

**MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL  
COUNCIL NO. CO25-2  
HELD IN THE COUNCIL CHAMBERS, 1484 CAMERON ROAD, TAURANGA  
ON TUESDAY, 25 NOVEMBER 2025 AT 9:30AM**

**1 KARAKIA**

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

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

Āe

Yes

**2 PRESENT – NGĀ MEMA KEI KONEI**

Mayor J Denyer, Cr T Coxhead, Cr G Dally, Deputy Mayor M Murray-Benge, Cr R Joyce, Cr D Dinsdale, Cr L Rae, Cr A Sole, Cr S Beech and Cr G Elvin.

**3 IN ATTENDANCE – I TAE AKE**

M Taris (Interim Chief Executive), A Curtis (General Manager Regulatory Services), B Singh (General Manager Infrastructure Services), E Watton (Acting General Manager Strategy and Community), M Potton (Acting General Manager Corporate Services), A Henderson (Programme Director – Water Organisation), J Fearn (Chief Financial Officer), L Balvert (Communications Manager), S Bedford (Finance Manager), P Watson (Reserves and Facilities Manager), R Garrett (Governance Manager), H Wi Repa (Governance Systems Advisor) and P Osborne (Senior Governance Advisor).

**OTHERS IN ATTENDANCE**

Shawn Gardner and Mike Crosby  
Anton Labuschagne and Mariska Koekemoer (Audit New Zealand)  
Roger Foxley – Senior Planner (Momentum Planning & Design)  
Katikati Community Board Member John Clements  
Friends and Whānau of Cr Coxhead and Deputy Mayor Murray-Benge

**4 APOLOGIES – NGĀ WHAKAPAHĀ**

Nil

**5 CONSIDERATION OF LATE ITEMS – NGĀ TAKE TŌMURI**

Nil

## 6 DECLARATIONS OF INTEREST – NGĀ TUKITUKINGA

Nil

## 7 PUBLIC EXCLUDED ITEMS – NGĀ TAKE TAPU

Nil

## 8 PUBLIC FORUM – WĀHANGA TŪMATANUI

Nil

## 9 COUNCIL – COMMITTEE MINUTES FOR CONFIRMATION – TE WHAKATAU I NGĀ MENETI Ā TE KAUNIHERA, Ā TE KOMITI

### 9.1 MINUTES OF THE COUNCIL MEETING HELD ON 5 NOVEMBER 2025

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#### RESOLUTION CO25-2.9

Moved: Cr L Rae

Seconded: Cr A Sole

That the Minutes of the Council Meeting held on 5 November 2025 be confirmed as a true and correct record and the recommendations therein be adopted.

That the Chairperson's electronic signature be inserted into the confirmed minutes.

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**CARRIED**

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## 10 REPORTS – NGĀ PŪRONGO

### 10.1 DECLARATION BY KATIKATI COMMUNITY BOARD MEMBER

The Mayor called Katikati Community Board Member John Clements to the lectern to make and sign his declaration.

The making, attesting and signing of the declaration required of Katikati Community Board members was witnessed by Mayor Denyer.

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### 10.2 DECLARATION BY COUNCILLORS

The Mayor called each Councillor to the lectern to make and sign the declaration in the following order:

Cr Margaret Murray-Benge; and

Cr Coxhead.

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The making, attesting and signing of the declarations required of Councillors and Ōmokoroa-Kaimai Community Board members was witnessed by Mayor Denyer, and followed by inaugural speeches.

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### **10.3 PROPOSAL FROM LESSEE TO INCLUDE CAFÉ OPERATIONS WITHIN LEASE AGREEMENT AT BOWENTOWN BEACH HOLIDAY PARK**

Council considered a report dated 25 November 2025 from the Operations Manager. The General Manager Infrastructure Services provided an overview of the report and the recommendations therein.

Shawn Gardner (Intermediate Planner – enspire) and Mike Crosby (Applicant) were in attendance to support staff in responding to any relevant pātai.

