



Regional Council Agenda

NOTICE IS GIVEN that the next meeting of the Regional Council will be held in Mataatua Room, Bay of Plenty Regional Council Building 5 Quay Street, Whakatane 3120 on:

Thursday 20 May 2021 COMMENCING AT 9.30 am

This meeting will be recorded.

The Public section of this meeting will be recorded and uploaded to Bay of Plenty Regional Council's website. Further details on this can be found after the Terms of Reference within the Agenda.

Fiona McTavish
Chief Executive, Bay of Plenty Regional Council Toi Moana
13 May 2021

Council

Membership

Chairperson	Chairman Doug Leeder
Deputy Chairperson	Cr Jane Nees
Members	All Councillors
Quorum	Seven members, consisting of half the number of members
Meeting frequency	Six weekly or as required for Annual Plan, Long Term Plan and other relevant legislative requirements

Purpose

- Enable democratic local decision-making and action by, and on behalf of, Bay of Plenty communities.
- Meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.
- Set the overarching strategic direction for Bay of Plenty Regional Council as an organisation.
- Hold ultimate responsibility for allocating financial resources across the Council.

Role

- Address Local Electoral Act matters and Local Government Rating Act matters.
- Oversee all matters relating to identifying and contributing to community outcomes.
- Consider and agree on matters relating to significant new activities or areas of involvement such as infrastructure which are not the responsibility of a specific committee.
- Provide regional leadership on key issues that require a collaborative approach between a number of parties.
- Review and decide the Council's electoral and representation arrangements.
- Consider issues of regional significance which are not the responsibility of any specific standing committee or that are of such regional significance/high public interest that the full Council needs to decide on them.
- Adopt Council's Policy on Significance and Engagement Policy.
- Develop, adopt and implement the Triennial Agreement, Code of Conduct and Standing Orders.

- Consider and agree on matters relating to elected members' remuneration.
- Appoint the Chief Executive, and review their contract, performance and remuneration at least annually.
- Approve all delegations to the Chief Executive, including the authority for further delegation to staff.
- Oversee the work of all committees and subcommittees.
- Receive and consider recommendations and matters referred to it by its committees, joint committees, subcommittees and working parties.
- Approve membership to external bodies and organisations, including Council Controlled Organisations.
- Develop, adopt and review policies for, and monitor the performance of, Council Controlled Organisations.
- Monitor and review the achievement of outcomes for the Bay of Plenty Community.
- Review and approve strategic matters relating to the sale, acquisition and development of property for the purposes of meeting Council's organisational requirements and implement Regional Council policy.
- Address strategic corporate matters including property and accommodation.
- Consider and agree on the process to develop the Long Term Plan, Annual Plan and Annual Report.
- Adopt the Long Term Plan, Annual Plan and budgets variations, and Annual Report.
- Adopt Council policies as required by statute (for example Regional Policy Statement and Regional Land Transport Strategy) to be decided by Council or outside of committee delegations (for example infrastructure policy).
- Develop, review and approve Council's Financial Strategy and funding and financial policies and frameworks.
- Institute any proceedings in the High Court that are not injunctive proceedings.
- Exercise the powers and duties conferred or imposed on Council by the Public Works Act 1981.

Delegations from Council to committees

- Council has a role to monitor the functioning of all committees.
- Council will consider matters not within the delegation of any one Council committee.
- Council may at any time, revoke or modify a delegation to a Council committee, either permanently, for a specified time or to address a specific matter, if it considers there is good reason to do so.
- The delegations provided to committees may be further delegated to subcommittees unless the power of further delegation is restricted by Council or by statute.

- It is accepted in making these delegations that:
- The committees, in performing their delegated functions, powers or duties, may, without confirmation by the Council, exercise or perform them in a like manner and with the same effect as the Council itself could have exercised or performed them.
- The delegated powers given shall at all times be subject to their current policies and principles or directions, as given by the Council from time to time.
- The chairperson of each committee shall have the authority to exercise their discretion, as to whether or not the delegated authority of the committee be used where, in the opinion of the chairperson, circumstances warrant it.

Powers that cannot be delegated

Under Clause 32 Schedule 7 of the Local Government Act 2002, Council must make the following decisions:

- Make a rate.
- Make a bylaw.
- Borrow money or purchase or dispose of assets, other than in accordance with the long-term plan.
- Adopt the long-term plan, annual plan, or annual report.
- Appoint a chief executive.
- Adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the local governance statement.
- Adopt a remuneration and employment policy.

Recording of Meetings

Please note the Public section of this meeting is being recorded and will be uploaded Bay of Plenty Regional Council's web site in accordance with Council's Live Streaming and Recording of Meetings Protocols which can be viewed on Council's website. The recording will be archived and made publicly available on Council's website within two working days after the meeting on www.boprc.govt.nz for a period of three years (or as otherwise agreed to by Council).

All care is taken to maintain your privacy; however, as a visitor in the public gallery or as a participant at the meeting, your presence may be recorded. By remaining in the public gallery, it is understood your consent is given if your image is inadvertently broadcast.

Opinions expressed or statements made by individual persons during a meeting are not the opinions or statements of the Bay of Plenty Regional Council. Council accepts no liability for any opinions or statements made during a meeting.

Bay of Plenty Regional Council - Toi Moana

Governance Commitment

**mō te taiao, mō ngā tāngata - our environment and our people
go hand-in-hand.**

We provide excellent governance when, individually and collectively, we:

- Trust and respect each other
- Stay strategic and focused
- Are courageous and challenge the status quo in all we do
- Listen to our stakeholders and value their input
- Listen to each other to understand various perspectives
- Act as a team who can challenge, change and add value
- Continually evaluate what we do

**TREAD LIGHTLY, THINK DEEPLY,
ACT WISELY, SPEAK KINDLY.**

Recommendations in reports are not to be construed as Council policy until adopted by Council.

Agenda

E te Atua nui tonu, ko mātau ēnei e inoi atu nei ki a koe, kia tau mai te māramatanga ki a mātau whakarite mō tēnei rā, arahina hoki mātau, e eke ai te ōranga tonu ki ngā āhuatanga katoa a ngā tangata ki tō mātau rohe whānui tonu. Āmine.

“Almighty God we ask that you give us wisdom in the decisions we make here today and give us guidance in working with our regional communities to promote their social, economic, environmental and cultural well-being. Amen”.

- 1. Opening Karakia**
- 2. Apologies**
- 3. Public Forum**
- 4. Items not on the Agenda**
- 5. Order of Business**
- 6. Declaration of Conflicts of Interest**
- 7. Public Excluded Business to be Transferred into the Open**
- 8. Minutes**
 - Minutes to be Confirmed**
 - 8.1 Regional Council Minutes - 1 April 2021 10**
 - Minutes to be Received**
 - 8.2 Rangitāiki River Forum Minutes - 4 December 2020 24**
- 9. Presentations**
 - 9.1 Whakatāne Boat Harbour Project Update**
 - Presented by: Phil Wardale - Project Director
- 10. Reports**
 - 10.1 Chairperson’s Report 37**
 - Decisions Required**
 - 10.2 Rates Collection Project Update 41**
 - Attachment 1 - Rates transition project timeline 51

Attachment 2 - Rates Collection technology system - Procurement Plan 52

10.3 Eastern BOP Road Safety Operations Group Appointment 58

Attachment 1 - TERMS OF REFERENCE Eastern BOP Road Safety Operations Group 2021 61

10.4 Arotake Tuatoru 2020/21 - Performance Monitoring Report Quarter Three

This item will be distributed under a separate cover.

Attachment 1 - Arotake 2020/21 Tuatoru Q3

Attachment 2 - . Appendix 2 Bancorp (Confidential) Treasury Report March 2021 - Public Excluded

Attachment 3 - . Appendix 3 TMT March 2021 Quarterly Report (Confidential) - Public Excluded

11. Public Excluded Section

Resolution to exclude the public

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
11.1	Public Excluded Regional Council Minutes - 1 April 2021	As noted in the relevant Minutes.	As noted in the relevant Minutes.	To remain in public excluded.
11.2	Confidential Attachments - Arotake Tuatoru Report	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).	To remain in public excluded.

Minutes to be Confirmed

11.1 Public Excluded Regional Council Minutes - 1 April 2021

Information Only

11.2 Confidential Attachments - Arotake Tuatoru Report

These confidential attachments will be distributed under a separate cover.

12. Public Excluded Business to be Transferred into the Open

13. Readmit the Public

14. Consideration of Items not on the Agenda

15. Closing Karakia

Regional Council

Open Minutes

Commencing: Thursday 1 April 2021, 9.30 am

Venue: Council Chambers, Regional House, 1 Elizabeth Street, Tauranga

Deputy Chairperson: Deputy Chairperson Jane Nees

Members:

- Cr Norm Bruning
- Cr Bill Clark
- Cr Stuart Crosby
- Cr Toi Kai Rākau Iti
- Cr David Love
- Cr Matemoana McDonald
- Cr Stacey Rose
- 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; Karen Aspey – Director, People & Leadership, Stephen Lamb – Environmental Strategy Manager, Kataraina O'Brien – Strategic Engagement Manager, Zhivan Alach – Organisational Performance Manager, Troy Brown – Community Engagement Advisor and Stephanie Macdonald – Community Engagement Team Leader, Tone Nerdrum Smith – Committee Advisor

Scott Hamilton, Sir Rob McLeod and Warren Parker (both via Zoom) – Quayside Holdings Ltd, Andrew Michl – Local Government Funding Agency (LGFA)

Apologies: Chairman Doug Leeder

Opening Statement by Chairperson

Cr Nees, as the Acting Chairperson for the meeting, advised those present that the public section of the meeting was being recorded; would be made available on the Bay of Plenty Regional Council website following the meeting and archived for a period of three years.

<https://www.youtube.com/user/bopregionalcouncil/videos>

1. Opening Karakia

A karakia was provided by Cr Toi Kai Rākau Iti.

2. Apologies

Resolved

That the Regional Council:

- 1 Accepts the apology from Chairman Doug Leeder for other Council business tendered at the meeting.

Winters/Rose
CARRIED

3. Order of Business

Noted that Agenda Item 10.5: Community Participation and Impact would be discussed before Agenda Item 10.4: Enhancing Youth Engagement

Further noted that the two fixed time items (Quayside Draft Statement of Intent and confidential presentation at 11am and LGFA Draft Statement of Intent at 12pm) would impact on the order of business.

4. Declaration of Conflicts of Interest

Cr Te Taru White and Cr Stuart Crosby declared an interest in agenda items 10.9: Quayside Holdings Ltd Draft Statement of Intent 2021/22 and Half Year Report 31 December 2020 and agenda item 10.10: Toi Moana Trust Draft Statement of Intent 2021/22 as Directors of Quayside Holdings Ltd.

5. Minutes

Minutes to be Confirmed

5.1 Regional Council Minutes - 16 February 2021

Resolved

That the Regional Council:

Confirms the Regional Council Minutes - 16 February 2021 as a true and correct record.

Rose/Bruning
CARRIED

5.2 Extraordinary Regional Council Minutes - 10 March 2021

Resolved

That the Regional Council:

Confirms the Extraordinary Regional Council Minutes - 10 March 2021 as a true and correct record.

Winters/Rose
CARRIED

Minutes to be Received**5.3 Regional Transport Committee Minutes - 3 December 2020****Resolved**

That the Regional Council:

Receives the Regional Transport Committee Minutes - 3 December 2020.

**Thurston/Nees
CARRIED**

5.4 SmartGrowth Leadership Group - 21 October 2020 (confirmed)**Resolved**

That the Regional Council:

- 1 Receives the minutes, SmartGrowth Leadership Group - 21 October 2020 (confirmed).**

**Crosby/Nees
CARRIED**

5.5 SmartGrowth Leadership Group - 16 December 2020 (draft)**Resolved**

That the Regional Council:

- 1 Receives the minutes, SmartGrowth Leadership Group - 16 December 2020 (draft).**

**Crosby/Nees
CARRIED**

5.6 Civil Defence Emergency Management Group Joint Committee Minutes - 18 December 2020**Resolved**

That the Regional Council:

- 1 Receives the minutes, Civil Defence Emergency Management Group Joint Committee Minutes - 18 December 2020.**

**Love/Nees
CARRIED**

6. Presentations**6.1 Summer Experience Programme 2021**

Presented by: Karen Aspey - Director, People & Leadership introduced Ben Neave - Summer Experience Participant who showed a video and spoke to this item.

