

**MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL  
COUNCIL MEETING NO. CL23-11  
HELD IN THE COUNCIL CHAMBERS, 1484 CAMERON ROAD, TAURANGA  
ON THURSDAY, 29 JUNE 2023 AT 9.30AM**

## 1 KARAKIA

Whakatau mai te wairua	Settle the spirit
Whakawātea mai te hinengaro	Clear the mind
Whakarite mai te tinana	Prepare the body
Kia ea ai ngā mahi	To achieve what needs to be
Āe	achieved.
	Yes

## 2 PRESENT

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

## 3 IN ATTENDANCE

J Holyoake (Chief Executive Officer), G Allis (Deputy Chief Executive Officer/General Manager Infrastructure), R Davie (General Manager Strategy and Community), A Henderson (General Manager Corporate Services), A Curtis (General Manager Regulatory Services), G Golding (Governance Manager), C Nepia (Strategic Kaupapa Māori Manager), D Elvin (Compliance and Monitoring Manager), M Leighton (Policy and Planning Manager), R Gallagher (Senior Policy Analyst), H Wi Repa (Governance Systems Advisor) and C Irvin (Senior Governance Advisor).

### VIA ZOOM

K Little (Operations Manager)

## 4 APOLOGIES

### APOLOGY

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#### RESOLUTION CL23-11.1

Moved: Cr R Joyce

Seconded: Cr D Thwaites

That the apology for absence from Cr Sole be accepted.

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**CARRIED**

## 5 CONSIDERATION OF LATE ITEMS

The Chairperson advised there were two late items for Council to consider for inclusion in the open section of the agenda, being:

1. Final Bay of Plenty Local Authority Shared Services Limited Statement of Intent for 2023-2026; and
2. Final CoLAB Limited Statement of Intent for Year End 30 June 2024.

The reason these items were not included in the agenda was that the reports (i.e., Statements of Intent) were received after the publication date of the agenda, and could not be delayed to the next scheduled Council meeting because the Statements of Intent for both entities had to be received by Council by 30 June 2023.

## CONSIDERATION OF LATE ITEMS

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### RESOLUTION CL23-11.2

Moved: Cr M Grainger

Seconded: Cr A Henry

That, in accordance with Section 46A (7) of the Local Government Official Information and Meetings Act the following items be considered as a late items of open business:

1. Final Bay of Plenty Local Authority Shared Services Limited Statement of Intent for 2023-2026; and
2. Final CoLAB Limited Statement of Intent for Year End 30 June 2024.

**CARRIED**

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## 6 DECLARATIONS OF INTEREST

Nil

## 7 PUBLIC EXCLUDED ITEMS

Nil

## 8 PUBLIC FORUM

Nil

## **9 COMMUNITY BOARD MINUTES FOR RECEIPT**

### **9.1 MINUTES OF THE KATIKATI COMMUNITY BOARD MEETING HELD ON 31 MAY 2023**

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#### **RESOLUTION CL23-11.3**

Moved: Cr R Joyce

Seconded: Cr T Coxhead

That the Minutes of the Katikati Community Board Meeting held on 31 May 2023 be received.

**CARRIED**

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### **9.2 MINUTES OF THE ŌMOKOROĀ COMMUNITY BOARD MEETING HELD ON 6 JUNE 2023**

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#### **RESOLUTION CL23-11.4**

Moved: Cr M Grainger

Seconded: Cr D Thwaites

That the Minutes of the Ōmokoroā Community Board Meeting held on 6 June 2023 be received.

**CARRIED**

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### **9.3 MINUTES OF THE TE PUKE COMMUNITY BOARD MEETING HELD ON 8 JUNE 2023**

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#### **RESOLUTION CL23-11.5**

Moved: Cr G Dally

Seconded: Cr A Wichers

That the Minutes of the Te Puke Community Board Meeting held on 8 June 2023 be received.

**CARRIED**

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### **9.4 MINUTES OF THE MAKETU COMMUNITY BOARD MEETING HELD ON 13 JUNE 2023**

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#### **RESOLUTION CL23-11.6**

Moved: Deputy Mayor J Scrimgeour

Seconded: Cr R Crawford

That the Minutes of the Maketu Community Board Meeting held on 13 June 2023 be received.

**CARRIED**

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**10 COUNCIL AND COMMITTEE MINUTES FOR CONFIRMATION****10.1 MINUTES OF THE COUNCIL MEETING HELD ON 16 MAY 2023**

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**RESOLUTION CL23-11.7**

Moved: Mayor J Denyer

Seconded: Cr M Murray-Benge

1. That the Minutes of the Council Meeting held on 16 May 2023 be confirmed as a true and correct record and the recommendations therein be adopted.
2. That the Chairperson's electronic signature be inserted into the confirmed minutes.

