistant to Director EMBOP; Merinda Pansegrouw - Committee Advisor, BOPRC

Apologies: Mayor J Forbes - ODC; Chairman D Leeder - Alternate, BOPRC; Deputy Mayor M Williams - Alternate, WBOPDC; Deputy Mayor D Donaldson - Alternate, RLC; Deputy Mayor F Tunui - Alternate, KDC and Bridget Vercoe - Ministry of Civil Defence & Emergency Management

1 Apologies

Resolved

That the Civil Defence Emergency Management Group Joint Committee:

- 1 Accepts the apologies from Mayor J Forbes, Chairman D Leeder, Deputy Mayor D Donaldson, Deputy Mayor M Williams, Deputy Mayor F Tunui and Bridget Vercoe tendered at the meeting.

2 **Public Forum**

Nil

3 **Acceptance of Late Items**

Nil

4 **General Business**

Nil

5 **Confidential Business to be Transferred into the Open**

Nil

6 **Declaration of Conflicts of Interest**

Nil

7 **Previous Minutes**

7.1 **Civil Defence Emergency Management Group Joint Committee minutes - 04 December 2017**

Resolved

That the Civil Defence Emergency Management Group Joint Committee:

- 1 Confirms the Civil Defence Emergency Management Group Joint Committee minutes of 04 December 2017 as a true and correct record.

Love/Webber
CARRIED

7.2 **Civil Defence Emergency Management Group Joint Committee minutes - 22 June 2018**

Resolved

That the Civil Defence Emergency Management Group Joint Committee:

- 1 Confirms the Civil Defence Emergency Management Group Joint Committee minutes of 22 June 2018 as a true and correct record.

Love/Chadwick
CARRIED

8 Reports

8.1 Bay of Plenty CDEM Group Annual Report 2017/18

Director, Emergency Management Bay of Plenty Clinton Naude presented the report and outlined the following as some of the key accomplishments forming part of a successful year for the Bay of Plenty Civil Defence Emergency Management (CDEM) Group and Emergency Management Bay of Plenty:

Key Points

- Publication of the Bay of Plenty CDEMG Plan 2018 – 2023, setting the direction for the next five years
- Outcome of the Technical Advisory Group's recommendations: improving how New Zealand responded to natural disasters and other emergencies
- The Bay of Plenty CDEMG new website launched in March 2018
- Good progress made in lifting the percentages of staff trained to work in the Emergency Operations Centres: more than 370 council staff members had participated in CDEM Training
- The Taiohi-Taiao Youth Jam 2018 project received an award for Excellence in Communication: Readiness and Resilience at the annual Emergency Management and Public Affairs (EMPA) Awards
- A number of emergency events that Bay of Plenty CDEM Group and Emergency Management Bay of Plenty had prepared for, supported and responded to over the year.

Committee members congratulated Emergency Management Bay of Plenty on a very successful year and thanked staff for their hard work and dedication.

Resolved

That the Civil Defence Emergency Management Group Joint Committee:

- 1 Receives the report, Bay of Plenty CDEM Group Annual Report 2017/18;**
- 2 Approves the Bay of Plenty CDEM Group Annual Report 2017/18.**

**Love/Webber
CARRIED**

8.2 Public Excluded Section

Resolved

Resolution to exclude the public

THAT the public be excluded from the following parts of the proceedings of this meeting.

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:

General Subject of Matter to be Considered	Reason for passing this resolution in relation to this matter	Grounds under Section 48(1) LGOIMA 1987 for passing this resolution
9.1 Public Excluded Civil Defence Emergency Management Group Joint Committee minutes - 04 December 2017	Refer to the relevant section in the open minutes	Good reason for withholding exists under Section 48(1)(a)

**Brownless/Browne
CARRIED**

8.3 Confidential Business to be Transferred into the Open

Nil

The meeting closed at 10:10 am.

