

Mā tō tātou takiwā
For our District

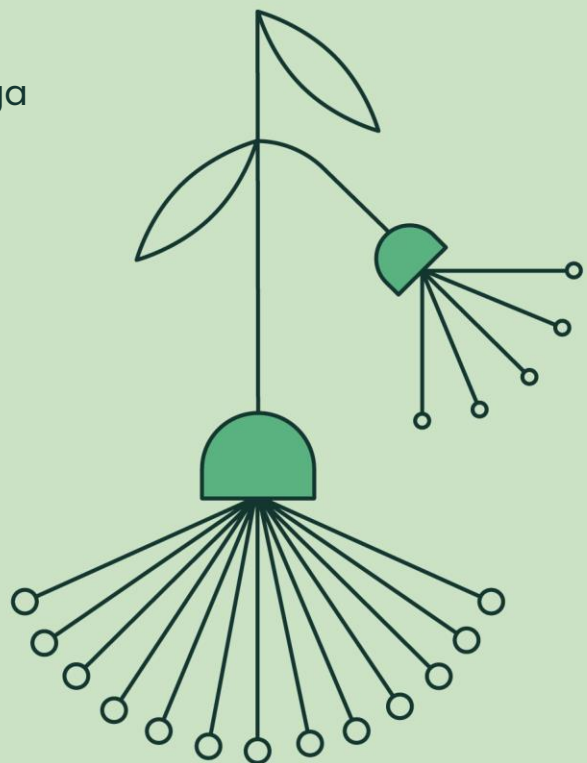
Council

Te Kaunihera

C22-3

Thursday, 12 May 2022, 9.30am

Council Chambers, Barks Corner, Tauranga



Council

Membership:

Chairperson	Mayor Garry Webber
Deputy Chairperson	Deputy Mayor John Scrimgeour
Members	Cr Grant Dally Cr Mark Dean Cr James Denyer Cr Murray Grainger Cr Monique Gray Cr Anne Henry Cr Kevin Marsh Cr Margaret Murray-Benge Cr Allan Sole Cr Don Thwaites
Quorum	6
Frequency	Six weekly

Role:

To ensure the effective and efficient governance and leadership of the District.

Power to Act:

To exercise all non-delegable functions and powers of the Council including, but not limited to:

- The power to make a rate;
- The power to make a bylaw;
- The power to borrow money, purchase, or dispose of assets, other than in accordance with the Long Term Plan;
- The power to adopt a Long Term Plan, Annual Plan or Annual Report;
- The power to appoint a chief executive;
- The power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the local governance statement;
- The power to adopt a remuneration and employment policy;
- The power to approve a proposed policy statement or plan under clause 17 of Schedule 1 of the Resource Management Act 1991;

- The power to make a final decision on a recommendation from the Ombudsman where it is proposed that Council not accept the recommendation.
- To exercise all functions, powers and duties of the Council that have not been delegated, including the power to compulsorily acquire land under the Public Works Act 1981.
- To make decisions which are required by legislation to be made by resolution of the local authority.
- To authorise all expenditure not delegated to officers, Committees or other subordinate decision-making bodies of Council, or included in Council's Long Term Plan or Annual Plan.
- To make appointments of members to Council Controlled Organisation Boards of Directors/Trustees and representatives of Council to external organisations;
- To consider and make decisions regarding any matters relating to Council Controlled Organisations, including recommendations for modifications to CCO or other entities' accountability documents (i.e. Letter of Expectation, Statement of Intent) recommended by the Policy Committee or any matters referred from the Performance and Monitoring Committee.
- To approve joint agreements and contractual arrangements between Western Bay of Plenty District Council and Tauranga City Council or any other entity.
- To consider applications to the Community Matching Fund (including accumulated Ecological Financial Contributions).
- To consider applications to the Facilities in the Community Grant Fund.

Procedural matters:

Approval of elected member training/conference attendance.

Mayor's Delegation:

Should there be insufficient time for Council to consider approval of elected member training/conference attendance, the Mayor (or Deputy Mayor in the Mayor's absence) is delegated authority to grant approval and report the decision back to the next scheduled meeting of Council.

Should there be insufficient time for Council to consider approval of a final submission to an external body, the Mayor (or Deputy Mayor in the Mayor's absence) is delegated authority to sign the submission on behalf of Council, provided the final submission is reported to the next scheduled meeting of Council or relevant Committee.

Power to sub-delegate:

Council may delegate any of its functions, duties or powers to a subcommittee, working group or other subordinate decision-making body, subject to the restrictions on its delegations and any limitation imposed by Council.

Notice is hereby given that a Meeting of Council will be held in the
Council Chambers, Barkes Corner, Tauranga on:
Thursday, 12 May 2022 at 9.30am

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- 1 PRESENT
- 2 IN ATTENDANCE
- 3 APOLOGIES
- 4 CONSIDERATION OF LATE ITEMS
- 5 DECLARATIONS OF INTEREST
- 6 PUBLIC EXCLUDED ITEMS
- 7 PUBLIC FORUM

8 COMMUNITY BOARD MINUTES FOR RECEIPT

8.1 MINUTES OF THE KATIKATI COMMUNITY BOARD MEETING HELD ON 30 MARCH 2022

File Number: A4558827

Author: Pernille Osborne, Senior Governance Advisor – Board Secretary

Authoriser: Barbara Whitton, Customer Services and Governance Manager

RECOMMENDATION

That the Minutes of the Katikati Community Board Meeting held on 30 March 2022 be received.

ATTACHMENTS

1. Minutes of the Katikati Community Board Meeting held on 30 March 2022

MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL
KATIKATI COMMUNITY BOARD MEETING NO. K22-2
HELD VIA ZOOM (AUDIO/VISUAL LINK) ONLY
UNDER COVID-19 PROTECTION FRAMEWORK – RED
ON WEDNESDAY, 30 MARCH 2022 AT 7.05PM

1 PRESENT VIA ZOOM

Chairperson B Warren, Member N Harray, Member J Clements, Member K Sutherland, Cr J Denyer and Cr A Sole

2 IN ATTENDANCE VIA ZOOM

R Davie (Group Manager Strategy and Community Services), P Watson (Reserves and Facilities Manager), S Parker (Reserves & Facilities Projects & Assets Manager), A Hall (Roading Engineer West) J Osborne (Governance Support Administrator) and P Osborne (Senior Governance Advisor)

OTHER ATTENDEES VIA ZOOM

6 Members of the Public, including Councillor Henry

3 APOLOGIES

Nil

4 CONSIDERATION OF LATE ITEMS

Nil

5 DECLARATIONS OF INTEREST

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

- (i) Chairperson Warren advised that he had a declaration of interest regarding report number 9.1 of the Agenda, 'Katikati Community Board Chairpersons Report – March 2022' – C.E Miller Fund Request

6 PUBLIC EXCLUDED ITEMS

Nil

7 PUBLIC FORUM

The Chairperson outlined the protocols relating to the Public Forum section of the meeting as set out in the Standing Orders for the Katikati Community Board. Attending members of the public were invited to take part in the public forum.

Paula Gaelic – Yeoman Bridge to Parkway Reserve proposed pathway

Ms Gaelic was in attendance to speak to the Board regarding the proposed pathway from Yeoman Bridge to Parkway Reserve. Ms Gaelic highlighted the below points:

- (ii) As an avid walker and cyclist, she spoke in support of the concrete pathway;
- (iii) She believed that laying concrete would allow accessibility for more members of the community, as well as being able to utilise the pathway in all weather conditions;
- (iv) She noted that this was a big part of the proposed community plan; and
- (v) She was of the belief that Katikati was getting “left behind” when it came to walking and cycling tracks within the District.

Ms Gaelic questioned why the signs that had been installed on the walkway, had now been removed.

Jacqui Knight – Yeoman Bridge to Parkway Reserve proposed pathway

Ms Knight was in attendance to also speak in support of the proposed pathway. She noted that this proposed pathway had already been out for public consultation, and had been approved through the Reserve Management Plan.

Ms Knight had spoken to many community members who supported the new pathway and the upgrade of surface, reiterating the importance of this, in allowing accessibility for our diverse community.

Rodney Joyce – Yeoman Bridge to Parkway Reserve proposed pathway

Mr Joyce was in attendance to speak on the same issue, noting that he was also an avid user of the current pathway. Mr Joyce noted the below points:

- (vi) He did not believe enough public consultation had taken place, and would like to understand the financial budget and scope of the project.
- (vii) He did not believe that the proposed concrete path would meet current standards for accessibility.
- (viii) He noted that it would change the feel of the esplanade.

- (ix) He noted that there had been a lot of damage to the current track when the construction of the bridge was taking place. He agreed that improvements could be made to the walkway, however would like to see these options put out to the community first.

Tessa Blackett – Yeoman Bridge to Parkway Reserve proposed pathway

Ms Blackett was in attendance to speak to the Board regarding the proposed pathway, noting that she was speaking on behalf of other neighbours, friends and family members that shared the below views:

- (x) She highlighted the importance of keeping the natural environment, for both locals and wildlife.
- (xi) She noted that a lot of work was currently being done to protect the wildlife, and highlighted the negative effects that the proposed work could have on them – something she felt Council should consider in their plans.
- (xii) She did not believe that concrete was the best option, and noted there were other more natural options that should be considered.
- (xiii) She noted that, at a time when there was so much development happening, it was important for the “green parts of Katikati to remain green”.
- (xiv) The community would like to be consulted with, and involved in the decision making process moving forward.

The Reserves and Facilities Manager responded to questions as follows:

- (xv) The proposed pathway was included as an action within the Katikati-Waihi Beach Reserve Management Plan (RMP), which went through the normal public consultation process. It was acknowledged that this may not have reached all members of the community. This action led to a feasibility study on the possible linkage.
- (xvi) Following receipt of a petition in 2019, a report was presented to the Operations Committee (former Performance and Monitoring Committee) that contained the feasibility study and alternative surface options.
- (xvii) Through consultation on the Long Term Plan 2021/31, the community supported the increase of investment in the walkway and cycleways throughout the District.
- (xviii) It was always noted that, when the time came to implement the plans, the community would be further engaged with. The Reserves and

Facilities Manager was happy with the discussion that had taken place today, noting that the engagement process was still being undertaken. Once this engagement was completed the feedback would be analysed and reported back to Council for further discussion. It is at this point, it would be determined whether they needed to reconsider aspects of the proposal.

- (xix) The community was encouraged to submit their feedback through the haveyoursay platform.
- (xx) It was clarified that the funding for walkway/cycleways within the district came from varied sources, including Waka Kotahi subsidy funding, and financial contributions from developments and rates.

8 MINUTES FOR CONFIRMATION

8.1 MINUTES OF THE KATIKATI COMMUNITY BOARD MEETING HELD ON 2 FEBRUARY 2022

The Board considered a report from the Senior Governance Advisor. Member Clements asked for the below additional sentence to be added to the minutes from the discussion had during agenda item 9.4 Councillors Report.

RESOLUTION K22-2.1

Moved: Member J Clements

Seconded: Member N Harray

That the Minutes of the Katikati Community Board Meeting held on 2 February 2022, as circulated with the agenda, be confirmed as a true and correct record, with the below amendment:

- (xxi) Item 9.4 to include the following sentence: "There was no specific outcomes discussed with Tourism Bay of Plenty (TBOP) regarding the Katikati-Waihi Beach Ward."

CARRIED

9 REPORTS

9.1 KATIKATI COMMUNITY BOARD CHAIRPERSONS REPORT – MARCH 2022

The Board considered a report from the Chairperson. The report was taken as read with further discussion on the below items.

RESOLUTION K22-2.2

Moved: Chairperson B Warren

Seconded: Cr J Denyer

That the Chairperson's report dated 30 March 2022, titled 'Katikati Community Board Chairpersons Report – March 2022', be received.

CARRIED

9.1.1 COMMUNITY AND TOWN CENTRE PLAN

The Board was advised that the Community Plan had gone out for consultation.

The Town Centre Plan had been workshopped, and was currently with Boffa Miskell. Feedback received from Community Groups had been included with the requested changes.

9.1.2 MOORE PARK AND BEACH ROAD DEVELOPMENTS

The Chairperson advised a Kainga Ora representative had been in contact with the Board, and noted they would engage with the Board moving forward.

The Board was advised that if a resource consent was required, it would depend on the activity status as to whether this was notified, or not. The status was determined by the Resource Management Act (RMA).

9.1.3 SOCIAL HOUSING DEVELOPMENT

It was clarified that the housing development on Beach Road was Council Elder Housing.

9.1.4 BIRD WALK EROSION

The Board was advised that Council could extend the Rock Rip Rap under the original consent for the bridge, allowing the further erosion issues to be addressed.

9.1.5 GRAFFITI AROUND TOWN

The Board noted that graffiti was starting to appear throughout town, and that Police were aware of the issue.

9.1.6 TETLEY ROAD

The Board was advised the Tetley Road footpath was to provide a safe space for the kids to walk to and from the Marae.

The Roading Engineer (West) noted that the medium-term plans would include Wills Road with the improvements for Tetley Road.

9.1.7 C.E. MILLER FUND REQUEST

The Chairperson introduced the item, but took no part in the discussion or voting thereon. Deputy Chairperson Harray took over the Chairperson duties.

The Board was informed that the plans for the trees and seats would be approved by Councils Reserves and Facilities staff.

RESOLUTION K22-2.3

Moved: Cr J Denyer

Seconded: Cr A Sole

The Katikati Community Board approve \$5,000 from the C.E. Miller Estate Reserve Account to the Katikati Cricket Club for beautification of Moore Park, including the installation of seats and planting of trees.

CARRIED

9.2 KATIKATI COMMUNITY BOARD COUNCILLOR'S REPORT

The Board considered a report from Councillor Denyer. The report was taken as read with further discussion on the below items.

Annual Plan

Member Clements queried the rates increase, as he was of the belief that the budget was unrealistic with current inflation figures.

Policies and Bylaws

The Board was advised that current Māori roadways were roads that were owned by Māori but could be used by any member of the public. For this reason, Council was proposing to revoke the Māori Roadways Policy 2012, and revise the Policy for Council Maintenance of Previously Unmaintained Roads.

RESOLUTION K22-2.4

Moved: Cr J Denyer

Seconded: Member N Harray

That the Councillor's report dated 30 March 2022, titled 'Katikati Community Board Councillor's Report', be received.

CARRIED

9.3 KATIKATI COMMUNITY BOARD GRANT APPLICATION

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

RESOLUTION K22-2.5

Moved: Chairperson B Warren

Seconded: Member K Sutherland

1. That the Senior Governance Advisor's report dated 30 March 2022, titled 'Katikati Community Board Grant Application', be received.
2. That the Katikati Community Board approve the Grant Application from the Katikati Community Toy Library for \$1,782.50 to update signage to represent the new logo. This grant will be funded from the Katikati Community Board Grants Account, subject to all accountabilities being met.

CARRIED

9.4 INFRASTRUCTURE SERVICES REPORT KATIKATI COMMUNITY BOARD MARCH 2022

The Board considered a report from the Deputy Chief Executive. The report was taken as read, with further discussion on the below:

Transportation – Katikati Community Roothing

The Board requested that the 'Town Centre Village Footpath Upgrade (Town Centre plan funded)' item include the approved funding. The Roothing Engineer (West) would amend the report to include this.

Councillor Denyer requested that an investigation of Mulgan Street to Uretara Bridge Shared Path be included as a priority 1 project. The Board requested an onsite meeting with the Roothing Engineer (West) and Waka Kotahi.

Western Solid Waste

The Board was advised that the statistics provided around solid waste was to inform the Board on what was currently happening.

Level of Service for Parks and Reserves Report

The Board was advised that staff would prepare a report for the next Community Board meeting, regarding Levels of Service for Parks and Reserves.

The Reserves and Facilities Manager provided the Board with the rationale behind the different levels of service, highlighting the effects that COVID-19 was having on providing particular services at the moment.

RESOLUTION K22-2.6

Moved: Chairperson B Warren

Seconded: Member N Harray

1. That the Deputy Chief Executive's report dated 30 March 2022, titled 'Infrastructure Services Report Katikati Community Board March 2022', be received.
2. That the Katikati Community Board approve the investigation of options for the following roading and town centre projects:

Priority 1:

- 1) Town Centre Village Footpath Upgrade (Town Centre plan funded)
- 2) Diggleman Park - Parking Upgrade
- 3) Mulgan Street Footpath Installation
- 4) Hyde Street Sealing
- 5) Mulgan Street to Uretara Bridge Shared Path

Priority 2:

- 5) Kotahi Lane Car Park Sealing
- 6) Kotahi Lane (Southern end) Parking Enhancement
- 7) Uretara Landing Reserve Enhancement

And that the Roothing Engineer West report back to the Board on progress.

CARRIED

9.5 KATIKATI FINANCIAL REPORT – FEBRUARY 2022

The Board considered a report from the Financial Business Advisor. The report was taken as read.

RESOLUTION K22-2.7

Moved: Chairperson B Warren

Seconded: Member K Sutherland

That the Financial Business Advisor's report dated 30 March 2022, titled 'Financial Report Katikati – February 2022', be received.

CARRIED

9.6 COUNCIL, STANDING COMMITTEES AND COMMUNITY BOARD MEETINGS

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

RESOLUTION K22-2.8

Moved: Chairperson B Warren

Seconded: Member J Clements

That the schedule of meetings for April, May and June 2022, be received.

CARRIED

The Board concluded the meeting with a brief discussion on the Boards position relative to the Talisman Drive report, included for discussion at the upcoming Performance and Monitoring confidential workshop.

The Meeting closed at 8.36pm.

Confirmed as a true and correct record at the Katikati Community Board meeting held on 25 May 2022.

.....
Chairperson B Warren

CHAIRPERSON

8.2 MINUTES OF THE ŌMOKOROA COMMUNITY BOARD MEETING HELD ON 5 APRIL 2022

File Number: A4558837

Author: Pernille Osborne, Senior Governance Advisor – Board Secretary

Authoriser: Barbara Whitton, Customer Services and Governance Manager

RECOMMENDATION

That the Minutes of the Ōmokoroa Community Board Meeting held on 5 April 2022 be received.

ATTACHMENTS

- 1. Minutes of the Ōmokoroa Community Board Meeting held on 5 April 2022**

MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL
ŌMOKOROA COMMUNITY BOARD MEETING NO. OM22-2
HELD VIA ZOOM (AUDIO/VISUAL LINK) ONLY AND LIVESTREAMED
UNDER COVID-19 PROTECTION FRAMEWORK – RED
ON TUESDAY, 5 APRIL 2022 AT 7.00PM

1 PRESENT VIA ZOOM

Chairperson T Sage, Member P Presland, Member J Evans, Member D Sage and Cr D Thwaites

2 IN ATTENDANCE VIA ZOOM

J Graham (Acting General Manager Corporate Services), A Hall (Roading Engineer West), S Parker (Reserves and Facilities Asset Systems Manager), (J Osborne (Governance Support Administrator) and P Osborne (Senior Governance Advisor)

OTHER ATTENDEES VIA ZOOM

2 members of the public, including Councillor Denyer

ABSENT

Councillor M Grainger

3 APOLOGIES

Nil

4 CONSIDERATION OF LATE ITEMS

Nil

5 DECLARATIONS OF INTEREST

Nil

6 PUBLIC EXCLUDED ITEMS

Nil

7 PUBLIC FORUM

Chris Dever – Various Items

Mr Dever was in attendance to speak to the below items:

- He was concerned with some of the current street lighting, noting that he would like to see surveying done over the dark stretches of road to look for further improvements.
- He noted that, in order to dispose of any rubbish that was not collected through Council's Kerbside Collection Service, members of the community had to travel to the other side of town. He asked Council to consider what could be done for those who live in Ōmokoroa as an alternative.
- He noted that he was looking forward to seeing those Community Board members who were able to attend the ANZAC Day Dawn Service.

Member Presland entered the meeting at 7.07pm.

Councillor Thwaites noted that Council would need to investigate future options for transfer stations.

Councillor Denyer informed the Board that following submissions to the Waste Management and Minimisation Bylaw the Policy Committee resolved that feedback received regarding transfer stations be diverted to the Waste Management and Minimisation Plan (WMMP) review 2022/23.

Member Sage was of the belief that, at a national level, there should be a charge on all items sold that would eventually require being disposed of, rather than the buyer having to absorb that cost.

8 MINUTES FOR CONFIRMATION

8.1 MINUTES OF THE ŌMOKOROA COMMUNITY BOARD MEETING HELD ON 8 FEBRUARY 2022

RESOLUTION OM22-2.1

Moved: Cr D Thwaites

Seconded: Member J Evans

That the Minutes of the Ōmokoroa Community Board Meeting held on 8 February 2022, as circulated with the agenda, be confirmed as a true and correct record.

CARRIED

9 REPORTS

9.1 ŌMOKOROA COMMUNITY BOARD CHAIRPERSON'S REPORT – APRIL 2022

The Board considered a report from the Chairperson. The report was taken as read.

Member Presland thanked the Chairperson for her comprehensive report.

RESOLUTION OM22-2.2

Moved: Member P Presland

Seconded: Member D Sage

That the Chairpersons report dated 5 April 2022 titled 'Ōmokoroa Community Board Chairperson's Report – April 2022', be received.

CARRIED

9.2 ŌMOKOROA COMMUNITY BOARD COUNCILLOR'S REPORT – APRIL 2022

The Board considered a report from Councillor Grainger. The report was taken as read, with a further update on the below:

Annual Plan

Councillor Thwaites noted that rates would now be increasing by 3.96% across the district, which was slightly lower than what was predicted in the Long Term Plan.

Property owners would be able to do a search on Council's website within the next few weeks, that would allow them to identify the exact rates increase that applied to their individual properties.

RESOLUTION OM22-2.3

Moved: Cr D Thwaites

Seconded: Chairperson T Sage

That the Councillor's report dated 5 April 2022 titled 'Ōmokoroa Community Board Councillor's Report – April 2022' be received.

CARRIED

9.3 INFRASTRUCTURE SERVICES REPORT ŌMOKOROA COMMUNITY BOARD APRIL 2022

The Board considered a report from the Deputy Chief Executive. The report was taken as read.

RESOLUTION OM22-2.4

Moved: Cr D Thwaites

Seconded: Member J Evans

That the Deputy Chief Executive's report dated 5 April 2022 titled 'Infrastructure Services Report Ōmokoroa Community Board April 2022', be received.

CARRIED

9.4 FINANCIAL REPORT ŌMOKOROA – FEBRUARY 2022

The Board considered a report from the Financial Business Advisor. The report was taken as read.

The Acting General Manager Corporate Services advised the Board that the reason this report was for February 2022, was due to the timing of the monthly close off dates.

RESOLUTION OM22-2.5

Moved: Member D Sage

Seconded: Member J Evans

That the Financial Business Advisor's report dated 5 April 2022 and titled 'Financial Report Ōmokoroa – February 2022', be received.

