



**MINUTES OF AN ORDINARY COUNCIL MEETING DATED TUESDAY, 23 APRIL 2019 IN THE
OPOTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, OPOTIKI AT 9.00AM**

PRESENT:

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

IN ATTENDANCE:

Aileen Lawrie (Chief Executive Officer)
Gerard McCormack (Planning and Regulatory Group Manager)
Michael Homan (Finance Systems and Property Group Manager)
Muriel Chamberlain (Corporate Services Manager)
Sarah Jones (Corporate Planner and Executive Officer)
Jakob Carter (Events and Senior i-SITE Officer)
Gae Newell (Executive Assistant and Governance Support Officer)
Bevan Gray (via video conferencing)

MEDIA:

James Sandbrook (Opotiki News)

PUBLIC:

Anne Hill
Len Forrester
Janet Thompson

Councillor Browne opened the meeting with a prayer.

Deputy Mayor Riesterer advised that an extra item, Reserve Sites, will be included in the in-committee section of the meeting for consideration as a matter of urgency. A revised Resolution to Exclude the Public has also been tabled, setting out the reasons for the item to be considered in-committee.

APOLOGY

His Worship the Mayor, John Forbes

RESOLVED

(1) That the apology be sustained.

Riesterer/McRoberts

Carried

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

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

PUBLIC FORUM

Anne Hill – Update on Horse Trail Project

Anne Hill stated that progress with the horse trail has come a long way and a very good public meeting was held recently. She added that there are still some issues to be resolved which she will continue to work on with the Reserves Manager.

Following handing a map around to Councillors, Anne Hill stated that she is working with Council in order to get the old stock route, which is a legal road, open for a temporary circuit.

In the long term Anne Hill said that she can see financial issues arising, e.g. fencing, consultants etc.

Anne Hill thanked Council for supporting the project and her team, noting that she intends to see the project through to the bitter end. She asked that thanks be passed on to the Reserves Manager for his support.

In conclusion, Anne Hill extended her thanks, in particular to His Worship the Mayor, for the support she received at the time of the loss of her daughter, Dale.

Anne Hill left the meeting at 9.09am.

Len Forrester – Lack of Maintenance in the District

Len Forrester thanked the Engineering and Services Group Manager for taking time out to visit him and look at the issues he raised around maintenance. Together they looked at open drains which have been neglected for six years now and roads with no kerb and channelling. These items were noted in the notebooks he gave to the Chief Executive Officer and Councillors at an earlier Council meeting.

Len Forrester queried what Council has done in relation to flooding, noting that Ōpōtiki is in a prone position with two rivers.

Councillor Howe advised that flood protection is governed by the Regional Council.

The Chief Executive Officer stated that Council is represented on a committee around river management so it can see what is going on. In 2021 the Regional Council will be undertaking a full review on stopbanks and the technical conditions underneath. Up in the catchment area, which is owned by the Department of Conservation, their practices have a significant effect on the flood scheme. Each year Council submits to the Regional Council's Annual Plan around river management and currently Council is making a submission to the river gravel consents which are currently open.

Mr Forrester stated he will attend a Council meeting in two months' time.

Len Forrester left the meeting at 9.23am.

Janet Thompson entered the meeting at 9.04am.

The Planning and Regulatory Group Manager entered the meeting at 9.22am.

1. CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING: 12 MARCH 2019 p4

RESOLVED

- (1) That the minutes of the Ordinary Council meeting held on 12 March 2019 be confirmed as a true and correct record.**

McRoberts/Young

Carried

2. MINUTES – COAST COMMUNITY BOARD MEETING 12 FEBRUARY 2019 p12

RESOLVED

- (1) That the minutes of the Coast Community Board meeting held on 12 February 2019 and any recommendations therein be received.**

McRoberts/Riesterer

Carried

3. MINUTES – EASTERN BAY OF PLENTY JOINT COMMITTEE MEETING 5 MARCH 2019 p17

RESOLVED

- (1) That the minutes of the Eastern Bay of Plenty Joint Committee meeting held on 5 March 2019 be received.**

