



**MINUTES OF AN ORDINARY COUNCIL MEETING DATED TUESDAY, 18 DECEMBER 2018 IN THE
OPOTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, OPOTIKI AT 9.00M**

PRESENT:

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

IN ATTENDANCE:

Aileen Lawrie (Chief Executive Officer)
Bevan Gray (Finance and Corporate Services Group Manager)
Ari Erickson (Engineering and Services Group Manager)
Muriel Chamberlain (Corporate Services Manager)
Jo Hunt (Library Manager)
Billy Kingi (Chief Financial Officer)
Garry Page (Reserves Manager)
Sarah Jones (Corporate Planner and Executive Officer)
Tina Gedson (Property Officer)
Gae Newell (Personal Assistant to CEO and Mayor)

MEDIA:

James Sandbrook and Mike Fletcher (Opotiki News)

PUBLIC:

Carol Quirk
Jan Willis
Janet Thompson
Gavin Cowley
Brenda Griffiths
Lola Bradbourne

Councillor Young opened the meeting with an inspirational piece titled "Judgement Inspiration" by an Irish politician.

APOLOGIES

Councillor Howe;
Councillor Tuoro for part of the meeting.

RESOLVED

(1) That the apologies be sustained.

Browne/Riesterer

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

Carol Quirk and Jan Willis – Library Redevelopment

Carol Quirk stated that she had made a submission to Council's Annual Plan 14-15 years ago around the need for a new library. She further stated that the current temporary solution is quite inadequate for the town and asked that the library be moved back into the old building, the roof be done up and complete the project work on Te Tāhuhu. Council's vision is 'strong community strong future' and clearly the current situation does not meet the community's future needs.

Carol Quirk was aware that circumstances have changed since the new library was planned and accepted that rules change etc. She thought that if Council went ahead with a new library now, the community would be right behind it. She asked Council not to lose sight of the new library and not to aim for second best. She added that there is not a lot in town, particularly for children.

Jan Willis said that for children using the library, there was limited space and the school holiday programme has gone. She noted that children are now not able to use the computers. Also, the library is a second home to quite a few of the town's children. There are wonderful books in the library and the quality of the books is marvellous. All manner of people in the community use the library and there are a lot of people who would get in behind fundraising to have a new library.

His Worship the Mayor stated that Council is committed to a library. There are levels of complexity which are hard to communicate to the community so they understand. The library will be an important part of the future CBD, and we want something which will stand the test of time. We are

about 30 years behind where we should have been in relation to making the library more fit for purpose.

Carol Quirk acknowledged the work done by the fabulous librarians.

His Worship the Mayor thanked Carol Quirk and Jan Willis for coming and speaking to Council.

Janet Thompson entered the meeting at 9.05am.

The Corporate Services Manager, the Library Manger, Carol Quirk, Jan Willis, Brenda Griffiths, Lola Bradbourne left the meeting at 9.11am.

His Worship the Mayor advised that there will be a late item added to the in-committee section of the meeting – CEO Annual Market Remuneration Review and Annual Performance Review. Due to time constraints, the item was not on the agenda but there was some urgency for Council to consider the item prior to the Christmas break.

Evolution Networks

The Finance and Corporate Services Group Manager advised that after going through the tender process, Evolution Networks has been successful in its bid to Crown Infrastructure Partners to provide additional coverage around the Eastern Bay of Plenty. This will be a three year project, through to 2022, which will see a number of towers built around the Eastern Bay of Plenty.

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

RESOLVED

- (1) That the minutes of the Ordinary Council meeting held on 13 November 2018 be confirmed as a true and correct record.**

Browne/Young

Carried

2. MINUTES – COAST COMMUNITY BOARD MEETING 23 OCTOBER 2018 p12

RESOLVED

- (1) That the minutes of the Coast Community Board meeting held on 23 October 2018 and any recommendations therein be received.**

McRoberts/Riesterer

Carried

3. MINUTES – REGIONAL TRANSPORT COMMITTEE MEETING 23 NOVEMBER 2018 p16

RESOLVED

- (1) That the minutes of the Regional Transport Committee meeting held on 23 November 2018 be received.**

Young/HWTM

Carried

4. MAYORAL REPORT 9 NOVEMBER 2018 – 13 DECEMBER 2018 p25

RESOLVED

- (1) That the report titled “Mayoral Report 9 November 2018 – 13 December 2018” be received.**

HWTM/Riesterer

Carried

The Chief Financial Officer entered the meeting at 9.16am.

