

MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL
COUNCIL MEETING NO. CL23-15
HELD IN THE COUNCIL CHAMBERS, 1484 CAMERON ROAD, TAURANGA
ON TUESDAY, 3 OCTOBER 2023 AT 9.30AM

1 KARAKIA

The Strategic Kaupapa Māori Manager opened the hui with a Karakia.

2 PRESENT

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

VIA ZOOM

Cr A Henry and Cr A Sole.

3 IN ATTENDANCE

J Holyoake (Chief Executive Officer), R Davie (Deputy CEO/General Manager Strategy and Community), C Crow (General Manager Infrastructure Group), A Curtis (General Manager Regulatory Services), A Henderson (General Manager Corporate Services), G Golding (Governance Manager), C Nepia (Strategic Kaupapa Māori Manager), E Watton (Strategic Policy and Planning Programme Director), J Rickard (Community and Strategic Relationships Manager), L Balvert (Communications Manager), C McLean (Senior Transportation Engineer), C Steiner (Senior Policy Analyst), S Willburn (Community Advisor), H Wi Repa (Governance Systems Advisor), J Osborne (Governance Advisor) and P Osborne (Senior Governance Advisor).

1 Member of the press.

VIA ZOOM

M Leighton (Policy and Planning Manager).

4 APOLOGIES

APOLOGY

RESOLUTION CL23-15.1

Moved: Cr R Joyce

Seconded: Cr D Thwaites

That the apology for lateness from Deputy Mayor John Scrimgeour and apology for leave of absence from Cr Murray-Benge be accepted.

CARRIED

5 CONSIDERATION OF LATE ITEMS

Nil

6 DECLARATIONS OF INTEREST

Members were advised that if they have an interest in (actual, potential, pecuniary or nonpecuniary interest) in any item on the agenda, then they must declare this interest and refrain from discussing or voting on this item and were advised to withdraw from the meeting table for the item. [As per the Local Authorities (Member's Interest) Act 1968].

- Councillor Dally advised Council that he had a declaration of interest regarding report 11.2 of the agenda being 'Te Puke War Memorial Hall Lease 2021-2051' as he was a member of the Te Puke War Memorial Hall Committee.

7 PUBLIC EXCLUDED ITEMS

Nil

8 PUBLIC FORUM

Nil

CHANGE TO ORDER OF BUSINESS

The Chairperson requested that the next item of business be 'Formal Declaration of Neena Chauhan for Appointment to the Te Puke Community Board', due to the public in attendance with an interest in this item.

RESOLUTION CL23-15.2

Moved: Cr Grainger

Seconded: Cr Crawford

That, in accordance with Standing Orders, the order of business be changed and that item 'Formal Declaration of Neena Chauhan for Appointment to the Te Puke Community Board' be dealt with as the next item of business.

CARRIED

9 REPORTS

9.1 FORMAL DECLARATION OF NEENA CHAUHAN FOR APPOINTMENT TO THE TE PUKE COMMUNITY BOARD.

Council considered a report from the Senior Governance Advisor dated 3 October 2023. The report was taken as read.

Mayor Denyer called Ms Chauhan to the lectern to make and sign the declaration. The making, attesting and signing of the declaration required of Te Puke Community Board members was witnessed by Mayor Denyer.

RESOLUTION CL23-15.3

Moved: Cr G Dally
Seconded: Cr T Coxhead

1. That the Senior Governance Advisor's report dated 3 October 2023 titled 'Formal Declaration of Neena Chauhan for Appointment to the Te Puke Community Board' be received.
2. That the oral and written declaration by Neena Chauhan is witnessed and signed by Mayor James Denyer.