CARRIED

9.5 COUNCIL, STANDING COMMITTEES AND COMMUNITY BOARD MEETINGS

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

RESOLUTION OM22-2.6

Moved: Member J Evans

Seconded: Cr D Thwaites

That the schedule of meetings for April, May and June 2022, be received.

CARRIED

The Chairperson noted that both herself and the Roading Engineer (West) had a walk around Kaimai Views. They would be working with WestLink to find a solution to the vegetation issues raised by concerned residents at the previous meeting. A letter drop was also done to collect feedback from as many residents as possible.

The Meeting closed at 7.26pm.

Confirmed as a true and correct record at the Ōmokoroa Community Board meeting held on 31 May 2022.

.....
Chairperson T Sage

CHAIRPERSON

Unconfirmed

8.3 MINUTES OF THE TE PUKE COMMUNITY BOARD MEETING HELD ON 7 APRIL 2022

File Number: A4558843

Author: Pernille Osborne, Senior Governance Advisor – Board Secretary

Authoriser: Barbara Whitton, Customer Services and Governance Manager

RECOMMENDATION

That the Minutes of the Te Puke Community Board Meeting held on 7 April 2022 be received.

ATTACHMENTS

- 1. Minutes of the Te Puke Community Board Meeting held on 7 April 2022**

MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL
TE PUKE COMMUNITY BOARD MEETING NO. TP22-2
HELD VIA ZOOM (AUDIO/VISUAL LINK) ONLY AND LIVESTREAMED
UNDER COVID-19 PROTECTION FRAMEWORK - RED
ON THURSDAY, 7 APRIL 2022 AT 7.00PM

1 PRESENT VIA ZOOM

Chairperson R Crawford, Member T Rolleston, Member K Ellis, Member D Snell, Cr G Dally and Cr M Gray

2 IN ATTENDANCE VIA ZOOM

G Allis (Deputy CEO/General Manager Infrastructure Group), C McLean (Senior Transportation Engineer), J Rickard (Senior Policy Analysis), S Hammond (Reserves and Facilities Officer East), J Osborne (Governance Support Administrator) and P Osborne (Senior Governance Advisor)

OTHER ATTENDEES VIA ZOOM

2 Members of the Public

3 APOLOGIES

APOLOGY

RESOLUTION TP22-2.1

Moved: Chairperson R Crawford

Seconded: Member D Snell

That the apology for lateness from Member Rolleston be accepted.

CARRIED

4 CONSIDERATION OF LATE ITEMS

Nil

5 DECLARATIONS OF INTEREST

Nil

6 PUBLIC EXCLUDED ITEMS

Nil

7 PUBLIC FORUM

Rebecca Larsen – EPiC Te Puke

Ms Larsen was in attendance to introduce the Board to the latest local project “Te Puke Online”, highlighting the below features:

- It was a website platform for residents of Te Puke to join, and to assist EPiC as an organisation and growth.
- A listing and/or website could be added to the platform. This could be a job, contest or an event.
- It allowed the user to search for a specific service.
- A Community Directory had been created to help support local businesses and community groups.
- Another benefit of the system was that it was a customer management tool and marketing tool, as the customer was able to edit, update and customise their own content whenever they needed to.
- The content developers were looking at creating a booking system within the website.
- It was noted that, for most people, ‘Te Puke Online’ worked as a profile that could direct users to their own domain.
- The system held its own reporting tool, which allowed EPiC to see page views throughout specific time periods/campaigns.

At 7.15 pm, Member T Rolleston joined the meeting.

Mary Wanhill – Youth Encounter Ministries

Ms Wanhill was in attendance to speak to the grant application on behalf of Youth Encounter Ministries. Ms Wanhill provided the Board with an overview of what Youth Encounter Ministries does for youth, including the rationale for the grant application that was being presented to the Board at this meeting.

Youth Encounter Ministries offer:

- Counselling services to youth;
- Mentoring;
- Camps for young leaders; and
- A strong sense of community for youth.

The Connect Programmes, that they were seeking funding for, enabled the bringing together of youth and facilitating through events, gatherings and mentoring the connecting of diverse cultures and families. This is all done with the goal of creating a strong community that youth felt a part of.

The Board was advised that Youth Encounter Ministries was linked with different local iwi, however noted that they would love to connect further with iwi to enhance that

connection. They would also like to maintain long-term relationships with youth that come through the programmes.

At 7:27 pm, Member T Rolleston left the meeting.

8 MINUTES FOR CONFIRMATION

8.1 MINUTES OF THE TE PUKE COMMUNITY BOARD MEETING HELD ON 10 FEBRUARY 2022

RESOLUTION TP22-2.2

Moved: Cr M Gray

Seconded: Member D Snell

That the Minutes of the Te Puke Community Board Meeting held on 10 February 2022, as circulated with the agenda, be confirmed as a true and correct record.

CARRIED

9 REPORTS

9.1 TE PUKE COMMUNITY BOARD CHAIRPERSONS REPORT – APRIL 2022

The Board considered a report from the Chairperson. The report was taken as read with further discussion on the below:

ANZAC Day

The Board was advised that Citizens RSA Te Puke would be running this years ANZAC Day Parade. Board members would be in attendance to lay a wreath. Councillor Gray advised the Board that due to COVID-19, and having high risk family members, she would be attending the outside service but not the inside service.

RESOLUTION TP22-2.3

Moved: Member D Snell

Seconded: Member K Ellis

That the Chairperson's report dated 7 April 2022, titled 'Te Puke Community Board Chairpersons Report – April 2022', be received.

CARRIED

9.2 TE PUKE COMMUNITY BOARD COUNCILLOR'S REPORT – APRIL 2022

The Board considered a report from Councillor Dally. The report was taken as read.

RESOLUTION TP22-2.4

Moved: Chairperson R Crawford

Seconded: Cr M Gray

That the Councillor's report dated 7 April 2022, titled 'Te Puke Community Board Councillor's Report – April 2022', be received.

CARRIED

9.3 ENABLING HOUSING IN TE PUKE

The Board considered a report from the Senior Policy Analyst, who was in attendance to provide the Board with a brief overview and rationale for the report and what the changes meant for Te Puke.

Due to a new Resource Management (Enabling Housing and Other Matters) Amendment Act (RMAA), Council was now required to make a change in the District Plan to implement the new rules.

The Board was advised that the most significant change to be aware of was that, on any existing residential property, up to three dwellings could be built, up to three storeys in height, without requiring a resource consent. There were standards set out in the Medium Density Residential Standards (MDRS) that had to be met.

It was understood that these changes were to help address current housing issues. It was noted that it was important for the Board to understand that, over the next 10 years, this could change the residential environment of Te Puke.

As well as the above, the Board was also advised on the engagement approach from Council, that would take place in April 2022. This consisted of:

- A website – Have your say;
- A flyer for mailing to all residents of Te Puke;
- Community drop-in sessions;
- Workshops with Te Puke Housing Network;
- Engagement with Tangata Whenua; and
- Engagement with developers.

The Board would hold a workshop to discuss the presentation itself, and provide feedback on the engagement approach from Council.

The Senior Policy Analyst responded to questions as below:

- The flyer would contain the dates and times of the drop-on sessions.
 - Council would be running specific engagement with Tangata Whenua to further their understanding on Māori housing aspirations, what opportunities they thought the RMAA provided, and what issues / concerns they may have with the changes the RMAA may bring. It was noted that, at this stage the engagement with Tangata Whenua was in regards to making Papakāinga easier to deliver. The Papakāinga feedback would be captured through the District Plan Review, rather than through this engagement.
 - There would be no formal presentation at the drop-in sessions, but rather stations would be set up to target feedback on specific questions.
 - Ward Councillors were required to attend a portion of the drop-in sessions in their areas. Community Board members were encouraged to take part, where possible.
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RESOLUTION TP22-2.5

Moved: Cr G Dally

Seconded: Member D Snell

1. That the Senior Policy Analyst's report dated 7 April 2022, titled 'Enabling Housing in Te Puke', be received.
2. That the Te Puke Community Board are invited to provide feedback on the engagement approach outlined for this work.

CARRIED

9.4 TE PUKE COMMUNITY BOARD GRANT APPLICATIONS – APRIL 2022

The Board considered a report from the Senior Governance Advisor. The report was taken as read, with further discussion on each of the grant applications.

The Board was reminded that they had one more meeting before the end of the financial year, where their operational budgets would reset.

Te Puke Scout Group

The Board noted that they would like to fund the purchase of the cameras.

Youth Encounter Ministries

The Board encouraged Youth Encounter Ministries to connect with 'Project K' students.

Councillor Gray spoke in support of the application and the work that was being done with the youth, noting that it would be great to see further connection with iwi developed.

RESOLUTION TP22-2.6**Moved:** Cr G Dally**Seconded:** Chairperson R Crawford

1. That the Senior Governance Advisor's report dated 7 April 2022, titled 'Te Puke Community Board Grant Application – April 2022', be received.

CARRIED

RESOLUTION TP22-2.7**Moved:** Member K Ellis**Seconded:** Member D Snell

2. That the Te Puke Community Board approve the Grant Application from the Te Puke Scout Group for \$2,500 (including GST) for the costs relating to the purchase of security cameras. This grant will be funded from the Te Puke Community Board Grants Account, subject to all accountabilities being met.

CARRIED

RESOLUTION TP22-2.8**Moved:** Member D Snell**Seconded:** Cr M Gray

3. That the Te Puke Community Board approve the Grant Application from Youth Encounter Ministries for \$1,000 for the funding towards enabling delivery of regular 'connect' events. This grant will be funded from the Te Puke Community Board Grants Account, subject to all accountabilities being met.

CARRIED

9.5 INFRASTRUCTURE SERVICES REPORT TE PUKE COMMUNITY BOARD APRIL 2022

The Board considered a report from the Deputy CEO/General Manager Infrastructure Group. The report was taken as read with further discussion on the below:

RESOLUTION TP22-2.9**Moved:** Cr M Gray**Seconded:** Cr G Dally

That the Deputy Chief Executive's Report, dated 7 April 2022, and titled 'Infrastructure Services Report Te Puke Community Board April 2022', be received.

CARRIED

9.5.1 SAFETY IMPROVEMENTS ON CAMERON ROAD

The Principal of Te Puke Intermediate School had reviewed the alternative design and was happy with the proposed safety improvements. The next step would be for a supplier to price up the work, and for WestLink to undertake a "mini" safety audit.

A price would be presented to the Board, at the June 2022 Community Board meeting.

The Senior Transportation Engineer did not believe a bylaw change was required for the installation of a pedestrian crossing, however would check and confirm.

Councillor Dally noted that the community was happy and relieved with the removal of the speed bump.

9.5.2 JELICOE STREET – INDUSTRIAL SERVICE LANE

The Board was advised that the Senior Transportation Engineer would request an updated price for this proposed project, which would include the corner improvements on King Street.

9.5.3 RAYMOND AVENUE

It was noted that this project could be completed under WestLinks' lump sum, relating to pram crossings. The Senior Transportation Engineer will instruct for this work to be undertaken.

9.5.4 OXFORD STREET CARPARKS

The Board thanked the Senior Transportation Engineer for actioning the carpark changes on Oxford Street, and was advised that permanent removal of the old markings was yet to take place, but WestLink was aware of this.

9.5.5 TE PUKE QUARRY ROAD FOOTPATH AND BRIDGE

The Board discussed the cost of this project, and how they felt about the increase of the quote. The Board was wary in regards to the amount of money this project was going to cost, however noted that prices were continuously increasing.

The Senior Transportation Engineer noted there was a contractor who was ready, and available, to take on this project within the next few weeks.

The Board asked the Senior Transportation Engineer to consult with EastPack to see if they would consider contributing, financially, to this project.

It was noted that the approved price would include the repositioning of one street light, and the installation of a second street light, if the Board wished.

RESOLUTION TP22-2.10

Moved: Chairperson R Crawford

Seconded: Member D Snell

The Te Puke Community Board approve up to \$223,000 from the Te Puke Community Board Roading Account for the Te Puke Quarry Road Footpath (Stage 1 cnr Jellicoe to EastPack packhouse) project, subject to a conversation taking place with EastPack.

CARRIED

9.5.6 STOCK ROAD / JUBILEE PARK FOOTPATH

The Reserves and Facilities Officer East was in attendance to provide the Board with a brief overview of the Stock Road / Jubilee Park Footpath project, including the rationale for further Community Board funding.

RESOLUTION TP22-2.11

Moved: Member K Ellis

Seconded: Member D Snell

The Te Puke Community Board approve up to \$8,450 (plus GST) from the Te Puke Community Board Roading Account for the completion of the Stock Road / Jubilee Park Footpath project.

CARRIED

9.5.7 EASTERN SOLID WASTE – CHANGES TO KERBSIDE COLLECTIONS

The Deputy CEO/ General Manager Infrastructure Group noted that, because Council was not checking general waste, they had no evidence that more glass was being disposed of through the general waste bins. It was noted that more glass had been going through the recycling centre, and they were expecting full glass crates when the service starts back again. The Board was reminded that overflowing glass crates would not be collected.

9.5.8 NEW TE PUKE SWIMMING POOL LOCATION

The Board was advised that no location for the pool had been decided on yet, however, there were three options being considered.

9.5.9 RESERVE MANAGEMENT PLAN REVIEW – PROPOSED DOG PARK

The Board advised the Reserves and Facilities Officer East that they had received lots of feedback from the community around the size of the proposed dog park. The Board asked whether there was any way that the footprint of the dog park could be increased.

The Board was advised that the cost, mainly for the fencing was the rationale for the size of the park being what it was. It was noted that it was not unusual for Community Boards to subsidise a project by contributing some of their Reserve funds.

Councillor Dally noted that it would be good to see a quote received from the local contractor.

Councillor Gray noted that they could look at approaching local businesses to sponsor a fence panel, as she agreed this was the most topical feedback the Community Board was receiving.

The Board confirmed that, if funding was sought, the size of the proposed dog park could be increased as part of phase one of the project.

Consultation on the Reserve Management Plan Review would be concluded on 24 April 2022, to which the Board would be making a submission.

9.6 TE PUKE COMMUNITY BOARD – FINANCIALS REPORT FEBRUARY 2022

The Board considered a report from the Financial Business Advisor. The report was taken as read.

The Board was advised that funds towards committed projects would come out of the account in the financial year the works were completed. It was noted however that the Community Board Reserve Account rolled over, so this did not need to be a concern.

RESOLUTION TP22-2.12

Moved: Chairperson R Crawford

Seconded: Cr G Dally

That the Financial Business Advisor's report dated 7 April 2022 and titled 'Te Puke Community Board – Financial Report February 2022', be received.

CARRIED

9.7 COUNCIL, STANDING COMMITTEES AND COMMUNITY BOARD MEETINGS

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

RESOLUTION TP22-2.13

Moved: Member D Snell

Seconded: Cr G Dally

That the schedule of meetings for April, May and June 2022, be received.

CARRIED

The Meeting closed at 8.54pm.

Confirmed as a true and correct record at the Te Puke Community Board meeting held on 2 June 2022.

.....
Chairperson R Crawford
CHAIRPERSON

8.4 MINUTES OF THE MAKETU COMMUNITY BOARD MEETING HELD ON 12 APRIL 2022

File Number: A4559451

Author: Pernille Osborne, Senior Governance Advisor – Board Secretary

Authoriser: Barbara Whitton, Customer Services and Governance Manager

RECOMMENDATION

That the Minutes of the Maketu Community Board Meeting held on 12 April 2022 be received.

ATTACHMENTS

- 1. Minutes of the Maketu Community Board Meeting held on 12 April 2022**

MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL
MAKETU COMMUNITY BOARD MEETING NO. MC22-2
HELD VIA ZOOM (AUDIO AND VISUAL LINK) AND LIVESTREAMED
UNDER COVID-19 PROTECTION FRAMEWORK – RED
ON TUESDAY, 12 APRIL 2022 AT 7.00PM

1 PRESENT VIA ZOOM

Chairperson S Beech, Member L Rae, Member W Ra Anaru, Member S Simpson, and Deputy Mayor J Scrimgeour

2 IN ATTENDANCE VIA ZOOM

J Holyoake (Chief Executive Officer), C McLean (Senior Transportation Engineer), J Osborne (Governance Support Administrator) and P Osborne (Senior Governance Advisor)

OTHER ATTENDEES VIA ZOOM

3 Members of the public, including Councillor Thwaites

ABSENT:

Cr K Marsh

3 APOLOGIES

Nil

4 CONSIDERATION OF LATE ITEMS

Nil

5 DECLARATIONS OF INTEREST

Nil

6 PUBLIC EXCLUDED ITEMS

Nil

7 PUBLIC FORUM

7.1 MAX JOHNSTON – PUKEMAIRE PA

Mr Johnston was in attendance to speak to the Board regarding the mowing of Pukemaire Pa, including the history.

- A mowing schedule was made in 1990, to keep the Pa clear.
- The School mowing group undertook the mowing task, until around 2017.
- Mr Johnston had taken on the mowing of this area, due to no one being contracted to do so, and had paid the school mowing group twice to complete the task. This came to roughly \$32 per mow.

Mr Johnston requested the original agreement start back up again, to ensure this historical site was maintained. The Board agreed to look at ways to help fund the maintenance of this area, including grant funding and reserve funding.

7.2 CATHY JOHNSTON – BEE NUISANCE ON SPENCER AVENUE

Ms Johnston sought an update to the submissions made by residents, regarding the Bee Nuisance issue that was raised at the previous Community Board Meeting.

Ms Johnston was advised that a Compliance Officer had been out to investigate the "nuisance", noting that the owner of the bees had decreased the number of bees on the property, and relocated the hives off the boundary. From a compliance perspective there was nothing further Council could do, at this stage. Residents were encouraged to monitor the situation, and notify Council if they believed the issue had risen again.

Ms Johnston was also advised that, all residents who had made a submission, would receive a formal response from the Compliance Team.

8 MINUTES FOR CONFIRMATION

8.1 MINUTES OF THE MAKETU COMMUNITY BOARD MEETING HELD ON 15 FEBRUARY 2022

RESOLUTION MC22-2.1

Moved: Member L Rae

Seconded: Member S Simpson

That the Minutes of the Maketu Community Board Meeting held on 15 February 2022, as circulated with the agenda be confirmed as a true and correct record.

CARRIED

9 REPORTS

9.1 MAKETU COMMUNITY BOARD CHAIRPERSONS REPORT – APRIL 2022

The Board considered a report from the Chairperson. The report was taken as read with a brief overview, and further discussion, on the below items:

RESOLUTION MC22-2.2

Moved: Chairperson S Beech

Seconded: Deputy Mayor J Scrimgeour

That the Chairpersons report dated 12 April 2022 titled 'Maketu Community Board Chairpersons Report – April 2022' be received.

CARRIED

9.1.1 VEHICLES PARKING ON FOOTPATHS

The Board had received feedback about people parking on the footpath at Arawa Avenue, causing school children to walk on the road as an alternative. The Senior Transportation Engineer would investigate this issue further to see what actions could be taken.

9.1.2 VEGETATION CLEARANCE AT THE LOOKOUT

The Board sought permission from the Senior Transportation Engineer for Member Rae to obtain a second quote for more thorough work to be undertaken. It was agreed that, if the Board wished to spend more money to ensure the job would be completed to a higher standard, then this was something that could be achieved. It was noted there would be extra steps required, for additional work to be completed.

9.1.3 MAKETU-TE PUKE RESERVE MANAGEMENT PLAN FORMAL CONSULTATION EVENT – MIDWAY PARK, PUKEHINA

The Board noted there was a great turnout at the consultation event that took place on Saturday 9 April 2022. The Board was disappointed that Council had a different view on the plans for Spencer Avenue, however noted that the Boards submission to the Long Term Plan was similar to what Council was proposing through the Reserve Management Plan Review.

The Board requested an onsite meeting with Reserves and Facilities Staff to discuss the Boards expectation for the Maketu Sports Ground.

9.2 INFRASTRUCTURE SERVICES REPORT MAKETU COMMUNITY BOARD APRIL 2022

The Board considered a report from the Deputy Chief Executive. The report was taken as read, with further discussion on the below items:

RESOLUTION MC22-2.3

Moved: Member L Rae

Seconded: Deputy Mayor J Scrimgeour

That the Deputy Chief Executive's Report, dated 12 April and titled 'Infrastructure Services Report Maketu Community Board April 2022', be received.

CARRIED

9.2.1 SURF CLUB CAR PARK RESERVE ROCK REVETMENT

The Board was concerned that a consultant had been engaged to design sketches and work scope specifications on the required repairs and improvements. It was understood that the remedial actions discussed at the onsite meeting 27 January 2022 would be undertaken immediately, under the current Resource Consent. The Board sought clarification over the update provided in the Minute Action Sheet (MAS).

9.2.2 MAKETU BOAT RAMP

The Board sought clarification on the inspection findings of the Maketu Boat Ramp. The Minute Action Sheet (MAS) noted that the "current undermining retains sufficient strength/safety for boat launching and retrieval", however Board members questioned these findings.

9.2.3 MAKETU CYCLEWAY

The Board discussed the Maketu Cycleway in regards to the culvert work required to extend the cycleway to the Marae. The Senior Transportation Engineer noted that, if the Board would like to extend the cycleway to Spencer Avenue, that this work could be done in the meantime.

The Senior Transportation Engineer would supply a cost to the Board, at the next Community Board meeting.

9.2.4 NEW BBQ AT MONUMENT AREA

Member Ra Anaru advised the Board that he had received verbal approval from Te Arawa Lakes Trust regarding the requested BBQ. The Board was awaiting written approval.

9.2.5 PEST ISSUE AT THE CEMETERY

The Board advised they had received feedback from neighbours, that there was an issue with rabbits at the Maketu cemetery.

Member Rae would touch base with the Reserves and Facilities Officer East, to try and address the issue.

9.2.6 INSTALLATION OF TWO CCTV CAMERAS

The Board was advised that, following a discussion with the Deputy CEO/General Manager Infrastructure Group, Tarnix would be coming out to provide locations, workability and a quote for the installation of two CCTV cameras.

9.2.7 MAKETU COMMUNITY CENTRE

The Board was advised that the final inspection of the Maketu Community Centre was completed on Friday, 8 April 2022.

The Chairperson, David Campbell and Wendy McFadyen had created a working document to look at the new rules and charges for the refurbished building.

The Chairperson read through the working document, providing an overview and rationale to the Board.

The Chairperson would supply this document to the Senior Governance Advisor, following the meeting.

The Board adopted/approved the document.

9.3 MAKETU COMMUNITY BOARD – FINANCIALS REPORT FEBRUARY 2022

The Board considered a report from the Financial Business Advisor. The report was taken as read, with further clarification that the ANZAC Day Service would be a smaller version this year, and no grant towards food was required.

RESOLUTION MC22-2.4

Moved: Member W Ra Anaru

Seconded: Member S Simpson

That the Financial Business Advisor's report dated 12 April 2022 and titled 'Maketu Community Board Financial Report – February 2022', be received.

CARRIED

9.4 COUNCIL, STANDING COMMITTEES AND COMMUNITY BOARD MEETINGS

The Board considered a report from the Senior Governance Advisor. The report was taken as read, with clarification from the Chief Executive Officer that, as soon as New Zealand moved out of the 'Red Traffic Light', face-to-face meetings would resume.

