

Regional Council

Open Minutes

- Commencing:** Thursday 12 September 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 - via Zoom
 - 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; Kataraina O'Brien - General Manager Strategic Engagement (via Zoom), Tone Nerdrum Smith - Senior Advisor Governance
- Presenters and staff as listed in the minutes
- 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 - 12 September 2024 - YouTube](#)

1. Opening Karakia

A karakia was provided by Cr Te Taru White.

2. Public Forum

2.1 Summerhill Carpark Upgrade

Presented by: Gabrielle Walton and Richard Balm - Summerhill Charitable Trust.

Presented a video [can be viewed in the livestream recording].

Key Points:

- Summerhill Farm was managed by Summerhill Charitable Trust
- It remained a working farm/forest, but was also open for the public to enjoy with a number of walking/biking tracks
- Summerhill Farm was located immediately adjacent to Pāpāmoa Regional Hills Park, which created a popular and highly utilised western entrance to the Park
- Increasing user visits/popularity meant the Summerhill Farm carpark was experiencing rapid deterioration and was no longer fit for purpose
- The video presentation illustrated the current situation and the challenges being faced by Trust
- The proposed upgrade addressed flooding issues by utilising chipseal and allowing for drainage into the surrounding paddocks
- The vast majority of the Trust's effort was through dedicated volunteers.

Key Points - Members:

- Noted the significant undertaking by the Trust and the conscious and successful reduction in the estimated cost of the proposed upgrade
- Considered that the carpark upgrade would significantly benefit the Pāpāmoa Regional Hills Park users
- Noted that the Pāpāmoa Regional Hills Park visitor numbers had increased substantially in recent years and the improved carpark would add further capacity and alternative access for users
- Recognised the value of both Summerhill Farm and the Pāpāmoa Regional Hills Park as community assets.

Key Points - Staff:

- Council had the option to consider the request for support as part of the Bay of Plenty Regional Council Toi Moana's (Regional Council) Community Initiative Fund applications.

Items for Staff Follow Up:

- A report on the request for support towards the carpark upgrade to be brought back to a future Council meeting for consideration.

3. Declaration of Conflicts of Interest

Cr Te Taru White – Item 10.10 Quayside Tauriko Land Holding and Public Excluded
Item 11.2 Quayside Holdings Ltd – Westpac Borrowing Facility

Cr Stuart Crosby – Item 10.10 Quayside Tauriko Land Holding and Public Excluded
Item 11.2 Quayside Holdings Ltd – Westpac Borrowing Facility

4. Minutes

Minutes to be Confirmed

4.1 Regional Council Minutes - 1 August 2024

Resolved

That the Regional Council:

- 1 Confirms the Regional Council Minutes - 1 August 2024 as a true and correct record.

Leeder/Winters
CARRIED

4.2 Regional Council Minutes - 13 August 2024

Resolved

That the Regional Council:

- 1 Confirms the Regional Council Minutes - 13 August 2024 as a true and correct record, subject to the following amendments:
 - Cr Te Taru White was present via Zoom, not an apology.

Leeder/Thurston
CARRIED

4.3 Emergency Regional Council Minutes - 15 August 2024

Resolved

That the Regional Council:

- 1 Confirms the Emergency Regional Council Minutes - 15 August 2024 as a true and correct record.

Leeder/Nees
CARRIED

5. Presentations

5.1 Lakes Freshwater Chair Professor Deniz Özkundakci: Annual Report 2023/24

*Presentation - Lakes Chair Waikato University Annual Report - Council 12
September 2024 pdf: [Objective ID A4769498](#) ⇨*

Presented by: Professor Deniz Özkundakci, Lakes Freshwater Chair, introduced by
Andy Bruere – Lakes Operations Manager.

