



**MINUTES OF AN ORDINARY COUNCIL MEETING DATED, TUESDAY, 5 DECEMBER 2023 IN THE  
ŌPŌTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, ŌPŌTIKI AT 10.00AM**

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**PRESENT:**

Mayor David Moore (Chairperson)  
Deputy Mayor Shona Browne (Deputy Chairperson)  
Councillors:  
Tom Brooks  
Barry Howe  
Maxie Kemara  
Steve Nelson  
Dean Petersen

**IN ATTENDANCE:**

Stace Lewer (Chief Executive Officer)  
Gerard McCormack (Group Manager Planning and Regulatory)  
Anna Hayward (Group Manager Community Services and Development)  
Peter Bridgwater (Group Manager Finance and Corporate Services)  
Nathan Hughes (Interim Group Manager Engineering and Services)  
Tina Gedson (Operations and Office Manager)  
Ella Jonker (Planning Policy Lead)  
Mercedes Neems (Executive Support Officer)  
Gae Finlay (Executive Assistant and Governance Support Officer)

**GUEST:**

Dafydd Pettigrew

**MEDIA:**

Diane McCarthy (Local Democracy Reporter, The Beacon)  
Mike Fletcher (Correspondent)

**PUBLIC:**

Leonard Matchitt  
Ross Palmer

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His Worship the Mayor opened the meeting with a karakia, followed by Councillor Brooks with two inspirational quotes.

**APOLOGIES**

Nil.

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

Councillor Brooks and Councillor Nelson declared an interest in Item 12 (Hukutaia Growth Area Plan Change: Rural to Residential).

Councillor Nelson declared an interest in Item 16 (Earthquake Prone Buildings Within Opotiki District Update).

## **PUBLIC FORUM**

### *Leonard Matchitt – Council's Wastewater System/River Pollution*

Leonard Matchitt thanked Council for the opportunity to present. He stated that people are concerned about what is being left in the sewage ponds to pollute our rivers. Referring to a recent petition he organised, Leonard Matchitt pointed out that all those who signed are concerned about the Council polluting the eco-system. He added that Council is spending money on other things and not on pollution. Council is paying for a new building and paying its bills while it is supposed to be looking after the environment. Hapu access to the rivers is blocked and Council does nothing. Motorbikes are riding around when there is no track for them to ride on. Council has had years and years to fix the sewerage system and the people want to know why. It is still leaching out right now and Leonard Matchitt said he has photos to prove that. There is a danger sign at the river saying to stay away as it is poisonous. People are not happy and want Council's answers and want to know what they are doing about it. If nothing is done in the next few months we will prosecute Council about the pollution. Leonard Matchitt showed photos he had on his phone, adding this is a crime.

His Worship the Mayor thanked Leonard Matchitt for speaking to Council and voicing his concerns, adding that Council has a copy of the petition.

*Leonard Matchitt left the meeting at 10.09am.*

### *Ross Palmer – Item 19 (Waioatahe Drifts Subdivision – Issues With Vehicles Getting Access to Beach Via Sand Ladders/Boardwalks*

Although the speaker was not on the agenda His Worship the Mayor permitted him to address Council.

Mr Palmer made the following points in relation to Item 19:

- Several residents have concerns with the report and the recommendation to investigate options to provide legal vehicular access through the beach access boardwalk
- The report:
  - Addresses a boardwalk in the sand dunes which is not part of the subdivision

- States that most of the concerns are about quad bikes; residents have significant concerns about quad bike use on reserves, roads (acknowledging roads are a Police matter) and footpaths within the Drifts subdivision – these points have been made several times during on-site visits and e-mails with Council staff
- Conditions 16 and 30 of the Waioatahe Drifts subdivision consents say that vehicular access should be prohibited; the New Zealand Coastal Policy Statement and the Bay of Plenty Regional Council are emphatic around vehicles on the dunes
- Why are Council staff seeking a “legal” way to do something which contravenes every guidance document cited in the report and goes against the issue noted in the title of the report?
- Shouldn’t the report be asking for guidance from Council about side-by-sides use?
- It is a significant health and safety issue to allow pedestrians and motor vehicles to share spaces without separation; both the boardwalk and pedestrian walkways are not suitable for shared use.