RESOLUTION MC22-2.5

Moved: Member L Rae

Seconded: Member W Ra Anaru

That the schedule of meetings for April, May and June 2022, be received.

CARRIED

The Meeting closed at 7.51pm.

Confirmed as a true and correct record at the Maketu Community Board meeting held on 7 June 2022.

.....
Chairperson S Beech

CHAIRPERSON

8.5 MINUTES OF THE WAIHĪ BEACH COMMUNITY BOARD MEETING HELD ON 19 APRIL 2022

File Number: A4565936

Author: Horowai Wī Repa, Governance Technical Support

Authoriser: Barbara Whitton, Customer Services and Governance Manager

RECOMMENDATION

That the Minutes of the Waihī Beach Community Board Meeting held on 19 April 2022 be received.

ATTACHMENTS

- 1. Minutes of the Waihī Beach Community Board Meeting held on 19 April 2022**

MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL
WAIHĪ BEACH COMMUNITY BOARD MEETING NO. WB22-2
HELD IN THE WAIHĪ BEACH COMMUNITY CENTRE
ON TUESDAY, 19 APRIL 2022 AT 6.30PM

1 PRESENT

Chairperson R Goudie, Member M Roberts, Member B Hulme, Member D Ryan, Cr J Denyer and Cr A Henry

2 IN ATTENDANCE

G Allis (Deputy CEO/General Manager Infrastructure Group), D Pearce (Community Manager), D Elvin (Acting Compliance and Monitoring Manager), D Barnes (Team Leader Animal Services), A Hall (Roading Engineer West) and P Osborne (Senior Governance Advisor – Board Secretary)

24 Members of the public, including Cr A Sole and Cr D Thwaites.

3 APOLOGIES

Nil

4 CONSIDERATION OF LATE ITEMS

Nil

5 DECLARATIONS OF INTEREST

Nil

6 PUBLIC EXCLUDED ITEMS

Nil

7 PUBLIC FORUM

7.1 SHONEEN DUNNING – WAIHĪ BEACH COMMUNITY CENTRE

Ms Dunning was in attendance to provide the Board with the below updates:

- Bookings for the hall had been affected due to COVID-19, however they were starting to pick up again now, which was nice to see.

- She thanked the Woman's Institute and the Community Board for the purchase and installation of the new defibrillator.
- She advised that the Hall Committee was upgrading the men's urinal.
- The Committee was also looking at improvements to the ventilation of the Hall itself, and eventually upgrading the stage curtains.

The Board was advised that the new meeting rooms upstairs were not getting utilised as much as they would like, however noted that once the air conditioning unit was installed, they hoped this would change.

7.2 SAMANTHA MUIR – FOOTPATH PROPOSAL FOR ATHENREE

Ms Muir was in attendance to request a footpath in Athenree, presenting the Board with her proposal.

Currently Athenree Montessori (Early Childhood Education Centre) did not have a footpath from any direction connecting to it, and was located at a busy intersection.

Due to a new subdivision, there was a requirement for developers to put in a section of footpath. Ms Muir requested that Council continue the footpath down to the Montessori.

She noted that the footpath could be connected east of Sandleigh Drive, to the one above Anaterre Rise. A pedestrian crossing, or refuge, would also be beneficial to the local community.

Council's Roading Engineer (West) noted that he would present costs to the Community Board at their next meeting.

The Board was advised that once the costing was determined, the Board could resolve to fund this project from their Roading Account.

7.3 GRAEME MCGREGOR – FRIENDS OF ATHENREE

Mr McGregor was in attendance on behalf of the Friends of Athenree group. The group was disappointed with the portrayal of their issues in the 'Waihi Beach to Athenree Crossing (Walkway/Cycleway)' update provided in the Infrastructure Report of the agenda, and requested for the paragraphs to be removed. The removal of this paragraph would be discussed further, when the Board reached the Infrastructure Report within the agenda.

7.4 PIPPA COOMBES – SUSTAINABLE WAIHĪ BEACH

Ms Coombes was in attendance to introduce the establishment of 'Sustainable Waihi Beach', including the members and their 'mission'.

Ms Coombes also gave those in attendance an overview of the water refill station proposal included in the agenda.

The Board was advised that, once installed, the refill stations would be treated as a public asset, which would allow Council to maintain them. It was noted that the stations would also connect to the water that was part of Council's normal water facilities.

Discussions with Council would be taking place regarding the upgrade of existing water stations.

Ms Coombes highlighted the importance of having community support, including looking locally for funding. The group had approached the Community Board for the funding, which they would discuss further in the agenda.

7.5 ANDY KENNEDY – VARIOUS ITEMS

Mr Kennedy was in attendance to speak to the Board regarding the below items:

- On behalf of the Waihi Beach Cycle Trails Charitable Trust, Mr Kennedy thanked Council for the work undertaken on the Trig Walkway.
 - He sought clarification regarding Police access to the recently installed CCTV camera footage. It was noted that Police had the ability to access this information, if they requested it. The cameras also had the ability to track the number of people coming into Waihi Beach.
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7.6 KEITH HAY – KATIKATI/WAIHI BEACH RESIDENTS AND RATEPAYERS ASSOCIATION

Mr Hay was in attendance to speak to the Board regarding developments within Waihi Beach, and why he believed they should have public hearings. He believed the planned construction would cause excessive noise, that would affect a large number of residents in Waihi Beach.

Mr Hay requested the resource consent be revoked, and the application go to a public hearing for assessment.

Member Roberts noted she had experienced dust issues with developments that were located near her home, and believed that concerns raised from residents should be taken into consideration.

Member Hulme noted the impact that these developments had on local business' in the area, and questioned if they would be reimbursed for potential loss of income.

7.7 MIKE HICKEY – VARIOUS ITEMS

Mr Hickey was in attendance to speak to the Board regarding the below items:

- He did not want to see Wilson Park developed too much, noting this park was one of the few flat spaces left, that was appropriate for sport and recreation.
- He believed there needed to be a full time Police presence in Waihi Beach during peak season.
- He noted there were several unmarked intersections in Waihi Beach, and would like to see these potential safety issues addressed before any accidents occurred.

CHANGE TO THE ORDER OF BUSINESS

The Chairperson requested that the next item of business be 9.3 Waihi Beach Seasonal Compliance Monitoring Report 2021-22, in order to release staff members from the meeting.

RESOLUTION WB22-2.1

Moved: Chairperson R Goudie

Seconded: Member M Roberts

That in accordance with Standing Orders the order of business be changed and that the item 9.3 Waihi Beach Seasonal Compliance Monitoring Report 2021-22 be dealt with as the next item of business.

CARRIED

8 REPORT

8.1 WAIHI BEACH SEASONAL COMPLIANCE MONITORING REPORT 2021-22

The Board considered a report from the Compliance and Monitoring Manager. The report was taken as read, with an overview provided by the Acting Compliance and Monitoring Manager.

The Team Leader Animal Services advised the Board that the community patrol group worked with the contractors, due to shortages over, the Christmas period. He thanked those involved.

In terms of success, fewer complaints were received outside of the service that had been provided. It was noted that a large part of this success was the work that the Community Patrol team undertook, and Council would look at utilising other resources in the future.

The below results were highlighted regarding the Freedom Camping 2021-22 survey:

- A majority of people were in a purpose built camper, that contained a shower, toilet and kitchen;
- The largest portion of freedom campers were 65 years or older;
- Most people freedom camp over the weekends, holidays or summer period;

- A majority of people who freedom camp were also members of the New Zealand Motor Caravan Association Incorporation, and used camping specific applications;
- It was noted that a majority of the campers had previously camped in the Western Bay of Plenty District;
- A majority of people surveyed, liked to camp in Waihi Beach and Bowentown;
- 90% of freedom campers used, or intend to use, local business' during their stay;
- A majority of those surveyed rated the behaviour of Council officers as 'extremely professional' and they felt safe at freedom camping sites;
- Over 80% believed that CCTV cameras at freedom camping sites would be beneficial.

Councillor Henry noted that, due to the amount of funding being put into cycleways, it would be interesting to include a question in the survey that asked about the use of cycleways around the district. The Team Leader Animal Services noted that, a lot of feedback from contractors who were having conversations with freedom campers throughout the season, was positive feedback, around walk/cycleways.

It was noted that there could be new legislation regarding the need to be self-contained, however if this was the case there would be a transitional period to allow people the time to comply.

Staff responded to questions as follows:

- Those surveyed were freedom camping in the Bay of Plenty during a peak holiday season, with the rationale to understand why the campers were returning. The Board was reminded that the survey was undertaken, to be analysed as a whole, rather than looking at individual questions and answers.
 - The Board was advised that the second resolution regarding 'low significance' was in relation to Council's Significance and Engagement Policy, because it was an information report rather than a decision making report.
 - KiwiCamp was a site that was monitored everyday, and was being utilised. It was noted that these campers did not tend to be long-term campers, but rather those who needed a place to stay overnight whilst travelling. The Board was interested to hear if KiwiCamp was being utilised enough that the pay-as-you-go system was "paying its way", in comparison to the other freedom camping sites.
 - Those surveyed regarding where they liked to camp within the Western Bay District, were located throughout the whole District. The Board noted the majority of freedom campers were using the Waihi Beach-Bowentown facilities, so they would like to see this reflected in the infrastructure priorities.
-

- The answers to the final question regarding “what would improve/enhance your stay in the Western Bay”, would be shared with the Board. The Board was reminded that these would reflect the whole District, and are not just Waihi Beach specific.
- At this stage there were no changes that needed to occur, as the legislative changes were yet to be made. Although being proactive was important, there was only so much that could be pre-empted, before a decision was made.

RESOLUTION WB22-2.2

Moved: Cr A Henry

Seconded: Member D Ryan

1. That the Compliance and Monitoring Manager’s report dated 15 March 2022, titled ‘Waihi Beach Seasonal Compliance Monitoring’, 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.

CARRIED

Additional Information

The Community Manager was in attendance to inform the Board that applications for the Community Matching Fund (CMF), and the Facilities in the Community Fund, were now open.

The CMF had \$140,000 (\$100,000 general fund and \$40,000 environmental fund) available for community and environmental projects that made a positive difference in the District. Applications close on Tuesday 31 May 2022.

The Facilities in the Community Fund was also open until Tuesday 31 May 2022, with \$76,000 available.

Both applications were now available online and were being advertised through multiple channels.

The panel would assess all applications in July 2022, before the decisions go to Council for endorsement on Thursday 11 August 2022. Successful, and unsuccessful, applicants would be informed, following the Council meeting.

Board members were reminded that community groups could not receive both grant funding, and other Council grants, within the same financial year.

9 MINUTES FOR CONFIRMATION

9.1 MINUTES OF THE WAIHI BEACH COMMUNITY BOARD MEETING HELD ON 21

FEBRUARY 2022

RESOLUTION WB22-2.3

Moved: Cr J Denyer

Seconded: Member B Hulme

That the Minutes of the Waihi Beach Community Board Meeting held on 21 February 2022, as circulated with the agenda, be confirmed as a true and correct record.

CARRIED

10 REPORTS**10.1 WAIHI BEACH COMMUNITY BOARD CHAIRPERSONS REPORT – APRIL 2022**

The Board considered a report from the Chairperson. The report was taken as read, with further discussion on the below items:

RESOLUTION WB22-2.4

Moved: Chairperson R Goudie

Seconded: Member D Ryan

1. That the Chairpersons report dated 19 April 2022 titled 'Waihi Beach Community Board Chairpersons Report – April 2022' be received.

CARRIED

RESOLUTION WB22-2.5

Moved: Member B Hulme

Seconded: Cr A Henry

2. That the Waihi Beach Community Board approve up to \$23,045.75 (including GST) from the Waihi Beach Community Board Reserve Account for costs relating to the purchase and installation of water refill stations in Waihi Beach.

CARRIED

10.1.1 EMERGENCY MANAGEMENT BROCHURE

The Board was advised that the funding for delivery of the Emergency Management Brochure titled 'Community Guide to Emergencies Waihi Beach North End, Bowentown and Island View and Athenree' would be covered by Councils Emergency Management Budget. The brochures would be delivered as soon as possible.

10.1.2 WAIHI BEACH LIBRARY

The Deputy Chief Executive/General Manager Infrastructure Group outlined the process moving forward:

- The Quantity Surveying (QS) reports for the three sites would be analysed;
- Council will relook at the feedback;
- Council will engage with the Community Centre; and then
- Council will look at what was happening in the area of the Community Centre to understand how the new library would link in with the future of the community.

The Board would like to see a “sub-group” created out of the community, with a focus and interest in the future of Waihi Beach.

10.1.3 WAIHI BEACH COMMUNITY GARDEN

The Board sought clarification as to what was going to happen with the Community Garden, noting that the new Live Well Waihi Beach Coordinator, Pippa Coombs, had taken it over, so would need to be involved in this discussion.

10.1.4 MEDICAL HUB – DEREK SAGE

Councillor Henry noted that she would like to see the Board identify members within the Waihi Beach-Katikati Ward. Between the Waihi Beach Community Board, and the Katikati Community Board, they could initiate these discussions.

10.1.5 WELCOME TO WAIHI BEACH ENTRANCEWAY PROJECT

Member Hulme thanked the Roading Engineer (West) for his continuous help with this project. It was noted there was still material to develop between now and the community meeting, to help provide community members with a visual plan of the proposal.

10.1.6 STORMWATER WORKSHOP

The Board noted they were looking forward to the much needed Stormwater Workshop that was taking place in May 2022.

10.1.7 COMMUNITY PLAN

The Board noted that a discussion needed to occur to determine the correct reference of the Marine Reserve/Mātaaitai Reserve within the District Plan. Due to multiple other

projects being consulted on at the moment, the Board had deferred this discussion until 2023.

10.1.8 ATHENREE WETLANDS PROPOSAL

Councillor Denyer noted it was great to see the Western Bay of Plenty District Council, Bay of Plenty Regional Council and Tangata Whenua involved in these discussions, however requested that further information relating to this project be presented to the Board at a workshop. The Board agreed that Council needed to be involved in the discussion.

10.1.9 WATER REFILL STATION PROPOSAL

The Board supported this project and had a discussion regarding the funding, following the information provided to the Board earlier around the CMF and Facilities in the Community Fund. There was also a discussion regarding the timing of the project if they had to wait for potential funding from Council in the 2022/2023 financial year. The Board agreed they did not want to delay the timing of this project, especially as they would not be guaranteed any funding from Council.

It was confirmed that, once installed, the water refill stations would become a Council asset, for Council to maintain.

10.2 WAIHI BEACH COMMUNITY BOARD COUNCILLOR'S REPORT - APRIL 2022

The Board considered a report from Councillor Denyer. The report was taken read with further discussion on the below items:

Te Kāhui Mana Whenua o Tauranga Moana

It was clarified that this Forum was established after the Te Arawa ki Takutai members disengaged from the Tauranga Moana / Te Arawa ki Takutai Partnership Forum in 2020. Councillor Denyer noted that the inaugural meeting went well.

Future for Local Government Update

The Chairperson noted that he had been sent information from the Department of Internal Affairs (DIA), which included a questionnaire. As part of this information there was a comment regarding the potential of having half the Boards appointed and half elected. The Chairperson asked for further information on this, however Councillor Denyer noted that this information did not come from Western Bay of Plenty District Council. It was his understanding that this was an idea which had been thrown into the

mix to help with diversity on Boards. The concern from the Chairperson was around who would be appointing these members, and what accountability they would take.

Three Waters Reform

The Deputy Chief Executive/General Manager Infrastructure Group advised the Board that he was of the belief that the Three Waters Reform 'Better Next Funding' would be discussed at the upcoming Policy Committee meeting.

District Plan Review

The Board acknowledged that the Zoom meeting with staff went well, noting the Community Board wanted to ensure they had a say in the on-going discussion.

RESOLUTION WB22-2.6

Moved: Cr J Denyer

Seconded: Member B Hulme

That the Councillor's report dated 19 April 2022 titled 'Waihi Beach Community Board Councillor's Report – April 2022' be received.

CARRIED

10.3 INFRASTRUCTURE SERVICES REPORT WAIHI BEACH COMMUNITY BOARD APRIL 2022

The Board considered a report from the Deputy Chief Executive/General Manager Infrastructure Group. The report was taken as read with further discussion on the below items.

RESOLUTION WB22-2.7

Moved: Cr A Henry

Seconded: Cr J Denyer

That the Deputy Chief Executive's Report, dated 19 April 2022, and titled 'Infrastructure Services Report Waihi Beach Community Board April 2022', be received with the below amendment:

- Removal of the fourth and fifth paragraph on page 89 of the agenda

CARRIED

10.3.1 BEACH ROAD PEDESTRIAN REFUGES

The Board was advised that the pedestrian refuge proposed outside the pensioner units was feasible and could progress, however the refuge proposed by Browns Road would not be cost effective, due to kerb widening costs.

10.3.2 WAIHI BEACH COMMUNITY ROADING ACCOUNT

The Board noted that the funding for the 'Island View Reserve Midsection' project should have been removed, due to the project being completed two years ago. They sought clarification on why this project was still showing in the Roding Account.

10.3.4 SHARED PATH ENHANCEMENTS

The Board confirmed the below priorities for shared path enhancements:

1. Anzac Bay/Bowentown Reserve
2. Dillon Street / 2 Mile Creek Shared Path Bridge
3. Seaforth Road – From Dillon Street to The Loop path widening
4. Albacore Reserve to Estuary – new path and cycle refuge on Seaforth Road

The Board also confirmed that, if a project was ready to go before another, (regardless of the priority) they would be happy for that project to proceed.

The Board agreed to discuss the Athenree Footpath proposal (spoken about in public forum) at a workshop, once an estimated cost was presented.

10.3.5 BEACH ROAD UPDATE

The Board was advised that there had been a failure by the contractors on Beach Road, however the contractors were addressing the issues, at their own cost. Council was disappointed with the way this looked, as well as the disruption to the community. There will be a communication plan for each of these sites.

10.3.6 INFRASTRUCTURE REPORT

Councillor Henry noted that the infrastructure report was looking good in terms of the ongoing projects and work in Waihi Beach. She also thanked the Roding Engineer (West) for all the work he was doing.

10.3.7 WESTERN SOLID WASTE

The Board noted that, at the previous meeting, they had requested staff to look into the feasibility of having the collection service, to include glass and recyclables, on the Monday following a long weekend.

The Deputy Chief Executive / General Manager Infrastructure Group advised the Board they were unable to engage a contractor to undertake an additional collection, and they were unable to collect overfilled crates due to the capacity of the collection trucks.

Council was looking at adding an option for residents to purchase two glass crates.

10.3.8 TRIG LOOKOUT WALKWAY LOOP TRACK

The Board was advised that Council was still considering plans on forming a connection to Waihi. The work currently being undertaken in the Orokawa Reserve was to help create those connection trails. The Board was also informed that Council was looking at another viewing platform above the Trig, for which they were seeking funding from Tourism Bay of Plenty.

10.3.9 WAIHI BEACH TO ATHENREE CROSSING (WALKWAY/CYCLEWAY)

The Board and the Deputy Chief Executive/General Manager Infrastructure Group agreed to remove the paragraphs relating to the Friends of Athenree, following a request in public forum.

The Board requested a visit to the Athenree walkway/cycleway, to discuss the suggested changes and new tracks (once they had been opened). The Board noted they would like to be invited to future site visits, so they could send a representative along and stay "in the loop".

10.3.10 BROADLANDS BLOCK

The Board was advised that Ruth Parsons had resigned as Chairperson of the Broadlands Block Restoration Group, but remained in the group.

10.4 WAIHI BEACH COMMUNITY BOARD – FINANCIAL REPORT FEBRUARY 2022

The Board considered a report from the Financial Business Advisor. The report was taken as read, with further discussion on the below items:

Waihi Beach Community Board Broadlands Block Analysis February 2022

The Board noted the amount of funds spent on consulting for this project. The Chairperson acknowledged the work the consultant had undertaken, and commended his work with his colleague, alongside Ruth Parsons, in getting this project to where it was today. The remaining \$15,000 was yet to be transferred over to Council, for work that had already been completed. All committed funds for this project, had now been spent.

The Board asked when the new name for Broadlands Block would be Gazetted, so they could coordinate an open day and recruit further volunteers.

RESOLUTION WB22-2.8

Moved: Cr J Denyer

Seconded: Member D Ryan

That the Financial Business Advisor's reports dated 7 April 2022 and titled 'Waihi Beach Community Board – Financial Report February 2022' and 'Waihi Beach Community Board – Broadlands Block Analysis February 2022', be received.

CARRIED

Member Roberts and Member Hulme abstained from this motion, as they had not been able to read the report, due to a technical printing error relating to the agenda.

10.5 COUNCIL, STANDING COMMITTEES AND COMMUNITY BOARD MEETINGS

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

RESOLUTION WB22-2.9

Moved: Chairperson R Goudie

Seconded: Cr A Henry

That the Senior Governance Advisor's report dated 19 April 2022, titled 'Council, Standing Committees and Community Board Meetings', be received.

CARRIED

Member Roberts and Member Hulme abstained from this motion, as they had not been able to read the report, due to a technical printing error relating to the agenda.

The Meeting closed at 9.15pm.

Confirmed as a true and correct record at the Waihi Beach Community Board meeting held on 13 June 2022.

.....
Chairperson R Goudie

CHAIRPERSON

Unconfirmed

9 COUNCIL AND COMMITTEE MINUTES FOR CONFIRMATION

9.1 MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING HELD ON 15 MARCH 2022

File Number: A4521682

Author: Carolyn Irvin, Senior Governance Advisor

Authoriser: Barbara Whitton, Customer Services and Governance Manager

RECOMMENDATION

That the Minutes of the Audit and Risk Committee Meeting held on 15 March 2022 be confirmed as a true and correct record and the recommendations therein be adopted.

ATTACHMENTS

1. Minutes of the Audit and Risk Committee Meeting held on 15 March 2022

MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL
AUDIT AND RISK COMMITTEE MEETING NO. AR22-1
HELD VIA ZOOM ONLY AND LIVESTREAMED UNDER COVID-19 TRAFFIC LIGHT RED
ON TUESDAY, 15 MARCH 2022 AT 9.30AM

1 PRESENT

Cr J Denyer (Chairperson), Cr M Grainger, Cr G Dally, Cr M Dean, Cr M Gray, Cr A Henry, Cr M Murray-Benge, Cr A Sole, Cr D Thwaites, Mayor G Webber, and Independent Member M Maloney.