Key Points - Professor Özkundakci:

- The presentation focused on the team and research undertaken
- A 'recycling' effect in Lake Rotoehu had caused an increase in nutrients and as a consequence lowered the quality of the lake water
- Lake levels had increased four to five metres since the initial (anecdotal) draining observation in the mid-1990s, which made comparative observations challenging
- A significant climate change impact was the increasing flood occurrence, which affected the current and future management of the lakes
- Noted the significant lake level drop during the droughts in mid-1990s, compared to the increased levels as a result of Cyclone Gabrielle
- The arrival of catfish had negatively impacted on the kōura population in Lakes Rotorua and Rotoiti
- Increasing water temperatures affected fish, kōura and kākahi population
- Creating artificial reefs as habitat for kōura, was hoped to increase the current population and environmental resilience
- Had submitted a 'forecasting' water programme to Ministry of Business, Innovation and Employment (MBIE) for funding, and the successful applications were expected to be announced the following day. This was an innovative programme at its infancy, but was relatively confident funding would be forthcoming
- The impacts of cultural land use/various land management practices were being monitored, including the potential positive impact of regenerative land use
- There was no 'magic bullet' on the improvement of lake health, i.e. no quick fix, and catchment management remained crucial
- The positive interaction between the University of Waikato (UoW) and the community had created a high level of interest amongst students, nationally and internationally, to participate in such meaningful research.

Key Points - Staff:

- Two methods of corrosion prevention had been considered for the Ōhau wall. However, neither solution had proven viable due to the level of corrosion and the solutions estimated success rate due to the aggressive freshwater environment
- Staff continued to work with corrosion experts in the effort to identify possible solutions
- Had not specifically explored whether historic rubbish tip adjacent to Lake Rotorua had a negative impact on lake water quality, but noted that research had been undertaken a few decades ago that could be reviewed.

Key Points - Members:

- Noted the accelerated deterioration on the Ōhau Diversion Wall
- Queried whether a small area of the wall could be used for trialling of the two potential (but seen as non-viable) corrosion prevention solutions
- Noted the increasing user pressure on the Rotorua Lakes, in particular Lake Rotomā
- Positive interaction with, and presentations to, the affected communities regarding the work undertaken by the UoW and Regional Council on the health of the lakes created increased understanding and support.

6. Reports

6.1 Chairperson's Report

Resolved

That the Regional Council:

- 1 Receives the report, Chairperson's Report.

Leeder/White
CARRIED

Decisions Required

6.2 Adoption of the Bay of Plenty Regional Navigation Safety Bylaws

Presented by: Toni Briggs – Senior Project Manager, Stephen Lamb – National Resources Policy Manager, Jon Jon Peters – Harbourmaster.

Key Points:

- Recognised the commitment of all involved and what had proven to be a more challenging process than initially envisaged
- Provision 1.1.2 in the draft Bylaws document (attached to the agenda) would be amended to state that the Bylaws would come into force on the date that the new Maritime Transport (Infringement Fees for Offences – Bay of Plenty Regional Navigation Safety Bylaws 2024) Regulations came into force, not 1 October 2024 as stated in the draft Bylaws.

Key Points - Members:

- The Navigation Safety Bylaws Committee was intent on and positive about reaching a solution on the outstanding matters, hence the recommendation to re-establish the Committee in the future to continue the review process
- Noted that the speed restriction at Lake Rotomā, including the Matutu Arm, were correct
- Sought that the colour coding identifying the various Rotorua Lakes' speed restrictions and purpose be more generic/matching to limit the risk of confusion for users.

Resolved

That the Regional Council:

- 1 Receives the report, Adoption of the Bay of Plenty Regional Navigation Safety Bylaws;
- 2 Agrees that under s155 of the Local Government Act, a Bylaws document is the most appropriate form of regulation to address navigation safety in the region and is not inconsistent with the New Zealand Bill of Rights Act 1990;
- 3 Agrees with the endorsement of the Navigation Safety Bylaws Review Committee and adopts the Bay of Plenty Regional Navigation Safety Bylaws 2024;

