

**MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL
COUNCIL MEETING NO. CL23-14
HELD IN THE COUNCIL CHAMBERS, 1484 CAMERON ROAD, TAURANGA
ON WEDNESDAY, 30 AUGUST 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 achieved.
Āe	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

VIA ZOOM

Cr A Sole

3 IN ATTENDANCE

J Holyoake (Chief Executive Officer), R Davie (Deputy CEO/General Manager Strategy and Community), A Henderson (General Manager Corporate Services), A Curtis (General Manager Regulatory Services, C Crowe (General Manager Infrastructure Services), A Ali (Chief Financial Officer), E Watton (Strategic Policy and Planning Programme Director), M Leighton (Policy and Planning Manager), J Rickard (Community and Strategic Relationships Manager), D Elvin (Compliance and Monitoring Manager), R Gallagher (Senior Policy Analyst), H Wi Repa (Governance Systems Advisor), J Osborne (Governance Advisor), C Irvin (Senior Governance Advisor) and R Leahy (Governance Advisor).

VIA ZOOM

M Va'ai Matatia (Senior Environmental Planner)

OTHERS IN ATTENDANCE

24 members of the public, in support of the Public Forum speaker.

One member of the press.

4 APOLOGIES

APOLOGY

RESOLUTION CL23-14.1

Moved: Cr A Henry

Seconded: Cr M Murray-Benge

That the apology for lateness from Cr R Joyce be accepted.

CARRIED

5 CONSIDERATION OF LATE ITEMS

5.1 CONSIDERATION OF A LATE OPEN ITEM

The Chairperson advised there was one late item for Council to consider for inclusion in the open section of the agenda, being Supplementary Report: Recommendation from the Annual Plan Long Term Plan Committee – Adoption of the Annual Plan 2023/24.

The reason that this item was not included on the agenda was that it was necessary to update a document and it could not be delayed to the next scheduled Council meeting because it was needed to resolve item 12.1 of this agenda (CL23-14).

RESOLUTION CL23-14.2

Moved: Cr M Grainger

Seconded: Cr T Coxhead

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

- Supplementary Report: Recommendation from the Annual Plan Long Term Plan Committee – Adoption of the Annual Plan 2023/24.

CARRIED

5.2 CONSIDERATION OF A LATE CONFIDENTIAL ITEM

The Chairperson advised there was one late confidential item for Council to consider for inclusion in the public excluded section of the agenda, being Supplementary Confidential Report: Recommendary Report from the Chief Executive Employment Sub Committee.

The reason that this item was not included on the agenda was because further negotiations were necessary, and it could not be delayed to the next scheduled Council meeting because a presenter had been scheduled for this Council meeting (CL23-14).

RESOLUTION CL23-14.3

Moved: Cr M Grainger

Seconded: Cr T Coxhead

1. That the public be excluded from the following part of this meeting namely: the closed section.
2. That in accordance with Section 46A (7) of the Local Government Official Information and Meetings Act the following item be considered as a late item of confidential business:
 1. 'Supplementary Confidential Report: Recommendary Report from the Chief Executive Employment Sub Committee'.

The general subject to 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 each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution.
Supplementary Confidential Report: Recommendary Report from the Chief Executive Employment Sub Committee	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
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CARRIED

6 DECLARATIONS OF INTEREST

Nil

7 PUBLIC EXCLUDED ITEMS

Nil

8 PUBLIC FORUM

A. Kellie Hutchenson – Fluoridation

Ms Hutchenson was in attendance to speak to Council regarding the instruction by the Director-General of Health to fluoridate the drinking water supplies for Athenree and Wharawhara. She provided the following points:

9:36 Cr Joyce entered the meeting.

- Ms Hutchenson requested Council pass a motion to seek an interim injunction through the Courts to stop the Director-General of Health’s direction to fluoridate water.
- It was her belief that the Director-General of Health had not considered the most up to date information on fluoridation and referenced findings in the draft Fluoride Toxicity Report from the National Toxicology Program (United States).
- She encouraged Council to work with other councils to seek an interim injunction.
- Anti-fluoride campaigners would be holding a public meeting at the Te Puna Hall on 17 September 2023.

9 COMMUNITY BOARD MINUTES FOR RECEIPT

9.1 MINUTES OF THE KATIKATI COMMUNITY BOARD MEETING HELD ON 26 JULY 2023

RESOLUTION CL23-14.4

Moved: Cr A Henry

Seconded: Cr T Coxhead

That the Minutes of the Katikati Community Board Meeting held on 26 July 2023 be received.

CARRIED

9.2 MINUTES OF THE ŌMOKOROA COMMUNITY BOARD MEETING HELD ON 1 AUGUST 2023

RESOLUTION CL23-14.5

Moved: Cr M Grainger

Seconded: Cr D Thwaites

That the Minutes of the Ōmokoroa Community Board Meeting held on 1 August 2023 be received.

CARRIED

9.3 MINUTES OF THE TE PUKE COMMUNITY BOARD MEETING HELD ON 3 AUGUST 2023

RESOLUTION CL23-14.6

Moved: Cr G Dally

Seconded: Cr A Wichers

That the Minutes of the Te Puke Community Board Meeting held on 3 August 2023 be received.

CARRIED

9.4 MINUTES OF THE MAKETU COMMUNITY BOARD MEETING HELD ON 8 AUGUST 2023

RESOLUTION CL23-14.7

Moved: Cr R Crawford

Seconded: Deputy Mayor J Scrimgeour

That the Minutes of the Maketu Community Board Meeting held on 8 August 2023 be received.

