

**MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL
POLICY COMMITTEE MEETING NO. PP22-5
HELD IN THE COUNCIL CHAMBERS, BARKES CORNER, TAURANGA AND
VIA ZOOM UNDER COVID-19 PROTECTION FRAMEWORK ORANGE AND LIVESTREAMED
ON TUESDAY, 14 JUNE 2022 AT 9.30AM**

1 PRESENT

Mayor G Webber (Chairperson), Cr G Dally, Cr M Dean, Cr J Denyer, Deputy Mayor J Scrimgeour, Cr A Sole and Cr D Thwaites

CR A HENRY, CR K MARSH

ABSENT

Cr Grainger had been granted Leave of Absence.

2 IN ATTENDANCE

G Allis (Deputy CEO/General Manager Infrastructure Group), R Davie (General Manager Strategy and Community), D Jensen (Chief Financial Officer), E Watton (Policy and Planning Manager), P Watson (Reserves and Facilities Manager), K Little (Operations Manager), C McLean (Senior Transportation Engineer), M Leighton (Senior Policy Analyst), J Rickard (Senior Policy Analyst), C Steiner (Senior Policy Analyst), K McGinity (Senior Recreation Planner), T Rutherford (Policy Analyst), I Kruis (Resource Recovery and Waste Team Leader), H Wi Repa (Governance Technical Support), J Osborne (Governance Support Administrator), and B Clarke (Senior Governance Advisor)

OTHERS

Three Bay of Plenty Regional Council staff, as listed in the minutes.

3 APOLOGIES

APOLOGIES

RESOLUTION PP22-5.1

Moved: Cr J Denyer

Seconded: Cr G Dally

That the apologies for absence from Cr Gray and Cr Murray-Benge, and the apology for lateness from Cr Marsh be accepted.

CARRIED

4 CONSIDERATION OF LATE ITEMS

Nil.

5 DECLARATIONS OF INTEREST

Nil.

6 PUBLIC EXCLUDED ITEMS

Nil.

7 PUBLIC FORUM

Nil.

8 PRESENTATIONS

A. Bay of Plenty Regional Council (BOPRC) – Implementation of the National Policy Statement for Freshwater Management 2020 (NPSFM 2020)

Reuben Gardiner, Senior Planner (Water Policy) was supported by **Julie Bevan**, Manager Policy & Planning, and **Nicki Green**, Principal Advisor Policy and Planning. He spoke to a powerpoint presentation, noting the following key points:

- The NPSFM 2020 required a tight timeframe for the whole region. BOPRC had brought forward its timeframe, seeking to notify a plan by July 2024.
- The Policy Statement required high level consideration of freshwater and impact on decision making.
- A need to strengthen involvement of Tangata Whenua and management of resources in the region.
- Compulsory Mahinga Kai value (what must be protected?).
- Focus 1: Health and wellbeing of water bodies and freshwater ecosystems.
- Focus 2: Health needs of people, drinking water.
- Ability of people and communities to provide their social, economic and cultural wellbeing, now and in the future.
- Supporting and identifying role of Tangata Whenua across the region.
- Much work to do developing Freshwater Management Units (FMU's).
- Assessing implementation of National Objective Framework (NOF).

Mr Gardiner and Ms Green responded to questions as follows:

- There were thirteen draft FMU's across the Bay of Plenty, subject to engagement next year.
- If there were specific aspects of a vision that only applied to part of the Tauranga Moana catchment, that could be 'nested' within the larger FMU.
- Tauranga Moana catchment, Kaituna, Waihi Estuary catchment and Waitahanui would all be FMU's for Western Bay, each with vision statements and outcomes included in the BOPRC plan. These would direct Council's District Plan.
- Conversations with Tangata Whenua were scoped to their expectations for their rohe and distinct areas of interest, to ensure value in a meaningful way, and focus on key water bodies.

- Mahinga kai values and water conservation values should run together. If an ecological point of view and Tangata Whenua values were different, there would be something wrong. NPSFM 2020 required a conservative approach. Mahinga kai value played a critical part, and would help set limits based on what Tangata Whenua did with a resource. If cultural flows were different to ecological plans, then more work would be done.
- Working on a project with Te Arawa Māori land owners, engaging and taking into account Iwi and Hapu Management Plans and farm planning.
- Te Hononga: Regional Māori Engagement Plan for implementing NPSFM 2020. Options for engagement.
- Preliminary engagements completed, beginning pre-notification engagement.
- District Council's Freshwater Forum discussions took place with Western Bay staff involved. Information on draft aspects of the plan would be provided to Council to review matters that would affect its district the most, for its early feedback.

