



**MINUTES OF AN ORDINARY COUNCIL MEETING DATED THURSDAY, 12 NOVEMBER 2019 IN THE
OPOTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, OPOTIKI AT 9.08AM**

PRESENT:

Mayor Lyn Riesterer (Chairperson)
Deputy Mayor Shona Browne (Deputy Chairperson)
Councillors:
Debi Hocart
David Moore
Louis Rāpihana

IN ATTENDANCE:

Aileen Lawrie (Chief Executive Officer)
Gerard McCormack (Planning and Regulatory Group Manager)
Ari Erickson (Engineering and Services Group Manager)
Haydn Read (Finance and Systems Group Manager)
Adrian Mark (Asset Manager)
Sarah Jones (Corporate Planner and Executive Officer)
Tina Gedson (Property Officer)
Gae Finlay (Executive Assistant and Governance Support Officer)

MEDIA:

Charlotte Jones (Opotiki News)

PUBLIC:

Len Forrester

Deputy Mayor Browne opened the meeting with an inspirational prayer.

APOLOGIES

Councillor Nelson, Councillor Howe.

RESOLVED

(1) That the apologies be sustained.

Hocart/Rāpihana

Carried

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

Nil.

Introduction of New Staff

The Engineering and Services Group Manager introduced Adrian Mark, Asset Manager, to Council and the Chief Executive Officer introduced Haydn Read, Finance & Systems Group Manager.

The Asset Manager and the Finance & Systems Group Manager left the meeting at 9.15am.

Extra Item

Her Worship the Mayor advised an extra item (Property Transaction) needs to be considered under urgency in the in-committee section of the meeting. The item was not on the agenda as an offer was received yesterday, 11 November 2019, which requires a response within 15 working days of receipt. An amended Resolution to Exclude the Public has been tabled to include the extra item.

PUBLIC FORUM

Len Forrester congratulated the Mayor and Councillors on their election as representatives of the residents of Ōpōtiki.

Horse Paddock

Len Forrester referred to the horse paddock between Peria House and the stop bank. He advised that he suffers from hayfever and has been asking Council for three years to do something about the state of the paddock which has deteriorated. There is no grass for the horses; they do not eat weeds, there is ragwort, daisies, privet and gorse in the paddock. The longer a clean-up of the paddock is left, the bigger the job will be.

Animal Control Service

Len Forrester stated that over Labour Weekend a stray dog lay on the footpath near his home and stayed there all day. He rang the Council and chose the Animal Control option and was put through to someone who was based in Wanganui. Len Forrester said he rang again the next morning, as the dog was still on the footpath. There was no response from Animal Control.

Mr Forrester left the meeting at 9.18am.

1. MINUTES – ORDINARY COUNCIL MEETING: 5 SEPTEMBER 2019

p4

RESOLVED

(1) That the minutes of the Ordinary Council meeting held on 5 September 2019 be received.

HWTM/Browne

Carried

2. MINUTES – EXTRA ORDINARY COUNCIL MEETING 4 OCTOBER 2019 **p17**

RESOLVED

- (1) That the minutes of the Extra Ordinary Council meeting held on 4 October 2019 be received.**

Browne/Rāpihana

Carried

3. CONFIRMATION OF MINUTES – INAUGURAL COUNCIL AND COAST COMMUNITY BOARD MEETING 31 OCTOBER 2019 **p22**

RESOLVED

- (1) That the minutes of the Inaugural Council and Coast Community Board meeting held on 31 October 2019 be confirmed as a true and correct record.**

Browne/HWTM

Carried

3A CONFIRMATION OF MINUTES – EXTRA ORDINARY COUNCIL MEETING 31 OCTOBER 2019 **Tabled**

The minutes from the Extra Ordinary Council meeting held on 31 October 2019 were tabled. Although not included in the agenda the confirmation of the minutes was considered as an item of process as Item 3A.

RESOLVED

- (1) That the minutes of the Extra Ordinary Council meeting held on 31 October 2019 be confirmed as a true and correct record.**

Browne/Hocart

Carried

4. MINUTES – AUDIT AND RISK COMMITTEE MEETING 9 SEPTEMBER 2019 **p31**

RESOLVED

- (1) That the minutes of the Audit and Risk Committee meeting held on 9 September 2019 be received.**

HWTM/Rāpihana

Carried

5. MINUTES – EASTERN BAY OF PLENTY JOINT COMMITTEE MEETING 3 SEPTEMBER 2019 p37

RESOLVED

- (1) That the minutes of the Eastern Bay of Plenty Joint Committee meeting held on 3 September 2019 be received.**

HWTM/Browne

Carried

6. MINUTES – REGIONAL TRANSPORT COMMITTEE MEETING 6 SEPTEMBER 2019 p43

RESOLVED

- (1) That the minutes of the Regional Transport Committee meeting held on 6 September 2019 be received.**

HWTM/Moore

Carried

7. MINUTES – ŌHIWA HARBOUR IMPLEMENTATION FORUM MEETING 19 SEPTEMBER 2019 p54

RESOLVED

- (1) That the minutes of the Ōhiwa Harbour Implementation Forum meeting held on 19 September 2019 be received.**

HWTM/Hocart

Carried

8. MINUTES – CIVIL DEFENCE EMERGENCY MANAGEMENT GROUP MEETING 27 SEPTEMBER 2019 p64

RESOLVED

- (1) That the minutes of the Civil Defence Emergency Management Group meeting held on 27 September 2019 be received.**

Browne/Hocart

Carried

9. MAYORAL REPORT – 18 OCTOBER 2019-7 NOVEMBER 2019 p79

Her Worship the Mayor advised that the Inspiring Stories Leaders Showcase planned for 2 November 2019 was cancelled.