CARRIED

9.5 MINUTES OF THE WAIHĪ BEACH COMMUNITY BOARD MEETING HELD ON 14 AUGUST 2023

RESOLUTION CL23-14.8

Moved: Cr A Henry

Seconded: Cr M Murray-Benge

That the Minutes of the Waihi Beach Community Board Meeting held on 14 August 2023 be received.

CARRIED

10 COUNCIL AND COMMITTEE MINUTES FOR CONFIRMATION

10.1 MINUTES OF THE COUNCIL MEETING HELD ON 20 JULY 2023

RESOLUTION CL23-14.9

Moved: Mayor J Denyer

Seconded: Deputy Mayor J Scrimgeour

1. That the Minutes of the Council Meeting held on 20 July 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

10.2 MINUTES OF THE ANNUAL PLAN AND LONG TERM PLAN COMMITTEE MEETING HELD ON 25 JULY 2023

RESOLUTION CL23-14.10

Moved: Deputy Mayor J Scrimgeour

Seconded: Cr D Thwaites

That the Minutes of the Annual Plan and Long Term Plan Committee Meeting held on 25 July 2023 be confirmed as a true and correct record and the recommendations therein be adopted.

CARRIED

10.3 MINUTES OF THE ANNUAL PLAN AND LONG TERM PLAN COMMITTEE MEETING HELD ON 10 AUGUST 2023

RESOLUTION CL23-14.11

Moved: Cr M Murray-Benge

Seconded: Cr A Wichers

That the Minutes of the Annual Plan and Long Term Plan Committee Meeting held on 10 August 2023 be confirmed as a true and correct record and the recommendations therein be adopted.

CARRIED

11 COUNCIL AND COMMITTEE MINUTES FOR RECEIPT

11.1 MINUTES OF THE TE KĀHUI MANA WHENUA O TAURANGA MOANA MEETING HELD ON 26 JULY 2023

RESOLUTION CL23-14.12

Moved: Mayor J Denyer

Seconded: Cr M Grainger

That the Minutes of the Te Kāhui Mana Whenua o Tauranga Moana Meeting held on 26 July 2023 be received.

CARRIED

11.2 MINUTES OF THE TE IHU O TE WAKA O TE ARAWA MEETING HELD ON 9 AUGUST 2023

RESOLUTION CL23-14.13

Moved: Cr A Wichers

Seconded: Cr R Crawford

That the Minutes of the Te Ihu o te Waka o Te Arawa Meeting held on 9 August 2023 be received with the following amendment made:

1. That Mayor James Denyer's name be added to the attendance list.

CARRIED

12 REPORTS

12.1 CHANGE TO ORDER OF BUSINESS

The Chairperson requested that the next item of business be late open item: 'Supplementary Report: Recommendation from the Annual Plan Long Term Plan Committee – Adoption of the Annual Plan 2023/24', in order to resolve item 12.1 of this agenda (CL23-14).

RESOLUTION CL23-14.14

Moved: Cr M Grainger

Seconded: Cr A Henry

That, in accordance with Standing Orders, the order of business be changed and that late open item 'Supplementary Report: Recommendation from the Annual Plan Long

Term Plan Committee – Adoption of the Annual Plan 2023/24' be dealt with as the next item of business.

CARRIED

LATE ITEM

12.2 'SUPPLEMENTARY REPORT: RECOMMENDATION FROM THE ANNUAL PLAN LONG TERM PLAN COMMITTEE – ADOPTION OF THE ANNUAL PLAN 2023/24'

The Committee considered a report from the Senior Governance Advisor. The report was taken as read.

RESOLUTION CL23-14.15

Moved: Deputy Mayor J Scrimgeour

Seconded: Cr A Wichers

1. That the Senior Governance Advisor's report dated 30 August 2023 titled 'Supplementary Report: Recommendation from the Annual Plan Long Term Plan Committee – Adoption of the annual Plan 2023/2024' 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 updated Annual Plan 2023/24, as contained in **Attachment A** of this report, be received.
4. That the updated Annual Plan 2023/24, as contained in **Attachment A** of this report replaces **Attachment A** included within the recommendatory report from the Annual Plan and Long Term Plan Committee – Adoption of the Annual Plan [Item 12.1 – Council Agenda CL23-14].

CARRIED

12.3 RECOMMENDATORY REPORT FROM ANNUAL PLAN AND LONG TERM PLAN COMMITTEE – ADOPTION OF THE ANNUAL PLAN 2023/24

Council considered a report dated 30 August 2023 from the Senior Policy Analyst, who took the report as read and noted the following points:

- The project 'radio frequency identification technology for libraries' was technology used to track library books.
 - The rate increase was caused by weather events and the inflationary environment.
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RESOLUTION CL23-14.16