The Chairperson thanked the presenters for attending, noting that Council would have to give effect to the Freshwater Management Unit outcomes.

9 REPORTS

9.1 ADOPTION OF THE WASTE ASSESSMENT 2022

The Committee considered a report from the Policy Analyst. The report was taken as read.

RESOLUTION PP22-5.2

Moved: Mayor G Webber

Seconded: Cr M Dean

1. That the Senior Policy Analyst's report, dated 14 June 2022, titled 'Adoption of the Waste Assessment 2022' be received.
2. That the report relates to an issue that is of low significance in terms of Council's Significance and Engagement Policy.
3. That the Waste Assessment 2022, as per attachment A to this report, be adopted.
4. That the Committee notes staff are to undertake a review of the Waste Management and Minimisation Plan 2017, and when doing so, contact other Bay of Plenty and Waikato councils to identify regional opportunities.

CARRIED

9.2 PROPOSED DRAFT CONCEPT PLAN FOR WILSON PARK, WAIHĪ BEACH

The Committee considered a report from the Senior Recreation Planner. The report was taken as read.

RESOLUTION PP22-5.3

Moved: Cr A Sole

Seconded: Cr J Denyer

1. That the Senior Recreation Planner's report, dated 14 June 2022, titled 'Proposed Draft Concept Plan for Wilson Park, Waihī Beach' be received.
2. That the report relates to an issue that is considered to be of medium significance in terms of Council's Significance and Engagement Policy.
3. That the Policy Committee approves the release of the draft concept plan with additional explanatory material included as Attachment B of the agenda report, for community consultation under Section 83 of the Local Government Act 2002.
4. That the indicative costs for implementation of the concept plan (as set out in Attachment B of the agenda report) be referred to Council's 2023/24 Annual Plan process.

CARRIED

9.3 DELIBERATIONS ON RATES RELIEF POLICIES

The Committee considered a report from the Policy Analyst. The report was taken as read.

The Chairperson advised that the report recommendation would be dealt with **in parts** as follows:

RESOLUTION PP22-5.4 – PART 1

Moved: Mayor G Webber

Seconded: Cr J Denyer

1. That the Policy Analyst's report dated 14 June 2022 titled 'Deliberations on Rates Relief Policies', be received.
 2. That the report relates to an issue that is considered to be of medium significance in terms of Council's Significance and Engagement Policy.
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3. That the Committee receives the feedback received through the consultation period, which ran from 21 March to 21 April 2022, as set out in Attachment 1 of the agenda report.
4. That in relation to the following policies that received no specific feedback, the Policy Committee adopts these policies without amendment, to come into effect on 1 July 2022:
 - Rates postponement for homeowners aged over 65 years;
 - Rates remission for land used for sport and games;
 - Remission of rates penalties; and
 - Rates remission on Māori freehold land.

CARRIED

RESOLUTION PP22-5.5 – PART 2

Moved: Cr J Denyer

Seconded: Cr M Dean

5. That in relation to the following issues and options, the Policy Committee adopts the following preferred options as part of the final policies, to come into effect on 1 July 2022:
 - Issue 1: Discount for early payment of rates in current financial year [Option A];
 - Issue 2: Rates postponement for financial hardship [Option A];
 - Issue 3: Rates remission for covenanted land [Option C];
 - Issue 4: Rates remission for contiguous land [Option A];
 - Issue 5: Rates remission for re-zoned land [Option A]; and
 - Issue 6: Rates remissions for natural disasters and emergencies [Option A].

CARRIED

RESOLUTION PP22-5.6 – PART 3

Moved: Deputy Mayor J Scrimgeour

Seconded: Mayor G Webber

6. That the Policy Committee requests the Chief Executive to prepare a Decision Story, in general accordance with the resolutions of this meeting, for approval by the Mayor, as the formal response to submitters and for dissemination to those that provided feedback as the response to their feedback, and to be published on the Council's website.

CARRIED

9.4 ADOPTION OF KERBSIDE RUBBISH & RECYCLING SERVICE POLICY 2022

The Committee considered a report from the Operations Manager. The report was taken as read.

It was noted that the word “apply” had been omitted in the last sentence in section 4.3 in the policy, and this would be corrected by Staff.

