



**MINUTES OF AN ORDINARY COUNCIL MEETING DATED TUESDAY, 6 OCTOBER 2020 IN THE  
ŌPŌTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, ŌPŌTIKI AT 9.02AM**

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PRESENT:

Mayor Lyn Riesterer (Chairperson)  
Deputy Mayor Shona Browne (Deputy Chairperson)  
Councillors:  
Debi Hocart  
Barry Howe  
David Moore  
Steve Nelson

IN ATTENDANCE:

Aileen Lawrie (Chief Executive Officer)  
Bevan Gray (Finance and Corporate Services Group Manager)  
Gerard McCormack (Planning and Regulatory Group Manager)  
Sarah Jones (Strategic Development Manager)  
Tina Gedson (Harbour Project Programme Planner)  
Katherine Hall (Policy Planner)  
Garry Page (Reserves Manager)  
Gae Finlay (Executive Assistant and Governance Support Officer)

GUEST

John Galbraith (Project Manager, Ōpōtiki Harbour Development Project)

PUBLIC:

Rob Emmott  
Kaysea Cronin  
Inys Calcott

MEDIA

Charlotte Jones (Local Democracy Reporter, The Beacon)

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Deputy Mayor Browne opened the meeting with a prayer.

**APOLOGY**

Councillor Rāpihana

**RESOLVED**

**That the apology be sustained.**

HWTM/Hocart

**Carried**

## **DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS**

Nil.

## **PUBLIC FORUM**

### *Rob Emmott – Out of Hours Mailbox*

Rob Emmott noted that there is no place to drop things off to Council after hours, i.e. no mailbox on the outside of the building. However, there is a bicycle shed and ornate garden ornaments.

### *Rubbish*

Rob Emmott showed Council some rubbish from his garden, stating that there is no place for this type of rubbish at the recycling centre. Customers are hold to take the rubbish to Whakatāne or out to the country and drop it in the drain. Rob Emmott then referred to items which do not get moved off properties and defaces those properties, such as motor cars left on sections. He suggested that an amnesty once a year could be a solution and said that everywhere else he has lived there had always been a tip to get of unrecyclable items.

Rob Emmott stated that whoever designed the system where there is no rubbish tip is in denial and he suggested two options:

- That skip bins with a drive up ramp, charged at the office
- A weigh bridge. An entry level weigh bridge costs approximately \$60,000.

The current way of measuring waste and rubbish is by sight and the amounts vary.

*John Galbraith and the Harbour Project Programme Planner entered the meeting at 9.06am.*

### *Kaysea Cronin – Rubbish Bins*

Kaysea Cronin stated that she acknowledged that the bins which are in place were not brought in by the current Council.

In relation to rubbish collection, Kaysea Cronin referred to a petition she started on Facebook two weeks ago. She said there is inconsistent collection of rubbish and the bins are inadequate for families, adding that the lid did not shut fully on her own bin and it was not collected although others with overflow were collected.

Kaysea Cronin is aware of elderly people having carts made to put the bin on and she suggested a wheelie bin as an option. The system is an eyesore on rubbish day and the general rubbish bin does not hold enough, especially for families and this will lead to people wanting to burn their rubbish, which is no good for climate change, or dumping rubbish at the rivers.

As a healthcare worker, Kaysea Cronin said that she is out in the community and see a lot of families whose homes are full of rubbish because they cannot put it all out and cannot afford to go to the Resource Recovery Centre.

Kaysea Cronin stated that the system has failed and Council needs to own that – our community deserves a better rubbish system. All of the projects going on at present are great, but rubbish needs to be added to those.

In conclusion, Kaysea Cronin said that 813 people agree with her in relation to rubbish collection, and that is only on one social media platform.

