

Regional Council

Open Minutes

- Commencing:** Thursday 1 August 2024, 10:00 am
- Venue:** Council Chambers, Regional House, 1 Elizabeth Street, Tauranga and via Zoom (audio-visual meeting)
- Chairperson:** Chairman Doug Leeder
- Members:**
- Cr Malcolm Campbell
 - Cr Stuart Crosby
 - Cr Toi Kai Rākau Iti (via Zoom)
 - Cr Matemoana McDonald (via Zoom)
 - Cr Kat Macmillan
 - Cr Ken Shirley
 - Cr Lyall Thurston
 - Cr Andrew von Dadelszen
 - Cr Te Taru White (via Zoom)
 - Cr Kevin Winters
 - Cr Ron Scott (via Zoom)
- In Attendance:**
- Fiona McTavish – Chief Executive; Mat Taylor – General Manager, Corporate; Namouta Poutasi – General Manager, Strategy and Science; Chris Ingle – General Manager, Integrated Catchments; Reuben Fraser – General Manager, Regulatory Services; Kataraina O’Brien – General Manager – Strategic Engagement (via Zoom); Kumaren Perumal – Chief Financial Officer, Mark Le Comte – Principal Advisor, Finance; Lisa Power – Senior Planner; Hamish Lass – Team Leader, Bio Security; Jackie Healey – Community Engagement Advisor; Danni Manderson – Community Engagement Advisor; Lynda Frew – Legal Counsel (Commercial Lead); Steve Groom – Governance Manager; Oliver Haycock – Director, Public Transport; Andrew Williams – Manager, Transport Planning; Claudia Cameron – Committee Advisor
- External presenters:
- SSRF Youth Panel: Caitlin Harrison, Scarlett Munro, Amy Earles, Lily Finch, Annabel Caudwell and Kadin Tuck
- Quayside Holdings Ltd: Mark Wynne and Lyndon Settle (both via Zoom) and Davide Caloni and Sam Newbury
- Regional Software Holdings Ltd: Mark Donnelly and Mike Nield
- Apologies:** Deputy Chairperson Jane Nees and Cr Paula Thompson

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

1. Opening Karakia

A karakia was provided by Cr Lyall Thurston.

2. Apologies

Resolved

That the Regional Council:

- 1 Accepts the apology from Cr Jane Nees and Cr Paula Thompson tendered at the meeting.**

**Leeder/Thurston
CARRIED**

3. Order of Business

Agenda item 9.1, School Sustainability and Resilience Fund (SSRF) Youth Panel Presentation, would be heard as the first item.

4. Declaration of Conflicts of Interest

Cr Stuart Crosby and Cr Te Taru White, as Quayside Directors, declared in interest in Agenda Item 10.4, Statement of Intent for Quayside Group, including Toi Moana Trust, and Agenda Item 11.4, Tauranga City Centre Bus Layover Site – Options Assessment.

Cr Ron Scott, as a national Councillor of the Automotive Association (AA), declared an interest in Agenda Item 10.6, 2024 LGNZ AGM Remits for Consideration.

5. Presentations

5.1 School Sustainability and Resilience Fund (SSRF) Youth Panel Presentation

Presentation: School Sustainability and Resilience Fund Presentation: Objective ID A4737555 [⇒](#)

Presented by: SSRF Youth Panel: Caitlin Harrison, Scarlett Munro, Amy Earles, Lily Finch, Annabel Caudwell and Kadin Tuck
BOPRC Staff: Jackie Healey - Community Engagement Advisor and Danni Manderson - Community Engagement Advisor

Resolved

- Thanked the additional funders for their support with the project: TECT, Bay Trust and Trust Horizon

- The SSRF Youth Panel shared their experience of being involved in the panel
- Highlighted the positive outcomes from projects that had been funded.

10.09 am – Cr Toi Kai Rākau Iti **entered** the meeting.

- Discussed the application numbers year on year
- Acknowledged that participatory funding helped develop civic education, awareness and skills
- Thanked BOPRC for their support.

Key Points - Members:

- Thanked all the SSRF panellists for their involvement in the project
- The success of the project was demonstrated through the increased funding it had received and the continuation of the programme.