Moved: Deputy Mayor J Scrimgeour

Seconded: Cr M Grainger

1. That the Senior Policy Analyst's report dated 30 August 2023, titled 'Recommendatory report from Annual Plan and Long Term Plan Committee – Adoption of the Annual Plan 2023/24' 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. In accordance with section 80 of the Local Government Act 2002, Council acknowledges that the average rate increase of 7.04% contained in the Annual Plan 2023/24 is inconsistent with Council's Financial Strategy, the reason is due to significantly higher than predicted inflation and economic pressures. Council does intend to review the Financial Strategy as part of the Long Term Plan 2024-2034.
4. As recommended by the Annual Plan and Long Term Plan Committee the Annual Plan 2023/24 be adopted as contained in **Attachment A** of the supplementary (late) report item 11.1 of the 30 August 2023 Council Agenda. The recommendations of the Annual Plan and Long Term Plan Committee are set out in **Attachment B** of this report.
5. As recommended by the Annual Plan and Long Term Plan Committee the Financial Contributions Schedule 2023/24 be adopted as contained in **Attachment C** with the Disclosure Tables for Financial Contributions 2023/24 as contained in **Attachment D**.
6. That, as the formal response to submitters, Council approves the Decision Document (as contained in **Attachment E**), for all submitters, for dissemination as soon as practicable, following the adoption of the Annual Plan 2023/24.
7. That the Chief Executive Officer be delegated the authority to make such minor editorial changes to the Annual Plan 2023/24, and Financial Contributions Schedule 2023/24, and Decision Document, as may be required.

CARRIED

12.4 SETTING OF THE RATES FOR 2023/24 ANNUAL PLAN

Council considered a report dated 30 August 2023 from the Revenue Lead, who took the report as read and noted the following points:

- A minor amendment had been made to one of the titles in the recommendation: 'Land Drainage targeted rate' was changed to 'Community Hall targeted rate.'
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RESOLUTION CL23-14.17

Moved: Cr M Murray-Benge

Seconded: Cr A Henry

1. That the Revenue Lead's report dated 30 August 2023 titled 'Setting of Rates for 2023/24 Annual Plan' 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 sets the rates set out in resolutions 5, 6, and 10 under the Local Government (Rating) Act 2002, in accordance with the relevant provisions of the Funding Impact Statement in the Annual Plan for 2023/2024, on rating units in the district for the financial year commencing on 1 July 2023 and ending on 30 June 2024.
4. All rates shall be inclusive of Goods and Services Tax (GST).

5. General Rate

A general rate is set under section 13 of the Local Government (Rating) Act 2002 at:

A rate of \$0.00077884 in the dollar of capital value on all rateable rating units in the Western Bay of Plenty District.

Uniform Annual General Charge:

A uniform annual general charge is set under section 15(1)(a) of the Local Government (Rating) Act 2002 at:

A rate of \$243.80 per rating unit.

6. Targeted Rates:

The following targeted rates are set under sections 16(4)(a), 16(4)(b) and 17 of the Local Government (Rating) Act 2002.

Council sets volumetric water supply rates under section 19 of the Local Government (Rating) Act 2002:

Differential roading targeted rate: A targeted rate for roading set on all rateable land in the district (as an amount in the \$ of land value), set differentially on the following categories: **Amount of the rate (GST Incl.)**

RESIDENTIAL / RURAL differential category	\$ 0.000610786
COMMERCIAL / INDUSTRIAL differential category	\$ 0.001221571
FORESTRY differential category	\$ 0.000610786
District -wide roading rate: A targeted rate for roading set on all land in the district as a fixed amount per rating unit	\$ 81.98
Rural Roading Rate: A targeted rate for roading set on all rural-zoned land in the district as a fixed amount per rating unit	\$ 381.18
Community board targeted rates	
Community board targeted rates set as a fixed amount per rating unit in respect of all rating units in the relevant area:	
WAIHI BEACH - Community Board targeted rate	\$ 31.29
KATIKATI - Community Board targeted rate	\$ 25.64
OMOKOROA - Community Board targeted rate	\$ 45.02
TE PUKE - Community Board targeted rate	\$ 35.00
MAKETU - Community Board targeted rate	\$ 161.43
Environmental protection targeted rate	

An environmental protection targeted rate set on all rateable land in the district as a fixed amount per rating unit	\$ 75.31
Solid waste targeted rate	
A solid waste targeted rate set differentially in respect of all land in the following differential categories as a fixed amount per rating unit:	
Western area (WAIHI BEACH / KATIKATI) differential category	\$ 108.66
Eastern area (TE PUKE/MAKETU) differential category	\$ 67.35
Omokoroa green waste targeted rate	
A targeted rate for green waste facilities on all rating units in Omokoroa, set as a fixed amount per rating unit.	\$ 64.37
Kerbside collection targeted rate	
A kerbside collection targeted rate set on a differential basis as a fixed amount per rating unit and set in respect of all land in the relevant service area	
Rural service area	\$ 106.00
Urban service area	\$ 166.00
Library services targeted rate	
A targeted rate set as a fixed amount per rating unit on all land in the district	\$ 153.26
Western Water targeted rates	
Metered connection targeted rate: A metered water connection targeted rate, set on all rating units with a metered connection to the Western Water scheme as a fixed amount per connection and set differentially based on the size of the connection	
WATER CONNECTION 20MM	\$ 431.20
ADDITIONAL WATER CONNECTION 20MM	\$ 111.57
WATER CONNECTION 25MM	\$ 241.47
WATER CONNECTION 40MM	\$ 1,293.59
WATER CONNECTION 50MM	\$ 2,263.78
WATER CONNECTION 100MM	\$ 10,348.69
Unmetered connection targeted rate: An unmetered water connection targeted rate, set in respect of all rating units connected to the Western Water scheme (but without a metered connection) as a fixed amount per connection	
	\$ 561.38
Availability targeted rate: An availability targeted rate set in respect of all land which could be connected but is not connected to the scheme	
	\$ 215.60
Volumetric water targeted rate: A volumetric targeted rate for water set as an amount per cubic metre of water consumption	
	\$ 1.24
Capital repayment targeted rate: A targeted rate set as a fixed amount per rating unit on all rating units connected to the Woodland Road water supply extension	
	\$ 606.48
Central Water targeted rates	
Metered connection targeted rate: A metered water connection targeted rate, set on all rating units with a metered connection to the Central Water scheme as a fixed amount per connection and set differentially based on the size of the connection	
WATER CONNECTION 20MM	\$ 431.20
ADDITIONAL WATER CONNECTION 20MM	\$ 111.57
WATER CONNECTION 25MM	\$ 241.47
WATER CONNECTION 50MM	\$ 2,263.78
Unmetered connection targeted rate: An unmetered water connection targeted rate, set in respect of all rating units connected to the Central Water scheme (but without a metered connection) as a fixed amount per connection	
	\$ 561.38
Availability targeted rate: An availability targeted rate set in respect of all land which could be connected but is not connected to the scheme	
	\$ 215.60

