

# Regional Council

## Open Minutes

- Commencing:** Wednesday 9 August 2023, 9.30 am
- Venue:** Council Chambers, Regional House, 1 Elizabeth Street, Tauranga
- Chairperson:** Chairman Doug Leeder
- Deputy Chairperson:** Deputy Chairperson Jane Nees
- Members:** Cr Malcolm Campbell  
Cr Stuart Crosby  
Cr Toi Kai Rākau Iti  
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, Reuben Fraser - General Manager Regulatory Services, Chris Ingle - General Manager Integrated Catchments, Kataraina O'Brien - General Manager Strategic Engagement, Karen Aspey - General Manager People & Leadership (via Zoom), Steve Groom - Governance Manager, Kumaren Perumal - Chief Financial Officer, Mark Le Comte - Principal Advisor Finance; Stephanie Macdonald - Community Engagement Team Leader, Pim de Monchy - Coastal Catchments Manager; Graeme Howard - Corporate Planning Lead, Angela Foster - Communications & Engagements Manager, Tone Nerdrum Smith - Senior Advisor Governance
- Warwick Lampp - Electoral Officer, Electionz.com (via Zoom)
- Apologies:** None

### 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 [Bay of Plenty Regional Council](#)

[Zoom - Wednesday 9 August 2023 \(Part 1\) - YouTube](#) and [Bay of Plenty Regional Council Meeting - Wednesday 9 August 2023 \(Part 2\) - YouTube](#)

## 1. Opening Karakia

A karakia was provided by Cr Lyall Thurston.

## 2. Order of Business

### 2.1 Change to the Order of Business

#### Resolved

That the Regional Council:

- 1 Changes the order of business to allow public excluded item 10.4: Quayside Holdings Ltd Director Appointments to be discussed at 9.45am, due to the availability of the presenter.

Macmillan/Thurston  
CARRIED

## 3. Declaration of Conflicts of Interest

Cr Stuart Crosby and Cr Te Taru White: Agenda item 9.4 Statements of Intent for Quayside Group, including Toi Moana Trust and Agenda item 10.4 Quayside Holdings Ltd Director Appointments (public excluded) due to their appointments as Quayside Board Directors.

## 4. Minutes

### Minutes to be Confirmed

### 4.1 Regional Council Minutes - 29 June 2023

#### Resolved

That the Regional Council:

- 1 Confirms the Regional Council Minutes - 29 June 2023 as a true and correct record.

Nees/Winters  
CARRIED

## 5. Reports

### 5.1 Chairperson's Report

Presented by Chairman Doug Leeder.

#### Key Points:

- Provided an outline of the climate change symposium, which focused on the recent flooding damage on the East Coast
- The idea of managed retreat for a community that was consistently experiencing floods had been discussed
- The LGNZ remit regarding co-chairing was not binding for Bay of Plenty Regional Council (BOPRC).

**Resolved**

**That the Regional Council:**

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

**Leeder/von Dadelszen  
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:**

<b>Item No.</b>	<b>Subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Grounds under Section 48(1) for the passing of this resolution</b>	<b>When the item can be released into the public</b>
6.4	Quayside Holdings Ltd Director Appointments	Making the information available would be likely to endanger the safety of any person.	48(1)(a)(i) Section 6 (b).	On the Chief Executive’s approval.

- 2 That Sue Suckling, Appointment Panel Chair be permitted to stay in the public excluded section of the meeting due to their knowledge of the matter under discussion, being Quayside Holdings Ltd Director Appointments.**

**Leeder/Macmillan  
CARRIED**

## Public Section - *Continued*

### 7. Reports

#### 7.1 Review of the Rivers Scheme Advisory Groups' Terms of Reference

Presented by: Chris Ingle – General Manager Integrated Catchments and Kirsty Brown – Rivers and Drainage Assets Manager.

**Key Points - Staff:**

- Any costs of reimbursement was expected to be minimal.

**Key Points - Members:**

- Queried whether the guiding principles were suitable
- Recognised the close working relationships within the Rangitāiki River Catchment
- The Advisory Groups members had sighted and were supportive of the Terms of Reference
- Encouraged the establishment of a River Advisory Group also for the Whangaparaoa River Catchment.

#### Resolved

**That the Regional Council:**

- 1 Receives the report, Review of the Rivers Scheme Advisory Groups' Terms of Reference.**
- 2 Approves the 2023 River Scheme Advisory Groups' Terms of Reference.**

**Iti/Nees  
CARRIED**

#### 7.2 Tauranga Moana Iwi Group Representatives - Te Mana o Te Wai Project

*Presentation - Tauranga Moana Iwi Group (Pia Bennett) pdf - Council 9 August 2023: Objective ID A4452647 [↗](#)*

Presented by: Margaret Courtney – Senior Advisor, Stephen Lamb – Environmental Strategy Manager, Kataraina O'Brien – General Manager Strategic Engagement, supported by Pia Bennett - Mahitahi Trust.

