

Minutes of the Regional Council Meeting held in Council Meeting Room One, Bay of Plenty Regional Council, 5 Quay Street, Whakatāne on Thursday, 29 June 2017 commencing at 9.30 a.m.

Present:

Chairman: D Leeder

Deputy Chairman: J Nees

Councillors: J Cronin, T Marr, L Thurston, D Love, N Bruning, A Tahana, W Clark, S Crosby, K Winters, A von Dadelszen, M McDonald; P Thompson (via Video Conference, Tauranga)

In Attendance: M Macleod (Chief Executive), C Ingle (General Manager Integrated Catchments), M Taylor (General Manager Corporate Performance), E Grogan (General Manager Regulatory Services), J Graham (General Manager Corporate Solutions), D Phizacklea (Regional Integrated Planning Manager), D Hyland (Finance Manager), S Craig (Communications Manager), S Hey (Manager Chief Executive's Office), M Le Comte (Organisational Planning Manager), S Kameta (Committee Advisor)

Apologies: A Tahana (for lateness)

1 **Opening Karakia**

Councillor Marr.

2 **Apologies**

Resolved

That the Regional Council:

- 1 **Accepts the apology for lateness from Councillor Tahana tendered at the meeting.**

**Leeder/Thurston
CARRIED**

3 **General Business and Tabled Items**

The following items were raised for discussion under General Business:

- 1) Public Enquiry Complaints
- 2) Nitrogen Accounting Mechanism Memorandum of Understanding (MOU)

4 **Petition**

Refer Tabled Document Number 1.

Councillor Thurston presented a petition (refer Tabled Document Number 1) on behalf of Karen McKay and other petitioners wanting to save the school buses in Tauranga. Councillor Thurston advised the petition, dated 7 June 2017, acquired a total of 1,785 signatures.

Resolved

That the Regional Council under its delegated authority:

- 1 **Receives the Tauranga Bus petition dated 6 June 2017 presented by Councillor Thurston on behalf of Karen McKay.**

**Thurston/Nees
CARRIED**

5 **Public Forum**

Nil.

6 **Declaration of conflicts of interest**

No conflicts of interest were declared.

7 **Previous Minutes**

7.1 **Regional Council Minutes - 1 June 2017**

Resolved

That the Regional Council under its delegated authority:

- 1 **Confirms the Regional Council Meeting Minutes of 1 June 2017, as a true and correct record.**

**Leeder/Thurston
CARRIED**

8 **Statutory Committee Minutes**

8.1 **Te Maru o Kaituna River Authority Minutes - 16 May 2017**

Resolved

That the Regional Council under its delegated authority:

- 1 **Receives the Te Maru o Kaituna River Authority Meeting Minutes of 16 May 2017.**

**Nees/Winters
CARRIED**

8.2 **Civil Defence Emergency Management Group Joint Committee Minutes - 2 June 2017**

Matters Arising

Minute Item 4.2 (agenda page 35) – regarding the Bay of Plenty Civil Defence Emergency Management Group funding model, it was clarified that cost implications for the activity would be considered as part of the Long Term Plan process.

Resolved

That the Regional Council under its delegated authority:

- 1 Receives the Civil Defence Emergency Management Group Joint Committee Meeting Minutes of 2 June 2017.**

**Love/Nees
CARRIED**

Attendance

Councillor Tahana entered the meeting at 9.41am.

9 **Chairman's Report**

Council was updated on the Chairman's activities, upcoming events and items of interest.

Concern was raised on the future direction of transport in Tauranga and the Western Bay and the need for the SmartGrowth Leadership Group to facilitate discussions to enable key infrastructure and planning.

Attendance

Councillor Love exited the meeting at 9.53 am.

Resolved

That the Regional Council:

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

**Leeder/von Dadelszen
CARRIED**

10 **Chief Executive's Reports**

10.1 **Adoption of the Resource Management Act and Building Act Charges Policy 2017/2018**

The report sought the adoption of the final Resource Management Act and Building Act Charges Policy (Charges Policy), following Council Deliberations held on 19 May 2017.

Attendance

Councillor Love re-entered the meeting 10.05 am.

Explanation was provided regarding the different legislative requirements for fees and charges, which were shown as being inclusive of GST within the Charges Policy and differed to Annual Plan figures and rate settings, which were exclusive of GST.

Resolved

That the Regional Council:

- 1 Receives the report, Adoption of the Resource Management Act and Building Act Charges Policy 2017/2018;**
- 2 Notes that the Council has followed the Local Government Act 2002 special consultation procedure in preparing and consulting on the Resource Management Act and Building Act Charges Policy 2017/2018.**
- 3 Adopts the Resource Management Act and Building Act Charges Policy 2017/2018, to come into effect on 1 July 2017.**
- 4 Confirms that the decision has a low level of significance.**

**Crosby/Bruning
CARRIED**

10.2 Adoption of the Annual Plan 2017/18

The report sought the adoption of the Annual Plan and Annual Plan Summary Document.

Clarification was provided on the following queries:

- A report regarding further resource to manage and prioritise additional work would be provided to the Regional Direction and Delivery Committee.
- Renegotiation of Quayside's 2017/18 three-year forecast would be provided within the 2018/19 Statement of Intent.

