

Western Bay of Plenty District Council

**Minutes of Meeting No. C22 of Council
held on 13 December 2018 in the Council Chamber, Barks 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, D Thwaites and M Williams

In Attendance

M Taris (Chief Executive Officer), G Allis (Deputy Chief Executive Officer), K Perumal (Chief Financial Officer), R Davie (Group Manager Policy, Planning and Regulatory Services), E Watton (Policy and Planning Manager), S Stewart (Policy Analyst), D Jensen (Senior Financial Planner), K Elder (Governance Manager), M Parnell (Governance Advisor), L Nind (Governance Advisor) and A Alty (Democracy Advisor)

Community Boards

M Grainger (Chairperson, Omokoroa Community Board) and A Sole, (Chairperson, Waihi Beach Community Board)

Others

Two members of the public as named in the minutes.

Apologies

An apology for absence was received from Councillor Scrimgeour.

Resolved: Marsh / Mackay

THAT the apology for absence from Councillor Scrimgeour be accepted.

Late Items

The Mayor advised that there were three late items for the Council to consider for inclusion in the open section of the agenda, being:

- 1: Request for Funding - Financial Contribution for Feasibility Study for a Sub-Regional Stadium in the Western Bay of Plenty City Council/Tauranga City Council Regional
- 2: Amendment to the Terms and Conditions for the Supply of Water
- 3: Recommendatory Report from Tauranga City Council/Western Bay of Plenty District Council Joint Governance Committee Meeting held 5 December 2018 - Letter of Expectation to Tourism Bay of Plenty

The reasons that these items were not included on the agenda was that the information was not available at the time the agenda was compiled and they cannot be delayed to the next scheduled Council meeting in 2019 because decisions are required to progress these matters.

Resolved: Mayor Webber / Dean

THAT the following items be considered as items not on the agenda, pursuant to Section 46A (7) of the Local Government Official Information and Meetings Act 1987, to enable timely decisions to be made:

- *Request for Funding – Financial Contribution for Feasibility Study for a Sub-Regional Stadium in the Western Bay of Plenty City Council/Tauranga City Council Regional.*
- *Amendment to the Terms and Conditions for the Supply of Water.*
- *Recommendatory Report from Tauranga City Council/Western Bay of Plenty District Council Joint Governance Committee Meeting held 5 December 2018 - Letter of Expectation to Tourism Bay of Plenty.*

Public Forum

Resolved: Murray-Benge / Williams

THAT the meeting adjourn for the purpose of holding a public forum.

Rick Hannay and Heather Salt from Te Puke Sport and Recreation spoke to a presentation to Council regarding the Te Puke Sport and Recreation Society Grandstand Project. The history of the Te Puke Sports & Recreation Club from establishment in 1910 to the current fund-raising project for a covered grandstand was outlined.

The development of a covered grandstand would identify the sports ground at Atuaroa Avenue in Te Puke as a major community sporting centre for the community and the surrounding region.

Resolved: Palmer / Murray-Benge

THAT the meeting be re-convened in formal session at 9.44am.

C22.1 **Receipt of Community Board Minutes**

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

Resolved: Marsh / Mackay

THAT the minutes of the following meetings be received:

- 1. Minute no. WB17 of the Waihi Beach Community Board held on 19 November 2018*
- 2. Minute no. OM17 of the Omokoroa Community Board held on 20 November 2018*
- 3. Minute no. K17 of the Katikati Community Board held on 21 November 2018*
- 4. Minute no. MC17 of the Maketu Community Board held on 27 November 2018*
- 5. Minute no. TP17 of the Te Puke Community Board held on 28 November 2018*

C22.2 **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: Palmer / Murray-Benge

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. C21 of the Western Bay of Plenty District Council held on 1 November 2018*
- 7. Minute no. CC14 of the Community Committee held on 22 November 2018*
- 8. Minute no. OP16 of the Operations and Monitoring Committee held on 6 December 2018*
- 9. Minute no. RUR11 of the Rural Committee held on 6 December 2018*

C22.3 **Minutes for Receipt**

Council considered minutes as circulated separately with this agenda.