Volumetric water targeted rate: A volumetric targeted rate for water set as an amount per cubic metre of water consumption	\$ 1.24
Capital repayment targeted rate: A targeted rate set as a fixed amount per rating unit on all rating units connected to the Astelia / Kayelene water supply extension	\$ 696.34
Eastern Water targeted rates	
Metered connection targeted rate: A metered water connection targeted rate, set on all rating units with a metered connection to the Eastern Water scheme as a fixed amount per connection and set differentially based on the size of the connection	
WATER CONNECTION 20MM	\$ 431.20
ADDITIONAL WATER CONNECTION 20MM	\$ 111.57
WATER CONNECTION 25MM	\$ 241.47
WATER CONNECTION 40MM	\$ 1,293.59
WATER CONNECTION 50MM	\$ 2,263.78
WATER CONNECTION 100MM	\$ 10,348.69
WATER CONNECTION 150MM	\$ 23,823.54
Unmetered connection targeted rate: An unmetered water connection targeted rate, set in respect of all rating units connected to the Eastern Water scheme (but without a metered connection) as a fixed amount per connection	\$ 561.38
Availability targeted rate: An availability targeted rate set in respect of all land which could be connected but is not connected to the scheme	\$ 215.60
Volumetric water targeted rate: A volumetric targeted rate for water set as an amount per cubic metre of water consumption	\$ 1.24
Capital repayment targeted rate: A targeted rate set as a fixed amount per rating unit on all rating units connected to the Black Road water supply extension	\$ 587.96
Gibraltar water scheme targeted rate: A targeted rate for water supply on all rating units connected to the Gibraltar water scheme, set as an amount per rating unit	\$ 116.15

Waihi Beach wastewater targeted rates	
Availability charge: A targeted rate set on all rating units to which Waihi Beach wastewater services are available but which are not connected, set as an amount per rating unit	\$ 553.77
Connection charge: A targeted rate set on all rating units connected to the Waihi Beach wastewater scheme, set as an amount per rating unit	\$ 1,107.53
Multiple pan charge: A targeted rate set on all rating units connected to the Waihi Beach wastewater scheme, set as an amount per water closet or urinal after the first	\$ 929.08
Waihi Beach School: A targeted rate set for wastewater services in respect of the Waihi Beach School, set as an amount per rating unit.	\$ 9,617.54
Katikati wastewater targeted rates	
Availability charge: A targeted rate set on all rating units to which Katikati wastewater services are available but which are not connected, set as an amount per rating unit	\$ 553.77
Connection charge: A targeted rate set on all rating units connected to the Katikati wastewater scheme, set as an amount per rating unit	\$ 1,107.53
Multiple pan charge: A targeted rate set on all rating units connected to the Katikati wastewater scheme, set as an amount per water closet or urinal after the first	\$ 929.08
Katikati College: A targeted rate set for wastewater services in respect of the Katikati College, set as an amount per rating unit.	\$ 27,368.98
Katikati Primary School: A targeted rate set for wastewater services in respect of the Katikati Primary School, set as an amount per rating unit.	\$ 17,523.86
Omokoroa wastewater targeted rates	