ABSENT

Cr K Marsh

2 IN ATTENDANCE

J Holyoake (Chief Executive Officer), J Graham (Acting General Manager Finance and Technology Services), G Allis (Deputy CEO/Group Manager Infrastructure Services), R Davie (Group Manager Policy Planning and Regulatory Services), J Pedersen (Group Manager People and Customer Services), D Jensen (Finance Manager), T Abraham (Assurance and Risk Specialist), R Barnett (Senior Business Analyst), A Carey (Finance Business Advisor), E Thiant (Finance Business Advisor), S Bedford (Financial Controller), E Bates (Systems and Asset Accountant), R McKegg (Financial Accountant), O McVicker (Manager Corporate Services and Business Improvement), L Balneaves (Executive Assistant Finance and Technology), L Schild (Executive Assistant People and Customer Services), H Wi Repa (Governance Technical Support), J Osborne (Governance Support Administrator) and C Irvin (Senior Governance Advisor).

OTHERS IN ATTENDANCE

Bancorp Treasury

S Ranchhod (Head of Treasury Advisory)

R Woodfield (Client Advisor)

AON

M Wilson (National Client Relationship Manager)

D MacDonald (Operations Manager – Local Government Risk Practice Group)

Audit New Zealand

L Pieterse (Director)

W Goslette (Audit Manager)

3 APOLOGIES

APOLOGY

RESOLUTION AR22-1.1

Moved: Cr M Dean

Seconded: Cr D Thwaites

That the apology for absence from Deputy Mayor Scrimgeour be accepted.

CARRIED

4 CONSIDERATION OF LATE ITEMS

Nil

5 DECLARATIONS OF INTEREST

Nil

6 PUBLIC EXCLUDED ITEMS

Nil

7 PUBLIC FORUM

Nil

8 PRESENTATIONS

8.1 BANCORP TREASURY UPDATE AND PRESENTATION

The Committee considered a report dated 15 March 2022 from the Finance Manager. Ross Woodfield and Suresh Ranchhod from Bancorp Treasury spoke to a power point presentation summarising the following points:

Inflation Presentation:

- Consumer Price Index (CPI's) continue to surge (mostly);
 - Oil Spikes to a decade high;
 - Russia/Ukraine tension (% change);
 - Supply chain woes continue;
 - Inflation, and inflation expectations soar;
 - New Zealand inflation components;
 - Year on year price changes;
-

- Reserve Bank of New Zealand (RBNZ) market pricing;
- Official Cash Rate (OCR), BKBM (main interest rate benchmark in New Zealand) and Swap Rates;
- RBNZ estimate of the neutral OCR; and
- RBNZ OCR forecasts vs actual.

Presenters responded to questions as follows:

- The rise in the housing market had been led by debt. Households had been the main net borrower over the last two years. Mortgage debts had risen by about \$53 billion over the last twelve months, and business and agriculture debt (which included Council) had only grown by about \$1.5 billion.
 - The amount of money Government had borrowed impacted inflation to some extent, but the main driver that fuelled demand was household spending.
 - The enormous amount of money put into the system around the world to cope with the COVID-19 pandemic had impacted inflation, as well as other things such as supply chain issues, oil prices and the war in the Ukraine.
 - 'Transitory factors' that affected inflation had lasted longer than expected and were expected to come down at some point.
 - The amount of interest rate hikes the Reserve Bank of New Zealand was forecast to implement would have a far bigger impact than in previous times, as household mortgage debt was substantially higher.
 - Dairy farms were not as profitable as they had been. The cost of fertiliser was extremely high at the moment. While farmers may be making profit on one side of their ledger, they would be paying it out on the other side in terms of fertiliser, petrol and wage costs. Dairy income would not entirely offset oil prices.
 - The key driver for the New Zealand economy since the pandemic was the domestic side, largely driven by the wealth effect from the housing build. However, this was about to quickly unwind, severely slowing the domestic economy.
 - The amount of debt was by far the biggest difference when comparing mortgage interest rates from the 70's and 80's to present day. Today, the average household was facing vast amounts of debt, as were other entities worldwide. A rise in interest rates would be felt across the spectrum. New Zealand was now one of the most over-priced housing markets in the world, and the debt to income ratio was now extremely high.
 - All the money that had been pumped into the world economy had ended up in asset prices rather than stimulating the growth that was hoped for. This had created a situation of extremely high asset prices fuelled by a lot of cheap money, which was a difficult situation to get out of and may take years to fix. It would rely on wage growth to service the debt.
-

RESOLUTION AR22-1.2

Moved: Cr M Grainger

Seconded: Cr G Dally

1. That the Finance Manager's report dated 15 March 2022 titled 'Bancorp Treasury Update and Presentation' be received.
2. That the presentation from Bancorp Treasury dated 15 March 2022 be received.

CARRIED

8.2 AON INSURANCE UPDATE PRESENTATION – CURRENT MARKET AND EMERGING RISKS

The Committee considered a report dated 15 March 2022 from the Senior Risk and Assurance Specialist. Deanna MacDonald and Matthew Wilson from AON spoke to a power point presentation summarising the following points:

Current Market Conditions:

- Q4 2021;
- Cost of Natural Disasters in New Zealand 2021;
- New Zealand Market;
- Snapshot – Property;
- Snapshot – Liability;
- Snapshot – Crime;
- Snapshot – Cyber; and
- Better decisions amongst uncertainty.

2021–2022 Renewal Outcomes:

- Renewal Outcomes – Western Bay of Plenty District Council.
- Emerging Risks:
- Climate change;
- Corporate social responsibility and ESG;
- Disruptive technologies; and
- Personal liability (D&O Risk).

Presenters responded to questions as follows:

- Because of the Local Authority Shared Services (LASS) arrangement and Inter-LASS processes, whereby there was a shared system in Bay of Plenty Local Authority Shared Services (BOPLASS), at the moment, cyber protection cover was set for all councils, and was shared across them with a \$7.5 million aggregate limit. If an event happened that hit two or three councils, this became eroded. There was a \$1 million limit per council. There was a \$100,000 deductible on the policy per council.
-

At the moment, AON was working through a BOPLASS cyber-IT manager workshop to be held on 24 March 2022, which was to include insurance people as well. There were seven basic criteria that councils had to meet and Western Bay of Plenty District Council was doing very well in this space.

- Good quality data referred to accurate valuations. For example, was the amount representative of the replacement cost of the asset concerned or, representative of a 'functional replacement' or indemnity value only.
 - Under 'Renewal Outcomes Policy' – 'Aviation Hull' referred to the liability attached to operating a drone. A lot of councils had started using drones.
-

RESOLUTION AR22-1.3

Moved: Cr G Dally

Seconded: Cr A Henry

1. That the Senior Assurance and Risk Specialist's report dated 15 March 2022 titled 'AON Insurance Update Presentation – Current Market and Emerging Risks' be received.
2. That the presentation from AON Insurance dated 15 March 2022 be received.

CARRIED

9 REPORTS

9.1 SUMMARY OF AUDIT AND RISK AGENDA TOPICS – MARCH 2022

The Committee considered a report dated 15 March 2022 from the Senior Assurance and Risk Specialist. The report was taken as read.

The new director of Audit New Zealand, Leon Pietersie, introduced himself to the Committee and said he looked forward to continuing a good working relationship. He noted page 14 of the Annual Report as having key messages, and pages 15 and 16 as having new recommendations.

Audit New Zealand responded to questions as follows:

- Property plant and equipment re-evaluation had been identified as an issue across all councils because it was such a significant item on the balance sheet that required judgements and assumptions during re-valuation. More focus had been given to this and more guidance issued.
 - Improvement of asset data had been recommended and the implementation of these recommendations were coming through now.
-

Staff responded to questions as follows:

- The Acting General Manager Finance and Technology Services advised that there were no major concerns with the property plant and equipment re-evaluation at this point in time.
 - The Chief Executive Officer advised that it was extremely important for Elected Members to declare all interests through the annual declaration process and emphasised that this process was not the same as declaring a conflict of interest.
 - A 'vested interest' was something that had been given to Council to maintain (for example by a developer), such as a reserve, a road, or a pipeline.
 - Due to the Three Waters Reform and transition, Council was working together with Tauranga City Council and their contractors to establish what the Department of Internal Affairs classified as a 'dry weather sewerage overflow', and what Audit New Zealand wanted.
 - Currently, Council's procurement policies and procedures followed the New Zealand Government procurement guidelines. The new recommendations in the Audit New Zealand report were timely in that Council was due to review these policies this year by June 2022 and was currently working with an external body to work out how it integrated Iwi representation within Council decision making.
-

RESOLUTION AR22-1.4

Moved: Cr A Henry

Seconded: Cr A Sole

That the Senior Assurance and Risk Specialist's report dated 15 March 2022 titled 'Summary of Audit and Risk Agenda Topics - March 2022' be received.

CARRIED

9.2 TREASURY UPDATE REPORT

The Committee considered a report dated 15 March 2022 from the Finance Manager. The report was taken as read with the following point noted:

- Council staff met with Bancorp on a monthly basis to ensure that its treasury was functioning adequately, and its risks were well managed. Council undertook monthly assessments of risks, and currently believed that its risk was low.
-

RESOLUTION AR22-1.5

Moved: Cr J Denyer

Seconded: Cr M Dean

That the Finance Manager's report dated 15 March 2022 titled 'Treasury Update Report' be received.

CARRIED

9.3 QUARTERLY REVIEW OF RISK PROFILE

The Committee considered a report dated 15 March 2022 from the Senior Assurance and Risk Specialist. The report was taken as read and it was noted that this item would be discussed in more detail in the workshop to follow.

- The Chairperson advised that Independent Member Mark Maloney would resign from his position on Western Bay of Plenty District Council's Audit and Risk Committee after this meeting.
 - Member Maloney advised this was due to his appointment as the Assistant Auditor General Local Government of the Office of the Auditor General.
-

RESOLUTION AR22-1.6

Moved: Cr A Henry

Seconded: Cr M Murray-Benge

1. That the Senior Assurance and Risk Specialist's report dated 15 March 2022 titled 'Quarterly Review of Council's Risk Profile' be received.
2. That the report relates to an issue that is of low significance in terms of Council's Significance and Engagement Policy.

CARRIED

9.4 UPDATE ON OUTSTANDING AUDIT ITEMS (INTERNAL/EXTERNAL) MARCH 2022

The Committee considered a report dated 15 March 2022 from the Senior Assurance and Risk Specialist. The report was taken as read.

RESOLUTION AR22-1.7

Moved: Cr M Grainger

Seconded: Cr M Dean

That the Senior Assurance and Risk Specialist's report dated 15 March 2022 titled 'Update on Outstanding Audit Items (Internal/External) March 2022' be received.

CARRIED

9.5 HEALTH AND SAFETY REPORT

The Committee considered a report dated 15 March 2022 from the Executive Assistant People and Customer Services. The report was taken as read.

Staff responded to questions as follows:

- It was Council's broad understanding at this time that aggressive incidents at the libraries were borne out of frustration, anxiety and wider issues that came with the COVID-19 pandemic.
- The Chief Executive Officer advised that Council had a very good 'Business as Usual' plan in place around resilience and continuity. Water operations were a critical risk area where Council had particularly tried to limit exposure across teams, and which had worked quite well.

RESOLUTION AR22-1.8

Moved: Cr A Henry

Seconded: Cr A Sole

That the Executive Assistant, People and Customer Service's report dated 15 March 2022 titled 'Health and Safety Report' be received.

CARRIED

10 INFORMATION FOR RECEIPT

Nil

11 RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION AR22-1.9

Moved: Cr J Denyer

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
11.1 - Litigation Update	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 11:23am.

Confirmed as a true and correct record by Council on 12 May 2022.

9.2 MINUTES OF THE PERFORMANCE AND MONITORING COMMITTEE MEETING HELD ON 31 MARCH 2022

File Number: A4556318

Author: Carolyn Irvin, Senior Governance Advisor

Authoriser: Barbara Whitton, Customer Services and Governance Manager

RECOMMENDATION

That the Minutes of the Performance and Monitoring Committee Meeting held on 31 March 2022 be confirmed as a true and correct record and the recommendations therein be adopted.

ATTACHMENTS

- 1. Minutes of the Performance and Monitoring Committee Meeting held on 31 March 2022**

MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL
PERFORMANCE AND MONITORING MEETING NO. PM22-2
HELD VIA ZOOM ONLY UNDER COVID-19 TRAFFIC LIGHT RED AND LIVESTREAMED
ON THURSDAY, 31 MARCH 2022 AT 9.30AM

1 PRESENT

Cr D Thwaites (Chairperson), Mayor G Webber, Cr G Dally, Cr M Dean, Cr J Denyer, Cr M Grainger, Cr M Gray, Cr A Henry, Cr K Marsh, Cr M Murray-Benge, Deputy Mayor J Scrimgeour and Cr A Sole.

2 IN ATTENDANCE

J Holyoake (Chief Executive Officer), G Allis (Deputy CEO/General Manager Infrastructure Services), R Davie (General Manager Strategy and Community), J Graham (Acting General Manager Corporate Services), D Jensen (Chief Financial Officer), O McVicker (Manager Corporate Services and Business Improvement), R Barnett (Senior Business Analyst), K Little (Operations Manager), J Paterson (Transportation Manager), C McLean (Senior Transportation Engineer), S Parker (Reserves and Facilities Asset Systems Manager), P Watson (Reserves and Facilities Manager), A Badenhorst (Legal Property Officer), H Wi Repa (Governance Technical Support), J Osborne (Governance Support Administrator) and C Irvin (Senior Governance Advisor).

3 APOLOGIES

Nil

4 CONSIDERATION OF LATE ITEMS

Nil

5 DECLARATIONS OF INTEREST

Nil

6 PUBLIC EXCLUDED ITEMS

Nil

7 PUBLIC FORUM

- A. Kelsea Symes, Luke Fahey (residents of Pongakawa) and Senior Sergeant Wayne Hunter (Tauranga Police)

Kelsea Symes and Luke Fahey spoke to the Committee regarding the Pongakawa Station Road and Old Coach Road intersection – and the huge ‘Boy Racer’ gatherings at night, noting the following:

- There was an issue in the Pongakawa community with boy racers, whose favourite place to ‘skid’ was outside Ms Syme’s house, at the Pongakawa Station Road and Old Coach Road intersection.
- The layout of the intersection was a perfect ‘skid pad’ for boy racers, with plenty of room for spectators and parking.
- About once a month these huge events took place where around one hundred or more cars, and about three hundred people, gathered at this corner.
- It was difficult to predict when these events would occur, but it was understood they were organised through a private Facebook group. It would appear that, to join the group, one had to be invited by an existing member to ‘get through to the next stage’.
- When these events took place they were intimidating and disruptive. Ms Symes had a young family who got very little sleep during the nights this was happening.
- There were also regularly groups of 5 to 10 cars on any night during the week which was very disruptive.
- Pongakawa was a busy area, with a lot of industry and many trucks on the road. It was hard to believe nobody had been hit by a truck.
- A community meeting was held at the Pongakawa School Hall last month. Senior Sergeant Wayne Hunter spoke at this meeting and advised that the police were powerless to do anything about this issue.
- It was believed that the only way to manage this issue was to change the intersection
- Luke Fahey had drawn up some suggested changes to the intersection and stated that he was on board with the issue which had developed into a real menace for Pongakawa residents.
- Luke provided a snapshot of the intersection showing a twenty metre diameter area that allowed for ‘doughnuts’ and ‘stand-still burnouts’.
- There were also 3.5 to 4 metre strips (in some areas 6 metres) for cars to park and shine their lights onto the intersection, which then provided a large platform for everyone to stand around and watch.
- There were several YouTube videos taken from trucks passing through the area at the time of these events taking place that showed the volume of people that congregated in the area.
- Pongakawa residents had looked at how they could minimise the likelihood of these people wanting to use the intersection by making changes to it as follows:
 - Islands, placed along the middle of the road coming up to the intersection, would reduce it to the minimum space required to allow trucks through the intersection and would not allow ‘full doughnuts’ to be done.

- Barriers placed along the roadside would reduce the area for parking, and would make 'skidding' difficult as it could damage other cars parked along the road.
- CCTV cameras for security footage (although it could be difficult to determine who was in the cars or whether the people standing around on the roadside were breaking any laws).

Senior Sergeant Wayne Hunter addressed the Committee providing the following information:

- He felt the Pongakawa community thought the police were going to 'take care of everything'.
- Upon review of the YouTube videos, ninety nine percent of people in those videos were not breaking the law.
- The only people that could be dealt with were those that were doing the actual burnouts – they were breaking the law.
- There was not a lot that could be done about the people who were parked up along the roadside.
- Last weekend, 50 police staff from the Waikato, Counties Manukau, Taupo, Western Bay of Plenty and Rotorua attended such an event in the Waikato, in a major operation to deter such gatherings, where 500 people had congregated. This was a 'one-off' and simply could not happen regularly. However, this had created the situation whereby the participants would probably move to the Western Bay of Plenty within the next couple of weeks to continue their rallies, and Western Bay of Plenty traffic police alone could not do anything about it due to lack of staff.
- Sorting out the intersection was a priority and would go a long way to alleviating the problems with boy racers in the Pongakawa community.

Presenters responded to questions as follows:

- The only way to influence the selling of cheap second hand tyres was to have the law changed to ban selling such tyres, however it was doubtful that this would have any impact.
- There had to be at least four police staff at one such incident but the police had very limited resources with only 27 staff for a total shift. Previously, police staff had bottles thrown at them – safety had to be a priority.
- Installing a mobile CCTV camera at some of the 'hot spots' would enable police to identify the vehicle breaking the law and have it impounded without having to prove who was driving it. A search warrant would then be obtained from a judge, the owner of the car would receive a '118' letter and would have 14 days to get in contact with the police. They could be taken to court and receive a fine. However, the car owners

(boy racers) were aware of this and were either swapping number plates or hiding them to avoid being caught.

- Some of the cars being used were \$40,000 twin turbo machines that were running 19-inch tyres. These tyres could cost up to \$300-\$400 per tyre and appeared not to be too expensive for the car owners.

Staff responded to questions as follows:

- Staff had looked into this matter, however there were some road safety issues around the proposal put forward to change the intersection.
- These activities were occurring around the district on many rural roads and intersections and seemed to be ongoing.
- Lighting at this intersection did perhaps generate more of a desire to congregate at this spot at night.
- Other measures implemented by Council (in particular in car parks) to reduce the desire to congregate included building asphalt bunds that helped to stop the 'doughnut' activity. However, this was limited and could not be done through the middle of an intersection.
- Council had also tried to provide large aggregate seal to rough up some roads which was not as desirable for 'burn out' activity. However, this made the roads much noisier. There were issues around how close residents were and how much they would be affected.
- The opportunities to do anything were limited – and any infrastructure changes were quite expensive.
- If Council was to install concrete media strips, it would not meet the recommended technical specification for the road and one that had a 100 kilometre speed limit. To install the concrete strips would require a speed limit change to 50 kilometres per hour.

The Chairperson thanked the public forum attendees for their presentation.

8 PRESENTATIONS

8.1 WAKA KOTAHI (NZTA) TAKITIMU NORTHERN LINK STAGES 1 & 2 AND STATE HIGHWAY 2 SAFETY WORKS UPDATE AND PRESENTATION

Due to unforeseen circumstances, the presentation from Waka Kotahi was cancelled and rescheduled for the next Performance and Monitoring Meeting to be held on 5 May 2022.

9 REPORTS

9.1 GROUP MANAGER CORPORATE SERVICES' REPORT

The Committee considered a report dated 31 March 2022 from the Finance Manager who took the report as read, summarising the following points:

- In terms of revenue, it was looking more and more likely that, as Council was not able to deliver full capital programme, some of the subsidy revenue would not be collected this financial year and would drift into the next financial year as receipt of the revenue was tied to the capital programme.
- Financial contributions (FINCOs) were below budget, year-to-date, for February. At the last Performance and Monitoring meeting held on 10 February 2022, finance reported a very good month for FINCOs, however that had not continued and council had had a 'lean' month through February. Talks were being held regularly with developers to understand how things would look at year-end with FINCOs.
- Operating expenditure was 4.7 million lower than budgeted for. A lot of this was due to operational contracts that were not able to be completed and/or timing issues. There were similar issues with the salary budget which was a combination of not being able to readily fill positions and timing issues around when some people were likely to come on board.
- The Capital Programme forecast was being finalised and was looking slightly lower than expected. At this point a 70% delivery was expected. This was becoming very common across the sector.

Staff responded to questions as follows:

- Net debt at year end would depend on how the capital programme was tracking. Council had quite an aggressive programme, being 50% more than had ever been delivered in the past, and Council was struggling to spend some of the money. It would be in a better position at the end of April 2022 to understand how much of the capital programme it could get through by the end of the year.

RESOLUTION PM22-2.1

Moved: Mayor G Webber

Seconded: Cr A Sole

That the Finance Manager's report dated 31 March 2022 titled 'Group Manager Corporate Services Report' be received.

CARRIED

9.2 LOCAL GOVERNMENT FUNDING AGENCY LIMITED - QUARTERLY REPORT TO SHAREHOLDERS DECEMBER 2021

The Committee considered a report dated 31 March 2022 from the Finance Manager. The report was taken as read, with the following points noted:

- The Local Government Funding Agency (LGFA) continued to deliver very well for Council in terms of cheap lending and customer service. They were meeting most of their Key Performance Indicators, with only two out of ten that they were slightly behind on, but were forecast to be on track by year-end.
- The overall size of their loan book was smaller than they had budgeted for, which was a reflection of the fact that every council across the country was struggling to deliver their capital programme, which meant they were not lending as much as they had forecast.

Staff responded to questions as follows:

- In order to qualify for Environmental, Social and Governance (ESG) bonds, a lot of work had to be done up front, well before construction began. An audit programme, to ensure criteria were met, was needed, as well as the social and environmental Key Performance Indicators that Council would be measured against, to ensure continuous compliance needed to meet the criteria. There was a five-basis-point savings incentive with ESG lending, however it required a significant amount of work to maintain the reporting to go to LGFA because they needed to report that information to the people who bought into those bonds.
 - Given the potential for the migration to the Three Waters Reform transition, council's were managing their treasury and borrowing requirements carefully because they did not want to commit to long term borrowing in respect of debt.
-

RESOLUTION PM22-2.2

Moved: Cr J Denyer

Seconded: Cr M Gray

That the Finance Manager's report dated 31 March 2022 titled 'Local Government Funding Agency Limited – Quarterly Report to Shareholders December 2021' be received.

CARRIED

10 INFORMATION FOR RECEIPT

Nil

11 RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION PM22-2.3

Moved: Cr A Henry

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
11.1 – Chief Executive Officer Operations Update Report	<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)(c)(ii) – the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest</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

	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	
11.2 - Proposal for Access Easement Over 22 Wilson Road, Waihi Beach	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
11.3 - Council Contracts Awarded or Renegotiated for the months of January 2022 and February 2022	<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>	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 12.07pm.

Confirmed as a true and correct record by Council on 6 May 2022.

9.3 MINUTES OF THE KATIKATI – WAIHĪ BEACH WARD FORUM MEETING HELD ON 1 MARCH 2022

File Number: A4563620

Author: Jahneisha Osborne, Governance Support Administrator

Authoriser: Barbara Whitton, Customer Services and Governance Manager

RECOMMENDATION

That the Minutes of the Katikati – Waihi Beach Ward Forum Meeting held on 1 March 2022 be confirmed as a true and correct record and the recommendations therein be adopted.