Confirmed

Chairperson CDEMG, Mayor Greg Brownless

Date

REPORT

Date : 1 November 2018
To : Ordinary Council Meeting, 13 November 2018
From : His Worship the Mayor, J H Forbes
Subject : **MAYORAL REPORT 5 OCTOBER 2018 – 8 NOVEMBER 2018**
File ID : A149945

Since 5 October 2018 I have attended or met with the following:

10 OCTOBER 2018

Met with Superintendent Andy McGregor and Snr Sergeant Yvonne Parker, NZ Police

12 OCTOBER 2018

Hosted Professor Chris Battershill and Waikato University aquaculture students

15 OCTOBER 2018

NZ Walking Access Commission – meeting with Hon. Damien O'Connor, Wellington

16 OCTOBER 2018

Met with Yvonne Boyes, Board member Bay of Plenty District Health Board

18 OCTOBER 2018

NZ Walking Access Commission – Audit NZ close out meeting, via teleconference

26 OCTOBER 2018

Provincial Growth Fund announcement by Hon. Shane Jones, Kawerau

29 OCTOBER 2018

Met with Future Leaders Programme Manager, Bridget Cassie and Future Leaders Coach, Toiroa Williams

1 NOVEMBER 2018

NZ Walking Access Commission – presentation to LGNZ Zone 2 meeting, New Plymouth

3 NOVEMBER 2018

Ōpōtiki Golf Club centennial dinner

5 NOVEMBER 2018

Toi-EDA meeting

6 NOVEMBER 2018

Public meeting – presentation by David Cunliffe “Eastern Bay of Plenty: Regional Development Project”

7 NOVEMBER 2018

Meeting with Audit New Zealand

FUNDING FOR MURAL

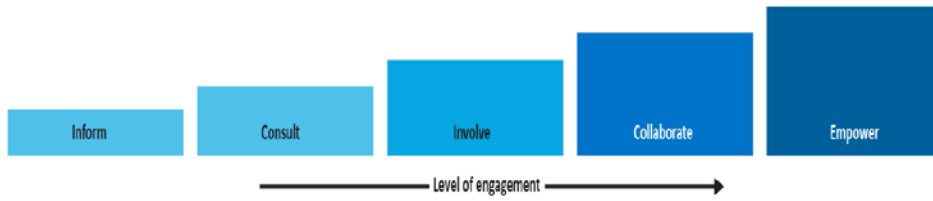
Bob Wickham has asked me to put to you, the Council, a request to fund the restoration of the wharf mural.

SIGNIFICANCE ASSESSMENT**Assessment of significance**

Under Council’s Significance and Engagement Policy, on every issue requiring a decision, Council considers the degree of significance and the corresponding level of engagement required. The level of Significance for the Mayoral Report is considered to be low as determined by the criteria set out in section 12 of the Significance and Engagement Policy.

Assessment of engagement requirements

As the level of significance for the Mayoral Report is considered to be of low the level of engagement required is determined to be at the level of inform according to Schedule 2 of the Significance and Engagement Policy.



RECOMMENDATION:

- 1. That the report titled "Mayoral Report 5 October 2018 – 8 November 2018" be received.**

John Forbes

HIS WORSHIP THE MAYOR



REPORT

Date : 2 November 2018

To : Ordinary Council Meeting, 13 November 2018

From : Acting Chair, Deputy Mayor Lyn Riesterer

Subject : **ŌPŌTIKI MARINE ADVISORY GROUP (OMAG) UPDATE**

File ID : A149960

EXECUTIVE SUMMARY

This report updates Council on progress advanced through the November 2018 meeting of the Ōpōtiki Marine Advisory Group.

PURPOSE

To inform Council on progress achieved through the Ōpōtiki Marine Advisory Group.

BACKGROUND

The Ōpōtiki Marine Advisory Group (OMAG) was established in 2009 as a technical advisory group to Council in support of the Ōpōtiki Harbour Development Project. This arrangement harnesses the expertise of an important cross-sectoral group of stakeholders to provide advice and address issues in a confidential and efficient manner. OMAG focuses on all matters relevant to the long-term goal of creating the infrastructure required to enable a thriving aquaculture industry centred in Ōpōtiki.