- 4 **Agrees that the Bylaws comes into force on the date that the new Maritime Transport (Infringement Fees for Offences – Bay of Plenty Regional Navigation Safety Bylaws 2024) Regulations come into force;**
- 5 **Agrees with the recommendation that the Navigation Safety Bylaws Review Committee disestablish the Committee upon adoption of the Bylaws and re-establish the Committee in the very near future to undertake further review and consultation on the below, with the view of completing the review within the next 12 months:**
 - (a) **The Hunters Creek/Ōtapu ski area;**
 - (b) **Extension of the Astrolabe Reef exclusion zone for vessels over 500 gross tonnes for the purposes of navigation safety;**
 - (c) **The prohibition of anchoring within the Tauranga Harbour shipping channel.**
- 6 **Agrees with the recommendation of the Navigation Safety Bylaws Review Committee that before the next 5 yearly review of the Bylaws, Council reviews:**
 - (a) **An extension of the Astrolabe Reef exclusion zone for vessels over 500 gross tonnes for the purposes of navigation safety;**
 - (b) **Keep a watching brief on the East coast shipping route to investigate the use of Navigation Safety bylaw powers to enhance safety aspects of this coastal route;**
 - (c) **The prohibition of anchoring within the Tauranga Harbour shipping channel.**
- 7 **Authorises the Chief Executive to make minor numerical, editorial or presentation amendments prior to the final publication.**

von Dadelszen/Winters
CARRIED

10.58 am - The meeting **adjourned**.

11.15 am - The meeting **reconvened**.

6.3 Tauranga Harbour Ferry Service Trial – Options Assessment

Presentation - Ferry Trial Proposal - Council 12 September 2024 pdf: Objective ID A4769509 [↗](#)

Tabled Document 1 - Photo Ferry Trial Port and Bridge Marine - Council 12 September 2024: Objective ID A4769528 [↗](#)

Presented by: Oliver Haycock – Director Public Transport & Jon Jon Peters – Harbourmaster.

Key Points:

- Tauranga City Council (TCC) had approved funding towards the trial, dependent on the same funding being granted by Regional Council and the successful negotiation between TCC and Hauraki Express of a commercial agreement
- Concerned that aspects of the proposal, including the projected patronage and number of trips per day were overly optimistic, creating a heightened level of risk with the trial

- The proposed route between Tauranga CBD and Pilot Bay, Mount Maunganui was a highly trafficked area, with a number of nautical restrictions and challenges which would significantly impact on the ability to run a reliable scheduled service at the journey times indicated
- The Regional Council's Regional Transport Committee chose not to include the trial in the Regional Land Transport Plan (RLTP), due to a lack of alignment with regional priorities. The project was therefore not considered for NZTA funding.
- A key consideration was the changing funding landscape for transport, with reduced public transport funding announced by central government through its National Land Transport Fund (NLTF), which meant a significant shortfall in the operational cost of providing the existing public transport service.

Key Points - Members:

- Recognised that leaving this matter to 'lie on the table' at a previous meeting had provided an important opportunity for the newly elected TCC Councillors to participate in the process
- Recognised the passion and commitment of those involved in developing and presenting this proposal
- Did not consider this to be the optimal time to support the proposal for the following reasons:
 - Reduced NZTA subsidies and increased pressure/expectation for Council to generate alternative revenue streams had added significant pressure in the current operational public transport environment
 - The Hewlett Road/Totara Street upgrade, when funded and progressed, would support the offering of a ferry service
- Considered the risks associated with the proposed trial meant it should not be supported at this time
- The ferry trial would not attract NZTA public transport funding as it was considered to be a tourist/recreational venture, rather than a viable public transport service
- Suggested it would be appropriate to reconsider a ferry service in 2027, once the Tauranga CBD development was completed and the Hewlett Road/Totara Street upgrade should have been progressing
- Supportive of the concept of a commuter ferry service and embraced the innovative approach towards alternative modes of transport
- Central government, through its significant reduction in available NLTF subsidies, had pressured Council into a 'position of no choice' with regards to this proposal
- Considered there would be the right time in the future for supporting a ferry service as an alternative mode of public transport
- Noted the comments of the Harbourmaster that the high traffic volume within the shipping channel meant the ferry could not travel at the speed required to complete the number of trips set out in the proposal
- The ferry fares would be more expensive than that of the bus fares as they would not be eligible for subsidies or concessions
- There was currently no park and ride facilities available to support the ferry service
- Concerned regarding reputational risk to Council if, being made aware of the risk, it proceeded with funding towards the trial.

Key Points - Chief Executive McTavish:

- Noted that in this instance, the staff recommendations in the agenda report did not provide a recommended option, to enable Councillors to discuss the proposal unhindered
- When asked directly, staff's recommendation was Option 3: Do not provide funding support.