**Leeder/von Dadelszen
CARRIED**

6. Minutes

Minutes to be Confirmed

6.1 Regional Council Minutes - 5 April 2024 and 24 April

Resolved

That the Regional Council:

- 1 Confirms the Regional Council Minutes - 5 April 2024 as a true and correct record.**

**von Dadelszen/Winters
CARRIED**

6.2 Regional Council Minutes - 26 June 2024

Resolved

That the Regional Council:

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

**Crosby/Thurston
CARRIED**

7. Reports

7.1 Chairperson's Report

Presented by: Chairperson Doug Leeder

Key Points:

- Noted the quality of presentation from Vangelis Vitalis at the Primary Industries Summit in Wellington
- Noted the concrete off-highway road in Kawerau and the potential for future developments of a similar nature
- The visit to Ngāi Tamawhariua had been to raise awareness of the process undertaken by BOPRC during the gifting of the land at Hot Springs Road and to discuss the Long Term Plan, future plans for the land and the future involvement of Ngāi Tamawhariua.

Resolved

That the Regional Council:

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

**Leeder/von Dadelszen
CARRIED**

Decisions Required

7.2 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 had been no substantive changes from the draft Statement of Intent.

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 2024-2027.**

**Winters/Crosby
CARRIED**

7.3 Local Government Funding Agency Limited (LGFA) - Statement of Intent 2024-2027

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

Key Points:

- There had been an increase in cost of borrowing from five to 25 basis points
- Borrower Notes subscription had increased from 2.5% to 5%
- Change had been predominantly driven by a review of LGFA's capital structure and financial position that aimed to improve financial resilience

and to allow the company to better respond to borrowing demands from the sector.

In Response to Questions:

- The net operating profit levels were part of the capital structure requirements of a financial institution, as set by the Reserve Bank, and formed part of the LGFA's strategy to cover future borrowing demands in the current economic climate.

Resolved

That the Regional Council:

- 1 Receives the report, Local Government Funding Agency Limited - Statement of Intent 2024-2027;**
- 2 Agrees that no formal feedback is required on the Local Government Funding Agency Limited's Statement of Intent 2024-2027.**

von Dadelszen/Campbell
CARRIED

7.4 Statement of Intent for Quayside Group, including Toi Moana Trust

Presented by: Lyndon Settle (via Zoom) and Davide Caloni - representing Quayside Holdings Ltd

Supported by: Kumaren Perumal - Chief Financial Officer and Mark Le Comte - Principal Advisor, Finance

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

Key Points:

- Noted the apology from Mark Wynne - Chairman, Quayside Board
- Acknowledged the new Board and their collective goal of becoming a high performing company and governance team with a resilient portfolio
- The Investment Committee was now operational
- A review into management positions in relation to subsidiary investments was on-going
- A significant amount of work was underway regarding the Quayside portfolio and its position, with or without the Port of Tauranga sell-down
- External advice had been sought regarding the Statement of Investment Policy and Objectives (SIPO) and defining the reference portfolio to enable assessment of Quayside's performance
- An internal audit function was being developed.

10:36 am - Cr Toi Kai Rākau Iti **withdrew** from the meeting.

- Stages 1a and 1b of the Rangiora Business Park development were underway; this would impact the financial numbers going forward particularly as capital expenditure was due to continue
- Acknowledged BOPRC's support around the extension of funding, but noted further conversations were required regarding future access to funding.

In Response to Questions:

- There was a focus on becoming a more active shareholder of the Port of Tauranga, particularly in relation to increased levels of engagement with mana whenua. This could potentially be included in future a Statement of Intent
- In order to meet the \$47million forecast dividend for 2024-25, a top up would be required. This was not necessarily through the liquidation of capital but could be through realisation of gains.

Resolved**That the Regional Council:**

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

**Leeder/Thurston
CARRIED**

7.5 Wallaby Programme funding agreements for 2024/25

*Tabled Document 1 - Wallaby Management Programme - Further information:
Objective ID A4740449 [⇒](#)*

Presented by: Chris Ingle – General Manager, Integrated Catchments and Lynda Frew
– Legal Counsel (Commercial Lead)

Key Points:

- Previous agreements had expired, meaning a new funding agreement was required
- Ministry of Primary Industries (MPI) funding baseline would continue.

In Response to Questions:

- The \$6.9million from MPI was the national allocation for the programme.

Key Points - Members:

- Positive results of this programme were emerging, which supported its continuation
- Sought clarity as to whether the \$2.25million baseline funding from MPI was per annum or in total.

