

Regional Council

Open Minutes

- Commencing:** Thursday 29 June 2023, 9.30 am
- Venue:** Mataatua Room, Bay of Plenty Regional Council Toi Moana, Level 1, 5 Quay Street, Whakatāne and via Zoom
- Chairperson:** Chairman Doug Leeder
- Deputy Chairperson:** Deputy Chairperson Jane Nees
- Members:**
- Cr Malcolm Campbell
 - Cr Stuart Crosby
 - Cr Matemoana McDonald
 - Cr Kat Macmillan
 - Cr Ron Scott
 - Cr Ken Shirley
 - Cr Paula Thompson - via Zoom
 - 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, Reuben Fraser - General Manager Regulatory Services, Chris Ingle - General Manager Integrated Catchments; Karen Aspey - Director, People & Leadership, Steve Groom - Governance Manager; Olive McVicker - Corporate Performance Team Lead; Mark Le Comte - Principal Advisor Finance; Stephanie Macdonald - Community Engagement Team Leader; Jackie Healey - Community Engagement Advisor; Mike Seabourne - Transport Director; Kumaren Perumal - Chief Financial Officer; Jo Pellow - Rates Manager; Antoine Coffin - Manager, Spatial Planning; Tone Nerdrum Smith - Committee Advisor
- Namita Natish - Youth Panellist.
- Tauranga Transport System (TSP): Dean Kimpton - Chair and Shaun Jones - Programme Manager
- Apologies:** Cr Toi Kai Rākau Iti, Chairman Doug Leeder (late arrival)

1. Chair's Opening Statement

Acting Chairperson Cr Jane Nees opened the meeting and 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 Toi Moana website following the meeting: <https://www.youtube.com/watch?v=UyyzvzHRars>

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 Leeder (late arrival) and Cr Toi Kai Rākau Iti (absence) tendered at the meeting.**

**Winters/McDonald
CARRIED**

4. Public Forum

4.1 Gordon Dickson - Rates Payments and Environment / Conservation Matters (*did not appear*)

As the public form speaker did not attend, Council progressed to the next item on the agenda.

5. Order of Business

Noted that Agenda Item 10: Verbal Acknowledgement of Cr Stuart Crosby as LGNZ President would be covered at the end of the open section of the meeting.

6. Declaration of Conflicts of Interest

None declared.

7. Minutes

Minutes to be Confirmed

7.1 Regional Council Minutes - 4 May 2023

Resolved

That the Regional Council:

Confirms the Regional Council Minutes - 4 May 2023 as a true and correct record.

**von Dadelszen/White
CARRIED**

7.2 Regional Council Minutes - 25 May 2023

Resolved

That the Regional Council:

Confirms the Regional Council Minutes - 25 May 2023 as a true and correct record.

**Thurston/Scott
CARRIED**

7.3 Extraordinary Regional Council Minutes - 9 June 2023

Matters Arising

In relation to Minute Item 4.1 Public Transport – Implementation of Government Fare Announcement, it was noted that the introduction of free fares for 13 – 18 year olds was on track for implementation by 1 July 2023.

Resolved

That the Regional Council:

Confirms the Extraordinary Regional Council Minutes - 9 June 2023 as a true and correct record.

**Winters/Thurston
CARRIED**

8. Presentations

8.1 School Sustainability and Resilience Funding (SSRF) Presentation

Presentation - School Sustainability and Resilience Fund PDF - Council 29 June 2023: Objective ID A4417635

Presented by Jackie Healey – Community Engagement Advisor, Stephanie Macdonald – Community Engagement Team Leader and Namita Natish – Youth Panellist.

Key Points - Staff:

- Provided an outline of the SSRF application and assessment process
- Council provided co-ordinator support, however the allocation of funds was decided by the community
- Council supported the process through advertising of the school projects that had applied for funding
- 34 applications had gone through the public voting rounds, 12 of which were successful. The Youth Panel voted for a further four bringing it to 16 successful applications for 2023
- Recognised the time and effort required in submitting an application, and that in the future, Council could look at opportunities to provide more support in this part of the process
- Noted that there were a number of initiatives currently underway for young people to engage and participate in Council business and decision making.

- **Key Points - Namita Nitesh - Youth** Being on the Youth Panel involved working through the applications, which had provided learning opportunities regarding budgeting and how to best present an application
- Participating had created an increased understating about potential impact of climate change
- Encouraged further engagement and contribution by members of the community in everyday practices, as well as in Council initiatives.

Key Points - Members:

- Recognised the challenges in harnessing the energy and engagement of those involved in the Youth Panel and the region's youth
- Recognised this initiative's value as an example of participatory governance.

8.2 Transport System Plan (TSP) Presentation

Presentation - TSP (Transport System Plan) pdf - Council 29 June 2023: Objective ID A4409850

Presented by Dean Kimpton - TSP Director and Shaun Jones - TSP Programme Manager, and Mike Seabourne - Director Public Transport.