Resolved

That the Regional Council:

- 1 Receives the report, Tauranga Harbour Ferry Service Trial - Options Assessment;**
- 2 Endorses the following option:**
 - Option 3: Do not provide funding support for a Tauranga harbour ferry trial;**
- 3 Confirms the decision has a medium level of significance as determined by the Council's Significance and Engagement Policy. Council has identified and assessed different options and considered community views as part of making the decision, in proportion to the level of significance.**

**Shirley/Campbell
CARRIED**

6.4 Minor Rivers and Drainage Rates 2024/2025

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

Key Points:

- The total rates payable for the 2024/25 year by those affected by this re-set would be correct as a result of the required adjustments.

Resolved

That the Regional Council:

- 1 Receives the report, Minor Rivers and Drainage Rates 2024/2025.**
- 2 Agrees that Council has completed the requirements of the Local Government (Rating) Act 2002 and Council Standing Orders to enable Council to re-set the Minor Rivers and Drainage Schemes Rates.**
- 3 Approves the alterations to Rates Setting 2024/25 resolution 16 adopted on 26 June 2024 for the Omeheu West Communal Pumped Drainage Scheme, Awaiti West Pumped Drainage Scheme, Withy Communal Pumped Drainage Scheme, Omeheu Adjunct Communal Pumped Drainage Scheme and Lawrence Communal Pumped Drainage differential targeted rates, noting that all alterations result in lower rates being set. All other rates in Rates Setting 2024/25 resolution 16 adopted on 26 June 2024 remain unchanged.**
- 4 Adopts alterations to Rates Setting 2024/25 resolution 16 as follows:**
 - 16 Sets targeted rates for the Minor Rivers and Drainage Schemes. The targeted rates are set differentially in accordance with Section 16, 17 and 18 of the Local Government (Rating) Act for all rateable land situated in the defined communal pumped drainage and defined minor rivers 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.

Omeheu West Communal Pumped Drainage Scheme targeted rate		
Category	Rate per hectare \$	Revenue sought \$
A	N/A	N/A
B	N/A	N/A
C	N/A	N/A
Total		0

Awaiti West Pumped Drainage Scheme targeted rates		
Category	Rate per hectare \$	Revenue sought \$
A	249.19	3,140
B	114.63	16,872
C	49.84	9,835
D	24.92	1,203
Total		31,050

Withy Communal Pumped Drainage Scheme targeted rates		
Category	Rate per hectare \$	Revenue sought \$
A	763.11	50,335
B	457.87	21,309
C	152.62	6,671
Total		78,315

Omeheu Adjunct Communal Pumped Drainage Scheme targeted rates		
Category	Rate per hectare \$	Revenue sought \$
A	65.16	670
B	48.87	3,969
C	35.84	2,031
D	19.55	1,707
E	9.77	534
F	3.26	76
URBAN	172.67	3,088
Total		12,075

Lawrence Communal Pumped Drainage Scheme rates		
Category	Rate per hectare \$	Revenue sought \$
A	82.49	2,325
B	65.99	304
C	41.24	292
D	20.62	298
Total		3,219

5 Approves the alterations to Rates Setting 2024/25 resolution 17 adopted on 26 June 2024 for the Minor Drainage Scheme targeted rate for Awakeri, Baird-Miller, Foubister, Gordon, Halls, Hyland-Baillie, Riverslea Road, Kuhanui, Luxton, Martin, Nicholas, Noord-Vierboon, Pedersen-Topp, Robins Road, Travurzas, Wylds, Poplar Lane, Awaiti East and the total amount noting that this results in lower rates being set. All other rates in Rates Setting 2024/25 resolution 17 adopted on 26 June 2024 remain unchanged.

6 Adopts the alterations to Rates Setting 2024/25 resolution 17 as follows:

17 Sets targeted rates in accordance with Sections 16, 17 and 18 of the Local Government (Rating) Act 2002 for all rateable land situated in the defined drainage and defined Minor River and Drainage Schemes areas.