Key Points:

- Had undertaken the summer internship in the Emergency Management Team and had since been appointed to a permanent role at Regional Council
- Facilitation and support within the organisation had been outstanding
- Recognised the significant learning and development opportunities offered through the Summer Programme.

Key Points - Members:

- Recognised the contributions of the Summer Experience participants
- Recognised the effort by Karen Aspey - Director, People & Leadership and the strategic approach for the organisation, which was reflected in this Summer Experience Programme.

7. Reports

7.1 Chairperson's Report

In Chairman Leeder's absence, Fiona McTavish – Chief Executive advised she would respond to any questions.

Key Points - Members:

- Regional Council's Long Term Plan was presented to Rotorua Lakes Council on 11 March 2021 and the level of engagement had been positive.

Resolved

That the Regional Council:

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

**Nees/Thompson
CARRIED**

Decisions Required

7.2 Approval of Proposed Change 5 (Kaituna River) to the Bay of Plenty Regional Policy Statement

Presented by: Namouta Poutasi – General Manager Strategy & Science.

Key Points:

- Provided an outline of the report and the development of Plan Change 5.

Resolved

That the Regional Council:

- 1 Receives the report, Approval of Proposed Change 5 (Kaituna River) to the Bay of Plenty Regional Policy Statement.**
- 2 Confirms it is satisfied the requirements of Section 32 of the Resource Management Act 1991 have been met and adopts the Section 32 Report for Proposed Change 5 (Kaituna River) to the Bay of Plenty Regional Policy Statement.**
- 3 Confirms it is satisfied the requirements of the Resource Management Act 1991, in particular sections 60, 61 and 62 and Schedule 1, relating to the preparation of a change to the Bay of Plenty Regional Policy Statement up to public notification stage, have been met.**
- 4 Approves Proposed Change 5 (Kaituna River) to the Bay of Plenty Regional Policy Statement pursuant to Clause 5 of Schedule 1 to the Resource Management Act 1991, and makes the Section 32 Report publicly available at the time of that public notification.**
- 5 Approves the public notification of the Proposed Bay of Plenty Regional Policy Statement pursuant to the requirements of Clauses 5 and 7 of Schedule 1 to the Resource Management Act 1991.**
- 6 Delegates authority to the Group Manager Strategy and Science to make any minor amendments, including grammatical and formatting, to Proposed Change 5 (Kaituna River) to the Bay of Plenty Regional Policy Statement and the Section 32 Evaluation Report prior to public notification.**
- 7 Notes Proposed Change 5 will be subject to the Freshwater Planning Process. Notes the Freshwater Hearings Panel will normally be made up of two freshwater commissioners, two council nominees and one tangata whenua nominee. Tangata whenua nominations will be sought at the next Te Maru o Kaituna meeting.**
- 8 Confirms that the significance of the decision has been assessed as LOW, and under Section 79 of the Local Government Act 2002 (LGA) confirms that in light of the level of significance of the decision it does not require: (a) Further identification and assessment of different options under section 77 LGA; (b) Further investigation or consideration of community views under section 78 LGA; (c) Any further written record of the manner in which section 77 and section 78 matters have been addressed.**

**Thompson/White
CARRIED**

7.3 Komiti Maori - Maori Partnerships Lead

Presentation - Komiti Maori Terms of Reference: Objective ID A3780673

Presented by: Namouta Poutasi – General Manager Strategy & Science, Stephen Lamb – Environmental Strategy Manager and Kataraina O'Brien - Strategic Engagement Manager

Key Points:

- The proposed amendments to the terms of reference were:
 - Becoming a committee of the whole
 - Focus on shared decision making.

Key Points - Members:

- Recognised the effort of both staff and Councillors in the development of the amended terms of reference
- Council working alongside Māori was supported by the proposed changes, however also recognised that this was a step in an ongoing journey and that the form and function of Komiti Māori would continue to evolve
- The success of the changes to the terms of reference would rely on the development of a strong work programme
- Recognised that further developments in the Komiti Māori/engagement space were likely to occur following the 2022 local authority elections when the committee structure would be re-established
- It was a strategic consideration that the meeting venues would be a mix of marae throughout the rohe and Council Chambers, as this supported the desired decision-making focus of the amended terms of reference.

Resolved**That the Regional Council:**

- 1 Receives the report, Komiti Maori - Maori Partnerships Lead.**
- 2 Amends Komiti Māori Terms of Reference as specified in Appendix 1, with the following addition: Include the words “..shared decision making with Māori”.**
- 3 Confirms that Komiti Māori to be a committee of the whole.**
- 4 Agrees that matters of ‘partnership and shared decision-making with Māori’ be progressed by Komiti Maori.**

McDonald/Thurston
CARRIED

The resolutions were passed **unanimously**

7.4 Community Participation and Impact

Presented by: Karen Aspey - Director, People & Leadership and Zhivan Alach - Organisational Performance Manager

Key Points:

- Sought a Council decision on whether to utilise weighting in priority areas beyond what had already been identified in the assessment criteria for the Community Initiatives Fund.

Key Points - Members:

- Considered that any changes to the assessment criteria at this stage, i.e. after the consultation period had ended, would not be fair to those who had tailored their applications to the criteria
- Any future changes to the assessment criteria should be considered prior to the next Annual Plan/Long Term Plan process
- Council needed to be cognisant of a perception of pre-determination if changes were introduced after the applications had been received, but before hearings and deliberations commenced.

Resolved**That the Regional Council:**

- 1 Receives the report, Community Participation and Impact.**
- 2 Notes that three Strategic Priorities have been identified as potentially benefiting from greater attention in the near future, namely (1) climate change, (2) Māori partnerships, and (3) community engagement and constructive relationships.**
- 3 Notes the use of impact assessment as a tool to evaluate proposals and allocate discretionary funding.**
- 4 Provides the following direction on the weighting of impact assessment in three specific priority areas, (1) climate change, (2) Māori partnerships, and (3) community engagement and constructive relationships:**
 - (a) Option Two: Provide equal weighting to impacts across all Strategic Priorities and outcome areas.**
- 5 Notes that Councillors will make decisions on Community Initiatives Fund applications during Long Term Plan deliberations on 12 May 2021.**
- 6 Notes that formal impact assessment will be used for the evaluation of both other community projects and Community Initiatives Fund applications to ensure equity of treatment.**

**Bruning/Thompson
CARRIED**

7.5 Enhancing Youth Engagement

Presentation - Enhancing Youth Engagement: Objective ID A3780672

Presented by: Namouta Poutasi – General Manager Strategy & Science, Troy Brown
- Community Engagement Advisor and Stephanie Macdonald -
Community Engagement Team Leader

Key Points:

- Recognised the support of Cr Nees, Cr Iti and Cr Rose through their participation in the working party for this project
- Noted that staff would seek funding of an additional \$45k towards youth engagement through the LTP process

- Council did not have a high profile amongst youth and increased visibility was an identified outcome
- Approximately 59% of youth engaging in this project identified as being of Māori ethnicity
- The terms of reference yet to be developed for the Youth Design Group would guide the appointment of members
- Was working closely with other regional and local authorities who had more extensive experience in this area of expertise
- When the Enviroschools Programme was originally established, there was a lack of other environmental initiatives. Since then, the number of providers had increased significantly and had a better fit with Council's community outcomes and priorities

Key Points - Members:

- Considered that the Youth Engagement Plan could make a positive difference in the level of engagement in the youth demographics
- Noted the legal requirement for Council to consider future generations and communities in its decision making
- Important that the withdrawal from the Enviroschools programme would not results in a reduction in environmental initiatives within the community
- Important that the Youth Design Group was representative of the demographics of the wider community; that funding provided was adequate and that the civic component/decision making role of Council was well incorporated and understood.

Resolved

That the Regional Council:

- 1 Receives the report.**
- 2 Agrees that a youth engagement plan is developed, including:**
 - (a) An assessment of the viability of developing a Youth Design Group.**
 - (b) Communications tools to inform young people of what the Regional Council does.**
 - (c) Delivery of an innovative youth project – Hackathon for a priority project**
 - (d) Scoping potential to deliver work experience opportunities for young people.**
- 3 Notes the withdrawal of Bay of Plenty Regional Council from the Enviroschools Programme.**
- 4 Considers an additional budget of \$45,000 to implement the above recommendations through the Long Term Plan deliberations.**
- 5 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.**

Rose/White
CARRIED

Item 8.1

10.45am – the meeting **adjourned**.

11.00am – the meeting **reconvened**

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
10.9	Quayside Holdings Limited Draft Statement of Intent 2021/22 and Half Year Report 31 December 2020 - Attachment 1 - Quayside Holdings Limited Cover Letter and Response to BOPRC's Statement of Expectation 1 March 2021 - Public Excluded Discussion	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).	To remain in public excluded.
10.10	Toi Moana Draft Statement Of Intent 2021/22 - Public Excluded Discussion	Withholding the information is necessary to enable any local authority holding the information to carry out, without prejudice or	48(1)(a)(i) Section 7 (2)(h).	To remain in public excluded.

		disadvantage, commercial activities.		
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- 2 That Scott Hamilton, Warren Parker and Sir Rob McLeod – Quayside Holdings Ltd be permitted to stay in the public excluded section of the meeting due to their knowledge of the matter under discussion, being Item 10.9 and Item 10.10.

Nees/Thompson
CARRIED

8.1 Quayside Holdings Limited Draft Statement of Intent 2021/22 and Half Year Report 31 December 2020

Presented by: Mat Taylor – General Manager Corporate, Scott Hamilton, Sir Rob McLeod and Warren Parker (both via Zoom) – Quayside Holdings Ltd

Cr Crosby and Cr White as Directors of Quayside Holdings Ltd declared a **conflict of interest** in this item and **abstained** from discussion and voting.

Noted that the discussion of this item had taken place in the Public Excluded section of the meeting.

Resolved

That the Regional Council:

- 1 Receives the report, Quayside Holdings Limited Draft Statement of Intent 2021/22 and Half Year Report 31 December 2020.
- 2 Notes Quayside's draft Statement of Intent 2021/22 and Half Year Report 31 December 2020.
- 3 Notes the Statement of Intent process outlined in section 1.1 of this report.
- 4 Agrees the key themes, including the below, for feedback to Quayside as:
 - (a) Delineation between normal and special dividends, and alignment of dividend requirements with the Long Term Plan 2021-2031.
 - (b) Group Policy requirements, such as a dividend and reserving policies and consideration of the extent to which dividends should be based on actual or budgeted performance.
 - (c) Greater transparency of the amounts invested in, and projected returns from, the various investment categories including non-financial returns from Regional Benefit assets.
 - (d) Metrics to support consideration of intergenerational equity.
 - (e) Which Quayside subsidiaries would benefit from a separate SOI.
- 5 Delegates to the Chief Executive, Chair, Deputy Chair, Chair of Risk and Assurance Committee, and Chair of Strategy and Policy Committee to finalise feedback to Quayside by 1 May 2021.
- 6 Notes that the final feedback to Quayside will be distributed to all Councillors.
- 7 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) Quayside Holdings Limited Cover Letter and Response to BOPRC's Statement of Expectation 1 March 2021 under Section 48(1)(a)(i) Section 7 (2)(h) as withholding the information is necessary to enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities and that this attachment remain in Public Excluded.

Thompson/Rose
CARRIED

8.2 Toi Moana Trust Draft Statement of Intent 2021/22

Cr Crosby and Cr White as Directors of Quayside Holdings Ltd declared a **conflict of interest** in this item and **abstained** from discussion and voting.

Noted that the discussion of this item had taken place in the Public Excluded section of the meeting.

Resolved

That the Regional Council:

- 1 Receives the report, Toi Moana Trust Draft Statement of Intent 2021/22.
- 2 Agrees the key themes for feedback to the Toi Moana Trust as:
 - (a) Alignment of dividend and performance expectations between the Statement of Intent and the Long Term Plan 2021-2031, including catch up dividends.
 - (b) Group Policy requirements, such as a dividend and reserving policies and consideration of the extent to which dividends should be based on actual or budgeted performance.
 - (c) Flexibility in the SIPO for the Manager to develop asset allocations that best fit the objectives and risk tolerances of the fund.
- 3 Delegates to the Chair and Chief Executive to finalise feedback to the Toi Moana Trust by 1 May 2021.
- 4 Notes that the final feedback to Quayside will be distributed to all Councillors.