Key Points - Cr Thurston (in capacity of Chair, Regional Transport Committee):

- Provided the background leading up to invitation of the presenters to the Council meeting
- Sought further information regarding alignment between systems/strategies in the transport space; and the inclusion of Iwi in the prioritisation/decision making process.

Key Points - Dean Kimpton - Chair and Shaun Jones - Programme Manager, TSP:

- Presentation would cover a number of issues, including the TSP refresh, with the key message being alignment to avoid duplication between the different transport strategies/plans/systems
- TSP's purpose was to deliver on agreed outcomes, based on provided governance direction
- The TSP Steering Group was required to prioritise/balance investments to achieve the desired outcomes
- Affordability would always place limitations on the prioritisation list, which ultimately was set through the partner councils' Long Term Plans (LTP)
- Recognised the complexity within the transport hierarchy in the Bay of Plenty
- Since the adoption of the Urban Form and Transport Initiative (UFTI), there had been change in government and strategies, which had led to the refresh of the TSP
- UFTI was the overarching plan, with the TSP being the delivery vehicle for the transport component
- UFTI represented a common approach to connecting governance with delivery

Key Points - Mike Seabourne

- Council staff worked closely with the TSP team to ensure alignment between the TSP and the Regional Land Transport Plan (RLTP)

10.26 am – Chairman Leeder **entered** the meeting.

- The community would be consulted regarding the funding of the TSP as part of the RLTP; the early Tauranga City Council (TCC) LTP; as well as other councils' LTPs
- Had commenced the Vehicle Kilometres Travelled (VKT) programme to identify aspirational versus achievable targets
- Had undertaken a robust pricing scope for the projected infrastructure costs, however recognised that some projects had not yet been scoped and costing was accordingly based on high-level modelling
- TCC currently had a significant transport/infrastructure programme included in its draft LTP
- The quality of transport modelling became increasingly important due to the many different entities and strategies seeking support from central government.

Key Points - Members:

- Funding constraint within the transport sector meant deliverability was limited from project to project, as there was no certainty regarding future funding, which made strategic decision making challenging
- Noted that on 27 June 2023, the three councils (TCC, Bay of Plenty Regional Council Toi Moana (BOPRC) and Western Bay of Plenty District Council (WBOPDC), followed by SmartGrowth Leadership Group, had jointly met to decide and prioritise on Waka Kotahi transport projects of regional importance
- Concerned regarding the lack of alternative transport/cycleway access to Pāpāmoa Hills Regional Park in the 30 year cycleway plan.

10.47 am – The meeting **adjourned** and Deputy Chair Nees **vacated** the chair.

11.05 am – The meeting **reconvened** and Chairman Leeder **assumed** the chair.

9. Reports

9.1 Chairperson's Report

Resolved

That the Regional Council:

- 1 Receives the report, Chairperson's Report.**

**Leeder/von Dadelszen
CARRIED**

Decisions Required

9.2 Adoption of the Annual Plan 2023/24

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

Key Points:

- The Annual Plan (AP) work programme represented Council's commitment to the community and the financial prudence applied through the Annual Plan workshops with Councillors
- Total rates revenue included growth which increased the total revenue, but reduced the rates required per rate payer.

Key Points - Members:

- Recognised rates increases, combined with the increasing cost of living, would have significant cumulative effects on parts of the region
- Concerned that rates were becoming unaffordable and sought a careful review as part of the LTP process, with particular focus on targeted rates
- Recognised that the expectations on the levels of service provided by Council had substantially increased, which resulted in additional costs.

Key Points - Fiona McTavish - Chief Executive:

- Outlined the planned actions for the LTP 2024-2034 process
- Would work with Audit NZ to present the rates more clearly in the LTP
- Councillor direction to staff in the development of the AP was a request for effectiveness and efficiencies, which had been delivered
- All applicable funding reserves had been applied to keep rates increases to a minimum
- Council had significantly diminished its funding reserves through the Covid recovery process.

Resolved

That the Regional Council:

- 1. Receives the report, Adoption of the Annual Plan 2023/24;**
- 2. Notes that Council did not consult on the Annual Plan 2023/24 as the changes were not considered to be significant or there were no material departures from the LTP 2021 - 2031;**
- 3. Adopts the Fees and Charges Policy 2023/24 (Attachment 1 to the agenda report);**
- 4. Resolves that it is financially prudent for the Annual Plan 2023/24 to have an unbalanced budget (operating revenue is at a lower level than operating expenditure), pursuant to s100(2) of the Local Government Act 2022;**
- 5. Adopts the Annual Plan 2023/24 (Circulated under separate cover) to come into effect 1 July 2023;**
- 6. Delegates to the Chief Executive the ability to make minor editorial changes to the Annual Plan 2023/24 and related policies before publication, including in the section Funding Our Work: Quantifying Quayside Holdings Limited dividend as a benefit to the ratepayers.**

**Crosby/White
CARRIED**

9.3 Rates Setting for 2023/24 Financial Year

Presented by Kumaren Perumal – Chief Financial Officer, Mark Le Comte – Principal Advisor Finance and Jo Pellew – Rates Manager.

