

**MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL  
COUNCIL MEETING NO. CL23-7  
HELD IN THE COUNCIL CHAMBERS, 1484 CAMERON ROAD, TAURANGA  
ON THURSDAY, 27 APRIL 2023 AT 9.30AM**

## 1 PRESENT

Mayor J Denyer, Deputy Mayor J Scrimgeour, Cr T Coxhead, Cr R Crawford, Cr G Dally, Cr A Henry, Cr R Joyce, Cr M Murray-Benge, Cr A Sole, Cr D Thwaites and Cr A Wichers

## 2 IN ATTENDANCE

J Holyoake (Chief Executive Officer), G Allis (Deputy Chief Executive Officer/General Manager Infrastructure), R Davie (General Manager Strategy and Community), A Curtis (General Manager Regulatory Services), G Golding (Governance Manager), L Balvert (Communications Manager), J Rickard (Community and Strategic Relationships Manager), K Little (Operations Manager), P Watson (Reserves and Facilities Manager), H Wi Repa (Governance Technical Support), P Osborne (Senior Governance Advisor), and C Irvin (Senior Governance Advisor).

### VIA ZOOM

K Grayling (Senior Communications and Engagement Specialist)

### OTHERS IN ATTENDANCE

3. Waihi Beach Community Board  
R Goudie (Chairperson)

Te Puna Quarry Park Society  
S Purves (President)

Tourism Bay of Plenty  
O Nathan (General Manager)  
S Linton (Head of Strategy and Insights)

## 3 APOLOGIES

### APOLOGY

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#### RESOLUTION CL23-7.1

Moved: Cr M Murray-Benge

Seconded: Cr T Coxhead

That the apology for absence from Cr Grainger be accepted.

**CARRIED**

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#### 4 CONSIDERATION OF LATE ITEMS

NIL

#### 5 DECLARATIONS OF INTEREST

NIL

#### 6 PUBLIC EXCLUDED ITEMS

NIL

#### 7 PUBLIC FORUM

##### A. Bruce McCabe – Chairperson Ōmokoroa Residents and Ratepayers Association

Mr McCabe spoke to the Council Agenda report '13-17 Heron Crescent Elder Housing Redevelopment' stating the following:

- Council policy stated that elder housing should be a ring-fenced activity and the revenue generated from this needed to cover all capital and operation expenditure without input from rates.
- The project was relying largely on 'Better Off Funding', the amount of which was not accurately reflected in the report.
- The approval by Councillors to apply for Better Off Funding for elder housing meant a significant cost to ratepayers.
- At the proposed debt, it would be near impossible to repay the debt. In effect, the elder housing operation was insolvent without input from ratepayers.
- Mr McCabe believed that elder housing in Katikati was probably better off in the hands of a registered community housing provider, and that Abbeyfield Western Bay of Plenty was noteworthy in terms of what they provided for elderly people and how much they paid.

Mr McCabe responded to questions as follows:

- When a registered community housing provider provided elderly housing, tenants were able to access an income related rent subsidy which made up the difference between what they received.
- Council needed to fully understand costs and losses so that it could fully meet its policy so that it was not a financial burden on the rate payer.
- Two key things were overlooked in the report: the contract for Better Off Funding did not have a \$4.6M allocation to Heron Crescent – it only allocated \$3M; and Council loan money would have to be used to make up the difference between these two amounts.

- There was also a real terms opportunity cost to rate payers for money being used for that purpose coming through as an increase in rates this coming year, as well as an unrealistic expectation of inflation.

## **8 COMMUNITY BOARD MINUTES FOR RECEIPT**

### **8.1 MINUTES OF THE KATIKATI COMMUNITY BOARD MEETING HELD ON 5 APRIL 2023**

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#### **RESOLUTION CL23-7.2**

Moved: Cr R Joyce

Seconded: Mayor J Denyer

That the Minutes of the Katikati Community Board Meeting held on 5 April 2023 be received.

**CARRIED**

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## **9 COUNCIL AND COMMITTEE MINUTES FOR CONFIRMATION**

### **9.1 MINUTES OF THE ANNUAL PLAN AND LONG TERM PLAN COMMITTEE MEETING HELD ON 23 FEBRUARY 2023**

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#### **RESOLUTION CL23-7.3**

Moved: Deputy Mayor J Scrimgeour

Seconded: Cr D Thwaites

That the Minutes of the Annual Plan and Long Term Plan Committee Meeting held on 23 February 2023 be confirmed as a true and correct record and the recommendations therein be adopted.