The targeted 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 rates		
Category	Rate per hectare \$	Revenue sought \$
Awakeri	110.65	31,395
Baird-Miller	134.54	18,515
Foubister	328.76	34,500
Gordon	277.07	27,255
Halls	N/A	N/A
Hyland-Baillie	470.03	110,860
Riverslea Road	52.37	1,610
Kuhanui	130.30	10,810
Luxton	223.91	48,990
Martin	45.60	6,095
Nicholas	86.19	24,955
Noord-Vierboon	90.52	10,580
Pedersen - Topp	N/A	N/A
Robins Road	339.61	63,480
Travurzas	157.97	31,280
Wylds	74.08	13,915
Poplar Lane	359.90	20,240
Awaiti East	N/A	N/A
Total		652,854

7 Notes that all other parts of the Rates Setting 2024/25 resolutions as adopted on 26 June 2024 remain unchanged.

Macmillan/von Dadelsen

CARRIED

6.5 The Waihi Estuary Catchment Freshwater Improvement Project - Approvals needed to progress constructed wetlands work

*Presentation - Waihi Estuary Cutwater Rd - Council 12 September 2024 pdf:
Objective ID A4769502 [↔](#)*

Presented by: Claire McCorkindale – Land Management Officer, Pim de Monchy – Coastal Catchments Manager and Chris Ingle – General Manager Integrated Catchments, supported by Kura Paul-Burke – Associate Professor Marine Science Te Wahapū o Waihi Project Manager and Roana Bennett – Te Arawa Lakes Trust Te Wahapū o Waihi Project Support.

Key Points:

- This project was the most sizeable of the Focus Catchments Capital Projects within the 2024-2034 Long Term Plan (LTP)
- The cost of the increased scope since the project's inception was covered, through external funding, which meant the overall cost of stage one was still within the allocated \$1.6 million
- Staff had considered a number of options with regards to securing the power poles that traversed the wetland area, with the preferred option being to completely remove the poles and re-route the power cable underground through the Marginal Strip
- Was in the process of approaching PowerCo to discuss a possible reduction/discount in the proposed cost of the pole removal, or a sponsorship arrangement
- There would be a gravity outlet in the lower part of the wetland providing about 1/6th of the discharge volume from the wetland as well as improving fish passage somewhat. This would complement the existing Pump Station #10 (currently owned by Western Bay of Plenty District Council and operated by the Waihi District Drainage Society) which would pump the bulk of the treated water out of the wetland
- Using a 'pump in, pump out' design meant that the project benefits would not be lost due to gradual sea level rise
- \$1.92 million additional Ministry for the Environment (MfE) Freshwater Improvement Funding due to underspend in the national Jobs for Nature initiatives had been reallocated towards wetland developments, hence this proposal being presented to Regional Council as a development opportunity.
- The total value of the FIF Grant would increase from \$2.9m to \$4.83m
- To meet the MfE criterion that their co-funding be less than 42% of the total cost of the project, funding from Regional Council towards the 33.5 hectares of new wetland would need to be brought forward from years 3, 4 and 5 of the LTP into years 1 and 2
- Staff and MfE had negotiated agreed terms with regards to the external funding allocation
- The new inlet pump for the Cutwater Rd wetland was anticipated to be similar to the capacity of existing Pump Station #10

Key Points - Members:

- Recognised there were some levels of risk relating to climate change in the long term, however still supported the proposal

- Noted that this project was a high profile example of how public/private funding investments could be applied in greenspace developments

Key Points - Kura Paul-Burke and Roana Bennett:

- Noted the strong and positive co-operation between the various partners in the development of the proposal leading to the widespread support
- The model for this project was being replicated in other areas.

Resolved

The recommendation was moved in parts.

That the Regional Council:

- 1 Receives the report, The Waihi Estuary Catchment Freshwater Improvement Project in partnership with Te Wahapū o Waihi and co-funded by the Ministry for the Environment - approvals needed to progress constructed wetlands work.**

CUTWATER ROAD WETLAND

- 2 Approves the new design for the 30 hectare Cutwater Road Wetland**
- 3 Approves the \$1,552,500 expenditure for construction of the 30ha Cutwater Road Wetland, noting that this amount is already budgeted for in year 1 of the Coastal Catchments Activity within the LTP 2024-34.**

McDonald/Winters
CARRIED
]

