

Minutes of the Regional Council Meeting held in Mauao Rooms, Bay of Plenty Regional Council Building, 87 First Avenue, Tauranga on Thursday, 6 September 2018 commencing at 9.30 a.m.

Present:

Chairman: D Leeder

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

In Attendance: Bay of Plenty Regional Council: Fiona McTavish – Chief Executive; Sarah Omundsen, General Manager Regulatory Services; Chris Ingle, General Manager Integrated Catchments; Mat Taylor, General Manager Corporate Performance; Greg Corbett – Biosecurity Manager; Emma Purnell – Business Analyst & Australasian Management Challenge Team; Stephanie Macdonald – Community Engagement Team Leader; Stephen Lamb – Natural Resources Policy Manager; Yvonne Tatton – Governance Manager; Karen Aspey – People & Capability Manager; Chris Wood – Health & Safety Manager; Tone Nerdrum-Smith – Committee Advisor

Other: Department of Conservation: Mike Jones, Lynn Hansberry, Clint Savage, Jeff Milham, Anne Mackersey and Margaret Metcalfe. Eastern Bay of Plenty Regional Growth Leadership Group: David Cunliffe; Mayor Bonn; Mayor Forbes

Apologies: J Nees (Deputy Chairman)

1 Karakia

A Karakia was provided by Cr Tahana.

2 Apologies

Resolved

That the Regional Council:

- 1 Accepts the apology from Cr J Nees tendered at the meeting.

Leeder/Thompson
CARRIED

3 **Public Forum**

3.1 **Youth Jam Video – Emergency Management**

Stephanie Macdonald – Community Engagement Team Leader introduced the video.

Key Points

- Noted the awards for this CDEMG initiative
- Next year's event would focus on climate change.

3.2 **Pufferfish and Pineapples - Australasian Management Team**

PowerPoint Presentation – Objective Reference A2955998

Chairman Leeder provided an introduction of the Council team who had won the 2018 Australasian Management Challenge held in Canberra, Australia.

The team, consisting of Emma Purnell, Nic Newman, Daniel Smith, Hamish Dean, Chris Brewer and, with apologies for today's meeting, Harry Singh and Katherine Coup, spoke to the presentation regarding their experiences and key learnings from the Challenge.

Key Points of Presentation

- Let's Recap
- What happened in Canberra?
- Enjoy the learning
- Aim to win
- We are what we want Council to be
- Be memorable – be the difference
- Development Opportunity at BOPRC
- What's next for Pufferfish and Pineapples?

4 **Acceptance of Late Items**

Nil

5 **General Business**

Noted the following items for discussion under General Business later in the meeting:

- Discharge Consent - Rotorua
- Passing of Former Council Staff Member
- Eastern BoP Regional Growth Leadership Group Presentation
- Rotorua Lakes Council Court Hearing

6 **Confidential Business to be Transferred into the Open**

Nil

7 **Declaration of Conflicts of Interest**

Nil

8 Previous Minutes

8.1 Regional Council Minutes - 02 August 2018

Resolved

That the Regional Council:

- 1 Confirms the Regional Council minutes - 02 August 2018.

Leeder/Love
CARRIED

9 Statutory Committee Minutes

9.1 Draft Minutes - Tauranga Moana Advisory Group - 10 August 2018

Resolved

That the Regional Council:

- 1 Receives the draft Minutes - Tauranga Moana Advisory Group - 10 August 2018.

Von Dadelszen/Bruning
CARRIED

10 Joint Committee Minutes

10.1 Draft Minutes - SmartGrowth Leadership Group - 20 June 2018

Resolved

That the Regional Council:

- 1 Receives the draft Minutes - SmartGrowth Leadership Group - 20 June 2018.

Crosby/Leeder
CARRIED

11 Reports

11.1 Chairman's Report

Key Points

- Details regarding the 50 Fonterra catchment sites would not be made public, however information had been provided to Council
- Tarawera Sewerage project had experienced some issues with regards to locating the pipes across private land, so a decision had been made to use public land instead.

Staff Follow-up

- Chief Executive to provide Fonterra catchment list to Elected Members.

Resolved

That the Regional Council:

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

**Leeder/Clark
CARRIED**

12 Presentations**12.1 Conservation Management Strategy – Department of Conservation**

PowerPoint presentation – Objective Reference A2956762

A presentation was provided by the Department of Conservation: Mike Jones, Lynn Hansberry, Clint Savage, Jeff Milham, Anne Mackersey and Margaret Metcalfe.