*Charlotte Jones and the members of the public left the meeting at 9.16am.*

**1. RESOLUTION TO EXCLUDE THE PUBLIC**

**p4**

**SECTION 48 LOCAL GOVERNMENT OFFICIAL INFORMATION & MEETINGS ACT 1987**

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

**27. Ōpōtiki Harbour Development Project – Heads of Agreement.**

**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: 27 Ōpōtiki Harbour Development Project – Heads of Agreement).**

**Business: To provide Council with detailed information and updates in relation to Item 27 inclusive relevant to the Ōpōtiki 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
27.	<b>Ōpōtiki Harbour Development Project – Heads of Agreement</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:**

27.	Protect information Prevent the disclosure or use of official information	Section 7(2)(b)(i) & (ii) Section 7(2)(j)
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Nelson/Browne

**Carried**

**2. RESOLUTION TO RESTATE RESOLUTIONS AND READMIT THE PUBLIC**

**P6**

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

HWTM/Hocart

**Carried**

**RESOLVED**

- (1) That the report titled “Opotiki Harbour Development Project – Heads of Agreement” be received.**
- (2) That Council agrees to the Heads of Agreement and notes that it will now be drafted in contractual documents.**
- (3) That Council agrees to transfer the resource consents and other relevant permissions for the harbour project to MBIE following all parties signing the Heads of Agreement.**

**(4) That Council delegates to the Chief Executive the power to sign subsequent contractual agreements (subject to appropriate legal advice) in line with the Heads of Agreement.**

Browne/Moore

**Carried**

*John Galbraith and the Harbour Project Programme Planner left the meeting at 9.57am.*

*Charlotte Jones and the members of the public re-entered the meeting at 9.59am.*

*Inys Calcott entered the meeting at 10.00am.*

*Her Worship the Mayor advised that Inys Calcott was on the agenda to speak in the Public Forum and she would now be given time to speak to Council.*

**PUBLIC FORUM**

*Housing and Related Issues*

Inys Calcott raised made several points in relation to housing issues she would like to see addressed as part of the iwi claim for Te Whānau a Apanui:

- Bringing existing housing up to current building standards and the red tape and barriers imposed
- Rates – Māori land v general land
- Easements
- The cost for a permit and the complicated application form
- Policies designed by the Crown and its agencies without consulting Māori
- The slow return of hapū members back to whānau land and an increased need for housing these returnees
- Issues around papakāinga.

Inys Calcott concluded by saying that she would like to continue to form a relationship with Council.

Her Worship the Mayor thanked Inys Calcott for her attendance.

*Inys Calcott left the meeting at 10.15am.*

**3. CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING: 25 AUGUST 2020**

**p7**

**RESOLVED**

**(1) That the minutes of the Ordinary Council meeting held on 25 August 2020 be confirmed as a true and correct record.**

Nelson/Howe

**Carried**

**4. MINUTES – RISK AND ASSURANCE COMMITTEE MEETING 18 MAY 2020 p21**

**RESOLVED**

- (1) That the minutes of the Risk and Assurance Committee meeting held on 18 May 2020 and any recommendations therein be received.**

Hocart/Nelson

**Carried**

**5. MINUTES – COAST COMMUNITY BOARD MEETING 16 JUNE 2020 p26**

**RESOLVED**

- (1) That the minutes of the Coast Community Board meeting held on 16 June 2020 and any recommendations therein be received.**

HWTM/Browne

**Carried**

**6. MINUTES – EASTERN BAY OF PLENTY JOINT COMMITTEE MEETING 17 MARCH 2020 p31**

**RESOLVED**

- (1) That the minutes of the Eastern Bay of Plenty Joint Committee meeting held on 17 March 2020 be received.**

HWTM/Nelson

**Carried**

**7. MINUTES – REGIONAL TRANSPORT COMMITTEE MEETING 7 AUGUST 2020 p41**

**RESOLVED**

- (1) That the minutes of the Regional Transport Committee meeting held on 7 August 2020 be received.**

Moore/HWTM

**Carried**

**8. MAYORAL REPORT 8 AUGUST 2020 – 18 SEPTEMBER 2020 p49**

**RESOLVED**

- (1) That the report titled “Mayoral Report 8 August 2020 – 18 September 2020” be received.**

