

Minutes of the Regional Council Meeting held in Mauao Rooms, Bay of Plenty Regional Council Building, 87 First Avenue, Tauranga on Thursday, 17 August 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

In Attendance: M Macleod (Chief Executive), C Ingle (General Manager Integrated Catchments), J Graham (General Manager Corporate Solutions), M Taylor (General Manager Corporate Performance), N Zaman (Acting General Manager Regulatory Services), C Woods (Health and Safety Manager), S Hey (Manager Chief Executive's Office), D Hyland (Finance Manager), D Llewellyn (In-House Legal Counsel), J Edney (ICT Operations Team Leader), L Mason (Integrated Catchments Programme Manager), M Le Comte (Organisational Planning Manager), M Butler (Regional Planner), R Fraser (Consents Manager), Y Tatton (Interim Governance Manager), C Gordon (Internal Auditor), R Garrett (Committee Advisor).

Apologies: P Thompson; A Tahana (for lateness)

1 **Opening Karakia**

Councillor Marr.

2 **Apologies**

Resolved

That the Regional Council:

- 1 **Accepts the apologies tendered by Councillor Thompson for the meeting and by Councillor Tahana for lateness.**

Leeder/Thurston
CARRIED

3 **Public Forum**

3.1 **2017 Mashup Competition Presentation**

Refer Presentation Objective ID A2677936.

Ms Pascale Hyboud-Peron from Venture Centre introduced the 2107 Mashup winning team from Tauranga Girls' College. The students presented their winning entry, the development, production and marketing of the iBrite tool which assisted dyslexic students with reading and writing.

Councillors congratulated the students on their success and their product. Ms Hyboud-Peron noted that, after seven years, Council funding for the Mashup competition had now ceased.

Attendance

Councillor Tahana entered the meeting at 9.37am.

4 General Business and Tabled Items

Nil.

5 Declaration of conflicts of interest

In regard to agenda item 12.4 *Update on Ōpōtiki Harbour Transformation*, a conflict of interest was recorded for Councillor Love as an external advisor to the Ōpōtiki District Council Audit and Risk Committee.

6 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
Awatarariki Indicative Business Case Presentation by Whakatane District Council.	To prevent the disclosure or use of official information for improper gain or improper advantage.	Good reason for withholding exists under Section 48(1)(a).

**Nees/Thurston
CARRIED**

Change to Order of Business

The Chairman advised that Agenda Item 11.2 would be moved forward and considered as the next item of business to accommodate an external presenter.

7 Chief Executive's Reports

7.1 **Electoral System Review and Representation Review Overview**

Refer Presentation Objective ID A2689394.

Governance Manager Yvonne Tatton, assisted by Mr Warwick Lampp from electionz.com Ltd, explained Council's responsibility under the Local Electoral Act 2001 to review its preferred electoral system to be used for the next two triennial elections.

Mr Lampp responded to members' questions of clarification regarding the differences, legal requirements and risks of the two electoral systems. He outlined current use of the two systems by other councils and informed members that Tauranga City Council had recently adopted the use of the Single Transferable Vote system. The cost of a region-wide poll of electors and the use of different voting papers was discussed.

Resolved

That the Regional Council:

- 1 Receives the report, Electoral System Review;**
- 2 Pursuant to section 27 of the Local Electoral Act 2001 agrees to:**
 - (a) Retain the First Past the Post electoral system for the Bay of Plenty Regional Council for the 2019 triennial election;**
- 3 Notes that public notice be given by 19 September 2017 of the decision and the right of electors to demand a poll on the electoral system to be used.**

**Cronin/Winters
CARRIED**

Adjournment

The meeting adjourned at 11.10am and reconvened at 12.20pm.