Love/Nees
CARRIED

12.05pm – Cr Winters **withdrew** from the meeting

8.3 Local Government Funding Agency Draft Statement of Intent 2021/22 and Half Year Report 31 December 2020

Presentation - LGFA Draft Statement of Intent: Objective ID A3771884

Presented by: Debbie Hyland – Finance and Transport Operations Manager and
Andrew Michl – Local Government Funding Agency (LGFA)

Key Points:

- LGFA was actively involved in the Three Waters Reforms, however there was still a lack of clarity in the parameters around LGFA's role in the pre/post-reforms
- LGFA could not finance all of Auckland Council's debt as the risk profile and concentration would be excessive
- Shareholder equity had continued to increase.

Key Points - Staff:

- Any borrowing transferred across as part of the Three Waters Reforms would require asset security.

12.24pm – Cr Winters **entered** the meeting.

Resolved

That the Regional Council:

- 1 Receives the report, Local Government Funding Agency Draft Statement of Intent 2021/22 and Half Year Report 31 December 2020.**
- 2 Notes the LGFA Draft Statement of Intent 2021/22 and Half Year Report 31 December 2020.**
- 3 Agrees that no formal feedback is required on the LGFA's Draft Statement of Intent 2021/22.**

Love/von Dadelszen
CARRIED

8.4 Bay of Plenty Local Authority Shared Services (BOPLASS) Draft Statement of Intent 2021-2024 and Half Year Report 31 December 2020

Presented by: Mark Le Comte – Principal Advisor Finance and Transport Operations

12.27pm – Cr Rose **withdrew** from the meeting.

Key Points - Staff:

- Recognised the significant value provided by BOPLASS within the current parameters, e.g. insurance procurement
- Noted that Waikato LASS was exploring opportunities beyond the current procurement scope.

Resolved

That the Regional Council:

- 1 Receives the report, Bay of Plenty Local Authority Shared Services (BOPLASS) Draft Statement of Intent 2021-2024 and Half Year Report 31 December 2020.**
- 2 Notes the BOPLASS Draft Statement of Intent for 2021-2024 and Half Year Report 31 December 2020.**

- 3 Agrees that no formal feedback is required on the Draft BOPLASS Statement of Intent for 2021-2024.**

Love/Crosby
CARRIED

8.5 Treasury Report on LGFA Borrowings Maturing April 2021

Presented by: Debbie Hyland – Finance and Transport Operations Manager and
Mark Le Comte – Principal Advisor Finance and Transport Operations

Key Points:

- Considered the proposed repayment of borrowings to be the most beneficial option
- The repayment exceeded the Chief Executive's delegated financial authority, hence the report before the Councillors at today's meeting
- Audit NZ had not raised any concerns with the options and assumptions within the report.

Resolved

That the Regional Council:

- 1 Receives the report, Treasury Report on LGFA Borrowings Maturing April 2021.**
- 2 Approves repayment of \$50.5 million of Council borrowing from the Local Government Funding Agency on 15 April 2021.**
- 3 Approves refinancing of \$25 million and the associated borrowers note for on-lending to Quayside on 15 April 2021.**
- 4 Delegates to the Chief Executive to execute the financial and legal documents for recommendations 2 and 3.**
- 5 Delegates to the Chief Executive, in consultation with the Regional Council Chairman and the Chair of Risk and Assurance Committee, authority to take out facilities with the LGFA, including short term loans, as set out in Section 3. of the report as required and inform Councillors (if it occurs)**
- 6 Confirms the decision has a high 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/Thompson
CARRIED

9. 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
9.1	Public Excluded Regional Council Minutes - 16 February 2021	As noted in the relevant Minutes.	As noted in the relevant Minutes.	To remain in public excluded.
9.2	Public Excluded Extraordinary Regional Council Minutes - 10 March 2021	As noted in the relevant Minutes.	As noted in the relevant Minutes.	To remain in public excluded.

- 2 That Scott Hamilton and Sir Rob McLeod - Quayside Holdings Ltd be permitted to stay in the public excluded section of the meeting due to their knowledge of the matter under discussion, being Item 10.9: Quayside Holdings' Letter of Response.

Nees/Thurston
CARRIED

10. Closing Karakia

A karakia was provided by Cr Iti.

12.45 pm – the meeting closed.

CONFIRMED

Cr Jane Nees
Deputy Chairperson, Regional Council

Rangitāiki River Forum

Ngā Meneti Open Minutes

Commencing:

Friday 4 December 2020, 10.30 am

Venue:

Rangitāiki Cosmopolitan Club, 9 Bridge Street, Edgecumbe

Heamana

Chairperson:

Maramena Vercoe – Te Rūnanga o Ngāti Manawa

Ngā Kopounga

Members:

Bay of Plenty Regional Council: Cr Bill Clark, Cr Toi Kai

Rākau Iti, Cr Stacey Rose, Cr Kevin Winters

Hineuru Iwi Trust: Ivy Kahukiwa Smith

Te Rūnanga o Ngāti Whare: Jose Miki (Alternate)

Te Rūnanga o Ngāti Awa: Tuwhakairiora O'Brien (Alternate)

Te Kotahitanga o Tūwharetoa: Whakaeke Ritete

Whakatane District Council: Cr Alison Silcock, Cr Wilson James (Alternate)

Te Rūnanga o Ngāti Manawa: Karito Paul (Alternate)

Te Hunga i Tae Ake

In Attendance:

Bay of Plenty Regional Council: Chris Ingle – General

Manager Integrated Catchments, Yvonne Tatton –

Governance Manager, Micah Butt – Senior Māori Resource

Management Advisor, Charles Harley – Team Leader Eastern

Catchments, Mieke Kapa – Land Management Officer

(Eastern), Kataraina O'Brien – Kaiwhakahaere Kotahitanga,

Shari Kameta – Committee Advisor

Te Rūnanga o Ngāti Manawa: Maxeen Newton – Pou Taiao

Whakatāne District Council: Teryll Leper

Ngā Hōnea

Apologies:

Te Waiti Rangiwai (Deputy Chair) – Te Rūnanga o Ngāti Whare

Miro Araroa – Te Rūnanga o Ngāti Awa

Ngapera Rangiaho – Tūhoe Te Uru Taumatua

Clifford Te Riini, Paora Hunia (Alternate) – Ngāti Tūwharetoa

(Bay of Plenty) Settlement Trust

Cr Kylie Leonard – Taupō District Council

1. Karakia Whakatuwhera Opening Karakia

A karakia was provided by Tuwhakairiora O'Brien.

2. Ngā Hōnea Apologies

Resolved

That the Rangitāiki River Forum:

- 1 Accepts the apologies from: Te Waiti Rangiwai, Ngapera Rangiaho, Miro Araroa, Cr Kylie Leonard, Clifford Te Riini and Paora Hunia tendered at the meeting.

Rose/Winters
CARRIED

3. Ngā Take Tōmuri Items not on the Agenda

3.1 Rangitāiki River Forum COVID-19 Response

Resolved

That the Rangitāiki River Forum:

- 1 Receives the report, Rangitāiki River Forum COVID-19 Response and accepts it as an Item not on the Agenda. Notes the reason why this item was not on the Agenda is that the information was not available at the time the agenda was published, and the reason why it cannot be delayed is that it is relevant to the current COVID-19 pandemic environment and needs consideration by the Forum.

Winters/Kahukiwa Smith
CARRIED

4. Raupapa o Ngā Take Order of Business

The Chair advised of the following changes to the order of business:

1. Agenda Item 10.3, 'Southern Generation Limited Partnership Verbal Update' would be received earlier in the agenda to accommodate the early departure of the presenter.
2. Agenda Item 10.1, 'Forum Members Verbal Update' would be the last verbal update item discussed.

5. Whakapuakanga o Ngā Take Whai Taha-Rua Declaration of Conflicts of Interest

No conflicts of interest were declared.

6. Ngā Meneti Minutes

Kia Whakaūngia Ngā Meneti Minutes to be Confirmed

6.1 Rangitāiki River Forum Minutes - 4 September 2020

Matters Arising

1. Minute 7.1, Forum Members Verbal Updates (agenda page 13) – it was noted that an amendment was made to the first bullet point of Cr Bill Clark’s verbal update after the draft minutes were circulated in September.
2. Minute Item 12, Deferred Items (agenda page 19) – The Glass Eel Study update would be deferred to the next meeting in March 2021, as the presenters were unable to attend this meeting.

Resolved

That the Rangitāiki River Forum:

- 1 Confirms the Rangitāiki River Forum Minutes - 4 September 2020 as a true and correct record.

Rose/Vercoe
CARRIED

7. Ngā Pūrongo Reports

Ngā Whakatau e Hiahiatia Ana Decisions Required

7.1 Adoption of Revised Terms of Reference and Standing Orders and 2021 Dates

Presented by: Yvonne Tatton, Governance Manager

Key Points:

- Clarified key changes proposed to the Forum’s Terms of Reference and Standing Orders arising from feedback from members at a workshop held in October 2020.
- Standing order 4.3 Language would enable translation services to be arranged for more formal addresses, as opposed to general meeting discussion where an informal summary could be offered by members.
- Including a webcasting (livestreaming) provision would provide the option of livestreaming meetings in the future, if the Forum wished to do so.
- Livestreamed recordings of meetings would become a public record.

Key Points - Members:

- Standing Order 4.3 Language provisions would provide non-fluent te reo Māori speaking members the opportunity to consider and make decisions on matters raised and made provision for te reo Māori as an official language of Aotearoa-New Zealand. Comments raised encouraged all to learn and gain further understanding of te reo Māori.
- Accepted the proposed Standing Orders, subject to the following changes:
 - 4.4 Webcasting (Livestreaming) – amend to be by agreement of the Forum. It was noted that presently, the Forum did not wish to livestream its meetings, as recordings could be subject to misinterpretation via online platforms.
 - 10 Tikanga - include appropriate wording to recognise that the business of the Forum will incorporate tikanga Māori as and where appropriate.
- In regard to Quorum requirements:
 - Te Rūnanga o Ngāti Manawa Board and Te Rūnanga o Ngāti Whare Board had expressed their wish for the status quo (both a Ngāti Manawa and Ngāti Whare appointed member) to be maintained. Reasons for this were to maintain the recognition and mana of their founding Treaty Settlements, and both partners had appointed alternate members to attend in the absence of the appointed member.
 - Members noted respect of the founding Treaty Settlements, time and effort to attend and coordinate meetings, and members' obligations to ensure representation at meetings.
 - Local Authority members acknowledged this was a matter for iwi members to decide and would abstain from voting on the quorum membership.
- In relation to 13.5, Absent without leave – members supported retaining the provision to recognise members' responsibility to attend meetings and tender their apologies.

Resolved

That the Rangitāiki River Forum:

- 1 Receives the report, Adoption of Revised Terms of Reference and Standing Orders and 2021 Meeting Dates.**
- 2 Approves the Rangitāiki River Forum's Terms of Reference as amended under Attachment 1.**
- 3 Authorises the BOPRC Governance Manager, as the administering body, to make any necessary formatting and minor grammatical changes to the Standing Orders document as required.**
- 4 Adopts the Rangitāiki River Forum's 2021 schedule of meetings as listed below:**
 - **Friday, 5 March 2021**
 - **Friday, 4 June 2021**
 - **Friday, 3 September 2021**
 - **Friday, 3 December 2021**

Winters/Silcock

CARRIED

- 5 Adopts the Rangitāiki River Forum's Standing Orders as amended under Attachment 2, subject to the agreed amendments at the meeting and a further amendment in regard to the Quorum for Meetings as follows:**

- (a) The Quorum must include a member appointed by Ngāti Whare and a member appointed by Ngāti Manawa.**

Vercoe/Kahukiwa Smith**CARRIED**

Councillors Kevin Winters, Bill Clark, Stacey Rose, Toi Kai Rākau Iti and Alison Silcock abstained from voting.

7.2 Appointment of Chairperson

The Chair vacated the chair and the Forum's Committee Champion Chris Ingle assumed the chair to facilitate the voting process for appointing a Chairperson.

Key Points:

- Recommended Voting System B as the simplified voting system.

Key Points - Members:

- Alternate member Jose Miki, on behalf of Deputy Chair Te Waiti Rangiwhai, confirmed that Te Rūnanga o Ngāti Whare wished to re-nominate Maramena Vercoe to the Chair, as Te Rūnanga o Ngāti Whare were not ready to take on the position of the Chair at this time.