**Key Points - Pia Bennett - Mahitahi Trust:**

- Regional Council had worked closely with the Tauranga Moana Iwi Group (the Iwi Group) and this support had made a significant and positive difference
- Provided an outline of the inspiration/drivers and structure of the Iwi Group
- Confident the Iwi Group had the capacity to make the outlined structure viable
- Noted the connection to Tauranga Moana Advisory Group going forward.

**Key Points - Staff:**

- The main funding for the Iwi Group was provided by the Ministry for the Environment, with the cost to Council being minimal
- The Long Term Plan funding of \$300k was allocated within the freshwater management activity.

**Key Points - Members:**

- Concerned that if the legal entity (the Iwi Group) was not established as anticipated, Council could be responsible for ongoing administration
- This project aligned with Council's desire for transformational change.

**Resolved**

**That the Regional Council:**

- 1 Receives the report, Tauranga Moana Iwi Group Representatives - Te Mana o Te Wai Project.**
- 2 Approves the approach to the financial and administration arrangements for the project on behalf of the Iwi Representative Group.**
- 3 Delegates to the Chief Executive the signing of a Funding Agreement between Bay of Plenty Regional Council and the Ministry for Environment, and the signing of a Memorandum of Understanding between Bay of Plenty Regional Council as contract holder and the Tauranga Moana Iwi Group Representatives who will deliver the project through Ko Wai Mātou.**

Leeder/White  
CARRIED

**7.3 Statements of Intent for Quayside Group, including Toi Moana Trust**

Cr Stuart Crosby and Cr Te Taru White **declared an interest** in this item as Quayside Board Directors and **abstained** from discussion and voting.

Presented by: Mat Taylor – General Manager Corporate.

**Key Points:**

- Noted that a quarterly briefing by Quayside would be scheduled
- There were no material changes to the Statement of Intent from the draft previously presented to Council.

**Resolved**

**That the Regional Council:**

- 1 Receives the report, Statements of Intent for Quayside Group, including Toi Moana Trust.**
- 2 Agrees that no further formal feedback is required on the Quayside Group Statements of Intent.**

Scott/Winters  
CARRIED

11.00 am – The meeting **adjourned**.

11.25 am – The meeting **reconvened**.

## 7.4 Local Government Funding Agency Limited's Statement of Intent

### Resolved

That the Regional Council:

- 1 **Receives the report, Local Government Funding Agency Limited's Statement of Intent.**
- 2 **Agrees that no formal feedback is required on the Local Government Funding Agency Limited's Statement of Intent 2023-2026.**

Scott/Macmillan  
CARRIED

## 7.5 Statement of Intent for Bay of Plenty Local Authority Shared Services Limited

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

### Key Points:

- There were no material changes to the Statement of Intent from the draft previously presented to Council.

### Key Points - Members:

- Sought further information regarding the future direction of BOPLASS; including links with other LASS.

### Key Points - Staff:

- BOPLASS operated successfully as a procurement agency, and potential expansion into other service areas was always a consideration
- Discussions regarding insurance coverage and costs were ongoing.

### Resolved

That the Regional Council:

- 1 **Receives the report, Statement of Intent for Bay of Plenty Local Authority Shared Services Limited.**
- 2 **Agrees that no formal feedback is required on the Bay of Plenty Local Authority Shared Services Limited's Statement of Intent 2023-2026.**

Nees/Macmillan  
CARRIED

## 7.6 Regional Software Holdings - Statement of Intent 2023/24

Presented by: Mat Taylor – General Manager Corporate.

### Key Points:

- Being a newly established Council Controlled Organisation (CCO), the usual Statement of Intent process would be followed from here on
- The CCO's programme of works would be brought to a future Council meeting.

**Key Points - Members:**

- Sought an update on the national ticketing system for public transport,

**Key Points - Staff:**

- The CCO was a collaboration between regional councils to provide a range of standardised shared services and solutions. This shared approach also provided a basis for seeking central government funding.
- There would be no impact on the LGNZ membership premiums.
- Cyber security reviews formed part of the standard process for the implementation of any software system used by the Council. These same security standards were being applied across all sector solutions to ensure they were robust and to achieve efficiency improvements.

## **Resolved**

**That the Regional Council:**

- 1 Receives the report, Regional Software Holdings - Statement of Intent 2023/24.**
- 2 Agrees that no formal feedback is required on Regional Software Holdings Limited's Statement of Intent 2023/24.**

**Winters/Crosby  
CARRIED**

## **7.7 Electoral (Voting) System for 2025 Local Government Elections**

Presented by: Steve Groom - Governance Manager and Warwick Lapp - Electoral Officer Electionz.com (via Zoom).

**Key Points:**

- The Future for Local Government report had recommended the use of Single Transferrable Vote (STV) for all elections, which would require a legislative change
- The cost of conducting a poll as part of the 2025 local election was costed at approximately \$75k.