CARRIED

9.35am Meeting adjourned

9.50am Meeting reconvened

9.50am Deputy Mayor Scrimgeour entered the meeting

10 COUNCIL AND COMMITTEE MINUTES FOR CONFIRMATION

10.1 MINUTES OF THE PROJECTS AND MONITORING COMMITTEE MEETING HELD ON 8 AUGUST 2023

RESOLUTION CL23-15.4

Moved: Cr D Thwaites
Seconded: Cr G Dally

That the Minutes of the Projects and Monitoring Committee Meeting held on 8 August 2023 be confirmed as a true and correct record and the recommendations therein be adopted, with the below amendment:

- Public Forum speakers should read *'Mr John Lewis and Mr Rick Hannay'*.

CARRIED

10.2 MINUTES OF THE AUDIT, RISK AND FINANCE COMMITTEE MEETING HELD ON 15 AUGUST 2023

RESOLUTION CL23-15.5

Moved: Cr M Grainger

Seconded: Cr R Crawford

That the Minutes of the Audit, Risk and Finance Committee Meeting held on 15 August 2023 be confirmed as a true and correct record and the recommendations therein be adopted.

CARRIED

10.3 MINUTES OF THE STRATEGY AND POLICY COMMITTEE MEETING HELD ON 17 AUGUST 2023

RESOLUTION CL23-15.6

Moved: Mayor J Denyer

Seconded: Cr A Wichers

That the Minutes of the Strategy and Policy Committee Meeting held on 17 August 2023 be confirmed as a true and correct record and the recommendations therein be adopted.

CARRIED

10.4 MINUTES OF THE COUNCIL MEETING HELD ON 17 AUGUST 2023

RESOLUTION CL23-15.7

Moved: Mayor J Denyer

Seconded: Deputy Mayor J Scrimgeour

1. That the Minutes of the Council Meeting held on 17 August 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

10.5 MINUTES OF THE COUNCIL MEETING HELD ON 30 AUGUST 2023

RESOLUTION CL23-15.8

Moved: Mayor J Denyer
Seconded: Deputy Mayor J Scrimgeour

1. That the Minutes of the Council Meeting held on 30 August 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

11 REPORTS CONTINUED**11.1 DRAFT SPEED MANAGEMENT PLAN**

Council considered a report dated 3 October 2023 from the Senior Transportation Engineer. The report was taken as read with a brief overview of the report provided by the Senior Policy Analyst.

Staff responded to pātai as below:

- An explanation was provided regarding the proposed speed limits on Pahoia Road and Woodland Road, noting that this deviated from the "blanket approach" due to the feedback that had been received from Elected Members and members of the public.
 - It was also noted that the number of cyclists would increase as the cycleway was developed, creating a need to reduce the speed around this area as well.
 - An estimate of the costs required to update the speed signs would be produced once the Speed Management Plan was adopted and a full scope of requirements was determined.
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RESOLUTION CL23-15.9

Moved: Cr R Joyce
Seconded: Cr D Thwaites

1. That the Senior Transportation Engineer report dated 3 October 2023, titled 'Draft Speed Management Plan' be received.
 2. That the report relates to an issue that is considered to be of medium significance in terms of Council's Significance and Engagement Policy.
 3. That Council adopt the Draft Speed Management Plan included in **Attachment 1** for consultation.
 4. That Council amend the Draft Speed Management Plan to include roads on Matakana Island being reduced to 60km/h.
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CARRIED

11.2 TE PUKE WAR MEMORIAL HALL LEASE 2021–2051

Cr Dally declared an interest in this item and took no part in the discussion or voting thereon.

Council considered a report dated 3 October 2023 from the Legal Property Officer. The report was taken as read.