Key Points - Members:

- Noted that the draft targeted rates had been consulted with those identified as most affected.

Resolved

That the Regional Council:

1. **Receives the report, Rates Setting for 2023/24 Financial Year.**
2. **Confirms that the rates for the financial year 1 July 2023 to 30 June 2024 are set and assessed in accordance with the Local Government (Rating) Act 2002.**
3. **Confirms that the significance of the decision has been assessed as LOW, and under Section 79 of the Local Government Act 2002 (LGA) confirms the written record of the manner in which section 77 and section 78 matters have been addressed**
4. **Notes that Council did not consult on the funding impact statement that is part of the Annual Plan 2023/24 as the changes were not considered to be significant or a material departure from LTP 2021-2031.**
5. **Confirms that the amounts of the rate specified in the rate tables of the resolution, for the financial year commencing 1 July 2023 to 30 June 2024, includes Council's Goods and Services Tax component.**
6. **Sets a general rate based on land value, calculated as a rate in the dollar of the rateable land value of each rateable rating unit in the region. The rate in the dollar is different according to the location of the land within each district and city constituency as land values are equalised. The general rate is set as follows:**

General Rate Land Value	\$19,741,011
Constituent Authority	Rates Expressed as cents per dollar of rateable land value
Kawerau	0.022164
Ōpōtiki	0.020162
Rotorua (Part)	0.024494
Taupō (Part)	0.020162
Tauranga	0.020262
Western Bay of Plenty	0.020162
Whakatāne	0.020162
Offshore Islands	0.209134

7. **Sets a uniform annual general charge as a fixed amount per rating unit on all rateable land in the region as follows:**

Uniform Annual General Charge	\$26,781,949
Fixed amount per rating unit	\$196.77

- 8. Sets targeted rates for Kaituna Catchment Control Scheme. The targeted rates are set differentially in accordance with Sections 16, 17 and 18 of the Local Government (Rating) Act 2002 for all rateable land situated in the Kaituna Catchment Control Scheme area within the Tauranga, Western Bay of Plenty and Rotorua constituent districts. The categories of rateable land have been defined based on where the land is situated.**

The two targeted rates are set as follows;

- i. Where the land is situated, and calculated using the area of land of each rating category within the rating unit,**
- ii. Where the land is situated and calculated as a fixed amount based on the rating category within which the rating unit is situated.**

Kaituna Catchment Control Scheme targeted rates			
Category	Rate per hectare \$	Site component \$	Revenue sought \$
A1P	340.29	340.29	675,317
A2P	272.23	306.26	45,451
A3P	204.17	272.23	73,235
A4P	136.12	238.20	54,579
A1	272.23	255.22	167,795
A2	221.19	221.19	33,252
A3	170.14	221.19	46,171
A4	119.10	221.19	54,705
A5	102.09	221.19	94,853
A6	85.07	187.16	33,015
A7	61.25	170.14	30,168
A8	40.83	N/A	4,444
A9	13.61	N/A	1,178
A10	6.81	N/A	226
A11	3.40	N/A	321
B1	40.83	102.09	33,987
B2	30.63	85.07	10,899
B3	17.01	68.06	30,868
B4	10.21	51.04	53,994
B5	6.81	51.04	111,224
C1	10.21	51.04	10,012
C2	5.96	51.04	171,352
C3	4.08	51.04	46,765
C4	3.40	N/A	7,320
C6R	2.04	N/A	2,420
C8	1.36	34.03	6,954
C5	4.08	34.03	170,950
C6	2.38	27.22	25,943
C7	1.36	102.09	3,703
C9	1.02	27.22	3,959
R01	68.06	136.12	34,818
R02	N/A	102.09	99,741
R03	51.04	42.54	1,036,973
TP1	34.03	51.04	154,049
Total			3,330,641

* N/A = Not Applicable

9. Sets a targeted rate for the Rangitāiki-Tarawera Rivers Scheme. The rate is set differentially for all rateable land situated in the Rangitāiki-Tarawera Rivers Scheme catchment within the Whakatāne, Kawerau, Rotorua and Taupō constituent districts.

