

# Regional Council

## Open Minutes

- Commencing:** Tuesday 17 May 2022, 9.30am
- Venue:** Regional House Chambers, 1 Elizabeth Street, Tauranga and via Zoom (Audio Visual Meeting)
- Chairperson:** Chairman Doug Leeder
- Deputy Chairperson:** Deputy Chairperson Jane Nees
- Members:** Cr Andrew von Dadelszen - via Zoom  
Cr David Love  
Cr Norm Bruning - via Zoom  
Cr Bill Clark  
Cr Stuart Crosby  
Cr Kevin Winters  
Cr Lyall Thurston  
Cr Toi Kai Rākau Iti - via Zoom  
Cr Stacey Rose - via Zoom  
Cr Paula Thompson  
Cr Te Taru White
- In Attendance:** Fiona McTavish - Chief Executive, Mat Taylor - General Manager Corporate, Karen Aspey - Director, People & Leadership, Kataraina O'Brien - Director Strategic Engagement, Kumaren Perumal - Chief Financial Officer, Mark Le Comte - Principal Advisor Finance Tone Nerdrum Smith - Committee Advisor
- Submitters as listed in the minutes
- Apologies:** Cr Matemoana McDonald

### 1. Chairman's Opening Statement

Chairman Leeder advised those present in Chambers and via Zoom that the meeting was being livestreamed and recorded and that the recording would be made available on the Bay of Plenty Regional Council website following the meeting. <https://www.youtube.com/watch?v=pgdRm2N0Lkw>

### 2. Opening Karakia

A karakia was provided by Cr Te Taru White.

### 3. Apologies

#### Resolved

That the Regional Council:

- 1 Accepts the apology from Cr McDonald tendered at the meeting.

Leeder/Winters  
CARRIED

### 4. Declaration of Conflicts of Interest

None declared.

### 5. Hearing of Submissions on Statements of Proposal

Submitter	Organisation	Speaking to	ID#
<p><b>Steve Osborne</b></p> <p><b>Key Points:</b></p> <ul style="list-style-type: none"> <li>• Concerned that Council's user fees and charges were unevenly apportioned</li> <li>• Council's funding allocations should be reviewed as there were examples of non-utilised bus routes operating and installation of bunds not suitable for the environment</li> <li>• Concerned that there appeared to be wastefulness in some activity areas, yet excessive charging in others</li> <li>• A customer's ability to pay fees and charges should be a factor, i.e. as for rates.</li> </ul>		Fees And Charges	Fees 04
<p><b>Whitiora McLeod</b></p> <p>This submitter did not appear.</p>	<b>Ngati Kaahu a Tamapahore Trust</b>	Fees And Charges; Revenue and Financing Rates Remissions	Fees 01 Revenue 01
<p><b>Arthur Flintoff</b></p> <p><b>Key Points:</b></p> <ul style="list-style-type: none"> <li>• Supported the introduction of further remissions for land being restored to its natural state; Māori land not utilising town supply services; flood prone land</li> <li>• Concerned regarding urban sprawl creating need for additional infrastructure, which meant Council rates increased</li> </ul>	<b>Mangatawa 13B2B Ahu Whenua Trust</b>	Rates Remissions	Remissions 04

<ul style="list-style-type: none"> <li>• The Trust did not have access to town services or broadband, benefits enjoyed by those in the urban areas, yet rates were increasing</li> <li>• Māori owned land was different than general owned land, and developments should reflect this uniqueness</li> <li>• ‘Whenua’ meant the land provided nutrients for life</li> <li>• Māori Freehold Land that increased in value due to its potential future use should be entitled to a rates remission to encourage such potential being fulfilled.</li> </ul> <p><b><u>In Response to Questions:</u></b></p> <ul style="list-style-type: none"> <li>• Main concerns related to equity for Māori Freehold Land</li> <li>• Sought the opportunity and ability to develop land the way the Trust/Māori wanted to, i.e. in accordance with the desire and needs of stakeholders.</li> </ul> <p><b>Kumaren Perumal – Chief Financial Officer</b></p> <p><b><u>Key Points:</u></b></p> <ul style="list-style-type: none"> <li>• Māori Freehold Land was valued in accordance with Council’s policy</li> <li>• Recognised that the multiple-owned land model made valuation challenging.</li> </ul>			
<p><b>Anne Parkhurst</b></p> <p><b><u>Key Points:</u></b></p> <ul style="list-style-type: none"> <li>• Noted the ‘simmering discontent’ in the community with regards to the Port of Tauranga’s social licence and sought that Council use part of its dividend to address this issue</li> <li>• Bay of Connections in its current form did not appear to have relevance in a region experiencing exceptional growth</li> <li>• Traffic congestion in Tauranga/Western Bay of Plenty was worsening, and an effective public transport system/modal shift was essential. Accordingly queried if the current split model of delivery between BOPRC (service) and TCC (infrastructure) was effective and able to provide the desired outcomes.</li> </ul> <p><b><u>In Response to Questions:</u></b></p> <ul style="list-style-type: none"> <li>• Concerned that significant funds were retained within Quayside Holdings Ltd that</li> </ul>	<p><b>Tauranga Business Chambers</b></p>	<p>General</p>	