Staff responded to pātai as below:

- Staff would provide some clarification regarding liability of the Te Puke Memorial Hall following the hui.
 - Te Puke Memorial Hall Committee were happy with the lease proposal.
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RESOLUTION CL23–15.10

Moved: Deputy Mayor J Scrimgeour

Seconded: Cr A Wichers

1. That the Legal Property Officer's report dated 3 October 2023 titled "Te Puke War Memorial Hall Lease 2021–2051" 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. Council, in its capacity as administrating body of Part Lots 1 and 2 on Deposited Plan 13811 and Part Lot 1 on Deposited Plan 36300 contained in Record of Title SA50D/620 South Auckland Registry, grants Te Puke War Memorial Hall Society Incorporated a land lease of approximately 1772m² for the purpose of a Community Hall from 1 September 2021 to 31 August 2026 with the ability to renew the lease 5 more times for a period of 5 years each.

CARRIED

11.3 PETITION CALLING FOR A CITIZENS INITIATED REFERENDA ON STATE HIGHWAY MAINTENANCE

Council considered a report dated 3 October 2023 from the Senior Governance Advisor. The report was taken as read, noting that no cost would be incurred.

RESOLUTION CL23–15.11

Moved: Cr D Thwaites

Seconded: Cr T Coxhead

1. That the Senior Governance Advisor's report dated 3 October 2023 titled 'Petition Calling for a Citizens Initiated Referenda on State Highway Maintenance' 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 supports New Plymouth District Council's petition calling for a Citizens Initiated Referenda by making the petition available for members of the public to sign at district libraries and service centres.

CARRIED

11.4 COMMUNITY COMMITTEE - CHANGE TO TERMS OF REFERENCE

Council considered a report dated 3 October 2023 from the General Manager Strategy and Community. The report was taken as read, with the rationale for the proposed changes highlighted.

RESOLUTION CL23-15.12

Moved: Cr M Grainger

Seconded: Cr R Crawford

1. That the report of the General Manager Strategy and Community dated 3 October 2023 titled 'Community Committee – Change to Terms of Reference' be received.
2. That the report relates to an issue that is considered to be low significance in terms of Council's Significance and Engagement Policy.
3. That Council approves the proposed changes to the Terms of Reference for the Community Committee as set out in **Attachment 1** to this report.
4. That staff be directed to make all necessary consequential amendments to the Terms of Reference for other council committees in order to give effect to the new Terms of Reference for the Community Committee.

CARRIED

11.5 MAYOR'S REPORT TO COUNCIL

Council considered a report dated 3 October 2023 from the Senior Executive Assistant to Mayor/CEO. The report was taken as read with a verbal update provided by the Mayor relating to the Future for Local Government Meeting that took place.

- A future for Local Government New Zealand hui was held on 16-17 September 2023 in Wellington.
 - The feedback attained will be made available shortly.
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- LGNZ will be providing information packs to all Councils to help undertake conversations and help form a consensus in time for the Council meeting scheduled 23 November 2023.

The Mayor responded to pātai as below:

- The LGNZ Conference had a good turn out.

RESOLUTION CL23-15.13

Moved: Mayor J Denyer

Seconded: Cr R Joyce

That the Senior Executive Assistant to Mayor/CEO's report dated 3 October 2023 titled 'Mayors Report to Council' be received.

CARRIED

12 INFORMATION FOR RECEIPT

Nil

11 RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION CL23-15.14

Moved: Cr R Crawford

Seconded: Cr A Wichers

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
13.1 - Confidential Minutes of the Projects and Monitoring Committee Meeting held on 8 August 2023	s7(2)(f)(ii) - the withholding of the information is necessary to maintain the effective conduct of public affairs through the protection of Council members, officers, employees, and persons from improper pressure or harassment	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>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>	
13.2 - Confidential Minutes of the Audit, Risk and Finance Committee Meeting held on 15 August 2023	<p>s7(2)(f)(ii) - the withholding of the information is necessary to maintain the effective conduct of public affairs through the protection of Council members, officers, employees, and persons from improper pressure or harassment</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>	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
13.3 - Confidential Minutes of the Council Meeting held on 30 August 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
13.4 - Mayor's Recommendatory Report	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 10.18am.

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


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Mayor J Denyer
CHAIRPERSON / MAYOR