



MINUTES OF AN ORDINARY COUNCIL MEETING DATED TUESDAY, 4 JUNE 2019 IN THE OPOTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, OPOTIKI AT 9.00AM

PRESENT:

Mayor John Forbes (Chairperson)
Deputy Mayor Lyn Riesterer (Chairperson)
Councillors:
Barry Howe
Arihia Tuoro

IN ATTENDANCE:

Aileen Lawrie (Chief Executive Officer)
Gerard McCormack (Planning and Regulatory Group Manager)
Michael Homan (Finance Systems and Property Group Manager)
Gae Newell (Executive Assistant and Governance Support Officer)

MEDIA:

James Sandbrook (Opotiki News)

PUBLIC:

Xiao Yu Chen
Janet Thompson
Mark Stringfellow
John Galbraith

Councillor Howe opened the meeting with an inspirational thought.

APOLOGIES

Councillor Browne, Councillor McRoberts and Councillor Young.

RESOLVED

(1) That the apologies be sustained.

Tuoro/Riesterer

Carried

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

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

PUBLIC FORUM

Xiao Yu Chen – Climate Change

Mr Chen stated he was representing a group called Extinction Rebellion and was seeking opinions on the current climate emergency, and Council declaring a climate emergency.. He also asked about the zoning of high risk low areas which are prone to flooding and tsunamis.

His Worship the Mayor advised that Ōpōtiki District Council has been working for a long time around how it manages the way forward and have been considering the impacts of climate change and sea level rise. This town has always been prone to flooding and Council takes these things very, very seriously. Zoning of low lying areas have had risk assessments and there is little development in those areas.

The Chief Executive Officer explained that the issues are complex and require a lot of input and analysis, adding that the first sea level rise planning process commenced in 1993. Ongoing modelling is being undertaken by the Regional Council. Climate change is built into everything Council does, e.g. pipe sizing and district planning. Mitigation, adaptation and avoidance are prime considerations, however the cost is something this community will have to grapple with.

1. CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING: 23 APRIL 2019 p4

RESOLVED

- (1) That the minutes of the Ordinary Council meeting held on 23 April 2019 be confirmed as a true and correct record.**

Riesterer/Tuoro

Carried

2. MINUTES – AUDIT AND RISK COMMITTEE MEETING 18 FEBRUARY 2019 p13

RESOLVED

- (1) That the minutes of the Audit and Risk Committee meeting held on 18 February 2019 and any recommendations therein be received.**

Tuoro/HWTM

Carried

3. MINUTES – COAST COMMUNITY BOARD MEETING 26 MARCH 2019 p18

RESOLVED

- (1) That the minutes of the Coast Community Board meeting held on 26 March 2019 be received.**

Riesterer/HWTM

Carried

4. MAYORAL REPORT 10 APRIL 2019 – 23 MAY 2019 p24

RESOLVED

- (1) That the report titled “Mayoral Report 10 April 2019 – 23 May 2019” be received.**

HWTM/Riesterer

Carried

Items 6, 7, 8 and 9 were considered prior to Item 5.

5. HARBOUR DEVELOPMENT PROJECT UPDATE p27

John Galbraith spoke to the report with the aid of a power point presentation.

His Worship the Mayor thanked John Galbraith for his commitment and the hard work he has put into the Harbour Development Project. He also acknowledged HEB and Tonkin & Taylor.

RESOLVED

- (1) That the report titled “Harbour Development Project Update” be received.**
- (2) That Council notes that an initial registration of interest (ROI) will be addressed to known and potential rock suppliers to the Ōpōtiki Harbour Development Project, followed by a targeted request for proposals (RFP) to selected ROI respondents to secure rock supply tenders or commitments by mid-July 2019, for inclusion in the revised business case for harbour funding.**

Tuoro/Riesterer

Carried

6. PROPOSED CHANGES TO ELECTED MEMBER REMUNERATION p37

A replacement report was tabled, the only amendment being some updated figures in Tables B and C.

RESOLVED

- (1) That the report titled “Proposed Changes to Elected Member Remuneration” be received.**

(2) That elected members note the changes proposed by the Remuneration Authority.

