

Western Bay of Plenty District Council

**Minutes of Meeting No. C18 of Council
held on 9 August 2018 in the Council Chamber, Barkes Corner, Tauranga
commencing at 9.30am**

Present

His Worship the Mayor G J Webber (Chairperson), Councillors G Dally, M Dean, M Lally, P Mackay, K Marsh, D Marshall, M Murray-Benge, J Palmer, J Scrimgeour, D Thwaites and M Williams

In Attendance

M Taris (Chief Executive Officer), G Allis (Deputy Chief Executive), E Holtsbaum (Group Manager Technology, Customer and Community Services), K Perumal (Chief Financial Officer), R Davie (Group Manager Policy, Planning and Regulatory Services), I Butler (Finance Manager), B Williams (Strategic Property Manager), G Payne (Strategic Advisor), P Hennessey (Strategic Advisor), R Woodward (Communications Advisor), and F Sweeney (Democracy Management Advisor)

Community Boards

J Dugmore (Member, Te Puke Community Board)

Apologies

An apology for lateness was received from Councillor Dally.

Resolved: Mayor Webber / Mackay

THAT the apology for lateness from Councillor Dally be accepted.

Late Item

The Mayor advised there was one late item for the Council to consider for inclusion in the open section of the agenda, being a report on the Proposed Interim Omokoroa Library and Service Centre.

The reason that this item was not included on the agenda was that the Council agenda was prepared before the decision from the Operations and Monitoring Committee meeting (OP13

2 August 2018) relating to the proposal was advised and the financial estimated costs shown in the funding model of the attached report were not available at that time and it could not be delayed to the next scheduled Council meeting because a decision at this time would assist in progressing preliminary investigations with regard to the construction of a service centre within the proposed new Omokoroa Sport and Recreation Pavilion precinct.

Resolved: Thwaites / Marshall

1. *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/public excluded) business:*

- *Proposed Interim Omokoroa Library and Service Centre*

C18.1 **Receipt of Community Board Minutes**

Council considered minutes of the meetings of the Community Boards as circulated separately with this agenda.

Resolved: Williams / Mackay

THAT the minutes of the following meetings be received:

1. *Minute no. WB14 of the Waihi Beach Community Board held on 16 July 2018.*
2. *Minute no. OM14 of the Omokoroa Community Board held on 17 July 2018.*
3. *Minute no. K14 of the Katikati Community Board held on 18 July 2018.*
4. *Minute no. MC14 of the Maketu Community Board held on 23 July 2018.*
5. *Minute no. TP14 of the Te Puke Community Board held on 25 July 2018.*

C18.2 **Minutes of Council and Committee Meetings for Confirmation**

Council considered minutes of the meetings of the Council and its Standing Committees as circulated separately with this agenda.

Resolved: Thwaites / Dean

THAT the minutes of the following meetings as circulated separately with the agenda are confirmed and are a true and correct record:

6. *Minute no. C16 of the Western Bay of Plenty District Council held on 28 June 2018.*
7. *Minute no. C17 of the Western Bay of Plenty District Council held on 10 July 2018.*
8. *Minute no. OP13 of the Operations and Monitoring Committee held on 2 August 2018.*
9. *Minute no. RUR9 of the Rural Committee held on 10 July 2018.*

9.32am Councillor Dally joined the meeting.

C18.3 **Minutes for Receipt**

Council considered minutes as circulated separately with this agenda.

Resolved: Dean / Murray-Benge

THAT the minutes of the following meetings as circulated separately with the agenda are received:

- 10. Minute no. DL9 of the District Licensing Committee held on 26 June 2018.*
- 11. Minute no. RH12 of the Regulatory Hearings Committee held on 28 June 2018.*
- 12. Minute No. DP2 of the District Plan Committee held on 10 July 2018.*

C18.4 **Information for Receipt**

Council considered the information included in the Minute Index and Information Pack dated 9 August 2018 as circulated separately with the agenda.

Resolved: Dean / Scrimgeour

THAT the information items included in the Minute Index and Information Pack dated 9 August 2018 as circulated separately with the agenda be received.