Key Points of Presentation

- Bay of Plenty Conservation Management Strategy (CMS) Review
- Statutory framework for the management of public conservation lands and waters
- New CMS structure
- Structure of the BOP CMS
- Part One – Region Focus
- Part Two - Place Focus
- Part Three
- Appendices
- What do you expect to see in the CMS?

Presenters in Response to Questions

- Recognised the importance of working collaboratively to meet the expectations of the community with regards to biodiversity, conservation and the impact of growth and development
- Acknowledged the cooperation between the Tarawera Lakes Trust and Council in addressing the Catfish issue
- There was a strong operational relationship between the various organisation, however further development of the strategic relationship was required
- It might be an option to appoint a Council representative on the Regional DoC Board
- Key focus was biodiversity
- All rohe in the Bay of Plenty region crossed boundaries with DoC land, so cooperation was essential
- Recognised the overlap between DoC and BOPRC in the Freshwater and Marine Space areas, however there were no clearly defined agreements with regards to the respective areas of responsibilities.

Key Points – Members

- Encouraged opportunities for cooperation and ‘pooling of resources’ between the various organisations operating within this field
- Principles of the Treaty of Waitangi would be important going forward
- Suggested the establishing of a Memorandum of Understanding which recognised both operational and governance level cooperation
- DoC owned land did not generate rates, which could impact on the financial situation of some councils (e.g. Ōpōtiki).

Staff Follow-up

- Review the existing Memorandum of Understanding, both at governance and operational levels
- Explore the possibility of appointing a Council representative on the regional DoC Board.

Cr Marr acknowledged the presenters with a Mihi.

10.40 am The meeting **adjourned**.

11.00 am The meeting **reconvened**.

13 Public Excluded Section

Resolved

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
Expenditure Report for the twelve months to 30 June 2018	To prevent improper gain or advantage	Good reason for withholding exists under Section 48(1)(a)
Presentation from Quayside Holdings Ltd on Annual Financial Statements for the year ended 30 June 2018	To carry out commercial activities	Good reason for withholding exists under Section 48(1)(a)

**Leeder/Crosby
CARRIED**

14 Public Section - Continued

15 Presentations

15.1 Eastern BoP Regional Growth Leadership Group

PowerPoint Presentation – Objective Reference A2956735

A presentation was provided by members of the Eastern Bay of Plenty Regional Growth Leadership Group: David Cunliffe, Mayor Bonne and Mayor Forbes.

Key Points of Presentation

- Eastern Bay of Plenty Regional Growth Leadership Group (RGLG) – Stakeholder Strategies
- Purpose: RGLG project aims to help the crown invest in the region
- Baseline Outlook: EBOP continuing to fall behind unless projects can be realised
- Baseline growth rate has lagged BoP & NZ
- Expected future growth is concentrated in social services, which is mostly centrally funded
- EBOP's non-economic statistics are equally confronting
- Over 65 projects in developing sectors indicate a massive opportunity
- Methodology: Analysis focused on estimating local attributable direct and indirect jobs
- Opportunities: Four principal clusters are highlighted by the report
- Opotiki aquaculture investment unlocked large connected seafarm projects
- Horticulture cluster is job rich and provides high potential leverage to PGF (Provincial Growth Fund) investments
- PGF provides valuable output expansion to KPID scale commercial manufacturing cluster
- Whakatāne tourism/wharf cluster provides long term focus for regional tourism services
- Opotiki aquaculture is the largest attributable job creator and does so relatively resource efficiently

- There are many other projects in development that deserve PGF consideration
- Projects are forecast to deliver ~6,300 FTE additional local EBOP jobs by 2030 and contribute an additional \$659m local GDP per annum ...
- ...
- Overall, the PGF projects will have a marked impact on boosting local economic growth
- Constraints: Capacity needed in short-term to deliver next tranche of projects
- Recommendations: Fund four major clusters, build capacity, alleviate constraints
- Wrap-up: Help us to transform the future of the EBOP.