**CARRIED**

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**10.2 MINUTES OF THE PROJECTS AND MONITORING COMMITTEE MEETING HELD ON 16 MAY 2023**

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**RESOLUTION CL23-11.8**

Moved: Cr D Thwaites

Seconded: Cr A Henry

That the Minutes of the Projects and Monitoring Committee Meeting held on 16 May 2023 be confirmed as a true and correct record and the recommendations therein be adopted.

**CARRIED**

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**10.3 MINUTES OF THE STRATEGY AND POLICY COMMITTEE MEETING HELD ON 25 MAY 2023**

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**Resolution CL23-11.9**

Moved: Mayor J Denyer

Seconded: Cr A Henry

That the Minutes of the Strategy and Policy Committee Meeting held on 25 May 2023 be confirmed as a true and correct record and the recommendations therein be adopted.

**CARRIED**

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**10.4 MINUTES OF THE COUNCIL MEETING HELD ON 6 JUNE 2023**

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**RESOLUTION CL23-11.10**Moved: Mayor J Denyer

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Seconded: Deputy Mayor J Scrimgeour

1. That the Minutes of the Council Meeting held on 6 June 2023 be confirmed as a true and correct record and the recommendations therein be adopted.
2. That the Chairperson's electronic signature be inserted into the confirmed minutes.

**CARRIED**

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## **11 COUNCIL AND COMMITTEE MINUTES FOR RECEIPT**

### **11.1 MINUTES OF THE TE IHU O TE WAKA O TE ARAWA MEETING HELD ON 10 MAY 2023**

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#### **RESOLUTION CL23-11.11**

Moved: Cr R Crawford

Seconded: Cr G Dally

That the Minutes of the Te Ihu o te Waka o Te Arawa Meeting held on 10 May 2023 be received.

**CARRIED**

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## **12 REPORTS**

### **12.1 ESTABLISHMENT OF CCTV WORKING PARTY AND DELEGATIONS FOR THE 2023-2024 YEAR**

The Committee considered a report dated 29 June 2023 from the Operations Manager. The report was taken as read.

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#### **RESOLUTION CL23-11.12**

Moved: Cr A Henry

Seconded: Cr T Coxhead

1. That the Operations Manager's report dated 29 June 2023 titled 'Establishment of CCTV Working Party and Delegations for the 2023-2024 Year' 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 it be recommended to Council:
    - a. That a CCTV Working Party be established comprising of:
      - i. Katikati-Waihi Beach Ward 1 Councillor
      - ii. Kaimai Ward 1 Councillor
      - iii. Maketu-Te Puke Ward 1 Councillor
      - iv. Operations Manager 1 Staff Member
      - v. New Zealand Police 1 Representative
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- b. That the CCTV Working Party be delegated authority to:
  - i. Advertise for applications to install CCTV cameras;
  - ii. To evaluate the applications against the CCTV Management Plan Criteria; and
  - iii. To allocate the annual funding of \$50,000.
  
- c. That the following Councillors be appointed to the CCTV Working Party for the 2022-2024 year:
  - i. Katikati-Waihi Beach - Cr Rodney Joyce
  - ii. Kaimai Ward - Cr Margaret Murray-Benge
  - iii. Maketu-Te Puke Ward - Cr Richard Crawford

**CARRIED**

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## **12.2 DISTRICT LICENSING COMMITTEE - PROCESS FOR THE APPOINTMENT OF COMMISSIONERS AND MEMBERS**

The Committee considered a report dated 29 June 2023 from the Compliance and Monitoring Manager. The report was taken as read.

Staff responded to questions as follows:

- It would make sense to consider staggering the membership of the Board, by appointing some commissioners for a shorter period of time, to allow for better continuity.
  - Generally, commissioners were appointed, as opposed to chairpersons. Commissioners had usually spent most of their career in the alcohol arena (i.e., working as licencing inspectors or for the Police) and as such brought a wealth of experience to the table, as well as having in-depth legal knowledge, which was required.
  - The bulk of applications received were for licence renewals. A high level of vetting from Police and Council was involved.
  - Council compliance staff were working on the concept of informing communities through social media as part of the public notification process for liquor licences.
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### **RESOLUTION CL23-11.13**

Moved: Cr D Thwaites

Seconded: Cr A Henry

1. That the Compliance and Monitoring Manager's report dated 29 June 2023 titled 'District Licensing Committee – Process for the Appointment of Commissioners and Members' be received.
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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 will advertise for expressions of interest in membership for the District Licensing Committee.
4. That the Mayor will establish a panel consisting of staff, an elected member/s and a Tangata Whenua representative, to review applications and make recommendations to Council for approval.