C18.5 **District Licensing Committee Membership**

Council considered a report from the Compliance and Monitoring Manager dated 20 July 2018 as circulated with the agenda.

Resolved: Murray-Benge / Williams

- 1. THAT the Compliance and Monitoring Managers report dated 20 July 2018 and titled District Licensing Committee Membership be received.*
- 2. THAT the report relates to an issue that is not considered significant in terms of Council's policy on Significance.*
- 3. THAT Council will advertise for expressions of interest in membership on the District Licensing Committee and will establish a panel of Councillors Mackay, Thwaites and senior staff to review applications and make recommendations to His Worship the Mayor, for Council approval.*

C18.6 Proposal to Lease - Centennial Park Te Puke Gymsport Incorporated

Council considered a report from the Reserves and Facilities Manager dated 10 July 2018 as circulated with the agenda.

Resolved: Lally / Marsh

1. *THAT the Reserves and Facilities Manager's report dated 10 July 2018 and titled "Proposal to Lease - Centennial Park Te Puke Gymsport Incorporated" 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 after consideration of the submission received, in exercise of the powers conferred on it by delegation from the Minister of Conservation under the Reserves Act 1977, the Council in its capacity as administering body, grants Te Puke Gymsport Incorporated a lease for 2000m², more or less, of the land for up to 33 years over part of Centennial Park, Te Puke pursuant to Section 54 (1) (b) of the Reserves Act 1977.*

C18.7 Chief Executive Officer's Report to Council - July 2018

Council considered a report from the Chief Executive Officer dated 30 July 2018 as circulated with the agenda. The Chief Executive noted the following:

- The Local Government Chief Executive Officers group meeting in Australia looked at managing growth in a similar situation in Noosa. She noted there were different approaches taken to this growth including a population cap and encouraging high value developments.
- Noosa had the philosophy of value over volume with land reclamation to bushland or forest and no more subdivision development. They were not encouraging tour groups but just high value tourism.
- The Priority One equivalent organisation at Noosa was not paid for through rates, but rather through a levy by application from commercial entities. Council did not control this organisation.
- Council had set aside areas outside the main Central Business District for affordable living with very good public transport links.
- The Noosa example was controlled tourism with the neighbouring area taking the other end of tourism.
- Noosa had six Councillors for a population of 62,000 with no community boards.

The Chief Financial Officer spoke to his exception report highlighting the main issues in the report and noting the following:

- The variance was attributable to revaluation and non-cash items, with a good operational result for the year.

- Financial contributions were tracking below budget but this was related to timing issues rather than trends in development.
- The numbers in the reports were interim for the end of the year, and the final end of year report due in September would provide all the detail needed.

In response to questions staff advised as follows:

- A very gradual increase in interest rates across the globe was expected.
- Ahead of the September adoption date of the Annual Report there would be a workshop on the final results for the year.
- The S224 certificate sign-offs were a timing issue, as it was known that the big subdivisions in Omokoroa had been selling, but the final sign-offs would start coming through in the next quarter.

The Chief Financial Officer then gave a summary of the position of the Local Government Funding Agency from a recent meeting noting the following:

- Two further authorities had joined the company.
- The primary purpose of the Local Government Funding Agency was to lend to local authorities and not to associated entities (for example Council Controlled Organisations).
- The Agency continued to be in a strong position.

Resolved: Mackay / Scrimgeour

THAT the Chief Executive Officer's report dated 30 July 2018 and titled "Chief Executive Officers Report" be received.

C18.8

Mayor's Report to Council - July 2018

Council considered a report from His Worship the Mayor dated 30 July 2018 as circulated with the agenda. It was noted that there were links provided to the LGNZ Conference papers. It was noted that the emphasis on localism was at Council level suggesting that Councils take on more of central Government issues, and Councils supporting issues at a grass roots level.