**CARRIED**

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### **9.2 MINUTES OF THE AUDIT, RISK AND FINANCE COMMITTEE MEETING HELD ON 27 FEBRUARY 2023**

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#### **RESOLUTION CL23-7.4**

Moved: Cr A Henry

Seconded: Cr M Murray-Benge

That the Minutes of the Audit, Risk and Finance Committee Meeting held on 27 February 2023 be confirmed as a true and correct record and the recommendations therein be adopted.

**CARRIED**

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**9.3 MINUTES OF THE STRATEGY AND POLICY COMMITTEE MEETING HELD ON 7 MARCH 2023**

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**RESOLUTION CL23-7.5**

Moved: Mayor J Denyer

Seconded: Deputy Mayor J Scrimgeour

That the Minutes of the Strategy and Policy Committee Meeting held on 7 March 2023 be confirmed as a true and correct record and the recommendations therein be adopted.

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**CARRIED**

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**9.4 MINUTES OF THE COUNCIL MEETING HELD ON 16 MARCH 2023**

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**RESOLUTION CL23-7.6**

Moved: Mayor J Denyer

Seconded: Deputy Mayor J Scrimgeour

That the Minutes of the Council Meeting held on 16 March 2023 be confirmed as a true and correct record and the recommendations therein be adopted.

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**CARRIED**

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**9.5 MINUTES OF THE ANNUAL PLAN AND LONG TERM PLAN COMMITTEE MEETING HELD ON 28 MARCH 2023**

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**RESOLUTION CL23-7.7**

Moved: Deputy Mayor J Scrimgeour

Seconded: Cr A Henry

That the Minutes of the Annual Plan and Long Term Plan Committee Meeting held on 28 March 2023 be confirmed as a true and correct record and the recommendations therein be adopted.

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**CARRIED**

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**9.6 MINUTES OF THE CHIEF EXECUTIVE EMPLOYMENT SUB COMMITTEE MEETING HELD ON 5 APRIL 2023**

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**RESOLUTION CL23-7.8**

Moved: Mayor J Denyer

Seconded: Cr T Coxhead

That the Minutes of the Chief Executive Employment Sub Committee Meeting held on 5 April 2023 be confirmed as a true and correct record and the recommendations therein be adopted.

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**CARRIED**

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**9.7 MINUTES OF THE STRATEGY AND POLICY COMMITTEE MEETING HELD ON 13 APRIL 2023**

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**RESOLUTION CL23-7.9**

Moved: Cr A Henry

Seconded: Cr M Murray-Benge

That the Minutes of the Strategy and Policy Committee Meeting held on 13 April 2023 be confirmed as a true and correct record and the recommendations therein be adopted.

**CARRIED**

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**10 REPORTS****10.1 13-17 HERON CRESCENT ELDER HOUSING REDEVELOPMENT**

The Committee considered a report dated 27 April 2023 from the Community and Strategic Relationships Manager who took the report as read, with the following noted:

- The purpose of today's report was to get the initial concept design endorsed to be able to move the project to the next stage, which was the application to the Affordable Housing Fund, should Council be successful with its Registration of Interest.

The Community and Strategic Relationships Manager and the General Manager Infrastructure responded to questions as follows:

- Initially, funding was allocated towards both Heron Crescent and Tui Place. This application was a 'point in time' application based on very high level numbers, sufficient to make the lodgement to the Department of Internal Affairs (DIA). Staff continued to work with the DIA as projects started to take shape to confirm what funding was allocated to those two projects. Staff then went back to the DIA to confirm the conditions of funding. The DIA accepted that applications put in at a very early stage where high level work had been done, would change. As such, there was full confidence that the full \$4.6 million would be allocated for the elderly housing redevelopment for Heron Crescent.
- Demolition and works were progressing currently at the site. The resource consent would cost circa \$20,000.
- The elderly housing portfolio was a ring fenced activity not subsidised by rates. This was included in the modelling previously shown.