Ross Palmer stated that he and his supporters request that Council reject any recommendation or proposal that would encourage more quad bikes to be operated where they are not permitted. Instead, they would like Council to direct staff to look at one of several very inexpensive ways to address the issues identified in the Executive Summary of the report, to prevent motor vehicles on reserves, the dunes and pedestrian walkways.

His Worship the Mayor thanked Mr Palmer for his attendance.

**1. CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 24 OCTOBER 2023 p4**

**RESOLVED**

- (1) That the minutes of the Ordinary Council meeting held on 24 October 2023 be confirmed as a true and correct record.**

HWTM/Browne

**Carried**

**2. CONFIRMATION OF MINUTES – EXTRA ORDINARY COUNCIL MEETING 20 NOVEMBER 2023 p13**

**RESOLVED**

- (1) That minutes of the Extra Ordinary Council Meeting held on 20 November 2023 be confirmed as a true and correct record.**

HWTM/Nelson

**Carried**

**3. MINUTES – COAST COMMUNITY BOARD MEETING 19 SEPTEMBER 2023 p18**

**RESOLVED**

- (1) That the minutes of the Coast Community Board meeting held on 19 September 2023, and any recommendations therein, be received.**

Kemara/HWTM

**Carried**

**4. MINUTES – PERFORMANCE AND DELIVERY COMMITTEE MEETING 25 SEPTEMBER 2023 p22**

**RESOLVED**

- (1) That the minutes of the Performance and Delivery Committee meeting held on 25 September 2023, and any recommendations therein, be received.**

Brooks/HWTM

**Carried**

**5. MINUTES – BAY OF PLENTY CIVIL DEFENCE EMERGENCY MANAGEMENT GROUP JOINT COMMITTEE MEETING 29 SEPTEMBER 2023 p25**

**RESOLVED**

- (1) That the minutes of the Bay of Plenty Civil Defence Emergency Management Group Joint Committee meeting held on 29 September 2023 be received.**

HWTM/Petersen

**Carried**

*Ross Palmer and other members of the public left the meeting at 10.20am.*

**6. MINUTES – OHIWA HARBOUR IMPLEMENTATION FORUM MEETING 12 OCTOBER 2023 p38**

**RESOLVED**

- (1) That the minutes of the Ohiwa Harbour Implementation Forum Meeting held on 12 October 2023 be received.**

Petersen/Nelson

**Carried**

**7. MINUTES – EASTERN BAY OF PLENTY JOINT COMMITTEE MEETING 10 NOVEMBER 2023 p46**

**RESOLVED**

- (1) That the minutes of the Eastern Bay of Plenty Joint Committee meeting held on 30 June 2023, and any recommendations therein, be received.**

HWTM/Browne

**Carried**

**8. MAYORAL REPORT – 14 OCTOBER 2023-24 NOVEMBER 2023 p52**

**RESOLVED**

- (1) That the report titled “Mayoral Report – 14 October 2023-24 November 2023” be received.**

HWTM/Browne

**Carried**

*The Group Manager Community Services and Development left the meeting at 10.24am and returned at 10.28am.*

**9. ŌPŌTIKI MARINE ADVISORY GROUP (OMAG) UPDATE p56**

Councillor Howe expressed the view that OMAG needs to be reviewed. It does not carry any weight as an advisory group. He would also like to see Councillors on the Harbour Steering Group.

The Chief Executive Officer advised that options can be tabled with Council post-construction of the harbour and discussions with MBIE.

**RESOLVED**

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

HWTM/Howe

**Carried**

*The Planning Policy Lead entered the meeting at 10.31am.*

**10. LONG TERM PLAN 2023-2034 – UPDATE p62**

It was noted that the workshop noted in the report as being on 29 January 2024 will move to 30 January 2024 as 29 January is a Public Holiday.

**RESOLVED**

- (1) That the report titled “Long Term Plan 2023-2034 – Update” be received.**

- (2) That the Council approve the latest version of the ODC Long Term Plan 2024-2034 – Workplan (Appendix 1).**

HWTM/Browne

**Carried**

**11. RETIREMENT OF NINE POLICIES**

**p67**

**RESOLVED**

- (1) That the report titled “Retirement of Nine Policies” be received.**  
**(2) That Council retire the nine policies identified in Appendix 1.**

HWTM/Nelson

**Carried**

**12. HUKUTAIA GROWTH AREA PLAN CHANGE: RURAL TO RESIDENTIAL**

**p74**

Councillors Brooks and Nelson declared an interest in this item at the beginning of the meeting.