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#### **RESOLUTION CO25-2.2**

Moved: Cr R Joyce

Seconded: Cr A Sole

1. That the Operation's Manager's report dated 25 November 2025 titled 'Proposal from Lessee to include café operations within lease agreement at Bowentown Beach Holiday Park' 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 in principle to enter into a variation to Bowentown Holidays Limited lease to include café operations subject to section 54 (1)(d) of the Reserves Act 1977.
4. If approval in principle is given, such approval must not be construed by the applicant as a guarantee that all other consents required by any policy, by-law, regulation or statute will be forthcoming. The applicant is responsible for obtaining all required consents at its own cost.
5. If approval in principle is given, that staff be directed to publicly notify the proposal in terms of Section 119 of the Reserves Act 1977.

**CARRIED**

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#### 10.4 ANNUAL REPORT 2024-2025

Council considered a report dated 25 November 2025 from the Chief Financial Officer.

The Acting General Manager Corporate Services was in attendance to support the Chief Financial Officer in speaking to **PowerPoint Presentation 1**, which outlined the following topics:

- Annual Report Summary;
- Annual Report – Significant changes since 4 September draft;
- Change to Annual Report – Note 6 Subsidies and Grants (Page 112);
- Annual Report – Audit;
- Questions; and
- Recommendation.

Staff responded to pātai as follows:

- The 'Actuals' for Subsidies and Grants were lower than what was budgeted, due to timing of completion of capital projects being different than what was forecasted.
- The National Infrastructure Funding was previously known as the Crown Infrastructure Partners. Staff would need to come back to Councillors in relation to whether or not the Prole Road project was funded from this source.
- The Heron Crescent subsidy was received at different milestones throughout the project, with \$4.6 million from Better off Funding, and \$6.5 million from the Ministry of Housing and Urban Development.
- The rationale for maintenance being above the budget by \$4.2 million was mainly due to street berms and trees expenditure being higher than budgeted.
- Rates remission was in line with what Council had budgeted for.
- In relation to 'Support Services' the \$4.8 million represented the impact of Council's internal loans on treasury.
- Staff were happy to provide the Support Services financial performance reporting through the Council and Audit, Risk and Finance Committee reporting.
- In relation to the 'Transportation Maintenance Costs' it was clarified that the 2024 cost was a lot lower than 2025, as what was delivered in 2024 was not what was required for the network.

Anton Labuschagne (Associate Audit Director) and Mariska Koekemoer (Audit Manager) were in attendance on behalf of Audit New Zealand. It was noted that the Audit Opinion from Audit New Zealand had been provided as **Tabled Item 1**, and the Letter of Representation from Council to Audit New Zealand had been provided as **Tabled Item 2**.

Audit New Zealand responded to pātai as follows:

- Throughout the process, Audit New Zealand had met with the Mayor and Council's Audit, Risk and Finance Independent Member and Chairperson.

Audit New Zealand was presented with a signed copy of the Letter of Representation.

The following tākupu were made by Councillors:

- There was discomfort around the wording on page 93 of the Annual Report 2024-2025 in relation to the narrative provided in relation to the Maketu Cemetery. It was proposed that it be amended to say 'The Maketu Cemetery Extension was delayed and redesigned due to an array of issues.'

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### RESOLUTION CO25-2.3

Moved: Cr R Joyce

Seconded: Cr T Coxhead

1. That the Chief Financial Officer's report dated 25 November 2025 titled 'Annual Report 2024-2025' 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 the Annual Report 2024-2025 (**Attachment 1**) for the year ended 30 June 2025 be received, and that Council notes the table of significant amendments (**Attachment 2**) that outlines the changes made to the Unaudited Draft Annual Report originally included as Attachment 1 of report 10.1 on the Council agenda for 04 September 2025.
4. That Council receives the Audit Opinion from Audit New Zealand for Western Bay of Plenty District Council's financial statements and performance information for the year ended 30 June 2025 (**Tabled Item 1**).
5. That, pursuant to sections 98 and 99 of the Local Government Act 2002, Council adopts Western Bay of Plenty District Council's audited Annual Report 2024-2025 (**Attachment 1**).
6. That the Chief Executive Officer be delegated authority to make such minor editorial changes to the Annual Report 2024-2025 as may be required prior to printing, including the wording change on page 93 in regard to the narrative provided in relation to the Maketu Cemetery, to say; 'The Maketu Cemetery Extension was delayed and redesigned due to an array of issues'.