The Chief Executive Officer responded to a question as follows:

- The intent was for this project to be government funded. If successful, Council would have income coming in as an asset. When considering this project, the reality was there was income against no debt, which had to have a positive impact on Council's portfolio.
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The Community and Strategic Relationships Manager responded to questions as follows:

- What was being presented today was an initial concept design that had been entirely costed on the inclusion of two bedroom units. Part of what Council was trying to do was to ensure the site was future-proofed and to realise maximum value. This was also part of being able to approach the Affordable Housing Fund and demonstrate a site and design that provided choice. It was felt there would be significant demand for two bedroom units. There was still scope to redefine some aspects.
- The resource consent was a land use consent. It provided information such as the level of on-site development and management of environmental effects from that level of development. If this was set out as in the initial concept design, it would be easy to vary the consent if needed, if a lower level of development was to occur on the site.
- If the initial concept design was endorsed, it would enable staff to move forward with the project, regardless of what happened with the funding. Essentially, this was preparatory, so that staff could proceed upon approval of the funding without delay.
- Loans taken out were capitalised into the activity and the activity made interest repayments on that debt. At the moment, the activity was making interest repayments back into the treasury account. At the same time there was the current account balance which was currently sitting in the red at around \$3M.
- It was understood that Abbeyfield Western Bay of Plenty was not a registered community housing provider and that the development they were wanting to do in Katikati would not be eligible for the income related rent subsidy. They had applied to the affordable housing fund for a funding grant. The eligibility criteria for the fund excluded operations where the income related rent subsidy could be applied. Tenants in this facility would therefore not be eligible for the income related rent subsidy.
- Council had thoroughly canvassed the option of moving towards a community housing provider model. Key considerations were that the income related rent subsidy was a model that placed prerequisites on who they could place in that housing. This was a legal arrangement between the housing provider and the government, who set relatively tough conditions such as tenants must come from the social housing register, amongst other things. This changed the nature of what was being provided. Another key aspect considered by Council was that none of the existing tenants would be eligible for the income related rent subsidy. Public consensus was that Council remained in the business of affordable elderly housing which had been identified as a high level need for people over 65 with limited financial needs and limited rental opportunities.

- Community housing was a robust model that provided a good level of service to tenants however, its model was closer to social housing than affordable rental housing.
- Staff had been notified by the Ministry for Housing and Development that they would decide no earlier than 8 May 2023.

The Chief Executive Officer responded to a question as follows:

- Where a community housing provider had an agreement to receive the income related rent subsidy for its housing, it had an obligation to prioritise people off the social housing register to access its housing.

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## RECOMMENDATION

1. That the Community and Strategic Relationships Manager's report dated 27 April 2023 titled '13-17 Heron Crescent Katikati Elder Housing Redevelopment' 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 Council endorses the initial concept design, included as **Attachment 1** to this report, for the purposes of:
  - a. Completion of a Request for Proposal to the Affordable Housing Fund – Affordable Rental Pathways, subject to Council being accepted to complete a request for proposal based on its Registration of Interest to the Fund; and
  - b. Lodgement of a resource consent application based on the site layout plan, noting the consent may vary at a later date if changes to the initial concept design are required; and
  - c. The use of up to \$4.6 million allocated from Better Off Funding, as set out in the executed funding agreement between Western Bay of Plenty District Council, Department of Internal Affairs and Crown Infrastructure Partners.
4. That Council notes the delivery of the initial concept design is subject to a successful funding application to the Ministry of Housing and Urban Development's (MHUD) Affordable Housing Fund.
5. That Council notes a construction contract or alternative options for development will be presented back to Council for approval, depending on the outcome of the funding application to the Affordable Housing Fund.

## AMENDMENT

Moved: Cr T Coxhead

Seconded: Cr A Sole

That numbers 1, 2, 3 (a, b and c) and 4 remain the same.

That number 5 be amended as follows:

5. That Council notes a construction contract or alternative options for development will be presented back to Council for approval, depending on the outcome of the funding application to the Affordable Housing Fund, subject to the financial modelling not breaching Council's policy so that there is no cost to the ratepayer and noting that this does not impact resolution three (3) above.

The amendment was put and declared **carried** and became the substantive motion.