The targeted rate is set as based on where the land is situated, and calculated using the area of land of each rating category within the rating unit as follows:

Rangitaiki-Tarawera Rivers Scheme targeted rates		
Category	Rate per hectare \$	Revenue sought \$
A1	210.31	1,685,603
A2	148.97	235,717
A3	113.92	208,172
A4	87.63	100,792
A5	74.49	524,483
A6	26.29	4,311
B1	131.44	276,142
B2	105.16	51,042
B3	78.87	55,967
B4	61.34	522,170
B5	43.81	70,232
B6	15.77	606
B7	12.27	2,342
C1	11.39	88,409
C2	7.89	407,154
C3	2.63	248,948
C4	1.75	104,527
C5	1.31	26,196
U1	6,703.66	257,692
U2	6,309.32	357,277
U3	1,139.18	28,695
U4	744.85	582,365
U5	525.78	52,465
Total		5,891,307

10. Sets targeted rates for Whakatāne-Tauranga Rivers Scheme. The targeted rates are set differentially in accordance with Sections 16, 17 and 18 of the Local Government (Rating) Act 2002 for all rateable land situated in the Whakatane-Tauranga Rivers Scheme catchment within the Whakatane constituent district. The categories of rateable land have been defined based on where the land is situated.

The two targeted rates are set as follows;

- i. Where the land is situated, and calculated using the area of land of each rating category within the rating unit,**
- ii. Where the land is situated and calculated as a fixed amount based on the rating category within which the rating unit is situated.**

Whakatane-Tauranga Rivers Scheme targeted rates			
Category	Rate per hectare \$	Site component \$	Revenue sought \$
A1	204.12	204.12	147,601
A2	172.72	172.72	68,583
A3	141.31	149.16	225,526
A4	117.76	133.46	357,239
A5	86.36	N/A	22,054
A6	62.81	109.91	27,328
A7	47.10	94.21	36,081
A8	31.40	86.36	76,939
A9	15.70	N/A	2,113
B1	70.66	N/A	155,868
B2	39.25	70.66	108,379
B3	31.40	47.10	60,387
B4	23.55	39.25	9,942
B5	3.14	N/A	1,486
C1	9.42	78.51	42,848
C2	6.28	31.40	62,424
C3	4.71	31.40	44,509
C4	3.14	7.85	7,453
C5	1.57	7.85	37,388
U1	706.56	211.97	567,811
U2	518.15	164.87	163,943
U3	274.78	109.91	258,454
U4	172.72	94.21	129,422
U5	15.70	N/A	11
Total			2,613,789

* N/A = Not Applicable

11. Sets targeted rates for the Waioeka-Otara Rivers Scheme. The targeted rates are set differentially in accordance with Sections 16, 17 and 18 of the Local Government (Rating) Act 2002 for all rateable land situated in the Waioeka-Otara Rivers Scheme catchment within the Opotiki constituent district. The categories of rateable land have been defined based on where the land is situated.

The two targeted rates are set as follows;

- i. Where the land is situated, and calculated using the area of land of each rating category within the rating unit,**
- ii. Where the land is situated and calculated as a fixed amount based on the rating category within which the rating unit is situated.**

Waioeka-Otara Rivers Scheme targeted rates			
Category	Rate per hectare \$	Site component \$	Revenue sought \$
A 1A	415.67	479.62	25,341
A2	223.82	351.72	29,431
A2A	319.75	399.68	14,704
A3	191.85	287.77	135,610
A3A	255.80	351.72	7,344
A4	159.87	223.82	83,672
A4A	207.84	287.77	5,176
A5	143.89	223.82	64,509
A6	111.91	223.82	1,018
A7	95.92	223.82	11,374
A8	79.94	223.82	94,844
B1	63.95	N/A	16,795
B2	9.59	N/A	153
C1	15.99	191.85	48,747
C2	9.59	191.85	12,544
C3	6.39	159.87	13,656
C4	4.80	63.95	22,837
C5	3.20	63.95	3,549
C6	1.28	63.95	11,285
R	3.20	N/A	285
U1AC	1,918.49	1,406.89	57,199
U1AR	959.24	703.44	81,850
U1C	1,534.79	1,151.09	164,886
U1R	767.39	575.55	491,078
U2AC	1,406.89	1,023.19	17,273
U2AR	703.44	511.60	60,715
U2C	1,023.19	895.29	14,215
U2R	511.60	447.65	139,719
U3R	127.90	255.80	109,405
Total			1,739,214

* N/A = Not Applicable

- 12. Sets a targeted rate for the Rangitāiki Drainage Rating Area. The rate is set differentially for all rateable land situated in the defined Rangitāiki Drainage Rating Area situated on the Rangitāiki Plains within the Whakatāne constituent district.**

The targeted rate is set based on where the land is situated, and calculated using the area of land of each rating category within the rating unit as follows:

Rangitaiki Drainage targeted rate		
Category	Rate per hectare \$	Revenue sought \$
A	84.26	652,266
B	75.83	91,981
C	70.77	102,287
D	61.51	379,070
E	50.55	138,173
F	37.92	94,049
G	28.65	107,423
H	21.06	4,433
I	10.11	7,195
U1	168.51	19,819
U2	84.26	4,988
Total		1,601,684

13. Sets a targeted rate for Passenger Transport. The rate is set differentially as an amount per rating unit on all rateable properties within the defined boundaries of Tauranga City, Urban Rotorua, Western Bay District and Whakatāne District.