OMAG meets every two months. Members include representatives from the Ōpōtiki community, Ōpōtiki District Council (ODC), Whakatōhea Māori Trust Board, Eastern Sea Farms Limited, Whakatōhea Mussels (Ōpōtiki) Limited, Ōpōtiki Community Development Trust, Toi-EDA, Bay of Plenty Regional Council, and Bay of Connections.

Council has been fully briefed about the Ōpōtiki Harbour Development Project, OMAG, and activities that are underway.

OMAG met at Ōpōtiki District Council on 6 September

- Peter Vitasovich provided an update from Whakatōhea Mussels (Ōpōtiki) Limited (WMO). The most significant recent milestone was the launch of WMO’s second vessel, the Kukutai, on 29 October. The Kukutai is expected to arrive in the Bay of Plenty in late November, after on-water tests have been completed. It was noted that two of the three trainees employed by McMullen and Wing to work on the boat build have taken up apprenticeships with the company.
- David Caselli attended the meeting. He advised he was on secondment to the Ministry of Business, Innovation and Employment to assist with assessment of Eastern Bay of Plenty applications to the Provincial Growth Fund.
- Aileen Lawrie and John Galbraith provided an update on the harbour development project. Work is ongoing to confirm likely cost reductions for constructing the Ōpōtiki harbour development project and includes redesign and costing by HEB Construction and their design partner, Tonkin and Taylor, and investigations into alternative rock sources.
- Barbara MacLennan provided an update on the workforce development project. Refer to attachment one.

SIGNIFICANCE ASSESSMENT

Assessment of significance

Under Council’s Significance and Engagement Policy, on every issue requiring a decision, Council considers the degree of significance and the corresponding level of engagement required. The level of significance for receiving the OMAG report is considered to be low as determined by the criteria set out in section 12 of the Significance and Engagement Policy.

Assessment of engagement requirements

As the level of significance for receiving the OMAG report is considered to be low, the level of engagement required is determined to be at the level of ‘inform’ according to schedule 2 of the Significance and Engagement Policy.



RECOMMENDATION:

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

Deputy Mayor Lyn Risterer

ACTING CHAIR, ŌPŌTIKI MARINE ADVISORY GROUP

ATTACHMENT 1

WORKFORCE DEVELOPMENT UPDATE FROM BARBARA MacLENNAN

1. He Poutama Rangatahi programmes are well underway locally and in Whakatāne, Te Teko and Kawerau. In Whakatāne, the Chamber of Commerce is running a Cadet Max Programme for 20 rangatahi from the Work and Income register. It is going well, and they plan to run a further programme in 2019.
2. Driver Licencing – Ōpōtiki Community Driver Mentoring Programme - Meeting with Eastbay REAP CE this afternoon. Te Kaha learners are progressing, but at the last assessment needed more practice before sitting their restricted licence in Whakatāne. Other news includes Bluelight in Whakatāne appointing a new staff member as their current member is now focussed on promotion of safe cycling as day-to-day transport for rangatahi and young people.
3. Kawerau Pathways to Work – The ISK Workforce Development Group has finished recruitment of a dedicated coordinator who will lead workforce planning and the establishment of new systems locally. The learning from Ōpōtiki’s experience has been instrumental in shaping this role and approach, and there is good potential to foster regular connections sub-regionally to share ideas and progress.
4. Toi EDA LinkUP – Growing awareness of good jobs and industries in EBoP:
 - Our video team has filmed 11 young EBoP employees in growing industries and we are planning to launch these in late November as an online resource for schools and organisations which we will continue to build around.
 - We have worked with training and industry to offer two taster courses for year 9 and 10 students this week. One is a programme with NZKGI, OPAC and Plant and Food – in Ōpōtiki; and the other is with Te Wananga o Aotearoa in Whakatāne where students will get hands on with hitching, knots, radios and chainsaws, then visit forestry sites in the afternoon.
 - A Principals’ (plus one) Day Out is planned for later this month with input from David Cunliffe, EBoP industry leaders, and a visit to Kawerau included in the programme.
5. Youth Employability Programme - Licence to Work - Department of Corrections (Whakatāne) participants due to graduate this month. Some students will also graduate from the three secondary schools underway with the programme. A training programme for new facilitators is under planning for 22 and 23 November.
6. Economic Development NZ Conference – Mahi Tahi - Inclusive Growth - International, national (Ministers Jones and Tabuteau) and local speakers messages very affirming locally-led, Iwi partnering, cross-sector approaches being taken by Ōpōtiki and other communities. Some key takeout messages included:
 - Inclusive growth demands integrated leadership, strategy and systems at national, regional and local levels.
 - Local places are the settings for inclusive growth, and should inform national top down policy approaches which are ineffective for inclusive economic development. There is a need to build capability for mission-driven collaborative system leadership at all levels – local, regional, national.
 - In Aotearoa, the Provincial Growth Fund creates an opportunity to ‘learn by doing’ and embed new style and structures. A need for capacity building in research and development to capture what is changing/what works/who benefits and inform strategy/policy going forward (including what we measure). Investment ‘pots’ need to be available over long periods (decades) to enable sustainable development.