Availability charge: A targeted rate set on all rating units to which Omokoroa wastewater services are available but which are not connected, set as an amount per rating unit	\$ 553.77
Connection charge: A targeted rate set on all rating units connected to the Omokoroa wastewater scheme, set as an amount per rating unit	\$ 1,107.53
Multiple pan charge: A targeted rate set on all rating units connected to the Omokoroa wastewater scheme, set as an amount per water closet or urinal after the first	\$ 929.08
Omokoroa Point School: A targeted rate set for wastewater services in respect of the Omokoroa Point School, set as an amount per rating unit.	\$ 7,980.30
Te Puna West wastewater targeted rates	
Availability charge: A targeted rate set on all rating units to which Te Puna West wastewater services are available but which are not connected, set as an amount per rating unit	\$ 553.77
Connection charge: A targeted rate set on all rating units connected to the Te Puna West wastewater scheme, set as an amount per rating unit	\$ 1,107.53
Multiple pan charge: A targeted rate set on all rating units connected to the Te Puna West wastewater scheme, set as an amount per water closet or urinal after the first	\$ 929.08
Capital repayment targeted rate: An optional targeted rate set as a fixed one-off amount per rating unit on all rating units connected to the Te Puna West water supply extension	\$ 10,204.36
Capital repayment targeted rate: If the optional rate above is not chosen a non-optional targeted rate set as a fixed amount per rating unit on all rating units connected to the Te Puna West water supply extension	\$ 1,074.85
Ongare Point wastewater targeted rates	
Availability charge: A targeted rate set on all rating units to which Ongare Point wastewater services are available but which are not connected, set as an amount per rating unit	\$ 553.77
Connection charge: A targeted rate set on all rating units connected to the Ongare Point wastewater scheme, set as an amount per rating unit	\$ 1,107.53
Multiple pan charge: A targeted rate set on all rating units connected to the Ongare Point wastewater scheme, set as an amount per water closet or urinal after the first	\$ 929.08
Capital repayment targeted rate: An optional targeted rate set as a fixed one-off amount per rating unit on all rating units connected to the Ongare Point water supply extension	\$ 10,114.68
Capital repayment targeted rate: If the optional rate above is not chosen a non-optional targeted rate set as a fixed amount per rating unit on all rating units connected to the Ongare Point water supply extension	\$ 1,335.79
Te Puke wastewater targeted rates	
Availability charge: A targeted rate set on all rating units to which Te Puke wastewater services are available but which are not connected, set as an amount per rating unit	\$ 553.77
Connection charge: A targeted rate set on all rating units connected to the Te Puke wastewater scheme, set as an amount per rating unit	\$ 1,107.53
Multiple pan charge: A targeted rate set on all rating units connected to the Te Puke wastewater scheme, set as an amount per water closet or urinal after the first	\$ 929.08
Te Puke High School: A targeted rate set for wastewater services in respect of the Te Puke High School, set as an amount per rating unit.	\$ 14,931.20
Te Puke Intermediate School: A targeted rate set for wastewater services in respect of the Te Puke Intermediate School, set as an amount per rating unit.	\$ 16,152.17
Te Puke Primary School: A targeted rate set for wastewater services in respect of the Te Puke Primary School, set as an amount per rating unit.	\$ 15,178.93
Fairhaven Primary School: A targeted rate set for wastewater services in respect of the Fairhaven Primary School, set as an amount per rating unit.	\$ 13,637.09
Te Timatanga Hou Kohanga: A targeted rate set for wastewater services in respect of the Te Timatanga Hou Kohanga, set as an amount per rating unit.	\$ 278.40
Maketu / Little Waihi wastewater targeted rates	
Availability charge: A targeted rate set on all rating units to which Maketu / Little Waihi wastewater services are available but which are not connected, set as an amount per rating unit	\$ 553.77

Connection charge: A targeted rate set on all rating units connected to the Maketu / Little Waihi wastewater scheme, set as an amount per rating unit	\$ 1,107.53
Multiple pan charge: A targeted rate set on all rating units connected to the Maketu / Little Waihi wastewater scheme, set as an amount per water closet or urinal after the first	\$ 929.08
Maketu Primary School: A targeted rate set for wastewater services in respect of the Maketu Primary School, set as an amount per rating unit.	\$ 3,525.86
Waihi Beach coastal protection targeted rates	
Rock revetment operational targeted rate: A targeted rate set in respect of the defined area of benefit at Waihi Beach, set as an amount per rating unit.	\$ 211.23
Rock revetment capital targeted rate: A targeted rate set in respect of the defined area of benefit at Waihi Beach, set as an amount per rating unit.	\$ 1,510.64
Ward targeted rate: A targeted rate set in respect of all rating units in the Waihi Ward area, as an amount per rating unit	\$ 16.22
Waihi Beach dunes charge - Northern end area of benefit	\$ 751.18
Waihi Beach dunes charge - Glen Isla Place area of benefit	\$ 773.72
Stormwater targeted rate	
A stormwater targeted rate set on all land in the following areas set as a fixed amount per rating unit on a differential basis:	
All rating units in WAIHI BEACH, KATIKATI, OMOKOROA, TE PUKE	\$ 475.19
All rating units in KAURI POINT, ONGARE POINT, TANNERS POINT, TUAPIRO POINT, TE PUNA, PAENGAROA, PUKEHINA, MAKETU	\$ 204.52
Land drainage targeted rate	
A targeted rate for land drainage set on a differential basis on land in the defined areas and set as an amount per hectare:	
WAIHI LAND DRAINAGE CLASS A	\$ 65.55
WAIHI LAND DRAINAGE CLASS B	\$ 40.83
WAIHI PUMPING DRAINAGE CLASS A	\$ 278.30
WAIHI PUMPING DRAINAGE CLASS B	\$ 204.70
WAIHI PUMPING DRAINAGE CLASS C	\$ 143.75
Community Hall targeted rate	
Targeted rates set on all land in the defined areas and set as an amount per rating unit	
KATIKATI COMMUNITY HALL CHARGE	\$ 19.95
TE PUNA MEMORIAL HALL CHARGE	\$ 7.04
TE PUNA COMM CENTRE CHARGE	\$ 48.09
PAENGAROA COMMUNITY HALL CHARGE	\$ 20.53
PUKEHINA BEACH COMMUNITY CENTRE	\$ 7.62
PUKEHINA HALL	\$ 35.19
OHAUITI COMMUNITY HALL CHARGE	\$ 57.48
OROPi COMMUNITY HALL CHARGE	\$ 47.45
KAIMAI COMMUNITY HALL CHARGE	\$ 25.22
OMOKOROA COMMUNITY HALL CHARGE	\$ 13.49
OMANAWA COMMUNITY HALL CHARGE	\$ 26.39
TE RANGA COMMUNITY HALL CHARGE	\$ 29.33
PYES PA COMMUNITY HALL CHARGE	\$ 51.03
TE PUKE COMMUNITY HALL CHARGE	\$ 37.54
WAIHI BEACH HALL	\$ 17.60
WHAKAMARAMA HALL CHARGE	\$ 31.67