The passenger transport targeted rate is set as based on where the rateable unit is situated as follows:

Passenger Transport targeted rate		
Category	Rate per rating unit \$	Revenue sought \$
Tauranga City	250.83	15,341,076
Rotorua Urban	121.43	2,726,794
Western Bay District	34.18	806,128
Whakatāne District	33.66	531,264
Total		19,405,262

14. Sets a targeted rate for the Rotorua Lakes Programme. The rate is set differentially as an amount per rating unit on all rateable properties within the Rotorua constituent district.

The Rotorua Lakes programme targeted rate is set based on the area of land within the rating unit as follows.

Rotorua Lakes Programme targeted rate		
Category - All Properties	Rate per rating unit \$	Revenue sought \$
0 - 1.9999ha	140.79	3,640,860
2 - 9.9999ha	324.99	213,843
10ha and over	1,044.29	753,981
Total		4,608,684

15. Sets a targeted rate for Rotorua Air Action Plan Implementation. The rate is set as a fixed amount per rating unit on all rateable properties within the defined boundary of Urban Rotorua.

The Council sets the Rotorua Air Action Plan Implementation targeted rate as follows;

Rotorua Air Action Plan Implementation targeted rate		
Category	Rate per rating unit	Revenue sought
	\$	\$
Rotorua Urban	3.33	74,805

16. Sets a targeted rate for Civil Defence Emergency Management. The rate is set differentially (based on where the rating unit is situated) as an amount per rating unit on all rateable properties within the Kawerau, Ōpōtiki, Rotorua, Tauranga, Western Bay of Plenty and Whakatāne constituent districts.

The Civil Defence Emergency Management targeted rate is set as follows;

Civil Defence Emergency Management targeted rate		
Category - All Properties	Rate per rating unit	Revenue sought
	\$	\$
Kawerau	37.05	108,588
Ōpōtiki	34.04	180,041
Rotorua	35.56	968,802
Tauranga	32.70	2,000,102
Western Bay of Plenty	31.96	753,791
Whakatāne	36.08	569,875
Total		4,581,199

17. Sets a targeted rate for Rotorua Air Clean Heat Conversion. The rate is set differentially as an amount per rating unit within the defined boundary of Rotorua Air shed area who have received loans from the Regional Council for installing cleaner heat alternatives.

The Rotorua Air Clean Heat Conversion targeted rate is set as follows:

Rotorua Air Clean Heat Conversion targeted rates		
Category	Rate \$ per rating unit	Revenue sought \$
CH001	680.00	37,400
CH002	660.00	17,820
CH003	640.00	17,280
CH004	620.00	13,020
CH005	600.00	11,400
CH006	580.00	6,960
CH007	560.00	6,720
CH008	540.00	11,880
CH009	520.00	2,600
CH010	500.00	3,000
CH011	480.00	2,400

CH1	460.00	58,420
CH2	455.00	8,645
CH3	450.00	6,750
CH4	445.00	4,895
CH5	440.00	11,880
CH6	435.00	4,350
CH7	430.00	6,880
CH8	425.00	2,125
CH9	420.00	6,720
CH10	415.00	4,150
CH11	410.00	3,280
CH12	405.00	3,645
CH13	400.00	3,200
CH14	395.00	3,160
CH15	390.00	1,950
CH16	385.00	3,080
CH17	380.00	3,040
CH18	375.00	3,000
CH19	370.00	2,590
CH20	365.00	2,920
CH21	360.00	2,880
CH22	355.00	2,130
CH23	350.00	2,450
CH24	345.00	4,140
CH25	340.00	1,700
CH26	335.00	2,345
CH27	330.00	3,630
CH28	325.00	6,175
CH29	320.00	3,520
CH30	315.00	1,575
CH31	310.00	2,480
CH32	305.00	1,220
CH33	300.00	2,100
CH34	295.00	2,950
CH35	290.00	4,930
CH36	285.00	2,280
CH37	280.00	3,080
CH38	275.00	3,025
CH39	270.00	5,400
CH40	265.00	265
CH41	260.00	1,300
CH42	255.00	2,550
CH43	250.00	1,250
CH44	245.00	2,450
CH45	240.00	1,200
CH46	235.00	1,880
CH47	230.00	2,070
CH48	225.00	9,450
		355,585

18. Sets targeted rates for the Minor River and Drainage Schemes. The rates are set differentially for all rateable land situated in the defined communal pumped drainage and defined minor river and drainage schemes areas.

