

Regional Council

Open Minutes

- Commencing:** Tuesday 13 August 2024, 9:30 am
- Venue:** Council Chambers, Regional House, 1 Elizabeth Street, Tauranga and via Zoom (Audio Visual meeting)
- Deputy Chairperson:** Deputy Chairperson Jane Nees – Acting Chair for the purposes of this meeting
- Members:**
- Cr Malcolm Campbell
 - Cr Stuart Crosby
 - Cr Toi Kai Rākau Iti – via Zoom
 - Cr Kat Macmillan
 - Cr Matemoana McDonald
 - Cr Ron Scott
 - Cr Ken Shirley
 - Cr Paula Thompson – via Zoom
 - Cr Lyall Thurston – via Zoom
 - Cr Te Taru White – via Zoom
 - Cr Kevin Winter – via Zoom
- In Attendance:**
- BOPRC: Fiona McTavish – Chief Executive, Reuben Fraser – General Manager, Regulatory Services, Steve Groom – Governance Manager, Claudia Cameron – Committee Advisor, Tone Nerdrum Smith – Senior Advisor Governance
- Jesse Brennan – Federated Farmers
- Apologies:** Chairman Doug Leeder, Cr Andrew von Dadelszen, Cr Toi Iti

Livestreaming Statement

Chair Cr Nees 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 - Representation Review Hearings and Deliberations - 13 August 2024 \(youtube.com\)](https://www.bayofplenty.govt.nz/representation-review-hearings-and-deliberations-13-august-2024).

1. Opening Karakia

A karakia was provided by Cr Te Taru White.

2. Apologies

Resolved

That the Regional Council:

- 1 Accepts the apologies from Chairman Doug Leeder, Cr Andrew von Dadelszen, Cr Toi Iti (late arrival) tendered at the meeting.**

**Campbell/Macmillan
CARRIED**

3. Declaration of Conflicts of Interest

None declared.

9.35 am – Cr Iti **entered** the meeting.

4. Reports

Decisions Required

4.1 Bay of Plenty Regional Council Representation Review 2024 - Hearings Report

Jesse Brennan – Federated Farmers (Sub ID 28):

Key Points:

- Appreciated the opportunity to speak to the submission
- Federated Farmers was not-for-profit interest organisation; membership based and was involved in policies at all levels
- Important to note that a number of Eastern Bay of Plenty farmers carried significant costs through the targeted rates of the river schemes, which typically meant higher costs were born by a lower number of residents than in urban areas
- Members had expressed concerns that decisions were made by Council representatives who might not fully understand the needs and expectations of the farming community
- Submitted that increased representation in the Eastern Bay of Plenty would better reflect and represent the affected communities
- Proposed a redistribution of representation by reducing Councillor numbers from five to four in the Tauranga General Constituency, and increasing from two to three in the Eastern Bay of Plenty General Constituency, thereby retaining the overall maximum of 14 representatives
- Recognised that additional representation would not necessarily mean a member of the farming community was elected
- Noted that the submission focussed on redistribution of the General Constituency representation
- Supported and appreciated the value of the Eastern Bay Māori representative and had expressed this in the submission.

Key Points - Members:

- Noted that having a Māori Constituency representative meant there were three Councillors in total currently representing the Eastern Bay of Plenty.

Resolved

That the Regional Council:

- 1 Receives the report, Bay of Plenty Regional Council Representation Review 2024 - Hearings Report;**
- 2 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) ALL SUBMISSIONS Representation Review 2024 - Unredacted version under Section 48(1)(a)(i) Section 7 (2)(a) as withholding the information is necessary to protect the privacy of natural persons, including that of deceased natural persons and that this attachment remain in Public Excluded.**

**Scott/Shirley
CARRIED**

Minute Note: As there was no request for discussion of the public excluded attachment, it was received in the public section and there would be no need to exclude the public.

4.2 Bay of Plenty Regional Council Representation Review 2024 - Deliberations Report

Presented by: Steve Groom - Governance Manager and Claudia Cameron - Committee Advisor

Key Points:

- Noted that the speaker's view reflected that expressed in several of the submissions
- A redistribution of the current representation, as submitted by Federated Farmers, would significantly affect the +/-10% representation, however there was precedent of this occurring at other councils and could be acceptable if well supported by evidence of overall benefits
- Outlined key aspects of the proposals that Council had reviewed and how the status quo proposal was considered to offer the fairest representation for the Bay of Plenty region.

Key Points - Members:

- Recognised the significant number of options that had been worked through; the legislative restraints and parameters of representation; and the many, and often conflicting, considerations that needed to be taken into account
- Considered this to be a sustainable proposal, but noted that there had been changes in representation since the local government reforms in 1989, e.g. the reduction of General Constituency representation in Rotorua from four to two
- Recognised the significant value provided by the three Māori Councillors, established under the Bay of Plenty Regional Council (Māori Constituency Empowering) Act 2001
- Complimented the clear and comprehensive report, reflecting the thorough review process undertaken
- Recognised the challenges other councils currently experienced with regards to Māori representation

- Noted that sector group interests did not necessarily link to specific geographic areas or constituencies.

Resolved

That the Regional Council:

- 1 **Receives the report, Bay of Plenty Regional Council Representation Review 2024 - Deliberations Report;**
- 2 **Resolves, in accordance with the provisions of the Local Electoral Act 2001 and following its consideration of the public submissions received to its 2024 initial representation arrangement proposal, to adopt its initial proposal as its final proposal for the 2025 and 2028 triennial elections being:**

General Constituencies

| | |
|------------------------------|--------------------------|
| Eastern Bay of Plenty | 2 Elected Members |
| Rotorua | 2 Elected Members |
| Tauranga | 5 Elected Members |
| Western Bay of Plenty | 2 Elected Members |

Māori Constituencies

| | |
|---------------|-------------------------|
| Mauao | 1 Elected Member |
| Kōhi | 1 Elected Member |
| Ōkurei | 1 Elected Member |

Total **14 Elected Members**

- 3 **Notes that in considering matters raised by submitters, the total number of councillors is to remain at 14 to ensure fair and effective representation having regard to the population statistics and communities of interest of each constituency in the region;**
- 4 **Notes that the final representation proposal does not comply with section 19V (2) of the Local Electoral Act 2001 and therefore must be referred to the Local Government Commission for determination. However, as in accordance with section 19V(3)(b) of the Local Electoral Act 2001, the Regional Council considers the initial proposal ensures effective representation of communities of interest;**
- 5 **Notes that the review is subject to the provisions of the Bay of Plenty Regional Council (Māori Constituency Empowering) Act 2001 and is therefore not required to consider section 19ZH or schedule 1A of the Local Electoral Act 2001 as part of this review;**
- 6 **Notes that the Final Representation Proposal will be publicly notified in accordance with section 19N of the Local Electoral Act 2001 and opportunity will be provided for appeals to be lodged during a one month appeals period;**
- 7 **Directs staff to respond to each submitter outlining the final representation proposal;**
- 8 **Delegates to the Chief Executive the responsibility for making any non-consequential edits or amendments to the final proposal that may be required prior to it being published.**

**Winters/Crosby
CARRIED**

5. Closing Karakia

A karakia was provided by Cr Te Taru White.

10.00 am - the meeting closed.

CONFIRMED 12 SEPTEMBER 2024

Chairman Doug Leeder
Chairperson, Regional Council