

Minutes of the Extraordinary Council Meeting held in Mauao Rooms, Bay of Plenty Regional Council Building, 87 First Avenue, Tauranga on Thursday, 18 May 2017 commencing at 1:49 pm.

Present:

Chairman: D Leeder

Deputy Chairman: J Nees

Councillors: N Bruning, W Clark, S Crosby, A von Dadelszen D Love, T Marr, M McDonald, P Thompson, K Winters; Attendance in part: J Cronin

In Attendance: M Macleod (Chief Executive), M Taylor (General Manager Corporate Performance), C Ingle (General Manager Integrated Catchments), E Grogan (General Manager Regulatory Services), S Hey (Manager Chief Executive's Office), Y Tatton (Interim Governance Manager), D Lewell (Legal Advisor), S Craig (Communications Manager), S Kameta (Committee Advisor); Attendance in part: Hon Sir M Cullen (Guest Presenter)

Apologies: A Tahana, L Thurston (leave of absence), J Cronin (for lateness)

1 Apologies

Resolved

That the Regional Council:

- 1 Accepts the apologies of Councillor Thurston, Councillor Tahana and apology for lateness from Councillor Cronin tendered at the meeting.

Leeder/Nees
CARRIED

2 General Business and Tabled Items

Nil.

3 Declaration of conflicts of interest

Councillor Clark noted a potential perceived conflict of interest regarding agenda items 5.2 and 6.1.

Change to order of business

With the leave of Council, the Chairman advised that Public Excluded Item 6.1 would be considered next on the agenda, before agenda item 5.1.

4 Public Excluded Section

Resolution to exclude the public

THAT the public be excluded from the following parts of the proceedings of this meeting.

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:

General Subject of Matter to be Considered	Reason for passing this resolution in relation to this matter	Grounds under Section 48(1) LGOIMA 1987 for passing this resolution
6.1 Rangitaiki River Scheme Review – April 2017 Flood Event	To protect the privacy of natural persons, including that of deceased natural persons.	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

Leeder/Winters
CARRIED

5 Reports

5.1 Weather Report for ex-Cyclone Debbie and Cyclone Cook

Refer PowerPoint Presentation Objective ID A2614847.

Engineering Manager Mark Townsend presented the report summarising the hydro-meteorological aspects of ex-cyclone Debbie flood event and the transient passing of Cyclone Cook across the region on 13 April 2017. A typographical error was noted within the first table on page 20 of the report. The 'Prior Highest Peak Date' for Otara at Browns Bridge should read 4-Oct-2003 instead of 4-Oct-2017.

Attendance

Councillor Cronin entered the meeting at 2:06 pm.

Clarification was provided on data collection sites, river flows, rainfall levels and tidal influences.

Resolved

That the Regional Council:

- 1 Receives the report, Weather Report for ex-Cyclone Debbie and Cyclone Cook.

Thompson/von Dadelszen
CARRIED

5.2 **Rates Postponement and Remission in Relation to April 2017 Eastern Bay of Plenty Flood Event**

The report recommended that Council apply rates postponements and remissions for Regional Council rates, to align with Whakatāne District Council's policy, as adopted by Whakatāne District Council (WDC) on 4 May 2017.

Clarification was provided on estimated number of houses, eligibility criteria and legality and risks of proceeding outside the policy. It was noted that the period for claims would be time limited and that aligning with WDC's policy provided administrative efficiencies. Advice was provided that targeted rates would be funded from Council's rates appropriation account, with any further implications reported back to Council.

Resolved

That the Regional Council:

- 1 Receives the report, Rates Postponement and Remission in Relation to April 2017 Eastern Bay of Plenty Flood Event;**
- 2 Notes the action taken by Whakatāne District Council to approve the application of an amended rates postponement and remissions policy to all properties deemed uninhabitable as a result of the April 2017 Eastern Bay of Plenty flood event;**
- 3 Approves that the Whakatāne District Council 'Rates Remission and Postponement for a Rating Unit Affected by a Natural Hazard Policy' be applied to all Bay of Plenty Regional Council rates on properties that are uninhabitable as a result of the April 2017 Eastern Bay of Plenty flood event;**
- 4 Notes that the proposed recommendation of applying Whakatāne District Council's additional rates remissions and postponements exceeds the eligibility criteria of the Policy by making these available to non-resident ratepayers and commercial ratepayers;**
- 5 Notes that the recommendations of this report propose an inconsistent decision as provided for under section 80 of the Local Government Act 2002, and that this report and appendix documents the related considerations.**

Love/Thompson
CARRIED

6 **Public Excluded Section**

Resolution to exclude the public

THAT the public be excluded from the following parts of the proceedings of this meeting.

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General Subject of Matter to be Considered	Reason for passing this resolution in relation to this matter	Grounds under Section 48(1) LGOIMA 1987 for passing this resolution
6.1 Rangitaiki River Scheme Review – April 2017 Flood Event	To protect the privacy of natural persons, including that of deceased natural persons.	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.
4.2 Rangitāiki River Stopbank Replacement at Edgecumbe	To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

Leeder/von Dadelszen
CARRIED

7 Restatement in open meeting

7.1 Rangitāiki River Scheme Review – April 2017 Flood Event

Resolved

That the Regional Council:

- 8 Restates in the open section of this meeting that the Terms of Reference for the Rangitāiki River Scheme Review (April 2017 flood event) will be made available publicly in the week commencing 22 May 2017 following a public announcement.

Thompson/Winters
CARRIED

The meeting closed at 3:38 pm.

Confirmed

Chairman Bay of Plenty Regional Council

Date