Resolved: Williams / Marshall

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

10. Minute no. RH14 of the Regulatory Hearings Committee held on 13 November 2018

11. Minute no. PF6 of the Māori Partnership Forum held on 20 November 2018

12. Minute no. JG7 of the Joint Governance Committee held on 5 December 2018

C22.4 **Information for Receipt**

Council considered the information included in the Minute Index and Information Pack dated 13 December 2018 as circulated separately with the agenda.

Resolved: Dean / Lally

THAT the information items included in the Minute Index and Information Pack dated 13 December 2018 as circulated separately with the agenda be received.

C22.5 **Recommendatory Report from the Te Puke Community Board - Funding for the Te Puke Sports and Recreation Society Grandstand Project**

Council considered a report from the Democracy Advisor dated 4 December 2018 as circulated with the agenda.

Moved: Marsh / Thwaites

THAT Council adopt the recommendation put forward by the Te Puke Community Board that Council contribute \$40,000 to the Te Puke Sports and Recreation Club to bring the combined contribution from the Te Puke Community Board and the Western Bay of Plenty District Council to \$100,000 for the Te Puke Sports and Recreational Grandstand Project.

Moved Amendment: Dally / Thwaites

THAT Council adopt the recommendation put forward by the Te Puke Community Board that Council contribute \$40,000 (funded from the general rates reserve) to the Te Puke Sports and Recreation Club to bring the combined contribution from the Te Puke Community Board and the Western Bay of Plenty District Council to \$100,000 for the Te Puke Sports and Recreational Grandstand Project.

The amendment was put and carried.

The amendment as follows became the substantive motion and was put and carried.

Resolved: Dally / Thwaites

THAT Council adopt the recommendation put forward by the Te Puke Community Board that Council contribute \$40,000 (funded from the general rates reserve) to the Te Puke Sports and Recreation Club to bring the combined contribution from the Te Puke Community Board and the Western Bay of Plenty District Council to \$100,000 for the Te Puke Sports and Recreational Grandstand Project.

C22.6

Recommendatory Report from the Policy Committee - Adoption of the Katikati-Waihi Beach Ward Reserve Management Plan 2018

Council considered a report from the Governance Advisor dated 13 November 2018 as circulated with the agenda.

Resolved: Murray-Benge / Marshall

1. *THAT in accordance with Section 41 of the Reserves Act 1977 and the resolutions of Policy Committee meeting PP16.1, Council adopts the draft Katikati-Waihi Beach Ward Reserve Management Plan 2018 as set out in Attachment A (circulated separately with this agenda), noting that the amendment to the timing of project budget for Island View Reserve, as being \$25,000 in 2019/20 and \$200,000 in 2020/21.*
2. *THAT the proposed decision story as set out in Attachment B is approved as the formal response to submitters to this process, and directs staff to disseminate the decision story as soon as practicable after this meeting.*
3. *THAT the report relates to an issue that is considered to be of medium significance in terms of Council's Significance and Engagement Policy.*
4. *THAT the Group Manager Policy, Planning and Regulatory Services be delegated the authority to make minor editorial corrections if required on the adopted Katikati-Waihi Beach Ward Reserve Management Plan 2018 and the decision story, prior to publication.*

C22.7

Review of Council Risk Profile

Council considered a report from the Risk Specialist dated 13 December 2018 as circulated with the agenda.

Resolved: Mackay / Williams

1. *THAT the Risk Specialist's report dated 13 December 2018 and titled "Review of Council Risk Profile" 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.*

C22.8

Chief Executive Officer's Report to Council - December 2018

Council considered a report from the Chief Executive Officer dated 30 November 2018 as circulated with the agenda.

The Chief Financial Officer spoke to the following points in the Exception Report Briefing to December 2018:

Key Financial Performance Indicators for the Four Months Ended 31 October 2018

Council's net debt balance was \$75.58m at the end of the reporting period which represented a \$22.69m reduction from the June 2018 balance of \$98.27m.

