

Regional Council

Open Minutes

- Commencing:** Thursday 25 May 2023, 09:30 am
- Venue:** Council Chambers, Regional House, 1 Elizabeth Street, Tauranga and via Zoom
- Deputy Chairperson:** Deputy Chairperson Jane Nees – Acting Chair for this meeting
- Members:**
- Cr Malcolm Campbell
 - Cr Toi Kai Rākau Iti – via Zoom
 - Cr Matemoana McDonald
 - Cr Kat Macmillan
 - Cr Ron Scott
 - Cr Ken Shirley
 - Cr Paula Thompson
 - Cr Lyall Thurston
 - Cr Andrew von Dadelszen
 - Cr Te Taru White
 - Cr Kevin Winters
- In Attendance:**
- Fiona McTavish – Chief Executive; Mat Taylor – General Manager Corporate; Namouta Poutasi – General Manager Strategy & Science; Chris Ingle – General Manager Integrated Catchments; Karen Aspey - Director; People & Leadership (via Zoom); Mark Le Comte – Principal Advisor Finance; Kumaren Perumal – Chief Financial Officer; ; Antoine Coffin – Manager Spatial Planning; Olive McVicker – Corporate Performance Team Lead; Karlo Keogh – Finance Support Team Lead; Mike Seabourne – Director; Public Transport and Oliver Haycock – Manager; Transport Planning (both via Zoom); Tone Nerdrum Smith – Committee Advisor
- Rosalie Liddle Crawford and Anton Steel - Community Initiatives Fund Application - Taking Back Our Beach
- Apologies:** Chairman Doug Leeder (early departure) and Cr Stuart Crosby.

1. Chair’s Opening Statement

Deputy Chairperson Jane Nees reminded those present that this 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=dD5F2zLGm0g>.

Minute Note: Cr Iti would attend via Zoom and that Cr Shirley had been delayed by traffic

2. Opening Karakia

A karakia was provided by Cr Te Taru White.

3. Apologies

Resolved

That the Regional Council:

- 1 Accepts the apology from Chairman Doug Leeder (early departure) and Cr Stuart Crosby for absence tendered at the meeting.**

**Winters/Scott
CARRIED**

4. Declaration of Conflicts of Interest

Cr Jane Nees, Cr Kat Macmillan and Cr Andrew von Dadelszen advised of low-level connections to *Item 8.7: Annual Plan 2023/24 Deliberations - Community Initiatives Fund Application - Taking Back Our Beach*, however, did not consider the connections constituted a conflict of interest that would prevent their participation in the discussion and voting.

5. Reports

Decisions Required

5.1 Submissions on Fees and Charges Statement of Proposal and Deliberations

Presented by Kumaren Perumal - Chief Financial Officer and Mark Le Comte - Principal Advisor Finance.

Key Points:

- Provided an outline of the report and the submissions received, and noted that there had been no speaking requests
- Charging rates for staff time were set in alignment with the remuneration for the positions of the staff involved
- Responses to submitters would be individualised, in particular if a submission centred on responsibilities and services that did not sit with Regional Council
- The amount of submissions was lower than usual, possibly due to not being linked to a public consultation process. However, all consent holders had been directly approached by Council to raise awareness of the proposed 2023-24 fees and charges.

Key Points - Members:

- The communication and rationale applied to the proposed fees and charges needed to be customer centric, to minimise confusion and misunderstandings.

Resolved

That the Regional Council:

- 1 **Receives the report, Submissions on Fees and Charges Statement of Proposal and Deliberations;**
- 2 **Directs staff to prepare the following for adoption:**
 - (a) **Specific changes to be prepared from Attachment 2 (refer page 15 of Agenda).**

von Dadelszen/Campbell
CARRIED

9.40 am – Chairman Leeder withdrew from the meeting.

5.2 Strategic Direction Endorsement

Presented by Namouta Poutasi - General Manager Strategy & Science.

Key Points:

- Provided a brief outline of the report and invited questions
- The vision *thriving together* (updated to *Bay of Plenty Thriving Together - mō te taiao, mō ngā tāngata*) was long standing and had been confirmed throughout discussions at committee level
- Noted that translations from te reo Māori to English could be challenging as the ‘essence’ of a particular statement could potentially be lost.

9.55 am – Cr Shirley entered the meeting

Key Points - Members:

- Noted that the strategic directions were wide-reaching and comprehensive
- *Te Ara Poutama* (the heading for Community Outcome 5) was not necessarily understood by non-te reo Māori speakers and it would be appropriate to translate the heading in the English section
- A glossary or footnotes for certain te reo Māori words and expressions could be useful and valuable
- Agreed on a show of hands to not further translate the vision into te reo Māori
- Agreed on a show of hands to translate the te reo Māori heading for Community Outcome 5 to English as part of the English text.

Key Points - Staff:

- The Strategic Direction documents could also be translated into sign language and uploaded to Council’s website, in recognition of it being Aotearoa’s third official language
- Community Outcome 5 *Te Ara Poutama* heading to be translated to *Pursuit of Excellence* as part of the English text.

