

**MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL
COUNCIL MEETING NO. CL25-9
HELD IN THE COUNCIL CHAMBERS, 1484 CAMERON ROAD, TAURANGA
ON THURSDAY, 24 JULY 2025 AT 9.30AM**

1 KARAKIA

Whakatau mai te wairua
Whakawātea mai te hinengaro
Whakarite mai te tinana
Kia ea ai ngā mahi

Āe

Settle the spirit
Clear the mind
Prepare the body
To achieve what needs to be
achieved.
Yes

2 PRESENT

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

3 IN ATTENDANCE

A Henderson (General Manager Corporate Services), E Watton (Acting General Manager Strategy and Community), P Watson (Acting General Manager Infrastructure Services), A Curtis (General Manager Regulatory Services), R Garrett (Governance Manager), H Wi Repa (Governance Systems Advisor) and P Osborne (Senior Governance Advisor).

4 APOLOGIES

APOLOGY

RESOLUTION CL25-9.1

Moved: Cr R Joyce

Seconded: Cr M Grainger

That the apology for lateness 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

Nil

9 COMMUNITY BOARD MINUTES FOR RECEIPT

9.1 MINUTES OF THE KATIKATI COMMUNITY BOARD MEETING HELD ON 28 MAY 2025

RESOLUTION CL25-9.2

Moved: Cr A Sole
Seconded: Cr R Joyce

That the Minutes of the Katikati Community Board Meeting held on 28 May 2025 be received.

CARRIED

9.2 MINUTES OF THE TE PUKE COMMUNITY BOARD MEETING HELD ON 29 MAY 2025

RESOLUTION CL25-9.3

Moved: Cr A Wichers
Seconded: Cr G Dally

That the Minutes of the Te Puke Community Board Meeting held on 29 May 2025 be received.

CARRIED

9.3 MINUTES OF THE ŌMOKOROA COMMUNITY BOARD MEETING HELD ON 3 JUNE 2025

RESOLUTION CL25-9.4

Moved: Cr M Grainger
Seconded: Cr D Thwaites

That the Minutes of the Ōmokoroa Community Board Meeting held on 3 June 2025 be received.

CARRIED

9.4 MINUTES OF THE WAIHĪ BEACH COMMUNITY BOARD MEETING HELD ON 9 JUNE 2025

RESOLUTION CL25-9.5

Moved: Cr A Sole
Seconded: Cr R Joyce

That the Minutes of the Waihī Beach Community Board Meeting held on 9 June 2025 be received.

CARRIED

9.5 MINUTES OF THE MAKETU COMMUNITY BOARD MEETING HELD ON 17 JUNE 2025

RESOLUTION CL25-9.6

Moved: Deputy Mayor J Scrimgeour
Seconded: Cr L Rae

That the Minutes of the Maketu Community Board Meeting held on 17 June 2025 be received.

CARRIED

10 COUNCIL AND COMMITTEE MINUTES FOR CONFIRMATION

10.1 MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON 8 MAY 2025

RESOLUTION CL25-9.7

Moved: Mayor J Denyer
Seconded: Deputy Mayor J Scrimgeour

1. That the Minutes of the Extraordinary Council Meeting held on 8 May 2025 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 COUNCIL MEETING HELD ON 13 MAY 2025

RESOLUTION CL25-9.8

Moved: Mayor J Denyer

Seconded: Deputy Mayor J Scrimgeour

1. That the Minutes of the Council Meeting held on 13 May 2025 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

10.3 MINUTES OF THE STRATEGY AND POLICY COMMITTEE MEETING HELD ON 20 MAY 2025

RESOLUTION CL25-9.9

Moved: Cr M Grainger

Seconded: Mayor J Denyer

That the Minutes of the Strategy and Policy Committee Meeting held on 20 May 2025 be confirmed as a true and correct record and the recommendations therein be adopted.

CARRIED

10.4 MINUTES OF THE COUNCIL MEETING HELD ON 27 MAY 2025

RESOLUTION CL25-9.10

Moved: Deputy Mayor J Scrimgeour

Seconded: Mayor J Denyer

1. That the Minutes of the Council Meeting held on 27 May 2025 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 AUDIT, RISK AND FINANCE COMMITTEE MEETING HELD ON 4 JUNE 2025

RESOLUTION CL25-9.11

Moved: Cr M Grainger

Seconded: Cr A Sole

That the Minutes of the Audit, Risk and Finance Committee Meeting held on 4 June 2025 be confirmed as a true and correct record and the recommendations therein be adopted.