Resolved**That the Regional Council:**

- 1 Receives the report, Wallaby Programme funding agreements for 2024/25;**
- 2 Notes that Bay of Plenty Regional Council administers wallaby management across the Bay of Plenty and Waikato regions;**

- 3 **Delegates to the Chief Executive the ability to approve and execute a Service Agreement with the Ministry for Primary Industries to deliver the central North Island component of the National Wallaby Eradication Programme for 2024/25 and any variations to that Service Agreement;**
- 4 **Delegates to the Chief Executive the ability to approve and execute any variations to the Multi-Party Funding and Collaboration Agreement, with Waikato Regional Council and Department of Conservation, to manage transfer of funds and resources to support the implementation of wallaby management activities across the Bay of Plenty and Waikato regions;**
- 5 **Notes the National Wallaby Eradication Programme Governance Group has approved funding of \$2.55m (inclusive of council funding) for wallaby management within the Bay of Plenty and Waikato regions, pending confirmation by the Ministry for Primary Industries;**
- 6 **Notes Council's contribution to the National Wallaby Eradication Programme is \$300,000 plus in-kind support of 3 FTE.**

**Winters/Thurston
CARRIED**

7.6 2024 LGNZ AGM Remits for consideration

Presented by: Steve Groom – Governance Manager

Cr Ron Scott as a national Councillor of the AA, **declared an interest** in this item and **abstained** from **discussion and voting**.

Key Points:

- This paper was to guide the BOPRC delegates at the Local Government New Zealand Annual General Meeting (LGNZ AGM) and to authorise the delegates to vote on BOPRC's behalf.

Key Points - Members:

- Acknowledged that there would be discussion on the day of the AGM, and delegates would be expected to use their own judgment if alternative ideas were presented, unless it was a major departure from the remit
- Cr Ken Shirley noted his opposition against Remit 4, regarding the entrenchment of Māori ward seats for local government
- Remit 8, regarding goods and services tax (GST) revenue sharing with local government, was likely to create debate at the AGM, suggested allowing the delegates to make an informed decision on the day.

Resolved

That the Regional Council:

- 1 **Receives the report, 2024 LGNZ AGM Remits for consideration;**
- 2 **Notes staff recommendations on relevant remits and authorises Regional Council's voting delegates to vote on Regional Council's behalf at the LGNZ AGM, based on guidance in this meeting and information obtained at the AGM.**

**Macmillan/Crosby
CARRIED**

7.7 Regional Pest Management Plan: Partial Review

Presented by: Lisa Power – Senior Planner; Hamish Lass – Team Leader, Bio Security;
Chris Ingle – General Manager Integrated Catchments and Namouta Poutasi
– General Manager, Strategy and Science

Key Points:

- The surveillance programmes around *Caulerpa* and Gold Clams were already underway
- There was potential that surveillance may need to be increased depending on the outcome of the review, this may create a financial implication in future financial years
- Should an incursion occur prior to the report's conclusion, staff would return to Council to provide advice and seek additional funding.

Key Points - Members:

- Noted that there had been no provision made in the BOPRC Long Term Plan 2024-2034 (LTP) for implementation, funding would be considered as part of the next Annual Plan.

Resolved

That the Regional Council:

- 1 **Receives the report, Regional Pest Management Plan: Partial Review;**
- 2 **Approves the Regional Pest Management Plan: Review Proposal for notification;**
- 3 **Delegates to the General Manager, Strategy and Science the authority to approve any minor changes, including grammatical and formatting, to the Regional Pest Management Plan Review Proposal prior to its release for notification;**
- 4 **Notes the Regional Pest Management Plan review proposes Exotic *Caulerpa* and *Corbicula* to be included in the Regional Pest Management Plan and this will require decisions on additional funding;**
- 5 **Is satisfied the requirements of Sections 70, 71 and 72 (in part) of the Biosecurity Act 1993 have been complied with;**
- 6 **Approves the Regional Pest Management Plan Review Proposal consultation approach (section 3.4) to be undertaken as required by section 72(5) of the Biosecurity Act 1993;**
- 7 **Approves the approach to summarise, report on and consider submissions on the Regional Pest Management Plan Review;**
- 8 **Approves the minor amendments to the Regional Pest Management Review specified in section 2.9 of this report.**

Winters/Campbell
CARRIED

10.53 am - The meeting **adjourned**.

11:13 am - The meeting **reconvened**.