The Council sets one targeted rate for each scheme based on where the land is situated and calculated using the area of land within the rating unit as follows:

Waiotahi River District targeted rates		
Category	Rate per hectare \$	Revenue sought \$
A	138.36	15,028
B	110.69	18,000
C	83.02	15,872
D	46.12	2,509
E	27.67	2,100
F	13.84	2,611
Total		56,120

Huntress Creek Drainage District targeted rates		
Category	Rate per hectare \$	Revenue sought \$
A	97.15	20,475
B	74.48	5,909
C	48.57	3,421
D	32.38	1,726
E	22.67	734
F	9.71	3,270
Total		35,535

Waiotahi Drainage District targeted rates		
Category	Rate per hectare \$	Revenue sought \$
A	46.58	3,977
B	38.82	8,068
C	31.05	1,960
D	23.29	1,046
E	15.53	66
F	7.76	1,788
Total		16,905

Omeheue West Communal Pumped Drainage Scheme targeted rate		
Category	Rate per hectare \$	Revenue sought \$
A	322.65	11,278
B	286.80	4,874
C	71.70	3,053
Total		19,205

Awaiti West Pumped Drainage Scheme targeted rate		
Category	Rate per hectare \$	Revenue sought \$
A	719.87	9,070
B	331.14	48,741
C	143.97	28,412
D	71.99	3,477
Total		89,700

Withy Communal Pumped Drainage Scheme targeted rates		
Category	Rate per hectare \$	Revenue sought \$
A	84.04	5,543
B	50.43	2,347
C	16.81	735
Total		8,625

Omehehu Adjunct Communal Pumped Drainage Scheme targeted rates		
Category	Rate per hectare \$	Revenue sought \$
A	30.43	313
B	22.82	1,854
C	16.74	948
D	9.13	797
E	4.56	249
F	1.52	36
URBAN	80.64	2,818
Total		7,015

Lawrence Communal Pumped Drainage Scheme rates		
Category	Rate per hectare \$	Revenue sought \$
A	447.80	12,627
B	358.24	1,648
C	223.90	1,586
D	111.95	1,619
Total		17,480

Murray's Communal Pumped Drainage Scheme rates		
Category	Rate per hectare \$	Revenue sought \$
A	48.70	6,057
B	35.07	416
C	31.17	1,273
D	13.64	534
Total		8,280

19. Sets a targeted rate for Regional Safety and Rescue Services. The rate is set differentially (based on where a rating unit is situated) as an amount per rating unit on all rateable properties within the Kawerau, Ōpōtiki, Rotorua, Tauranga, Western Bay of Plenty and Whakatāne constituent districts.

The regional safety and rescue service targeted rate is set as follows:

Regional Safety and Rescue Services targeted rate		
Category - All Properties	Rate per rating unit \$	Revenue sought \$
Kawerau	1.75	5,125
Ōpōtiki	2.62	13,871
Rotorua	3.50	95,271
Tauranga	4.37	267,335
Western Bay of Plenty	3.50	82,466
Whakatāne	3.50	55,250
Total		519,318

20. Sets targeted rates uniformly for all rateable land situated in the defined drainage and defined Minor River and Drainage Schemes areas.

The rates are set as based on where the land is situated and calculated using the land area within the rating unit as follows:

Minor Drainage Schemes targeted uniform rates		
Category	Rate per hectare \$	Revenue sought \$
Awakeri	74.13	21,160
Baird-Miller	76.88	10,580
Foubister	163.28	17,135
Gordon	227.97	22,425
Greigs Road	64.30	45,886
Halls	285.91	69,230
Hyland-Ballie	261.81	61,755
Riverslea Road	123.44	3,795
Kuhanui	142.78	11,845
Luxton	54.14	11,845
Martin	30.11	4,025
Massey	27.23	11,615
Mexted-Withy	38.45	10,695
Noord-Vierboon	91.50	10,695
Pedersen - Topp	107.75	12,075
Platts	5.62	2,070
Robins Road	251.02	46,920
Thompson-Ernest	86.04	46,690
Travurzas	92.92	18,400
Wylds	44.69	8,395
Awaiti East	518.09	73,830
Total		521,066

21. Sets the due date for all rates for the 2023/24 rating year as 20 October 2023.

22. Sets the following penalties regime for all rates

- i. Pursuant to sections 57 and 58(1)(a) of the Local Government (Rating) Act 2002, with respect to rates assessed in respect of the 2023/24 year, a penalty of 10% will be added to the amount of the rates that has been assessed after 1 July 2023 and which is unpaid after the due date set out in section 21. The penalty will be added on the penalty date of 31 October 2023.