RESOLUTION PP22-5.7

Moved: Cr J Denyer

Seconded: Cr M Dean

1. That the Operations Manager’s report, dated 14 June 2022, titled ‘Adoption of Kerbside Rubbish and Recycling Service Policy 2022’ be received.
2. That the report relates to an issue that is of medium significance in terms of the Council’s Significance and Engagement Policy.
3. That the Policy Committee receives the feedback received through the consultation period of 21 March to 21 April 2022, as set out in Attachment 2 of the agenda report.
4. That the Policy Committee approves the adoption of the Final Kerbside Rubbish and Recycling Policy, as included in Attachment 1 of the agenda report.
5. That the Policy Committee requests the Chief Executive to direct staff to prepare a Decision Story, in general accordance with the resolutions of this meeting, for approval by the Mayor, as the formal response to submitters, and, for dissemination to those that provided feedback as the response to their feedback, and to be published on the Council’s website.

CARRIED

9.5 ADOPTION OF TE PUKE-MAKETU RESERVE MANAGEMENT PLAN

The Committee considered a report from the Senior Recreation Planner. The report was taken as read.

The Chairperson advised that the report recommendation would be dealt with **in parts** as follows:

RESOLUTION PP22-5.8 – PART 1

Moved: Cr G Dally

Seconded: Mayor G Webber

1. That the Senior Recreation Planner's report, dated 14 June 2022, titled 'Adoption of Te Puke-Maketu Reserve Management Plan' be received.
2. That the report relates to an issue that is considered to be of medium significance in terms of Council's Significance and Engagement Policy.
3. That the Policy Committee receives all written and verbal feedback from the formal consultation period held between 21 February and 26 April 2022, as set out in the document titled 'Formal Consultation Feedback Received', shown as Attachment A of the agenda report.

CARRIED

RESOLUTION PP22-5.9 – PART 2

Moved: Cr G Dally

Seconded: Deputy Mayor J Scrimgeour

- 4 (a) That the Policy Committee adopts the Te Puke-Maketu Reserve Management Plan, shown as Attachments B and C of the agenda report, as released for community consultation pursuant to Section 41(6) of the Reserves Act 1977, and inclusive of the following preferred options:

Issue 1 – Proposed district wide policies for shade, accessibility and play equipment: Option [1A].

CARRIED

RESOLUTION PP22-5.10 – PART 3

Moved: Cr G Dally

Seconded: Deputy Mayor J Scrimgeour

- 4(b) That the Policy Committee adopts the Te Puke-Maketu Reserve Management Plan, shown as Attachments B and C of the agenda report, as released for community consultation pursuant to Section 41(6) of the Reserves Act 1977, and inclusive of the following preferred options:

Issue 2 – Draft Concept Plan for the dog exercise area at Lawrence Oliver Park, Te Puke: Option [2B].

CARRIED

RESOLUTION PP22-5.11 – PART 4

Moved: Cr G Dally

Seconded: Deputy Mayor J Scrimgeour

- 4(c) That the Policy Committee adopts the Te Puke-Maketu Reserve Management Plan, shown as Attachments B and C of the agenda report, as released for
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community consultation pursuant to Section 41(6) of the Reserves Act 1977, and inclusive of the following preferred options:

Issue 3 – Midway Park, Pukehina: Option [3A].

CARRIED

RESOLUTION PP22-5.12 – PART 5

Moved: Cr G Dally

Seconded: Cr D Thwaites

4(d) That the Policy Committee adopts the Te Puke-Maketu Reserve Management Plan, shown as Attachments B and C of the agenda report, as released for community consultation pursuant to Section 41(6) of the Reserves Act 1977, and inclusive of the following preferred options:

Issue 4 – Spencer Avenue Reserve, Maketu: Option [4A].

CARRIED

RESOLUTION PP22-5.13 – PART 6

Moved: Cr A Sole

Seconded: Deputy Mayor J Scrimgeour

4(e) That the Policy Committee adopts the Te Puke-Maketu Reserve Management Plan, shown as Attachments B and C of the agenda report, as released for community consultation pursuant to Section 41(6) of the Reserves Act 1977, and inclusive of the following preferred options:

Issue 6 – Pongakawa Heritage House: Option [6A].

CARRIED

RESOLUTION PP22-5.14 – PART 7

Moved: Cr G Dally

Seconded: Cr M Dean

5. That in relation to Issue 5 – Pongakawa Wetlands, the Policy Committee agrees: Option [5A].

CARRIED

Issue 7 – Pongakawa Domain

Staff responded to a question in relation to Issue 7 – Pongakawa Domain, noting that funding was already set aside in the Long Term Plan for the years 23/24 and 24/25 (two separate years), and in bringing the matter forward for consideration in the next Annual Plan process, staff would ensure that funding was available sooner.

