

# Minutes of the Regional Council Meeting held in Mauao Rooms, Bay of Plenty Regional Council Building, 87 First Avenue, Tauranga on Thursday, 2 November 2017 commencing at 9.30 a.m.

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## Present:

**Chairman:** D Leeder

**Deputy Chairman:** J Nees

**Councillors:** J Cronin, D Love, W Clark, L Thurston, P Thompson, N Bruning, S Crosby, K Winters, A von Dadelszen, T Marr, M McDonald

**In Attendance:** M Macleod (Chief Executive), F McTavish (General Manager Strategy & Science), M Taylor (General Manager Corporate Performance), C Ingle (General Manager Integrated Catchments), E Grogan (General Manager Regulatory Services), J Graham (General Manager Corporate Solutions), D Llewellyn (In-House Legal Specialist), D Cochrane (Advisor, Chief Executive's Office), P Buell (BOP Harbourmaster/Manager), M Le Comte (Organisational Planning Manager), P Sisam (Communications Partner), D Hyland (Finance Manager), Y Tatton (Governance Manager), S Kameta (Committee Advisor)

Attendance in part: From Priority One N Tutt (Chief Executive), G Simmonds (Chief Operating Officer), M Irving (Business & Investment Attraction Manager), T White (Incentives Programme Director), M Townsend (Engineering Manager)

**Apologies:** A Tahana, J Cronin (early departure), T Marr (late arrival)

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## 1 **Adjournment**

The meeting adjourned at 9:30 am and reconvened at 9:48 am.

### **Attendance**

Chairman Leeder and Councillor McDonald exited at 9:48 am and Deputy Chair Nees assumed the Chair.

## 2 **Apologies**

### **Resolved**

**That the Regional Council:**

- 1 **Accepts the apologies of Councillors: A Tahana, J Cronin (for early departure), T Marr and M McDonald (for late arrival).**

**Thurston/von Dadelszen  
CARRIED**

### 3 **General Business and Tabled Items**

There were no tabled items.

#### 3.1 **General Business**

##### **Consideration of Public Excluded Items**

Consideration was requested for a standard item to be placed near the front of agenda for elected members to consider transferring confidential business into the open, which was noted and acknowledged.

### 4 **Declaration of conflicts of interest**

No conflicts of interest were declared.

### 5 **Previous Minutes**

#### 5.1 **Regional Council minutes - 26 September 2017**

##### **Correction**

Minute item 6, Declaration of conflicts of interest, page 20 of the agenda: Insert "Cr Thompson and Cr Nees declared an interest in relation to Agenda Item 11.1, 'Quayside Holdings Limited Annual Financial Statements for the year ended 30 June 2017'.

##### **Resolved**

That the Regional Council:

- 1 **Confirms the Regional Council Minutes of 26 September 2017 as a true and correct record, with the foregoing correction.**

**Cronin/Bruning  
CARRIED**

#### 5.2 **Regional Council Minutes - 3 October 2017**

##### **Resolved**

That the Regional Council:

- 1 **Confirms the Regional Council Minutes of 3 October 2017, as a true and correct record.**

**Winters/Nees  
CARRIED**

### 6 **Statutory Committee Minutes**

#### 6.1 **Rotorua Te Arawa Lakes Strategy Group Minutes - 8 September 2017**

**Resolved**

That the Regional Council:

- 1 Receives the Rotorua Te Arawa Lakes Strategy Group Minutes of 8 September 2017.

Winters/Nees  
CARRIED

6.2 **Regional Transport Committee Minutes - 15 September 2017**

**Resolved**

That the Regional Council:

- 1 Receives the Regional Transport Committee Minutes of 15 September 2017.

Crosby/Nees  
CARRIED

6.3 **Rangitāiki River Forum Minutes - 29 September 2017**

**Resolved**

That the Regional Council:

- 1 Receives the Rangitāiki River Forum Minutes of 29 September 2017.

Love/Clark  
CARRIED

7 **Joint Committee Minutes**

7.1 **SmartGrowth Leadership Group Draft Minutes 16 August 2017**

**Resolved**

That the Regional Council:

- 1 Receives the SmartGrowth Leadership Group Draft Minutes of 16 August 2017.

von Dadelszen/Crosby  
CARRIED

7.2 **Ōhiwa Harbour Implementation Forum Minutes - 12 September 2017**

**Resolved**

**That the Regional Council:**

- 1 **Receives the Ōhiwa Harbour Implementation Forum Minutes of 12 September 2017.**

**Nees/Thurston  
CARRIED**

**8 Presentation****8.1 Priority One Strategy**

*Refer PowerPoint Presentation Objective ID A2706320.*

Priority One Chief Executive Nigel Tutt, Chief Operating Officer Greg Simmonds and Business & Investment Attraction Manager Mark Irving presented Priority One's Strategy for 2017. Background was provided on the organisation and its goals, challenges and vision for growing the region's economy.

