

# Regional Council

## Open Minutes

- Commencing:** Tuesday 26 March 2024, 09:30am
- Venue:** Council Chambers, Regional House, 1 Elizabeth Street, Tauranga and via Zoom (Audio Visual Meeting)
- 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, Namouta Poutasi – General Manager Strategy & Science, Reuben Fraser – General Manager Regulatory Services, Pim de Monchy – Coastal Catchments Manager (Acting General Manager Integrated Catchment) Kataraina O’Brien – General Manager Strategic Engagement (via Zoom); Lynda Frew – Legal Counsel (Commercial); Mark Le Comte – Principal Advisor Finance; Tone Nerdrum Smith – Senior Advisor Governance
- Apologies:** None

Chairman Leeder 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. [Bay of Plenty Regional Council Meeting - 26 March 2024 \(youtube.com\)](https://www.bayofplenty.govt.nz/Meeting-26-March-2024)

### 1. Opening Karakia

A karakia was provided by Cr Lyall Thurston.

## 2. Apologies

Noted that Cr Te Taru White had not yet arrived, but was expected to do so shortly.

## 3. Order of Business

Noted that Public Excluded item 7.5: Priority One Update on Key Projects had been referred to the extraordinary Council meeting on Friday 5 April 2024.

## 4. Declaration of Conflicts of Interest

Cr Lyall Thurston: Minute Item 6.3 – Te Whare Taonga o Te Arawa (Rotorua Museum) Funding Agreement as a Trustee of the Rotorua Museum Centennial Trust.

Cr Te Taru White: Minute Item 6.3 – Te Whare Taonga o Te Arawa (Rotorua Museum) Funding Agreement as a Trustee of the Rotorua Museum Centennial Trust.

Chairman Doug Leeder: Public Excluded Minute Item 7.3 Accommodation Reimbursement as he was specifically mentioned in the report.

## 5. Minutes

### Minutes to be Confirmed

#### 5.1 Regional Council Minutes - 15 February 2024

##### Matters Arising

In relation to Minute Item 4.1 – BOPRC Toi Moana Summer Assistants 2023/24 Presentation, it was noted that the Artificial Intelligence (AI) report referred to was not yet finalised.

##### Resolved

That the Regional Council:

- 1 **Confirms the Regional Council Minutes - 15 February 2024 as a true and correct record, subject to the following amendments:**

**Item 5.2 Assessment of Bay of Plenty Regional Council's practice in relation to the Ombudsman's "Open for Business" report on the use of workshops, Resolution 6, ADD: "These practices are:**

- **Ease of access for meeting agendas, papers, and minutes on council websites, both for meetings and workshops.**
- **An adopted principle of openness by default for all workshops (and briefings, forums etc.), including a commitment to record a clear basis for closure where justified, on a case-by-case basis.**
- **Ability to call for divisions, abstain from voting, request motions be moved in parts, and have opposition to a resolution recorded facilitates better debate than recording individual votes ('division) for each resolution."**

Leeder/Nees  
CARRIED

#### 5.2 Regional Council Minutes - 6 March 2024

## Resolved

**That the Regional Council:**

- 1 Confirms the Regional Council Minutes - 6 March 2024 as a true and correct record.**

**LEEDER/Nees  
CARRIED**

## 6. Reports

### 6.1 Chairperson's Report

#### Key Points - Staff:

- Staff were in the process of securing an update by Hekia Parata, Chairperson of the Ministerial Inquiry into woody debris (including forestry slash) to present regarding forestry slash.

## Resolved

**That the Regional Council:**

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

**Leeder/Nees  
CARRIED**

9.36 am – Cr White entered the meeting.

## Decisions Required

### 6.2 Supplier Panels Update And Delegations

Presented By: Lynda Frew – Legal Counsel (Commercial) and Pim De Monchy – Coastal Catchments Manager (Acting General Manager Integrated Catchments).

#### Key Points:

- The term 'Panel' meant the approved suppliers that Council staff were able to approach to contract for works
- Clarified how the Panel of suppliers were chosen
- No other change are currently being suggested to financial delegations
- The Ford Road Pump Station contract had been granted 'under exemption', which meant efficiencies could be built into the project costs as a result
- Recognised that a clear understanding of the need for an overall beneficial outcome was a key consideration for all procurement plans.

#### Key Points - Members:

- Concerned that suppliers might not be Bay of Plenty based, which could mean a lack of relevant, local knowledge
- Considered that development of a Council social procurement policy and its definition would be appropriate, and that this could be considered as part of the LTP deliberations

- Recognised that the total cost/price would always be a consideration in the procurement process.

**Items for Staff Follow Up:**

- Flowchart of the procurement plan to be included in these types of reports for the future for additional clarity for elected members.

**Resolved**

**That the Regional Council:**

- 1 Receives the report, Supplier Panels Update and Delegations.**
- 2 Delegates to the Chief Executive the ability to approve all contracts supplier selections and payments including contract variations and renewals under existing Council supplier panels, with no other changes to financial delegations under the supplier panels.**

**Leeder/Winters  
CARRIED**

**6.3 Te Whare Taonga o Te Arawa (Rotorua Museum) Funding Agreement**

Cr Thurston and Cr White **declared an interest** in this item and **abstained** from discussion and voting.

Presented by: Mark Le Comte – Principal Advisor Finance.

**Key Points:**

- Clarified that formal delegation to the Chief Executive to execute the provisions within the contract had not occurred, and that if Elected Members were satisfied with how the project was progressing and that expectations were being met, this was now sought to be rectified
- Bay of Plenty residents were granted three years of free entry to the Museum. However, noted that Elected Members did not support this for entry-fee charging exhibitions and this would be brought to the attention of the Museum.

**Key Points - Members:**

- Recognised the general free admission for Bay of Plenty residents, however considered that entry-fee charging exhibitions should not be free for local visitors as such exhibitions represented a significant cost to the museum, as well as a revenue-generating opportunity.

**Resolved**

**That the Regional Council:**

- 1 Receives the report, Te Whare Taonga o Te Arawa (Rotorua Museum) Funding Agreement.**
- 2 Delegates to the Chief Executive to approve the Funding Agreement for Council's contribution to Te Whare Taonga o Te Arawa (Rotorua Museum).**

- 3 Delegates to the Chief Executive to approve payments totalling \$4.1 million to Rotorua Lakes Council that meet the requirements the Funding Agreement for Council’s contribution to Te Whare Taonga o Te Arawa (Rotorua Museum).**

**Winters/Iti  
CARRIED**

## **7. 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>
7.1	Public Excluded Regional Council Minutes - 15 February 2024	As noted in the relevant Minutes.	As noted in the relevant Minutes.	To remain in public excluded.
7.2	Tauranga Marine Precinct	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).	On the Chief Executive’s approval.
7.3	Accommodation Reimbursement	Withholding the information is necessary to protect the privacy of natural persons, including	48(1)(a)(i) Section 7 (2)(a).	On the Chief Executive’s approval.

		that of deceased natural persons.		
7.4	Kaituna Drainage Scheme - Bell Road Property Acquisition	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.
7.5	Priority One Update on Key Projects - <i>Deferred to 5 April 2024 Extraordinary Council meeting</i>	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.

**Leeder/von Dadelszen  
CARRIED**

## 8. Closing Karakia

A karakia was provided by Cr Te Taru White.

**10.55 am - the meeting closed.**

**CONFIRMED 24 APRIL 2024**

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Chairman Doug Leeder  
Chairperson, Regional Council