HWTM/Riesterer

Carried

Mark Stringfellow entered the meeting at 9.17am.

7. PROPOSAL FOR NEW ROAD NAME: KUAKA LANE

p42

RESOLVED

(1) That the report titled "Proposal For New Road Name: Kuaka Lane" be received.

(2) That Council approves the naming of the private way Kuaka Lane and agrees to it being officially recognised as a named road.

Howe/Riesterer

Carried

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

p52

RESOLVED

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

Tuoro/HWTM

Carried

9. CHIEF EXECUTIVE OFFICER'S UPDATE

p58

RESOLVED

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

Riesterer/Tuoro

Carried

The Chief Financial Officer entered the meeting at 9.37am.

The Planning and Regulatory Group Manager left the meeting at 9.41am and returned at 9.42am.

The meeting adjourned for morning tea at 9.49am and reconvened at 10.10am at which time Item 5 (Harbour Development Project Update) was considered.

10. RESOLUTION TO EXCLUDE THE PUBLIC

p61

SECTION 48 LOCAL GOVERNMENT OFFICIAL INFORMATION & MEETINGS ACT 1987

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

11. **Confirmation of In-Committee Minutes – Ordinary Council Meeting 23 April 2019.**
12. **In-Committee Minutes – Audit and Risk Committee Meeting 18 February 2019.**
13. **Harbour Development Project (presentation).**
14. **Investment Update.**

2. **THAT the following person be permitted to remain at this meeting after the public has been excluded because of their knowledge of the subject item in relation to the following. This knowledge will be of assistance and is relevant to the matters to be discussed:**

Name: John Galbraith

Item: Harbour Development Project (presentation)

Business: To provide Council with a detailed update on the Opotiki Harbour Development Project

Reason: To enable the accurate presentation of sensitive information to the Council and to provide responses to queries.

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
11.	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)
12.	In-Committee Minutes – Audit and Risk Committee Meeting 13 February 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)
13.	Harbour Development Project (presentation)	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.	Investment 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)
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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:

11.	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 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)(b)(ii)
12.	Maintain effective conduct of public affairs Protect information Protect the privacy of natural persons Carry out negotiations Prevent disclosure or use of official information Carry out commercial activities	Section 7(2)(f)(i) & (ii) Section 7(2)(b)(i) & (ii), (d) & (e) Section 7(2)(a) Section 7(2)(i) Section 7(2)(j) Section 7(2)(h)
13.	Protect the privacy of natural persons Commercial sensitivity Prevent disclosure or use of official information	Section 7(2)(a) Section 7(2)(b)(ii) Section 7(2)(j)
14.	Protect the privacy of natural persons Commercial sensitivity	Section 7(2)(a) Section 7(2)(b)(ii)

Tuoro/Riesterer

Carried

Councillor Howe left the meeting at 10.39am and returned at 10.42am.

James Sandbrook, Janet Thompson, Xiao Yu Chen and Mark Stringfellow left the meeting at 10.44am.

RESOLVED

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

Tuoro/Howe

Carried

RESOLVED

- (1) That the minutes of the In-Committee Ordinary Council meeting held on 23 April 2019 be confirmed as a true and correct record.**

Riesterer/Howe

Carried

RESOLVED

- (1) That the in-committee minutes of the Audit and Risk Committee meeting held on 18 February 2019 and any recommendations therein be received.**

Tuoro/HWTM

Carried

RESOLVED

- (1) That the report titled "Investment Update" be received.**
- (2) That Council approves the recommendation of the Audit and Risk Committee and agrees in principle to support the request from Evolution Networks, subject to agreeing to the amount, form, priority and timing of the assistance and any additional obligations that may be required from the company.**

HWTM/Tuoro

Carried

His Worship the Mayor exercised his deliberative vote

Against: Councillor Howe

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 11.23AM.

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING A
TRUE AND CORRECT RECORD AT A SUBSEQUENT
MEETING OF THE COUNCIL HELD ON 23 JULY 2019**

J H FORBES

HIS WORSHIP THE MAYOR