ATTACHMENTS

- 1. Minutes of the Katikati – Waihi Beach Ward Forum Meeting held on 1 March 2022**

MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL
KATIKATI – WAIHI BEACH WARD FORUM MEETING NO. KWB22-1
HELD VIA ZOOM AND LIVESTREAMED, UNDER COVID-19 TRAFFIC LIGHT RED,
ON TUESDAY, 1 MARCH 2022 AT 7.00PM

1 PRESENT

Cr J Denyer and Cr A Sole

2 IN ATTENDANCE

J Holyoake (Chief Executive Officer), S Parker (Reserves and Facilities Asset Systems Manager), J Osborne (Governance Support Administrator), H Wi Repa (Governance Technical Support)

3 APOLOGIES

APOLOGY

RESOLUTION KWB22-1.1

Moved: Cr J Denyer

Seconded: Cr A Sole

That the apology for absence from Mayor Webber and Cr Henry be accepted.

CARRIED

4 CONSIDERATION OF LATE ITEMS

Nil

5 DECLARATIONS OF INTEREST

Nil

6 PUBLIC EXCLUDED ITEMS

Nil

7 PUBLIC FORUM

Nil

8 PRESENTATIONS

Nil

9 MINUTES FOR RECEIPT

9.1 MINUTES OF THE KATIKATI – WAIHI BEACH WARD FORUM MEETING HELD ON 22 JUNE 2021

RESOLUTION KWB22-1.2

Moved: Cr J Denyer

Seconded: Cr A Sole

That the Minutes of the Katikati – Waihi Beach Ward Forum Meeting held on 22 June 2021 be received.

CARRIED

SUSPENSION OF STANDING ORDERS

RESOLUTION KWB22-1.3

Moved: Cr J Denyer

Seconded: Cr A Sole

A motion was moved that Council suspend standing orders for the purpose of holding a workshop.

CARRIED

10 WORKSHOP

10.1 WORKSHOP ITEMS

An update was provided on the following items, which included an opportunity for discussion:

Pippa Coombes – Waihi Beach Skate Park

- Pippa Coombes was absent from the meeting.
-

Derek Sage – Healthcare Hub

Mr Sage spoke about the Healthcare Hub potential within the District, and made the following points:

- Mr Sage was currently the Clinical Director for Emergency Medicine for the Bay of Plenty District Health Board (BOPDHB).
 - There were opportunities for the District in the future within the Ministry of Health's (MOH) Health System Reform, and the idea of local hubs for healthcare. A lot of healthcare was currently undertaken by the hospital in Central Tauranga, and could be brought closer to the community through these hubs. There would also be an opportunity for greater ownership by the community.
 - The community was not involved in the development or provision of services. There was a disconnect between voluntarily health groups and traditional primary care.
 - A wider remit of services could be provided closer to home, instead of the travelling into Tauranga.
 - There was a level that Local Government was responsible for the health and welfare of the community. There was an opportunity to bring together community groups, local iwi, primary care facilities, and all of the community, to take part in this.
 - Primary care outpatient facilities could be moved into the community, due to overcrowding within the Tauranga Hospital. There was potential for local nurses to run these facilities, which could drive the costs down.
 - There would need to be more focus on this being a social project, and not a money-driven project. Focus needed to be on the future of the District, as there was a demographic that needed to be serviced.
 - The BOPDHB was looking at four hubs; one in the East (Whakatāne and Ōpōtiki area), one in Te Puke area, one near Katikati, and then a fourth one would be dependent on the need of the areas.
 - Central Government/BOPDHB would pay a substantial amount towards the hubs. Council would have to go out to the community for location ideas, and fundraising.
 - There was an opportunity for coordination with this project and the Future of Local Government Reform, to create hubs that effectively communicate with each other, and the primary healthcare organisations.
 - Mr Sage expressed he needed to know whether Council would be involved, as well as any interested groups/anyone who has influence, who could help
-

make up the difference to take this to the next step. This would also involve the Public Health Organisation (PHO).

Jacqui Knight (Katch Katikati) – Cycleways

Ms Knight spoke about cycleways/walkways in the Katikati-Waihi Beach area, and made the following points:

- There was a relationship between Katch Katikati and Council (formed in 2012) with an Memorandum of Understanding (MOU) for walk/cycleways, with the aim of joining up Ōmokoroa and Waihi Beach.
- There were some projects that Katch Katikati was currently involved in;
 - A potential boardwalk across the harbour margin from Somerset to Pukakura Road. There was a historic donation of \$30,000 towards the Resource Consent costs for this project.
 - An extension of a path from this boardwalk to Somerset.
 - Yeoman Road walkway connection through to the end of Park Road.
 - Waitekohekohe Reserve Cycling track
 - The connection of Waihi Woodland Road, and Katikati Woodland Road. This had potential to link up to the Hauraki Rail Trail.
 - There was some potential for developing Thompsons Track into a cycleway, and including the history of the area.
- The Reserves and Facilities Asset Systems Manager provided some comments/updates on the raised projects:
 - Climate change was something to be aware of in relation to the harbour margin boardwalk.
 - A communication plan was currently being created for the Yeoman Road walkway connection, to gain community feedback.
 - The Waitekohekohe Reserve track was progressing well, as was the Woodlands Road/Woodland Road connection
 - There was some funding in the Long Term Plan (LTP), for a feasibility study of the Thompson's Track cycle/walkway.

Carole Parker – Abbeyfield

Ms Parker, Chairperson of Abbeyfield, Western Bay of Plenty (WBOP), provided an update on Abbeyfield within the District:

- Abbeyfield housing provides secure, independent, and safe living for people 65 years and over.

- The architectural brief was being finalised, then then discussions would be had on developing the concept plan.
- Funding opportunities were currently being explored, to fund the build.
- Abbeyfield WBOP has met with the Western Bay of Plenty District Council (WBOPDC) Building Pre-Lodgement Team, to help develop the brief.
- There was a dedicated fundraising team for this project, but funding opportunities had been affected by Covid-19. There had been a painting fundraiser, which was successful, with paintings donated by Katikati and Waihi Beach artists.
- Abbeyfield WBOP is progressing well, and are taking necessary steps to progress this further.
- Cr Denyer spoke about the Annual Plan that was being adopted, for consultation at the 8 March Annual Plan/Long Term Plan Committee meeting. This included a 100% reduction of Financial Contributions (FINCOs), after the first unit was built, which would be helpful for Abbeyfield.
- Research had been done on the needs of housing for 65+, and it was noted there was already a waiting list for Abbeyfield WBOP, which was 2-3 years away from being completed.

Barbara Martin & Graeme Thomson – Dave Hume Swimming Pool Trust

Ms Martin and Mr Thomson provided an update on the Dave Hume Pool, and raised the following points.

- The Dave Hume Pool had a large pool-cover project ahead of them. There was some funding on the table already, and they were confident they would achieve the funding goal within the year.
- There had been a significant amount of support from community groups and organisations, and support continued to be received.
- The desired construction date is mid-2023.
- There was a plan to re-paint the pool surface, but there was a decision made to bundle it with the pool cover project, and re-line the pool rather than paint.
- The introduction of a Swim School run by the Trust had been very successful.
- There was an opportunity to focus on preschool and primary school ages, rather than college students, as that seemed to be where the interest was coming from.
- The Trust was confident that the target build date would be met, unless there was a dramatic increase in costs.

- It was not just Katikati residents who used the pool. People from all over the District, of different ages, used the pool on a regular basis.
-

RESUMPTION OF STANDING ORDERS

RESOLUTION KWB22-1.4

Moved: Cr J Denyer

Seconded: Cr A Sole

A motion was moved that Council resume standing orders.

CARRIED

MEETING BE ADJOURNED

RESOLUTION KWB22-1.5

Moved: Cr J Denyer

Seconded: Cr A Sole

That the meeting be adjourned at 8.02pm on Tuesday, 1 March 2022 until Tuesday 15 March at 1.30pm.

CARRIED

MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL
KATIKATI – WAIHI BEACH RECONVENED WARD FORUM MEETING NO. KWB22-1
HELD VIA ZOOM AND LIVESTREAMED, UNDER COVID-9 TRAFFIC LIGHT RED,
ON TUESDAY, 15 MARCH 2022 AT 1.30PM

13 PRESENT

Cr J Denyer (Chairperson), and Cr A Sole

14 IN ATTENDANCE

J Holyoake (Chief Executive Officer), and J Osborne (Governance Support Administrator)

MEETING RECONVENED

Cr Denyer opened the reconvened meeting and welcomed all present.

PUBLIC FORUM

Nil

WORKSHOP

B DEREK SAGE – HEALTHCARE HUB

RESOLUTION KWB22-1.7

Moved: Cr J Denyer

Seconded: Cr A Sole

1. That the presentation from Derek Sage, regarding Healthcare Hubs, be received.
2. That it is requested that staff consider ways that Council could help facilitate the establishment of Healthcare Hubs.

CARRIED

C JACQUI KNIGHT – CYCLEWAYS

RESOLUTION KWB22-1.8

Moved: Cr J Denyer

Seconded: Cr A Sole

1. That the presentation from Jacqui Knight, representing Katch Katikati, be received.
2. That Council expresses its appreciation for the assistance provided by Katch Katikati, in helping Council develop the Waitekohekohe Reserve.
3. That Council requests an update from staff on a) the consultant's report on the Woodland Road to Woodlands Road linking route, and b) the status of the landowner discussions regarding the proposed boardwalk from Summerset Village to Pukakura Road.

CARRIED

D CAROLE PARKER – ABBEYFIELD

RESOLUTION KWB22-1.9

Moved: Cr J Denyer

Seconded: Cr A Sole

1. That the presentation from Carole Parker, representing Abbeyfield for Western Bay of Plenty, be received.
2. That it is noted that the reduction in FINCO's, for qualifying community housing developments, has been proposed in the draft Schedule of Fees and Charges 2022/23, which will go out for consultation from 21 March – 21 April 2022.

CARRIED

E BARBARA MARTIN & GRAEME THOMSON – DAVE HUME POOL

Cr Denyer raised a question regarding the fundraising, and why the Dave Hume Pool Trust needed to fundraise when Council had funded the entirety of the project cost. An answer could not be provided at the meeting, but would be investigated.

RESOLUTION KWB22-1.10

Moved: Cr J Denyer

Seconded: Cr A Sole

1. That the presentation from Barbara Martin and Graeme Thomson, representing the Dave Hume Swimming Pool Trust, be received.
2. That the \$2m provided for the covered roof project through the LTP, is noted.
3. That Council expresses its support for fund raising initiatives for the remaining cost, and encourages letters of support for funding applications be sent, should they be requested from the Trust.

CARRIED

The meeting closed at 1.36pm.

UNCONFIRMED

9.4 MINUTES OF THE KAIMAI WARD FORUM MEETING HELD ON 10 MARCH 2022**File Number: A4563615****Author: Jahneisha Osborne, Governance Support Administrator****Authoriser: Barbara Whitton, Customer Services and Governance Manager****RECOMMENDATION**

That the Minutes of the Kaimai Ward Forum Meeting held on 10 March 2022 be confirmed as a true and correct record and the recommendations therein be adopted.

ATTACHMENTS

- 1. Minutes of the Kaimai Ward Forum Meeting held on 10 March 2022**

**MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL
KAIMAI WARD FORUM MEETING NO. KWF22-1
HELD VIA ZOOM AND LIVESTREAMED, UNDER COVID-19 TRAFFIC LIGHT RED,
ON THURSDAY, 10 MARCH 2022 AT 7.00PM**

1 PRESENT

Cr M Dean (Chairperson), Cr M Grainger, Cr M Murray-Benge, Cr D Thwaites and Mayor G Webber

2 IN ATTENDANCE

G Allis (Deputy CEO/Group Manager Infrastructure Services), P Watson (Reserves and Facilities Manager), J Osborne (Governance Support Administrator), and H Wi Repa (Governance Technical Support)

OTHERS IN ATTENDANCE

Cr James Denyer (Katikati-Waihi Beach Ward Councillor), and Jo Gravitt (Te Puna Memorial Hall Committee)

3 APOLOGIES

Nil

4 CONSIDERATION OF LATE ITEMS

Nil

5 DECLARATIONS OF INTEREST

Nil

6 PUBLIC EXCLUDED ITEMS

Nil

7 PUBLIC FORUM

Nil

8 PRESENTATIONS

Nil

9 MINUTES FOR RECEIPT

9.1 MINUTES OF THE KAIMAI WARD FORUM MEETING HELD ON 1 JULY 2021

RESOLUTION KWF22-1.1

Moved: Cr M Murray-Benge

Seconded: Cr M Grainger

That the Minutes of the Kaimai Ward Forum Meeting held on 1 July 2021 be received.

CARRIED

10 REPORTS

10.1 KAIMAI WARD FORUM MINUTE ACTION SHEET

RESOLUTION KWF22-1.2

Moved: Cr M Grainger

Seconded: Cr D Thwaites

That the Governance Support Administrator's report dated 10 March 2022, titled 'Kaimai Ward Forum Minute Action Sheet', be received.

CARRIED

SUSPENSION OF STANDING ORDERS

RESOLUTION KWF22-1.3

Moved: Cr M Grainger

Seconded: Cr D Thwaites

A motion was moved that Council suspend Standing Orders for the purpose of holding a workshop.

CARRIED

11 WORKSHOP

11.1 WORKSHOP ITEMS

An update was provided on the following items, which included an opportunity for discussion:

Chief Executive Officer – Three Waters Update

- An update was not provided, as significant information had been made available to the public in the days prior to the meeting.

Deputy Chief Executive Officer/Group Manager Infrastructure Services – Update on Infrastructure in the Kaimai Ward

The Deputy Chief Executive Office/Group Manager Infrastructure Services spoke to a presentation regarding the Infrastructure Projects in the Kaimai Ward, and noted the following:

Infrastructure Acceleration Fund (IAF), Kāinga Ora –

- The proposal included a State Highway (SH) roundabout (RAB) for Ōmokoroa Road. There would be a second RAB where the industrial road was being constructed, and this was in the right place for the current SH interchange design.
- If the proposal was approved for funding by IAF, this would be a key infrastructure project to unlock housing growth in Ōmokoroa.
- There were a couple key options on how Youngson Road could safely feed into the RAB, which were being designed in detail.
- The Francis Road leg was one piece of the design where land acquisition was needed, which would determine the design for this space.
- Council's structure plan had four-laning planned for Ōmokoroa Road, from the JACE Development through to the SH.
- It will be outside of 10 years before the four lanes reach the Ōmokoroa intersection, from the SH, which is an extension of a the Tauranga Northern Link (TNL).
- The four-laning was only planned on Ōmokoroa Road within the 10 years.

Te Puna Village connection to Ōmokoroa pipeline –

- One property was already connected, and six had been invoiced for the Financial Contributions (FINCOs). Council's infrastructure was already in place, and it was now up to the property owners to connect.
-

- The Te Puna Hall connection would be treated the same as Council has treated other halls and marae, which means the connection costs would be waived, but ongoing costs would be incurred by the Hall Committee.

Ōmokoroa to Pahoia cycleway –

- The project was largely finished, apart from balustrade artwork.
- The approval from KiwiRail had gone through, but fencing was still needed.
- The first section from the bridge towards Pahoia Road, and the last 100 metres by Pahoia Road, would be sealed due to the steepness of the track.
- The estimated completion was June 2022.
- The next phase was an extension of the cyclway to Apata.

Minden Walkway –

- The walkway upgrade that had been approved, was currently underway.
- The track was being built at a width of about 2.5–3 metres, as a standard for the whole project.
- It was noted a wider track was better long term, and for maintenance, as the track will have a lot of use in the future.

- Borell Road Cycleway/footpath –

- Phase One was completed in 2021, which was the section between Borell Road to the middle of the stream area.
 - Phase Two was due to start in Winter 2022, which was the section between Snodgrass Road and Borell Road.
 - Council was looking at crossing the works over near Treholm Lane, and then traversing down the other side into the Railway Reserve in front of the houses, which would link up to Te Puna Road.
 - The route was starting to get more publicity, and was being recognised in Tourism brochures/magazines.
 - It was becoming noticeable that groups of 20–25 people, of all ages, were going through, and using Jess Road through to Te Puna.
 - There was a meeting planned between Council and local iwi, regarding Lochhead Road, and the potential for a cycleway in this area.
 - During consultation with the community, there was concern raised about the narrow path from Te Puna School to Maramatanga Park, and cyclists expected to have right of way on the path, pushing pedestrians onto the road. If funding was approved, the path will be upgraded to rectify this issue.
-

- Mount Road Seal Extension –

- The 2.5km of seal extension had cost \$2 million.
- There was a cost involved in the delays that had occurred, but there would have been more of a cost by not delaying, due to increasing costs of supplies.
- It was important to keep the ideas fresh in the minds of the public, in terms of consultation and engagement, as initial consultation was more than two years ago.

Poripori Road Rehab & Widening –

- The expected completion date was mid-April 2022.
 - The cost of the project was \$1.2 million, and Council had pushed to receive funding from Waka Kotahi, as it is a detour route from the SH, but this was not successful.
 - The carpark at the bottom of Poripori Road was not included in the 860 metres of re-sealing, but would be a separate project.
 - It was thought the carpark should be tidied up at the same time. This was talked about at the meeting with Poripori Road residents.
-

RESUMPTION OF STANDING ORDERS

RESOLUTION KWF22-1.4

Moved: Cr M Grainger

Seconded: Cr D Thwaites

A motion was moved that Council resume Standing Orders.

CARRIED

12 RECOMMENDATIONS TO COUNCIL/COMMITTEE

Nil

MEETING BE ADJOURNED

RESOLUTION KWF22-1.5

Moved: Cr M Dean

Seconded: Cr M Murray-Benge

That the meeting be adjourned at 7.36pm on 10 March 2022, until 29 March 2022 at 10.30am, held via Zoom

CARRIED

**MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL
RECONVENED KAIMAI WARD FORUM MEETING NO. KWF22-1
HELD VIA ZOOM ON TUESDAY, 29 MARCH AT 10.30AM**

13 PRESENT

Cr M Dean (Chairperson), Cr M Grainger, Cr M Murray-Benge, and Mayor G Webber

14 ATTENDANCE

J Holyoake (Chief Executive Officer), and J Osborne (Governance Support Administrator)

15 APOLOGIES

APOLOGY

RESOLUTION KWF22-1.6

Moved: Cr M Murray-Benge

Seconded: Cr M Grainger

That the apology for absence from Cr D Thwaites be accepted.

CARRIED

MEETING RECONVENED

Cr M Dean opened the reconvened meeting and welcomed all present.

PUBLIC FORUM

Cr M Dean acknowledged that there were no public forum presentations at the Kaimai Ward Forum held 10 March 2022.

WORKSHOP**B DEPUTY CHIEF EXECUTIVE OFFICER/GENERAL MANAGER INFRASTRUCTURE GROUP
- UPDATE ON INFRASTRUCTURE IN THE KAIMAI WARD**

There was a question raised about when collection of glass and food scraps was going to resume. This could not be answered, as it depends on staff numbers during the COVID-19 outbreak. It was suggested an update be provided at the Performance & Monitoring Committee meeting on 31 March 2022.

RESOLUTION KWF22-1.7

Moved: Cr M Murray-Benge

Seconded: Cr M Grainger

That the presentation from the Deputy Chief Executive Officer/General Manager Infrastructure Group, be received.

CARRIED

The meeting closed at 10.33am.

9.5 MINUTES OF THE POLICY COMMITTEE MEETING HELD ON 5 APRIL 2022

File Number: A4563606

Author: Barbara Clarke, Senior Governance Advisor

Authoriser: Barbara Whitton, Customer Services and Governance Manager

RECOMMENDATION

That the Minutes of the Policy Committee Meeting held on 5 April 2022 be confirmed as a true and correct record and the recommendations therein be adopted.

ATTACHMENTS

- 1. Minutes of the Policy Committee Meeting held on 5 April 2022**

MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL
POLICY COMMITTEE MEETING NO. PP22-3
HELD VIA ZOOM ONLY (AUDIO/VISUAL LINK) UNDER COVID-19 PROTECTION FRAMEWORK
RED (PHASE THREE) ON TUESDAY, 5 APRIL 2022 AT 9.30AM

1 PRESENT

Mayor G Webber (Chairperson), Cr G Dally, Cr M Dean, Cr J Denyer, Cr M Grainger, Cr M Gray, Cr A Henry, Cr M Murray-Benge, Deputy Mayor J Scrimgeour, Cr A Sole and Cr D Thwaites

2 IN ATTENDANCE

J Holyoake (Chief Executive Officer), R Davie (General Manager Strategy and Community), E Watton (Policy and Planning Manager), S Parker (Reserves and Facilities Asset Systems Manager), C Nepia (Strategic Kaupapa Māori Manager), P van den Berg (Infrastructure Engineer Water), T Clow (Senior Policy Analyst Resource Management), H Wi Repa (Governance Technical Support), J Osborne (Governance Support Administrator), and B Clarke (Senior Governance Advisor)

3 APOLOGIES

APOLOGY

RESOLUTION PP22-3.1

Moved: Cr G Dally

Seconded: Cr D Thwaites

That the apology for absence from Cr Marsh be accepted.

CARRIED

4 CONSIDERATION OF LATE ITEMS

Nil.

5 DECLARATIONS OF INTEREST

Nil.

6 PUBLIC EXCLUDED ITEMS

Nil.

7 PUBLIC FORUM

Nil.

8 PRESENTATIONS

Nil.

9 REPORTS

9.1 WESTERN BAY OF PLENTY DISTRICT COUNCIL'S FEEDBACK TO PROPOSED CHANGES TO THE RESOURCE MANAGEMENT (NATIONAL ENVIRONMENTAL STANDARDS FOR SOURCES OF HUMAN DRINKING WATER) REGULATIONS 2007

The Senior Policy Analyst Resource Management's report was taken as read. Responses to questions were as follows:

- In relation to the proposal to discharge wastewater to land, and the implications, given this would inevitably have to be in a Source Water Risk Management Area (SWRMA) 2 zone or a third party's bore or river take, this was presenting a challenge for Council, the Ministry for Health, and the drinking water assessors.
- Where Council's bores were located in rural areas, a 5m exclusion zone from stock, and everything else was required. Council's bores were originally constructed to secure deep water through confined aquifers. However, in some situations On-Site Effluent Treatment (OSET) had been built around these due to the development in the area. Council had to prove that the risks for Council had been managed, including effluent treatment.
- The 5m exclusion zone around bores was in place to protect bore heads, where the structures were in place, to keep stock away and ensure the mechanical structures coming out of the ground that intersected the aquifers were not compromised. Currently, there was discussion in the Drinking Water Standards about bore heads being above ground or below ground, but that was another factor.
- The wider issue was that aquifers were huge, they could be over thousands of hectares, and there were influences by all users of that greater parcel of land. This question had been put to the BOP Regional Council, through the Territorial Authorities' meeting with them. That council was considering the Source Water Risk Management Plans. Council did not have the jurisdiction, or the ability to manage

what every individual owner of land did over the greater area. The dilemma was how activities happening on all those parcels of land, including forestry, could be managed to protect that water source. There was no finite answer at this time.