**Key Points - Members:**

- Noted that for smaller constituency, STV was a fairer system for diversity, but less likely to impact if there was a smaller pool of candidates
- Council could conduct a poll or survey regarding the preferred voting system as part of the 2025 local election, as this would reduce the significant cost of conducting a stand-alone poll
- There was no legal requirement to make a decision today regarding a binding poll or residents survey to be undertaken as part of the 2025 local election, rather it would be brought back to a future meeting of Council for consideration.

## Resolved

That the Regional Council:

- 1 **Receives the report, Electoral (Voting) System for 2025 Local Government Elections.**
- 2 **Pursuant to Section 27 of the Local Electoral Act 2001 agrees to retain the First Past the Post electoral system for the Bay of Plenty Regional Council for the 2025 triennial election.**
- 3 **Notes that public notice must be given no later than 19 September 2023 of the decision and the right of electors to demand a poll on the electoral system to be used.**

Winters/von Dadelszen  
**CARRIED**

Cr Macmillan **opposed** the motion

## 7.8 Bay of Plenty Civil Defence Emergency Management Alternate Group Controller Nomination

### Resolved

That the Regional Council:

- 1 **Receives the report, Bay of Plenty Civil Defence Emergency Management Alternate Group Controller Nomination.**
- 2 **Endorses the nomination of Chris Brewer, Team Leader – People Experience and Projects, Bay of Plenty Regional Council as a Civil Defence Emergency Management Alternate Group Controller under Section 26(2) of the Civil Defence Emergency Management Act 2002.**

Crosby/Thompson  
**CARRIED**

## 7.9 2023 Residents Awareness Survey Findings

Presented by: Angela Foster – Communications & Engagements Manager and Kataraina O'Brien – General Manager Strategic Engagement.

### Key Points:

- Clarified that sections 4.3 and 4.5 should read 'three in four people did not know that the average regional rates bill was reduced on average by \$350 per property through subsidies from Quayside Holdings Limited'
- Recognised that there was a lack of awareness of Council and its services within the community
- Was working with the Regional Sector regarding shared approaches to raising awareness of councils
- Rotorua Lakes Council issued a community magazine, which was expensive, but could be further explored as an option
- The overall cost of the survey, including post, totalled just under \$50k.



**Key Points - Members:**

- Considered that the survey results did not reflect the quality of the services provided by Council and it was important to not directly correlate the two
- The conclusions within the report could be considered misleading
- The higher level of awareness in Whakatāne was likely to relate to the ongoing river scheme works in the area
- Awareness within the rural sector was attributed to increased interaction with Council due to targeted rates
- Encouraged more prominent branding , e.g. 'funded by Regional Council' for projects and agencies that had high community interest
- Considered the communication on Council's social media to be informative and engaging, but recognised that further opportunities to increase community reach could be explored
- Noted that the responses represented a small component only of the overall number of residents in the Bay of Plenty
- The challenges of the postal system (delay/non-delivery etc.) had significantly impacted on the return rate.

**Resolved****That the Regional Council:**

- 1 Receives the report, 2023 Residents Awareness Survey Findings.**

**Thurston/Macmillan  
CARRIED**

**Information Only****7.10 Community Participation Impact Area - Annual Report**

*Presentation - Community Participation Impact Area pdf - Council 9 August 2023:  
Objective ID A4452942*

Presented by: Stephanie Macdonald – Community Engagement Team Leader, Pim de Monchy – Coastal Catchments Manager, Steve Groom – Governance Manager, Graeme Howard – Corporate Planning Lead.

**Key Points of Presentation:**

- Community Engagement
- Volunteer Participation
  - 68 Care Groups supported financially
  - 5,313 volunteers participated during the year
  - Estimated 58,264 volunteer hours contributed
- Funding for Community-led Projects
  - Highlights for 2022/23
  - Focus for 2023/24
- Democracy
  - 2022 Elections
  - Transparency of Council business
  - Representation review

**Key Points - Staff:**

- The number of livestream views was tracked; however it would be difficult to differentiate between staff vs public/media watching.

**Resolved**

**That the Regional Council:**

- 1 Receives the report, Community Participation Impact Area - Annual Report.**

**Crosby/Nees  
CARRIED**

**8. 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:**

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8.1	Public Excluded Regional Council Minutes - 29 June 2023	As noted in the relevant Minutes.	As noted in the relevant Minutes.	To remain in public excluded.
8.2	Ngongotahā Flood Mitigation Project Update and Property Acquisition	Withholding the information is necessary to protect the privacy of natural persons, including that of deceased natural persons; Withholding the information is necessary to enable any local authority holding the information to carry on, without prejudice or disadvantage,	48(1)(a)(i) Section 7 (2)(a); 48(1)(a)(i) Section 7 (2)(i).	On the Chief Executive’s approval.

		negotiations (including commercial and industrial negotiations).		
8.3	Regional Property Update	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).	On the Chief Executive's approval.

**Leeder/Thurston  
CARRIED**

## 9. Closing Karakia

A karakia was provided by Cr Te Taru White.

**12.58 pm - the meeting closed.**

**CONFIRMED 21 SEPTEMBER 2023**

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Chairman Doug Leeder  
Chairperson, Regional Council