RESOLUTION PP22-5.15 – PART 8

Moved: Deputy Mayor J Scrimgeour

Seconded: Cr J Denyer

6. That in relation to Issue 7 – Pongakawa Domain, the Policy Committee agrees: Option [7A].

CARRIED

RESOLUTION PP22-5.16 – PART 9

Moved: Deputy Mayor J Scrimgeour

Seconded: Cr D Thwaites

7. That in relation to Issue 8 – Whakauae Reserve/Maketu Sportsground, the Policy Committee agrees: Option [8A].

CARRIED

RESOLUTION PP22-5.17 – PART 10

Moved: Cr G Dally

Seconded: Deputy Mayor J Scrimgeour

8. That in relation to Issue 9 – Jubilee Park/Jameson Oval, the Policy Committee agrees: Option [9A].

CARRIED

RESOLUTION PP22-5.18 – PART 11

Moved: Cr M Dean

Seconded: Mayor G Webber

9. That in relation to Issue 10 – Archaeological considerations, the Policy Committee agrees: Option [10A].

CARRIED

Issue 11 – Closed section of Spencer Avenue, Maketu

Staff responded to a question regarding the opening of Spencer Avenue, which was a public road. There were some disadvantages with opening it, and it was likely there would be a consultation process to follow.

RESOLUTION PP22-5.19 – PART 12

Moved: Cr G Dally

Seconded: Deputy Mayor J Scrimgeour

10. That in relation to Issue 11 – Closed section of Spencer Avenue, Maketu the Policy Committee agrees: Option [11A].

CARRIED

RESOLUTION PP22-5.20 – PART 13

Moved: Cr J Denyer
Seconded: Mayor G Webber

11. That the indicative costs for implementation of the concept plans contained within the final Te Puke-Maketu Reserve Management Plan be referred to the 2023/24 Annual Plan for consideration.

CARRIED

RESOLUTION PP22-5.21 – PART 14

Moved: Mayor G Webber
Seconded: Deputy Mayor J Scrimgeour

12. That the Policy Committee requests the Chief Executive to direct staff to prepare a Decision Story document, in general accordance with the resolutions of this meeting, for approval by the Mayor, as the formal response to submitters and for dissemination to those that provided feedback as the response to their feedback, and to be published on the Council's website.

CARRIED

RESOLUTION PP22-5.22 – PART 15

Moved: Mayor G Webber
Seconded: Cr J Denyer

13. That the Chief Executive is authorised to make any required editorial changes to the final Te Puke-Maketu Reserve Management Plan.

CARRIED

9.6 ADOPTION OF THE SEAL EXTENSION PRIORITISATION POLICY AND COUNCIL MAINTENANCE OF PREVIOUSLY UNMAINTAINED ROADS POLICY, AND REVOCATION OF THE MĀORI ROADWAYS POLICY

The Committee considered a report from the Policy and Planning Manager. The report was taken as read.

10.28am Cr Marsh entered the meeting (via Zoom).

The Chairperson advised that the report recommendation would be dealt with **in parts** as follows:

RESOLUTION PP22-5.23 – PART 1

Moved: Mayor G Webber

Seconded: Cr M Dean

1. That the Policy and Planning Manager's report, dated 14 June 2022, titled 'Adoption of the Seal Extension Prioritisation Policy and Council Maintenance of Previously Unmaintained Roads Policy, and Revocation of the Māori Roadways Policy' be received.
2. That the report relates to an issue that is considered to be of medium significance in terms of Council's Significance and Engagement Policy.
3. That the Committee receives the feedback received through the consultation period 21 March to 21 April 2022, as set out in Attachment A and B of the agenda report.
4. That the Policy Committee revokes the Māori Roadways Policy 2012, as set out in Attachment C of the agenda report, effective from 1 July 2022.

CARRIED

RESOLUTION PP22-5.24 – PART 2

Moved: Cr J Denyer

Seconded: Cr D Thwaites

5. That the Policy Committee adopts the Council Maintenance of Previously Unmaintained Roads Policy set out in Attachment D of the agenda report, to come into effect on 1 July 2022, and inclusive of the following amendments:

Issue one: Requirement for written request from all landowners adjoining the unformed road: [Option A].

Issue two: Considering a broader range of amenities: [Option A].

CARRIED

RESOLUTION PP22-5.25 – PART 3

Moved: Cr J Denyer

Seconded: Deputy Mayor J Scrimgeour

6. That the Committee adopts the Seal Extension Prioritisation Policy set out in Attachment E to this report, to come into effect on 1 July 2022, and inclusive of the following amendments:

Issue one: Traffic count methodology: [Option A]

Issue two: Additional policy criteria: [Option A]

Issue three: Low speed roads: [Option A]

Editorial changes:

- Amend clause 7.1 to read:

Māori Roadways will be included for consideration, provided:

(a) *There is no exclusivity of use (as determined through any Māori Land Court Order); and*

(b) *All landowners consent in writing to the roadway being sealed and maintained by Council.*

- Add a definition for “landowners”:

means the registered owners or land administrators shown on the record of title for the affected property (whether General Land or Māori Freehold Land), or in the case of Māori Freehold Land as otherwise directed by the Māori Land Court.