- Government commitment to the wellbeing agenda creates opportunities for more integrated economic development strategy and inclusive growth.
 - Attention to the type and quality of jobs is imperative – the worldwide trend is towards more people in ‘developed’ countries being in work AND in poverty – the link between growth and wage growth is broken. Poverty is bad for growth and the fiscal costs enormous.
 - There are regional realities in New Zealand, reflecting the international trends towards urbanisation. There is a need to embrace and develop more ‘smart decline’ and ‘de-growth’ strategy and policy frameworks and an opportunity to change the prevailing narrative of ‘bigger, better, faster, cheaper’ to ‘smaller, better, healthier, more sustainable’.
 - Key elements of new models for inclusive growth include: a) integrated social and economic policy and systems; b) an emphasis on the quality of growth (and jobs); c) devolution of economic and social decision-making to local levels; d) investment in social and economic infrastructure; e) increased focus on quality vocational education – value skills rather than qualifications.
 - New Zealand lacks a workforce development strategy and current policy settings “blame the victim”.
 - Affordable housing near convenient transport hubs is an essential element of inclusive growth – timing matters.
 - The regions drive New Zealand, and the role of local government in partnership with Māori is imperative for inclusive growth agendas.
7. Ōpōtiki Youth to Work – Boat Building - Excellent media coverage of the workforce development initiative associated with WOML’s new vessel:
- <https://www.sunlive.co.nz/news/192185-americas-cup-boat-builder-launches-opotiki-vessel.html>
 - <https://www.maoritelevision.com/news/regional/te-whakatohea-launches-new-mussel-ship>
 - <http://www.maoritelevision.com/news/regional/opotiki-youth-work-americas-cup-boat-builders>
 - <http://www.maoritelevision.com/news/regional/boat-building-scholarship-opportunity-te-whakatohea>
8. Significant training provider interested in local relationship - Vertical Horizons Management met with representatives of WMTB, the College, Whakaatu Whanaunga Trust and Toi EDA to learn about each other and explore the potential of a relationship around training provision.
9. EBOP Workforce Development Advisory Board - Toi EDA has established this board to guide and support our workforce development efforts. Susan Impey and Louisa Erickson are members, along with John Galbraith who is the Toi EDA Board representative. A high priority is securing resource to undertake more detailed workforce planning in the context of the Eastern Bay Leadership Group Report.

REPORT

Date : 30 October 2018
To : Ordinary Council Meeting, 13 November 2018
From : Engineering and Services Group Manager, Ari Erickson
Subject : **TE KAHA WATER SUPPLY RIDER-MAIN EXTENSION**
File ID : A149904

EXECUTIVE SUMMARY

In 2016-17 Council undertook a water supply extension in Te Kaha from Copenhagen Rd to Maungaroa. During the project a subdivision was finalised along the route which would require a rider-main to deliver service pressure. As the project had already begun budget allocation had not been made to incorporate the additional rider-main. If connected the subdivision will help contribute to rates over and above the cost of the rider-main.