Resolved

That the Rangitāiki River Forum:

- 1 Receives the report, Appointment of Chairperson.**
- 2 Selects System B as the voting system to elect the Chairperson.**

Rose/Winters**CARRIED**

- 3 Elects Maramena Vercoe as the Chairperson of the Rangitāiki River Forum effective from the next meeting of the Rangitāiki River Forum.**

Miki/Rose**CARRIED**

Hei Pānui Anake Information Only

7.3 Implementation for the National Policy Statement for Freshwater Management

Presented by: Micah Butt, Senior Māori Resource Management Advisor

Key Points - Staff:

- Subsequent to the report, Council had directed staff at a Council Workshop in November to bring the notification date of a plan change forward from

December 2024 (statutory deadline) to July 2024 to ensure the statutory deadline was met.

- NPSFM process would provide Iwi/hapū the opportunity to identify cultural values.
- Encouraged Iwi partners to look at the suite of changes under new section 80A Freshwater planning process of the Resource Management Act 1991.
- Further information would be provided to Iwi/hapū via the engagement process.

Key Points - Members:

- Acknowledged the range of potential options for Iwi to engage.
- Noted support for: kaitiaki reference groups for practitioners, involving Iwi/hapū within compliance and monitoring roles and funding the input of kaitiaki practitioners.
- Encouraged Iwi to submit on the Regional Council's Long Term Plan budget for NPSFM engagement, which would be out for submission in March 2021.
- NPSFM was a truncated process that would be important for Iwi/hapū and the Forum to engage and be involved in the process.
- NPSFM implementation had no recourse via the Environment Court and would be decided by the Government appointed Freshwater Hearing Commissioner, which was a significant change.
- Supported the opportunity to meet with other co-governance committees to gain an understanding of wider views, collective aspirations and goals.
- Ngāti Rangitihi would be signing their Deed of Settlement and should be included in discussions.
- Sought further understanding of the process to enable the Forum members to provide leadership and a framework that could assist Iwi/hapū/whānau in the process.

Items for Staff Follow Up:

- Liaise with the Forum Chair to arrange a meeting with the co-governance committees.
- Provide a simplified NPSFM brief to facilitate a workshop with hapū/kaitiaki environmental representatives and practitioners within the Rangitāiki River catchment.

Resolved

That the Rangitāiki River Forum:

- 1 Receives the report, Implementation for the National Policy Statement for Freshwater Management.**
- 2 Provides guidance on preferences for involvement in the engagement approaches outlined in Te Hononga.**

O'Brien/Iti

CARRIED

7.4 Rangitaiki Integrated Catchment Programme: Annual Work Plan 2020/2021

Charles Harley, Team Leader Eastern Catchments noted that the report had been deferred from the previous meeting, but had been discussed during the 4 September Forum Workshop.

Key Points - Members:

- Hearing Panel Recommendations following the Flood Protection and Drainage Bylaw 2020 Hearing had been completed and were to be reported for adoption to the Regional Council Meeting on 17 December 2020.

Resolved

That the Rangitāiki River Forum:

- 1 Receives the report, Rangitaiki Integrated Catchment Programme: Annual Work Plan 2020/2021.**

Clark/Rose
CARRIED

7.5 Rangitaiki Integrated Catchment Programme: Annual Report 2019-2020

Resolved

That the Rangitāiki River Forum:

- 1 Receives the report, Rangitaiki Integrated Catchment Programme: Annual Report 2019-2020.**

Clark/Rose
CARRIED

7.6 Rangitaiki Integrated Catchment Programme: July - October Dashboard Report

Resolved

That the Rangitāiki River Forum:

- 1 Receives the report, Rangitaiki Integrated Catchment Programme: July - October Dashboard Report.**

Clark/Silcock
CARRIED

Change to Order of Business

Agenda item 10.3, Southern Generation Limited Partnership Verbal Update was received next to accommodate the early departure of the presenter.

7.7 Southern Generation Limited Partnership Verbal Update

Presented by: Craig Rowe, Area Regional Manager, Southern Generation Limited Partnership

Key Points:

- Peter Mulvihill, General Manager Project Development and Delivery was unable to attend the meeting and would be retiring in two weeks' time.
- Annual sediment survey of Lake Aniwhenua was being completed as a requirement of the Aniwhenua Dam consent. The survey file note would be filed with Bay of Plenty Regional Council (BOPRC) and could be made available upon request.
- Phase One of the Lake Aniwhenua Walkway Project was progressing well with landowner engagement and preliminary work in progress for consent.
- Lake weed spraying in front of the reserve would be completed and lake lowering scheduled in April 2021.
- Options for expanding the spray programme would be discussed with BOPRC in the following week.
- Resource consent for removal of sediment in Paparoa Stream was due to expire at the end of 2020. SGPL were consulting with key iwi and Tonkin & Taylor had been engaged to undertake the consent process.
- Regarding the removal of sediment downstream of Kopuriki Bridge and options to prevent upstream flooding – work would be undertaken in March 2021 and expertise sought from BOPRC for a river management consent.
- Expressions of interest for contract tender had been advertised in October, however no tenders had been received, which could potentially be a result of access challenges. SGPL would be pursuing contractor engagement further.
- SGPL were continuing to work with Ngāti Manawa staff on the downstream trap and transfer programme.
- SGPL were continuing to financially support the upstream elver programme that was run from the Matahina Power Station by the Kokopu Trust and Trustpower.
- An upstream elver pass was being built by Pioneer Energy staff for install to the Aniwhenua Barrage and was expected to be commissioned by year end.

Key Points - Members:

- Pleased with the progress being made towards sediment removal at Kopuriki Bridge and the upstream elver pass.
- On behalf of the Forum, the Chair requested that thanks and recognition be conveyed to Peter Mulvihill for his work and contribution.

8. Whakaaturanga Presentations

8.1 Rangitaiki River Reconnection Project Update

Presentation - Rangitaiki River Reconnection Project: Objective ID A3694702

Presented by: Mieke Kapa, Land Management Officer (Eastern)

Key Points:

- Project vision was to reconnect and restore a fresh water flow and ecological and cultural pathways between the Rangitāiki and Tarawera rivers from Okorero to Te Awa o te Atua near Matatā.
- Overview of the historical landscape of the lower Rangitāiki River prior to drainage and current landscape.
- Project benefits would improve mauri/cultural values, water quality, terrestrial and aquatic flora and fauna.
- Progress included: approval of business case and early investigation stage, initial conversations held with landowners, channel survey completed, and commencement of design model and legal advice on landowner status.
- Viability of the project would depend on legal and consent related matters, hydrological issues and funding.
- Next steps would be to: meet with iwi/hapū/landowners/key stakeholders, followed by modelling, source funding and further engagement with the Forum.

Key Points - Members:

- Supported the project and the considerable benefits it would provide, and working with tangata whenua.

Resolved

That the Rangitāiki River Forum:

- 1 Receives the presentation, Rangitaiki River Reconnection Project Update.**

**Clark/O'Brien
CARRIED**

9. Whakahoutanga Kōrero Verbal Updates

9.1 Trustpower Limited Verbal Update

Presented by: Ryan Piddington, Environmental and Regulatory Services Manager, Trustpower Limited

Key Points:

- Environmental Manager Chris Fern had resigned recently from Trustpower.

- Preliminary science and initial engagement had commenced with Ngāti Manawa and Ngāti Whare on the 2026 consent renewal process work programme. Senior Environmental Advisor Lisa Mead would be leading the programme.
- Sought consideration of how the Forum wished to engage with Trustpower on the consent renewal process.
- Trustpower were working with the Kerrison whānau to support the Kokopu Trust's continuation of the trap and transfer programme.
- Progress on the fish transfer trial system had been delayed and impacted by staff changes and COVID-19. However, Trustpower were still committed to the project with a key focus to revisit the schedule for staged testing and implementation in the New Year.
- Environmental data and erosion monitoring had been submitted to the Regional Council in November 2019.

In Response to Questions:

- Confirmed that Trustpower had the appropriate flood emergency management and monitoring plan in place for the Matahina Dam.
- Discussions were taking place with Southern Generation on downstream tuna migration for the upcoming season.

Key Points - Members:

- Emphasized the importance the Forum and Iwi partners placed on the continuance and implementation of the fish passage trial system.

9.2 Climate Change Adaptation Regional Workshop 19 October and Forum Forward Planning Discussion

Presented by: Chris Ingle, General Manager Integrated Catchments

Key Points:

- The Workshop was held primarily for the region's local authorities to share perspectives and seek a consistent approach on climate change.
- A presentation had been provided by Nicki Douglas on Te Arawa's climate change action plan.
- Climate change adaptation would start to become a significant part of the Regional Council's work into the future.
- Opportunity was open for Iwi partners to talk to the Regional Council and be involved where interested.
- Discussion on forward planning for the Forum would be deferred to a future time.

Key Points - Members:

- The climate change workshop had been insightful and attended by four of the seven councils, including representatives from Ngāti Awa.

- Further workshops would be held with local authorities.
- The initial workshop had provided councils with a line of sight in regard to risk assessment and climate change plans.
- Looked forward to further discussion at the governance level.

9.3 Forum Members Verbal Update¹

Cr Kevin Winters – Bay of Plenty Regional Council

- Council had held several workshops on its Long Term Plan (LTP), reviewed its financial strategy and priorities, therefore was confident that the LTP was robust
- Would be seeking more funding for the environment, volunteer sector, pest control and biodiversity across the region.

Jose Miki – Te Rūnanga o Ngāti Whare

- No update to report.

Ivy Kahukiwa Smith – Hineuru Iwi Trust

- Hineuru iwi and hapū groups were discussing waterways in the Mohaka catchment with Hawke's Bay Regional Council, which had highlighted the cultural and spiritual values and the importance of Te Mana o te Wai.
- Re-establishment of tītī on Titiokura maunga had occurred following the gifting and translocation of the manu from Little and Great Barrier islands. Department of Conservation had recently monitored the site returning positive results.

Cr Toi Kai Rākau Iti – Bay of Plenty Regional Council

- Encouraged and looked forward to receiving considered submissions from Iwi and hapū on the Council's Long Term Plan.

Cr Stacey Rose – Bay of Plenty Regional Council

- Climate Change Adaptation Regional Workshop on 19 October had provided an insight into the impacts of climate change on the environment and sea level rise.
- Emphasized the importance of iwi/hapū/whānau submitting to Council's Long Term Plan.

Tu O'Brien – Te Rūnanga o Ngāti Awa

- Regarding the proposed whitebait regulations:
 - Department of Conservation had compiled a good report on submissions with decisions to be released in 2021.
 - Ngāti Awa hapū representatives had made submissions and raised concerns in regard to the consultation process and blanket regulations to prohibit upstream pegging and whitebaiting at river mouths.
 - Considered that the Department of Conservation (DOC) should be tailoring the regulations to suit each region and awa (river).
- NIWA's Glass Eel Research Study was still in progress on the Rangitāiki awa.
- Siobhan Nuri (NIWA Masters student) had presented her Glass Eel findings to the New Zealand Freshwater Sciences Society Conference on 1-4 December 2020.
- Climate change impacts on tuna heke was a concern for iwi.

¹ Refer corrections, Minute Item 7.1, Rangitāiki River Forum Meeting 9 April 2021

- Recommended that the Regional Council introduce new sub-contractors to local whanau before they carry out work along the river to prevent any issues arising.
- Ngāti Awa had undertaken a tītī harvest on Moutohorā Island recently as maintaining cultural traditions and skills was a key imperative.
- Ngāti Awa were liaising with Fonterra on their stormwater consent application.

Cr Wilson James – Whakatāne District Council

- Whakatane District Council's Long Term Plan process would be commencing next year.

Cr Alison Silcock – Whakatāne District Council

- Galatea community group would be appointing trustees for the Lake Aniwanīwa Walkway Project.
- Highlighted lake weed as an ongoing safety issue at Lake Aniwanīwa and the need for a longer term solution.

Whakaeke Ritete – Te Kotahitanga o Ngāti Tūwharetoa

- Primary focus for TKNT was on its people and Lake Taupō and its 62 tributaries.
- TKNT were investing in a retirement home and potential nursery investment that would provide employment and sustainable environmental benefits for local iwi/hapū.