Council agreed for minor editorial amendments to be made to the Annual Plan, to include a footnote for tables with rates figures to denote figures were exclusive of GST. Staff confirmed the amendments could be made and clarified in communications to the public.

Resolved

That the Regional Council:

- 1 Receives the report, Adoption of the Annual Plan 2017/18;**
- 2 Notes that Council has followed the Local Government Act 2002 requirements in preparing the Annual Plan 2017/18 including appropriate disclosure and consultation based on the significance and materiality of decisions.**
- 3 Notes that the activities contained in the Annual Plan 2017/18 are consistent with the Council's assessment of existing work programmes and it is satisfied that they meet the current and future needs of communities for good-quality local infrastructure, local public services, and**

performance of regulatory functions, and that the cost-effectiveness of its programmes will be considered on an on-going basis.

- 4 Resolves that it is financially prudent for the Annual Plan 2017/18 to have an unbalanced budget pursuant to s100(2) of the Local Government Act 2002.
- 5 Adopts the Annual Plan 2017/18 to come into effect on 1 July 2017.
- 6 Delegates to the Chief Executive to make minor editorial changes to the Annual Plan 2017/18 before publishing for reasons of consistency or correction, including changes requested at the meeting.
- 7 Confirms that 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.

Love/Nees
CARRIED

10.3 **Setting of Rates 2017/18**

The report recommended the setting of rates and penalties for 2017/18 and for the respective rates collection delegations to the region's city and district councils.

Members were advised legal advice had been sought and received on accuracy of the recommendations to ensure their clarity and that they would withstand any scrutiny and challenge.

Resolved

That the Regional Council:

- 1 Receives the report, **Setting of Rates 2017/18**;
- 2 Confirms that the rates for the financial year 1 July 2017 to 30 June 2018 are set and assessed in accordance with the Local Government (Rating) Act 2002.
- 3 Confirms that the significance of the decision has been assessed as **MEDIUM**, and under Section 79 of the Local Government Act 2002 (LGA) confirms the written record of the manner in which section 77 and section 78 matters have been addressed.
- 4 Notes that, as required by the Local Government Act 2002, Council followed the special consultative procedure on the funding impact statement that was part of the Long Term Plan 2015-2025 process. In terms of section 95 of the Local Government Act 2002, the Council decided in February 2017 to not consult on the rates for the 2017/18 year because no significant or material changes were being made to the funding impact statement for 2017/18 compared to the funding impact statement in the Long Term Plan 2015-2025.

- 5 Confirms that the amounts of the rate specified in the rate tables of the resolution, for the financial year commencing 1 July 2017 to 30 June 2018, includes the Council's Goods and Services Tax component.
- 6 Sets a general rate based on land value, calculated as a rate in the dollar of the rateable land value of each rateable rating unit in the region. The rate in the dollar is different according to the location of the land within each district and city council as land values are equalised.

| General Rates Land Value | \$14,215,112 |
|--------------------------|--|
| Constituent Authority | Rates expressed as cents per dollar of rateable land value |
| Kawerau | 0.050554 |
| Opotiki | 0.032220 |
| Rotorua (Pt) | 0.036860 |
| Taupo (Pt) | 0.032220 |
| Tauranga | 0.042144 |
| Western Bay of Plenty | 0.032220 |
| Whakatane | 0.032220 |
| Offshore Islands | 0.136099 |

- 7 Sets a uniform annual general charge as a fixed amount per rating unit on all rateable land in the region.

| Uniform Annual General Charge | \$12,416,052 |
|-------------------------------|--------------|
| Fixed amount per rating unit | \$99.05 |

- 8 Sets targeted rates for Kaituna Catchment Control Scheme. These rates are set differentially for all rateable land situated in the Kaituna Catchment Control Scheme within the Tauranga, Western Bay of Plenty and Rotorua constituent districts.

The two targeted rates are set as follows;

- (i) Where the land is situated and calculated using the area of land within the rating unit,
(ii) Where the land is situated and calculated using the extent of provision of service to the rating unit.

Kaituna Catchment Control Scheme targeted rates

| Category | Rate per hectare \$ | Site component \$ | Revenue sought \$ |
|----------|---------------------|-------------------|-------------------|
| A1P | 208.12 | 208.12 | 427,503 |
| A2P | 166.50 | 187.31 | 26,297 |
| A3P | 124.87 | 166.50 | 21,188 |
| A4P | 83.25 | 145.68 | 22,762 |
| A1 | 166.50 | 156.09 | 104,015 |
| A2 | 135.28 | 135.28 | 48,433 |
| A3 | 104.06 | 135.28 | 48,764 |
| A4 | 72.84 | 135.28 | 28,151 |