**Attendance**

Chairman Leeder and Councillors Marr and McDonald entered at 10:00 am.

An outline was provided of key initiatives, programmes and outcomes to foster innovation, attract business, investment and talent and access to staff, including lead roles in supporting Bay of Connections' Regional Economic Development Strategy and Maori Economic Development Strategy He Mauri Ohoho.

**Attendance**

Councillor Marr exited at 10:09 am.

Mr Tutt acknowledged Council and the value of Bay of Connections and informed of Priority One's prospects for continued collaboration and commitment to support the business community, regional economic development and transport initiatives.

**Attendance**

Councillor Marr entered at 10:19 am.

In response to questions, existing infrastructure and attracting the right people to the region were considered as key barriers to success. The importance of innovation technology and reducing industry fragmentation was noted. Mr Tutt advised that Priority One would support CCOs for water, infrastructure advancements and Central Government playing a larger role. It was also noted that feedback from the business community had been captured and forwarded to Tauranga City Council in regard to the Tauranga City bus interchange proposal.

**Attendance**

Councillor Cronin exited at 10:27 am.

The need to engage with secondary school students was recognised. It was noted that the Instep programme and Young Innovator Awards provided opportunities, but challenges existed with the current NCEA framework restricting innovation to some degree.

**Adjournment**

The meeting adjourned at 10:31 am and reconvened at 10:50 am.

## 9 **Chairman's Report**

The report updated Council on the Chairman's activities, upcoming events and items of interest. The Chairman commented on potential issues of contention that may arise in regard to the Tauriko West Partnership.

### **Resolved**

**That the Regional Council:**

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

**Leeder/Thurston  
CARRIED**

## 10 **Chief Executive's Reports**

### 10.1 **Council Performance Monitoring Report 2017/18 July to September, Months 1 to 3**

General Manager Corporate Performance Mat Taylor, Finance Manager Debbie Hyland and Management Accountant Team Leader Andy Dixon provided the report and advice on variances on financial performance against revised budget.

It was clarified that the KPI for resource consent applications had not been met due to the existing backlog in applications and this would continue for those applications that would remain out of time.

#### **Attendance**

Councillor Cronin entered at 11:10 am.

### **Resolved**

**That the Regional Council:**

- 1 **Receives the report, Council Performance Monitoring Report 2017/18 July to September, Months 1 to 3.**

**Love/Winters  
CARRIED**

### 10.2 **Bay of Plenty Regional Council's 2018 Meeting Schedule**

The report sought Council approve its meeting schedule for 2018. Staff were commended for their efforts and coordination. It was requested that staff work with the Regional Direction and Delivery Committee Chair to confirm workshop topics for 2018.

### **Resolved**

**That the Regional Council:**

- 1 **Receives the report, Bay of Plenty Regional Council's 2018 Meeting Schedule;**

- 2 Approves the Bay of Plenty Regional Council's 2018 Meeting Schedule included as Appendix 1.

**Bruning/McDonald  
CARRIED**

### 10.3 Appointment of Alternate Regional On-Scene Commander

The report sought the appointment of alternate Regional On-Scene Commanders for oil spill responses.

#### **Resolved**

**That the Regional Council:**

- 1 Receives the report, Appointment of Alternate Regional On-Scene Commander;
- 2 Appoints John Morris, Matt Harrex and Richard Barnett as alternate Regional On-Scene Commanders for the Bay of Plenty.
- 3 Cancels the appointment of Jim Tetlow as a Regional On-Scene Commander for the Bay of Plenty.
- 4 Confirms that the decision has a low level of significance.

**Thompson/Nees  
CARRIED**

### 10.4 Update on Lake Rotorua Incentives Scheme Activities

The report provided an update on progress made by the Lake Rotorua Incentives Scheme towards achieving its nitrogen reduction targets. Incentives Programme Director Te Taru White was accompanied by General Manager Integrated Catchments Chris Ingle and highlighted key points from the report. Mr White noted the potential for two further deals to be signed in November and the inter-generational benefit of agreements made with Maori landowners where capital value was not an issue.

Comment was noted in regard to challenges with encumbrance on Maori title that was currently being worked through and the potential for other incentives that may come from Central Government in relation to forestry, which further understanding and direction would be sought in due course. Clarification was provided in regard to Central Government funding criteria imposed on the Incentives Fund being tied to nitrogen reduction as the key driver.