Resolved

- 4 Approves accepting the additional \$1.92m from the Ministry for the Environment (Variation #2 to the Freshwater Improvement Fund grant)**
- 5 Delegates to the Chief Executive the ability to approve and execute the Ministry for the Environment funding agreement including any variations.**
- 6 Approves the transfer of up to \$2.1m Capex from years 3-5 of the LTP into years 1-2 in order to meet the co-funding commitments associated with the MfE Deed of Grant.**

Macmillan/Shirley
CARRIED

6.6 Ford Road Pump Station Replacement

Presentation - Ford Road Pump Station - Council 12 September 2024 pdf: Objective ID A4769508 [↔](#)

Presented by: Mark Townsend – Engineering Manager and Kathy Thiel-Lardon – Environmental Engineering Team Leader.

Key Points:

- Workforce availability changes meant contractors had been required for river widening, resulting in an increase in project costs

- Noted that the Archimedes Screw Pump costs should be in thousands, not millions
- The Archimedes Pumps were more 'fish friendly' aligning with the safe fish passage concept
- Staff had been advised of a potentially more rapid pump delivery/construction timeframe than the 15 months originally advised, subject to contract agreements with the supplier being reached rapidly
- Affordability was the main challenge for river and drainage schemes, and councils/central government were working together to establish more reliable funding streams to provide a higher level of certainty in the planning processes
- Recognised that the affordability of the River Schemes would continue to be a key focus of Regional Council in its LTP process.

Key Points - Members:

- Suggested that the expected lifecycle of the pumps was beyond the conservatively indicated 25 years
- Recognised that regular cleaning/maintenance of the pumps was of high importance for life expectation purposes
- The River Scheme Advisory Groups were initiating regular reporting to the Monitoring and Operations Committee to ensure knowledge and information was shared with all Councillors.

Resolved

That the Regional Council:

- 1 Receives the report, Ford Road Pump Station Replacement ;**
- 2 Agrees to fund additional capital expenditure of \$4.025 million in 2025/26 and agrees to new Regional Infrastructure Funding of \$5.802 million which results in lower budgeted borrowings of \$1.777 million for the Ford Road Pump Station replacement;**
- 3 Confirms the decision has a medium level of significance as determined by the Council's Significance and Engagement Policy. Council has identified and assessed different options and considered community views as part of making the decision, in proportion to the level of significance.**

**Winters/White
CARRIED**

6.7 Procurement Plan for Rivers and Drainage Capital Works 2024/25

Resolved

That the Regional Council:

- 1 Receives the report, Procurement Plan for Rivers and Drainage Capital Works 2024/25.**
- 2 Approves the attached Procurement Plan for Rivers and Drainage Capital Work 2024/25.**
- 3 Delegates to the Chief Executive the financial authority to accept tenders and approve contractors, supplier selections, and payments, including contract variations and renewals for each capital project providing that the total value**

of all contracts are within the approved budget for Capital works as provided for in an approved Long Term Plan.

**Thompson/Macmillan
CARRIED**

6.8 Procurement Plan - Constructed Wetland Design and Implementation Services

Presented by: Baylee Jackson – Land Management Officer and Helen Creagh – Rotorua Catchment Manager.

Key Points:

- Funding had been allocated in the LTP for wetland construction, which also attracted central government funding
- Noted the conscious change in land use in the Rotorua Lakes catchment with the intent being to minimise/eliminate Alum dosing of the lakes in the future.

Resolved

That the Regional Council:

- 1 Receives the report, Procurement Plan - Constructed Wetland Design and Implementation Services .**
- 2 Notes that the funding for this procurement is approved in the current Long-Term Plan.**
- 3 Notes that this work is being undertaken to achieve targets set in the Regional Policy Statement, Regional Plans and the Integrated Framework for Lake Rotorua**
- 4 Delegates to the Chief Executive the ability to approve all contracts, supplier selections and payments including contract variations and renewals under this supplier panel.**
- 5 Delegates to the supplier panel sponsor the ability to make all tactical and operational procurement decisions related to this supplier panel.**

**Winters/Campbell
CARRIED**

6.9 Amendment to Standing Orders: Virtual Attendance at Meetings

Presented by: Steve Groom – Governance Manager and Tone Nerdrum Smith – Senior Advisor Governance.