8 **Previous Minutes**

8.1 **Regional Council minutes - 29 June 2017**

Resolved

That the Regional Council under its delegated authority:

- 1 Confirms the minutes of the Regional Council meeting held 29 June 2017, as a true and correct record.**

**Crosby/von Dadelszen
CARRIED**

9 **Statutory Committee Minutes**

9.1 **Te Maru o Kaituna River Authority minutes - 14 June 2017**

Resolved

That the Regional Council under its delegated authority:

- 1 Receives the minutes of the Te Maru o Kaituna River Authority meeting held on 14 June 2017.

Nees/Leeder
CARRIED

9.2 Rangitaiki River Forum minutes - 15 June 2017

Resolved

That the Regional Council under its delegated authority:

- 1 Receives the minutes of the Rangitāiki River Forum meeting held on 15 June 2017.

Winters/Clark
CARRIED

9.3 Regional Transport Committee minutes - 30 June 2017

Resolved

That the Regional Council under its delegated authority:

- 1 Receives the minutes of the Regional Transport Committee meeting held on 30 June 2017.

Crosby/Nees
CARRIED

10 Joint Committee Minutes

10.1 SmartGrowth Leadership Group Draft Meeting Minutes - 21 June 2017

Resolved

That the Regional Council under its delegated authority:

- 1 Receives the minutes of the SmartGrowth Leadership Group meeting held on 21 June 2017.

von Dadelszen/Nees
CARRIED

10.2 Eastern Bay of Plenty Joint Committee Draft Meeting Minutes 5 July 2017

Resolved

That the Regional Council under its delegated authority:

- 1 Receives the minutes of the Eastern Bay of Plenty Joint Committee meeting held on 5 July 2017.**

**Bruning/Leeder
CARRIED**

11 Chairman's Report

Council was updated on the Chairman's activities, upcoming events and items of interest. Key events reported on included the Regional Sector Group (RSG) meeting, the Local Government New Zealand (LGNZ) conference and AGM and the Bay of Plenty Triennial meeting.

Members asked for clarification regarding the status of remits passed at the LGNZ AGM. It was explained that LGNZ would develop a work programme for each remit and that there was no impact on Council at this stage.

It was noted that the RSG Treaty of Waitangi Settlement Costs project should consider iwi costs and funding as well as Council costs and funding.

Resolved

That the Regional Council:

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

**Leeder/Thurston
CARRIED**

Attendance

Councillor Cronin joined the meeting at 12.28pm.

12 Chief Executive's Reports (continued)

12.1 Councillor Appointment to the Rangitaiki River Forum and Treaty Settlement Update

Council was advised to appoint an additional member onto the Rangitaiki River Forum (the Forum) following the appointment of a member from Tuhoe Te Uru Taumata onto the Forum, as required by treaty settlement legislation. Council was also informed that a further Council appointment would be required when the Ngāti Tūwharetoa (Taupō) settlement legislation came into force.

Resolved

That the Regional Council:

- 1 Receives the report, Councillor Appointment to the Rangitāiki River Forum and Treaty Settlement Update;**
- 2 Appoints Councillor David Love as an additional member onto the Rangitāiki River Forum.**
- 3 Appoints Councillor Matemoana McDonald as an alternate member onto the Rangitāiki River Forum.**

- 4 **Adopts the consequential amendments made to the Rangitāiki River Forum Terms of Reference, as attached at Appendix 1.**
- 5 **Notes the recent Deed of Settlement signed by Ngāti Tuwharetoa and the Crown on 8 July 2017 and that a further update will be provided to Council, prior to legislation coming into force.**

**Leeder/Winters
CARRIED**

12.2 **Elected Members' Allowances and Recovery of Expenses Draft Policy 2017 - 2018**

Governance Manager Yvonne Tatton advised members of the Remuneration Authority's latest rulings regarding members' allowances and expenses, and outlined consequential amendments to Council's *Elected Members' Allowances and Recovery of Expenses Policy* for adoption.

Members asked questions of clarification around minimum thresholds for mileage claims, and the extension of hearing fees to cover all statutory hearing processes as well as regional plan and policy statement hearings. Staff were requested to bring a further paper to Council assessing the cost implications of extending payment of hearing fees to all statutory hearing processes involving elected members.