Cr Bill Clark – Bay of Plenty Regional Council

- Sought Whakatane District Council's consideration to provide and improve public amenities on both sides of the Thornton river mouth.
- Would like to see a survey on people that frequent the river mouth to support a future proposal.

Karito Paul (Alternate) – Te Rūnanga o Ngāti Manawa

- A lot of mahi and activity was occurring along the river and catchment, i.e. wetland development, pest control, planting, stakeholder engagement.
- Sedimentation issue was increasing, mainly due to forest harvesting.
- Acknowledged Trustpower and Pioneer Energy, wider catchment issues.

Maramena Vercoe – Te Rūnanga o Ngāti Manawa

- No further update to report.

10. Ngā Take Tōmuri Hei Whakaaroaro Consideration of Items not on the Agenda

10.1 Late Item - Rangitaiki River Forum Covid-19 Response

Tabled Document 1 - Rangitaiki River Forum COVID-19 Response: Objective ID A3685483

Presented by: Maramena Vercoe, Forum Chairperson

Key Points:

- The Forum Chair and Deputy Chair had reviewed Ngāti Whare's COVID-19 response plan to determine an appropriate response for the Forum.

- Considered an appropriate focus for the Forum during a COVID-19 response would be to maintain the status of water quality monitoring and access to mahinga kai, as a source of kai for Iwi/hapū and their people.
- COVID-19 legislative processes were anticipated to draw to a close at the end of December, however considered it appropriate for the Forum to consider this matter.
- Iwi, hapū and communities were best placed to support their own communities.

Key Points - Members:

- Comment was noted in support of the COVID-19 response, noting that during COVID-19, Iwi/hapū had gone through a process of taking ownership to provide for their communities and incorporating the management of mahinga kai as an essential service, which had involved discussion with the police and relevant agencies.

Resolved

That the Rangitāiki River Forum:

- 1 Notes and receives the report, Rangitāiki River Forum COVID-19 Response and accepts it as an Item not on the Agenda. Notes the reason why this item was not on the Agenda is that the information was not available at the time the agenda was published, and the reason why it cannot be delayed is that it is relevant to the current COVID-19 pandemic environment and needs consideration by the Forum.**

**Rose/Kahukiwa Smith
CARRIED**

**11. Karakia Kati
Closing Karakia**

A karakia was provided by Tu O'Brien.

1:47 pm – the meeting closed.



CONFIRMED 9 APRIL 2021

Maramena Vercoe
Chairperson, Rangitāiki River Forum



Report To: Regional Council

Meeting Date: 20 May 2021

Report Authoriser: Doug Leeder

Chairperson's Report

Executive Summary

Since the preparation of the previous Chairperson's Report (for the 1 April 2021 Council meeting) I have attended and participated in a number of meetings and engagements as Chairperson on behalf of the Bay of Plenty Regional Council (BOPRC).

This report sets out those meetings and engagements, outside of Council, Committee and Sub-Committee meetings, and highlights key matters of interest that I wish to bring to Councillors' attention.

Recommendations

That the Regional Council:

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

1. Purpose

The purpose of this report is to update Council on meetings and engagements, outside of Council, Committee and Sub-Committee meetings, I have attended and participated in as Chairperson. Also to highlight key matters that will be of interest to Councillors.

The following section summarises these meetings and engagements. I will provide further detail at the meeting in response to any questions you may have.

2. Meetings and Engagements

Date	Meeting / Engagement	Comment
25 March	Jobs for Nature Reference Group Hui - <i>Wellington</i>	Attended.

Date	Meeting / Engagement	Comment
31 March	Project Tauranga partner function to meet with Tauranga City Council's Commissioners - <i>Tauranga</i>	Attended.
1 April	Ahuwhenua Trophy Field Day, Tataiwhetu Trust - <i>Ruatoki</i>	A field day at the Maori Farming Award Finalist - Tataiwhetu Trust Farm. The day included a farm tour, presentations of historical, governance, management and financial information and some of the key things that they have learnt, as well as their future plans.
6 April	Pōwhiri for three new General Managers to Whakatāne District Council - <i>Whakatāne</i>	A pōwhiri of three new General Managers: - Paul Warbrick, Kaihautu - Strategic Māori Partnership; Rob Trass - Chief Financial Officer/General Manager Business Partnering; and Bevan Gray - General Manager Infrastructure.
8 April	Ahuwhenua Trophy Field Day, Tunapahore B2A Incorporation - <i>Torere</i>	A field day at the Maori Farming Award Finalist - Tunapahore B2A Incorporation. The day included a farm tour, and presentations by the Committee of Management, advisors and farm staff.
12 April	BOPRC Long Term Plan Hearing - <i>Tauranga</i>	Attended.
	Welcome speech to River Practitioners Bay of Plenty Tour - <i>Whakatane</i>	Welcomed River Practitioners from eight Councils to a three day tour of the Bay of Plenty. Spoke about rivers and drainage in the region, and the Freshwater reforms.
13 April	BOPRC Long Term Plan Hearing - <i>Tauranga</i>	Attended.
15 April	Instep Young Leaders Forum Breakfast - <i>Tauranga</i>	An opportunity for youth engagement in regional council issues.

Date	Meeting / Engagement	Comment
	BOPRC Long Term Plan Hearing – <i>Rotorua</i>	Attended.
16 April	Manaaki Kaimai Mamaku Trust Special General Meeting – <i>Tauranga</i>	Attended as the guest speaker, and spoke about the Jobs for Nature Programme.
19 April	SmartGrowth Strategy and Policy Briefing Session – <i>Videoconference</i>	Attended.
	SmartGrowth Commissioners, Chairperson and Mayor Dinner – <i>Tauranga</i>	Attended.
21 April	Meeting with S&P Global – <i>Videoconference</i>	Spoke about BOPRC's 2021 credit rating surveillance.
	Informal Meeting with the Tauranga City Council Commissioners – <i>Tauranga</i>	Discussed topical regional matters.
22 April	SmartGrowth Leadership Group Meeting – <i>Tauranga</i>	Attended.
25 April	Fall in Outside RSA, ANZAC service – <i>Ōpōtiki</i>	Attended as the guest speaker and placed a wreath on behalf of Bay of Plenty Regional Council.
27 April	Jobs for Nature Reference Group Briefing – <i>Videoconference</i>	Attended.
28 April	Relationship Meeting with Te Mana o Ngāi Tamarāwaho Board – <i>Tauranga</i>	Attended.
29 April	Jobs for Nature Reference Group Hui – <i>Wellington</i>	Attended.
	LGNZ Leadership Roadshow with Councillors – <i>Tauranga</i>	New LGNZ leadership team introduced. Also discussed opportunities and key issues, and how we can work together for stronger local government.
30 April	Port of Tauranga Ltd Board Meeting – <i>Mount Maunganui</i>	Strategic Planning Meeting.
4 May	Meeting with Lodestone Energy Managing Director, Gary Holden – <i>Tauranga</i>	Discussed their utility solar plans for the Bay of Plenty region.

Date	Meeting / Engagement	Comment
6 May	Regional Sector Dinner – <i>Wellington</i>	Attended.
7 May	Regional Sector Meeting – <i>Wellington</i>	This is covered in more detail in the following section.

3. Matters of Potential Interest

3.1 Regional Sector Meeting

The Regional Sector meeting for regional and unitary council Chairs/Mayors and Chief Executives, was held on 7 May in Wellington. There were updates from LGNZ on the local government reform programme and the LGNZ business plan, and sector updates on freshwater, biodiversity/biosecurity and transport. There were also presentations from:

- Minister of Local Government Hon Nanaia Mahuta, spoke about the Ministerial Review on the future of local government and other policy priorities;
- Grant Bryden, Director Primary Sector Futures, Ministry for Primary Industries spoke about Integrated Farm Plans;
- Gary Taylor, Chief Executive, Environmental Defence Society (EDS) spoke about EDS reflections on Fresh Water Implementation; and
- David Chittenden, Principal Analyst at the Ministry for the Environment spoke about the Resource Management Reform and provided a policy update.



Report To: Regional Council

Meeting Date: 20 May 2021

Report Writer: Annabel Chappell, Manager, Special Projects

Report Authoriser: Fiona McTavish, Chief Executive

Purpose: To update on progress with Council moving to an in-house rates collection service, and approve a Procurement Plan for the Software System required for this function.

Rates Collection Project Update

Executive Summary

In October 2020 Council made the decision to collect rates internally. The main drivers for change being the visibility and transparency of services, and direct control over the rating system and all related processes.

Following the decision, a *Rates Transition Project Team* has been established. Further detailed research has been conducted to ensure the most effective and efficient in-house rates collection function is established, to improve customer experience, comply with legislation, and communicate this change to ratepayers.

A Request for Proposal (RFP) process is underway to engage a software supplier and select the rates collection system. Following contract award, the next steps are to implement the technology system, identify the specific resourcing required for the rates collection function and the appropriate service delivery model. We continue to work with the Territorial Authorities (TAs) in our region to integrate shared data, and review our rating policies.

Key risks for this project are ensuring that the customer experience is positive and as seamless as possible, achieving full legal compliance, technology system implementation and reliance on TAs to provide information that we need. Mitigation and management plans for each of these risks are in place, and will be regularly reported to the Risk & Assurance Committee throughout the project.

Recommendations

That the Regional Council:

- 1 Receives the report, Rates Collection Project Update.**

- 2 **Notes the progress made towards Bay of Plenty Regional Council moving to an in-house rates collection service.**
- 3 **Approves the Procurement Plan for the rates collection technology system.**
- 4 **Delegates approval to the Chief Executive to award the contract for the rates collection technology system, provided the costs are within the budget as set out in the draft Long Term Plan 2021-2031.**

1. Introduction

At the 29 October 2020 Council Meeting, approval was given to collect all Regional Council rates in-house, with a target date of collecting rates for the 2022/23 financial year. Historically Council has relied on the TAs to collect the Regional Council rates on its behalf (except for minor river scheme rates).

Council has given direction that it wishes to increase public awareness of the work we do, and the benefits this work has for the community. Collecting our own rates will further increase the public's awareness of council, and result in more community connections, feedback, and engagement. It will also provide transparency of services, and direct control over the rating system and all related processes.

This report provides Councillors with an update on progress being made in preparation for delivering an in-house rates collection service including project timeframes and key milestones, technology system implementation, and how we are managing the transition from the TAs to Bay of Plenty Regional Council to make it as straightforward and seamless as possible for our ratepayers.

1.1 Legislative Framework

The Local Government (Rating) Act 2002 and the Rating Valuations Act 1988 are the primary enactments governing the setting, assessment and collection of rates by Local Government.

In addition to complying with this rating specific legislation, Council also needs to ensure that the rating function and process complies with the Local Government Act 2002 and the Privacy Act 2020.

1.2 Alignment with Strategic Framework

The Way We Work

We deliver value to our ratepayers and our customers.

We continually seek opportunities to innovate and improve.

We provide great customer service.

1.2.1 Community Well-beings Assessment

Dominant Well-Beings Affected

<input type="checkbox"/> Environmental	<input type="checkbox"/> Cultural	<input checked="" type="checkbox"/> Social Medium - Positive	<input checked="" type="checkbox"/> Economic Medium - Positive
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Collecting our own rates will have a positive effect on social and economic well-being. The economic benefit of this project includes less cost to ratepayers as

internal costs are expected to be lower than paying other organisations a commission to collect revenue on our behalf.

As reported to the 29 October 2020 Council meeting, not paying commission to TA's indicates a saving to ratepayers from the second year of collection (2023/2024).

Positive social benefits include the community having more awareness about the work that we do and engaging with us more, the public will receive an improved customer experience and equity across the region as council will have control over rating policies and will be able to apply a more consistent and holistic view of the Bay of Plenty community.

2. Rating Policies

The Local Government Act (2002) s102 outlines the Funding and Financial Policies that Council must, or may choose to, have. These policies are:

Must have:

- a. Revenue and Financing Policy
- b. Policy on Remission and Postponement of rates on Māori freehold land

May have:

- a. Rates Remission policy
- b. Rates Postponement Policy

The Revenue and Financing Policy sets the funding sources for Council's activities. This Policy is not affected by the Rates Collection project.

Previously Council's approach to the various Rates Remission and Postponement Policies has been to adopt the policies set by each TAs, with a few specific Regional Council rate remissions, (Hot Swap Loan Repayment remission, Forestry and Bush remission, Edgecumbe Urban River Scheme remission).

