



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

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PRESENT:

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

IN ATTENDANCE:

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

MEDIA:

James Sandbrook and Mike Fletcher (Opotiki News)

PUBLIC:

Len Forrester  
Janet Thompson

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Deputy Mayor Riesterer opened the meeting with a quote from George Orwell "Either we ALL live in a decent world or NOBODY does". She related the quote to Council's motto "Strong Community. Strong Future".

**APOLOGIES**

Councillor Haki McRoberts.

**RESOLVED**

**(1) That the apology be sustained.**

Riesterer/Young

**Carried**

**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 Ōpōtiki Harbour Development Project and Whakatōhea Mussels (Ōpōtiki) Ltd.

**PUBLIC FORUM**

*Len Forrester – Town Maintenance*

Len Forrester stated that 25 years ago Ōpōtiki was looking well-kept and tidy. The town is now looking neglected with lawns overgrown and drains filled with rubbish not cleaned out. He queried who is responsible for the horse paddocks between Peria House and the stop bank as it is full of weeds. The paddocks were sprayed three years ago but nothing has been done since.

In concluding, Len Forrester mentioned that there are three road cones in the drain which goes under King Street and a tyre which has been there for some time is trapping rubbish.

*Len Forrester left the meeting at 9.04am.*

**1. CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING: 9 OCTOBER 2018 p4**

**RESOLVED**

- (1) That the minutes of the Ordinary Council meeting held on 9 October 2018 be confirmed as a true and correct record.**

Browne/Young

**Carried**

**2. CONFIRMATION OF MINUTES – EXTRA ORDINARY COUNCIL MEETING 30 OCTOBER 2018 p14**

**RESOLVED**

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

Young/Browne

**Carried**

**3. MINUTES – COAST COMMUNITY BOARD MEETING 11 SEPTEMBER 2018 p16**

**RESOLVED**

- (1) That the minutes of the Coast Community Board meeting held on 11 September 2018 and any recommendations therein be received.**

HWTM/Tuoro

**Carried**

**4. MINUTES – AUDIT AND RISK COMMITTEE MEETING 13 SEPTEMBER 2018 p20**

**RESOLVED**

- (1) That the minutes of the Audit and Risk Committee meeting held on 13 September 2018 and any recommendations therein be received.**

Tuoro/Young

**Carried**

**5. MINUTES – ŌHIWA HARBOUR IMPLEMENTATION FORUM MEETING 25 SEPTEMBER 2018 p28**

**RESOLVED**

- (1) That the minutes of the Ōhiwa Harbour Implementation forum meeting held on 25 September 2018 be received.**

Riesterer/HWTM

**Carried**

**6. MINUTES – CIVIL DEFENCE EMERGENCY MANAGEMENT GROUP JOINT COMMITTEE MEETING 28 SEPTEMBER 2018 p39**

**RESOLVED**

- (1) That the minutes of the Civil Defence Emergency Management Group Joint Committee meeting held on 28 September 2018 be received.**

HWTM/Browne

**Carried**

**7. MAYORAL REPORT 5 OCTOBER 2018 – 8 NOVEMBER 2018 p43**

His Worship the Mayor referred to the request for assistance with repairing the murals at the wharf which is noted in the report. He stated that he has approached various groups in town in relation to restoring the murals but there has been no uptake.

Following a discussion around graffiti in general, the Chief Executive Officer advised that a report with some technical information, and a policy, will be coming to Council.

Council agreed to wait for the report, consider the recommendations and have a discussion on funding.

**RESOLVED**

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

Riesterer/Tuoro

**Carried**

*The Planning and Regulatory Group Manager entered the meeting at 9.13am.*

**8. ŌPŌTIKI MARINE ADVISORY GROUP (OMAG) UPDATE**

**p46**

**RESOLVED**

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

Riesterer/Browne

**Carried**

**9. TE KAHA WATER SUPPLY RIDER-MAIN EXTENSION**

**p51**

**RESOLVED**

**(1) That the report titled "Te Kaha Water Supply Rider-Main Extension" be received.**

**(2) That Council approves the loan fund of \$30,000 to complete works.**

Tuoro/Browne

**Carried**

**10. CHIEF EXECUTIVE OFFICER'S UPDATE**

**p54**

**RESOLVED**

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

Tuoro/Browne

**Carried**

*The Finance and Corporate Services Group Manager left the meeting at 9.23am and returned at 9.25am.*

*The Planning and Regulatory Group Manager left the meeting at 9.43am and returned at 9.46am.*

**11. RESOLUTION TO EXCLUDE THE PUBLIC**

**p60**

**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:

<b>Item No</b>	<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48(1) for the passing of this resolution</b>
<b>12.</b>	<b>Confirmation of In-Committee Minutes – Ordinary Council Meeting 9 October 2018</b>	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)
<b>13.</b>	<b>In-Committee Minutes – Audit and Risk committee Meeting 13 September 2018</b>	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)
<b>14.</b>	<b>Draft Minutes – Toi-EDA Meeting 1 October 2018</b>	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.	<b>2017-18 Capital Expenditure Carry Forwards</b>	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.	<b>Ōpōtiki Water Supply Resilience – St John Street Variation</b>	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.	<b>Land Acquisition Update</b>	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  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)(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)
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Young/Riesterer

**Carried**

*Janet Thompson left the meeting at 9.53am.*

**RESOLVED**

- (1) That the resolutions made while the public was excluded, except for clause 2 of Item 15 (2017-18 Capital Expenditure Carry Forwards) and clauses 2-5 of Item 17 (Land Acquisition Update) be confirmed in open meeting.**
- (2) That the public be readmitted to the meeting.**

Browne/Tuoro

**Carried**

**RESOLVED**

- (1) That the in-committee minutes of the Ordinary Council meeting held at on 9 October 2018 be confirmed as a true and correct record.**

Riesterer/Browne

**Carried**

**RESOLVED**

- (1) That the in-committee minutes of the Audit and risk Committee meeting held on 13 September and any recommendations therein be received.**

Tuoro/Young

**Carried**

**RESOLVED**

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

HWTM/Tuoro

**Carried**

**RESOLVED**

- (1) That the report titled "2017-18 capital expenditure Carry Forwards" be received.**

Tuoro/Riesterer

**Carried**

**RESOLVED**

- (1) That the report titled "Ōpōtiki Water Supply Resilience – St John Street Variation" be received.**

- (2) That Council approves changing the Ōpōtiki Raw Water Main Renewal project scope to include a new 200mm pipe main along St John Street on the basis that there is sufficient budget.**

Young/Tuoro

**Carried**

**RESOLVED**

- (1) That the report titled "Land acquisition Update" be received.**

Young/Browne

**Carried**

**THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 10.23AM.**

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING A  
TRUE AND CORRECT RECORD AT A SUBSEQUENT  
MEETING OF THE COUNCIL HELD ON 18 DECEMBER  
2018**

**J H FORBES**

**HIS WORSHIP THE MAYOR**