- Council's bores were hundreds of metres deep, and had gone through secure layers, (that were not fractured), in the ground. The water took time to get down there and much of it was over 100 years old. By the time it was down there it was well filtered out.
 - The 5m exclusion zone worked for Council, in the sense that it could build mechanically, and by civil structures, to protect the bore heads from where water was taken. What had been learned over time, was that when Council bought land around bores, a larger amount of land than the 5m bore zone was now purchased, because of the whole-of-life operational requirements of bore heads.
 - A 10-30m restriction of activities around bores would be more successful and beneficial than 5m. However, when considering bores around the country, there were many situations where this could not be achieved because of land boundaries, and existing infrastructure or land development. Council's feedback had asked for consistency, but had also made it clear that there were reasons why greater than 5m may not be practical, in some cases.
-

RESOLUTION PP22-3.2

Moved: Cr M Murray-Benge

Seconded: Cr A Henry

1. That the Senior Policy Analyst Resource Management's report, titled 'Western Bay of Plenty District Council's Feedback to Proposed Changes to the Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007', dated 5 April 2022, be received, and the information noted.

CARRIED

10 INFORMATION FOR RECEIPT

Nil.

The meeting was declared closed at 9.47am.

Confirmed as a true and correct record by Council on 12 May 2022.

9.6 MINUTES OF THE DISTRICT PLAN COMMITTEE MEETING HELD ON 5 APRIL 2022**File Number: A4563612****Author: Barbara Clarke, Senior Governance Advisor****Authoriser: Barbara Whitton, Customer Services and Governance Manager****RECOMMENDATION**

That the Minutes of the District Plan Committee Meeting held on 5 April 2022 be confirmed as a true and correct record and the recommendations therein be adopted.

ATTACHMENTS

- 1. Minutes of the District Plan Committee Meeting held on 5 April 2022**

MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL
DISTRICT PLAN COMMITTEE MEETING NO. DP22-2
HELD VIA ZOOM ONLY (AUDIO/VISUAL LINK) UNDER COVID-19 PROTECTION FRAMEWORK
RED (PHASE THREE) ON TUESDAY, 5 APRIL 2022, AT 9.50AM ON CONCLUSION OF THE
POLICY COMMITTEE MEETING HELD PRIOR

1 MEMBERS PRESENT

Deputy Mayor J Scrimgeour (Chairperson), Cr G Dally, Cr M Dean, Cr J Denyer, Cr M Grainger, Cr M Gray, Cr A Henry and Cr M Murray-Benge

OTHERS PRESENT:

Cr A Sole, Cr D Thwaites and Mayor G Webber

2 STAFF ATTENDANCE

J Holyoake (Chief Executive Officer), R Davie (General Manager Strategy and Community), C Watt (Environmental Consents Manager), C-L Ertel (Asset and Capital Manager), C Nepia (Strategic Kaupapa Māori Manager), A Price (Senior Policy Analyst Resource Management), H Wi Repa (Governance Technical Support), J Osborne (Governance Support Administrator) and B Clarke (Senior Governance Advisor)

3 APOLOGIES

Nil.

4 DECLARATIONS OF INTEREST

Nil.

5 HEARING

Nil.

6 REPORTS

6.1 APPOINTMENT OF INDEPENDENT HEARINGS COMMISSIONER – MARCH / APRIL 2022

The Committee considered a report, dated 5 April 2022, from the Senior Policy Analyst Resource Management.

At the invitation of the Chairperson, she introduced the report, noting the following:

- The Resource Consent was for the stormwater upgrade works within the ecological feature at Bowentown. It was a small area within the feature, requiring the removal of vegetation.
- Resource Consent was not required for the main part of the stormwater upgrade works.

At the invitation of the Chairperson, the Asset and Capital Manager provided an overview in relation to the nature of the proposed stormwater upgrades as follows:

- The purpose of the work was to help improve the stormwater network in Pio Shores, where there had been ongoing flooding issues.
- Council had been working with the Pio Shores Ratepayers Association for some years now, and had funding in the Long Term Plan to consider stormwater solutions for stormwater improvements. This option was the top-ranked one for providing long term benefits.
- The work involved upgrading two of the pump stations. It was discovered that the pipes leading into the dunes, which uptake stormwater from the low-lying floodable land, were undersized. Council needed to upgrade the rising main from the pumpstation that pumped into the dunes as well.

Responses to questions:

- Only a small part of the total work within the ecological feature had triggered the need for a resource consent. There was a small area of vegetation that needed to be removed, to allow the work to proceed, and that was a Restricted Discretionary Activity. The plan was available for Councillors who may wish to see it.
 - An Assessment and Landscape Ecological Report had been provided with the application, showing the vegetation that would be replanted to rehabilitate the area following the work. On this basis, it was deemed there were less than minor effects and this was why it did not need to be notified.
 - The area of work was not within the residential area, it was in the dune area, so would not be affecting any local residents.
 - The project was funded by Council and included in its Long Term Plan.
 - The drain that ran through the Marae provided important drainage for the area, as the catchment was almost split in two. Council had a separate project in the Long
-

Term Plan to work with the Marae to upgrade the drain. There would be a wide benefit.

- In terms of stability of the dunes, Council had undertaken testing, monitoring and investigations over years, and more so in recent years. All engineering assessments had been positive, indicating the dunes could cope with the stormwater, and there was no risk to the dunes.
-

RESOLUTION DP22-2.1

Moved: Cr M Murray-Benge

Seconded: Cr M Gray

1. That the Senior Consent Planner's report dated 5 April 2022, titled "Appointment of independent Hearings Commissioner – March /April 2022" be received.
2. That the report relates to an issue considered of low significance in terms of Council's Significance and Engagement Policy.
3. That the District Plan Committee appoints the following Independent Hearings Commissioner to consider and determine the land use consent RC13400L, being the Western Bay of Plenty District Council's Stormwater upgrades at Bowentown, located at 517 Seaforth Road, Waihi Beach:
 - Commissioner Alan Withy.

CARRIED

Cr Henry requested that her vote against be recorded.

The meeting was declared closed at 10.00am.

Confirmed as a true and correct record by Council on 12 May 2022.

9.7 MINUTES OF THE COUNCIL MEETING HELD ON 6 APRIL 2022

File Number: A4558620

Author: Carolyn Irvin, Senior Governance Advisor

Authoriser: Barbara Whitton, Customer Services and Governance Manager

RECOMMENDATION

That the Minutes of the Council Meeting held on 6 April 2022 be confirmed as a true and correct record and the recommendations therein be adopted.

ATTACHMENTS

- 1. Minutes of the Council Meeting held on 6 April 2022**

MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL
COUNCIL MEETING NO. C22-2
HELD VIA ZOOM ONLY AND LIVESTREAMED UNDER COVID-19 TRAFFIC LIGHT RED
ON WEDNESDAY, 6 APRIL 2022 AT 9.30AM

1 PRESENT

Mayor G Webber (Chairperson), Deputy Mayor J Scrimgeour, Cr G Dally, Cr M Dean, Cr J Denyer, Cr M Grainger, Cr M Gray, Cr A Henry, Cr K Marsh, Cr M Murray-Benge, Cr A Sole and Cr D Thwaites.

2 IN ATTENDANCE

J Holyoake (Chief Executive Officer), G Allis (Deputy CEO/General Manager Infrastructure Services), R Davie (General Manager Strategy and Community), J Graham (Acting General Manager Corporate Services), A Curtis (Acting Regulatory Services General Manager), C Nepia (Strategic Kaupapa Māori Manager), E Watton (Policy and Planning Manager), D Pearce (Community Manager), D Jensen (Chief Financial Officer), G Payne (Strategic Advisor), B Whitton (Customer Service and Governance Manager), D Pearce (Community Manager), K McGinity (Senior Recreation Planner), T Rutherford (Policy Analyst), H Wi Repa (Governance Technical Support), J Osborne (Governance Support Administrator) and C Irvin (Senior Governance Advisor).

MEDIA

One member of the press.

KARAKIA

The Strategic Kaupapa Māori Manager acknowledged the passing of Moana Jackson and the work that he did during his years for the nation, and gave a Karakia to open the meeting:

Kia tau ngā manaakitanga a te mea ngaro
ki runga ki tēnā, ki tēnā o tatou
Kia mahea te hua mākihikihi
kia toi te kupu, toi te mana, toi te aroha,
kia tūturu, ka whakamaua kia tīna! Tīna!
Hui e, Tāiki e!

Let the strength and life force of our
Ancestors;
Be with each and every one of us;
Freeing our path from obstruction;
So that our words, spiritual power and
love are upheld;
Permanently fixed, established and

Understood;
Forward together!

3 APOLOGIES

Nil

4 CONSIDERATION OF LATE ITEMS

Nil

5 DECLARATIONS OF INTEREST

Nil

6 PUBLIC EXCLUDED ITEMS

Nil

7 PUBLIC FORUM

Nil

8 COMMUNITY BOARD MINUTES FOR RECEIPT

8.1 MINUTES OF THE KATIKATI COMMUNITY BOARD MEETING HELD ON 2 FEBRUARY 2022

RESOLUTION C22-2.1

Moved: Cr A Henry

Seconded: Cr M Dean

That the Minutes of the Katikati Community Board Meeting held on 2 February 2022, be received.

CARRIED

8.2 MINUTES OF THE ŌMOKOROA COMMUNITY BOARD MEETING HELD ON 8 FEBRUARY 2022

RESOLUTION C22-2.2

Moved: Cr A Henry

Seconded: Cr M Dean

That the Minutes of the Ōmokoroa Community Board Meeting held on 8 February 2022, be received.

CARRIED

8.3 MINUTES OF THE TE PUKE COMMUNITY BOARD MEETING HELD ON 10 FEBRUARY 2022

RESOLUTION C22-2.3

Moved: Cr A Henry

Seconded: Cr M Dean

That the Minutes of the Te Puke Community Board Meeting held on 10 February 2022, be received.

CARRIED

8.4 MINUTES OF THE MAKETU COMMUNITY BOARD MEETING HELD ON 15 FEBRUARY 2022

RESOLUTION C22-2.4

Moved: Cr A Henry

Seconded: Cr M Dean

That the Minutes of the Maketu Community Board Meeting held on 15 February 2022, be received.

CARRIED

8.5 MINUTES OF THE WAIHĪ BEACH COMMUNITY BOARD MEETING HELD ON 21 FEBRUARY 2022

RESOLUTION C22-2.5

Moved: Cr A Henry

Seconded: Cr M Dean

That the Minutes of the Waihī Beach Community Board Meeting held on 21 February 2022, be received.

CARRIED

9 COUNCIL AND COMMITTEE MINUTES FOR CONFIRMATION

9.1 MINUTES OF THE PERFORMANCE AND MONITORING COMMITTEE MEETING HELD ON 10 FEBRUARY 2022

RESOLUTION C22-2.6

Moved: Cr D Thwaites

Seconded: Cr M Grainger

That the Minutes of the Performance and Monitoring Committee Meeting held on 10 February 2022 be confirmed as a true and correct record and the recommendations therein be adopted.

CARRIED

9.2 MINUTES OF THE COUNCIL MEETING HELD ON 24 FEBRUARY 2022

RESOLUTION C22-2.7

Moved: Mayor G Webber

Seconded: Cr M Murray-Benge

That the Minutes of the Council Meeting held on 24 February 2022 be confirmed as a true and correct record and the recommendations therein be adopted.

CARRIED

9.3 MINUTES OF THE DISTRICT PLAN COMMITTEE MEETING HELD ON 24 FEBRUARY 2022

RESOLUTION C22-2.8

Moved: Cr M Murray-Benge

Seconded: Deputy Mayor J Scrimgeour

That the Minutes of the District Plan Committee Meeting held on 24 February 2022 be confirmed as a true and correct record and the recommendations therein be adopted.

CARRIED

9.4 MINUTES OF THE ANNUAL PLAN AND LONG TERM PLAN COMMITTEE MEETING HELD ON 8 MARCH 2022

RESOLUTION C22-2.9

Moved: Deputy Mayor J Scrimgeour

Seconded: Cr J Denyer

That the Minutes of the Annual Plan and Long Term Plan Committee Meeting held on 8 March 2022 be confirmed as a true and correct record and the recommendations therein be adopted.

CARRIED

9.5 MINUTES OF THE POLICY COMMITTEE MEETING HELD ON 10 MARCH 2022

RESOLUTION C22-2.10

Moved: Mayor G Webber

Seconded: Cr M Gray

That the Minutes of the Policy Committee Meeting held on 10 March 2022 be confirmed as a true and correct record and the recommendations therein be adopted.

CARRIED

10 REPORTS**10.1 DELEGATION OF DECISION MAKING FOR 2022 COMMUNITY MATCHING FUND**

The Committee considered a report dated 6 April 2022 from the Community Manager. The report was taken as read.

RESOLUTION C22-2.11

Moved: Cr M Dean

Seconded: Cr M Murray-Benge

1. That the Community Manager's report dated 6 April 2022 titled 'Delegation of decision making for 2022 Community Matching Fund' 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 clause 32 schedule 7 of the Local Government Act 2002, Council delegates to Deputy Mayor Scrimgeour, Councillor Dean and Councillor Denyer, together with the Chief Executive Officer, or his nominee(s), the power to make decisions in respect of applications to the Community Matching Fund 2022, including but not limited to the following powers:

- a) To award grants according to the purposes and guidelines of the Community Matching Fund 2022, within the allocated budget of \$140,000;

And

- b) To make payments to grant recipients as soon as practicable after the award decisions have been made.

CARRIED

10.2 DELEGATION OF DECISION MAKING FOR FACILITIES IN THE COMMUNITY FUND 2022

The Committee considered a report dated 6 April 2022 from the Senior Recreation Planner. The report was taken as read.

RESOLUTION C22-2.12

Moved: Cr M Grainger

Seconded: Cr A Sole

1. That the Senior Recreation Planner's report dated 6 April 2022 titled 'Delegation of Decision Making for Facilities in the Community Fund 2022' 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 Clause 32 Schedule 7 of the Local Government Act 2022, Council delegates Deputy Mayor Scrimgeour (representing the Te Puke-Maketu Ward), Councillor Dean (representing the Kaimai Ward) and Councillor Denyer (representing the Katikati-Waihi Beach Ward), together with the Chief Executive Officer, the power to make decisions in respect of applications to the Facilities in the Community Fund 2022/23, including but not limited to the following powers:
 - a. To award grants according to the purposes and guidelines of the Facilities in the Community Fund 2022, within the allocated contestable budget of \$74,000;
-

and

- b. To make payments to grant recipients as soon as practicable after the award decisions have been made.

CARRIED

10.3 2022 TRIENNIAL ELECTIONS AND ORDER OF CANDIDATES NAMES

The Committee considered a report dated 6 April 2022 from the Electoral Officer. The report was taken as read.

RESOLUTION C22-2.13

Moved: Cr J Denyer

Seconded: Cr A Henry

1. That the Electoral Officer's report dated 6 April 2022 and titled '2022 Triennial Elections and Order of Candidate Names' 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 resolves for the 2022 triennial elections to adopt:
 - The random order of candidate namesas permitted under regulation 31 of the Local Electoral Regulations 2001.

CARRIED

10.4 COUNCIL DECISION ON FORMAL SUBMISSIONS REGARDING ITS VIEWS ON THE GOVERNMENT'S PROPOSAL TO REMOVE EXOTIC FORESTS FROM THE EMISSIONS TRADING SCHEME

The Committee considered a report dated 6 April 2022 from the Executive Assistant Mayor/CEO. The report was taken as read.

RESOLUTION C22-2.14

Moved: Cr M Dean

Seconded: Cr J Denyer

-
1. That the Senior Executive Assistant Mayor/CEO's report dated 6 April 2022 titled 'Council Decision on Formal Submissions Regarding its Views on the Government's Proposal to Remove Exotic Forests from the Emissions Trading Scheme' be received.
 2. That Council submits high-level feedback on the proposals as set out in the email (Attachment 1).
 3. That Council adopts the following option as set out in the email (Attachment 1):
 - Option three: As for option two, but with exceptions for exotic species under certain conditions or criteria.

CARRIED

10.5 MAYOR'S REPORT TO COUNCIL – ELECTED MEMBERS REPRESENTATION AT ANZAC DAY 2022 COMMEMORATIONS

The Committee considered a report dated 6 April 2022 from the Senior Governance Advisor. The report was taken as read with the following noted by Mayor Webber:

Due to COVID-19, the Defence Force and St John had withdrawn from most ANZAC

Day parades this year. This meant the Tauranga ceremony would be slightly different than usual.

RESOLUTION C22-2.15

Moved: Cr M Dean

Seconded: Cr D Thwaites

1. That the Senior Governance Advisor's report dated 6 April 2022 titled 'Mayor's Report to Council' be received.
 2. That Waihi Beach Councillors attend the Waihi Beach ANZAC Day Service and lay a wreath on behalf of the Western Bay of Plenty District Council.
 3. That Te Puke Councillors attend the Te Puke ANZAC Day Service and lay a wreath on behalf of the Western Bay of Plenty District Council.
 4. That Maketu Councillors attend the Maketu ANZAC Day Service and lay a wreath on behalf of the Western Bay of Plenty District Council.
-

5. That Katikati Councillors attend the Katikati ANZAC Day Service and lay a wreath on behalf of the Western Bay of Plenty District Council.
6. That Ōmokoroa Councillors attend the Ōmokoroa ANZAC Day Service and lay a wreath in conjunction with the Ōmokoroa Community Board on behalf of the Western Bay of Plenty District Council.
7. That Mayor Webber attend the Tauranga ANZAC Day Service and lay a wreath on behalf of the Western Bay of Plenty District Council.
8. That Cr Dean attend the Oropi ANZAC Day service at the Oropi Hall and lay a wreath on behalf of the Western Bay of Plenty District Council.

CARRIED

10.6 BOPLASS HALF YEARLY REPORT TO SHAREHOLDERS 2021-2022 (PERIOD ENDING 31 DECEMBER 2021) AND DRAFT STATEMENT OF INTENT 2022-2025

The Committee considered a report dated 6 April 2022 from the Chief Financial Officer. The report was taken as read.

RESOLUTION C22-2.16

Moved: Cr A Sole

Seconded: Cr A Henry

1. That the Chief Financial Officer's report dated 6 April 2022 titled 'BOPLASS Half Yearly Report to Shareholders 2021-2022 (period ending 31 December 2021) and Draft Statement of Intent 2022-2025' be received.
 2. That the BOPLASS Limited Half Yearly Report 2021-2022 to Shareholders (Period Ended 31 December 2021) be received.
 3. That the BOPLASS Limited Draft Statement of Intent 2022-2025 be received.
 4. That the BOPLASS Limited Half Yearly Report to Shareholders 2020-2021 (Period Ended 31 December 2021) and Draft Statement of Intent 2021-2024 relates to issues that are considered to be of low significance in terms of Council's Significance and Engagement Policy.
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5. That the Board of BOPLASS Limited be advised of any comments on their Draft Statement of Intent 2022-2025.

CARRIED

10.7 RECOMMENDATORY REPORT FROM POLICY COMMITTEE – ADOPTION OF THE WASTE MANAGEMENT AND MINIMISATION BYLAW 2022

The Committee considered a report dated 6 April 2022 from the Senior Governance Advisor. The report was taken as read.

RESOLUTION C22-2.17

Moved: Cr A Sole

Seconded: Cr M Murray-Benge

1. That, pursuant to section 155 of the Local Government Act 2002, the bylaw is the most appropriate way of addressing the perceived problems, is the most appropriate form of bylaw, and does not give rise to any implications under the New Zealand Bill of Rights Act 1990.
2. That Council hereby adopts the Waste Management and Minimisation Bylaw 2022, as released for consultation, (included as Attachment 1 of the agenda report), to come into force on 11 April 2022.
3. That the decision document, (included as Attachment 2 of the agenda report), as the formal response to submitters, in general accordance with the resolutions made in relation to this report, be adopted by Council alongside the final bylaw.
4. That the report relates to an issue considered to be of medium significance in terms of Council's Significance and Engagement Policy.

CARRIED

10.8 RECOMMENDATORY REPORT FROM POLICY COMMITTEE – ADOPTION OF THE ALCOHOL CONTROL BYLAW 2022

The Committee considered a report dated 6 April 2022 from the Senior Governance Advisor. The report was taken as read.

RESOLUTION C22-2.18

Moved: Cr M Murray-Benge

Seconded: Cr A Henry

1. That pursuant to s147A and s147B of the Local Government Act 2002, Council is satisfied, in relation to the alcohol ban proposed in Te Puke in the Alcohol Control Bylaw 2022, that there is evidence that the area to which the bylaw is intended to apply has experienced a high level of crime and disorder, that can be shown to have been caused, or been made worse, by alcohol consumption in the area.
2. That pursuant to s147A and s147B of the Local Government Act 2002, Council is satisfied, in relation to the alcohol bans proposed in Katikati and Waihi Beach in the Alcohol Control Bylaw 2022, that a high level of crime and disorder (caused or made worse by alcohol consumption in the area concerned) is likely to arise in the area to which the bylaw is intended to apply, if the bylaw is not made.
3. That pursuant to s147A and s147B of the Local Government Act 2002, Council is satisfied that the Alcohol Control Bylaw 2022 can be justified as a reasonable limitation on people's rights and freedoms, and that the Bylaw is appropriate and proportionate, in light of the crime and disorder.
4. That pursuant to s155 of the Local Government Act 2002, Council confirms that a Bylaw is the most appropriate way of addressing the perceived problems, the Bylaw is the most appropriate form of bylaw, and that the Bylaw does not give rise to any implications under the New Zealand Bill of Rights 1990.
5. That Council hereby adopts the Alcohol Control Bylaw 2022, (included as Attachment 1 of the agenda report), to come into force on 6 May 2022.

That the decision document (included as Attachment 2 of the agenda report), as the formal response to submitters, in general accordance with the resolutions made in relation to this report, be adopted by Council alongside the final bylaw.

6. That the report relates to an issue considered to be of medium significance in terms of Council's Significance and Engagement Policy.

CARRIED

10.9 RECOMMENDATORY REPORT FROM TE KAHUI MANA WHENUA O TAURANGA MOANA – TE TOKA TŪ MOANA – TAURANGA MOANA RELATIONSHIP DOCUMENT

The Committee considered a report dated 6 April 2022 from the Senior Governance Advisor – Community Boards. The report was taken as read with the following comment made by the Chief Executive Officer:

- The two separate Māori Partnership Forum groups would be more productive as two separate groups at this stage, with Council working with them individually on items that they were passionate about, rather than focusing on internal politics.
-

RESOLUTION C22-2.19

Moved: Cr M Murray-Benge

Seconded: Cr A Sole

1. That the report relates to an issue that is considered to be of low significance in terms of Council's Significance and Engagement Policy.
2. That Council adopt Te Toka Tū Moana as the basis of a forum involving Tauranga Moana iwi and hapū, and Western Bay of Plenty District Council.