23. Sets the following additional penalties regime for past years' rates:

- i. Pursuant to sections 57 and 58(1)(b) of the Local Government (Rating) Act 2002, with respect to rates assessed between 1 July 2022 and 1 July 2023, a penalty of 10% will be added on any rates that remain unpaid on 1 July 2023. The penalty will be added on 6 July 2023.
- ii. Pursuant to sections 57 and 58(1)(b) of the Local Government (Rating) Act 2002, with respect to rates assessed before 1 July 2022, for rating units in Tauranga City, a penalty of 10% will be added on any rates that remain unpaid on 1 July 2023. The penalty will be added on 6 July 2023.
- iii. Pursuant to sections 57 and 58(1)(b) of the Local Government (Rating) Act 2002, with respect to rates assessed before 1 July 2022, for the Minor River and Drainage Schemes identified in recommendations 18 and 20, a penalty of 10% will be added on any rates that remain unpaid on 1 July 2023. The penalty will be added on 6 July 2023.
- iv. Pursuant to sections 57 and 58(1)(c) of the Local Government (Rating) Act 2002, a further penalty of 10% will be added on any rates to which a penalty has been added under (i), (ii) or (iii) if the rates remain unpaid six months after the previous penalty was added on 6 July 2023. The penalty will be added on 9 January 2024.

24. Appoints in accordance with section 53 of the Local Government (Rating) Act 2002 the constituent district and city councils of the Bay of Plenty region, i.e. Kawerau District Council, Ōpōtiki District Council, Rotorua District Council, Taupō District Council, Western Bay of Plenty District Council and Whakatāne District Council, to collect the rates assessed by Bay of Plenty Regional Council for the years prior to and including 2021/22 which remain unpaid, excluding rates for the Minor River and Drainage Schemes as identified in recommendations 18 and 20.

25. Sets the following additional penalties regime for rates to be collected under recommendation 24;

- i. Pursuant to sections 57 and 58(1)(b) of the Local Government (Rating) Act 2002, with respect to rates assessed before 1 July 2022, a penalty of 10% for all areas in the table below other than the Kawerau District and 3% for the Kawerau District will be added to any rates unpaid on 1 July 2023. The penalty will be added on the date shown below.

District	Penalty assessed date	Penalty application date
Kawerau District	5 July 2023	6 July 2023
Rotorua District	30 June 2023	6 July 2023
Western Bay of Plenty District	30 June 2023	6 September 2023
Whakatāne District	30 September 2023	1 October 2023

- i. Pursuant to sections 57 and 58(1)(c) of the Local Government (Rating) Act 2002, with respect to rates assessed before 1 July 2022, a further penalty of 10% for Rotorua District and Western Bay of Plenty District, and 3% for the Kawerau District will be added on any rates to which a penalty has been added under 25 if the rates remain unpaid six months after the previous penalty was added. The penalty will be added on the date shown below.

The respective additional penalty dates are as follows;

District	Penalty application date
Kawerau District	9 January 2024
Rotorua District	11 January 2024
Western Bay of Plenty District	5 January 2024

**Nees/Crosby
CARRIED**

9.4 Making Proposed Change 5 (Kaituna River) to the Regional Policy Statement Operative

Presented by Namouta Poutasi - General Manager Strategy & Science.

Key Points:

- Noted that this was the first Plan Change to be considered under the new Freshwater Hearings Panel.

Resolved

That the Regional Council:

1. **Receives the report, Making Proposed Change 5 (Kaituna River) to the Regional Policy Statement operative;**
2. **Approves Proposed Change 5 (Kaituna River) to the Bay of Plenty Regional Policy Statement under clause 17 of Schedule 1 to the Resource Management Act 1991, and the affixing of the seal of the Bay of Plenty Regional Council to the approved Change.**

**Nees/White
CARRIED**

9.5 Code of Conduct for Council

Presented by Steve Groom – Governance Manager and Karen Aspey – General Manager, People and Leadership.

Key Points - Members:

- Noted that the Code of Conduct had already been extensively discussed
- Sought a clearer identification of the principles of natural justice:
 - Decision makers must be unbiased;
 - Process must provide those affected by the outcome/decision an opportunity to be heard.

Resolved

That the Regional Council:

3. **Receives the report, Code of Conduct for Council;**
4. **Includes Option 2 as the preferred procedural option for assessing and investigating alleged breaches of the code of conduct as identified in the draft code of conduct attached to the agenda report;**
5. **Adopts the draft 2022-2025 Bay of Plenty Regional Council Toi Moana Code of Conduct with some minor typographical changes, including:**
 - **Clearer identification of the principles of natural justice;**
 - **Pg 172, Human Rights Act: Use actual wording, rather than interpretive language.**

**Campbell/Winters
CARRIED**

9.6 2023 Local Government New Zealand (LGNZ) Annual General Meeting (AGM) Remits for Consideration

Presented by Steve Groom – Governance Manager and Karen Aspey – General Manager, People and Leadership.