Riesterer/Tuoro

Carried

4. MINUTES – REGIONAL TRANSPORT COMMITTEE MEETING 15 MARCH 2019 p23

RESOLVED

- (1) That the minutes of the Regional Transport Committee meeting held on 15 March 2019 be received.**

Tuoro/Young

Carried

5. MINUTES – CIVIL DEFENCE EMERGENCY MANAGEMENT GROUP JOINT COMMITTEE MEETING 22 MARCH 2019 p21

RESOLVED

- (1) That the minutes of the Civil Defence Emergency Management Group Joint Committee meeting held on 22 March 2019 be received.**

Riesterer/Browne

Carried

6. MINUTES – ŌHIWA HARBOUR IMPLEMENTATION FORUM MEETING 28 MARCH 2019 p41

RESOLVED

- (1) That the minutes of the Ōhiwa Harbour Implementation forum meeting held on 28 March 2019 be received.**

Riesterer/Tuoro

Carried

7. MAYORAL REPORT 1 MARCH 2019 – 9 APRIL 2019 p51

RESOLVED

- (1) That the report titled “Mayoral Report 1 March 2019 – 9 April 2019” be received.**

Riesterer/Young

Carried

8. ŌPŌTIKI MARINE ADVISORY GROUP (OMAG) UPDATE

p54

RESOLVED

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

Browne/Howe

Carried

Jakob Carter entered the meeting at 9.38am.

Item 10 (Annual Community Survey Results) was considered following Item 8 above.

9. 2019-2020 ANNUAL PLAN INFORMATION

p57

Bevan Gray joined the meeting via video conference. He spoke to a powerpoint presentation covering the following points:

- The purpose of the presentation
- Timeline
- The Pre-Christmas Workshop
- Updated Financials
- Unexpected Expenditure
- Reasons for Changes
- Rating and Rates Changes
- Consultation – Legal Requirements
- Informal Consultation
- Significant or Material Change

A revised Information Document was tabled. Bevan Gray explained the change is that Council has decided to engage with the community around the Library redevelopment. The wording in the Information Document in relation to the Library redevelopment has been amended to reflect the change.

The Chief Executive Officer advised that clause 2 of the recommendations is confirming formally what Council had informally decided in relation to consultation.

RESOLVED

(1) That the report titled "2019-2020 Annual Plan Information" be received.

(2) That Council formally endorses the decision not to formally consult on the 2019-2020 Annual Plan.

(3) That Council adopt the 2019-20 Information Document 'Your assets, your community, your future – our plan in action' and approve it for public release.

Young/McRoberts

Carried

10. ANNUAL COMMUNITY SURVEY RESULTS

p62

RESOLVED

- (1) That the report titled "Annual Community Survey Results" be received.**

Young/McRoberts

Carried

The Corporate Services Manager entered the meeting at 9.43am.

The Corporate Planner and Executive Officer entered the meeting at 9.49am.

Item 13 (Matariki Festival Funding Applications) was considered following Item 10 above.

The Events and Senior i-SITE Officer and the Corporate Services Manager left the meeting at 10.02am.

The meeting adjourned for a Citizenship Ceremony at 10.03am and reconvened at 10.36am.

Item 14 (Local Government New Zealand Conference 2019) was considered at this time, then Item 9 (2019-2020 Annual Plan Information), then Item 12 (Resolution to Declare Hunting Dogs to be Working Dogs for the Purposes of the dog control Act 1996), followed by Item 11 (Conflict of Interest Policy), Item 15 (Chief Executive Officer's Update) and Item 16 (Resolution to Exclude the Public).

11. CONFLICT OF INTEREST POLICY

p69

Deputy Mayor Riesterer suggested that under Elected and Appointed Members, clause 4.1, page 76 of the agenda, the word "or" be deleted from the first and third bullet points so that in both cases it reads "the Mayor and Chief Executive". Under General Staff, clause 4.3, page 79 of the agenda, that the word "or" be deleted from paragraph number 2 under Identified Conflict so it reads "Manager and the Chief Executive". These minor amendments were agreed to.