| | | | |
|--------------|-------|--------|------------------|
| A5 | 62.44 | 135.28 | 48,437 |
| A6 | 52.03 | 114.47 | 19,874 |
| A7 | 37.46 | 104.06 | 20,604 |
| A8 | 24.97 | 0.00 | 2,760 |
| A9 | 8.32 | 0.00 | 719 |
| A10 | 4.16 | 0.00 | 802 |
| A11 | 2.08 | 0.00 | 440 |
| B1 | 24.97 | 62.44 | 21,556 |
| B2 | 18.73 | 52.03 | 6,876 |
| B3 | 10.41 | 41.62 | 19,249 |
| B4 | 6.24 | 31.22 | 32,165 |
| B5 | 4.16 | 31.22 | 33,819 |
| C1 | 6.24 | 31.22 | 6,271 |
| C2 | 3.64 | 31.22 | 102,824 |
| C3 | 2.50 | 31.22 | 29,668 |
| C4 | 2.08 | 0.00 | 4,353 |
| C6R | 1.25 | 0.00 | 1,337 |
| C8 | 0.83 | 20.81 | 6,544 |
| C5 | 2.50 | 20.81 | 105,328 |
| C6 | 1.46 | 16.65 | 16,222 |
| C7 | 0.83 | 62.44 | 2,204 |
| C9 | 0.62 | 16.65 | 4,182 |
| R01 | 41.62 | 83.25 | 20,856 |
| R02 | 0.00 | 62.44 | 65,219 |
| R03 | 31.22 | 26.01 | 626,129 |
| TP1 | 20.81 | 31.22 | 90,816 |
| Total | | | 2,016,367 |

- 9 Sets a targeted rate for the Rangitaiki-Tarawera River Scheme. The rate is set differentially for all rateable land situated in the Rangitaiki-Tarawera Rivers Scheme catchment within the Whakatane, Kawerau, Rotorua and Taupo constituent districts.**

The targeted rate is set as follows;

- (i) Where the land is situated and calculated using the area of land within the rating unit.**

Rangitaiki-Tarawera Rivers Scheme targeted rate

| Category | Rate per hectare \$ | Revenue sought \$ |
|----------|------------------------|----------------------|
| A1 | 112.42 | 906,845 |
| A2 | 79.63 | 124,946 |
| A3 | 60.90 | 112,223 |
| A4 | 46.84 | 52,678 |
| A5 | 39.82 | 274,840 |
| A6 | 14.05 | 2,273 |
| B1 | 70.26 | 149,001 |
| B2 | 56.21 | 27,283 |
| B3 | 42.16 | 29,917 |
| B4 | 32.79 | 281,439 |
| B5 | 23.42 | 37,544 |
| B6 | 8.43 | 312 |
| B7 | 6.56 | 1,178 |

| | | |
|--------------|----------|------------------|
| C1 | 6.09 | 50,506 |
| C2 | 4.22 | 217,316 |
| C3 | 1.41 | 133,384 |
| C4 | 0.94 | 58,739 |
| C5 | 0.70 | 15,295 |
| U1 | 3,583.50 | 143,358 |
| U2 | 3,372.70 | 193,449 |
| U3 | 608.96 | 15,278 |
| U4 | 398.17 | 310,419 |
| U5 | 281.06 | 28,625 |
| Total | | 3,166,848 |

- 10 Sets a targeted rate for Whakatane-Tauranga Rivers Scheme. These rates are set differentially for all rateable land situated in the Whakatane-Tauranga Rivers Scheme catchment within the Whakatane constituent district.

The two targeted rates are set as follows;

- (i) Where the land is situated and calculated using the area of land within the rating unit,
- (ii) Where the land is situated and calculated using the extent of provision of service to the rating unit.

Whakatane-Tauranga Rivers Scheme targeted rates

| Category | Rate per hectare \$ | Site component \$ | Revenue sought \$ |
|--------------|---------------------|-------------------|-------------------|
| A1 | 144.77 | 144.77 | 108,972 |
| A2 | 122.50 | 122.50 | 48,765 |
| A3 | 100.22 | 105.79 | 158,721 |
| A4 | 83.52 | 94.66 | 253,906 |
| A5 | 61.25 | 0.00 | 14,790 |
| A6 | 44.54 | 77.95 | 19,285 |
| A7 | 33.41 | 66.82 | 24,925 |
| A8 | 22.27 | 61.25 | 53,930 |
| A9 | 11.14 | 0.00 | 1,438 |
| B1 | 50.11 | 0.00 | 110,513 |
| B2 | 27.84 | 50.11 | 78,537 |
| B3 | 22.27 | 33.41 | 40,325 |
| B4 | 16.70 | 27.84 | 7,362 |
| B5 | 2.23 | 0.00 | 1,008 |
| C1 | 6.68 | 55.68 | 29,162 |
| C2 | 4.45 | 22.27 | 44,170 |
| C3 | 3.34 | 22.27 | 31,578 |
| C4 | 2.23 | 5.57 | 5,230 |
| C5 | 1.11 | 5.57 | 26,577 |
| U1 | 501.12 | 150.34 | 401,466 |
| U2 | 367.49 | 116.93 | 115,441 |
| U3 | 194.88 | 77.95 | 182,135 |
| U4 | 122.50 | 66.82 | 87,674 |
| U5 | 11.14 | 0.00 | 8 |
| Total | | | 1,845,918 |

- 11 Sets targeted rates for the Waioeka-Otara Rivers Scheme. The rates are set differentially for all rateable land situated in the Waioeka-Otara Rivers Scheme catchment within the Opotiki constituent district.**

The two targeted rates are set as follows;

- (i) Where the land is situated and calculated using the area of land within the rating unit,
(ii) Where the land is situated and calculated using the extent of provision of service to the rating unit.