His Worship the Mayor advised that Council has reassurance from the Bay of Plenty Regional Council that ratepayers would not be forced to join into the scheme if the development eventuated.

Councillor Petersen would like to see the northern boundary changed (around the Baird Road area) as Ōpōtiki also needs industrial areas. Councillor Nelson agreed, adding that people need somewhere to work if they are moving to the district.

The Group Manager Planning and Regulatory advised that a report could be brought back to Council in relation to industrial land across the district.

Councillor Brooks felt that it was a priority for him that the public are communicated with and people have the opportunity to have their say. He asked that a third clause be added to the recommendations as follows:

*That Council directs staff to carry out an industrial needs assessment for the district and report back to Council in the first half of 2024.*

The mover and seconder approved the addition to the recommendations.

**RESOLVED**

- (1) That the report titled “Hukutaia Growth Area Plan Change: Rural to Residential” be received.**

- (2) That Council agrees to commence and progress the plan change to the Ōpōtiki District Plan as outlined in this report using the draft Structure Plan (as shown in Appendix 1) as a basis for the Hukutaia Growth Area.**
- (3) That Council directs staff to carry out an industrial needs assessment for the district and report back to Council in the first half of 2024.**

HWTM/Petersen

**Carried**

Abstained: Nelson

*The Executive Support Officer left the meeting at 10.42am and returned at 10.48am.*

### **13. CONSTRUCTION OF THE SNELLS ROAD DREDGE ACCESS RAMP AND CAR PARK p92**

Councillor Brooks expressed concern around affordability and that the project could be undermined due to the erosion.

His Worship the Mayor noted that Option 3 was not to proceed but that did not mean it will not eventuate at some stage. Erosion is very fast and moves around a very significant area. It seems risky to proceed and have no guarantee that erosion will be stopped.

Councillor Howe had reservations about whether a dredge ramp is actually needed.

Councillor Howe moved that Option 3 – Not proceed with the construction of the Snells Road dredge access ramp and car parking area. This was seconded by Councillor Kemara.

The motion was PUT and CARRIED.

#### **RESOLVED**

- (2) That Council decides to proceed with:**

**Option 3 – Not proceed with the construction of the Snells Road dredge access ramp and car parking area.**

Howe/Kemara

**Carried**

The substantive motion was PUT and CARRIED.

#### **RESOLVED**

- (1) That the report titled “Construction of the Snells Road Dredge Access Ramp and Car Park” be received.**

- (2) That Council proceeds with Option 3 – Not proceed with the construction of the Snells Road dredge access ramp and car parking area.**

HWTM/Howe

**Carried**

*The Executive Support Officer left the meeting at 11.13am and returned at 11.17am.*

**14. ŌPŌTIKI HARBOUR ACCESS ROAD PROJECT FUNDING ALLOCATION** **p100**

**RESOLVED**

- (1) That the report titled “Ōpōtiki Harbour Access Road Project Funding Allocation” be received.**
- (2) That Council endorses the reallocation of \$526,974 from the Marine Precinct and Wharf Redevelopment to cover a 25% contribution to the Harbour Access Road project costs.**

HWTM/Howe

**Carried**

*The Group Manager Community Services and Development left the meeting at 11.31am and returned at 11.33am.*

**15. CONSTRUCTION OF JETTY EXTENSION AND RELOCATION OF CHILDREN’S PLAY AREA** **p105**

The Planning and Regulatory Group Manager advised that the jetty consent is straight forward, however the ramp consent is more complicated.

Councillor Howe suggested a multi-purpose boat ramp, noting that Coastguard only get called out around a dozen times per year.

His Worship the Mayor put forward the idea of a non-expensive jetty on the far side of the Coastguard building.

The mover and seconder agreed to the addition of a third clause to the recommendations as follows:

*That included in the resource consent application is a jetty to the upstream side of the Coastguard building.*

The Group Manager Planning and Regulatory will look at obtaining both consents at once and talk to Coastguard about their aspirations for the ramp. If there are any issues this can be brought back to Council.



**RESOLVED**

- (1) That the report titled "Construction of Jetty Extension and Relocation of Children's Play Area" be received.**
- (2) That Council agrees to proceed with the application for resource consent(s) for the jetty extension and relocation of the children's play area.**
- (3) That included in the resource consent application is a jetty to the upstream side of the Coastguard building.**

HWTM/Petersen

**Carried**

*The Executive Support Officer left the meeting at 11.35am.*

**16. EARTHQUAKE PRONE BUILDINGS WITHIN ŌPŌTIKI DISTRICT UPDATE**

**p110**

Councillor Nelson declared an interest in this item at the beginning of the meeting.