HWTM/Hocart

**Carried**

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

**p54**

**RESOLVED**

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

Howe/Browne

**Carried**

*Item 18 (Redevelopment Options – Lots 9 and 10 church Street, Ōpōtiki) was considered next.*

*Rob Emmott left the meeting at 10.45am.*

*The meeting adjourned for morning tea at 10.49am and reconvened at 11.05am. The Strategic Development Manager did not rejoin the meeting at this time.*

*The Reserves Manager entered the meeting at 11.07am.*

**PRESENTATION – SPORT BAY OF PLENTY**

Zane Jensen (Sport Bay of Plenty) stated that Opotiki District Council is a partner of the Bay of Plenty Spaces and Places Strategy. The Strategy has just gone through a review process to sign off on the plan for the next three years. This is a national approach across all regions in New Zealand.

A powerpoint presentation covered the following points in relation to the Bay of Plenty Spaces and Places Strategy 2020-2023:

- What is the Strategy
- Background 2017-2020
- Successes 2017-2020
- Where to Next?
- Regional Priorities
- Opotiki District Council Priorities.

In conclusion, Zane Jensen acknowledged the Reserves Manager’s involvement as part of the Steering Group.

Her Worship the Mayor thanked Zane Jensen for his presentation to Council.

*Zane Jensen and the Reserves Manager left the meeting at 11.33am.*

Her Worship the Mayor stated that she would like to adopt all of the recommendations for the Long Term Plan items (Items 10, 11, 12, 13, 14, 15 and 16) collectively. This was seconded by Councillor Hocart.

The motion was PUT and CARRIED

**RESOLVED**

**That all of the recommendations for the Long Term Plan items (Items 10, 11, 12, 13, 14, 15 and 16) be adopted collectively.**

HWTM/Hocart

**Carried**

**10. LONG TERM PLAN – STRATEGIC DIRECTION SETTING**

**p57**

**RESOLVED**

- (1) That the report titled “Long Term Plan – Strategic Direction Setting” be received.**
- (2) That the report titled “Long Term Plan – Strategic Direction Setting” be adopted by Council as part of the backing information for inclusion into the Long Term Planning process.**

HWTM/Hocart

**Carried**

**11. LONG TERM PLAN – REVENUE AND FINANCING POLICY**

**p69**

**RESOLVED**

- (1) That the report titled “Long Term Plan – Revenue and Financing Policy” be received.**
- (2) That the report titled “Long Term Plan – Revenue and Financing Policy ” be adopted by Council as part of the backing information for inclusion into the Long Term Planning process.**
- (3) That Council consult on the Long Term Plan – Revenue and Financing Policy separate and earlier than the consultation of the LTP, to ensure that any amendment following the consultation can be adequately included into the LTP prior to its consultation.**

HWTM/Hocart

**Carried**

**12. LONG TERM PLAN – COMMUNITY OUTCOMES**

**p105**

**RESOLVED**

- (1) That the report titled “Long Term Plan – Community Outcomes” be received.**
- (2) That the report titled “Long Term Plan – Community Outcomes” be adopted by Council as part of the backing information for inclusion into the Long Term Planning process.**

HWTM/Hocart

**Carried**



**13. LONG TERM PLAN – ACTIVITY STRATEGIES** **p115**

**RESOLVED**

- (1) That the report titled “Long Term Plan – Activity Strategies” be received.**
- (2) That the report titled “Long Term Plan – Activity Strategies” be adopted by Council as part of the backing information for inclusion into the Long Term Planning process.**

HWTM/Hocart

**Carried**

**14. LONG TERM PLAN – RATIONALE AND GROUPING OF ACTIVITIES** **p120**

**RESOLVED**

- (1) That the report titled “Long Term Plan – Rationale and Grouping of Activities” be received.**
- (2) That the report titled “Long Term Plan – Rationale and Grouping of Activities” be adopted by Council as part of the backing information for inclusion into the Long Term Planning process.**