Waioeka-Otara Rivers Scheme targeted rates

| Category | Rate per hectare \$ | Site component \$ | Revenue sought \$ |
|--------------|------------------------|----------------------|----------------------|
| A1A | 298.76 | 344.72 | 17,773 |
| A2 | 160.87 | 252.80 | 21,913 |
| A2A | 229.82 | 287.27 | 10,384 |
| A3 | 137.89 | 206.83 | 104,047 |
| A3A | 183.85 | 252.80 | 5,279 |
| A4 | 114.91 | 160.87 | 61,988 |
| A4A | 149.38 | 206.83 | 3,478 |
| A5 | 103.42 | 160.87 | 47,574 |
| A6 | 80.44 | 160.87 | 732 |
| A7 | 68.94 | 160.87 | 8,308 |
| A8 | 57.45 | 160.87 | 74,849 |
| B1 | 45.96 | 0.00 | 12,395 |
| B2 | 6.89 | 0.00 | 117 |
| C1 | 11.49 | 137.89 | 33,870 |
| C2 | 6.89 | 137.89 | 11,572 |
| C3 | 4.60 | 114.91 | 11,310 |
| C4 | 3.45 | 45.96 | 16,369 |
| C5 | 2.30 | 45.96 | 2,551 |
| C6 | 0.92 | 45.96 | 8,241 |
| R | 2.30 | 0.00 | 218 |
| U1A C | 1,378.89 | 1,011.19 | 38,467 |
| U1AR | 689.45 | 505.59 | 57,602 |
| U1C | 1,103.12 | 827.34 | 124,138 |
| U1R | 551.56 | 413.67 | 347,721 |
| U2AC | 1,011.19 | 735.41 | 13,469 |
| U2AR | 505.59 | 367.71 | 42,098 |
| U2C | 735.41 | 643.48 | 8,327 |
| U2R | 367.71 | 321.74 | 99,173 |
| U3R | 91.93 | 183.85 | 76,079 |
| Total | | | 1,260,042 |

- 12 Sets a targeted rate for the Rangitaiki Drainage Rating Area. The rate is set differentially for all rateable land situated in the defined Rangitaiki Drainage Rating Area situated on the Rangitaiki Plains within the Whakatane constituent district.**

The targeted rate is set as follows;

- (i) Where the land is situated and calculated using the area of land within the rating unit.

Rangitaiki Drainage targeted rates

| Category | Rate per hectare \$ | Revenue sought \$ |
|--------------|---------------------|-------------------|
| A | 50.03 | 387,764 |
| B | 45.03 | 50,015 |
| C | 42.02 | 60,631 |
| D | 36.52 | 223,553 |
| E | 30.02 | 79,749 |
| F | 22.51 | 55,570 |
| G | 17.01 | 63,432 |
| H | 12.51 | 1,395 |
| I | 6.00 | 4,397 |
| U1 | 100.06 | 35,578 |
| U2 | 50.03 | 3,145 |
| Total | | 965,229 |

- 13 Sets a targeted rate for passenger transport. The rate is set differentially as an amount per rating unit on all rateable properties within the defined boundaries of Tauranga City and Urban Rotorua.

The passenger transport targeted rate is set as follows;

- (i) Where the rateable unit is situated.

| Passenger Transport targeted rate | | |
|-----------------------------------|-------------------------|-------------------|
| Category | Rate per rating unit \$ | Revenue sought \$ |
| Tauranga City | 62.05 | 3,396,277 |
| Rotorua Urban | 34.55 | 758,047 |
| Total | | 4,154,324 |

- 14 Sets a targeted rate for the Rotorua Lakes Programme. The rate is set differentially as an amount per rating unit on all rateable properties within the Rotorua constituent district.

The Rotorua Lakes programme targeted rate is set as follows;

- (i) Area of land within the rating unit.

| Rotorua Lakes Programme targeted rate | | |
|---------------------------------------|-------------------------|-------------------|
| Category - All Properties | Rate per rating unit \$ | Revenue sought \$ |
| 0 - 1.9999ha | 111.64 | 2,822,288 |
| 2 - 9.9999ha | 238.17 | 165,765 |
| 10ha and over | 763.01 | 584,464 |
| Total | | 3,572,517 |

- 15 Sets a targeted rate for Rotorua Air Action Plan Implementation. The rate is set differentially as a fixed amount per rating unit on all rateable properties within the defined boundary of Urban Rotorua.

The Council sets the Rotorua Air Action Plan Implementation targeted rate as follows;

- (i) Where the rateable unit is situated.

| Rotorua Air Action Plan Implementation targeted rate | | |
|--|----------------------------|----------------------|
| Category | Rate per rating unit \$ | Revenue sought \$ |
| Rotorua Urban | 36.24 | 794,807 |

- 16 Sets a targeted rate for Rotorua Air Clean Heat Conversion. The rate is set differentially as an amount per rating unit within the defined boundary of Rotorua Airshed Area with liability to Council.