A copy of the Lake Rotorua Incentives Scheme Update brochure for September 2017 was circulated and made available to councillors.

#### **Resolved**

**That the Regional Council:**

- 1 Receives the report, Update on Lake Rotorua Incentives Scheme Activities.

**Bruning/Winters**

**CARRIED****10.5 College Rd Stopbank Realignment - Procurement Plan**

The report sought approval of a procurement plan for works to realign the breached stopbank on College Road, Edgecumbe and to delegate authority to the Chief Executive to approve the tenderer on the proviso the approved tender is within budget.

It was noted that the timeframe for close of tenders was Friday 10 November, with the proposed contract term to commence at the end of November.

Regarding respective properties to be demolished, assurance was sought that advance warning of the date of demolition be re-communicated to all affected property owners and residents.

**Resolved**

**That the Regional Council:**

- 1 Receives the report, College Rd Stopbank Realignment - Procurement Plan;**
- 2 Delegates to the Chief Executive, through acceptance of the procurement plan, the ability to approve the tenderer for the College Road Stopbank Realignment Contract.**

**Winters/von Dadelszen  
CARRIED**

**10.6 CouncilMark™**

The report asked Council to consider its desire to participate in the Local Government New Zealand CouncilMark™ programme. It was recommended that if Council wished to participate that it register interest to participate in Year 3 instead of Year 2, to avoid coinciding with the timing of the 2018-2028 Long Term Plan consultation process and subsequent three-year cycles.

Chief Executive Mary-Anne Macleod advised that timing was critical on staff workload and major programmes scheduled. Advice was provided on the benefits, assessment process and criteria and feedback received from participating Councils around the need for better mechanisms to capture community and customer assessments. It was noted that an examination of elected members' performance in regard to decision making would be part of the assessment criteria.

Councillors discussed the benefits and outcomes that the programme would provide and supported Council's participation in Year 3 of the programme to accommodate critical timing of Council's work programmes. It was noted that timing for participation in Year 3 would commence in July 2018 to March 2019 and coincide with the end of the current triennium.

**Resolved**

**That the Regional Council:**

- 1 Receives the report, CouncilMark™;**

- 2 That Council does not register for Year 2 of the programme, but indicates an expression of interest for participation in Year 3.

Nees/Love  
CARRIED

## 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
11.1 Public Excluded Regional Council Minutes - 26 September 2017	Please refer to the relevant clauses in the open minutes.	Good reason for withholding exists under Section 48(1)(a).
11.2 Public Excluded Regional Council Minutes - 3 October 2017	Please refer to the relevant clauses in the open minutes.	Good reason for withholding exists under Section 48(1)(a).
11.3 Confidential Appendix 1 - Investment Performance Report 2017/18 Months 1 to 3	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).
11.4 Confidential Appendix 2 - Investment Fund Valuation and Report for September 2017	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).
11.5 Regional Property Update	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).
11.6 Rangitāiki River Scheme Review - Implementation Update	To maintain legal professional privilege.	Good reason for withholding exists under Section 48(1)(a).
11.7 Hunters Creek Munitions Barge	To maintain legal professional privilege.	Good reason for withholding exists under Section 48(1)(a).
11.8 Air monitoring in the Mount Maunganui/Sulphur Point area - Procurement Plan	To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Good reason for withholding exists under Section 48(1)(a).



<b>11.9 Regional Infrastructure Contracting Update</b>	<b>To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</b>	<b>Good reason for withholding exists under Section 48(1)(a).</b>
<b>11.10 Chief Executive's 2017/18 Performance Agreement</b>	<b>To protect the privacy of natural persons, including that of deceased natural persons.</b>	<b>Good reason for withholding exists under Section 48(1)(a).</b>

**Leeder/Thurston  
CARRIED**

## 12 Restatement in open meeting

### 12.1 Hunters Creek Munitions Barge

The restatement confirms the following resolutions that were passed in relation to the above public excluded item 11.7.

#### **Resolved**

**That the Regional Council:**

- 1 Receives the report, Hunters Creek Munitions Barge;**
- 2 Agrees the removal of Hunter's Creek munitions barge will be included in the Long Term Plan, including funding options;**
- 3 Proceed with Option 2 - 4 – to temporarily exclude the barge from Hunters Creek designated ski area with ski pole movements; and for the Harbourmaster to use all other powers necessary to protect public safety.**
- 4 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.**
- 5 Agrees to release the report and above resolutions into the open, with the exclusion of financial costs and legal advice.**

**Bruning/Crosby  
CARRIED**

**The meeting closed at the conclusion of public excluded items at 2:55pm.**

Confirmed

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Chairman Bay of Plenty Regional Council

\_\_\_\_\_  
Date