Resolved

That the Regional Council:

- 1 **Receives the report, Strategic Direction Endorsement;**

- 2 Endorses the strategic direction to be used as the foundation for the Regional Council's Long Term Planning 2024-2034 process;**
- 3 Delegates to the Risk and Assurance Committee the power to oversee the review process and provide technical advice to Council on the draft Financial Strategy and draft Funding and Financial Policies required by the Local Government Act (2002) sections 101A and 102 for Long Term Plan 2024-2034;**
- 4 Delegates authority to Komiti Māori to workshop and provide direction on:**
 - (a) options for remissions on Māori Land to support the occupation, development and utilisation of the land;**
 - (b) the impact assessment on Māori Land that must be done as part of the funding needs analysis under Section 101(3)(a) of the Local Government Act 2002;**
 - (c) associated financial policy alignment with Section 102(3A)(a) and (b) of the Local Government Act 2002.**

**Macmillan/Thompson
CARRIED**

5.3 Annual Plan 2023/24 Deliberations - Public Transport Reprioritisation

Presented by Mike Seabourne – Director, Public Transport, Oliver Haycock – Manager, Transport Planning (both via Zoom).

Key Points - Members:

- Recognised Council's ongoing commitment to free fares for children to support families as well as encouraging behaviour change for future generations
- Noted that there was significant cost associated with providing free fares.

Key Points - Staff:

- Noted the additional funding towards public transport services announced by Central Government that significantly and positively impacted on Council's proposed targeted rates. This matter would be further covered later in the agenda
- Council was working closely with Waka Kotahi on the complexities associated with incorporating the new funding in the current public transport service delivery
- The funding meant there was no longer a need to 'reprioritise' existing funding to deliver the services set out in resolution 2, rather confirming the funding allocation was sufficient
- Further discussions regarding the appetite to continue to offer free fares would be further discussed as part of the Long Term Plan 2024-2034.

Resolved

That the Regional Council:

- 1 Receives the report, Annual Plan 2023/24 Deliberations - Public Transport reprioritisation.**
- 2 Confirms the funding for the following items as set out in this paper:**

- (a) **Tauranga Bus Shelters;**
 - (b) **Public Transport - Consultancy Support;**
 - (c) **Transport - On demand trial.**
- 3 Notes the increased Central Government subsidy for free public transport for children under 13 and half-price discounts for people under 25, to be applied in the Annual Plan 2023/24.**

**Thompson/Thurston
CARRIED**

5.4 Annual Plan 2023/24 Deliberations - Service Improvement Proposal Reprioritisation

Presented by Namouta Poutasi - General Manager Strategy & Science and Antoine Coffin - Manager Spatial Planning.

Key Points:

- Recognised that the high levels of uncertainty within the current legislative reforms made planning more challenging
- SmartGrowth sat under the Spatial Planning umbrella, however the proposed reprioritisation focussed more on Eastern Bay and Rotorua, whereas SmartGrowth covered Tauranga and Western Bay of Plenty
- Transport - Rotorua Refresh was already included in the budget based on previous direction provided Councillors, which meant additional reprioritisation was not required at today's meeting
- The SmartGrowth Strategy guided the distribution of funding to a number of activities across the Bay of Plenty region.

Key Points - Members:

- Spatial planning could not be undertaken unless all forms of transport were considered, meaning funding, in particular for the public transport activity, needed to be allocated
- Recognised the critical importance of the Service Improvement Proposals (SIPs) and the need for adequate funding to be allocated to ensure successful delivery.

10.17 am - Cr Iti **entered** the meeting (via Zoom).

Resolved

That the Regional Council:

- 1 Receives the report, Annual Plan 2023/24 Deliberations - Service Improvement Proposal Reprioritisation;**
- 2 Confirms the reprioritisation of funding for the following items, as set out in this paper:**
 - (a) Spatial Planning - He tirohanga hononga, He ara mu;**
 - (b) Catchments - Coast Care Baseline and Priority Biodiversity funding;**
 - (c) Rivers and Drainage - Safeguarding our Stopbanks.**

**White/Macmillan
CARRIED**

10.25 am – The meeting **adjourned** and Cr Iti **withdrew** from the meeting (via Zoom).

10.45 am – The meeting **reconvened**.

5.5 Annual Plan 2023/24 Deliberations: Financial Overview and Implications

Presentation - Annual Plan Financial Deliberations - 25 May 2023: Objective ID A4386407 [⇒](#)

Presented by Kumaren Perumal – Chief Financial Officer, Karlo Keogh – Finance Support Team Lead, Angela Foster – Communications & Engagements Manager (via Zoom).

11.00 am – Cr Iti **entered** the meeting (via Zoom).

Key Points:

- As noted, the Central Government funding contribution of \$2m towards free fares for children under 13 and half-price discounts for people under 25 would positively impact on Council’s projected public transport targeted rates
- Applying the Central Government funding to the Annual Plan 2023/24 would result in a revised Tauranga Public Transport real targeted rates increase of 4.9% which would translate to an increase of \$26.92 per rating unit. It would further result in a total real rates revenue increase for 2023/24 of 4% comprising of:
 - a total general rates increase of 5%; and
 - total targeted rates increase of 3%.
- There was currently no known caveats associated with the new public transport funding, i.e. applying the funds ‘retrospectively’ to reduce existing deficits did not appear to be prohibited
- Provided an outline of the planned Annual Plan and Strategic Directions communication to the community, utilising a variety of media and channels.