The Council sets the Rotorua Air Clean Heat Conversion Implementation targeted rate as follows;

- (i) Where the rateable unit is situated, and calculated based on the extent of loans provided by Council under the Clean Heat Conversion scheme.

| Rotorua Air Clean Heat Conversion targeted rate | | |
|---|------------|----------------------|
| Category | Rate \$ | Revenue sought \$ |
| CH001 | 680.00 | 23,120 |
| CH002 | 660.00 | 7,920 |
| CH003 | 640.00 | 12,160 |
| CH004 | 620.00 | 14,260 |
| CH005 | 600.00 | 5,400 |
| CH006 | 580.00 | 1,740 |
| CH007 | 560.00 | 7,280 |
| CH008 | 540.00 | 3,240 |
| CH009 | 520.00 | 1,560 |
| CH010 | 500.00 | 1,000 |
| CH1 | 460.00 | 165,140 |
| CH2 | 455.00 | 25,480 |
| CH3 | 450.00 | 18,450 |
| CH4 | 445.00 | 14,240 |
| CH5 | 440.00 | 25,080 |
| CH6 | 435.00 | 15,660 |
| CH7 | 430.00 | 25,370 |
| CH8 | 425.01 | 13,600 |
| CH9 | 420.00 | 8,400 |
| CH10 | 415.00 | 16,185 |
| CH11 | 410.00 | 11,070 |
| CH12 | 405.00 | 10,530 |
| CH13 | 400.00 | 8,400 |
| CH14 | 395.00 | 19,355 |
| CH15 | 390.00 | 17,940 |
| CH16 | 385.00 | 19,250 |
| CH17 | 379.99 | 5,700 |
| CH18 | 375.00 | 10,125 |
| CH19 | 370.00 | 11,840 |
| CH20 | 365.00 | 7,300 |
| CH21 | 360.00 | 6,120 |
| CH22 | 355.01 | 2,840 |

| | | |
|--------------|--------|----------------|
| CH23 | 350.00 | 5,250 |
| CH24 | 345.00 | 11,730 |
| CH25 | 340.00 | 4,080 |
| CH26 | 335.00 | 5,695 |
| CH27 | 330.00 | 9,570 |
| CH28 | 325.00 | 13,975 |
| CH29 | 320.00 | 4,160 |
| CH30 | 315.00 | 3,780 |
| CH31 | 310.01 | 2,480 |
| CH32 | 305.00 | 2,135 |
| CH33 | 300.00 | 5,700 |
| CH34 | 295.00 | 4,720 |
| CH35 | 290.00 | 2,610 |
| CH36 | 285.00 | 1,140 |
| CH37 | 280.00 | 2,240 |
| CH38 | 275.00 | 1,100 |
| CH39 | 270.00 | 540 |
| CH40 | 265.00 | 530 |
| CH41 | 260.00 | 520 |
| CH42 | 255.00 | 510 |
| CH43 | 250.00 | 1,250 |
| CH44 | 245.00 | 490 |
| CH45 | 240.01 | 480 |
| CH46 | 235.00 | 705 |
| CH47 | 230.00 | 230 |
| CH48 | 225.40 | 1,127 |
| Total | | 622,502 |

- 17 **Sets targeted rates for the minor rivers and drainage scheme rates. The rates are set differentially for all rateable land situated in the defined communal pumped drainage and defined minor river and drainage schemes areas.**

The Council sets one targeted rate for each scheme as follows;

- (i) **Where the land is situated and calculated using the area of land within the rating unit.**

Waiotahi River District targeted rates

| Category | Rate per hectare \$ | Revenue sought \$ |
|-----------------|--------------------------------|------------------------------|
| A | 42.37 | 4,602 |
| B | 33.90 | 5,512 |
| C | 25.42 | 4,860 |
| D | 14.12 | 718 |
| E | 8.47 | 643 |
| F | 4.24 | 800 |
| Total | | 17,135 |

Huntress Creek Drainage District targeted rates

| Category | Rate per hectare \$ | Revenue sought \$ |
|--------------|------------------------|----------------------|
| A | 19.45 | 4,098 |
| B | 14.91 | 1,183 |
| C | 9.73 | 706 |
| D | 6.48 | 346 |
| E | 4.54 | 149 |
| F | 1.95 | 649 |
| Total | | 7,131 |

Waiotahi Drainage District targeted rates

| Category | Rate per hectare \$ | Revenue sought \$ |
|--------------|------------------------|----------------------|
| A | 23.78 | 2,031 |
| B | 19.82 | 4,119 |
| C | 15.85 | 1,001 |
| D | 11.89 | 534 |
| E | 7.93 | 34 |
| F | 3.96 | 907 |
| Total | | 8,626 |

Omeheu West Communal Pumped Drainage Scheme targeted rate

| Category | Rate per hectare \$ | Revenue sought \$ |
|--------------|------------------------|----------------------|
| A | 30.91 | 1,081 |
| B | 27.48 | 467 |
| C | 6.87 | 292 |
| Total | | 1,840 |

Awaiti West Pumped Drainage Scheme targeted rate

| Category | Rate per hectare \$ | Revenue sought \$ |
|--------------|------------------------|----------------------|
| A | 283.33 | 3,570 |
| B | 130.33 | 19,184 |
| C | 56.67 | 11,183 |
| D | 28.33 | 1,368 |
| Total | | 35,305 |

Withy Communal Pumped Drainage Scheme targeted rates

| Category | Rate per hectare \$ | Revenue sought \$ |
|----------|------------------------|----------------------|
| A | 188.26 | 12,417 |

| | | |
|--------------|--------|---------------|
| B | 112.95 | 5,257 |
| C | 37.65 | 1,646 |
| Total | | 19,320 |