CARRIED

10.10 REQUEST FOR EXECUTION OF DOCUMENTS UNDER SEAL OF COUNCIL

The Committee considered a report dated 6 April 2022 from the Executive Assistant Mayor/CEO. The report was taken as read.

RESOLUTION C22-2.20

Moved: Cr M Grainger

Seconded: Cr J Denyer

That the Senior Executive Assistant Mayor/CEO's report dated 6 April 2022 titled 'Request for Execution of Documents Under Seal of Council' be received.

CARRIED

10.11 TOURISM BAY OF PLENTY DRAFT STATEMENT OF INTENT 2022/2023 TO 2024/2025

The Committee considered a report dated 6 April 2022 from the Community Manager. The report was taken as read.

RESOLUTION C22-2.21

Moved: Cr A Henry

Seconded: Cr M Dean

That the report from the Community Manager dated 6 April 2022 titled 'Tourism Bay of Plenty Draft Statement of Intent 2022/2023 to 2024/2025' be received.

That the report relates to an issue that is considered to be of low significance in terms of Council's Significance and Engagement Policy.

That Council receives the Tourism Bay of Plenty Draft Statement of Intent 2022/2023 to 2024/2025 report.

That Council notes that as joint shareholder of Tourism Bay of Plenty, Tauranga City Council will be asked to approve the shareholder comments on the draft Statement of Intent for TBOP at their 11 April 2022 Council meeting.

CARRIED

10.12 TOURISM BAY OF PLENTY HALF YEARLY REPORT TO 31 DECEMBER 2021

The Committee considered a report dated 6 April 2022 from the Community Manager. The report was taken as read.

RESOLUTION C22-2.22

Moved: Cr M Murray-Benge

Seconded: Cr J Denyer

1. That the report from the Community Manager dated 6 April 2022 titled 'Tourism Bay of Plenty Half Yearly Report to 31 December 2021' 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 Tourism Bay of Plenty's Half Yearly Report to 31 December 2021.

CARRIED

11 INFORMATION FOR RECEIPT

Nil

12 RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION C22-2.23

Moved: Cr M Murray-Benge

Seconded: Cr G Dally

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
12.1 – Confidential Minutes of the Performance and Monitoring Committee Meeting held on 10 February 2022	<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>	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
10.2 – Confidential Minutes of the Council Meeting held on 24 February 2022	<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)(i) – the withholding of the information is necessary to protect</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

	<p>information where the making available of the information would disclose a trade secret</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)(c)(i) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied</p> <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)(h) - the withholding of the information is necessary</p>	
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	<p>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>	
10.3 – Appointment of Trustee to the Board of Tourism Bay of Plenty	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 9.59am.

Confirmed as a true and correct record at the Council meeting held 12 May 2022.

.....
Mayor G Webber

MAYOR

10 COUNCIL AND COMMITTEE MINUTES FOR RECEIPT**10.1 MINUTES OF THE TE IHU O TE WAKA O TE ARAWA MEETING HELD ON 16 FEBRUARY 2022**

File Number: A4562085

Author: Horowai Wi Repa, Governance Technical Support

Authoriser: Barbara Whitton, Customer Services and Governance Manager

RECOMMENDATION

That the Minutes of the Te Ihu o te Waka o Te Arawa Meeting held on 16 February 2022 be received.

ATTACHMENTS

- 1. Minutes of the Te Ihu o te Waka o Te Arawa Meeting held on 16 February 2022**

MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL
TE IHU O TE WAKA O TE ARAWA MEETING NO. TA22-1
HELD IN COUNCIL CHAMBER, BARKES CORNER, TAURANGA
AND VIA ZOOM UNDER COVID-19 TRAFFIC LIGHT RED
ON WEDNESDAY, 16 FEBRUARY 2022 AT 10.00AM

1 KARAKIA/MIHI

Manu Wihapi (Tuhourangi) opened the hui with a Karakia, and the Strategic Kaupapa Māori Manager gave a mihi to the rōpū.

2 PRESENT

Chairperson Manu Wihapi (Tuhourangi), Raiha Biel (Tapuika), Rawiri Biel, Darlene Dinsdale (Ngāti Moko), Councillor M Gray, Geoff Rice (Ngāti Marukukere), Deputy Mayor J Scrimgeour, Petera Tapsell (Ngāti Whakaue), Mayor G Webber.

VIA ZOOM

Cr Dally, Cr Marsh and Vance Skudder (Ngāti Maru).

ABSENT

Roland Kingi (Ngāti Pīkiao), Alfie Potiki (Ngāti Moko), Maru Tapsell (Te Kapu o Waitaha), Tania Turner (Ngāti Whakahemo).

3 IN ATTENDANCE

R Davie (Group Manager Policy, Planning and Regulatory Services), C Nepia (Strategic Kaupapa Māori Manager), C Stevens (Kaupapa Māori Specialist – Kaiārahi Mahere), M Waiari (Kaupapa Māori Specialist – Kaiārahi Hōnonga (Tauranga Moana)), P Osborne (Senior Governance Advisor), J Osborne (Governance Support Administrator) and C Irvin (Senior Governance Advisor).

VIA ZOOM

Cr Thwaites

OTHER ATTENDEES

Department of Internal Affairs

Ngaa Rauuira Puumanawhawhiti (Principal Advisor Iwi/Māori)

Ben Dickson (Principal Advisor Iwi/Māori)

Josephine Clarke (Principal Engagement Advisor)

4 APOLOGY

APOLOGY

RESOLUTION TA22-1.1

Moved: P Tapsell

Seconded: Rawiri Biel

That the apology for Manu Pene (Ngati Whakaue ki Maketu), be accepted.

CARRIED

5 CONSIDERATION OF LATE ITEMS

The Strategic Kaupapa Māori Manager advised there was one late item for the Forum to consider for inclusion in the open section of the agenda, being 'Department of Internal Affairs – Presentation on Three Waters Reform Programme'.

The reason that this item was not included on the agenda was that a request had been received after the publishing of the agenda for the presentation to be given at the meeting, and it could not be delayed to the next scheduled Forum meeting because the Forum members wished to receive an update on the Three Waters Reform as soon as possible.

MOTION

RESOLUTION TA22-1.2

Moved: G Rice

Seconded: Deputy Mayor J Scrimgeour

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:

- 'Department of Internal Affairs – Presentation on Three Waters Reform Programme' be received.

CARRIED

5.1 DEPARTMENT OF INTERNAL AFFAIRS – THREE WATERS REFORM PROGRAMME PRESENTATION

The Chairperson welcomed the Department of Internal Affairs (DIA) attendees.

Ben Dickson (Principal Advisor Iwi/Māori) spoke to the presentation, providing a summary of the following topics:

- Sequencing of Reform;
- System Connections;
- System within a system;
- A Case for Change;
- Purpose and Objectives of the Entities;
- Feedback from Iwi/Māori to date;
- Key Design Features;
- Step Change for Iwi/Māori Rights and Interests;
- Potential Investment in Context;
- Cost Implications for Different Communities;
- Proposed Entities; and
- Next Steps.

Ben Dickson and Josephine Clarke responded to questions as follows:

- Treaty settlements were placed as an obligation on local councils in terms of water service delivery. If Western Bay of Plenty District Council was not delivering three water services, that obligation should then be transferred and placed onto the water service entity that was delivering this.
 - The charging for three water services would slowly change over a period of time to amalgamate across the number of councils that would form the four entities.
 - The DIA transition team was undertaking data discovery which included pricing and charging across all councils in 2022. Part of the challenge was understanding all the unique arrangements that councils had to those charges and to get a clear picture of the difference in charges between rural and urban communities. Once this information had been gathered, Government had to make decisions on price pathways and guidelines for the four entities to work within. The creation of an economic regulator was also needed in the form of a protection element.
 - The DIA was fronting the Three Waters Reform because it was responsible for administering the Local Government Act 2002, and as such, supported Local Government in delivering everything that was within that Act. Currently, the Three Waters Reform fell under the Local Government Act 2002. The DIA was also working alongside a number of other entities in terms of the reforms.
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- The question of Māori ownership of the water lay directly with the Government. The management of water was implemented by The Ministry for the Environment. The DIA was agnostic as to who owned the water, and as such, would have to implement the delivery and infrastructure of the water services no matter who owned it.
 - The Water Infrastructure Commission for Scotland (WICS) modelled out what the cost would look like for councils across all areas without the reform, putting a cap at a \$12,000 increase, and then what it would look like with the reform. Smaller councils with a smaller rating base faced a significant cost increase, whereas large metros, with more concentrated rating bases, would face less cost increase. This was over a thirty-year forecast. To note was that this modelling did not take into account climate change, the severe resilience issues that were being currently faced, or the possible improved environmental standards that may result from the Resource Management reforms and the expectations of Mana Whenua, environment management and limit setting.

Ngaa Rauuira Puumanawhahwhiti responded to questions as follows:

- Currently, in terms of the Governments position, Te Manawa o Te Wai sat in the resource management framework. The Three Waters Reform had reached across to the national policy statement 'Fresh Water Management' to try to integrate and bring greater cohesion between the two systems, because three waters would sit inside the future resource management system.
- The 'big ticket' items for Iwi Māori were allocation of freshwater ownership and consenting decisions. Policy changes would be narrowly focused and in very specific areas.

The Chairperson thanked the presenters for their time and presentation. He commented that it was important to think about the reform holistically, which not only included freshwater, but also stormwater and wastewater.

Mayor Webber:

- The Three Waters Working Group was only looking at the governance structure and some accountability issues. The reason for the reform was the chronic non-compliance by many councils over many years. Holding standards and compliance monitoring were key. It was important to wait for the report that the working group was preparing.

Josephine Clarke:

- After a long journey of engagement with local Iwi, the Government took some key decisions, particularly on reform bottom lines, such as Treaty partnership, balance sheet separation and protections against privatisation. The Government released

an exposure draft of a Bill and also established three working groups, one being the Three Waters Working Group (governance representation and accountabilities, which Mayor Webber was on). This group would be reporting back to the Government within then next two weeks. Once completed, the Government would consider their findings and make any refinements to what was currently in the exposure draft, before introducing any legislation into parliament, at which point there would be select committee processes.

Rawiri Biel

- Member Biel suggested that, in the future, there be a translator present to allow everyone to fully understand and comprehend what was being said in Te Reo Māori. He also put forward the concept/question of 'what can be done to enhance the Mana of water'.
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6 MINUTES FOR CONFIRMATION

6.1 MINUTES OF THE TE IHU O TE WAKA O TE ARAWA (INAUGURAL MEETING) HELD 25 NOVEMBER 2021

RESOLUTION TA22-1.3

Moved: P Tapsell

Seconded: Raiha Biel

That the Minutes of the Te Ihu o te Waka o Te Arawa (Inaugural Meeting) held 25 November 2021 be confirmed as a true and correct record and the recommendations therein be adopted.

CARRIED

7 REPORTS

7.1 TE PUKE/MAKETU RESERVE MANAGEMENT PLAN REVIEW

The Forum considered a report dated 16 February 2022 from the Senior Recreation Planner who spoke to a power point presentation summarising the following:

- Background;
 - Pre-Engagement;
 - Formal Consultation; and
 - Next Steps.
-

The Chairperson advised that the Forum would like to have a workshop on this item.

RESOLUTION TA22-1.4

Moved: Mayor G Webber

Seconded: D Dinsdale

1. That the Senior Recreation Planners report dated 16 February 2022, titled 'Te Puke/Maketu Reserve Management Plan Review', be received by Te Ihu o te Waka o Te Arawa, for information only.
2. That Te Ihu o te Waka o Te Arawa have a separate workshop during the formal consultation period in order to provide feedback on the Te Puke/Maketu Reserve Management Plan review.

CARRIED

7.2 PROPOSAL FOR REDUCTION OF FEES AND CHARGES FOR PAPA KĀINGA

The Forum considered a report dated 16 February 2022 from the Senior Policy Analyst who spoke to a power point presentation summarising the following:

- What does Council currently do;
- Review;
- Considerations; and
- The Proposal.

Staff responded to questions as follows:

- It was acknowledged that there was a much bigger picture involved in that New Zealand was facing a housing crisis, in particular Māori housing. What was presented today was one small slice of the whole picture and this proposal was about the fees and charges that applied to it. If the proposal was accepted, it would only be in place for one year and would then be reviewed. There was a much wider conversation that needed to be had around housing and how the district enabled housing for Whenua Māori.
 - Mayor Webber advised that an 'urban growth component' was wrapped up in the Three Waters Reform infrastructure question and was being taken into consideration.
 - The Chief Executive Officer advised that there was a wider discussion about outcomes that were trying to be achieved. There were internal conversations taking place about what was happening in the east and west in terms of growth, in particular what needed to happen in the east. Authorities were looking for strategy from Iwi groups which provided opportunity for discussion and then to
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perhaps approach the Crown. It would be appropriate to invite Te Puni Kōkiri-Kāinga (the Ministry of Māori Development) and the Ministry of Housing and Development to the next Forum meeting to talk about funding, what it was for and whether or not there was an opportunity to access that funding.

RESOLUTION TA22-1.5

Moved: Mayor G Webber

Seconded: G Rice

1. That the Senior Policy Analyst's report dated 16 February 2022, titled 'Proposal for Reduction of Fees and Charges for Papakāinga' be received by Te Ihu o te Waka o Te Arawa, for information only.
2. That Te Ihu o te Waka o Te Arawa make submissions on Financial Contributions (FINCOS).
3. That Council arrange a presentation from Te Puni Kōkiri and the Ministry of Housing and Development to Te Ihu o te Waka o Te Arawa on government funding and support for housing on whenua Māori.

CARRIED

7.3 WORKSHOP ITEMS

The Forum ended the formal part of the meeting at 11:40am and moved into a workshop to discuss the following items:

1. Draft Policy for Council Maintenance of Previously Unmaintained Roads and the Draft Seal Extension Prioritisation Policy; and
2. Rates Remission of Māori Freehold Land Policy.

8 WORKSHOP

The Meeting closed at 11:40am.

Confirmed as a true and correct record at the Te Ihu o Te Waka o Te Arawa meeting held on 11 May 2022.

10.2 MINUTES OF THE TE KĀHUI MANA WHENUA O TAURANGA MOANA MEETING HELD ON 23 FEBRUARY 2022

File Number: A4562091

Author: Horowai Wi Repa, Governance Technical Support

Authoriser: Barbara Whitton, Customer Services and Governance Manager

RECOMMENDATION

That the Minutes of the Te Kāhui Mana Whenua o Tauranga Moana Meeting held on 23 February 2022 be received.

ATTACHMENTS

- 1. Minutes of the Te Kāhui Mana Whenua o Tauranga Moana Meeting held on 23 February 2022**

MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL
TE KĀHUI MANA WHENUA O TAURANGA MOANA MEETING NO. TKMW22-1
HELD IN COUNCIL CHAMBERS, BARKES CORNER, TAURANGA
AND VIA ZOOM UNDER COVID-19 TRAFFIC LIGHT – RED
ON WEDNESDAY, 23 FEBRUARY 2022 AT 10.05AM

1 KARAKIA/MIHI

Bob Leef (Ngati Taka) opened the hui with a Karakia, and the Strategic Kaupapa Māori Manager gave a mihi to the rōpū.

2 PRESENT

Councillor M Dean, Councillor J Denyer, Councillor M Grainger, Hineira Hamiora (Ngai Tamawhariua (Te Rereatukahia)), Nessie Kuka (Ngai Tūwhiwhia), Councillor M Murray-Benge, Councillor A Sole, Councillor D Thwaites, Mayor G Webber.

VIA ZOOM

Councillor A Henry, Peri Kohu (Ngai Tamarāwaho), Bob Leef (Ngati Taka), Buddy Mikaere (Ngati Pukenga), Te Uta Rolleston (Ngai Tamawhariua (Te Rangihouhiri)), Noeline Tuhakaraina (Pirirakau).

ABSENT

Kevin Toiariki (Te Whānau a Tauwhao ki Otawhiwhi)

3 IN ATTENDANCE

R Davie (Group Manager Policy, Planning and Regulatory Services), C Nepia (Strategic Kaupapa Māori Manager), C Stevens (Kaupapa Māori Specialist – Kaiārahi Mahere), H Wi Repa (Governance Technical Support), C Irvin (Senior Governance Advisor) and P Osborne (Senior Governance Advisor)

VIA ZOOM

Councillor G Dally, Matire Duncan (Ngā Pōtiki), Julie Shepherd (Kaupapa Māori Planner) and J Osborne (Governance Support Administrator).

MATTERS TO BE ADDRESSED

The forum had a discussion regarding who they would like to Chair the meeting. The Strategic Kaupapa Māori Manager was nominated to carry out the duties of Chairperson. This was agreed by all unanimously.

Matire Duncan (Ngā Pōtiki) had been replaced as the Ngā Potiki representative, by Lara Burkhardt, but Ms Duncan sought permission from the forum to be part of the meeting as an observer and commentor. This was agreed to by all members.

All present and attending introduced themselves to the Forum.

4 APOLOGIES

APOLOGY

RESOLUTION TKMW22-1.1

Moved: Mayor G Webber

Seconded: Member N Kuka

That the apology for absence from Member Burkhardt be accepted.

CARRIED

5 CONSIDERATION OF LATE ITEMS

Nil

6 REPORTS

6.1 TE TOKA TŪ MOANA – TAURANGA MOANA RELATIONSHIP DOCUMENT

The Forum considered a report from the Strategic Kaupapa Māori Manager, who provided the Forum with an overview of the guiding principles that would underpin the relationship with Council, noting that these were anchored by the Treaty of Waitangi. These included integrity, humility, respect, reciprocity, empowerment, sharing, mutual learning and sustained long-term engagement.

The below points were made by members of the Forum:

- Mayor Webber requested that the Katikati-Waihī Beach Councillors, Kaimai Councillors and the Mayor, are all members of the Forum to represent the Western Bay of Plenty District Council.
 - Clarification was provided that the membership for both iwi/hapū members and Council shall be re-affirmed every three years in line with Local Government Elections.
 - There was a discussion around the quorum of the Forum, and how this may need to be amended due to the increase of the membership of Elected Members. It was agreed that paragraph 2g should now read "The quorum for
-

meetings under Te Toka Tū Moana will be made up of at least four (4) Elected Members and at no less than 60% of iwi and hapū members”.

- The Strategic Kaupapa Māori Manager noted that there was currently 11 representatives from iwi/hapū on the forum, however there was a further nine seats available, if the opportunity was accepted by remaining invitees.

RESOLUTION TKMW22-1.2

Moved: Mayor G Webber

Seconded: Member P Kohu

1. That the Strategic Kaupapa Māori Manager’s report dated 24 February, titled ‘Te Toka Tū Moana – Tauranga Moana Relationship Document’ be received.
2. That the meeting recommend to Council that it adopt Te Toka Tū Moana as the basis of a forum involving Tauranga Moana iwi and hapū and Western Bay of Plenty District Council, subject to the below amendments:
 - That all Katikati-Waihī Beach Ward Councillors, Kaimai Ward Councillors together with His Worship the Mayor sit on the Forum as Western Bay of Plenty District Council representatives.
 - That section 2g (of the Te Toka Tū Moana document) now read “The quorum for meetings under Te Toka Tū Moana will be made up of at least four (4) Elected Members and at no less than 60% of iwi and hapū members.”

CARRIED

6.2 PROPOSAL FOR REDUCTION IN FEES AND CHARGES FOR PAPA KĀINGA

The Forum considered a report from the Senior Policy Analyst, who spoke to her report, and highlighted the below points:

- Council’s current position was 50% reduction of FINCO’s, where they had been through the Papakāinga toolkit process, or had received a grant from Te Puni Kōkiri’s Kāinga Whenua fund. There was a small abatement fund (\$15,000) for resource and building consent fees.
- Through the Long Term Plan (LTP) Elected Members decided to review this, due to ongoing concern from Tangata Whenua about the lack of good quality,

affordable housing, as well as the challenges of developing Papakāinga on Māori Whenua.

- Consideration from Council was given to recognising the challenges faced in developing Papakāinga, a desire to support the development of small-scale Papakāinga (generally three-ten houses) on whenua Māori, and meet infrastructure costs.
- The proposal was that all developments would pay one full FINCO, and that there would be a 100% reduction on FINCO's for subsequent dwellings, up to a maximum of 10 dwellings.
- The proposal would be included in the Draft Fees and Charges Schedule 2022-23. Consultation would open 15 March 2022, and a decision would be made alongside Annual Plan deliberations. It was noted that any changes would be in place from 1 July 2022 to 30 June 2023.

The following discussions took place following questions from Forum members:

- The Senior Policy Analyst would ensure that the wording in the document was clear regarding the maximum of 10 dwellings per Papakāinga.
- Iwi/hapū members agreed that this change would have a positive impact on those wanting to develop Papakāinga.
- The Forum was advised that the additional infrastructure costs would vary, depending on where in the district the Papakāinga development was. For example, infrastructure costs for Matakana Island would be lower.
- The Group Manager Policy, Planning and Regulatory Services advised the Forum that the rationale for having up to 10 dwellings was to encourage Trusts to consider more comprehensive developments. It was also noted that the one FINCO cost could be shared amongst all beneficiaries of that Papakāinga development.
- The Forum was advised that, alongside this proposal, Council had another proposal for community housing, to which they would be looking to reduce the FINCO cost for these as well.
- The financial contributions would be collected to fund the 10 year work programme, noting that this would include the new infrastructure that was required.
- The Kaupapa Māori Planner spoke impartially to her role. She noted that previous iwi/hapū representatives requested a 100% reduction on all FINCO costs, and sought clarification as to why this was still not something that the iwi/hapū representatives requested.

RESOLUTION TKMW22-1.3**Moved:** Member N Kuka**Seconded:** Cr J Denyer

1. That the Senior Policy Analyst's report dated 23 February 2022, titled 'Proposal for reduction in fees and charges for Papakāinga', be received.
2. That as part of the consultation process for this proposal, a specific workshop is hosted for Te Kāhui Mana Whenua o Tauranga Moana, where feedback will be recorded.

CARRIED

6.3 WORKSHOP ITEMS

The Forum ended the formal part of the meeting at 11.13am and moved into workshop to discuss the following items:

3. Draft Policy for Council Maintenance of Previously Unmaintained Roads, and the Draft Seal Extension Prioritisation Policy; and
 4. Rates Remission of Māori Freehold Land Policy.
-

7 WORKSHOP

The Meeting closed at 11.13am.

Confirmed as a true and correct record at the Te Kāhui Mana Whenua o Tauranga Moana meeting held on 27 April 2022.