- Amend the policy criteria in clause 7.1 for clarity to read:

Private funding contributions of 50 percent or more will elevate ~~nominated~~ road sections meeting all policy criteria to the ~~top of the~~ three year priority list, provided that they are >200 metres in length or the remaining length of an unsealed road, whichever is the lesser distance.

7. That the Policy Committee notes that the Seal Extension Prioritisation Policy’s updated Priority List will be considered at the Performance and Monitoring Committee at its meeting on 5 July 2022.
8. That the Policy Committee requests the Chief Executive to prepare a decision story in general accordance with resolutions of this meeting and the Performance and Monitoring Committee meeting on 5 July 2022, for approval by the Mayor as the formal response to submitters and for dissemination to those that provided feedback as the response to their feedback, and to be published on the Council’s website.

CARRIED

9.7 COUNCIL'S ROLE IN HOUSING

The Committee considered a report from the Senior Policy Analyst. The report was taken as read. Staff responded to questions as follows:

- Any proposal received would be assessed against Council's Significance and Engagement Policy, and brought back to the Committee with that assessment to be considered alongside the proposal, in decision making.
 - In relation to projects generating a return covering project costs, this could be considered with timeframes. This was a good investment principle to keep with the wording as it stood, which set a good parameter for what Council was trying to achieve, as long as there was a clear period indicated for payback. Each process would come back and be evaluated on criteria, on a case-by-case basis.
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RESOLUTION PP22-5.26

Moved: Cr A Henry

Seconded: Cr M Dean

1. That the Senior Policy Analyst's report dated 14 June 2022 titled 'Council's Role in Housing' be received.
 2. That the report relates to an issue that is considered to be of low significance in terms of Council's Significance and Engagement Policy.
 3. That in alignment with Council's purpose and functions under both the Local Government Act 2002 and the Resource Management Act 1991, the Policy Committee confirms Council's role as the lead agency for facilitating local housing strategies and action plans to deliver on local housing outcomes to improve community wellbeing.
 4. That in alignment with its role as the lead agency, Council will:
 - a. Facilitate local housing networks to develop local housing strategies that focus on meeting housing needs across the housing continuum,
 - b. Use its resources to leverage housing outcomes and co-investment that meet identified gaps in the housing continuum, particularly for assisted rental and assisted ownership housing, ensuring this does not duplicate the role of other organisations and partners,
 - c. Use its resources to advocate for central government investment into housing delivered by other organisations and housing partners where these meet identified housing needs and gaps in supply.
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5. That in implementing the role set out in Recommendation 4, the Policy Committee adopts the following investment principles:
 - a. Council will invest where there are opportunities to partner and to leverage Council's contribution,
 - b. Council will invest to achieve housing outcomes for those most in need,
 - c. Council, in delivering to principle b, will not duplicate the role of other organisations,
 - d. Council will advance social procurement opportunities in project delivery to achieve wider outcomes
 - e. Council will ensure projects generate a return back to Council that covers project costs at a minimum.
6. That the Policy Committee agrees in principle to consideration of the Better Off Funding being used to deliver specific housing outcomes for local communities.
7. That the Policy Committee requests the Chief Executive to prepare a high-level Investment Programme with an initial focus on elder housing regeneration, and vacant land opportunities in alignment with Council's role (Recommendation 4), and investment principles (Recommendation 5), to be brought back to the Policy Committee for consideration for use of Better Off Funding.

.CARRIED

10 INFORMATION FOR RECEIPT

10.1 SUBMISSION ON BEHALF OF COUNCIL

The Committee considered a report from the Policy Analyst. The report was taken as read.

RESOLUTION PP22-5.27

Moved: Mayor G Webber

Seconded: Cr A Sole

1. That the Policy Analyst's report dated 14 June 2022, titled 'Submission on Behalf of Council,' be received.
 2. That the following submission, shown as Attachment 1 of the agenda report, is received by the Policy Committee and the information is noted:
 - Western Bay of Plenty District Council submission to the Bay of Plenty Regional Council – Proposed Rates Remissions Policy, dated 2 May 2022.
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CARRIED

The meeting was declared closed at 10.45am.

Confirmed as a true and correct record by Council on 11 August 2022.