

**MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL
COUNCIL MEETING NO. CL25-2
HELD IN THE COUNCIL CHAMBERS, 1484 CAMERON ROAD, TAURANGA
ON MONDAY, 3 MARCH 2025 AT 12.30PM**

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, Deputy Mayor J Scrimgeour, Cr T Coxhead, Cr G Dally, Cr M Grainger, Cr R Joyce (Via Zoom), Cr M Murray-Benge, Cr L Rae, Cr A Sole, Cr D Thwaites and Cr A Wichers.

3 IN ATTENDANCE

J Holyoake (Chief Executive Officer), R Davie (Deputy CEO/GM Strategy and Community), A Henderson (GM Corporate Services), A Curtis (GM Regulatory Services), C Crow (GM Infrastructure Services), E Watton (Strategic Policy and Planning Programme Director), A King (Legislative Reform and Special Projects Strategic Advisor), R Garrett (Governance Manager), L Balvert (Communications Manager), R McLeod (Senior Communications and Engagement Specialist), P Osborne (Senior Governance Advisor) and H Wi Repa (Governance Systems Advisor).

OTHERS IN ATTENDANCE

Sarah Baddley (MartinJenkins) – Via Zoom

4 APOLOGIES

APOLOGY

RESOLUTION CL25-2.1

Moved: Cr D Thwaites
Seconded: Cr A Sole

That the apology for absence from Cr Henry be accepted.

CARRIED

5 CONSIDERATION OF LATE ITEMS

Nil

6 DECLARATIONS OF INTEREST

Nil

7 PUBLIC EXCLUDED ITEMS

Nil

8 PUBLIC FORUM

8.1 PETER WILLIS – TE PUKE STORMWATER ISSUES

Mr Willis was in attendance to speak to the Council regarding concerns with flooding on his property over the last few years. He noted the following points:

- He had resided at the property for 21 years with few flooding issues previously.
- Mr Willis considered that recent major flooding issues being experienced on his property were due to additional water from the new subdivision.
- He showed a slideshow of pictures showing the effects to his property.
- His proposed solution was the installation of a stop bank on the other side of the creek, and he wished to know what Council had planned to remedy the issues that he and neighbouring residents were facing.

The Mayor noted that Council stormwater engineers had a meeting with Mr Willis to go over the stormwater modelling and the consequences of the subdivision.

Mr Willis noted that he was not happy with the outcome of that meeting and felt that Council had failed in their evaluation of the resource consent for the subdivision, and that the resource consent was not being complied with.

He provided Tabled Item 1 being emails showing the history of the concern and communication with Council staff on the resource consent queries.

Kate King, a neighbour of Mr Willis, was in attendance and provided her perspective on the flooding issues that her property was also facing.

Mr Willis and Ms King responded to pātai as below:

- Due to Ms King's property being raised the flood water level only reached across the driveway and part way up the parking area. She noted that some of her neighbours experienced flooding up to their doors.
 - They had not experienced any flooding issues before 2022, which was prior to the subdivision.
 - Mr Willis did not agree with the impacts highlighted through Council's stormwater flow modelling.
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9 REPORTS

9.1 NOTICE OF MOTION - CR COXHEAD - REVIEW OF WESTERN BAY OF PLENTY DISTRICT COUNCIL'S MEMBERSHIP OF LOCAL GOVERNMENT NEW ZEALAND

Council considered the Notice of Motion dated 3 March 2025 from Councillor Coxhead.

Cr Coxhead addressed Council outlining the rationale for the Notice of Motion. She outlined the below points:

- She had concerns with the value that was received from Council's membership to Local Government New Zealand.
 - She wished to see Council explore the benefit and cost, as well as understand how each Councillor felt in relation to the membership.
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RESOLUTION CL25-2.2

Moved: Cr T Coxhead

Seconded: Cr G Dally

1. That the Governance Manager's report dated 3 March 2025 titled 'Notice of Motion – Cr Coxhead – Review of Western Bay of Plenty District Council's Membership of Local Government New Zealand' be received.
 2. That Council directs the Chief Executive to prepare a report with recommendations to consider the matter of whether or not Western Bay of Plenty District Council should renew its membership subscription to Local Government New Zealand (LGNZ) for their 2025/26 financial year (i.e., 1 April 2025 – 31 March 2026).
 3. That Council directs the Chief Executive to report back to Council at the meeting to be held on 18 March 2025 with the above report and recommendations, so Council can either resolve to renew their membership subscription to LGNZ or not renew their membership subscription to LGNZ.
 4. That Council directs the Chief Executive to consider the value proposition to Council with a cost-benefit analysis that includes, but is not limited to: –
 - a. Annual membership fee and date payable,
 - b. Additional costs incurred as a result or condition of membership,
 - c. Other information Council staff rely on from LGNZ,
 - d. Any other pertinent considerations,
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- e. Any known or likely consequences that may arise from a decision to NOT renew Council's LGNZ membership.