Promotion targeted rates	
Targeted rates set on all land in the defined areas and set as an amount per rating unit:	
WAIHI BEACH PROMOTION	\$ 15.44
WAIHI BEACH PROMOTION COMM/IND	\$ 266.81
KATIKATI PROMOTION CHARGE	\$ 9.56
KATIKATI PROMOTION CHARGE COMM/IND	\$ 398.92
KATIKATI TOWN CENTRE DEVELOPMENT	\$ 25.76
TE PUKE PROMOTION	\$ 15.06
TE PUKE PROMOTION COMM/IND	\$ 217.57
TE PUKE PROMOTION MAKETU	\$ 7.16
Pukehina Beach protection targeted rate	
A targeted rate set on all land in the following areas set as a fixed amount per rating unit on a differential basis:	
All rating units in the Coastal area	\$ 53.98
All rating units in the Inland area	\$ 9.65
Community development and grants targeted rates	
Katikati resource centre targeted rate: A targeted rate set on all land in the following areas set as a fixed amount per rating unit on a differential basis:	
All rating units in Katikati	\$ 6.25
All rating units in Waihi Beach	\$ 3.07
Heritage museum targeted rate: A targeted rate set in respect of all rating units in the district, as an amount per rating unit	\$ 3.61

7. Under section 55 of the Local Government (Rating) Act 2002 and Council's Discount for early payment of rates in current financial year Policy, a 3% discount will be issued on 10 October 2023 provided the conditions in the Policy are met.
8. Under sections 57 and 58 of the Local Government (Rating) Act 2002, the following penalties be applied to unpaid rates, except water consumption rates (set under section 19 of the Local Government (Rating) Act):
 - i. A charge of 10 percent on so much of any rates assessed before 1 July 2022, which remains unpaid on 1 July 2023, will be applied a penalty on 6 September 2023.
 - ii. A charge of 10 percent on so much of any instalment that has been assessed after 1 July 2023 and which remains unpaid after the relevant due date stated above, to be added on 11 October 2023 for instalment one and 27 March 2024 for instalment two.
 - iii. A charge of 10 percent on so much of any rates assessed before 1 July 2022, which remains unpaid six months after 9(i) above will be added on 6 March 2024.
9. In accordance with its Rates Postponement for Homeowners Aged Over 65 years Policy, the Western Bay of Plenty District Council sets a \$50.00 postponement fee under section 88 of the Local Government (Rating) Act 2002 for the financial year.
10. A \$50.00 fee will be added to the rates when Council grants postponement. This fee is non-refundable and covers the administration costs associated with processing the application.

11. A \$300.00 fee to be charged once professional counselling has commenced. This fee is to fund the cost of professional counselling so that an informed decision can be made by an applicant on whether to proceed with their application to join the scheme.
12. Water supply rates / Invoices will be issued twice during the year. The due dates for the financial year commencing 1 July 2023 and ending on 30 June 2024 are as follows:

Council Supply Zone	Instalment	Due date
Western Supply Zone 1	1	Monday 18 th September 2023
Western Supply Zone 2	1	Monday 16 th October 2023
Central Supply Zone 1	1	Thursday 2 nd November 2023
Central Supply Zone 2	1	Monday 27 th November 2023
Eastern Supply Zone 1	1	Monday 18 th December 2023
Eastern Supply Zone 2	1	Monday 8 th January 2024
Western Supply Zone 1	2	Tuesday 2 nd April 2024
Western Supply Zone 2	2	Monday 29 th April 2024
Central Supply Zone 1	2	Monday 20 th May 2024
Central Supply Zone 2	2	Monday 10 th June 2024
Council Supply Zone	Instalment	Due date
Eastern Supply Zone 1	2	Monday 8 th July 2024
Eastern Supply Zone 2	2	Monday 29 th July 2024

CARRIED

12.5 ESTABLISHMENT OF A TE PUKE SPATIAL PLAN SUB COMMITTEE

Council considered a report dated 30 August 2023 from the Strategic Advisor: Legislative Reform and Special Projects, who took the report as read and noted the following points:

- The Sub-committee would be made up of members that had a particular interest in Te Puke, including Te Puke Community Board members, Maketu- Te Puke Councillors, and two iwi representatives from Te Ihu o te Waka o Te Arawa.
- The positions of Chairperson and Deputy Chairperson would be decided by the Sub-committee.

RESOLUTION CL23-14.18

Moved: Cr M Grainger

Seconded: Cr T Coxhead

1. That the Strategic Advisor: Legislative Reform and Special Projects report dated 30 August 2023 titled 'Establishment of a Te Puke Spatial Plan Subcommittee' 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 establishes a Te Puke Spatial Plan Subcommittee in accordance with the attached Terms of Reference.
4. That the Te Puke Spatial Plan Subcommittee is disestablished following the adoption of the final Te Puke Spatial Plan.