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**SUBSTANTIVE MOTION:**

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**RESOLUTION CL23-7.10**

Moved: Cr R Joyce

Seconded: Cr D Thwaites

1. That the Community and Strategic Relationships Manager's report dated 27 April 2023 titled '13-17 Heron Crescent Katikati Elder Housing Redevelopment' 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 Council endorses the initial concept design, included as **Attachment 1** to this report, for the purposes of:
  - a. Completion of a Request for Proposal to the Affordable Housing Fund – Affordable Rental Pathways, subject to Council being accepted to complete a request for proposal based on its Registration of Interest to the Fund; and
  - b. Lodgement of a resource consent application based on the site layout plan, noting the consent may vary at a later date if changes to the initial concept design are required; and
  - c. The use of up to \$4.6 million allocated from Better Off Funding, as set out in the executed funding agreement between Western Bay of Plenty District Council, Department of Internal Affairs and Crown Infrastructure Partners.
4. That Council notes the delivery of the initial concept design is subject to a successful funding application to the Ministry of Housing and Urban Development's (MHUD) Affordable Housing Fund.
5. That Council notes a construction contract or alternative options for development will be presented back to Council for approval, depending on the outcome of the funding application to the Affordable Housing Fund, subject to the financial modelling not breaching Council's policy so that there is no cost to the ratepayer and noting that this does not impact resolution three (3) above.

**CARRIED**

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Councillor Murray-Benge voted against the motion and requested that her vote be recorded.

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10:50am The meeting adjourned

11:10am The meeting reconvened

## **10.2 TE PUNA QUARRY PARK MANAGEMENT AGREEMENT - 2022-2027**

The Committee considered a report dated 27 April 2023 from the Reserves and Facilities Manager who took the report as read. The Chairperson introduced Shona Purves, President Te Puna Quarry Park Society.

The Reserves and Facilities Manager responded to a question as follows:

- This was a Management Agreement not a Management Plan. The Management Plan would be worked through in 2025. This Management Agreement was more about day to day management of Te Puna Quarry Park.

Shona Purves responded to questions as follows:

- The defibrillator that had been stolen off the wall had not been replaced. The Te Puna Park Society was unsure what to do because the idea was to have the defibrillator available for public use. However, they were aware that it could easily be stolen again if just hung back up on the wall.
- There had been several issues with the gates. They were originally locked and unlocked every day, then put on an automatic lock. This caused problems such as the motors burning out on the automatic locks, amongst other things. There were now lockable padlock bars that were working well.

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### **RESOLUTION CL23-7.11**

Moved: Cr M Murray-Benge

Seconded: Cr A Henry

1. That the Reserves and Facilities Manager report dated 13 April 2023 titled 'Te Puna Quarry Park Management Agreement – 2022-2027' 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 a new Management Agreement be entered into between the Western Bay of Plenty District Council and Te Puna Quarry Park Society Incorporated, for the management of the Te Puna Quarry Park, for a term of 5 years with a provision to grant a further 5 years (total 10 years) by way of Council resolution.

**CARRIED**

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### **10.3 APPOINTMENT OF ALTERNATE MEMBER TO BAY OF PLENTY CIVIL DEFENCE EMERGENCY MANAGEMENT GROUP 2022-2025**

The Committee considered a report dated 27 April 2023 from the Governance Support Administrator. The report was taken as read.

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#### **RESOLUTION CL23-7.12**

Moved: Cr D Thwaites

Seconded: Cr M Murray-Benge

1. That the Governance Support Administrator's report dated 27 April 2023 titled 'Appointment of Alternate Member to Bay of Plenty Civil Defence Emergency Management Group 2022-2025' 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 the following Elected Member be appointed as an alternate representative to the Bay of Plenty Civil Defence Emergency Management Group:
  - Member: Deputy Mayor John Scrimgeour

**CARRIED**

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### **10.4 DRAFT BAY OF PLENTY LOCAL AUTHORITY SHARED SERVICES LIMITED STATEMENT OF INTENT FOR 2023-2026**

The Committee considered a report dated 27 April 2023 from the Chief Financial Officer. The report was taken as read.

The Chief Executive Officer responded to a question as follows:

- BOPLASS continued to provide benefits, in particular with insurances. It was important to stay up to speed and monitor the changes happening. Government procurement processes were offering a lot of benefits.

Please note: The BOPLASS Statement for Intent 2023-2026 is provided as an attachment to these minutes.

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#### **RESOLUTION CL23-7.13**

Moved: Cr A Sole

Seconded: Deputy Mayor J Scrimgeour

1. That the Chief Financial Officers report dated 23 May 2023 titled 'Bay of Plenty Local Authority Shared Services Limited Statement of Intent for 2023-2026' be received.
  2. That Council:
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- a) Endorses 'Bay of Plenty Local Authority Shared Services Limited Statement of Intent for 2023-2026'.
- And
- b) Notes any recommendations to the 'Bay of Plenty Local Authority Shared Services Limited Statement of Intent for 2023-2026' for submission not later than 30 April 2023.