Omeheu Adjunct Communal Pumped Drainage Scheme targeted rates

| Category | Rate per hectare \$ | Revenue sought \$ |
|--------------|---------------------|-------------------|
| A | 43.16 | 444 |
| B | 32.37 | 2,594 |
| C | 23.74 | 1,322 |
| D | 12.95 | 1,131 |
| E | 6.47 | 351 |
| F | 2.16 | 51 |
| URBAN | 114.37 | 4,918 |
| Total | | 10,811 |

Lawrence Communal Pumped Drainage Scheme targeted rates

| Category | Rate per hectare \$ | Revenue sought \$ |
|--------------|---------------------|-------------------|
| A | 303.44 | 8,557 |
| B | 242.75 | 1,117 |
| C | 151.72 | 1,074 |
| D | 75.86 | 1,097 |
| Total | | 11,845 |

Murray's Communal Pumped Drainage Scheme targeted rates

| Category | Rate per hectare \$ | Revenue sought \$ |
|--------------|---------------------|-------------------|
| A | 73.84 | 11,267 |
| B | 53.17 | 875 |
| C | 47.26 | 2,265 |
| D | 20.68 | 1,119 |
| Total | | 15,526 |

- 18 Sets targeted rates uniformly for all rateable land situated in the defined drainage and defined minor river and drainage schemes areas.**

The rates are set as follows;

- (i) Where the land is situated and calculated using the land area of each scheme.**

Minor Drainage Schemes targeted uniform rates

| Category | Rate per hectare \$ | Revenue sought \$ |
|----------|---------------------|-------------------|
|----------|---------------------|-------------------|

| | | |
|--------------------|--------|----------------|
| Angle Road | 58.38 | 13,398 |
| Awakeri | 19.94 | 5,693 |
| Baird-Miller | 45.96 | 6,325 |
| Foubister | 31.78 | 3,335 |
| Gordon | 173.02 | 17,020 |
| Greigs Road | 45.77 | 32,660 |
| Hyland-Ballie | 86.39 | 20,355 |
| Riverslea Road | 224.44 | 6,900 |
| Kuhanui | 42.97 | 3,565 |
| Longview-Richlands | 47.62 | 5,520 |
| Luxton | 12.09 | 2,645 |
| Massey | 47.99 | 20,470 |
| Nicholas | 21.45 | 6,210 |
| Noord-Vierboon | 0.98 | 115 |
| Omeheu East | 92.15 | 38,640 |
| Reynolds | 16.98 | 2,185 |
| Robins Road | 83.06 | 15,525 |
| Thompson-Ernest | 30.09 | 16,330 |
| Travurzas | 24.97 | 4,945 |
| Poplar Lane | 32.72 | 1,840 |
| Awaiti East | 104.10 | 14,835 |
| Total | | 238,511 |

- 19 Sets the following instalment due dates for all rates other than the Minor River and Drainage Scheme rates as set out below. The due dates for each territorial constituent area are for an equal amount of the rates.

(i) The respective instalment due dates are as follows;

| Kawerau District | |
|---------------------------------------|-------------------|
| Instalment One | 25 August 2017 |
| Instalment Two | 24 November 2017 |
| Instalment Three | 23 February 2018 |
| Instalment Four | 25 May 2018 |
| Opotiki District | |
| Instalment One | 25 August 2017 |
| Instalment Two | 24 November 2017 |
| Instalment Three | 23 February 2018 |
| Instalment Four | 25 May 2018 |
| Rotorua District | |
| Instalment One | 20 August 2017 |
| Instalment Two | 20 November 2017 |
| Instalment Three | 20 February 2018 |
| Instalment Four | 20 May 2018 |
| Taupo District | |
| Instalment One | 21 August 2017 |
| Instalment Two | 20 November 2017 |
| Instalment Three | 20 February 2018 |
| Instalment Four | 21 May 2018 |
| Tauranga City | |
| Instalment One | 31 August 2017 |
| Instalment Two | 28 February 2018 |
| Western Bay of Plenty District | |
| Instalment One | 22 September 2017 |

| | |
|---------------------------|------------------|
| Instalment Two | 23 February 2018 |
| Whakatane District | |
| Instalment One | 25 August 2017 |
| Instalment Two | 24 November 2017 |
| Instalment Three | 23 February 2018 |
| Instalment Four | 25 May 2018 |

20 Sets the following penalties regime for all rates other than the Minor River and Drainage Scheme rates;

1. Pursuant to sections 57 and 58(1)(a) of the Local Government (Rating) Act 2002, with respect to rates assessed in the 2017/18 year, a penalty of 10% for all areas other than the Kawerau District and 5% for the Kawerau District will be added to the amount of any instalment that has been assessed after 1 July 2017 and which is unpaid after the relevant due date set out in section 19. The penalty will be added on 6 July 2017.
2. Pursuant to sections 57 and 58(1)(b) of the Local Government (Rating) Act 2002, with respect to rates assessed before 1 July 2017, a penalty of 10% for all areas other than the Kawerau District and 5% for the Kawerau District will be added to any rates unpaid on 6 July 2017.