RESOLVED

- (1) That the report titled "Mayoral Report 18 October 2019-7 November 2019" be received.**

HWTM/Rāpihana

Carried

Councillor Moore left the meeting at 9.53am and returned at 9.55am.

10. OPOTIKI MARINE ADVISORY GROUP (OMAG) UPDATE

p82

RESOLVED

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

HWTM/Browne

Carried

The meeting adjourned at 9.58am for a Citizenship Ceremony and reconvened at 10.38am.

11. CONFIRMING ELECTED MEMBER REMUNERATION

p87

RESOLVED

- 1. The report titled "Confirming Elected Member Remuneration" be received.**
- 2. That Council endorses the proposed apportionment within the pool and directs staff to forward the resolution to the Remuneration Authority.**

HWTM/Rāpihana

Carried

12. ŌPŌTIKI DISTRICT COUNCIL DANGEROUS, AFFECTED AND INSANITARY BUILDINGS POLICY

p92

RESOLVED

- (1) That the report titled "Ōpōtiki District Council Dangerous, Affected and Insanitary Buildings Policy 2019" be received.**
- (2) That Council adopts the Ōpōtiki District Council Dangerous, Affected and Insanitary Buildings Policy 2019 amended to make reference to 'affected' buildings.**

Hocart/Moore

Carried

13. THE IDENTIFICATION OF 'PRIORITY' EARTHQUAKE-PRONE BUILDINGS AND CONSULTATION ON THOROUGHFARES **p101**

RESOLVED

- (1) That the report titled "The Identification of 'Priority' Earthquake-Prone Buildings and Consultation on Thoroughfares" be received.
- (2) That the following thoroughfares (including the footpath on both sides) are identified as having sufficient vehicle or pedestrian traffic and unreinforced masonry buildings (or parts) that could fall onto them in an earthquake:
 - **A Church Street from Richard Street to Kelly Street**
 - **B King Street from Potts Avenue to St John Street**
 - **C Elliott Street from Potts Avenue to St John Street ending at the roundabout**
 - **D Kelly Street from Potts Avenue to the Kelly Street cemetery**and are adopted for inclusion in determining 'priority' buildings.

Rāpihana/Browne

Carried

The Corporate Planner and Executive Officer and the Property Manager entered the meeting at 11.02am.

14. CHIEF EXECUTIVE OFFICER'S UPDATE **p106**

RESOLVED

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

HWTM/Hocart

Carried

15. RESOLUTION TO EXCLUDE THE PUBLIC **p123**

A replacement Resolution to Exclude the Public was tabled to include the extra item to be considered under urgency as noted by Her Worship the Mayor at the beginning of the meeting.

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:

- 16. Minutes – In-Committee Ordinary Council Meeting 5 September 2019.**
- 17. Minutes – In-Committee Extra Ordinary council Meeting 4 October 2019.**
- 18. Minutes – In-Committee Audit and Risk Committee Meeting 9 September 2019.**

Extra Item: Property Transaction.

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
16.	In-Committee Minutes – Ordinary Council Meeting 5 September 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)
17.	In-Committee Minutes – Extra Ordinary Council Meeting 4 October 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)
18.	In-Committee Minutes – Audit and Risk Committee Meeting 9 September 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	Property Transaction	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:

16.	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)
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	Avoid prejudice to measures protecting the health or safety of members of the public	Section 7(2)(d)
17.	Protect the privacy of natural persons Commercial sensitivity Prevent the disclosure or use of official information for improper gain or improper advantage	Section 7(2)(a) Section 7(2)(b)(ii) Section 7(2)(j)
18.	Protect information Protect the privacy of natural persons Protection from improper pressure or harassment Carry out negotiations Prevent the disclosure of official information Carry out commercial activities	Section 7(2)(b)(i) & (ii), (d) & (e) Section 7(2)(a) Section 7(2)(f)(ii) Section 7(2)(i) Section 7(2)(j) Section 7(2)(h)
Extra Item	Protect the privacy of natural persons Commercial sensitivity Carry out negotiations	Section 7(2)(a) Section 7(2)(b)(ii) Section 7(2)(i)

Rāpihana/Hocart

Carried

Charlotte Jones left the meeting at 11.13am.

RESOLVED

- (1) That the resolutions made while the public was excluded, except for clauses 2, 3, 4 and 5 of the Extra Item (Property Transaction), be confirmed in open meeting.**
- (2) That the public be readmitted to the meeting.**

HWTM/Hocart

Carried

The resolutions to receive the various in-committee minutes were moved and seconded collectively.

RESOLVED

- (1) That the minutes of the In-Committee Ordinary Council meeting held on 5 September 2019 be received.**

HWTM/Browne, Hocart, Moore, Rāpihana

Carried

RESOLVED

- (1) That the in-committee minutes of the Extra Ordinary Council meeting held on 4 October 2019 be received.**

HWTM/Browne, Hocart, Moore, Rāpihana

Carried

RESOLVED

- (1) That the in-committee minutes of the Audit and Risk Committee meeting held on 9 September 2019 be received.**

HWTM/Browne, Hocart, Moore, Rāpihana

RESOLVED

- (1) That the report titled "Property Transaction" be received.**

Rāpihana/Browne

Carried

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 12.46PM.

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING A
TRUE AND CORRECT RECORD AT A SUBSEQUENT
MEETING OF THE COUNCIL HELD ON 17 DECEMBER
2019**

L J RIESTERER

HER WORSHIP THE MAYOR