**RESOLVED**

- (1) That the report titled "Earthquake Prone Buildings Within Ōpōtiki District Update" be received.**

HWTM/Kemara

**Carried**

*The Group Manager Finance and Corporate Services left the meeting at 11.43am and returned at 11.48am.*

*The Executive Support Officer rejoined the meeting at 11.50am.*

**17. ŌPŌTIKI TOWN CENTRE PUBLIC REALM DEVELOPMENT**

**p116**

Councillor Brooks stated the shared space on Church Street was a 'nice to have'. Councillors Howe and Kemara agreed noting that Council is under pressure and needs to consider cutbacks.

Councillor Brooks also considered the Laneway project adjacent to Lots 9 and 10 a 'nice to have' adding that there is no clarity around what is happening with the old Low Bucks site.

Councillor Brooks moved amendments to recommendations 2 and 3 in the report as follows:

- That Priority 1 Project (Upgrade of the Elliott Street intersection) be approved.
- That Priority 2 Project (Shared space on Church Street) be added to the Long Term Plan for future funding consideration.
- That the Laneway project adjacent to Lots 9 and 10 not be added to the LTP programme for future funding consideration.

The motion was seconded by Deputy Mayor Browne.

The motion was PUT and CARRIED.

**RESOLVED**

- (2) That Council agrees to the priority order and funding allocation for the Opotiki Town Centre Public Realm Development projects as follows:**
- a) Priority 1 project: Upgrade of the Elliott Street intersection**
  - b) Priority 2 project: Shared space on Church Street be added to the Long Term Plan for future funding consideration.**

Brooks/Browne

**Carried**

The substantive motion was PUT and CARRIED.

**RESOLVED**

- (1) That the report titled "Ōpōtiki Town Centre Public Realm Development" be received.**
- (2) That Council agrees to the priority order and funding allocation for the Opotiki Town Centre Public Realm Development projects as follows:**
- a) Priority 1 project: Upgrade of the Elliott Street intersection**
  - b) Priority 2 project: Shared space on Church Street be added to the Long Term Plan for future funding consideration.**

HWTM/Petersen

**Carried**

**18. HOW ROAMING HORSES ARE MANAGED WITHIN THE ŌPŌTIKI TOWNSHIP p121**

**RESOLVED**

- (1) That the report titled "How Roaming Horses are Managed Within the Ōpōtiki Township" be received.**

HWTM/Howe

**Carried**

**19. WAIOTAHE DRIFTS SUBDIVISION – ISSUES WITH VEHICLES GETTING ACCESS TO BEACH VIA SAND LADDERS/BOARDWALKS p125**

Councillor Nelson declared an interest in this item at the beginning of the meeting.

The Group Manager Planning and Regulatory noted some items were raised by the speaker in the Public Forum which are not covered in the report. He further noted that the boardwalk was part of the subdivision consent 15 years ago.

Points made during a discussion:

- The ideal is to stop people making their own tracks through the sand dunes
- The paper road runs the entire length of the properties
- The issue is the boardwalk
- A “no motorbikes” sign is not correct as it is a boardwalk
- Apart from the speaker in the Public Forum, Council has not been approached by anyone else
- If bollards are in place quad bike users have to ride on the footpath.

His Worship the Mayor stated that one of the things Council has not done is to undertake consultation with the residents of the Drifts to ascertain if they want Council to proceed with access. The Regional Council would also need to be involved.

The Group Manager Planning and Regulatory mentioned there are a large number of rules which need to be adhered to. If Council consulted, people may come to a consultation meeting expecting something which Council cannot provide due to the rules.

#### **RESOLVED**

- (1) That the report titled “Waiotaha Drifts Subdivision – Issues with Vehicles Getting Access to Beach via Sand Ladders/Boardwalks” be received.**
- (2) That the Council direct staff to investigate options to provide legal vehicular access through the established boardwalk.**

HWTM/Browne

**Carried**

Abstained: Nelson

*The meeting adjourned for lunch at 12.25pm and reconvened at 12.50pm. The Operations and Office Manager joined the meeting at this time.*

His Worship the Mayor referred to the issues raised in the Public Forum by Mr Leonard Matchitt and invited the Group Manager Engineering and Services to provide a response.