Key Points - Members:

- Important to respect that if new information was provided to the Council delegates on the day of the AGM, the current position provided by Council could change
- Remit 8 (Establishing LGNZ Resolution Service): Concerned it might add an unnecessary level of bureaucracy

- Remit 10 (Kiwisaver Contributions for Elected Members): Discussion identified differing opinions on this remit and delegates were provided with a range of factors to consider when weighing up their position on this remit'
- Noted that members of Parliament received Kiwisaver contributions.

Resolved

That the Regional Council:

- 1 **Receives the report, Local Government New Zealand (LGNZ) Annual General Meeting (AGM) Remits for Consideration;**
- 2 **Adopts the staff recommendations on Remits 2, 3, 4, 5, 7, 8, 10 and 11 identified in the attachment to this report, as the Regional Council's position to provide guidance for Council's voting delegates at the LGNZ AGM.**

Macmillan/White
CARRIED

Cr Shirley opposed the motion

9.7 SmartGrowth Leadership Group Agreement and Terms of Reference

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

Key Points:

- Noted that SmartGrowth Leadership Group had gone through a refresh exercise and the amended agreement was now presented to each partner Council for endorsement.

Resolved

That the Regional Council:

1. **Receives the report, SmartGrowth Leadership Group Agreement and Terms of Reference;**
2. **Approves the SmartGrowth Leadership Group (Joint Committee) Agreement 2023 and SmartGrowth Leadership Group Committee Terms of Reference (attachment 1), with the following amendment:**
 - **Remove reference to "Regional Council Chair" in Section 2: Members of the Agreement.**

Nees/Macmillan
CARRIED

9.8 Delegations Update

Resolved

That the Regional Council:

1. **Receives the report, Delegations Update;**

2. **Revokes existing delegations made by Council referred to in Attachment 1;**
3. **Delegate all the powers, functions and duties as set out in Attachment 1 under the Resource Management Act 1991, Local Government (Rating) Act 2002 and Rating Valuations Act 1998 to the specified council officers.**

**Crosby/Shirley
CARRIED**

9.9 Acting Chief Executive

Resolved

That the Regional Council:

1. **Receives the report, Acting Chief Executive;**
2. **Appoints Kathleen Jean Belshaw (Kataraina) O'Brien - General Manager Strategic Engagement as Acting Chief Executive for the period Friday 30 June to Monday 17 July 2023 (inclusive), during a period of leave for the Chief Executive.**

**Winters/McDonald
CARRIED**

10. Verbal Updates

10.1 Acknowledgement of Cr Stuart Crosby as Retiring LGNZ President

Presented by Chairman Leeder.

Key Points:

- Noted that the LGNZ President role was traditionally held by a Mayor or Regional Chair, however it was recognised that the increasing responsibility of the role meant this combination was no longer viable
- The strategic objective of LGNZ was to improve the relationship between central and local government
- In his time as the President, Cr Crosby had:
 - Attended approximately 200 meetings with politicians and officials
 - Presented around 25 oral submissions
 - Adopted a bold new strategy for LGNZ - including a new vision that New Zealand be the most active and inclusive local democracy in the world
 - Successfully advocated for the establishment of the Three Waters Steering Group, Three Waters Governance, Representation and Accountability Working Group, and the Resource Management Reform Steering Group - all of which had provided advice to ensure that the reforms were as workable as possible for local government
 - Successfully advocated for the Future for Local Government Review to take place
 - Successfully advocated for changes to requirements to publish personal contact details on electoral advertising materials in time for the 2022 local body elections, given safety concerns
 - Worked to strengthen LGNZ's relationships with Taituarā and Te Uru Kahika.

Key Points - Cr Crosby:

- Elected as President during Covid lockdown, which had been an unusual and interesting experience
- Had never before experience such a challenging and disruptive period for local government as what had been seen these last few years
- Had decided to not stand for a second term as his primary responsibility remained to the Tauranga residents
- Recognised the support of fellow Councillors in making it possible to take on the Presidency, and appreciated the benefits to the Council by being able to report back on LGNZ matters.

11. 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
11.1	Public Excluded Regional Council Minutes - 4 May 2023	As noted in the relevant Minutes.	As noted in the relevant Minutes.	To remain in public excluded.
11.2	Public Excluded Regional Council Minutes - 25 May 2023	As noted in the relevant Minutes.	As noted in the relevant Minutes.	To remain in public excluded.
11.3	Smith Road Old Rangitāiki Channel Crossing Upgrade	Withholding the information is necessary to enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	48(1)(a)(i) Section 7 (2)(i).	On the Chief Executive's approval.

11.4	Automatic Monitoring Buoy Contract: Rotorua Te Arawa Lakes	Withholding the information is necessary to enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities.	48(1)(a)(i) Section 7 (2)(h).	To remain in public excluded.
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**Leeder/Thurston
CARRIED**

12. Closing Karakia

A karakia was provided by Cr Te Taru White.

12.37 pm - the meeting closed.

CONFIRMED

Chairman Doug Leeder
Chairperson, Regional Council