Resolved

That the Regional Council:

- 1 **Receives the report, Elected Members' Allowances and Recovery of Expenses Draft Policy 2017 - 2018;**
- 2 **Adopts the Elected Members' Allowances and Recovery of Expenses 2017-2018 Policy with amendments as shown in Appendix 1 of this report.**

**Cronin/Crosby
CARRIED**

12.3 **Councillor Expenditure - July 2016 to June 2017**

Governance Manager Yvonne Tatton presented a breakdown of councillors' expenditure for the 2016-2017 financial year.

Resolved

That the Regional Council:

- 1 **Receives the report, Councillor Expenditure - July 2016 to June 2017.**

**Leeder/Bruning
CARRIED**

Attendance

Councillor Nees left the meeting at 12.45pm.

12.4 **Bay of Plenty Local Authority Shared Services (BoPLASS) Limited's Statement of Intent 2017/18**

General Manager Corporate Performance Mat Taylor updated Council on progress with the BoPLASS Statement of Intent (SOI) and requested that the final SOI be formally received.

Resolved

That the Regional Council:

- 1 Receives the report, Bay of Plenty Local Authority Shared Services (BoPLASS) Limited's Statement of Intent 2017/18;**
- 2 Notes the Statement of Intent 2017/18.**

Love/Crosby
CARRIED

12.5 **Local Government Funding Agency (LGFA) Limited - Statement of Intent 2017/18**

General Manager Corporate Performance Mat Taylor updated Council on progress with the LGFA Statement of Intent (SOI) and requested that the final SOI be formally received.

Resolved

That the Regional Council:

- 1 Receives the report, Local Government Funding Agency (LGFA) Limited - Statement of Intent 2017/18;**
- 2 Notes the Statement of Intent 2017/18.**

Cronin/Thurston
CARRIED

Adjournment

The meeting adjourned at 12.45pm and reconvened at 1.10pm.

12.6 **Health, Safety and People Report**

Health and Safety Manager Chris Woods updated members on organisational health, safety and people matters and provided an overview of Council's health and safety performance.

Members requested that historical data be included in future reports to provide context and identify trends.

Resolved

That the Regional Council:

- 1 Receives the report, Health, Safety and People Report.

Love/Thurston
CARRIED

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
12.1 Public Excluded Regional Council Meeting Minutes - 29 June 2017	Please refer to the relevant clause in the open meeting minutes.	Good reason for withholding exists under Section 48(1)(a).
12.2 Health & Safety Report - Confidential Appendix 3	To protect the privacy of natural persons, including that of deceased natural persons.	Good reason for withholding exists under Section 48(1)(a).
12.3 Whakatāne District Council - Awatarariki Fanhead Business Case	To prevent the disclosure or use of official information for improper gain or improper advantage.	Good reason for withholding exists under Section 48(1)(a).
12.4 Update on Ōpōtiki Harbour Transformation	To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Good reason for withholding exists under Section 48(1)(a).
12.5 Expenditure report for the twelve months to 30 June 2017	To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.	Good reason for withholding exists under Section 48(1)(a).
12.6 Procurement Plan for the Kopeopeo Canal Remediation Project	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).
12.7 Update on April 2017 Flood Event	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).

14 Restatement in open meeting

14.1 Agenda item 12.3: Whakatāne District Council – Awatarariki Fanhead Business Case

This restatement confirms the following resolutions passed for the above agenda item.

Resolved

That the Regional Council:

- 1 Receives the report, Whakatane District Council - Awatarariki Fanhead Business Case;**
- 2 Notes the Whakatane District Council Business Case and supports its presentation to Central Government, on a Without Prejudice basis.**

**Tahana/Crosby
CARRIED**

The meeting closed at 2.15pm.

Confirmed

Chairman Bay of Plenty Regional Council

Date