The Group Manager Engineering and Services stated that staff appreciate the community being actively engaged in bringing matters to their attention. There is no Council discharge directly to the river and no pipes directly discharging to the river. All wastewater is taken under the river to the wastewater pond. Council continues to invest in its wastewater system. There is an iron ore problem, however that is specific to the pond so there is no direct discharge, that we are aware of, to the river.

*Dafydd Pettigrew joined the meeting via Teams at 12.53pm.*

**20. FREEDOM CAMPING IN THE ŌPŌTIKI DISTRICT**

**p130**

Dafydd Pettigrew provided a summary of the Analysis Report.

**RESOLVED**

- (1) That the report titled "Freedom Camping in the Ōpōtiki District" be received.**
- (2) That Council receives the Xyst Freedom Camping in the Ōpōtiki District – Current state analysis, dated 3 October 2023.**
- (3) That Council adopts the Draft Freedom Camping Strategy 2023.**
- (4) That Council progress with the review of the Freedom Camping Bylaw in accordance with the Draft Freedom Camping Strategy.**

HWTM/Nelson

**Carried**

*Dafydd Pettigrew left the meeting at 1.10pm.*

**21. UPGRADE OF COUNCIL OPERATIONAL FACILITY, 108 ST JOHN STREET**

**p173**

The Group Manager Community Services and Development advised that the area stated in clause (3)2 of the recommendations should be 200sqm, not 20sqm.

Councillor Kemara stated he was in favour of Option 3 but faced with a potential rate increase of 34% he cannot support that now. A lot of people in the community have to make sacrifices and Council needs to cut back on things.

Councillor Nelson was concerned about depreciation. He stated that the building is easy but it is about funding the rest; the ongoing costs are expensive.

His Worship the Mayor said it is a shame that funding of the renewal for the building had not been provided for and he suggested that 5%-10% should be put aside each year for maintenance. While he understood the wishes and wants of staff, His Worship the Mayor said he also understood the community very well. Council is on a hiding to nothing going backwards.

Deputy Mayor Browne agreed and although she understood how difficult it is to work in the current building layout, the bottom line is affordability when looking at a rate increase none of us are very happy about.

Councillor Howe also agreed. Council is in a no-win situation with its ratepayers and what we heard last week was mind boggling and an upgrade of the Council building would go down like a lead balloon at this stage. Councillor Howe added that he had never heard of such a potential rates increase in his 16 years on Council – it was a bombshell. Council has to slash and burn somewhere along the line. He was in agreement with maybe doing the roof and a public toilet.

Councillor Brooks agreed that Council cannot afford the building upgrade and should do what can be done with the existing budget. The upgrade is something that needs looking at in the future but it is not affordable at present. Councillor Brooks suggested looking into how funds could be 'stored' to do a building upgrade in the future.

His Worship the Mayor noted that there are options available to Council, such as the new building in town that has not been leased out.

Councillor Brooks moved Option 4 (status quo) as the preferred option:

*That Council directs staff to utilise the existing budget allocation, noting this will not address all the issues such as future proofing for growth, improved working environment, separate toilet facilities.*

The motion was seconded by Deputy Mayor Browne.

The motion was PUT and CARRIED.

**RESOLVED**

- (2) That Council directs staff to utilise the existing budget allocation, noting this will not address all the issues such as future proofing for growth, improved working environment, separate toilet facilities.**

Brooks/Browne

**Carried**

The substantive motion was PUT and CARRIED.

**RESOLVED**

- (1) That the report titled "Upgrade of Council Operational Facility, 108 St John Street" be received.**
- (2) That Council directs staff to utilise the existing budget allocation, noting this will not address all the issues such as future proofing for growth, improved working environment, separate toilet facilities.**

Browne/HWTM

**Carried**

*The Operations and Office Manager left the meeting at 1.28pm.*

*The Group Manager Planning and Regulatory left the meeting at 1.30pm.*

**22. LOCAL GOVERNMENT NEW ZEALAND – ATTENDANCE AT SPECIAL GENERAL MEETING p308**

**RESOLVED**

- (1) That the report titled “Local Government New Zealand – Attendance at Special General Meeting” be received.**
- (2) That Council approves the Mayor and Deputy Mayor attending the Local Government Special General Meeting on 11 December 2023 on behalf of Council and delegates voting authority to the Mayor as presiding delegate.**

HWTM/Kemara

**Carried**

**23. ŌPŌTIKI DISTRICT COUNCIL SCHEDULE OF MEETINGS 2024 p311**

The Schedule of Meetings 2024 was tabled.