**CARRIED**

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10.26am The hui adjourned.

10.49am The hui reconvened.

## 10.5 MONTHLY FINANCIAL REPORT – 30 SEPTEMBER 2025

Council considered a report dated 25 November 2025 from the Chief Financial Officer, who, supported by the Acting General Manager Corporate Services, provided an overview of the report and the recommendations therein.

It was noted that Attachment 1 being Financial Report for 2026 Financial Year, had been updated and provided as **Tabled Item 3**.

Staff responded to pātai as follows:

- With the next iteration of the monthly financial report, staff were aiming to provide analysis and discussion on where they expected to end up at the end of the year.
- Through the Projects and Monitoring Committee, Councillors would receive HR updates regarding FTE + Temp 2 numbers, to enable them to track headcount within the organisation.
- Council's Treasury Policy required Council to have lending across differently aged buckets to protect Council from the risk of not being able to refinance. The red marks noted on Page 14 of Tabled Item 3 indicated that Council was non-compliant with the policy in relation to Interest Rate Risk Limits. Councillors were assured that this was intentional to try and maximise Council's interest rate opportunities.
- Staff would follow up on Page 12 in relation to the commentary provided in regard to the Katikati Arts Junction Project.
- The Local Government Funding Agency (LGFA) and the banks that Council did interest rate swaps with had agreed that the loans and debt that were associated with Local Waters Done Well could be novated over to the new entity.

### RESOLUTION CO25-2.4

Moved: Cr T Coxhead

Seconded: Cr G Elvin

That the Chief Financial Officer's report dated 25 November 2025 titled 'Monthly Financial Report – 30 September 2025' be received.

**CARRIED**

## 10.6 WAIHĪ BEACH LIFE GUARD SERVICES INCORPORATED – REQUEST FOR EXTENSION OF TENURE OF LAND LEASE SITE ON WAIHĪ BEACH SURF CLUB RESERVE UNTIL 2071

Council considered a report dated 25 November 2025 from the Reserves and Facilities Manager, who provided an overview of the report and recommendations therein.

Staff responded to pātai as follows:

- Staff clarified that the point of difference for the Waihi Beach Lifeguard Services was that the area was subdivided in 2007 for lease purposes. This was important as it allowed them to go beyond the 35 year lease period under the Resource Management Act 1991 (RMA).
- In regard to setting precedent for extended lease agreements, it was noted that it was not uncommon for Local Government to set aside long term leases where they saw benefit for the community.
- Years ago, when the initial Resource Consent was granted, there was a Council resolution that accepted all risk in regard to the removal of the building should coastal erosion occur.
- The lease extension was part of the Waihi Beach Lifeguard Services investment in making themselves resilient to flooding, noting that they had now received insurance money from the 29 May 2023 floods that they were affected by.
- Staff had worked with Waihi Beach Lifeguard Services to enable them in establishing the best dune system in front of their building to help prevent inundation from the sea.
- The flooding referred to in Attachment 1 of the report was in relation to an upper freshwater catchment. In the past Council had invested in sand pillows at the end of One Mile to direct any flooding further out, so that it did not cut through the dunes.
- Due to being a large landowner, Councils had a higher tolerance for land based risk.

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### RESOLUTION CO25-2.5

Moved: Cr A Sole

Seconded: Mayor J Denyer

1. That the Reserves and Facilities Manager's report dated 25 November 2025 titled 'Waihi Beach Life Guard Services Incorporated – Request for extension of tenure of land lease Site on Waihi Beach Surf Club Reserve until 2071' 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, in its capacity as administering body of the reserve, grants the Waihi Beach Life Guard Services Incorporated the right to extend their current lease tenure by a further 30 years (10+10+10) from 2041 for 2410m<sup>2</sup> of land, more or less, shown on plan DP 307155 to allow for Waihi Beach Life Guard Services Incorporated facility to remain situated at 2 Beach Road, Waihi Beach;

**CARRIED**

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## 10.7 PROPOSAL TO EXTEND LEASE AREA – TE PUKE COMMUNITY MENZ SHED TRUST AT TE PUKE DOMAIN

Council considered a report dated 25 November 2025 from the Reserves and Facilities Manager, who provided an overview of the report and recommendations therein.