CARRIED

12.6 ENDORSEMENT OF THE SUB-REGIONAL TRANSPORT SYSTEM OPERATING FRAMEWORK FOR SUBMISSION TO THE REGIONAL TRANSPORT PLAN PROCESS

Council considered a report dated 30 August 2023 from the Senior Manager. The report was taken as read.

RESOLUTION CL23-14.19

Moved: Cr M Murray-Benge

Seconded: Mayor J Denyer

1. That the Senior Manager's Report dated 30 August 2023 titled 'Endorsement of the Sub-regional Transport System Operating Framework for Submission to the Regional Transport Plan Process' 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 2023 Transport System Operating Framework, as detailed in Attachment 1 be endorsed for submission to the Regional Transport Committee.

And

4. That it be noted that Council considers the Takitumu Northern Link Stage 2 is of high priority for Western Bay to:
 - Enable housing development in Ōmokoroa.
 - To reduce excessive congestion.
 - To enable modal shift.
5. That Council endorse the Transport System Operating Framework, v2 programme, which includes the following components:
 - i. Refresh Investment Objectives.
 - ii. Refresh Programme including 86 prioritised projects.
 - iii. Revised Transport System Plan (TSP) Executive Summary, which has been updated to reflect the refresh.

CARRIED

12.7 COMMUNITY MATCHING FUND 2023

Council considered a report dated 30 August 2023 from the Community Outcomes Advisor. The report was taken as read.

Staff responded to questions as follows:

- Applicants provided details of their labour costs to the panel once their project was completed, and the panel determined a fair rate for payment.
- Advertising for the Community Matching Fund was done through usual Council channels, social media, and the website. Staff were available to support potential candidates and undertook workshops in locations across the district.
- The distribution of money by ward varied each year, and was dependent on the projects put forward. There were 61 successful applicants out of approximately 70 applications.

RESOLUTION CL23-14.20

Moved: Cr M Grainger

Seconded: Cr R Joyce

1. That the Community Outcomes Advisor's report dated 30 August 2023 titled 'Community Matching Fund Outcomes' 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 note the 2023 Community Matching Fund distributions as follows:

General fund

Aongatete Outdoor Education Centre	\$ 4,000.00
Bowel Cancer Aotearoa NZ	\$ 3,000.00
Complex Chronic Illness Support Inc.	\$ 3,000.00
Drop Deep Skateboarding	\$ 8,000.00
Families Achieving Balance Charitable Trust	\$ 5,000.00
Friends of Te Ranga School	\$ 4,000.00
Graeme Dingle Foundation	\$ 5,000.00
Homes of Hope Charitable trust	\$ 7,750.00
Kaimai Canoe Club	\$ 4,000.00
Katikati A & P Society	\$ 5,000.00
Katch Katikati	\$ 1,000.00
Katikati Community Centre Charitable Trust	\$ 5,000.00
Katikati Innovative Horticulture Trust	\$ 3,000.00
Lions Club of Katikati	\$ 3,000.00
Men Making Miles Te Puke	\$ 3,000.00
Menzshed Katikati	\$ 3,347.00
Nga Kakano Foundation	\$ 3,000.00
Omokoroa Football Club	\$ 1,269.20

Omokoroa Library of Things	\$ 4,000.00
Omokoroa Settlers Hall	\$ 2,202.00
Oropi School	\$ 3,000.00
Otumoetai Te Puna Pony Club	\$ 2,000.00
P.E.T Charitable Trust	\$ 2,750.00
Paengaroa Community Hall Society	\$ 1,150.00
People First NZ	\$ 2,000.00
Pukehina Fishing Club	\$ 1,750.00
Te Puke Heritage Group Inc.	\$ 1,000.00
The Daily Charitable Trust Te Puke	\$ 4,000.00
The Old Library Omokoroa	\$ 1,438.70
Wish for Fish	\$ 2,000.00
Waikato Offroad Racing	\$ 1,450.00
TOTAL	\$100,107

Environmental fund

Friends of Kaimai Views	\$ 1,012.00
Grow On Katikati	\$ 6,000.00
Chrome Collective	\$ 3,037.00
Maketu Ongatoro Wetlands Society	\$ 5,000.00
Pest Free Sharp Road	\$ 5,000.00
Predator Free Waihi Beach	\$ 6,728.86
Pukehina Residents & Ratepayers Association	\$ 1,435.79
Rotoehu Ecological Trust	\$ 10,185.00
Te Arawa Lakes Trust	\$ 4,000.00
Te Ranga School	\$ 4,510.00
The Otanewainuku Kiwi Trust	\$ 1,420.44
Uretara Estuary (Project Parore)	\$ 4,471.12
Western Bay Heritage Trust - Western Bay Museum	\$ 1,200.00
Western Bay Heritage Trust - Western Bay Museum	\$ 6,000.00
TOTAL	\$60,000

CARRIED

12.8 TOURISM BAY OF PLENTY STATEMENT OF INTENT 2023/24 TO 2025/26

Council considered a report dated 30 August 2023 from the Community and Strategic Relationships Manager. The report was taken as read.

Staff responded to questions as follows:

- Councillors had been provided with the draft Tourism Bay of Plenty Draft Statement of Intent. No changes had been requested.