PURPOSE

To seek Council resolution to fund a water supply rider-main extension in Te Kaha.

BACKGROUND

In 2016-17 Council undertook a water supply extension in Te Kaha from Copenhagen Rd to Maungaroa. During the project a subdivision was finalised along the route which would require a rider-main to deliver service pressure. As the project had already begun budget had not been allocated for the rider-main and so it could not be incorporated in the scope. Staff have since investigated the cost of the rider-main and determined it would be less cost to rate payers overall through the connection of nine properties.

Rates

The cost to install the rider-main is estimated at \$30,000. The loan fund for this work would add an additional \$1,112 to the annual rate requirement of \$132,389 for the scheme. There are three properties that will connect immediately and another 6 properties that will connect in future. Based on

three full rates charges and six availability (half) charges these properties will reduce the Te Kaha targeted rate per property by \$3.08. Once all nine properties have connected, the Te Kaha targeted rate per property will reduce by \$6.13.

SIGNIFICANCE ASSESSMENT

Under Council’s Significance and Engagement Policy, on every issue requiring a decision, Council considers the degree of significance and the corresponding level of engagement required. The level of Significance of extending a water supply rider-main in Te Kaha is considered to be low as determined by the criteria set out in section 12 of the Significance and Engagement Policy.

As the level of significance of extending a water supply rider main is considered to be of low significance, the level of engagement required is determined to be at the level of inform according to Schedule 2 of the Significance and Engagement Policy.



COMMUNITY INPUT AND PUBLICITY

As the installation of a water supply rider-main will have a net benefit on Te Kaha’s targeted rates, consultation is not required. The subdivision applicants have been consulted with and are aware of the rates implications and will be incorporated in the rating base through the completion of their subdivision consent.

CONCLUSION

Extension of the water supply rider-main is a low cost low risk project that can be directly appointed to a suitable local contractor and carried out in the coming summer season. The extension will incorporate sufficient connections to offset the cost of loan funding the work as well as contribute to the overall scheme cost.

RECOMMENDATIONS:

1. That the report titled "Te Kaha Rider-main Water Supply Extension" be received.
2. That Council approves the loan fund of \$30,000 to complete works.

Ari Erickson

ENGINEERING AND SERVICES GROUP MANAGER

REPORT

Date : 1 November 2018

To : Ordinary Council Meeting, 13 November 2018

From : Chief Executive Officer, Aileen Lawrie

Subject : **CHIEF EXECUTIVE OFFICER'S UPDATE**

File ID : A149925

HARBOUR

Council staff are currently working on three aspects of the harbour development:

1. Finalising a contract with HEB to carry out design work to firm up the cost reductions into a revised tender offer.
2. Working with MBIE and Tonkin & Taylor on a rock source investigation within a 50 km radius of Opotiki
3. Preparing to revise the financial models once item 1 is complete and other commercial input data revised by MBIE.
4. Funding applications to the Provincial Growth fund for the items above.

It is understood that the Bay of Plenty Regional Council has written a letter to Minister Jones in relation to their funding commitment to the harbour. We have requested a copy but at this stage it appears to have been withheld under S7(2)(i) LGOIMA for "commercial negotiations".

As reported in the Validation Stage Closure report, there is wider work that is carrying on now as business as usual by Council and other parties. The Toi-EDA Pathways to Work began as an supporting workstream to the harbour, but has now grown to an eastern Bay of Plenty scale and is supporting workforce development across the sub region. The progress was reported with the OMAG report.

Meanwhile Whakatōhea Mussels (Ōpōtiki) Limited continues to grow and has recently launched their second vessel.

YOUTH EMPLOYMENT INITIATIVES BY COUNCIL

Following the discussion at the Extra-ordinary meeting on 30 October and the matters raised by the mayor, the following is a list of council initiatives and actions in relation to our support of “youth” into work.