This approach has enabled the TAs to effectively assess remissions and postponement for ratepayers, however, there are differences between each of the TA policies.

Examples of the types of remissions and postponements in current TA policies include:

- 1. Community and sport organisations
- 2. Remission of rates penalties
- 3. Financial hardship
- 4. Early payment discounts
- 5. Natural disaster or calamity
- 6 Environmental, historic or cultural purpose

Consistent region wide rates collection provides the opportunity for Council to standardise the remissions and postponements that apply to Regional Council rates

to achieve equity across the region, rather than only being able to apply some remissions within individual TA areas.

It also provides the opportunity to offer new remissions policies to address demographic matters such as affordability and environmental issues such as climate change.

This will require new policies to be developed which would require public consultation in a manner that gives effect to the principles of consultation in the LGA s82. Staff intend to conduct this consultation in combination with any consultation/information for Annual Plan 2022/23 where practicable.

A Council Workshop will be held in the coming months to look at current TA remissions that are applied to Regional Council rates, and the options for creating new remissions.

3. Territorial Authorities

Council has Service Level Agreements in place with all TAs in our region with respect to the current rates collection service that the TA's carry out. In November 2020 the TAs were informed of Council's decision to move to an in-house collection model.

Since that time staff have met with each TA to discuss our rates collection transition project and to agree on how we can best work together to ensure that the transition from TA collection to Bay of Plenty Regional Council collection is as seamless as possible for our customers, and for the TAs. The response from staff within each of the TAs has been constructive and positive, with a willingness to provide the information and support needed for a successful transition.

We are now working through the logistics and processes for the transition, and identifying any ongoing services and processes that we need to put in place. For example, we need to ensure that we are aligned into the future with the TAs in a number of areas including:

- When a customer pays rates to the wrong Council,
- Change of customer details, so that people only need to do this through one Council,
- Debt recovery when legal proceedings such as a mortgagee sale are instigated to ensure that both councils are able to recover rates debt through a single process.

4. Operational Readiness

With Bay of Plenty Regional Council's advancement in customer services and technology, and its office facility upgrades, Council now has improved systems and processes to enable it to provide a customer centric and efficient rates collection service.

Improving the customer experience has been a big focus of the organisation over recent years. Now that we have established a dedicated call centre, improved our frontline service delivery model, and implemented a Customer Relationship Management system (CRM), we have a greater capacity to manage and resolve a higher volume and more technical queries at the customer's **first point of contact**.

The implementation of a new public transport ticketing system (Bee Card) last year provided an opportunity to test our readiness for responding to large volumes of customer enquiries through a peak period. All teams involved in this project met the challenge of this new service well and were able to quickly scale up support in as the need arose, demonstrating a 'one team' and customer focussed approach. We have captured lessons learnt from this high customer-impact project and carried the relevant components forward into project management of the rates collection project.

5. Project Management

5.1 Project Objectives

The decision to collect rates in-house was made by Council on the basis of improving public visibility and engagement and, having the control over policies and decisions to enable equity across the region. For these reasons, communication with the public will be important to help them understand who we are and what we do, as well as how council collecting its own rates will positively impact the community.

With public awareness, control and equity as the overarching outcomes that in-house rates collection is seeking to achieve, the project team have identified the project delivery objectives as achieving legal compliance, providing a quality service, and providing a positive customer experience. These project delivery objectives are used as a foundation for decision making as they set out what we need to achieve to be successful.

One of the lessons learnt through the Bee Card/RITS project was to divide the project work into **Workstreams**, and resource the workstreams with experienced people from our business as usual (BAU) functional areas, rather than bringing in fixed term people from outside the organisation to deliver the project. This approach is successful due to a number of factors:

- the project is well resourced with skilled and experienced people who understand our organisation,
- the people who had to deliver the new services in the long-term had strong buy-in as they had been involved in the whole journey from planning to implementation,
- there is a smooth transition from project work to BAU once the service is launched,
- the knowledge gained through implementation is not lost at the end.

For the rates collection project, we have established cross-functional workstreams for better collaboration and visibility across the project team, and to better align with the desired project outcomes. Some functions that are critical to the successful delivery of the project, such as Communications and Technology, have representatives across all of the workstreams, which also helps ensure workstream interdependencies are considered and silos do not develop.

5.2 Research

Extensive research has been undertaken with Regional Councils who collect their own rates, and TAs in our region. Information gathered from these councils has highlighted some of the challenges we are likely to face, both during the transition and in the long term, and has informed what areas need our greatest focus.

For example, we have researched and analysed the ways in which our ratepayers in the region choose to pay their rates, so that we know what volumes of payments are likely to be electronic and what volumes are likely to be over-the-counter transactions. This means that we can resource both of these payment channels adequately to meet our customers' needs. With the recent removal of cheques as a payment method by banks some of the TAs are doing a communications campaign to encourage people to set up payment plans, and in these instances we have been discussing how we can work together on joint communications in this area.

It is clear from other Regional Councils who have moved to collect their rates in-house that communications and messaging for customers is a critical element of the change process. We have had the opportunity to gather other regional councils' lessons learnt and have factored the success stories and improvements they have suggested into our project communications plan.

TAs utilise the Rating Information Database (RID) and District Valuation Roll (DVR) databases in different ways, and this will affect the quality and consistency of the data we are supplied with. If this is not managed well, this could have a significant impact on the accuracy of data resulting in a high proportion of rates invoices not reaching the correct person, and in turn inhibit the ability to collect a large proportion of rates.

Some councils do not have a CRM. This means that customer history is not easily captured and reported on, with queries not clearly tracked and monitored to ensure that they are followed up.

5.3 Key Milestones

Appendix 1 provides an overview of the key project milestones and timing across financial years. These milestones have been colour coded into project management, technology and Council categories. Significant milestones for Councillors to note are the red Council categories, where input from elected members will be sought.

6. Customer Experience

Improving the customer experience has been highlighted as a significant focus for the Rates Collection project, and the Customer First project established in 2019 has provided a good foundation to support in-house rates collection. From the research we have conducted with other councils, our recently improved customer service delivery model is well set up to be able to support the new rates team with queries and payments, and we will need to employ additional resources to respond to the higher volume of customer interactions.

A detailed communications plan has been developed to inform ratepayers of the change as well as promoting the various payment methods available. Offering different payment options will be crucial for managing customer demand and accessibility.

For example, we are considering new payment method options such as using NZ Post as a payment agency to meet the needs of customers who chose to pay their rates over the counter, and who live in areas where their TA has a local service centre, but we do not. We will also be offering greater online services and encourage direct debits and payment plans without penalty.

7. Rates Collection Technology System

Having a reliable and accurate technology system to manage our rates collection is a key success factor for this project, and having a fully tested and operational system in place is on the critical path of the project plan. Important project milestones rely on the technology implementation, with several key decision points as to whether we will be ready to “go-live” on 1 July 2022 being reliant on advancement and readiness of the system.

We have carried out research to find out what products are being used by Councils in New Zealand. We have used this information to develop a Procurement Plan (Appendix 2) to target the options available, and to address what is now a tight system implementation timeframe. It is expected that any system that we procure would have a three to five year lifecycle before we investigate alternative options.

To mitigate the risk of the system implementation holding up our project timeframes, and ultimately our **1 July 2022 collection date**, we have included the following in our tender process and project actions in relation to the technology solution:

- Suppliers must be able to meet our project timeframes,
- Specifications require an off-the-shelf system that covers all of our rates collection needs without any customisation,
- Specification that providers must have successfully implemented the system for Councils in New Zealand, and that the system is fully operational and proven to be successful
- Bay of Plenty Regional Council will receive data from the seven TAs, cleanse the data and turn it into a consistent format, before it is imported into the rates collection system,
- A robust system testing programme, and System readiness decision gateways at critical points, to enable early identification of any risks to the project timeframe.

We have commenced the procurement process outlined in the Procurement Plan and are currently evaluating proposals. For the technology system to be implemented in time for our 1 July 2022 target, the contract must commence by July 2021.

Staff recommend that Council approves the Procurement Plan, and delegate approval to the Chief Executive to award the contract for the rates collection technology system, provided the costs are within the budget as set out in the draft Long Term Plan 2021-2031 (refer to Section 8.5).

8. Considerations

8.1 Risks and Mitigations

There are a number of risks in relation to the rates collection process, regardless of whether they are being collected by the TAs or whether we are collecting them in-house. In-house rates collection will mean that we have better control over these risks, and Council can mitigate and manage the risks directly. Council will also be able to apply remissions policies consistently across the region, resulting in a more equitable system for our regional ratepayers.

Delivery of a new rates collection service is a complex undertaking, and there are specific risks in relation to the change. If the project is not delivered well, with effective communications to the public, and an easy transition for our ratepayers, there could be public dissatisfaction and reputational damage.

Other key risks are legal compliance, technology system implementation and reliance on TAs to provide the information we need. Mitigation and management plans for each of these risks are in place, and will be regularly reported to the Risk & Assurance Committee throughout the project.

8.2 Climate Change

The matters addressed in this report are of a procedural nature and there is no need to consider climate change impacts. The project is designed to adapt to our communities views through the investigation of the impact rates collection could have on Council's visibility of work, which takes into account the future impacts of climate change.

8.3 Implications for Māori

Collecting our own rates will give Bay of Plenty Regional Council greater control and enable it to apply equity across the region, and address economic disparity. In-house collection will mean that Council can establish its own rating policies and will no longer be bound by the TA's policies.

With greater control over rating policies, Bay of Plenty Regional Council will have the ability to decide how to rate whenua Māori including decisions on rates arrears, remissions and consolidation of whenua Māori land blocks or multiple dwellings for rating purposes.

8.4 Community Engagement



INFORM Whakamōhio

To provide affected communities with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.

Staff have begun planning a comprehensive communications and marketing campaign to accompany this work. Our key objective is to ensure ratepayers are informed about the changes taking place to their rates collection, and know what they need to do from 2022 onwards.

Our 2020 Residents Survey showed that there is a lack of awareness about who we are and what we do. Because of this, a secondary objective is to build awareness about the important mahi we do as an organisation, and the benefits that that mahi brings.

As we need to reach all ratepayers, we are looking at a multi-channelled approach which will use paid and unpaid communications, in both digital and traditional media. We expect some messaging will begin toward the end of this year, with an intense awareness campaign taking place in the first half of 2022.

All of this will ultimately cumulate in some clear messaging to be included in the first rates demand to be sent to our ratepayers for the 2022/23 financial year outlining the reasons for the change and the work that we do.

8.5 Financial Implications

The financial implications set out in the 29 October 2020 Council report were developed from high level assumptions and calculations. A full and detailed costings are being put together as information comes to hand and decisions around resourcing requirements, the technology system implementation and customer payment methods are made.

8.5.1 Budget Implications

The Rates Collection budget in the draft Long Term Plan 2021-2031 includes \$24.2 million operating expenditure over the next ten years and \$0.8 million in capital expenditure.

The budget for the first three years of the LTP is set out in the table below. LTP Year 1 includes \$400,000 operating expenditure and \$800,000 of capital expenditure specifically for the Rates Collection Project.

Draft LTP Budget	2021/2022	2022/2023	2023/2024
Operating Expenditure	\$2.5m	\$2.0m	\$2.0m
Capital Expenditure	\$0.8m		

At this early stage of the project it is not possible to define a detailed cost of in-house collection (and associated forecast savings) because the following costs are yet to be confirmed:

- Resourcing levels
- New technology system, and
- The methods and associated costs of new payment options for customers

The financial forecasts will be adjusted once the probably costs have been clarified, with any necessary budget adjustments to be made through Council's Annual Plan processes and/or in-year monitoring.

