

Regional Council

Open Minutes

- Commencing:** Wednesday 24 April 2024, 9.30 am
- 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 – via Zoom
Cr Matemoana McDonald
Cr Kat Macmillan
Cr Ron Scott
Cr Ken Shirley
Cr Paula Thompson – via Zoom
Cr Lyall Thurston – via Zoom
Cr Andrew von Dadelszen
Cr Te Taru White – via Zoom
Cr Kevin Winters – via Zoom
- In Attendance:** Fiona McTavish – Chief Executive; Mat Taylor – General Manager Corporate; Kumaren Perumal – Chief Financial Officer, Mark Le Comte – Principal Advisor Finance; Tone Nerdrum Smith – Senior Advisor Governance
- Apologies:** none

Livestreaming Statement

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 - 24 April 2024 \(youtube.com\)](https://www.youtube.com/watch?v=...)

1. Opening Karakia

A karakia was provided by Chairman Leeder.

2. Order of Business

2.1 Change to Order of Business

Resolved

That the Regional Council:

- 1 **Change the order of business to cover agenda item 9.1 Quayside Group draft Statements of Intent for 2024/25 and Half-Yearly Report 2023/24 at the end of the open section.**

**Leeder/Nees
CARRIED**

3. Declaration of Conflicts of Interest

Cr Stuart Crosby and Cr Te Taru White declared an interest in Agenda Item 9.1 – Quayside Group draft Statements of Intent for 2024/25 and Half-Yearly Report 2023/24, including Confidential Attachment 6 - Toi Moana Trust - Portfolio Overview December 2023, as Quayside Directors.

4. Minutes

Minutes to be Confirmed

4.1 Regional Council Minutes - 26 March 2024

Resolved

That the Regional Council:

- 1 **Confirms the Regional Council Minutes - 26 March 2024 as a true and correct record.**

**Macmillan/Nees
CARRIED**

5. Reports

Decisions Required

5.1 Local Government Funding Agency (LGFA) Limited - draft Statement of Intent 2024-2027 and Half Yearly Report

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

Key Points:

- LGFA was largely on track, having met all but one of its performance targets
- Key assumptions underpinning the company's forecast included considerations being given to the Local Water Done Well/3 Waters changes, pending Central Government announcements
- Non-financial provisions were consistent with those of previous years.

Key Points - Members:

- Complimented the way the information in the Report was displayed, in particular the inclusion of ratios, and suggested that this be included in the Quayside Holdings Ltd (QHL) reporting as well.

Key Points - Staff:

- Would discuss the possibility of including ratio reporting in future updates from QHL
- Sustainability reporting was a relatively new concept, but was expected to increase as it became more widespread within the sector.

Resolved

That the Regional Council:

- 1 Receives the report, Local Government Funding Agency Limited - draft Statement of Intent 2024-2027 and Half Yearly report for the period ended 31 December 2023.**
- 2 Agrees that no formal feedback is required on the Local Government Funding Agency Limited's draft Statement of Intent 2024-2027.**

**Crosby/von Dadelzen
CARRIED**

5.2 Bay of Plenty Local Authority Shared Services (BOPLASS) Limited - draft Statement of Intent 2024-2027 and Half Yearly Report

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

Key Points:

- The Report and draft Statement of Intent represented 'business as usual'
- No surprises were expected in the financial/non-financial performance and measures.

Key Points - Members:

- Suggested there might be an appetite for increased collaboration at a governor level, i.e. extending the current responsibility and reach of BOPLASS.

Key Points - Chief Executive Fiona McTavish:

- BOPLASS provided a relatively small service, mainly focused on procurement, which it did with considerable success
- Local Water Done Well collaboration across the region could be further pursued, and this would be discussed at the upcoming Mayoral Forum meeting on 3 May 2024
- Regional Council was focussed on shared services and collaboration, both with local councils and unitary/regional councils.

Resolved

That the Regional Council:

- 1 Receives the report, Bay of Plenty Local Authority Shared Services Limited - draft Statement of Intent 2024-2027 and Half Yearly Report.**
- 2 Agrees that no formal feedback is required on the Bay of Plenty Local Authority Shared Services Limited's draft Statement of Intent 2024-2027.**

**Leeder/von Dadelszen
CARRIED**

5.3 Regional Software Holdings (RSH) Limited - draft Statement of Intent 2024-2027 and Half Yearly Report

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

Key Points:

- Operations were largely on track, including agreed performance measures
- Noted the predicted loss in the IRIS NextGen programme, mainly due to timings of budgeted spend
- Was currently collecting data to achieve benchmarking between councils.