- Two awards for the Ōpōtiki College Prizegiving - \$500 for maths prize and \$500 for the Proxime prize.
- Planning student employed for the summer.
- Currently advertising for an asset intern over the Christmas holidays.
- High school “cadet” employed in finance team doing three days per week after school work.
- Two students employed at the library.
- Developed, supported and underwritten the development of the Pathways to Work Programme that is starting to have significant impact in the Eastern BOP and is now funded to \$5m, with further announcements likely.
- Career Link-Up – this initiative was modelled on the format of the InStep programme in the Western Bay and was initiated by Barbara MacLennan and I after I obtained the initial commitment of funding from the Bay of Plenty Education Trust.
- Funding for the Inspiring Stories Leadership Programme.
- Part funding and providing in kind support to the Ōpōtiki Driver Licensing Programme.
- Several attempts at student placements in the Engineering team.

Council is seeing some difficulty in recruiting, particularly for the more specialised/qualified roles however in the longer term we would hope to see some return on the initiatives set out about.

LGOIMA REQUESTS

Council receives requests under the Local Government and Official Information Act (LGOIMA). The Act sets our prescribed processes as to how those requests should be dealt with, that includes timeframes for responding. So that Council can track our performance in relation to those requirements, and the work load that those requests create, I am proposing staff report regularly to council in relation to the requests made and in process. The following table is proposed to be reported six weekly and Councillor feedback is sought as to its usefulness.

Month	Count	Submitter Subject - Status
April	8	Tim Herewini - Official Information Request - Wharf site dispute CLOSED - 18D Peter King - Official Information Request - Library data 2017 CLOSED - 16D Forest & Bird - Official Information Request - Irrigation funding CLOSED - 6D NZ Taxpayer - Official Information Request - register of interests CLOSED - 4D Hon Anne Tolley - Official Information Request - Hordings policy, bylaws CLOSED - 4D Southern Lumber - Official Information Request - Monthly BC Report CLOSED - 10D Belly Gully - Official Information Request - RC's and more - Copenhagen rd CLOSED - 1D C Donner - Official Information Request - Buchanan drainage plans CLOSED - 4D
May	5	Andrew Ketels - Official Information Request - Regional Fuel Tax CLOSED - 1D Sunday Star Times - Official Information Request - Sexual Harassment CLOSED - 1D NZTA - Official Information Request - Consent decisions CLOSED - 1D BCI New Zealand Ltd - Official Information Request - TeTahuhu CLOSED - 9D C Hopman - Official Information Request - Water services funding CLOSED - 85D
June	9	BCI NZ - Official Information Request - Resource Consents CLOSED - 6D Ethan Richards - Official Information Request - SR requests CLOSED - 9D Hamish Fraser - Official Information Request - Provincial Growth fund CLOSED - 69D Filtec - Official Information Request - Capital works program CLOSED - 10D A Vance - Stuff website - Official Information Request - Building sales CLOSED - 12D WHITE & BOUGHTON - Official Information Request - Meth testing CLOSED - 63D Graham Carter - Official Information Request - Lost mussel lines CLOSED - 7D L Merryweather - Official Information Request - Heating & Diesel tanks CLOSED - 1D Freeman Media - Official Information Request - Roading Contracts CLOSED - 19D
July	8	PQS - Official Information Request - Council Housing CLOSED - 1D NewsHub - Official Information Request - Food grading CLOSED - 1D Angus Raiman - Official Information Request - Rates take CLOSED - 1D Leveson - Official Information Request - Library wage levels CLOSED - 5D BRANZ - Official Information Request - Greywater Due 7 August 2018 Clews - Official Information Request - Te Kaha water supply easement CLOSED - 9D Sunday star-times - Official Information Request - Town halls CLOSED - 1D Nelson Council - Official Information Request - Iwi strategies and policy CLOSED - 5D N Pereniki - Official Information Request - Rate information CLOSED - 10D
August	8	M Biddle - Official Information Request - work on 1 TeKaraka Key CLOSED - 16D Gary Sands - Official Information Request - Rates calculations CLOSED - 1D Thomson Reuters - Official Information Request - Newspapers CLOSED - 3D Internal Affairs - Official Information Request - LTP data set CLOSED - 30D Garrick Wright - Official Information Request - Borrowing Costs CLOSED - 10D NZ Taxpayers Union - Official Information Request - Financial Information CLOSED - 5D Garrick Wright-McNaughton - Official Information Request - Staffing CLOSED - 3D Shani Bennik - Official Information Request - Cost of mayors vehicle CLOSED - 14D