### RESOLUTION CO25-2.6

Moved: Cr L Rae

Seconded: Cr T Coxhead

1. That the Reserves and Facilities Managers report dated 25 November 2025 and titled 'Proposal to Extend Lease Area – Te Puke Community Menz Shed Trust at Te Puke Domain' 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, acting as administering body (leasing authority) of the reserve under the Reserves Act 1977, approves granting an extension of approximately 45m<sup>2</sup> to the current lease area of 174m<sup>2</sup> for Te Puke Community Menz Shed Trust over Part Section 1 SO 51580, being part of Te Puke Domain, Te Puke;
4. If approval is given, such approval must not be construed by the applicant as a guarantee that all other consents required by any policy, by-law, regulation, or statute, will be forthcoming. The applicant is responsible for obtaining all required consents at its own cost.

**CARRIED**

## 10.8 LAND EXCHANGE – 340 ŌMOKOROA ROAD WITH PART OF KAIMAI VIEWS RESERVE, ŌMOKOROA

Council considered a report dated 25 November 2025 from the Reserves and Facilities Manager, who provided an overview of the report and the recommendations therein. It was clarified that no formal agreement or negotiation of values were put in place at this point in time. The first step was for Council to approve in principle before undertaking community consultation, following which a final decision would come back to Council for consideration.

Roger Foxley, Senior Planner (Momentum Planning & Design), was in attendance to represent the applicant and help staff respond to any relevant pātai.

Presenters responded to pātai as follows:

- It was clarified that the Community Board would be included in the public consultation process.



**RESOLUTION CO25-2.7**

Moved: Deputy Mayor M Murray-Benge

Seconded: Cr G Dally

1. That the Reserves and Facilities Manager's report dated 25 November 2025 titled 'Land Exchange - 340 Ōmokoroa Road with part of Kaimai Views Reserve, Ōmokoroa' 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 pursuant to s.15 of the Reserves Act 1977 Council resolves in principle to exchange reserve land for other adjoining land and hereby instructs staff to carry out public notification of the proposed boundary exchange generally as per the attached plan between 340 Ōmokoroa Road being Section 1 SO 503077 owned by WFT Property Two Limited and Lot 253 DP 538477 being part of Kaimai Views Reserve, Ōmokoroa, as required by s.119 of the Reserves Act 1977.
4. That Council, in its capacity as administering body of the reserve, resolves that Lot 253 Deposited Plan 538477 is classified in accordance with the Reserves Act 1977, s16 (2A) and classified as "Recreation Reserve" in accordance with the Reserves Act 1977, s23.

**CARRIED**

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**10.9 RIGHT TO DRAIN WATER AND OVERLAND WATER EASEMENT OVER MANGAWHAI ESTUARY ESPLANADE RESERVE IN FAVOUR OF COUNCIL (IN GROSS) AND LOTS 210,211,216,217,221 DP 614264**

Council considered a report dated 25 November 2025 from the Reserves and Facilities Manager, who provided an overview of the report and recommendations therein.

Staff responded to pātai as follows:

- In relation to discharge into Tauranga Harbour, it was clarified that the main stormwater catchment from the houses, developments and roads went into a stormwater pond, where it received treatments and settlement before trickling through to the harbour.
- The volume of stormwater generated from roofs could not be held on the land, so needed to be treated in the stormwater pond before overflowing to the harbour, noting that the water would find its way to the harbour eventually.
- Pirirākau had been heavily involved in this particular issue.
- Part of the work being undertaken through the Local Waters Done Well transition process was understanding what the easement process costs would be and where they would lie. The complications around stormwater meant that each asset would need to be dealt with on a case by case basis.