RESOLVED

- (1) That the report titled "Conflict of Interest Policy" be received.**

- (2) That Council adopt the Conflict of Interest Policy for use.**

Tuoro/Browne

Carried

12. RESOLUTION TO DECLARE HUNTING DOGS TO BE WORKING DOGS FOR THE PURPOSES OF THE DOG CONTROL ACT 1996

p89

RESOLVED

- (1) That the report titled "Resolution to Declare Hunting Dogs to be Working Dogs for the Purposes of the Dog Control Act 1996" be received.**

- (2) **That hunting dogs that are kept solely or principally for the purposes of hunting game by a person undertaking legal hunting activities, and that have completed avian awareness and aversion training, be declared to be working dogs for the purposes of the dog control Act 1996.**

Howe/Riesterer

Carried

13. MATARIKI FESTIVAL FUNDING APPLICATIONS

p94

RESOLVED

- (1) **That the report titled "Matariki Festival Funding Applications" be received.**
- (2) **That Council approves the lodging of a funding application with Southern Trust to support the 2019 Matariki Festival, subject to quotes.**
- (3) **That Council approves the lodging of a funding application with The Lion Foundation to support the 2019 Matariki Festival, subject to quotes.**
- (4) **That Council approves the lodging of a funding application with the Lottery Community Committee to support the 2019 Matariki Festival, subject to quotes.**
- (5) **That Council approves the lodging of a funding application with BayTrust to support the 2019 Matariki Festival subject to quotes.**

Tuoro/Browne

Carried

14. LOCAL GOVERNMENT NEW ZEALAND CONFERENCE 2019

p97

Councillor Young advised that he was on rotation to attend but declined as he is not standing for Council in the upcoming election.

As next in rotation to attend the conference, Councillors Browne and Howe confirmed that they will be standing for Council again.

RESOLVED

- (1) **That the report titled "Local Government New Zealand Conference 2019" be received.**
- (2) **That His Worship the Mayor together with Councillors Browne and Howe are authorised to attend the Local Government New Zealand Conference 2019 in Wellington.**

Tuoro/Young

Carried

The Corporate Planner and Executive Officer left the meeting at 11.24am.

15. CHIEF EXECUTIVE OFFICER'S UPDATE

p99

RESOLVED

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

Browne/Tuoro

Carried

James Sandbrook and Janet Thompson left the meeting at 11.51am.

16. RESOLUTION TO EXCLUDE THE PUBLIC

p126

A revised Resolution to Exclude the Public was tabled.

SECTION 48 LOCAL GOVERNMENT OFFICIAL INFORMATION & MEETINGS ACT 1987

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

17. Confirmation of In-Committee Minutes – Ordinary Council Meeting 12 March 2019.

Extra Item – Reserve Sites

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
17.	Confirmation of In-Committee Minutes – Ordinary Council Meeting 12 March 2019	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.	Section 48(1)(a)
Extra Item	Reserve Sites	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:

17.	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 7(2)(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)(b)(ii)
Extra Item	Protect the privacy of natural persons Protect information Protection from improper pressure or harassment	Section 7(2)(A) Section 7(2)(b)(ii) Section 7(f)(ii)

McRoberts/Young

Carried

RESOLVED

- (1) That the resolutions made while the public was excluded, except for the resolutions for the extra item, Reserve Sites, 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 12 March 2019 be confirmed as a true and correct record.**

Tuoro/Young

Carried

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 12.01PM.

THE FOREGOING MINUTES ARE CERTIFIED AS BEING A TRUE AND CORRECT RECORD AT A SUBSEQUENT MEETING OF THE COUNCIL HELD ON 4 JUNE 2019

J H FORBES

HIS WORSHIP THE MAYOR