September 6	<p>Tim Selwyn - Official Information Request - Coastguard club lease extension - request for documents CLOSED - 11D</p> <p>Samantha Motion - Official Information Request - Expenses CLOSED - 1D</p> <p>Tim Selwyn - Official Information Request - Request on ODC divestments etc. CLOSED - 9D</p> <p>Nicole Fletcher - Official Information Request - Drinking Water Policy CLOSED - 1D</p> <p>Violet Aydon-Pou - Official Information Request - CCB Minutes CLOSED - 5D</p> <p>OPAC - Official Information Request - Water quality assurance proof CLOSED - 15D</p> <p>AECOM - Official Information Request - building outline dataset Due 25 October 2018</p>
October 3	<p>NZ Taxpayers Union - Official Information Request - defamation payments CLOSED - 1D</p> <p>Stratford District Council - Official Information Request - GIS Resources CLOSED - 14D</p> <p>Gowing & Co - Official Information Request - Request for owners Names & Address's Waitohi Drifts Due 9 November 2018</p> <p>NZ Taxpayer union - Official Information Request - Request for International travel expenses for Elected Officials COMPLETED - 3D</p>
YTD 73	

An overview of LGOIMA requirements is as follows:

Principle of Availability

The principle of availability underpins the whole of the LGOIMA. The Act explicitly states that:

The question whether any official information is to be made available ... shall be determined, except where this Act otherwise expressly requires, in accordance with the purposes of this Act and the principle that the information shall be made available unless there is good reason for withholding it.

Purpose of the Act

The key purposes of the LGOIMA are to:

- progressively increase the availability of official information held by agencies, and promote the open and public transaction of business at meetings, in order to:
- enable more effective public participation in decision making; and
- promote the accountability of members and officials; and
- so enhance respect for the law and promote good local government; and
- protect official information and the deliberations of local authorities to the extent consistent with the public interest and the preservation of personal privacy.

City, district and regional councils, council controlled organisations and community boards are subject to LGOIMA and official information means any information held by an agency subject to the LGOIMA.

It is not limited to documentary material, and includes material held in any format such as:

- written documents, reports, memoranda, letters, notes, emails and draft documents;
- non-written documentary information, such as material stored on or generated by computers, including databases, video or tape recordings;
- information which is known to an agency, but which has not yet been recorded in writing or otherwise (including knowledge of a particular matter held by an officer, employee or member of an agency in their official capacity);
- documents and manuals which set out the policies, principles, rules or guidelines for decision making by an agency;
- the reasons for any decisions that have been made about a person.

It does not matter where the information originated, or where it is currently located, as long as it is held by the agency. For example, the information could have been created by a third party and sent to the agency. The information could be held in the memory of an employee of the agency.

Key Timeframes

An agency must make a decision and communicate it to the requester 'as soon as reasonably practicable' and no later than 20 working days after the day on which the request was received. The agency's primary legal obligation is to notify the requester of the decision on the request 'as soon as reasonably practicable' and without undue delay. The reference to 20 working days is not the de facto goal but the maximum unless it is extended appropriately in accordance with the Act. Failure to comply with time limit may be the subject of a complaint to the ombudsman. The Act provides for timeframes and extensions as there is a recognition that organisations have their own work programmes and that official information requests should not unduly interfere with that programme.