CARRIED

10.6 MINUTES OF THE ANNUAL PLAN AND LONG TERM PLAN COMMITTEE MEETING HELD ON 5 JUNE 2025

RESOLUTION CL25-9.12

Moved: Deputy Mayor J Scrimgeour

Seconded: Cr L Rae

That the Minutes of the Annual Plan and Long-Term Plan Committee Meeting held on 5 June 2025 be confirmed as a true and correct record and the recommendations therein be adopted.

CARRIED

10.7 MINUTES OF THE PROJECTS AND MONITORING COMMITTEE MEETING HELD ON 10 JUNE 2025

RESOLUTION CL25-9.13

Moved: Cr D Thwaites

Seconded: Cr A Sole

That the Minutes of the Projects and Monitoring Committee Meeting held on 10 June 2025 be confirmed as a true and correct record and the recommendations therein be adopted.

CARRIED

10.8 MINUTES OF THE STRATEGY AND POLICY COMMITTEE MEETING HELD ON 12 JUNE 2025

RESOLUTION CL25-9.14

Moved: Mayor J Denyer

Seconded: Cr M Grainger

That the Minutes of the Strategy and Policy Committee Meeting held on 12 June 2025 be confirmed as a true and correct record and the recommendations therein be adopted.

CARRIED

10.9 MINUTES OF THE COMMUNITY COMMITTEE MEETING HELD ON 25 JUNE 2025

RESOLUTION CL25-9.15

Moved: Cr M Murray-Benge

Seconded: Cr G Dally

That the Minutes of the Community Committee Meeting held on 25 June 2025 be confirmed as a true and correct record and the recommendations therein be adopted.

CARRIED

10.10 MINUTES OF THE COUNCIL MEETING HELD ON 26 JUNE 2025

RESOLUTION CL25-9.16

Moved: Mayor J Denyer

Seconded: Deputy Mayor J Scrimgeour

1. That the Minutes of the Council Meeting held on 26 June 2025 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

9.38am Cr Henry entered the hui.

11.1 ITEM LYING ON THE TABLE – MEMBERSHIP OF THE 'LEADING FOR DELIVERY' SUB-COMMITTEE OF THE SMARTGROWTH LEADERSHIP GROUP

Council considered a report dated 24 July 2025 from the Governance Manager. The Acting General Manager Strategy and Community provided the following points of clarification:

- The Terms of Reference previously put to Council for approval did not require adoption from the partner Councils.
- The recommendation only sought approval from Council to appoint Mayor Denyer as the Western Bay of Plenty District Council representative, and Deputy Mayor Scrimgeour as the alternative representative.
- If Council did not appoint a representative, they would not have any representation on the 'Leading for Delivery' Sub-Committee of the SmartGrowth Leadership Group.

The Mayor responded to pātai as follows:

- The Sub-Committee had already met informally.
- The Sub-Committee did not have any substantial decision-making role. Its role was to encourage staff to progress particular work.
- Formally, the Sub-Committee reported back to the SmartGrowth Leadership Group, noting that the agendas and minutes were open to the public. If the Mayor was approved as Council's representative, he would ensure he reported back through his Mayor's Report at appropriate Council meetings.
- The Sub-Committee had the ability to co-opt representatives; it had approved a Tangata Whenua representative at its last hui.
- The Mayor believed that alternative representatives had the ability to attend hui as they saw fit.

MOTION

Moved: Mayor Denyer

Seconded: Deputy Mayor Scrimgeour

1. That the Governance Manager's report dated 24 July 2025, titled 'Item Lying on the Table – Membership of the 'Leading for Delivery' Sub-committee of the SmartGrowth Leadership Group', be received.
2. That Council confirms the appointment of Mayor James Denyer as the Western Bay of Plenty District Council representative to the Leading for Delivery Sub-committee, and Deputy Mayor John Scrimgeour as the alternative representative.

The motion was voted on and was declared lost on show of hands.

LOST 4/8

11.2 LOCAL GOVERNMENT FUNDING AGENCY HALF-YEARLY REPORT TO 31 DECEMBER 2024 AND STATEMENT OF INTENT 2025–2028

Council considered a report dated 24 July 2025 from the Financial Analyst. The General Manager Corporate Services provided a brief overview of the report and the recommendations therein.