**RESOLVED**

- (1) That the report titled “Ōpōtiki District Council Schedule of Meetings 2024” be received.**
- (2) That Council notes dates for some joint committees and external groups have not been notified and the schedule will be updated once those dates are known.**
- (3) That the Council approves the schedule as tabled at the meeting.**

HWTM/Browne

**Carried**

**24. CHIEF EXECUTIVE OFFICER’S UPDATE p315**

The Chief Executive Officer highlighted the following from the report:

- Meeting with Police, noting that there will be ongoing meetings
- LGNZ Future For Local Government workshop – very beneficial and engaging with robust discussions around some of the issues facing the sector
- Reorua workshop with Whakatōhea – acknowledged Danny Paruru’s facilitation
- Taituara Conference – insights on what other Councils are facing and how they are navigating the challenges along with engaging with other CEOs
- ODC/BOPRC Executive Leadership Teams meeting – a regular, beneficial meeting.

**RESOLVED**

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

Petersen/Howe

**Carried**

*Diane McCarthy and Mike Fletcher left the meeting at 1.44pm*

**25. RESOLUTION TO EXCLUDE THE PUBLIC**

**p320**

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

**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 24 October 2023.**

**27. Update to the Provisional Opotiki Local Alcohol Policy.**

**28. Notes of Council Workshops.**

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 24 October 2023.</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>27.</b>     | <b>Update to the Provisional Ōpōtiki Local Alcohol Policy.</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>Notes of Council Workshops.</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<br>Protect information<br><br>Protection from improper pressure or harassment<br>Prevent disclosure or use of official information<br>Carry out negotiations<br>Maintain legal professional privilege<br>Carry out commercial activities | Section 7(2)(a)<br>Section 7(2)(b)(i) & (ii); (d) & (e) and Section 7(2)(c)(i) & (ii)<br>Section 7(2)(f)(ii)<br>Section 7(2)(j)<br>Section 7(2)(i)<br>Section 7(2)(g)<br>Section 7(2)(h) |
| 27. | Maintain legal professional privilege.                                                                                                                                                                                                                                          | Section 7(2)(g)                                                                                                                                                                          |
| 28. | Protection from improper pressure or harassment<br>Prevent disclosure or use of official information                                                                                                                                                                            | Section 7(2)(f)(ii)<br>Section 7(2)(j)                                                                                                                                                   |

HWTM/Browne

**Carried**

**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.**

Browne/Howe

**Carried**

**RESOLVED**

- (1) That the in-committee minutes of the Ordinary Council meeting held on 24 October 2023 be confirmed as a true and correct record.**

HWTM/Kemara

**Carried**

**RESOLVED**

- (1) That the report titled "Update to the Provisional Ōpōtiki Local Alcohol Policy" be received.**
- (2) That the Council provides guidance that Option 2 is preferred, noting that this report will be presented to each of the three Councils and a decision will need to be made collectively.**
- (3) That the full authority to represent, participate and settle on behalf of Ōpōtiki District Council in mediation, alternative resolution and/or court proceedings on all matters in relation to appeals to the Eastern Bay Local Alcohol Policy is delegated to the Group Manager Planning and Regulatory.**

Howe/Kemara

**Carried**

Against HWTM, Nelson, Petersen



**RESOLVED**

- (1) That the report titled "Notes of Council Workshops" be received.**
- (2) That the Council agrees to publicly release the full notes related to the 11, 19, 21 September 2023 Workshops.**
- (3) That the Council agrees to publicly release the full notes related to the 16 October 2023 Workshop.**
- (4) That the Council agrees to publicly release the full notes related to the 13 November 2023 Workshop.**
- (5) That the Council agrees to publicly release the full notes related to the 20 November 2023 Workshop.**

HWTM/Nelson

**Carried**

**THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 2.16PM.**

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING A  
TRUE AND CORRECT RECORD AT A SUBSEQUENT  
MEETING OF THE COUNCIL HELD ON 7 FEBRUARY 2024**

**D G T MOORE**

**HIS WORSHIP THE MAYOR**