**CARRIED**

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### **10.5 TOURISM BAY OF PLENTY DRAFT STATEMENT OF INTENT 2023-2024 TO 2025-2026**

The Committee considered a report dated 27 April 2023 from the Community and Strategic Relationships Manager. The report was taken as read.

The Chairperson introduced Oscar Nathan (General Manager) and Stacey Linton (Head of Strategy and Insights) from Tourism Bay of Plenty (TBOP) who responded to questions as follows:

- TBOP was committed to regenerative tourism and balancing out the value of tourism to the community and the economy.
  - This year TBOP had two Letters of Expectation (LOE), one from WBOPDC and one from Tauranga City Council (TCC), which were being merged into one Statement of Intent (SOI).
  - There was a continued focus on five areas: regenerative tourism, elevating Māori tourism, horticulture, walkways and cycleways.
  - Tourism had improved since the borders reopened, with an increase in visitors to the area. There were a good number of cruise ships that came to Tauranga during the summer season. There were many passionate tourism operators in and around the area, however their targets and business models had changed since 2019. A lot of these operators were not taking as many visitors as they had previously.
  - TBOP produced a 'waterfalls' brochure that promoted the waterfalls they wanted people to visit but also the waterfalls they did not want people to visit.
  - TBOP was working with the 'Green Room' to reach out to operators further out in the region. There was a lot of work to do between now and the next cruise ship season with the biggest challenge being access to the labour force and how to get more people into product offerings.
  - Because popular attractions on the other side of the Kaimai Ranges were no longer taking large groups of people, cruise ship operators were actively looking for other attractions in and around the Bay of Plenty.
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- TBOP was working together with the Waihi Beach collective, identifying products and experiences that could be built on and delivered that were sustainable through the low season.
- The cultural wellbeing story telling application (app) was not operational yet. This would be an app for connecting places with people with the intention of defining cultural settings. TBOP was taking on two digital kiosk opportunities that would be tested through two allocations at TCC first.
- Most tourism operations had received a degree of support from the government for funding that was to offset the borders being closed and the resulting reduction in visitors to tourism areas.

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**RESOLUTION CL23-7.14**

Moved: Cr M Murray-Benge

Seconded: Cr G Dally

1. That the Community and Strategic Relationships Manager's report dated 27 April 2023 titled 'Tourism Bay of Plenty Draft Statement of Intent 2023-2024 to 2025-2026' 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 Council receives the draft Tourism Bay of Plenty Statement of Intent 2023-2024 to 2025-2026, included as **Attachment 1** to this report.
4. That Council confirms the draft Tourism Bay of Plenty Statement of Intent 2023-2024 to 2025-2026 is in alignment with the Letter of Expectation provided by Western Bay of Plenty District Council to Tourism Bay of Plenty.
5. That Council notes as joint shareholder Tauranga City Council has provided feedback on the draft Statement of Intent at their 3 April 2023 Council meeting.

**CARRIED**

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**10.6 DRAFT COLAB LIMITED STATEMENT OF INTENT FOR THE YEAR ENDED 30 JUNE 2024**

The Committee considered a report dated 27 April 2023 from the Chief Financial Officer who took the report as read, providing the following points:

- Engagement with CoLab was going well in addition to procurement opportunities focusing on a number of services such as IT systems.
- Council was very interested in the relationship and building on what they did.

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**RESOLUTION CL23-7.15**

Moved: Cr A Henry

Seconded: Cr A Sole

1. That the Chief Financial Officers report dated 23 May 2023 titled 'Draft CoLAB Limited Statement of Intent for the year ended 30 June 2024' be received.
2. That Council:
  - a) Endorses the 'CoLab Limited Draft Statement of Intent for 2023-2026'  
And
  - b) Notes any recommendations to the CoLab Limited Draft Statement of Intent for the year ended 30 June 2024 for submission no later than 30 April 2023.

**CARRIED**

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### **10.7 MAYOR'S REPORT TO COUNCIL**

The Committee considered a report dated 27 April 2023 from the Mayor who took the report as read noting the following:

Three Waters:

- A refreshed model was announced on 13 April with reforms along regional lines that included the Bay of Plenty. The second tranche of Better Off Funding was withdrawn, however the first tranche remained in place. There was a delay of entity stand-ups, now staged for early 2025 and July 2026.