- The easement instrument would allow for water to pass either overland or piped, however the mattress design implied it was for overland. Any changes to the design would need to go through the Resource Consent process rather than the easement.
  - Stormwater calculations had been undertaken in relation to this request, noting that all requirements were met and some additional capacity was allowed for should neighbouring land have the same requirements.
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### RESOLUTION CO25-2.8

Moved: Mayor J Denyer

Seconded: Deputy Mayor M Murray-Benge

1. That the Reserves and Facilities Manager's report dated 25 November 2025 titled 'Right to Drain Water and Overland Water Easement over Mangawhai Estuary Esplanade Reserve in favour of Council (in Gross) and Lots 210,211,216,217,221 DP 614264' 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, pursuant to the authority delegated by the Minister of Conservation to Western Bay of Plenty District Council, and the provisions of Section 48 of the Reserves Act 1977, Council hereby consents to the creation of the easements shown on the attached plan (**Attachment 1**) to allow:
4. Council to drain water and drain water (overland) over Lot 5 DPS 29893 (easement 'S'); and Lots 210,211,216,217,221 DP 614264 drain water over Lot 3 DPS 65152 (easement 'Q').
5. That Council, in its capacity as administering body of the reserve, resolves that Lots 5 DPS 29893 and 3 DPS 65152 are classified in accordance with the Reserves Act 1977, s16 (2A) and classified as "Local Purpose (Esplanade) Reserve" in accordance with the Reserves Act 1977, s23.

**CARRIED**

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### 10.10 EXERCISE OF DELEGATION BY INTERIM CHIEF EXECUTIVE OFFICER DURING THE INTERREGNUM PERIOD 2025

Council considered a report dated 25 November 2025 from the Governance Manager. The Interim Chief Executive provided a brief overview of the report and the recommendations therein.

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### RESOLUTION CO25-2.9

Moved: Cr G Elvin

Seconded: Cr T Coxhead

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1. That the Governance Manager's report dated 25 November 2025 titled 'Exercise of Delegation by the Interim Chief Executive Officer during the Interregnum Period 2025' 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 notes that, pursuant to the delegations to the Interim Chief Executive Officer during the interregnum period, the following actions were taken:
  - Approval of remission of accumulated rates penalties on several properties;
  - Approval of a minor amendment to the Rates Remission for Contiguous Land Policy to ensure legal compliance;
  - Approval of an agreement to resolve a dispute over payment of Financial Contributions (FINCOs);
  - Appointment of independent hearings commissioners to cover any hearings that were required;
  - Staff delegations under resource management legislation.

**CARRIED**

#### **10.11 COUNCIL GOVERNANCE STRUCTURE, ESTABLISHMENT OF COMMITTEES AND APPOINTMENT OF CHAIRS AND DEPUTY CHAIRS FOR THE 2025-2028 TRIENNIUM**

Council considered a report dated 25 November 2025 from the Governance Manager. The Mayor provided clarification on the below points:

- The Regional Deals Governance Group was an Advisory Group rather than a Joint Committee; and
- The Katikati Chairperson and Deputy Chairperson would be appointed to Te Ohu Waiora alongside Councillor Joyce.

#### **RESOLUTION CO25-2.10**

Moved: Deputy Mayor M Murray-Benge

Seconded: Mayor J Denyer

1. That the Governance Manager's report dated 25 November 2025, titled 'Council Governance structure, establishment of Committees and appointment of Chairs and Deputy Chairs for the 2025-2028 triennium', be received.
2. That Council notes that His Worship the Mayor has exercised his powers under s41A of the Local Government Act 2002 to establish committees of Western Bay of Plenty District Council, and to appoint Chairs and Deputy Chairs to those committees.
3. That Council acknowledges the establishment and membership of committees and appointments made as outlined in the following table:

**Committee membership and other appointments****Committees of Council**

<b>Committee</b>	<b>Chair/Deputy Chair</b>	<b>Members</b>
Audit, Risk and Finance	Chair: Councillor Coxhead Deputy: Councillor Joyce	Committee of the Whole (all councillors) One independent member
Projects and Monitoring	Chair: Councillor Sole Deputy: Councillor Rae	Committee of the Whole (all councillors)
Chief Executive Employment Subcommittee	Chair: Mayor Denyer Deputy: Deputy Mayor Murray-Benge	Councillor Coxhead Councillor Elvin
District Plan and Regulatory Hearings	Chair: Deputy Mayor Murray-Benge Deputy: Councillor Dally	Mayor Denyer Councillor Dinsdale
District Licensing		Independent commissioners

**Council and Tangata Whenua**

<b>Forum</b>	<b>Council Members</b>
Te Ihu o Te Waka o Te Arawa	Mayor Denyer Councillor Dally Councillor Rae Councillor Beech Councillor Dinsdale
Te Kāhui Mana Whenua o Tauranga Moana	Mayor Denyer Deputy Mayor Murray-Benge Councillor Joyce Councillor Sole Councillor Coxhead Councillor Elvin Councillor Dinsdale

**Joint Committees**

<b>Committee</b>	<b>Members</b>	<b>Alternates</b>
SmartGrowth Leadership Group	Mayor Denyer Deputy Mayor Murray-Benge Councillor Dally	Councillor Elvin
Bay of Plenty Civil Defence Emergency Management Group	Mayor Denyer	Councillor Beech
Bay of Plenty Mayoral Forum	Mayor Denyer	
Regional Transport	Mayor Denyer	Councillor Dally

Public Transport	<i>Committee still to be confirmed</i>	
Tauranga and Western Bay of Plenty Transport	<i>Committee still to be confirmed</i>	

### Joint Advisory Groups and Working Parties

Group	Members	Alternates
Regional Deals Governance Group	Mayor Denyer	Deputy Mayor Murray-Benge
Kaituna Catchment Control	Councillor Beech	Councillor Dally
Te Maru o Kaituna	Councillor Dinsdale	Councillor Rae
Waiāri Kaitiaki Advisory Group	Councillor Rae Councillor Dinsdale	Councillor Beech
Te Ohu Parawai o te Waiāri	Councillor Dally Councillor Rae	
Tauranga Moana Advisory Group	Councillor Joyce Councillor Dinsdale	Councillor Sole
Te Ohu Waiora	Councillor Joyce Katikati Community Board Chairperson Sayer Katikati Community Board Deputy Chairperson Henry	

### Other appointments

Group	Members	Alternates
CCO Appointment Panel	Deputy Mayor Murray-Benge	Councillor Elvin
Creative Communities Panel	Councillor Coxhead Councillor Dinsdale	
CCTV Working Party	Deputy Mayor Murray-Benge Councillor Joyce Councillor Beech	

That Council adopts the proposed Council and Committee Terms of Reference (**Attachment 1 and Tabled Item 4**), noting that the committees can review and identify any required amendments to Terms of Reference and submit any proposed amendments to the Council for consideration.

That Council agrees that the most recent 2022-25 Terms of Reference for joint committees and working groups be adopted as the initial Terms of Reference for the 2025 term, with updated membership, pending any revised Terms of Reference.

That Council approves the continuation of the existing Terms of Reference for Community Boards (**Attachment 2**), while noting that these Terms of Reference are currently under review with amended Terms of Reference expected to be brought back to Council for consideration in the new year.

**CARRIED**

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#### **10.12 COUNCILLOR REMUNERATION FOR THE 2025–2028 TRIENNIUM**

Council considered a report dated 25 November 2025 from the Governance Manager. The Mayor provided an overview of the report and the recommendations therein.

The Mayor responded to pātai as follows:

- The rationale for the increase was due to Remuneration Authority increasing the pool size, and the reduction of Councillors this triennium.
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#### **RESOLUTION CO25–2.11**

Moved: Deputy Mayor M Murray–Benge

Seconded: Cr G Dally

That the Governance Manager's report dated 25 November 2025, titled 'Councillor Remuneration for the 2025–2028 Triennium', be received.