MEETINGS / EVENTS ATTENDED BY CEO – 5 OCTOBER 2018 – 18 NOVEMBER 2018

10 OCTOBER 2018

Met with Superintendent Andy McGregor and Snr Sergeant Yvonne Parker, NZ Police

15 OCTOBER 2018

ODC Audit and Risk Committee meeting

16 OCTOBER 2018

Met with Anita Varga, new Regional Manager BOP, Fulton Hogan

16 OCTOBER 2018

ODC Tenders Sub-Committee meeting

5 NOVEMBER 2018

Toi-EDA meeting

6 NOVEMBER 2018

Public meeting - presentation by David Cunliffe "Eastern Bay of Plenty: Regional Development Project"

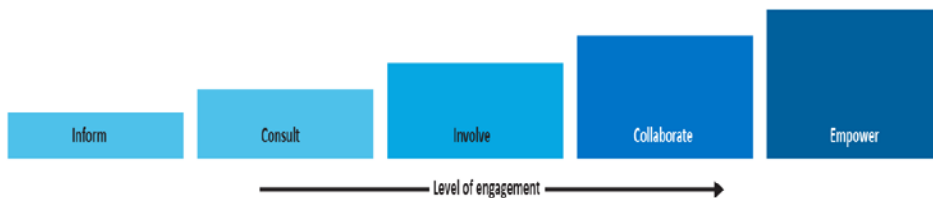
SIGNIFICANCE ASSESSMENT

Assessment of significance

Under Council’s Significance and Engagement Policy, on every issue requiring a decision, Council considers the degree of significance and the corresponding level of engagement required. The level of Significance for the Chief Executive Officer’s Update is considered to be low as determined by the criteria set out in section 12 of the Significance and Engagement Policy.

Assessment of engagement requirements

As the level of significance for the Chief Executive Officer’s Update is considered to be of low the level of engagement required is determined to be at the level of inform according to Schedule 2 of the Significance and Engagement Policy.



RECOMMENDATION:

- 1. That the report titled “Chief Executive Officer’s Update” be received.**

Aileen Lawrie

CHIEF EXECUTIVE OFFICER

REPORT

Date : 1 November 2018

To : Ordinary Council Meeting, 13 November 2018

From : Chief Executive Officer, Aileen Lawrie

Subject : **RESOLUTION TO EXCLUDE THE PUBLIC**

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:

- 12. Confirmation of In-Committee Minutes – Ordinary Council Meeting 9 October 2018.**
- 13. In-Committee Minutes – Audit and Risk Committee Meeting 13 September 2018.**
- 14. Draft Minutes – Toi-EDA Meeting 1 October 2018.**
- 15. 2017-18 Capital Expenditure Carry Forwards.**
- 16. Opotiki Water Supply Resilience – St John Street Variation.**
- 17. Land Acquisition Update.**

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
12.	Confirmation of In-Committee Minutes – Ordinary Council Meeting 9 October 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)

13.	In-Committee Minutes – Audit and Risk committee Meeting 13 September 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)
14.	Draft Minutes – Toi-EDA Meeting 1 October 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)
15.	2017-18 Capital Expenditure Carry Forwards	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)
16.	Ōpōtiki Water Supply Resilience – St John Street Variation	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)
17.	Land Acquisition Update	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:

12.	Protect the privacy of natural persons Protect information 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 Commercial sensitivity	Section 72(a) Section 7(2)(b)(i) & (ii); (d) & (e) and Section 7(2)(c)(i) & (ii) 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) Section 7(2)(ii)
13.	Maintain effective conduct of public affairs Protection information	Section 7(2)(f)(i) & (ii) Section 7(2)(b)(i) & (ii), (d) & (e)

	Protect the privacy of natural persons Protection from improper pressure or harassment Carry out negotiations	Section 7(2)(a) Section 7(2)(f)(i) Section 7(2)(i)
14.	Protect the privacy of natural persons Protect information	Section 7(2)(a) Section 7(2)(b)(i) & (ii)
15.	Commercial sensitivity Protection from improper pressure or harassment	Section 7(2)(b)(ii) Section 7(2)(f)(i)
16.	Commercial sensitivity	Section 7(2)(b)(ii)
17.	Protect the privacy of natural persons Commercial sensitivity Carry out negotiations	Section 7(2)(a) Section 7(2)(b)(ii) Section 7(2)(i)