**CARRIED**

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### **12.3 SMARTGROWTH LEADERSHIP GROUP (JOINT COMMITTEE) MEMBERSHIP AND TERMS OF REFERENCE**

The Committee considered a report dated 29 June 2023 from the General Manager Strategy and Community. The report was taken as read.

Staff responded to questions as follows:

- The 'Regional Spatial Framework' was one of the fundamental foundations of the new Resource Management system. What it largely contemplated was what was done at a SmartGrowth level, that would become/transition to a regional function.
  - Currently, SmartGrowth processes for appointing Tangata Whenua to SmartGrowth Leadership were recorded as by iwi nomination, however this was not correct. Tangata Whenua representatives would like the agreement changed to reflect the correct process.
  - The refresh around SmartGrowth arrangements was to ensure that it was operating as efficiently as it could.
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#### **RESOLUTION CL23-11.14**

Moved: Mayor J Denyer

Seconded: Cr A Henry

1. That the General Manager Strategy and Community's report dated 29 June 2023 titled 'SmartGrowth Leadership Group (Joint Committee) Membership and Terms of Reference' 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 SmartGrowth Leadership Group (Joint Committee) Agreement 2023 and SmartGrowth Leadership Group Committee Terms of Reference (**Attachment 1** of this report).
  4. That it is noted that the recruitment process for the Independent Chair position is underway.
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5. That the process for appointing Tangata Whenua representatives be reviewed as part of the development of the SmartGrowth strategy.

**CARRIED**

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## **12.4 ANNUAL PLAN 2023/2024 UPDATE AND ADOPTION OF THE SCHEDULE OF FEES AND CHARGES 2023/2024**

Councillor Joyce declared an interest in this item and abstained from any discussion and voting.

The Committee considered a report dated 29 June 2023 from the Senior Policy Analyst. The report was taken as read.

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### **RESOLUTION CL23-11.15**

Moved: Deputy Mayor J Scrimgeour

Seconded: Cr T Coxhead

1. That the Senior Policy Analyst's report dated 29 June 2023 titled 'Annual Plan 2023/2024 update and adoption of the schedule of fees and charges 2023/2024' 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 adopt the schedule of fees and charges 2023/2024 (excluding indicative financial contributions) as contained in **Attachment 1** of this report, and as recommended by the Annual Plan and Long Term Plan Committee resolutions contained in the minutes of APLTP23-4.19.
4. That Council commence the following projects contained in the draft annual plan 2023/2024 from 1 July 2023:
  - Dave Hume pool liner, bulkhead, and roof projects.
5. That the Chief Executive Officer be delegated the authority to make such minor editorial changes to the schedule of fees and charges 2023/2024 as may be required.

**CARRIED**

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## **13 LATE ITEMS**

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

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The Committee considered a report dated 29 June 2023 from the Chief Financial Officer. The report was taken as read.

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The Chief Executive Officer responded to a question as follows:

- Bay of Plenty Local Authority Shared Services (BOPLASS) had been very clear about its strategic direction, which was to enhance procurement efficiencies. Council also wanted them to focus on other efficiencies across Council matters, such as shared services.
- Council had joined CoLAB because it focused on information technology (IT), resources, and other big projects.

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### RESOLUTION CL23-11.16

Moved: Cr M Murray-Benge

Seconded: Cr R Crawford

That the Chief Financial Officer's report dated 29 June 2023 titled 'Final Bay of Plenty Local Authority Shared Services Limited Statement of Intent for 2023-2026' be received.

**CARRIED**

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### 13.2 FINAL COLAB LIMITED STATEMENT OF INTENT FOR YEAR END 30 JUNE 2024

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The Committee considered a report dated 29 June 2023 from the Chief Financial Officer. The report was taken as read.

### RESOLUTION CL23-11.17

Moved: Cr A Henry

Seconded: Cr M Grainger

That the Chief Financial Officers report dated 29 June 2023 titled 'Final CoLAB Limited Statement of Intent for Year End 30 June 2024' be received.

**CARRIED**

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### 14 INFORMATION FOR RECEIPT

Nil

### 15 RESOLUTION TO EXCLUDE THE PUBLIC

#### RESOLUTION TO EXCLUDE THE PUBLIC

#### RESOLUTION CL23-11.18

Moved: Cr M Grainger

Seconded: Cr A Henry

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>
14.1 - Confidential Minutes of the Projects and Monitoring Committee Meeting held on 16 May 2023	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
14.2 - Confidential Minutes of the Council Meeting held on 6 June 2023	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
14.3 - Chief Executive 2023/2024 Key Performance Indicators (KPIs)	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

**CARRIED**

**The Meeting closed at 11:46am.**

**Confirmed as a true and correct record at the Council meeting held 20 July 2023.**



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Mayor J Denyer

**CHAIRPERSON / MAYOR**