The respective additional penalty dates are as follows;

| | Penalty assessed date | Penalty application date |
|--------------------------------|-----------------------|--------------------------|
| Rotorua District | 1 July 2017 | 6 July 2017 |
| Taupo District | 1 July 2017 | 6 July 2017 |
| Western Bay of Plenty District | 1 July 2017 | 6 July 2017 |
| Kawerau District | 4 July 2017 | 6 July 2017 |
| Tauranga City | 1 July 2017 | 6 July 2017 |
| Whakatane District | 1 October 2017 | 2 October 2017 |

3. Pursuant to sections 57 and 58(1)(c) of the Local Government (Rating) Act 2002, with respect to rates assessed in previous financial years, a further penalty of 10% for all areas other than the Kawerau District and 5% for the Kawerau District will be added on any rates to which a penalty has been added under (b) if the rates remain unpaid six months after the previous penalty was added.

The respective additional penalty dates are as follows;

| | Penalty assessed date | Penalty application date |
|--------------------------------|-----------------------|--------------------------|
| Western Bay of Plenty District | 1 January 2018 | 6 January 2018 |
| Rotorua District | 1 January 2018 | 6 January 2018 |
| Kawerau District | 4 January 2018 | 6 January 2018 |
| Tauranga City | 5 January 2018 | 6 January 2018 |

21 Set that Minor River and Drainage Scheme rates shall be payable at the office of the Bay of Plenty Regional Council, Quay Street, P O Box 364, Whakatane in one instalment on or by 20 January 2018.

22 Set the following penalties regime for the Minor River and Drainage Scheme rates:

- (i) Pursuant to sections 57 and 58(1)(a) of the Local Government (Rating) Act 2002, with respect to the Minor River and Drainage Scheme rates assessed in the 2017/18 year, a penalty of 10% will be added to the amount that remains unpaid after the date stated above, on 20 February 2018.
 - (ii) Pursuant to sections 57 and 58(1)(b) of the Local Government (Rating) Act 2002, with respect to Minor River and Drainage Scheme rates assessed before 1 July 2017, a penalty of 10% will be added on any rates that remain unpaid on 6 July 2017. The penalty will be added on 7 July 2017.
 - (iii) Pursuant to sections 57 and 58(1)(c) of the Local Government (Rating) Act 2002, with respect to Minor River and Drainage Scheme rates, a further penalty of 10% will be added on any rates to which a penalty has been added under (ii) if the rates remain unpaid six months after the previous penalty was added. The penalty will be added on 20 February 2018.'
- 23 Pursuant to section 27(7) of the Local Government (Rating) Act 2002, the Council delegates' authority to the constituent district and city councils of the Bay of Plenty region to keep and maintain the rating information database for those areas on its behalf.
- 24 Appoints in accordance with section 53 of the Local Government (Rating) Act 2002 the constituent district and city councils of the Bay of Plenty region, i.e. Kawerau District Council, Opotiki District Council, Rotorua District Council, Taupo District Council, Tauranga City Council, Western Bay of Plenty District Council, Whakatane District Council, to collect the rates assessed by Bay of Plenty Regional Council, excluding Minor River and Drainage Scheme targeted rates.
- 25 Agrees that in respect of the Minor River and Drainage Scheme targeted rates which are collected directly by the Bay of Plenty Regional Council, where the total amount of rates payable, in respect of any property is \$9.99 or less, pursuant to Section 54 of the Local Government (Rating) Act 2002, the rates payable in respect of the property will not be collected.
- 26 Confirms that 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.

Crosby/Cronin
CARRIED

10.4 **Appointment of an Informal Voting Member to Te Maru o Kaituna River Authority**

The report asked Council to appoint an additional member (and alternate) to Te Maru o Kaituna River Authority (the Authority). It was noted that Council's current membership on the Authority comprised Councillor Tahana as the primary member and Councillor Nees as the alternate.

Support was shown to appoint Councillor Nees as the additional primary member and Councillor McDonald to be appointed as the alternate, for the reasons that it provided

fair representation on the Authority and took into account Councillor Nees' existing membership and experience on the Authority as the current alternate.

Resolved

That the Regional Council:

- 1 Receives the report, Appointment of an Informal Voting Member to Te Maru o Kaituna River Authority;**
- 2 Notes the decision by Te Maru o Kaituna River Authority to extend Te Komiti Nui o Ngāti Whakaue informal membership of the Authority with full voting rights and the consequent need to appoint an additional Council member with the same status to the Authority;**
- 3 Appoints Councillor Nees to Te Maru o Kaituna River Authority as the additional primary member and Councillor McDonald as the alternate for the Bay of Plenty Regional Council for a three-year term from the date of appointment.**

**Thompson/Thurston
CARRIED**

10.5 Presentation from Tauranga City Council on the Tauranga Marine Precinct

Refer PowerPoint Presentation Objective ID A2653323.

Tauranga City Council (TCC) Tauranga Marine Precinct Project Director Phil Wardale presented an update on progress made with the Tauranga Marine Precinct. An overview was provided on preparation for civil works, vessel hoist construction, land utilisation and wharf development.

Councillors congratulated TCC and the Project staff on their progress. Mr Wardale commended Council's decision to invest funds into the project, which would enable significant gains for the marine industry and New Zealand as well as allowing the remnant harbour bridge site to be utilised.

Clarification was provided regarding funding contributions and completion date for the vessel hoist anticipated in late 2017. A query was raised regarding height restrictions and potential impacts for the Tauranga Airport, which was noted accordingly.