Staff responded to pātai as follows:

- Theoretically, all Council debt was cross-securitising all other Councils' debt. However, the first course was through rates for a particular Council and ensuring that all Councils managed their balance sheets and profit and loss correctly.
- Council had access to banks, however, if they went direct to the bank, Council would not get the best interest rates available.
- Local Government Funding Agency (LGFA) had been performing well, noting that they paid Council a dividend which Council budgeted for, which formed part of Council's income sources other than rates.
- As part of the Shareholder group, Council was part of the group that monitored LGFA organisational costs. The work that LGFA undertook did require specialised skills, noting that the Shareholder group monitored appointments as well.
- Council borrowed based on their LGFA rates in conjunction with their Standard and Poor's Rating.
- In relation to sustainability, there was high criteria in order to qualify for this loan, which effectively meant a lower borrowing rate. Staff acknowledged the concerns raised in relation to the sustainability requirement.
- It was confirmed that Council had maintained their rating of AA with a negative outlook, as per previous rating from Standard and Poor's. They were complimentary in relation to Council's current performance. A full report in relation to this would be presented at the next Council meeting.

RESOLUTION CL25–9.17

Moved: Cr A Henry

Seconded: Cr T Coxhead

1. That the Financial Analyst's report dated 24 July 2025 titled 'Local Government Funding Agency Half-Yearly Report to 31 December 2024 and Statement of Intent 2025–2028' 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 Local Government Funding Agency Half-Yearly Report to 31 December 2024, included as **Attachment 1** to this report.
-

-
4. That Council receives the Local Government Funding Agency Statement of Intent 2025–2028, included as **Attachment 2** to this report.

CARRIED

11.3 CO-LAB HALF-YEARLY REPORT TO 31 DECEMBER 2024 AND STATEMENT OF INTENT 2025–28

Council considered a report dated 24 July 2025 from the Financial Analyst. The General Manager Corporate Services provided a brief overview of the report and the recommendations therein.

Staff responded to pātai as follows:

- Staff still felt that Council was receiving value for money, noting that they utilised a number of Co-Lab workstreams.
 - There had been an agreement between the Local Authority Shared Services around the country that they would not overlap in services, therefore staff still felt there was value in being a part of both Co-Lab and BOPLASS.
 - In regard to the building consent processing hub, staff noted that there were great opportunities regarding the streamlining and efficiencies that would be available through the consent processes.
 - Within the Statement of Intent under Co-Lab Service Delivery, it was noted that Council should be identified as a participating Council within the Waikato Building Consent Group. Staff would request for this to be updated.
-

RESOLUTION CL25–9.18

Moved: Cr M Murray-Benge

Seconded: Cr R Joyce

1. That the Financial Analyst's report dated 24 July 2025 titled 'Co-Lab Half-Yearly Report to 31 December 2024 and Statement of Intent 2025–26 to 2027–28' 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 Co-Lab's Half-Yearly Report to 31 December 2024, included as **Attachment 1** to this report.
4. That Council receives the Co-Lab Statement of Intent 2025–28, included as **Attachment 2** to this report.

CARRIED

11.4 BOPLASS HALF-YEARLY REPORT TO 31 DECEMBER 2024 AND STATEMENT OF INTENT 2025–26 TO 2027–28

Council considered a report dated 24 July 2025 from the Financial Analyst. The General Manager Corporate Services provided a brief overview of the report and the recommendations therein.

Staff responded to pātai as follows:

- Reporting on Environmental, Social and Governance (ESG) was not a requirement from Council.

RESOLUTION CL25–9.19

Moved: Cr A Sole

Seconded: Deputy Mayor J Scrimgeour

1. That the Financial Analyst's report dated 24 July 2025 titled 'BOPLASS Half-Yearly Report to 31 December 2024 and Statement of Intent 2025–28' 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 BOPLASS's Half-Yearly Report to 31 December 2024, included as **Attachment 1** to this report.
4. That Council receives the BOPLASS Statement of Intent 2025–28, included as **Attachment 2** to this report.

CARRIED

12 INFORMATION FOR RECEIPT

Nil

13 RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION CL25–9.20

Moved: Cr R Joyce

Seconded: Cr M Grainger

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 Audit, Risk and Finance Committee Meeting held on 4 June 2025	s7(2)(g) – the withholding of the information is necessary to maintain legal professional privilege	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
13.2 – Confidential Minutes of the Council Meeting held on 26 June 2025	<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)(h) – the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</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>	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 – Acquisition of Land	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
13.4 – Recommendation to Award – Illegal Dumping and Litter Bins Contract	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	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 11.48am.

Confirmed as a true and correct record at the Council meeting held 4 September 2025.

.....
 Mayor J Denyer
CHAIRPERSON / MAYOR