HWTM/Hocart

**Carried**

**15. LONG TERM PLAN – KEY ASSUMPTIONS** **p150**

**RESOLVED**

- (1) That the report titled “Long Term Plan – Key Assumptions” be received.**
- (2) That the report titled “Long Term Plan – Key Assumptions” be adopted by Council as part of the backing information for inclusion in the Long Term Planning process.**

HWTM/Hocart

**Carried**

**16. LONG TERM PLAN – FINANCIAL STRATEGY** **p176**

**RESOLVED**

- (1) That the report titled “Long Term Plan – Financial Strategy” be received.**
- (2) That the report titled “Long Term Plan – Financial Strategy” be adopted by Council as part of the backing information for inclusion into the Long Term Planning process.**

HWTM/Hocart

**Carried**

*The Reserves Manager and the Policy Planner entered the meeting at 11.54am.*

*Charlotte Jones left the meeting at 12.05pm.*

**17. REPORT TO COUNCIL ON ŌPŌTIKI DISTRICT COUNCIL'S RESERVE MANAGEMENT PLANS** **p189**  
**and separate document**

**RESOLVED**

- (1) That the report titled "Report to Council on Ōpōtiki District Council's Reserve Management Plans" be received.**
- (2) That Council accept the hearing panel recommendations on submissions to the draft Reserve Management Plan (Appendix 1).**
- (3) That all people that provided feedback during consultation be thanked for their participation in the process.**
- (4) That the advice from the hearing panel be received and used (as amended) for the basis of responses to submitters.**
- (5) That in accordance with section 41 of the Reserves Act 1977, the Council adopts the Reserve Management Plan (Appendix 2).**

Hocart/Howe

**Carried**

*Item 18 was considered prior to Item 10.*

**18. REDEVELOPMENT OPTIONS – LOTS 9 AND 10 CHURCH STREET, ŌPŌTIKI** **p196**

The Strategic Development Manager spoke to the report.

From a discussion where various opinions were shared, the favoured options were Option 2 and Option 3.

Those who favoured Option 2 were keen to see accommodation provided on the second floor and those who favoured Option 3, commercial space.

The Strategic Development Manager pointed out that providing accommodation would require a lot of extra work and the suggestion of providing accommodation for Council staff would be a big change for the property team.

The Chief Executive Officer said she would not be in favour of confusing the employer/employee relationship by providing staff accommodation.

A further discussion ensued with the majority favouring commercial over both floors – Option 3.

Councillor Hocart moved that clause 2 of the recommendations be amended to provide that Council proceed with Option 3 – two storey building, commercial over both floors.

#### MOTION

Clause 2

That Council resolved to proceed with Option 3 – two storey building, commercial over both floors.

Moved: Hocart

Seconded: Browne

The motion was PUT and CARRIED

Council agreed with a suggestion from the Planning and Regulatory Group Manager that the figure in Clause 3 of the recommendations be amended to \$4.5m. That figure would be made up of the \$3m from the Provincial Growth Fund and the \$15m in the Long Term Plan, and would cover all contingencies.

Council further agreed that the words “with \$1.5m to come from the LTP budget” be added to Clause 3 of the recommendations.

The mover and seconder confirmed they were in agreement with Clause 3 of the recommendations being amended as above.

#### RESOLVED

- (1) That the report titled “Redevelopment Options – Lots 9 and 10 Church Street, Ōpōtiki” be received.**
- (2) That Council resolves to proceed with Option 3 –two storey building, commercial over both floors.**
- (3) That Council agrees to a budget of up to \$4.5million for this project with \$1.5m to come from the LTP budget.**

Hocart/Browne

**Carried**

**19. HOUSING CAPACITY WITHIN THE DISTRICT PLAN** **p205**

**RESOLVED**

- (1) That the report titled "Housing Capacity Within the District Plan" be received.**

HWTM/Nelson

**Carried**

**20. ŌPŌTIKI WORKFORCE DEVELOPMENT CO-ORDINATION – UPDATE** **p211**

**RESOLVED**

- (1) That the report titled "Opotiki Workforce Development Co-ordination – Update" be received.**

Moore/Browne

**Carried**

*The Corporate Services Manager entered the meeting at 12.23pm.*

**21. PROPERTY, i-SITE AND LIBRARY ACTIVITY REPORT** **p214**

Her Worship the Mayor and Deputy Mayor Browne acknowledged the hard work of staff.