5. QUARTERLY REPORT TO 30 SEPTEMBER 2018 p30

RESOLVED

- (1) That the report titled “Quarterly Report to 30 September 2018” be received.**

Tuoro/Young

Carried

The Chief Financial Officer left the meeting at 9.25am.

6. BOP CIVIL DEFENCE AND EMERGENCY MANAGEMENT FUNDING p45

RESOLVED

- (1) That the report titled “BOP Civil Defence and Emergency Management Funding” be received.**
- (2) That Council agree to allocate \$56,536 in unbudgeted expenditure for Emergency Management BOP.**

Riesterer/Tuoro

Carried

7. KERBSIDE RECYCLING COLLECTION **p50**

RESOLVED

- (1) That the report titled "Kerbside Recycling Collection" be received.**
- (2) That the Council agree to proceed with Option 3 – Increasing recycling capacity using four (three additional) 40L bins, with fortnightly, alternating collection.**
- (3) That Council approves loan funding of \$104,139 for recycling bins procurement and distribution.**

Tuoro/Riesterer

Carried

Sarah Jones left the meeting at 9.50am.

8. STATE HIGHWAY 2 WASTEWATER EXTENSION **p58**

RESOLVED

- (1) That the report titled "State Highway 2 Wastewater Extension" be received.**
- (2) That Council approves a loan of \$204,175 to fund the extension project.**
- (3) That Council delegate to staff the ability to negotiate and enter into an agreement with the owner of 2000 SH2 and any other owners who choose to connect, to service the interest on the loan for the project until 2026.**

Young/Browne

Carried

9. POTENTIAL SISTER CITY RELATIONSHIP – EASTERN BAY OF PLENTY WITH JIANXI PROVINCE IN CHINA **p63**

His Worship the Mayor was of the opinion that Council should fund two attendees – one elected member and one from the organisation, i.e. the Chief Executive Officer.

Councillor Young agreed with the Sister City relationship but did not agree with funding a second attendee for the trip to China.

The Chief Executive Officer noted that she had received advice from Councillor Howe that he objected to the China trip being ratepayer funded.

Councillor Tuoro moved that His Worship the Mayor and the Chief Executive Officer represent Council on the trip to China. This was seconded by Deputy Mayor Riesterer.

The wording of clause 2 of the recommendations will be amended to provide that Council approves the participation and funding of the Mayor and "one other attendee", in the event that the Chief Executive Officer is unable to take the trip.

The motion was PUT and CARRIED.

RESOLVED

- (1) That the report titled "Potential Sister City Relationship – Eastern Bay of Plenty With Jianxi Province In China" be received.**
- (2) That the Council approve the participation and funding of the Mayor and one other attendee in the upcoming visit to Jiangxi.**
- (3) That the Council approve the signing of the Sister City relationship MOU.**

Tuoro/Riesterer

Carried

Against: Councillor Young

The meeting adjourned for a Citizenship Ceremony at 10.02am and reconvened at 10.36am. Councillor Tuoro and Gavin Cowley did not rejoin the meeting.

His Worship the Mayor advised that Item 11 would be considered next and Item 10, Rose Gardens Presentation – Options and Costs, will be considered at the end of the meeting.

10. ROSE GARDENS PRESENTATION – OPTIONS AND COSTS

Verbal Item

The Reserves Manager spoke to a power point presentation which covered the following points in relation to the Ōpōtiki Rose Garden Reserve landscape concept design:

- Design Motives
- Site Analysis Plan
- Landscape Concept Plan
- Community Consultation Outcomes
- Landscape Plan Developed Design

Copies of the Landscape Developed Design prepared by Boffa Miskell were tabled.

The Reserves Manager stated that funding already budgeted would be bolstered by Tourism Infrastructure Fund funding which could cover items such as a new toilet block, hub/café JV, cultural

elements and infrastructure upgrade. Other external funding, e.g. from Southern Trust, could cover items such as new play apparatus and a water play feature. The Eastern Bay Energy Trust is a potential source of funding for lighting.

Council acknowledged the hard work being put in by the gardening staff, noting that the town is starting to look really nice.

Following a discussion, Council were supportive of the options presented.