Resolved

That the Regional Council:

- 1 Receives the report, Presentation from Tauranga City Council on the Tauranga Marine Precinct;**
- 2 Notes the progress achieved for this project.**

**Leeder/Crosby
CARRIED**

Adjournment

The meeting adjourned at 10:55 am and reconvened at 11:18 am.

10.6 **Awatarariki Fanhead Risk Reduction**

The report asked Council to consider a regulatory response to reduce high debris flow risk to people and property in the Awatarariki Fanhead area at Matatā.

Members were advised the recommendations aligned with a report, which Whakatane District Council (WDC) would be considering the same day. Subject to those outcomes, Regional Council could anticipate a private plan change request at the end August.

Councillors acknowledged the emotional toll placed on affected residents, their need for certainty and for the issue to be expedited without delay. Comment was raised that while Council would facilitate a plan change process, no pre-determination should be inferred or made.

It was clarified that while recommendation three was not essential, it provided a clear message to WDC that Regional Council would not be initiating a plan change.

Resolved

That the Regional Council:

- 1 Receives the report, Awatarariki Fanhead Risk Reduction;**
- 2 Notes the direction provided by the Audit & Risk Committee at its meeting on 13 June 2017 in confidence and that the position of Council is as follows:**
 - Whakatane District Council is leading a process to manage the Awatarariki fanhead debris-flow risk.**
 - The state of the Awatarariki fanhead as a high risk debris-flow and the solutions to reduce risk need to be identified by Whakatane District Council.**
 - Planning decisions need to be expedited as soon as possible to give certainty to the Matata community and residents.**
 - Any request to Bay of Plenty Regional Council for a private plan change to introduce a regional rule to extinguish existing use rights will require a public process and independent hearings panel.**
- 3 Advises Whakatāne District Council that if they wish to seek a regional rule extinguishing existing use rights in the Awatarariki Fanhead area, a request for a private change to the relevant regional plan can be made which the Regional Council will consider under Schedule 1 of the Resource Management Act 1991.**

**Cronin/von Dadelszen
CARRIED**

Councillor Marr requested that his vote **AGAINST** be recorded.

10.7 Update on Local Government Act Amendment Bill (No.2)

The report provided an update on the LGA Amendment Bill (the Bill) following the Local Government and Environment Select Committee's report back to the House on 15 June 2017. It was noted that a letter was subsequently received from the Minister of Local Government advising that the substantial proposed changes to the Bill would not change its intention to enable councils to more easily collaborate to deliver services to their communities.

Concern was raised on some points of the Bill relating to council controlled organisations (CCOs). It was also clarified that there was no further opportunity for public submissions to the Bill.

Resolved

That the Regional Council:

- 1 Receives the report, *Update on Local Government Act Amendment Bill (No.2)*.

Crosby/Bruning
CARRIED

Change to Order of Business

The Chairman advised that Public Excluded Item 9.2 'Quayside Holdings Limited – 201718 Statement of Intent' would be deferred to later in the meeting to accommodate the delayed arrival of external presenters.

11 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 |
|--|---|---|
| 9.1 Public Excluded Regional Council minutes - 1 June 2017 | Please refer to the relevant clause in the meeting minutes | Good reason for withholding exists under Section 48(1)(a). |
| 9.3 April 2017 Flood Event - Update | To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities. | Good reason for withholding exists under Section 48(1)(a). |

Leeder/Thurston
CARRIED

12 General Business

1) Public Enquiry Complaints

A member advised of complaints received from members of the public regarding a lack of staff response to requests made, which he asked to be conveyed to staff. It was noted that Council's expectations of staff was to ensure customer's experience was paramount and that requests should be acknowledged and responded to in a timely manner. Consideration was noted in regard to adopting mechanisms to measure customer satisfaction.

2) Nitrogen Accounting Mechanism Memorandum of Understanding (MoU)

Refer PowerPoint Presentation Objective ID A26533395.

Members were informed that at its 27 June 2017 meeting, the Rotorua Te Arawa Lakes Strategy Group (RTALSG) approved a Nitrogen Accounting Mechanism Memorandum of Understanding (MoU) to be signed by all partner members. An overview was provided on the accounting mechanism principles and objective to integrate wastewater treatment plant nitrogen discharge limits with catchment nitrogen accounting, as part of the plan change 10 processes.

Although approval of the MoU was an operational matter, which the Chief Executive had delegated authority to sign on Council's behalf, Council's RTALSG members considered it important for councillors to be made aware of the MoU and be given the opportunity to consider if they were comfortable with the existing approval process. Members were advised that should they wish to formally approve the MoU that it would need to go to the next Council meeting for decision.

Councillors appreciated the matter being brought to their attention and confirmed they were satisfied with the current approval chain, that signing of the MoU should not be delayed and that it proceed as an operational matter.

Adjournment

The meeting adjourned at 1:04 pm and reconvened at 1:35 pm.

13 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 |
|---|---|---|
| Quayside Holdings Limited - 2017/18 Statement of Intent | To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities. | Good reason for withholding exists under Section 48(1)(a). |

**Leeder/Thurston
CARRIED**

The meeting closed at 2:22 pm.

Confirmed

Chairman Bay of Plenty Regional Council

Date