7.8 Statement of Intent for Regional Software Holdings Limited (RSHL)

Presentation: RSHL Presentation for BOPRC - 1 August 2024: Objective ID A4734380 [⇒](#)

Presented by: Mark Donnelly - Chief Executive, RSHL and Mike Nield - Chair of the Board, RSHL

Key Points:

- Introduced RSHL as a collaborative initiative which allowed Regional Councils and Unitary authorities to undertake shared services and collaborative Initiatives
- The direction was set by Councils, with RSHL enabling and facilitating the delivery of solutions
- The current project, Iris NextGen, was working through the design and testing phases
- Te Uru Kahika Executive Director and Team virtual offices was a new initiative under the Sector Work Programmes umbrella to promote best practice and shared services across the sector
- Outlined the key objectives and performance measures for RSHL and the benefits to the Councils involved.

In Response to Questions:

- Some Territorial Authorities (TAs) were being included in projects and programmes of work, however, there were other organisation within local government who supported shared services for TAs and these arrangements often worked well regionally as opposed to nationally as RSHL operated
- Of the 16 potential shareholders (Regional Councils and Unitary Authorities), there were 10 at present, this was often due to the differing priorities of Councils.

Resolved

That the Regional Council:

- 1 Receives the report, Statement of Intent for Regional Software Holdings Limited;**
- 2 Agrees that no formal feedback is required on the Regional Software Holdings Limited's Statement of Intent 2024-2027.**

**Leeder/Macmillan
CARRIED**

7.9 Tauranga Harbour Ferry Service Trial – Options Assessment

Presented by: Oliver Haycock – Director, Public Transport and Andrew Williams – Manager, Transport Planning

Key Points - Members:

- A deferral of this item to the next meeting of Council would allow confirmation from the recently elected Tauranga City Council that this

project was to be supported, and for absent BOPRC (Tauranga Constituency) Councillors to be present for the debate and vote.

A procedural motion was **moved**:

Resolved

That the Regional Council:

- 1 Agrees this item be left to lie on the table until a future meeting of the Regional Council.**

Thurston/von Dadelszen

CARRIED

Original motion:

- 1 Receives the report, Tauranga Harbour Ferry Service Trial - Options Assessment;*
- 2 Endorses one of the following three options:
 - (a) Option 1: Provide funding of up to \$1.4million over two years to Tauranga City Council to contribute to the costs incurred by Tauranga City Council in engaging Hauraki Express to provide a ferry service; Or:*
 - (b) Option 2: Provide funding of up to \$1.4million over two years to Tauranga City Council to support a ferry service which is conditional on Tauranga City Council:
 - (i) Undertaking an open market procurement process to appoint a service provider to deliver the trial; Or:**
 - (c) Option 3: Do not provide funding support for a Tauranga harbour ferry trial;**
- 3 Approves, that in the event it endorses Option 1 or Option 2, funding is conditional on Tauranga City Council reconfirming its intent to implement the service via a council resolution;*
- 4 In the event it endorses Option 1 or Option 2, endorses one of the following funding options:
 - (a) Fund from the Regional Fund Reserve; Or*
 - (b) Fund 2024/25 from the Regional Fund Reserve, and 2025/26 to 2026/27 from Rates; Or*
 - (c) Fund 2024/25 from the Regional Fund Reserve, to be repaid by Rates, and 2025/26 to 2026/27 from Rates;**
- 5 Approves, that in the event it endorses Option 1 or Option 2, delegates to the Chief Executive the ability to approve and execute a funding agreement with Tauranga City Council (and any variations) and approve payments under the funding agreement;*
- 6 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.*

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:

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
8.1	Public Excluded Regional Council Minutes - 26 June 2024	As noted in the relevant Minutes.	As noted in the relevant Minutes.	To remain in public excluded.
8.2	Public Excluded Regional Council Minutes - 5 April 2024	As noted in the relevant Minutes.	As noted in the relevant Minutes.	To remain in public excluded.
8.3	Public Excluded Regional Council Minutes - 24 April 2024	As noted in the relevant Minutes.	As noted in the relevant Minutes.	To remain in public excluded.
8.4	Tauranga City Centre Bus Layover Site - Options Assessment	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/Winters
CARRIED**

11.55 am - the meeting closed.

CONFIRMED 12 SEPTEMBER 2024

Chairman Doug Leeder
Chairperson, Regional Council