**RESOLVED**

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

HWTM/Hocart

**Carried**

*The Corporate Services Manager left the meeting at 12.31pm.*

**22. REQUEST TO SEAL REEVES ROAD EXTENSION** **p222**

**RESOLVED**

- (1) That the report titled "Request to Seal Reeves Road Extension" be received.**

- (2) That the Council notes that the resident has offered 60% of the funding required in accordance with Council policy and agrees to the request to seal 260metres of Reeves Road Extension.**

Browne/Nelson

**Carried**

**23. STAFF REPORT ON ŌPŌTIKI DISTRICT COUNCIL'S SUBMISSIONS TO THE MINISTRY FOR THE ENVIRONMENT AND THE MINISTRY OF HEALTH** **p225**

**RESOLVED**

- (1) That the report titled "Staff Report on Ōpōtiki District Council's Submissions to the Ministry for the Environment and the Ministry of Health" be received.

Browne/Nelson

**Carried**

*The i-SITE Manager entered the meeting at 12.43pm.*

*The Policy Planner left the meeting at 12.44pm.*

**24. CHIEF EXECUTIVE OFFICER'S UPDATE** **p239**

**RESOLVED**

- (1) That the report titled "Chief Executive Officer's Update" be received.
- (2) That Council approves the submission of the 3 waters delivery plan to DIA, and agree to bring forward the indicated co-funding.
- (3) That Council approves that a funding application be lodged with the Southern Trust to support the 2020/21 Ōpōtiki Summer Festival up to \$30,000, subject to quotes.
- (4) That Council authorises Joseph Hayes and Muriel Chamberlain to apply to the Southern Trust for funding on behalf of the Ōpōtiki District Council to assist with the costs of the 2020/21 Ōpōtiki Summer Festival.
- (5) That Council approves that a funding application be lodged with The Lion Foundation to support the 2020/21 Ōpōtiki Summer Festival, subject to quotes.

Hocart/Nelson

**Carried**

*The Finance and Corporate Services Group Manager, the Planning and Regulatory Group Manager and the i-SITE Manager left the meeting at 12.51pm.*

**25. RESOLUTION TO EXCLUDE THE PUBLIC** **p251**

**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:**

- 26. Confirmation of In-Committee Minutes – Ordinary Council Meeting 25 August 2020.**
- 28. Investment.**

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>26.</b>	<b>Confirmation of In-Committee Minutes – Ordinary Council Meeting 25 August 2020</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>28.</b>	<b>Investment</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:**

26.	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	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)
28.	Protect the privacy of natural persons Protect information (commercial sensitivity)	Section 7(2)(a) Section 7(2)(b)(ii)

HWTM/Browne

**Carried**

**RESOLVED**

- (1) That the resolutions made while the public was excluded, except for 2, 3, 4, 5 6 and 7 of Item 28 (Investment), be confirmed in open meeting.**
- (2) That the public be readmitted to the meeting.**

HWTM/Browne

**Carried**

**RESOLVED**

- (1) That the in-committee minutes of the Ordinary Council meeting held on 25 August 2020 be confirmed as a true and correct record.

HWTM/Moore

**Carried**

**RESOLVED**

- (1) That the report titled "Investment" be received.

Browne/Hocart

**Carried**

**THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 1.16PM.**

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING A  
TRUE AND CORRECT RECORD AT A SUBSEQUENT  
MEETING OF THE COUNCIL HELD ON 17 NOVEMBER  
2020**

**L J RIESTERER**

**HER WORSHIP THE MAYOR**