<p>could be utilised more effectively for the benefit of the wider region</p> <ul style="list-style-type: none"> <li>Supported the operation of the Port of Tauranga, but also recognised the social challenges associated with its activities</li> <li>Would like to see Quayside increase the social aspect of its investments, i.e. social dividend rather than the current focus on financial return.</li> </ul>			
<p><b>Jon Turner</b></p> <p><b><u>Key Points:</u></b></p> <ul style="list-style-type: none"> <li>Sought review of the consent for the geothermal bore on their property</li> <li>The bore, in its current form and to comply with Council's resource consent requirements, was ineffective and costly</li> <li>Provided an outline of the background for the development of the hot water bore to establish hot water heaters/heatpumps</li> <li>Concerned that the user fees and charges for the consents negated the savings they were hoping to achieve</li> <li>Classification of their geothermal activity appeared to be the same as for larger, commercial activities, which did not appear appropriate or fair</li> <li>Noted that this matter had continued for a number of years, and that the interactions with Council had been challenging with no satisfactory outcome.</li> </ul> <p><i>Minute Note: Following the hearings, The Submitters met with the three Rotorua Councillors, the Chief Executive, and staff to discuss the matter and potential ways forward.</i></p>		Fees And Charges	Fees 15
<p><b>Tom Rutherford and Corey Stevens</b></p> <p><b><u>Key Points:</u></b></p> <ul style="list-style-type: none"> <li>Noted the apology from Mayor Webber who was unable to attend</li> <li>The proposed Rates Remission Policy for Māori Freehold Land was not consistent with the TCC/WBOPDC policies, and the overarching principles needed to be better aligned</li> <li>Considered the BOPRC's definition of Māori Freehold Land to be relatively narrow</li> <li>WBOPDC proposed changes to its policies meant the definition of Freehold Land changes included land that had its status</li> </ul>	<b>Western Bay of Plenty District Council</b>	Rates Remissions	Remissions 07

<p>changed under the Te Ture Whenua Māori Act 1993/Māori Land Act 1993, i.e. been returned by the Crown after previous confiscation</p> <ul style="list-style-type: none"> <li>WBOPDC was looking to remove the 5-year limit on rates remission for development of Papakāinga Housing on Māori Freehold Land.</li> </ul>			
<p><b>Jesse Brennan</b></p> <p><b><u>Key Points:</u></b></p> <ul style="list-style-type: none"> <li>Provided an outline of the key points of the submission, being: <ul style="list-style-type: none"> <li>Focused on transparency of rates setting; rate equity; and cost of local government on rural ratepayers</li> <li>Largely in support of the Revenue and Finance Policy</li> <li>Sought rationale behind the changes in consent monitoring charges associated with Rotorua PC10</li> <li>Supported the user pays principles applied by Council in the resource consent activity</li> <li>Queried why on-site effluent treatment compliance costs waiver was exclusively applied to Marae, rather than on a wider needs basis, e.g. for churches.</li> </ul> </li> </ul> <p><b><u>Staff in Response to Questions:</u></b></p> <ul style="list-style-type: none"> <li>Council had undertaken public consultation on the Statements of Proposal, including targeted consultation with Tangata Whenua Forums.</li> </ul>	<p><b>Federated Farmers</b></p>	<p>Fees and Charges</p> <p>Revenue and Financing</p> <p>Rates Remissions</p>	<p>Fees 14</p> <p>Revenue 03</p> <p>Remissions 06</p>

## 6. Reports

### Information Only

#### 6.1 Hearing of Submissions on Statements of Proposal

Fiona McTavish – Chief Executive advised that all submitters would be responded to individually with the outcome of Council’s deliberations, which would take place tomorrow, Wednesday 18 May 2022.

### Resolved

**That the Regional Council:**

- 1 Receives the report, Hearing of submissions on Statements of Proposal.**

**Leeder/White  
CARRIED**

## **7. Closing Karakia**

A karakia was provided by Cr Te Taru White.

**10.42 am - the meeting closed.**

**CONFIRMED**

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Chairman Doug Leeder  
Chairperson, Regional Council