CARRIED

9.2 LOCAL WATER DONE WELL - WATER SERVICE DELIVERY MODELS FOR CONSULTATION

Council considered a report dated 3 March 2025 from the Strategic Advisor: Legislative Reform and Special Projects.

The Chief Executive took the report as read, highlighting the importance of the decision in front of the Council.

Staff responded to pātai as follows:

- The financial analysis showed that although there would be cost increases over the long term, there would be less of an impact with the multi-council option.
 - Tauranga City Council (TCC), along with other Councils, had been included in the analysis. Council would be generic within the consultation document, as there was a chance that the combinations of councils could change. It was noted that both Council and TCC would mention in their consultation document that the preferred option would include them working together. This was due to proximity and existing joint maintenance contracts.
 - Staff were not suggesting that Council's water assets were not in a good condition; however, noted that there were big future investments that Council needed to make in relation to wastewater treatment plants, the Katikati Outfall Pipe, end of life assets and the need to meet new standards.
 - Currently each of Council's water activities were reported on separately through the Annual Report, including their individual Funding Impact Statements. This meant that Council was tracking each activity separately, and under the new regulations irrespective of the outcome, Council would be required under the Act to produce Annual Reports for the waters.
 - Staff noted that they could communicate through the consultation document that, although there would be an increase in water charges, that there may be a decrease in overall rates.
 - MartinJenkins had worked with staff to look at the financial analysis and were au fait with all the councils that Council was looking at, so were able to provide different options of combinations.
 - The intention of remaining high level through the consultation document was not to be vague, but to protect the flexibility through the negotiation period.
 - Staff acknowledged the importance of this decision for the Council, and therefore the importance of their communication strategy in reaching as many people as possible.
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RESOLUTION CL25-2.3

Moved: Mayor J Denyer

Seconded: Cr M Murray-Benge

1. That the Strategic Advisor: Legislative Reform and Special Projects report dated 3 March 2025 titled 'Local Water Done Well - Water Service Delivery Models for consultation' be received.
2. That the report relates to an issue that is considered to be of high significance in terms of Council's Significance and Engagement Policy.
3. That Council receives the MartinJenkins report 'Water services delivery update and further analysis' dated 22 January (**Attachment 2**), the slides presented to Council on 29 January 2025 (**Attachment 3**), and the slides presented to Council on 24 February 2025 (**Attachment 5**).
4. That Council receives the workshop notes from the Local Waters Done Well workshop on 29 January 2025 (**Attachment 4**) and on 24 February 2025 (**Attachment 6**).
5. That Council receives the further modelling undertaken to understand the implications of a joint-Council Water Services Council Controlled Organisation (**Attachment 7 – Confidential**).
6. That Council receives the financial modelling prepared by the Department of Internal Affairs (**Attachment 8**).
7. That Council uses the alternative decision-making and consultation requirements set out in sections 61 to 64 in the Local Government (Water Services Preliminary Arrangements) Act to decide on the water service delivery models for consultation.
8. That Council directs the Chief Executive to prepare a consultation document (including metrics and the strategic objectives) for approval by Council at its meeting on 18 March 2025, inclusive of the following options:
 - (a) retaining the current model;
 - (b) moving to a single Council Water Services Council-Controlled Organisation; and/or
 - (c) establishing a joint Council Water Services Council-Controlled Organisation (**preferred model**).
9. That Council approves, based on the preferred option, planning on the pre-establishment phase commences immediately to ensure business readiness for future water services delivery. This includes continuing to work collaboratively with Tauranga City Council.
10. That Council notes that following the decision on the water service delivery model to be included in a Water Service Delivery Plan, the required documentation will be discussed with Council e.g. Commitment Agreement, Shareholders' Agreement.

CARRIED

Cr Rae voted against the motion and asked for her vote to be recorded.

10 INFORMATION FOR RECEIPT

Nil

11 RESOLUTION TO EXCLUDE THE PUBLIC

Nil

The Meeting closed at 1.09pm.

Confirmed as a true and correct record at the Council meeting held 8 April 2025.



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Mayor J Denyer

CHAIRPERSON / MAYOR