.....
CHAIRPERSON

11 REPORTS

11.1 STORMWATER EASEMENT OVER PART OF ŌMOKOROA BEACH GROVE ESPLANADE RESERVE

File Number: A4526526

Author: Peter Watson, Reserves and Facilities Manager

Authoriser: Gary Allis, Deputy Chief Executive & General Manager Infrastructure Group

EXECUTIVE SUMMARY

This report seeks Council's consent under its delegated authority in respect of the granting of rights of easements in accordance with Section 48(1) of the Reserves Act 1977, for a stormwater easement over part of Ōmokoroa Beach Grove Esplanade Reserve (Section 1 Survey Office Plan 330241) in favour of Lot 1 Deposited Plan South Auckland 15538 (71 Ōmokoroa Road) to allow the discharge of stormwater to Tauranga Harbour.

RECOMMENDATION

1. That the Reserves and Facilities Manager's report dated 12 May 2022 and titled 'Stormwater Easement Over Part of Ōmokoroa Beach Grove Esplanade Reserve' 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 the Western Bay of Plenty District Council, and the provisions of Section 48 of the Reserves Act 1977, Council hereby consents to the creation of a stormwater easement shown on the attached plan (Attachment 2) in favour of Lot 1 Deposited Plan South Auckland 15538 to allow Lot 1 Deposited Plan South Auckland 15538 to discharge stormwater over Section 1 Survey Office Plan 330241.

BACKGROUND

In 2006–2007 Council undertook a stormwater project within Ōmokoroa in order to connect properties into a Council approved system. No's 69 and 71 Ōmokoroa Road were not able to be connected directly into the proposed Council's stormwater system due to land stability issues. The stormwater systems situated at 69 and 71 Ōmokoroa Road remained independent, but functional. In 2017, a significant land slip affected No. 69 Ōmokoroa Road and, as part of the proposed remedial works in 2019, Council approved a new stormwater outlet and easement from No. 69 as part of the stormwater

upgrade post slip (shown as Area A in the Attached plans 1 and 2). The physical works have been completed, therefore it is now prudent to legalise No. 71's stormwater outlet which crosses over Ōmokoroa Beach Grove reserve at 'B', via 'C' over No. 69 and down through 'A', again over the reserve to discharge into Tauranga Harbour.

An easement will need to be granted over the reserve ('B' and 'C') to allow the stormwater to be discharged to Tauranga Harbour, thereby reducing the risk of future slips.

The owner of No. 71 will be responsible for the maintenance of the system.

The land over which the stormwater and potential wastewater easements are to be created is part of the Ōmokoroa Beach Grove Esplanade Reserve, being an esplanade reserve and is subject to the provisions of the Reserves Act 1977.

Within Ōmokoroa Beach Grove Esplanade Reserve, the stormwater pipe is located underground passing beneath the walkway and then discharging at the base of the slope where measures will be undertaken to mitigate erosion. The installation has not affected the public's rights to access across the reserve which forms part of the Ōmokoroa to Tauranga Cycleway.

SIGNIFICANCE AND ENGAGEMENT

The Local Government Act 2002 requires a formal assessment of the significance of matters and decision in this report against Council's Significance and Engagement Policy. In making this formal assessment there is no intention to assess the importance of this item to individuals, groups, or agencies within the community and it is acknowledged that all reports have a high degree of importance to those affected by Council decisions.

The Policy requires Council and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions, and activities.

In terms of the Significance and Engagement Policy, this decision is considered to be of low significance because it has little impact on the community's use of the reserve and has low financial implications.

ISSUES AND OPTIONS ASSESSMENT

Option A

That, pursuant to the authority delegated by the Minister of Conservation to the Western Bay of Plenty District Council, and the provisions of Section 48 of the Reserves Act 1977, Council hereby consents to the creation of a stormwater easement shown on the attached plan (Attachment 2) in favour of Lot 1 Deposited Plan South Auckland 15538 to allow Lot 1 Deposited Plan South Auckland 15538 to discharge stormwater over Section 1 Survey Office Plan 330241.

<p>Assessment of advantages and disadvantages including impact on each of the four well-beings</p> <ul style="list-style-type: none"> • Economic • Social • Cultural • Environmental 	<p>In order for the landowner to be able to effectively discharge stormwater they are required to discharge into Tauranga Harbour via the esplanade reserve</p>
<p>Costs (including present and future costs, direct, indirect and contingent costs).</p>	<p>Costs for the creation of the easement are borne by the adjoining landowner.</p> <p>The easement instrument protects Council from further maintenance or replacement costs of the easement facility and provides legal rights to the adjoining landowner.</p>
<p style="text-align: center;">Option B</p> <p>That Council does not consent to the creation of a stormwater easement shown on the attached plan (Attachment 2) in favour of Lot 1 Deposited Plan South Auckland 15538 to allow Lot 1 Deposited Plan South Auckland 15538 to discharge stormwater over Section 1 Survey Office Plan 330241.</p>	
<p>Assessment of advantages and disadvantages including impact on each of the four well-beings</p> <ul style="list-style-type: none"> • Economic • Social • Cultural • Environmental 	<p>The current stormwater run off compromises the integrity of the land. An engineered system should mitigate the current effects of stormwater run off.</p>
<p>Costs (including present and future costs, direct, indirect and contingent costs).</p>	<p>N/A</p>

STATUTORY COMPLIANCE

Section 48 (1) of the Reserves Act 1977 provides Council with the Statutory authority to grant easements over reserves.

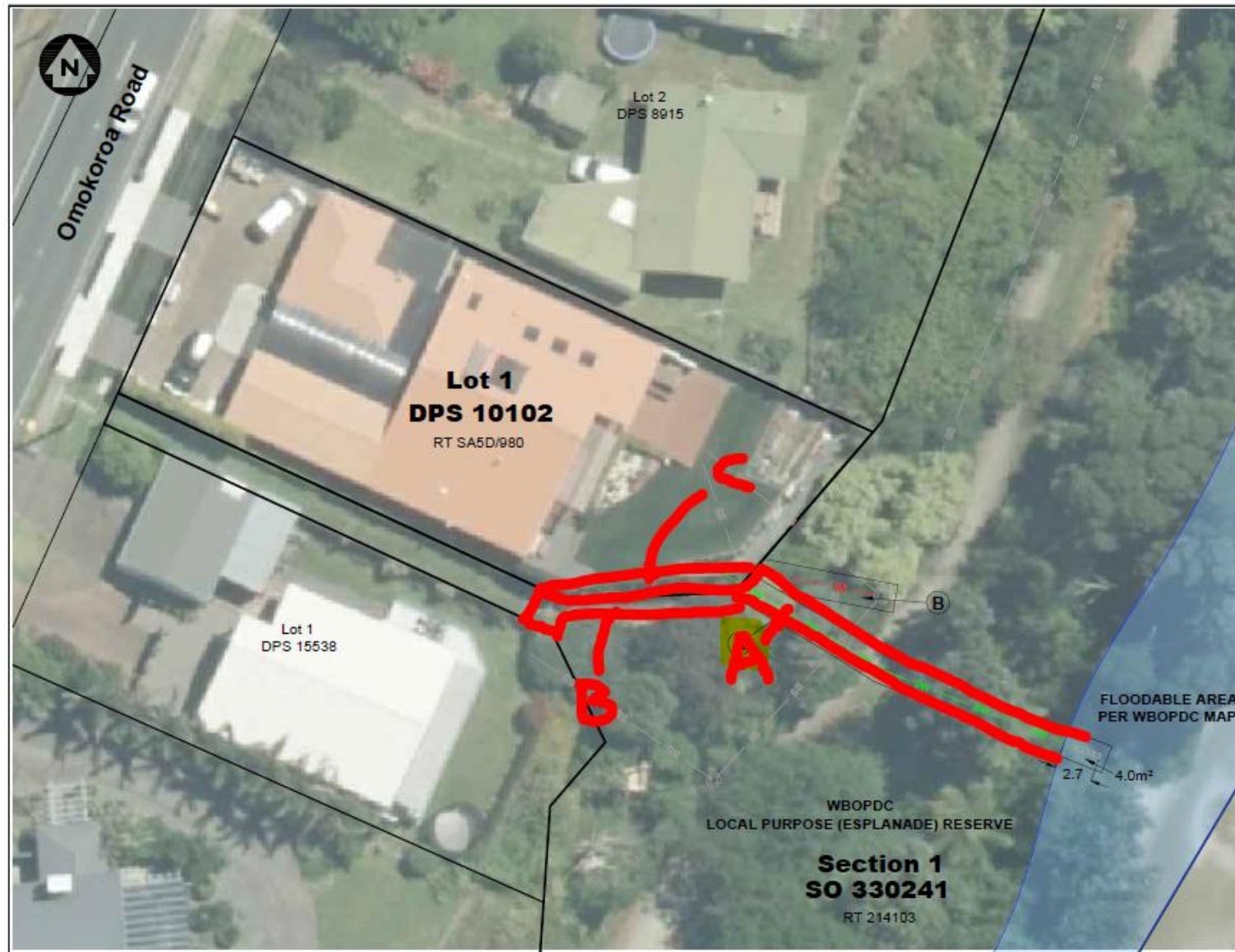
There is no need to undergo any public consultation as use of the reserve will not be materially affected.

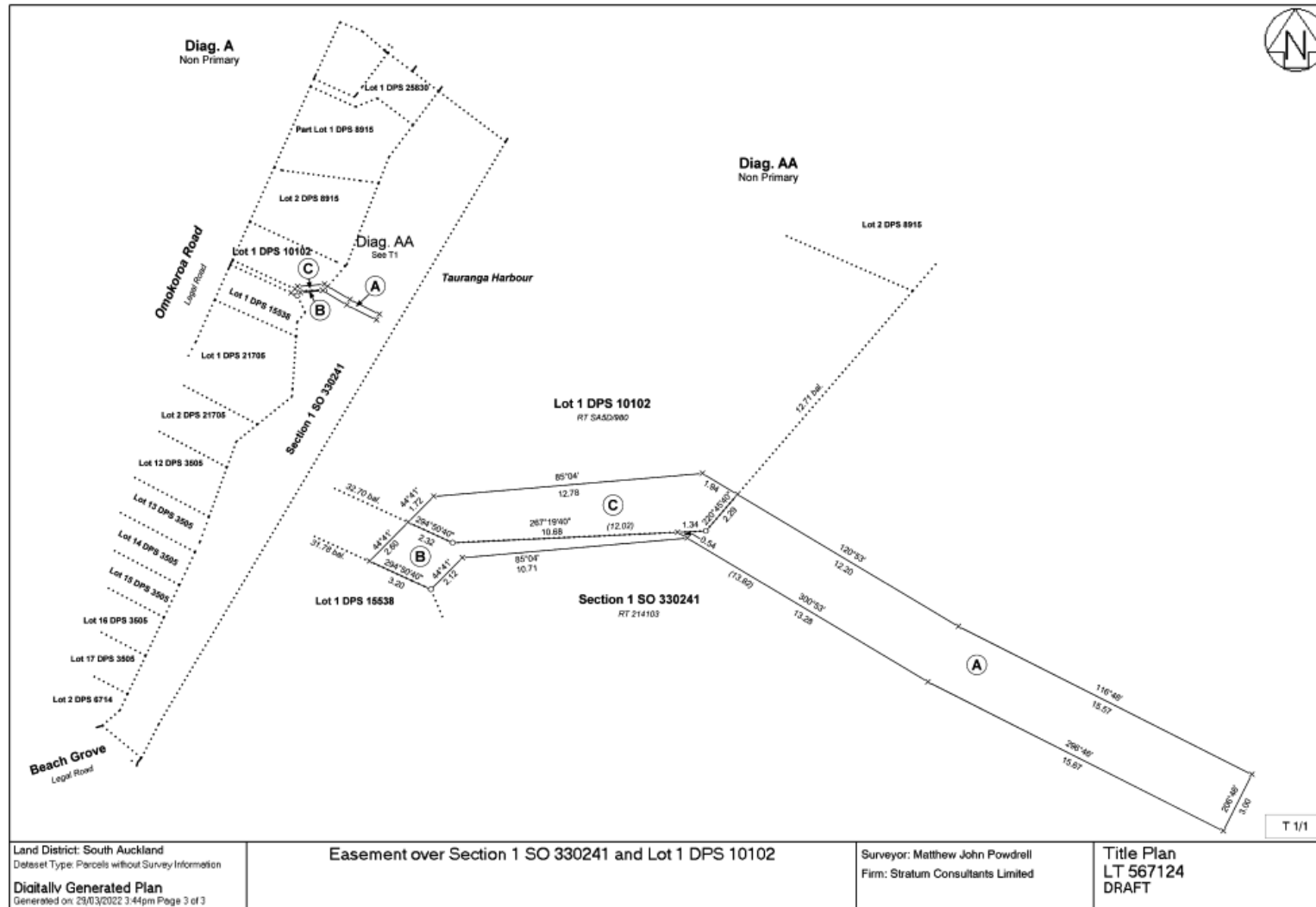
FUNDING/BUDGET IMPLICATIONS

Budget Funding Information	Relevant Detail
	The easement instrument protects Council from further maintenance or replacement costs of the easement facility.

ATTACHMENTS

1. Aerial Plan showing easement areas  
2. Intended Survey Plan  





11.2 LOCAL ALCOHOL POLICY – DATE TO COME INTO FORCE**File Number: A4557396****Author: Matthew Leighton, Senior Policy Analyst****Authoriser: Rachael Davie, Group Manager Strategy and Community****EXECUTIVE SUMMARY**

1. The Western Bay of Plenty District Local Alcohol Policy 2022 (LAP) has now been adopted as no appeals to the provisional policy have been made. A resolution to set the date for the LAP to come into force is now required.

RECOMMENDATION

1. That the Senior Policy Analyst's report dated 12 May 2022 titled 'Local Alcohol Policy – Date to Come into Force' 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 adopted Western Bay of Plenty District Local Alcohol Policy 2022 come into force 21 August 2022.

BACKGROUND

2. Council has been undertaking the process of reviewing the Tauranga and Western Bay of Plenty District Local Alcohol Policy. The Sale and Supply of Alcohol Act 2012 sets out the process for this.
3. At the 10 March 2022 Policy Committee Meeting, the provisional LAP was adopted for public notification. This followed public consultation and Committee deliberations.
4. Appeals were able to be made within 30 days of public notification. No appeals have been made and therefore the provisional LAP becomes the adopted LAP.
5. The adopted LAP can only come into force on a day stated by resolution and following public notice of its adoption.
6. Section 5.1.1 of the adopted LAP changes the maximum trading hours stated for licensed premises, and as such this section can only come into force three months after public notice of adoption is given.
7. The rest of the LAP can come into force following public notification of its adoption. However, to make it simpler for the community and licence holders, bringing the full adopted LAP into force at the same time is recommended.

8. Following Council resolution of the date the LAP is to come into force, public notification will be undertaken and targeted communication with licence holders and other stakeholders will commence.

SIGNIFICANCE AND ENGAGEMENT

9. The Local Government Act 2002 requires a formal assessment of the significance of matters and decision in this report against Council's Significance and Engagement Policy. In making this formal assessment there is no intention to assess the importance of this item to individuals, groups, or agencies within the community and it is acknowledged that all reports have a high degree of importance to those affected by Council decisions.
10. The Policy requires Council and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions, and activities.
11. In terms of the Significance and Engagement Policy this decision is considered to be of medium significance because there is clear community interest and divergent views (as evidenced by the submissions received). The decision today is administrative only.

ENGAGEMENT, CONSULTATION AND COMMUNICATION

12. Engagement with key stakeholders and the wider community has been an important part of the review and is also legislatively required.
13. Pre-engagement was undertaken, the Special Consultative Procedure (SCP) used for formal submissions, public notification made of the decisions and targeted communication with stakeholders and key parties.

Interested/Affected Parties	Completed/Planned Engagement/Consultation/Communication		
Name of interested parties/groups		Planned	Completed
Submitters	The Adopted Local Alcohol Policy must be publicly notified as per the Sale and Supply of Alcohol Regulations 2013. Following a decision story has been made available to submitters.		
Council Alcohol Licensing	Key legislatively identified stakeholders engaged with as part of the research and options development stage and input sought as part of the formal engagement process with targeted communications.		

Inspector, Police and DHB			
All licenced premises in the District, Community Boards, Community Patrols, Citizens Advice Bureau, Tauranga Budget Advisory Service, Empowerment NZ, Appellants to the previous LAP.	Identified stakeholders have been engaged with as part of the research and options development stage. Further input sought as part of the formal engagement process with targeted communications. Targeted communications will be undertaken for those impacted by the changes.		
Tangata Whenua via Hauora	Identified stakeholders have been engaged with as part of the research and options development stage and input sought as part of the formal engagement process with targeted communications.		
General Public	Information from other engagement processes has been used in the research and options development stage. Public feedback was sought as part of the formal engagement process in a range of formats. Press release and public notification undertaken and planned.		

ISSUES AND OPTIONS ASSESSMENT

14. Council is required to resolve a date for the adopted LAP to come into force. As a change to operating hours for off licences is included, this section cannot come into force less than three months from public notification.
15. No options are presented through this report.

That the adopted Western Bay of Plenty District Local Alcohol Policy 2022 come into force 21 August 2022.	
The adoption of a day stated by resolution, is required to bring the adopted LAP into force.	Section 90 of the Sale and Supply of Alcohol Act 2012, sets out the process.

STATUTORY COMPLIANCE

16. The Sale and Supply of Alcohol Act 2012 empowers territorial authorities to develop LAPs. Sections 75–97 of the Sale and Supply of Alcohol Act 2012 set out the requirements and process regarding development or review of LAPs.
17. The resolutions in this report allow Council to meet these legislative requirements.

FUNDING/BUDGET IMPLICATIONS

18. The cost of public notification is met within current operational budgets.

11.3 RECOMMENDATORY REPORT FROM ANNUAL PLAN AND LONG TERM PLAN COMMITTEE – ADOPTION OF 2022/2023 DOG CONTROL REGISTRATION FEES

File Number: A4562101

Author: Barbara Clarke, Senior Governance Advisor

Authoriser: Alison Curtis, Acting General Manager Regulatory Services

EXECUTIVE SUMMARY

1. This report seeks the adoption of the 2022–2023 Dog Control Registration Fees and Charges as included in the 2022–2023 draft Schedule of Fees and Charges. It anticipates a recommendation to Council when the related report is considered by the Annual Plan and Long Term Plan (AP & LTP) Committee at its meeting to be held on 5 May 2022.
2. As the Council agenda will be released prior to the AP & LTP Committee meeting taking place, this report serves in a pro-forma capacity, to ensure inclusion on the Council agenda in order to proceed with the matter in a timely manner. Should a recommendation not be forthcoming from the Committee, for any reason, this report may be withdrawn.

RECOMMENDATION

1. That the report relates to an issue considered to be of low significance in terms of Council's Significance and Engagement Policy.
2. That the Annual Plan and Long Term Plan Committee recommend to Council the adoption of the 2022–2023 Dog Control Registration Fees as included in the 2022–2023 draft Schedule of Fees and Charges and that they be approved for public notification in accordance with the Dog Control Act 1996.

BACKGROUND

3. The draft Schedule of Fees and Charges 2022–2023 has been released for consultation alongside the Annual Plan.
4. In accordance with the Dog Control Act 1996, Council is required to adopt dog control fees for the coming registration year. The adopted fees and charges for dog control must be publicly notified at least once during the month preceding the start of the registration year, being 1 July 2022.
5. Funding information for Dog Control Registration Fees has been considered as part of the overall 2022–2023 Annual Plan process.

RECOMMENDATION BEFORE THE ANNUAL PLAN AND LONG TERM PLAN COMMITTEE – TO BE CONSIDERED AT A MEETING SCHEDULED ON 5 MAY 2022

1. That the Acting Group Manager Regulatory Service's report dated 5 May 2022, titled "Recommendation for Adoption of 2022–2023 Dog Control Registration Fees" 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 Annual Plan and Long Term Plan Committee recommend to Council the adoption of the 2022–2023 Dog Control Registration Fees as included in the 2022–2023 draft Schedule of Fees and Charges and that they be approved for public notification in accordance with the Dog Control Act 1996.

STAFF COMMENTS

Staff support the recommendation in accordance with the report titled 'Recommendation for Adoption of 2022–2023 Dog Control Registration Fees' as considered by the Annual Plan and Long Term Plan Committee on 5 May 2022.

ATTACHMENTS

1. **Schedule of Dog Control Fees 2022–2023**  

Dog Control Fees 2022–23

All figures include GST

Animal Control Services

Registration fees 2022/23				
Class of dog	Registration fee (if paid on or before 1 August 2022)	Registration fee Dangerous Dog (if paid on or before 1 August 2022)	Penalty fee (if paid after 1 August 2022) (\$)	Penalty fee Dangerous Dog (if paid after 1 August 2022) (\$)
All dogs unless otherwise categorised	91.00	136.50	136.50	204.75
Stock working dog (kept solely or principally for the purpose of herding or driving stock)	50.50	75.75	75.75	113.63
Spayed or neutered dog	73.00	109.50	109.50	164.25
Any dog(s) kept by: - New Zealand Police - Customs Department - Ministry of Defence - Ministry of Agriculture - Ministry of Fisheries - Department of Conservation (for carrying out the function of the Police or Department of State)	-	-	-	-
Security dog (kept by a security guard as defined in the Private Investigators and Security Guards Act 1974 – as a bona fide security dog)	-	-	-	-
Search and Rescue dog	-	-	-	-
Disability assist dog ²	-	-	-	-
Dogs domiciled on Matakana Island	45.50	68.25	68.25	102.38
Re-registration fee for each additional dog exceeding after five ¹	15.00	-	22.50	-

Notes:

- (1) Dog owners who have more than 5 dogs may be entitled to discounted dog registration fees for the sixth and subsequent registration, on the following basis:
- All dogs must be registered by 30 June to qualify.
 - All dogs must be microchipped.
 - All dogs must permanently reside at the registered owners address. Registration discount does not apply to dogs that may reside at a separate address when not being used for breeding purposes (e.g. under an agreement or contract).
 - No verified complaints have been received by Council in the previous registrations year for welfare or nuisance complaints (e.g. barking, roaming).
- Please note:** No refund for deceased dogs will be paid to owners of more than five dogs where dogs were registered at a discounted rate.
- e) New registrations during the year will be at normal registration fees (prorated) the discounted fee only applies at re-registration.
- (2) **Disability assist dog** has the same meaning as specified in the Dog Control Act 1996. The dog must be certified as a disability dog.

12 INFORMATION FOR RECEIPT**13 RESOLUTION TO EXCLUDE THE PUBLIC****RESOLUTION TO EXCLUDE THE PUBLIC****RECOMMENDATION**

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 and Risk Committee Meeting held on 15 March 2022	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
13.2 - Confidential Minutes of the Performance and Monitoring Committee Meeting held on 31 March 2022	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 s7(2)(c)(ii) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be	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>compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest</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>	
13.3 - Confidential Minutes of the Council Meeting held on 6 April 2022	<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)(i) - the withholding of the information is necessary to protect information where the making available of the information would disclose a trade secret</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>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>

	<p>s7(2)(c)(i) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied</p> <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>	
13.4 - Request for Execution of Documents Under Seal of Council	<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)(c)(ii) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be</p>	<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</p>

	<p>compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest</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>	
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