9. Next Steps

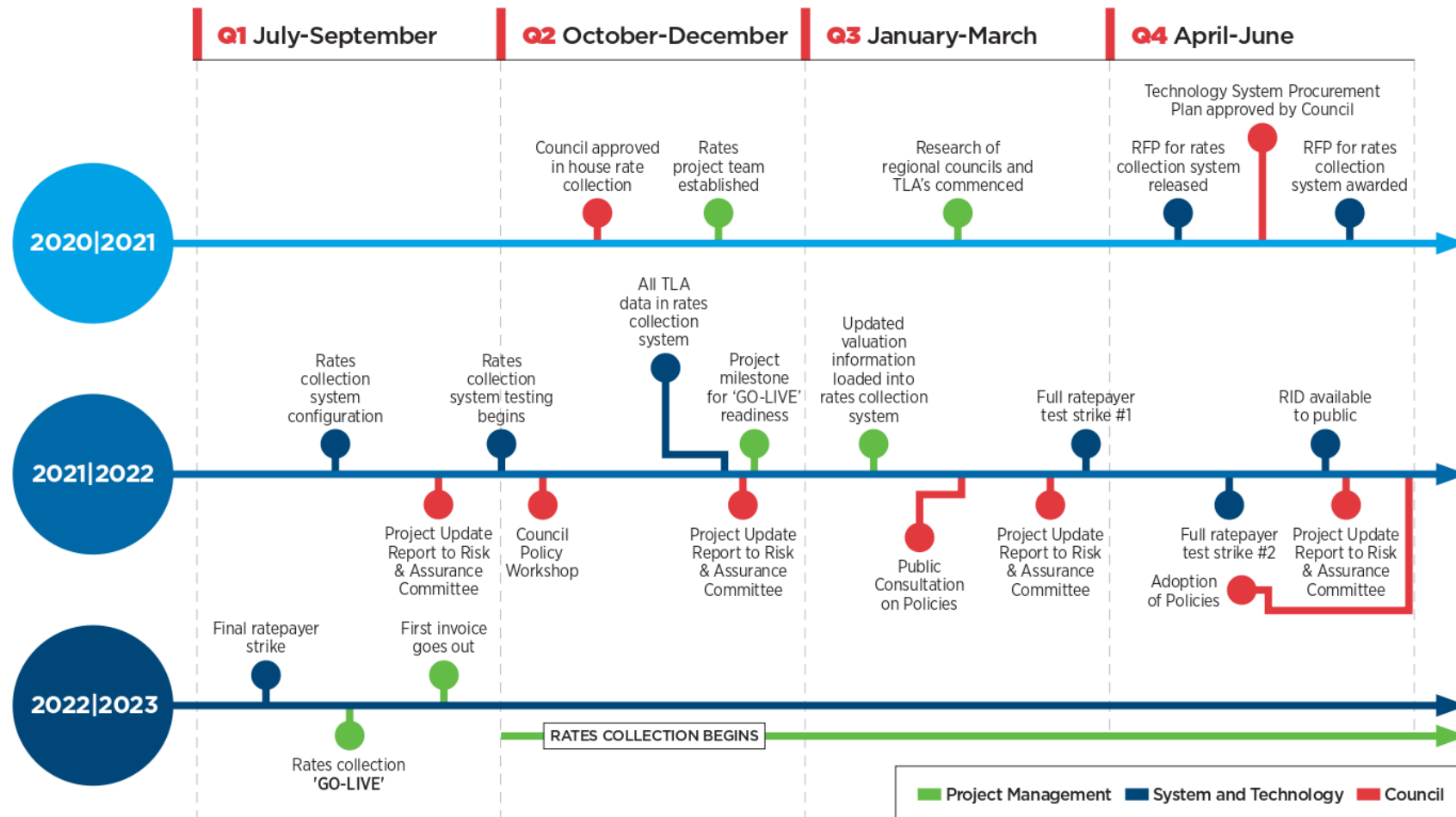
- The project team will continue to work towards the timeline included in this report.
- A report on key project risks will be presented to the June Risk and Assurance Committee.
- If Council approves the procurement plan for the rates collection technology system and delegates approval to the chief executive to award the contract as is recommended in this report, implementation of the new technology system should begin in July 2021.
- A Council Workshop to look at all of the current TA remissions that are applied to Regional Council rates, and the options for creating new remissions will be held in the next few months.

Attachments

Attachment 1 - Rates transition project timeline [↓](#)

Attachment 2 - Rates Collection technology system - Procurement Plan [↓](#)

Rates Collection Project Timeline





PROCUREMENT PLAN

1. Overview of procurement	
Short description	Rates collection technology system
Project name (if applicable)	Rates Collection Project
Procurement Project Leader	Annabel Chappell, Manager Special Projects
Date of Procurement Plan	1 April 2021
Proposed supply arrangement	Single supplier, term to be three (3) + one (1) + one (1)

2. Summary of requirements	
The requirements	<p>The Bay of Plenty Regional Council has decided to collect its own rates from 1 July 2022 and is implementing a property rates collection function with a go-live date of July 2022.</p> <p>We are unable to use our Enterprise Resource Planning (ERP) solution Technology One to meet our current timeline. This means Bay of Plenty Regional Council is looking at the option for a “standalone” solution for rates management and collection.</p> <p>We need an off the shelf property rates solution meeting our non-functional and functional requirements that is proven New Zealand best practice, and a supplier who can deliver on time.</p> <p>We need a solution that is configured, not customised. Our intention is to have our rate collection business processes to match the software where possible, not the other way around. i.e. minimise customisation of the software, unless there is a very good reason to undertake the customisation.</p> <p>Our supplier must have adequate resources to help us get end to end business processes in place in time for our rates collection implementation date of July 2022.</p> <p>The following are the high level requirements of the solution required:</p> <ol style="list-style-type: none"> 1. The proposed solution is in a Cloud environment within a Software as a Service model. 2. Separate instances for production, pre-production and development will be required. 3. Ideally web clients are used. 4. Allow for 25 concurrent client users. <p>The key general user requirements are:</p> <ol style="list-style-type: none"> 1. The system should be menu driven, include comprehensive online help facilities that enable annotation and support both mouse and keyboard access to all functions and facilities. 2. The system should provide a high degree of flexibility in screen-based enquiries to enable day-to-day users to be able to interrogate the system adequately. 3. Flexible security and accessibility functionality is needed to reflect the various levels of security and accessibility for Employees.

2. Summary of requirements	
Mandatory requirements	<p>Functional requirements of the system are:</p> <ol style="list-style-type: none"> 1. Holding property information 2. Undertake rates calculations 3. Hold ratepayer information 4. Rating information database (RID) 5. Rates invoicing 6. Rates payment and processing 7. Banking 8. Reporting <p>Non-functional requirements:</p> <ol style="list-style-type: none"> 1. The solutions will play an important role in ensuring Bay of Plenty Regional Council can meet its legislative requirements. 2. Solution can meet the BOPRC Security and Accreditation document 3. Supplier can meet the requirements of the BOPRC Cloud risk assessment tool.
Requirements relating to health and safety, sustainability, cultural needs or environmental protection.	N/A – software solution
Users	Rates collection team, finance team, customer services. Information held in the system will also be accessed by ratepayers across the region.

9. Estimate of total cost	
Estimated total cost of the supply arrangement	\$1.5m for a five year contract term (Operating and Capital)
Confirm budget available and cost centre code	<p>Budget for rates collection is included in the Long Term Plan 2021-2031. The Technology capital budget also includes funding for the rates collection technology system.</p> <p>Rates Collection Operating (Cost Centre 9711) - \$24.2m</p> <p>Rates Collection Capital - \$0.8m</p>
External funding	Nil

10. Overview of sourcing approach	
Degree of competition	Closed
Stages and type of request	Evaluation of the rates software solutions used in New Zealand Regional Councils and Territorial Local Authorities (including Unitary Authorities), expressions of interest to identified suppliers, followed by standard RFP
Submissions	Two envelope

10. Overview of sourcing approach	
Proposed form of contract	Suppliers to submit their proposed form of contract as part of the RFP process. Specialist Technology contracts required, including: <ol style="list-style-type: none"> 1. Software as a Service Agreement 2. Implementation Services Agreement 3. Support and Maintenance Agreement
Commentary to support any departure from the standard procurement procedures	There is a limited number of suppliers who have a suitable proven product in the NZ market. Industry research has been undertaken and five suitable suppliers have been identified and invited to participate in the procurement process.

11. Selection criteria	
Evaluation method	Weighted attributes, Price/quality
Criteria with weightings	<ol style="list-style-type: none"> 1. Fit for purpose/proposed solution: 10% 2. Supplier capability, capacity and implementation: 35% 3. Functional and non-functional requirements: 30% 4. Value for money: 25%
Due diligence (if any)	<ol style="list-style-type: none"> 1. Referee checks 2. Interviews 3. Presentations

12. Key milestones for procurement	
Approach market by:	21 April 2021
Submissions closing date:	2pm, 05 May 2021
Supplier selected by:	31 st May 2021
Contract commencement by:	5 th July 2021

13. Staff involved	
Procurement Project Team, voting members	Annabel Chappell (Business Owner and Chair) Evaleigh Rautjoki-Williams (Technology Lead) Garry Christoffersen (Project Manager) Glen Clarkin (Data and Reporting) Andy Dixon (SME – Rates Setting and Finance)

13. Staff involved	
Procurement Project Team	Megan Gilbert (Senior Business Analyst)
Non-voting members	Jayne Barnes (Financial analyst)
	Emma Purnell (Business Analyst)
	Julie Gilligan (Business Analyst)
	Sumit Chopra (Security and Infrastructure Team Lead)
	Henk Verhoeven (External Advisor - Enterprise Architect)
	Lynda Frew (Legal Advisor)
	Probity auditor (Steven Slack)

14. Commentary	
Summary of risks (if any)	<p>Key risks:</p> <ol style="list-style-type: none"> TLA data: Poor quality DVR data leading to incorrect ratepayer and property information resulting in returned mail, poor customer experience and an inability to collect potentially a large proportion of the rates Project Delivery Time: Project timeframe is not able to be achieved and TLAs need to collect Regional Council rates for another year, resulting in missed opportunities for better control, equity across the region, increased public awareness of Council activities and efficiencies Legal compliance: Failure to comply with rating legislation both during transition and/or post-transition of in-house rates collection resulting in loss of rates revenue and reputational damage if rates and/or collection methods are invalidated through being unlawful. Customer experience: Inadequate customer service resourcing and payment methods resulting in a poor experience for our customers. IT System: Reduced ability to calculate and collect rates if the IT system is not ready / not working / not appropriate, and a consequential impact on ability to collect rates, apply penalties and debt collection processes Postponement and Remission Policies: If we adopt a remissions policy either now or into the future, and the system can't implement it, this could cause legal issues and an inability to apply the remission Skilled Resources: Due to a hard recruitment market, inability to recruit skilled staff for the new rates collection team, resulting in potential legal compliance issues and an ineffective rates collection service
Issues or complexities (if any)	N/A
Further comments (if any)	<p>The timeframe for the solution implementation is extremely tight. The following pre-conditions (3 of 6) will be put into the RFP to assist in getting the correct supplier and minimise the time between identification of the selected supplier and work on the project starting:</p> <ol style="list-style-type: none"> The Proposal stipulates that the proposed solution has been implemented with at least two Territorial Local Authorities (preferably with at least one Regional Council) in New Zealand and is currently in "production" use. The person(s) signing the Respondent's Declaration has agreed in the Respondent's Declaration (Contract Negotiations) that he/she believes (acting reasonably) that the Respondent can complete contract negotiations and sign the Contract no later than 5 July 2021 so that work can commence by this date. The Respondent has addressed all "Must have" and "Should have" MoSCoW Compliance fields of Section 2B (Functional Requirements)

15. Procurement process approvals	
Invitation is fit for release	Contract Manager
Selection / shortlisting recommendation is approved	Staff member with Delegated Financial Authority
Draft contract is appropriate	Contract Manager
Award of contract (offer acceptance)	Staff member with Delegated Financial Authority

16. Probity

Probity in this procurement will be managed by:

- acting fairly, impartially and with integrity, acting lawfully, and being accountable and transparent.
- ensuring compliance with the Council's code of conduct is complied with.
- ensuring that financial authority for the procurement is approved before proceeding to tender.
- identifying and effectively managing all conflicts of interest.
- protecting the supplier's commercially sensitive and confidential information.
- offering each supplier a comprehensive debrief at the end of the tender process.

17. Procurement Plan (this document) endorsements and approvals

Description	Name / Position	Signature	Date
Prepared:	Garry Christoffersen		06/05/2021
Endorsed (if applicable):	Annabel Chappell		10/05/2021
Approved: (Delegated Financial Authority):	Fiona McTavish		To be approved following the 20 May 2021 Council meeting

Attachments

1. Conflict of Interest Declarations (all Procurement Project Team members)
2. Proposed solution context diagram



Report To: Regional Council

Meeting Date: 20 May 2021

Report Writer: Yvonne Tatton, Governance Manager

Report Authoriser: Mat Taylor, General Manager, Corporate

Purpose: To appoint a Councillor representative to the Operations Group.