The Mayor advised that in regard to SmartGrowth there was a need to produce a future development strategy, and as it seemed that Te Tumu and Wairakei would not meet the future housing requirements and Western Bay of Plenty District Council had suggested that in considering future development Paengaroa should also be included in the study. He also noted an upcoming meeting where the transport and roading infrastructure would be discussed, with particular emphasis on the need for the infrastructure to develop in tandem with growth, with a view to developing a presentation to central Government and the Board of the New Zealand Transport Agency.

The Mayor noted for Council's information the timetable for the Chief Executive's review.

Resolved: Mayor Webber / Williams

THAT the Mayor's Report to Council for July 2018 be received.

Late Item

C18.9

Proposed Interim Omokoroa Library and Service Centre

Council considered a late item circulated separately from the Strategic Property Manager dated 7 August 2018. The Deputy Chief Executive Officer advised that the Operations Committee resolution did not address the funding model and this report would address that matter.

The Chief Executive Officer said if the current building was retained for community purposes this may need to be considered within wider strategies for community buildings across the district.

In response to questions Council was advised as follows:

- If the current building was retained for Council or community purposes, there would be no need to consult.
- If the Interim Omokoroa Library proposal was a permitted activity, it could proceed and if not it would require a consenting process.
- Currently the use of the present building was covered by a consent for community use.

It was noted that if Council passed the recommendation as presented and a later decision was made to retain the current building the proposed resolution would need to be revisited.

Resolved: Palmer / Williams

1. *THAT the Strategic Property Manager's report dated 7 August 2018 and titled Proposed Interim Omokoroa Library and Service Centre 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 approval be given for the construction of an interim Library and Service Centre on the Omokoroa Sportsground.*
4. *THAT the interim Library and Service Centre at Western Avenue be funded from:*
 - a) *Sale of the existing Library and Service Centre*
 - b) *The balance required to be funded from the Property and Asset Reserve.*

Local Government Official Information and Meetings Act

Exclusion of the Public - Schedule 2A

Resolved: Murray-Benge / Scrimgeour

THAT the public be excluded from the following part of this meeting namely:

- *In Confidence Council and Committee minutes for Confirmation.*
- *In Confidence Minute Index and Information Pack*
- *Operations and Monitoring Committee Recommendatory Report - Te Puke Animal Shelter*
- *Purchase of 452 Omokoroa Road*
- *In Confidence Chief Executive Officer's Report - July 2018*

The general subject to 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(1) 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(1) for the passing of this resolution
<i>In Confidence Council and Committee minutes for Confirmation</i>	<i>THAT the public conduct of the relevant part of the proceedings of the meeting would likely result in the disclosure of information for which good reason for withholding would exist.</i>	<i>For reasons previously stated on the relevant minutes.</i>
<i>In Confidence Minute Index and Information Pack</i>	<i>THAT the public conduct of the relevant part of the proceedings of the meeting would likely result in the disclosure of information for which good reason for withholding would exist.</i>	<i>For reasons previously stated on the relevant minutes.</i> <i>Protect the privacy of natural persons, including that of deceased natural persons.</i> <i>Maintain legal professional privilege.</i>
<i>Operations and Monitoring Committee Recommendatory Report – Te Puke Animal Shelter</i>	<i>THAT the public conduct of the relevant part of the proceedings of the meeting would likely result in the disclosure of information for which good reason for withholding would exist.</i>	<i>To enable the Council to carry on without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</i>
<i>Purchase of 452 Omokoroa Road</i>	<i>THAT the public conduct of the relevant part of the proceedings of the meeting would likely result in the disclosure of information for which good reason for withholding would exist.</i>	<i>To enable the Council to carry on without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</i>

<i>General subject of each matter to be considered</i>	<i>Reason for passing this resolution in relation to each matter</i>	<i>Ground(s) under Section 48(1) for the passing of this resolution</i>
<i>In Confidence Chief Executive Officer's Report – July 2018</i>	<i>THAT the public conduct of the relevant part of the proceedings of the meeting would likely result in the disclosure of information for which good reason for withholding would exist.</i>	<i>To enable the Council to carry on without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) Protect the privacy of natural persons, including that of deceased natural persons.</i>