Key Points:

- The report set out the amendments required to Council's Standing Order to ensure Councillors would continue to count towards a meeting's quorum if attending via audiovisual means once the Emergency Management Legislation Act 2023 expired at the end of September 2024
- Noted that Council's audiovisual meeting protocols related to best practice for effective meetings, rather than being a legal requirement (e.g. the preference for participants to keep their cameras on).

Key Points - Staff:

- Would explore better ways of visually displaying the remote participants on the large screens in the Chambers.

Resolved**That the Regional Council:**

- 1 Receives the report, Amendment to Standing Orders: Virtual Attendance at Meetings.**
- 2 Approves the following amendments to Council's Standing Orders (refer Attachment 1):**
 - a) Amend the Definition Section to read "Present at the meeting to constitute quorum means the member is to be present (in person or via audio/audiovisual link)";**
 - b) Amend Standing Order 11.1 (Council Meetings) to read: "The quorum for a meeting of the council is:**
 - (a) Half of the members present (in person or via audio/audiovisual link), where the number of members (including vacancies) is even; and**
 - (b) A majority of the members present (in person or via audio/audiovisual link), where the number of members (including vacancies) is odd.";**
 - c) Amend Standing Order 13.8 (Member's status: quorum) to read "Members who attend meetings by electronic link will be counted as present for the purposes of a quorum.";**
 - d) Amend Standing Order 13.9 (Member's status: voting) to read "Where a meeting has a quorum, determined by the number present (in person or via audio/audiovisual link), the members attending by electronic link can vote on any matters raised at the meeting.";**
 - e) Amend Standing Order 13.11 (Conditions for attending by audio or audio-visual link) to read: "Noting standing order 13.7, members may attend meetings by electronic link, either generally or for a specific meeting, if the technology allows";**
 - f) Amend Standing Order 13.12 (Request to attend by audio or audio visual link) by replacing the word 'request' with 'notification'; AND**
 - g) Amend Standing Order 13.10 (Chairperson's duties) by deleting the sentence "If the Chairperson is attending by audio or audio-visual link, then chairing duties will be undertaken by the Deputy Chair, or a member who is physically present" [in the event of an audiovisual only or hybrid meeting]**
- 3 Notes that a 75% majority vote is required to amend Standing Orders.**

**Thompson/Winters
CARRIED**

A **show of hands** confirmed that the motion was carried unanimously

6.10 Quayside Tauriko Land Holding

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

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

Key Points:

- The possibility to ‘swap’ parcels of land between NZTA and Regional Council had been discussed, but was not a viable option at this stage.

Resolved

That the Regional Council:

- 1 Receives the report, Quayside Tauriko Land Holding.**
- 2 Approves Quayside Holdings Limited undertaking a process to sell 610 State Highway 29 to the New Zealand Transport Agency.**

**Thompson/Winters
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:

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
7.1	Public Excluded Regional Council Minutes - 1 August 2024	As noted in the relevant Minutes.	As noted in the relevant Minutes.	To remain in public excluded.
7.2	Quayside Holdings Limited -	Withholding the information is necessary to protect information where the	48(1)(a)(i) Section 7 (2)(b)(ii);	To remain in public excluded.

	Westpac Borrowing Facility	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; Withholding the information is necessary to maintain legal professional privilege; 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)(g); 48(1)(a)(i) Section 7 (2)(h).	
7.3	Chief Executive's 2023-2024 Annual Performance Review	Withholding the information is necessary to protect the privacy of natural persons, including that of deceased natural persons.	48(1)(a)(i) Section 7 (2)(a).	On the Chief Executive's approval.
7.4	Chief Executive's 2024-2025 Performance Agreement and Development Plan	Withholding the information is necessary to protect the privacy of natural persons, including that of deceased natural persons.	48(1)(a)(i) Section 7 (2)(a).	On the Chief Executive's approval.

**Leeder/Winters
CARRIED**

8. Closing Karakia

A karakia was provided by Cr Te Taru White.

2.32 pm - the meeting closed.

CONFIRMED 23 OCTOBER 2024

Chairman Doug Leeder
Chairperson, Regional Council