SmartGrowth:

- A leadership meeting was held on 5 April 2023. Whitiora McLeod and Riki Nelson were confirmed as Tangata Whenua members. Deputy Mayor Scrimgeour was nominated to be our political champion to the SmartGrowth strategy and be involved in the special consultancy process. Mayor Denyer had also been elected as Deputy Chair for the SmartGrowth Leadership Group.

Mayor Denyer and staff responded to questions as follows:

- The General Manager Infrastructure advised that there had been no information to date regarding the new three waters reform and additional funding. In terms of the extension, there was no information as to how the process was going to happen, what information Council would need to provide and if that would incur costs. At this time there was little clarity on a number of aspects. A lot of information was still to come.
- The meeting between Transpower and PowerCo was primarily a relationship meeting that touched on the development needed in the networks.

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### **RESOLUTION CL23-7.16**

Moved: Mayor J Denyer

Seconded: Cr A Henry

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That the Senior Executive Assistant to Mayor/CEO's report dated 27 April 2023 titled 'Mayor's Report to Council' be received.

**CARRIED**

## **11 INFORMATION FOR RECEIPT**

### **11.1 CHIEF EXECUTIVE OFFICER'S MEETING REPORT**

The Committee considered a report dated 27 April 2023 from the Chief Executive Officer. The report was taken as read.

## **12 RESOLUTION TO EXCLUDE THE PUBLIC**

### **RESOLUTION TO EXCLUDE THE PUBLIC**

#### **RESOLUTION CL23-7.17**

Moved: Cr A Sole

Seconded: Cr T Coxhead

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter 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 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48 for the passing of this resolution</b>
<b>12.1 - Confidential Minutes of the Annual Plan and Long Term Plan Committee Meeting held on 23 February 2023</b>	s7(2)(c)(ii) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

<p><b>12.2 - Confidential Minutes of the Audit, Risk and Finance Committee Meeting held on 27 February 2023</b></p>	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
<p><b>12.3 - Confidential Minutes of the Council Meeting held on 16 March 2023</b></p>	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(b)(ii) - the withholding of the information is necessary 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</p> <p>s7(2)(c)(ii) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>

	<p>otherwise to damage the public interest</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	
<b>12.4 - 39 and 61 Prole Road Property Negotiations</b>	s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
<b>12.5 - Appointment of Trustees to the Board of Tourism Bay of Plenty</b>	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
<b>12.6 - Chief Executive Officer's Report - Request for Execution of Documents Under Seal of Council</b>	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(b)(ii) - the withholding of the information is necessary 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</p>	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7



	s7(2)(c)(ii) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest	
<b>CARRIED</b>		

### ITEM TRANSFERRED INTO OPEN SESSION

#### 12.6 APPOINTMENT OF TRUSTEES TO THE BOARD OF TOURISM BAY OF PLENTY

##### RESOLUTION CL23-7.18

Moved: Mayor J Denyer

Seconded: Cr A Sole

1. That the Community and Strategic Relationship Manager's report dated 27 April 2023 titled 'Appointment of Trustees to the Board of Tourism Bay of Plenty' 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 Council approves the reappointment of Russ Browne to the Tourism Bay of Plenty Board for a further three years to 30 April 2026, and his appointment as Chair.
4. That Council approves the appointment of Janine Tulloch as Trustee to the Tourism Bay of Plenty Board for a three-year term, commencing 1 May 2023 until 30 April 2026.
5. That Council approves the appointment of Peter Blakeway as Trustee to the Tourism Bay of Plenty Board for a three-year term, commencing 1 May 2023 until 30 April 2026.
6. That Council notes these appointments were approved by Tauranga City Council as joint shareholder of Tourism Bay of Plenty at its Council meeting on 3 April 2023.

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7. That the recommendation be transferred to the open section of the meeting once the successful and unsuccessful applicants have been notified.

**CARRIED**

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**ATTACHMENTS**

- 1 **10.4** - Draft Bay of Plenty Local Authority Shared Services Ltd Statement of Intent for 2023-2026

**The Meeting closed at 12:33pm.**

**Confirmed as a true and correct record at the Council meeting held 6 June 2023**

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Mayor J Denyer  
**CHAIRPERSON / MAYOR**