Resolved

That the Regional Council:

- 1 Receives the report, Annual Plan 2023/24 Deliberations: Financial Overview and Implications;**
- 2 Includes the proposed targeted rates for the Minor Rivers and Drainage Schemes in the draft Annual Plan 2023/24 budget for adoption on 29 June 2023;**
- 3 Notes the implication of the recent Public Transport budget announcement by Central Government and its impact on the targeted rate and real rate increase.**

**Thompson/Thurston
CARRIED**

5.6 Annual Plan 2023/24 Deliberations - Mayoral Forum Independent Secretariat

Presented by Fiona McTavish – Chief Executive.

Key Points - Members:

- Queried if the required support/services could not be jointly provided by the Bay of Plenty territorial authorities.

Key Points - Chief Executive:

- The Mayors and Chairs in the Bay of Plenty region were focussed on working in a more collaborative and effective manner, in particular with regards to Three Waters and Climate Change
- The funding for an independent secretariat was dependent on reallocation by non-required SmartGrowth budget and contribution from the other Territorial Authorities
- The proposed model was based on what had been implemented by Environment Canterbury, which had proven effective
- The independent secretariat was intended to assist the Bay of Plenty region in navigating through the current reforms, rather than provide administrative support, which was currently provided by BOPRC.

Resolved

That the Regional Council:

- 1 Receives the report, Annual Plan 2023/24 Deliberations - Mayoral Forum Independent Secretariat.**

**Winters/Campbell
CARRIED**

5.7 Annual Plan 2023/24 Deliberations - Community Initiatives Fund Application - Taking Back Our Beach

Presented by Olive McVicker – Corporate Performance Team Lead.

The documentary film makers/funding applicants Rosalie Liddle Crawford and Anton Steel attended the meeting for this item.

Documentary website and trailer: [Taking Back Our Beach - Documentary Edge \(docedge.nz\)](https://www.docedge.nz)

Key Points - Members:

- Queried who would be the ‘owners’ of the film, i.e. if a funder, would Council be able to use the film for educational purposes
- Recognised the need for a Memorandum of Understanding, as identified in the report, if funding was granted
- Emphasised the value and importance of documenting the RENA disaster and the subsequent learnings from an ecological and disaster management perspective.

In Response to Questions - Rosalie Liddle Crawford and Anton Steel:

- A trust was being established for ownership of the documentary with the intent for the film to eventually becoming a community service, i.e. being used for education and information purposes
- Were actively pursuing further funding opportunities
- Clarified the background for the film, being the tenth anniversary of the RENA grounding.

Resolved**That the Regional Council:**

- 1 Receives the report, Annual Plan 2023/24 Deliberations - Community Initiatives Fund application - Taking Back Our Beach;**
- 2 Direct staff to allocate funding to the Rena Film Documentary - Taking Back Our Beach of:**
 - (a) \$50,000 in 2023/24, to be funded via the existing Community Initiatives Fund budget on the written condition that footage can be made available for use by Bay of Plenty Regional Council and other public bodies.**

**Winters/Thompson
CARRIED**

Information Only**5.8 Financial and Non-Financial Performance Report - Arotake: Nine Months to 31 March 2023**

Presented by Kumaren Perumal – Chief Financial Officer, Mark Le Comte – Principal Advisor Finance, Olive McVicker – Corporate Performance Team Lead.

Key Points - Staff:

- Noted the small spike in Covid related illness which had impacted on Health & Safety reporting.

Resolved**That the Regional Council:**

- 2 Receives the report, Financial and Non-Financial Performance Report - Arotake: Nine Months to 31 March 2023;**
- 3 Confirms the public be excluded on the grounds set out in the Local Government Official Information and Meetings Act 1987 from consideration of the following report attachment:**
 - (a) Bancorp Report March 2023 under Section 48(1)(a)(i) Section 7 (2)(b)(ii) as withholding the information is necessary to protect information where the making available of the information would be likely to unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information and that this attachment remain in Public Excluded.**

Winters/Scott

CARRIED**6. Public Excluded Section****Resolved****Resolution to exclude the public**

- 1 Excludes the public from the following parts of the proceedings of this meeting as set out below:**

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.	Subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Grounds under Section 48(1) for the passing of this resolution	When the item can be released into the public
8.8	Financial and Non-Financial Performance Report - Arotake: Nine months to 31 March 2023 - Attachment 2 - Bancorp Report March 2023 - Public Excluded	Withholding the information is necessary to protect information where the making available of the information would be likely to unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information.	48(1)(a)(i) Section 7 (2)(b)(ii).	To remain in public excluded.

**Macmillan/Thurston
CARRIED**

7. Closing Karakia

A karakia was provided by Cr Te Taru White.

11.55 am – the meeting closed.

CONFIRMED

Cr Jane Nees
Deputy Chairperson, Regional Council