Presenters in Response to Questions

- Assets may not be owned by a Council, e.g. the Ōpōtiki Harbour Mussel Farm, due to financial constraints
- Detailed analysis had not yet been undertaken of the four key focus areas:
 - Ōpōtiki harbour and aquaculture development

- High value horticulture (kiwifruit, blueberry, macadamia)
- Kawerau-Putauaki Industrial Development
- Whakatāne wharf/tourism cluster
- Toi EDA had a sound base understanding of housing demands and growth projections, however further analysis was required to fully understand associated demands
- Sought Council's overall support for the application for Central Government funding, as well as recognition of the analysis that resulted in the identification of the four key areas
- Recognised that some dredging would be required for the Ōpōtiki Harbour development, however this had not been assessed as a prohibitive factor
- The funding application to the Central Government Fund, which totalled \$3000m, was not considered disproportionate in view of the poverty being faced by the Eastern Bay of Plenty
- Public-good benefits did not typically attract private investors, which was why Central Government involvement was important.

Key Points – Members

- An expectations of positive return on cost of capital meant investors would not be attracted unless a level of certainty was provided
- Recognised that Eastern Bay of Plenty had unsuccessfully approached Central Government for funding on earlier occasions.

1.24 pm The meeting **adjourned**.

2.00 pm The meeting **reconvened** and it was noted that Cr Bruning had **withdrawn** from the meeting.

16 Reports - Continued

16.1 Making Operative Change 3 (Rangitāiki River) to the Regional Policy Statement

Resolved

That the Regional Council:

- 1 **Receives the report, Making Operative Change 3 (Rangitāiki River) to the Regional Policy Statement;**
- 2 **Effects approval of Change 3 (Rangitāiki River) to the Bay of Plenty Regional Policy Statement, under clause 17(3) of Schedule 1 to the Resource Management Act 1991, by affixing the seal of the Bay of Plenty Regional Council to the approved change.**
- 3 **Amends the operative Regional Policy Statement, under clause 20A of Schedule 1 to the Resource Management Act 1991, to correct minor errors as shown in Appendix 3.**
- 4 **Delegates to the Chief Executive the authority to set the date on which Change 3 (Rangitāiki River) to the Bay of Plenty Regional Policy Statement,**

when approved, becomes operative and to publicly notify that date in accordance with clause 20(2) of Schedule 1 to the Resource Management Act 1991.

Thompson/Cronin
CARRIED

16.2 The Proposed Regional Pest Management Plan

PowerPoint Presentation – Objective Reference A2956082

Chris Ingle - General Manager Integrated Catchments, Greg Corbett – Biosecurity Manager and Stephen Lamb – Natural Resources Policy Manager presented this item.

Key Points

- Proposed Regional Pest Management Plan (RPMP)
- Leading up to this point – Council decisions
- The proposed RPMP reflects
- The proposed RPMP is just one piece of the biosecurity picture
- Consultation as a continuing process
 - Report back to RDD in December.

Presenters in Response to Questions

- In order to meet the public demand for control of Catfish, funding had been re-directed from the Gorse control budget
- A public submission and hearings process on the Proposed Plan would be undertaken
- 1080 was not in use at the moment, nor was it funded by Regional Council
- Wallaby management would fall within the operational rules of the Plan.

Key Points – Members

- Suggested that Gorse control be clearly identified as a priority in the Proposed Plan.

Resolved

That the Regional Council:

- 1 Receives the report, The Proposed Regional Pest Management Plan;**
- 2 Approves the Proposed Regional Pest Management Plan for notification on 25 September 2018.**
- 3 Delegates to the General Manager, Strategy and Science the authority to approve any minor changes, including grammatical and formatting, to the Proposed Regional Pest Management Plan prior to its release for notification.**
- 4 Notes the accompanying report Regional Pest Management Plan for the Bay of Plenty Region: Meeting the Biosecurity Act requirements supports the Proposed Regional Pest Management Plan.**

- 5 **Is satisfied the requirements of Section 70 of the Biosecurity Act have been complied with.**
- 6 **Approves the Proposed Regional Pest Management Plan consultation approach to be undertaken as required by section 72(5) of the Biosecurity Act (see section 5 of this Report).**
- 7 **Approves the alternative approach to summarising submissions and formal hearings involving staff discussions with submitters, providing recommendations to Council on how to address submission points and proposing amendments to the Proposed Regional Pest Management Plan.**
- 8 **Agrees that Gorse and Woolly Nightshade be tested against the rules within the Proposed Regional Pest Management Plan alongside the consultation process and reported back to the Regional Direction and Delivery Committee.**

Von Dadelszen/Thurston
CARRIED

16.3 **Recommendations Report: Adopt Regional Public Transport Plan**

Key Points – Members

- Recognised that the Plan would be subject to ongoing review and considerations
- The 'how' relating to achieving the desired outcome should be further explored as a priority.