Eastern BOP Road Safety Operations Group Appointment

Executive Summary

At the end of the previous triennium, the Eastern Bay of Plenty Road Safety Committee (EBRSC) agreed the need for a review of the Committee's Term of Reference and functions, to ensure a high level of engagement, and effective and efficient activity for the future.

As a result of that review, a recommendation has been received to disestablish the EBRSC and to strengthen the existing joint Operations Group, so that it may give effect to the national 'Road to Zero 2020-2030' strategy.

Terms of Reference for the Operations Group have been developed to include Waka Kotahi's expectation of an oversight group for the Road Safety Programme it funds an overview.

The Terms of Reference identify a governance/operations membership structure which provides an opportunity for Council to appoint an Elected Member as its representative on the Operations Group.

Recommendations

That the Regional Council:

- 1 Receives the report, Eastern BOP Road Safety Operations Group Appointment.**
- 2 Agrees to disestablish the Eastern Bay of Plenty Road Safety Committee.**
- 3 Notes the Eastern Bay of Plenty Road Safety Operations Group's Terms of Reference.**
- 4 Appoints Cr _____ as its representative to the Eastern Bay of Plenty of Plenty Road Safety Operations Group.**

1. Introduction

Road Safety is a priority area for the Eastern Bay and ensuring an effective Road Safety Programme is essential for the wellbeing of the community. The EBRSC was established to provide strategic direction, oversight and leadership to ensure Eastern Bay roads are increasingly free of death and serious injury. It was a Joint Committee of the four Councils in the Eastern Bay of Plenty region (Whakatāne, Ōpōtiki, Kawerau District Councils and the Bay of Plenty Regional Council).

A review of the Committee's Terms of Reference, led by Whakatāne District Council, resulted in a recommendation from the Eastern Bay Road Safety Committee to disestablish the Governance Joint Committee, as having both an Operations Group and a Governance Group was ineffective.

The review recommended strengthening the existing Joint Operations Group, which includes other key agency operational personnel, so that it may continue to give effect to the national 'Road to Zero 2020-2030' strategy.

1.1 Alignment with Strategic Framework

A Vibrant Region	We lead regional transport strategy and system planning, working with others to deliver a safe and reliable public transport system.
The Way We Work	We look to partnerships for best outcomes.

1.1.1 Community Well-beings Assessment

Dominant Well-Beings Affected			
<input type="checkbox"/> Environmental	<input checked="" type="checkbox"/> Cultural	<input checked="" type="checkbox"/> Social	<input type="checkbox"/> Economic

2. Terms of Reference

- Terms of Reference have been developed for the Operations Group which clarify the Group's purpose, role and scope, membership and relationship with the Regional Transport Committee.

The recommendations follow separate reviews in other parts of the region resulting in a combined governance/staff operational group in Rotorua and a staff operational group in the Western Bay of Plenty.

The Eastern Bay Operations Group's Terms of Reference identify both Elected Members and operational personnel as members of the Operations Group, which follows the Rotorua model. The Western Bay's Operations Group's membership consists solely of operational staff who report to their respective councils and the Regional Transport Committee.

The Operations Group is operational and is not a statutory committee of Council therefore Standing Orders do not apply.

4. Considerations

4.1 Risks and Mitigations

In not establishing the Operations Group the benefits of an improved, effective, collaborative road safety programme would not be realised. Support from Waka Kotahi may also be at risk and Eastern Bay road safety links with the Regional Transport Committee would be weakened.

4.2 Climate Change

Mitigation			Adaptation	
Reduce GHG emissions	Produce GHG emissions	Sequester carbon	Anticipate climate change impacts	Respond to climate change impacts
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

4.3 Implications for Māori

The matters regarding road safety for Māori are taken into consideration by the Operations Group.

4.4 Community Engagement

The establishment of an Eastern Bay Road Safety Operations Group is an administrative matter only.

4.5 Financial Implications

There are no financial implications for the Council in regards to the Operations Group. This Group is administered by Whakatāne District Council.

5. Next Steps

Once agreement has been reached between the partner councils and agencies a meeting of the Operations Group will be called.

Attachments

Attachment 1 - TERMS OF REFERENCE Eastern BOP Road Safety Operations Group 2021 [↓](#)

TERMS OF REFERENCE FOR THE EASTERN BAY OF PLENTY ROAD SAFETY OPERATIONS GROUP

1. PURPOSE

- To provide oversight, strategic leadership and pragmatic solutions to ensure that Eastern Bay of Plenty roads are increasingly free of death and serious injury.
- To give effect to the national 'Road to Zero 2020-2030' strategy.

The Eastern Bay of Plenty Operational Road Safety Group ('the Group') is a collaborative and inter-organisational forum and response to contribute to and plan the co-ordinated delivery of road safety in the area.

2. SCOPE

- All local roads and State Highways in the Eastern Bay of Plenty region.
- All road safety matters including education and promotion, and those that influence and impact enforcement, engineering and improvement.
- Co-ordination with broader regional and national strategies.
- Budget parameters are identified and agreed through the Annual and Long Term Plans for each Council.

3. GROUP TYPE

The Group is a high level staff-led operational group with elected member representation. It is not a governance committee and therefore its structure is not subject to legislation protocol.

4. MEMBERSHIP

The Group shall comprise of at least the following member organisations:

- ACC
- NZ Police
- Waka Kotahi (NZ Transport Agency)
- Whakatāne District Council (staff)
- Ōpōtiki District Council (staff)
- Kawerau District Council (staff)
- Bay of Plenty Regional Council (staff)

Elected-member representation:

- One elected member from each of Bay of Plenty Regional Council, Kawerau District Council, Ōpōtiki District Council, Whakatāne District Council.
- Eastern Bay of Plenty Road Safety Co-ordinator
- The group can also include the Eastern Bay of Plenty Road Safety Co-ordinator.

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Membership application:

- Requests for additional membership shall be in writing and will be considered at the next scheduled Group meeting.
- Members shall be organisational only.
- Criteria for membership includes:
 - General:
 - A vested interest (financial or logistic support) in road safety in the Eastern Bay of Plenty;
 - Commitment to attend and contribute to regular meetings and activities;
 - Commitment to advocate for, support and action community engagement and education of road safety throughout the Eastern Bay of Plenty;
 - Additional members may be co-opted for specific tasks or assignments and for finite periods of time, although shall have no voting rights.
 - To perform their role effectively, each Committee member must develop and maintain his or her skills and knowledge, including an understanding of the group's responsibilities.
 - While it is recognised that each member brings a particular perspective, members are expected to contribute to discussion and act in the best interests of road safety and all people of the Eastern Bay of Plenty.

5. TERMS OF APPOINTMENT

- Each member organisation shall be appointed for a three-year term which shall be reviewed at the beginning of each new triennium (the triennium is to align with LTP/RLTP/NLTP timeframes).
- Each member organisation shall appoint up to 2 representatives to the group, confirmed annually at the beginning of each calendar year. These representatives shall be appointed on the basis of interest, position and skills.
- One elected member will be appointed as the representative to the group by the Mayor or Chief Executive of each of the four Councils, at the beginning of each triennium.

6. CHAIRPERSON AND DEPUTY CHAIRPERSON

- The Chair and Deputy Chair shall be appointed annually at the first meeting of the calendar year.
- The Chair and the Deputy Chair must be from different member Councils.
- The Deputy Chair acts for the Chair if the latter is unable to fulfil their position.
- Elected members are eligible for appointment to Chair or Deputy Chair positions.
- The Chair shall provide leadership, be responsible for chairing meetings and follow up of actions, set agendas, act as key contact for all Councils and the Regional Transport Committee, ensure that the Group acts within its responsibilities, and that required information is disseminated to all appropriate parties.

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7. ROLE OF ELECTED MEMBERS

- Elected members provide a link to each represented governance body and to the community.
- The elected member shall provide updates to their governing bodies and through each Council's agreed channels, and ensure the Mayors are kept informed on key issues of local road safety prior to attendance at Regional Transport Committee meetings.
- No alternate elected member representation is required.

8. MEETING FREQUENCY

- Bi-monthly.
- Additional meetings may be convened as necessary.

9. QUORUM

- Four member organisations – in person or on video call.
- Two of these must be Council organisations.
- Elected members are not included in the required quorum to enable a meeting to be held.

10. MEETING ARRANGEMENTS

- Meetings will be held at times and locations set out in an annual schedule agreed by the Group before the beginning of each calendar year.
- Meeting locations will be shared around the Eastern Bay cluster (Kawerau, Ōpōtiki, Whakatāne).
- Video meetings may be held by agreement if best suited for particular discussion and decision.
- In-person attendance at meetings is the expectation, however, if necessary and agreed with the Chair in advance members may attend by video call.
- Additional workshops or seminars may be held as necessary to assist in fulfilling an action.
- Sub-groups/task forces/steering groups may be established as required for a particular purpose and for a defined period of time to assist in fulfilling a task. Such groups should have clear Terms of Reference established.

11. MEETING PROCEDURE

- External speakers and presenters, including community members and stakeholders, with a specific interest or concern on road safety, may be invited to share at a meeting and contribute to particular discussion points.
- Additional organisational staff may be required or invited to attend and participate in Group meetings as necessary.
- Decisions are by agreement of 75% of those individuals present in person or on video call.

12. ADMINISTRATION

- Whakatāne District Council will take responsibility for administration aspects of the Group in conjunction with the Chair. This includes but is not limited to agenda preparation, minutes, meeting logistics and group communication.
- The intention is that agendas and reports will be distributed a week prior to the agreed meeting date.
- Whakatāne District Council has the responsibility to appoint the Road Safety Co-ordinator for the Eastern Bay of Plenty cluster after consultation with other funding Councils.

13. RELATIONSHIPS

- Collaborative relationships should be developed with any organisation or community group that has a vested interest in road safety in the Eastern Bay of Plenty. This may include but is not limited to District Community Boards, Iwi, schools, the District Health Board, AA, and the Regional Transport Association.
- The Group may hold events, information sessions or any other activity necessary in order to engage and consult with the community and form recommendations for decisions.

14. RESPONSIBILITIES AND FUNCTIONS

- Encourage full participation of each Group member.
- Contribute to the development of the triennial Road Safety Action Plan for submission to Waka Kotahi.
- Support the implementation of the Road Safety Action Plan.
- Agree any potential funding applications to appropriate organisations that will support road safety priorities in the Eastern Bay.
- Engage communities, including District Community Boards, across the Eastern Bay of Plenty on specific priorities, key trends and emerging issues of road safety.
- Encourage, contribute to and support local, regional and national road safety programmes and initiatives.
- Provide leadership in the development and review of road safety plans, strategies and policies for recommendation to each Council of the Eastern Bay.
- Consider matters referred to the Group by the Chief Executives or the senior management of the Councils, the partner organisations or the Regional Transport Committee.
- Remain responsive to the possibilities and opportunities for collaboration to support road safety initiatives and priorities.
- Raise the profile of road safety initiatives within member organisations and the wider community.
- Support community-led road safety initiatives if they can be demonstrated to contribute to Eastern Bay road safety objectives.
- Report strategic activity to the Regional Transport Committee and ensure each partner Council and organisation are aware of key matters.

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15. ACCOUNTABILITY AND REPORTING

- Each member organisation shall determine the department within its own organisational structure, through which this Group reports.
- The Group will ordinarily provide a quarterly written report to the Regional Transport Committee, focused on strategic matters and in line with the latter's delegation to 'monitor and provide advocacy on regional road safety matters'. A report is not required to be furnished if there are no strategic matters to be raised.
- The Group may present in-person to the Regional Transport Committee as appropriate to an issue and/or if requested.
- The Group should update and report on progress of activity at least quarterly to each Council (full Council or applicable Council Committee) through appropriate senior manager reports and as applicable to other member organisations.

16. AUTHORITY

The Group has been agreed to under the authority and mandate from the Kawerau, Ōpōtiki and Whakatāne District Councils and the Bay of Plenty Regional Council.

17. REVIEW

These Terms of Reference will be fully reviewed by the Operations Group and confirmed by the Executive leadership of each Council at the commencement of every triennium.

Minor alterations to the Terms of Reference or changes that are immediately required to further critical plans, may be amended at any time with the written agreement of the Operations Group.