That Council approves for submission to the Remuneration Authority the following remuneration allocation for the 2025–2028 Triennium:

- The Deputy Mayor receives remuneration of \$100,000.
- The Chairpersons of the two standing Committees of the Whole receive remuneration of \$85,000.
- The balance of the remuneration pool be evenly split among the remaining six Councillors with each receiving \$76,232.50.

That Council notes that councillors may also claim allowances as applicable in accordance with the Local Government Elected Members (2025/26) Determination 2025 and amendments.

**CARRIED**

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#### **10.13 MAYOR'S REPORT TO COUNCIL**

Council considered a report dated 25 November 2025 from the Mayor, who responded to pātai as follows:

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- The Code of Conduct (COC) Stakeholder Group meeting was to work through a number of issues and refine the proposal that would go out for consultation. The latest information that was discussed indicated that members of the public could not take up a Code of Conduct complaint. It was noted that the Local Government Commission was running these sessions.
- Mayor School was an opportunity for all Mayors around the country to come together and not only meet each other but also learn more about Mayoral responsibilities and attributes.
- The meeting with Tapuika representatives regarding Te Puke Wastewater issues was in relation to finding a resolution to the discharge of the Waiāri. It was noted that the process taken with Te Ohu Waiora was posed as an example of how an outcome could also be sought on the eastern side of the district.
- It was noted that a draft version of the COC would be circulated to Councillors once received by the Mayor.
- It was believed that the Code of Conduct would be mandated.
- In relation to Regional Deals, it was clarified that the timeframe was being dictated by Central Government, noting that all Councillors would receive an update on Friday 28 November 2025. A paper in relation to Regional Deals would be coming to Council on 16 December, however it would likely be in public excluded due to the nature of the information to be included.

## RESOLUTION CO25-2.12

Moved: Mayor J Denyer

Seconded: Cr A Sole

That the Mayor's report dated 25 November 2025 titled 'Mayor's Report to Council', be received.

**CARRIED**

## 11 INFORMATION FOR RECEIPT – KŌRERO TE WHIWHIA

Nil

## 12 RESOLUTION TO EXCLUDE THE PUBLIC – WHAKATAU KI TE PORO I TE MAREA

### RESOLUTION TO EXCLUDE THE PUBLIC

#### RESOLUTION CO25-2.13

Moved: Deputy Mayor M Murray-Benge

Seconded: Cr R Joyce

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>
<b>12.1 – Tourism Bay of Plenty – Appointment of Trustees</b>	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
<b>12.2 – Pongakawa Water Treatment Tender Award Memo</b>	s7(2)(h) – the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities  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
<b>CARRIED</b>		

**NOTE: Resolutions CO25-2.14–CO25-2.17 were dealt with in the confidential minutes.**

### **RESOLUTION CO25-2.18**

Moved: Mayor J Denyer

Seconded: Cr T Coxhead

That Council moves out of Closed Council into Open Council.

**CARRIED**



**RESOLUTIONS TRANSFERRED INTO OPEN SECTION****12.1 TOURISM BAY OF PLENTY – APPOINTMENT OF TRUSTEES**

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**RESOLUTION CO25-2.19**

Moved: Deputy Mayor M Murray-Benge

Seconded: Cr R Joyce

1. That the Community and Strategic Relationship Manager's report dated 25 November 2025 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 extension of tenure of:
  - a. Russ Browne, Chair to the Tourism Bay of Plenty Board for a further two months, for his tenure to now end on 30 June 2026 (from 30 April 2026).
  - b. Janine Tulloch, Deputy Chair to the Tourism Bay of Plenty Board for a further two months, for her tenure to now end on 30 June 2026 (from 30 April 2026)
  - c. Andrea Webster, Trustee to the Tourism Bay of Plenty Board for a further seven months, to now end on 30 June 2026.
4. Notes that joint shareholder Tauranga City Council considered these recommendations at its Council meeting on 18 November 2025.
5. That the **recommendations** be transferred into the Open section of the meeting once the trustees have been notified.

**CARRIED**

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**The Meeting closed at 1.12pm.**

**Confirmed as a true and correct record at the Council meeting held 16 December 2025.**

.....  
Mayor J Denyer  
**CHAIRPERSON / MAYOR**