Councillor Browne moved that Council agree to the ongoing development of the plans for the Rose Garden Reserve. This was seconded by Deputy Mayor Riesterer.

The motion was PUT and CARRIED.

RESOLVED

- (1) That Council agrees to the ongoing development of the plans for the Rose Garden Reserve.**

Browne/Riesterer

Carried

11. SCHEDULE OF MEETINGS 2019

p69

- (1) That the report titled "Schedule of Meetings 2019" be received.**
(2) That Council adopts the Schedule of Meetings 2019 as tabled.

Young/Riesterer

Carried

12. CHIEF EXECUTIVE OFFICER'S UPDATE

p71

Eastern Bay regional Leadership Group

As noted in the Chief Executive Officer's Update report, at the conclusion of the public presentation of the Stakeholder Strategies Draft Report, a motion was moved from the floor to continue with the Harbour Development Project. His Worship the Mayor stated that he would like to see that sentiment endorsed by a resolution of Council.

Councillor Browne moved that Council continue with the Harbour Development Project and this was seconded by Deputy Mayor Riesterer.

The motion was PUT and CARRIED.

RESOLVED

(1) That Council continue with the Harbour Development Project.

Browne/Riesterer

Carried

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

HWTM/Browne

Carried

A replacement Resolution to Exclude the Public was tabled.

13. RESOLUTION TO EXCLUDE THE PUBLIC

p75

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:

14. Confirmation of In-Committee Minutes – Ordinary Council Meeting 13 November 2018.

15. Toi-EDA Minutes – 5 November 2018.

16. Library Re-Roof Options.

17. 32 Elliott Street Office Re-Fit.

Extra Item: CEO Annual Market Remuneration Review and Annual Performance Review.

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
14.	Confirmation of In-Committee Minutes – Ordinary Council Meeting 13 November 2018	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.	Minutes – Toi-EDA Meeting 5 November 2018	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.	Library Re-Roof Options	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.	32 Elliott Street Office Re-Fit	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	CEO Annual Market Remuneration Review and Annual Performance Review	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:

14.	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)
15.	Protect the privacy of natural persons Protect information	Section 7(2)(a) Section 7(2)(b)(i) & (ii)
16.	Protect information (commercial sensitivity) Avoid prejudice to measures protecting the health and safety of members of the public	Section 7(2)(b)(ii) Section 7(2)(d)
17.	Protect information (commercial sensitivity) Prevent the disclosure or use of official information for improper gain or improper advantage	Section 7(2)(b)(ii) Section 7(2)(j)

Extra Item	Protect the privacy of natural persons Protection from improper pressure or harassment Prevent disclosure or use of official information	Section 7(2)(a) Section 7(2)(f)(ii) Section 7(2)(j)
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McRoberts/Riesterer

Carried

James Sandbrook, Mike Fletcher and Janet Thompson left the meeting at 10.49am.

The Property Officer entered the meeting at 10.50am.

Staff re-joined the meeting at 11.30am, having left during the in-committee section of the meeting for Council to consider the extra item noted at the beginning of the meeting

RESOLVED

- (1) That the in-committee minutes of the Ordinary Council meeting held at on 13 November 2018 be confirmed as a true and correct record.**

Young/Riesterer

Carried

RESOLVED

- (2) That the minutes of the Toi-EDA meeting held on 5 November 2018 be received.**

HWTM/Browne

Carried

RESOLVED

- (1) That the report titled "Ōpōtiki Library Re-Roof Options be received.**
- (2) That Council has a consultative procedure with community on the library redevelopment options.**

Browne/Riesterer

Carried

RESOLVED

- (1) That the report titled "32 Elliott Street Office Re-Fit" be received.**
- (2) That Council authorises the shortfall of \$140,000 to be funded by internal loan.**

Browne/McRoberts

Carried

RESOLVED

- (1) That the resolutions made while the public was excluded, except for the resolutions for the extra item (CEO Annual Market Remuneration Review and Annual Performance Review) be confirmed in open meeting.**

(2) That the public be readmitted to the meeting.

Riesterer/Browne

Carried

The Chief Executive Officer left the meeting at 11.34am.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 12.27PM.

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING A
TRUE AND CORRECT RECORD AT A SUBSEQUENT
MEETING OF THE COUNCIL HELD ON 29 JANUARY
2018**

J H FORBES

HIS WORSHIP THE MAYOR