- Tourism Bay of Plenty was working towards creating experiences in the Tauranga/Western Bay of Plenty area to attract tourists. Areas like Waihi Beach and Maketu could become destination stops for cruise ship tourist operators.
 - Tauranga City Council decided to provide additional funding to Tourism Bay of Plenty for a period of three years. This had now ended, resulting in a reduction of funding.
 - Funding for Tourism Bay of Plenty would be discussed through the Long Term Plan process.
 - Bay of Plenty Regional Council required funding in the 2023/24 year for 'The Green Room' programme, which focused on sustainable business development for tourist operators.
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RESOLUTION CL23-14.21

Moved: Cr R Crawford

Seconded: Cr T Coxhead

1. That the Community and Strategic Relationships Manager's report dated 30 August 2023 titled Tourism Bay of Plenty Statement of Intent 2023/24 to 2025/26, 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 Tourism Bay of Plenty Statement of Intent 2023/24 to 2025/26, included as Attachment 1 to this report.
4. That Council notes that Tauranga City Council, as joint shareholder, received the final Tourism Bay of Plenty Statement of Intent 2023/24 to 2025/26 at its Council meeting on 14th August 2023.

CARRIED

12.9 ANNUAL REPORT ON DOG CONTROL POLICY AND PRACTICES 2022-2023

Council considered a report dated 30 August 2023 from the Compliance and Monitoring Manager. The report was taken as read.

Staff responded to questions as follows:

- A team of five Animal Services Officers worked across the district to ensure dogs were registered, and that non-compliant owners had infringement notices sent to them.
 - In the past year, the number of known dogs decreased due to owners notifying Council that their dog was deceased, or that they were no longer in the district.
 - Expanding on-leash or leash free areas for dogs could be considered when the Dog Control Policy and Bylaw was reviewed.
-

- The statutory report provided to the Department of Internal Affairs did not require Council's dog euthanasia statistics.
 - Council endeavoured to adopt out as many dogs as possible.
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RESOLUTION CL23-14.22

Moved: Cr M Murray-Benge

Seconded: Cr G Dally

1. That the Compliance and Monitoring Manager's report, dated 11 August 2023 titled 'Annual Report on Dog Control Policy and Practices 2022-2023' be received.
2. That pursuant to Section 10A of the Dog Control Act 1996, the Western Bay of Plenty District Council Annual Report on Dog Control Policy, and Practices for 2022-2023 be adopted and publicly notified.

CARRIED

12.10 ANNUAL REPORT ON WESTERN BAY OF PLENTY DISTRICT LICENSING COMMITTEE 2022-2023

Council considered a report dated 30 August 2023 from the Compliance and Monitoring Manager, who tool the report as read, summarising the main points.

Staff responded to questions as follows:

- The revenues earned through alcohol licensing fees were prescribed by Central Government, and did not cover the costs of undertaking the licensing regulatory activities. Council had highlighted this to the Alcohol Regulatory and Licensing Authority.
 - Central Government was currently undertaking a review of the alcohol licensing fees.
 - In the last 12 months, there had been no lobbying activity regarding alcohol license applications. Legislation would soon change to allow anyone to object to an alcohol license application regardless of where they lived.
 - Council made a submission to the Sale and Supply of Alcohol Amendment Bill through the New Zealand Institute of Liquor Licensing Inspectors.
 - Te Puke and Maketu had a limit on the number of bottles stores allowed to operate in their respective areas. No new bottle stores could be established; however, owners could still sell their existing bottle store businesses.
 - An external contractor had been hired in 2022 to fill the role of Alcohol Licensing Inspector until a replacement could be hired.
-

RESOLUTION CL23-14.23

Moved: Cr G Dally

Seconded: Cr A Henry

That the Compliance and Monitoring Manager's report dated 30 August 2023 titled 'Annual Report on Western Bay of Plenty District Licensing Committee 2022-2023' be received and the information noted.

CARRIED

12.11 MAYOR'S REPORT TO COUNCIL

Council considered a report dated 30 August 2023 from the Senior Executive Assistant Mayor/CEO. The report was taken as read.

Elected Members comments:

- Councillors requested that future Mayor's reports included a summary of his engagement at the Local Government New Zealand Conference, and a link to any relevant material.
 - A request was made for a breakdown of the Cyclone Gabrielle Cyclone Disaster Relief Fund.
-

RESOLUTION CL23-14.24

Moved: Cr M Grainger

Seconded: Cr M Murray-Benge

That the Senior Executive Assistant to Mayor/CEO's report dated 30 August 2023 titled 'Mayors Report to Council' be received.

CARRIED

13 INFORMATION FOR RECEIPT

13.1 CORRESPONDENCE WITH THE MINISTRY OF HEALTH REGARDING FLUORIDE

Council considered a report dated 30 August 2023 from the Senior Policy Analyst who took the report as read and noted the following point:

- The infrastructure for fluoridation must be in place before 1 July 2025. Procurement processes for this project would need to start in early 2024.

Elected Members comment:

- A request was made that staff provide a report to Councillors on whether there were grounds to pursue an interim injunction against the Director-General of Health's directive to fluoridate water in Athenree.
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RESOLUTION CL23-14.25

Moved: Cr M Grainger

Seconded: Mayor J Denyer

That the Senior Policy Analyst's report dated 30 August 2023, titled 'Correspondence with the Ministry of Health Regarding Fluoride', be received.

CARRIED

14 RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION CL23-14.26

Moved: Mayor J Denyer

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:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
14.1 - Confidential Minutes of the Council Meeting held on 20 July 2023	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	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)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	
CARRIED		

the Meeting closed at 11:42am.

Confirmed as a true and correct record at the Council meeting held 26 October 2023.

.....
Mayor J Denyer
CHAIRPERSON / MAYOR

UNCONFIRMED