Key Points - Members:

- Noted that RSH had initially been established for financial software/systems and that it had evolved to include a wider range of services
- Encouraged a faster pace in the benchmarking initiative than what was currently occurring.

Key Points - Chief Executive Fiona McTavish:

- Moving across to IRIS NextGen in 2026 was expected to generate approximately \$3m in savings to Council in the draft LTP 2024-2034.
- Council was already benchmarking on a number of services, e.g. Health & Safety; legal services; and broader strategy/policy considerations, e.g. Coastal Plans
- Sought to emulate Central Government's 'BASS benchmarking' undertaken several years ago across the regional sector.

Resolved

That the Regional Council:

- 1 Receives the report, Regional Software Holdings Limited - Draft Statement of Intent 2024-2027 and Half Yearly Report.**
- 3 Agrees that no formal feedback is required on the Regional Software Holdings Limited's draft Statement of Intent 2024-2027.**

**Nees/McDonald
CARRIED**

5.4 Quayside Group draft Statements of Intent for 2024/25 and Half-Yearly Report 2023/24

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

Presented by Mat Taylor - General Manager Corporate and Kumaren Perumal - Chief Financial Officer.

Key Points:

- Highlighted the incorrect inclusion of the word 'not' in the draft Statement of Intent (agenda attachment 4, page 6) noting that the cashflow was sufficient to cover distributions, rather than *not* sufficient. This amendment would be reflected as feedback to Quayside
- Provided an outline of the timeline for the Statement of Intent process and the impact of the Long Term Plan (LTP) deliberations, following which the draft Statement of Intent could be revisited, if required.

Resolved

That the Regional Council:

- 1 Receives the report, Quayside Group draft Statements of Intent for 2024/25 and Half-Yearly Report 2023/24.**
- 4 Notes that:**
 - (a) Council is currently consulting on a proposal to enable Quayside Holdings Limited to reduce its 54.14% shareholding in Port of Tauranga Limited, retaining a minimum shareholding of 28%, and**
 - (b) decisions on the proposal have not yet been made and will only be final once Council adopts its Long Term Plan 2024-2034, scheduled on 26 June 2024, and**
 - (c) Quayside Holdings Limited is required by legislation to deliver its final Statement of Intent 2024/25 by 1 July 2024, and**
 - (d) to meet legislative requirements, Quayside intends to deliver a Statement of Intent 2024/25 by 20 June 2024, which would make no assumptions regarding the Port of Tauranga Limited shareholding of 54.14%, and**
 - (e) once Council has considered public feedback on the sell-down proposal, made its decisions and adopted its Long Term Plan 2024-2034, it will determine whether any modifications are required to the 2024/25 Statement of Intent for the Quayside Group. If required, Council will follow the process provided for in Local Government Act 2002, Schedule 8 clause 6, to require changes to the Statement of Intent to be made by the QHL Board.**
- 5 Directs staff to prepare feedback to the draft Statements of Intent for the Quayside Group 2024/25, according to the direction of this meeting, as follows:**
 - **Operating Environment - 2023/2024-Strategic Reset - Challenges - Bullet four: Amend to read "Forecast net cashflow is sufficient to fully cover...", i.e. amend from "...not sufficient...".**
- 6 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) Toi Moana Trust - Portfolio Overview December 2023 - CONFIDENTIAL 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.

**Nees/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
6.1	Quayside Group draft Statements of Intent for 2024/25 and Half-Yearly Report 2023/24 - Attachment 6 - Toi Moana Trust - Portfolio Overview December 2023 - CONFIDENTIAL - 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.
6.1	Public Excluded Regional Council Minutes - 26 March 2024	As noted in the relevant Minutes.	As noted in the relevant Minutes.	To remain in public excluded.

**Leeder/Campbell
CARRIED**

7. Closing Karakia

A karakia was provided by Cr Te Taru White.

10.52 am - the meeting closed.

CONFIRMED

Chairman Doug Leeder
Chairperson, Regional Council