2.26 pm Cr Bruning entered the meeting.

Resolved

That the Regional Council:

- 1 **Receives the report, Recommendations Report: Adopt Regional Public Transport Plan.**
- 2 **Adopts the recommendation to adopt the Regional Public Transport Plan with an effective date of 10 December 2018.**

Thurston/Marr
CARRIED

16.4 **Councillor Expenditure July 2017 to June 2018**

Yvonne Tatton – Governance Manager presented the Councillors' expenditure for the period 1 July 2017 to 30 June 2018.

Key Points

- Noted that a LGOIMA request had been received by the media relating to the expenditure
- Ideally, all expenditure should be claimed within the relevant financial year.

Resolved

That the Regional Council:

- 1 Receives the report, Councillor Expenditure July 2017 to June 2018;**

**Winters/Leeder
CARRIED**

16.5 Contract for Aids to Navigation Maintenance and Log Recovery

Sarah Omundsen - General Manager Regulatory Services advised that Rotorua Lakes were covered by the contract.

Resolved

That the Regional Council:

- 1 Receives the report, Contract for Aids to Navigation Maintenance and Log Recovery;**
- 2 Approves the Procurement Plan for navigational aid and debris removal;**
- 3 Approves going to market to invite tenders as set out in the Procurement Plan;**
- 4 Delegates to the Chief Executive, through acceptance of the Procurement Plan, the ability to approve the tender for the Marine Navigation Maintenance and Log Retrieval contract;**
- 5 Confirms that the decision has a low level of significance.**

**Bruning/Thompson
CARRIED**

16.6 Health, Safety and People Report

Karen Aspey – People & Capability Manager and Chris Wood – Health & Safety Manager presented this item.

Key Points

- A small number of fixed-term contractors were remunerated below the living wage
- There was no Local Government benchmarking with regards to incidents
- The reported incidents did not cause concerns as no trends had been identified
- Council was currently exploring satellite based technology as an alerting system for increased staff safety

- More detailed exit interviews had been implemented to gather information regarding why staff left the organisation.

Resolved

That the Regional Council:

- 1 Receives the report, Health, Safety and People Report;
- 2 Notes the information set out in the reports.

Love/Thurston
CARRIED

16.7 Amendment to Chief Executive's Financial Delegation

The report was withdrawn as it would instead be presented to the next meeting of the Audit and Risk Committee.

17 Public Excluded Section

Resolved

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
17.2 Public Excluded Regional Council Minutes – 2 August 2018	Please refer to the relevant section in the open minutes	Good reason for withholding exists under Section 48(1)(a)
17.5 Rotorua Catchments Land Use Advice and Support Service - Procurement Plan for Land Use Advisors	To carry out commercial and industrial negotiations	Good reason for withholding exists under Section 48(1)(a)
17.Awatarariki Fanhead Indicative Business Case	To carry out commercial and industrial negotiations	Good reason for withholding exists under Section 48(1)(a)

Leeder/Bruning

CARRIED

18 **General Business**

Discharge Consent - Rotorua

Key Points - Staff

- A discharge consent that was considered controversial had been sought within the Rotorua catchment
- Noted that the Chief Executive had delegated authority to approve the consent
- If granted, the consent was likely to be appealed to Environment Court.

Passing of Former Council Staff Member

Key Points - Members

- Recognised that a previous staff member, Megan Scott, had passed away and that the funeral would take place tomorrow. Flowers would be sent by Council.

Eastern BoP Regional Growth Leadership Group Presentation

Key Points - Chief Executive

- The matter of Council's support of the developments in Eastern Bay of Plenty would be presented to Council at the 27 September 2018 meeting.

Rotorua Lakes Council Court Hearing

Key Points - Chief Executive

- The Court hearing was scheduled for January 2019.

The meeting closed at 3.18 pm

Confirmed DATE

Chairman D Leeder
Bay of Plenty Regional Council