Operating Expenditure

Total expenditure of \$29.29m was \$1.11m higher than year-to-date budget of \$28.18m due to lower interest costs offset by higher than budgeted additional level of service, depreciation and operating costs.

Capital Expenditure

Capital Expenditure of \$7.99m for the period was \$230k higher than year-to-date budget. The expenditure variance was attributed to underspends against budget in the transportation and communities activities offset by a higher than budgeted spend in the corporate services activity.

Financial Contributions

Financial contributions income received to date of \$6.03m were \$3.10m higher than the year-to-date budget of \$2.93m, which was consistent with the performance achieved for the September 2018 quarter.

Final Management Report on the Audit of Western Bay of Plenty District Council for the Year Ended 30 June 2018

The Final Management Report on the Audit of Western Bay of Plenty District Council for the Year Ended 30 June 2018 had recommended the creation of a formal asset improvement programme and action plan in response to the findings from the asset revaluation process carried out by external valuation experts.

Resolved: Mackay / Marshall

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

C22.9 **Mayor's Report to Council - December 2018**

Council considered a report from His Worship the Mayor dated 30 November 2018 as circulated with the agenda. His Worship the Mayor reported on the following items:

C22.9.1 **Chinese Delegation**

Council was advised that the visit to the Western Bay of Plenty District by a Chinese delegation from Yichang city on 19 November 2018 had been very successful.

C22.9.2 **Three Waters Update**

Both His Worship the Mayor and the Chief Executive Officer had attended national forums to discuss future management of water supplies.

C22.9.3 **Appointment to District Plan and Regulatory Hearings Committees**

His Worship the Mayor advised that Councillor Dean was now qualified and had achieved certification for appointment to the District Plan and Hearings Committees.

Resolved: Mayor Webber / Marsh

- 1. THAT the Mayor's Report to Council dated 30 November 2018 be received.*
- 2. THAT Councillor Dean be appointed to the District Plan and Regulatory Hearings Committees.*

C22.9.4 **Assessment of Needs and Feasibility of a Sub-Regional Stadium in Western Bay of Plenty (Tauranga)**

The Mayor advised that as a key stakeholder, the Western Bay of Plenty District Council had been approached to fund a portion of partner funding for an assessment of needs and feasibility study for a sub-regional stadium in Western Bay (Tauranga). Council received a report seeking agreement for apportioned funding for the assessment of needs and feasibility of a sub-regional stadium Western Bay of Plenty (Tauranga).

Resolved: Mayor Webber / Dean

1. *THAT the Chief Executive's report dated 12 December 2018 and titled Assessment of Needs and Feasibility of a Sub-Regional Stadium in Western Bay of Plenty (Tauranga) be received.*
2. *THAT the issue of a needs and feasibility study is considered to be of low significance in terms of Council's Significance and Engagement Policy.*
3. *THAT Council agrees to allocate funding of \$5,000 as a project partner for a needs assessment and feasibility study to examine the viability of the establishment of a sub-regional stadium in Western Bay of Plenty (Tauranga) subject to Tauranga City Council and the Bay of Plenty Regional Council meeting their respective funding requests.*

C22.10

Amendment to Terms and Conditions for the Supply of Water

A report was presented to Council at the meeting held on 1 November 2019 (Reference C21.9) where it was resolved "*THAT the proposed amendments to the Terms and Conditions for the Supply of Water are left to lie on the table until the broader considerations are addressed in relation to conservation and equity in the charging regime as between urban and rural connections.*"

Council was advised that further discussion within the Policy Committee had been held and the Policy Analyst's Report dated 1 November 2018 titled Amendment to the Terms and Conditions for the Supply of Water was re-presented for adoption.

Resolved: Murray-Benge / Marshall

1. *That the Policy Analyst's report dated 1 November 2018 titled Amendment to the Terms and Conditions for the Supply of Water 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 proposed amendments to the Terms and Conditions for the Supply of Water as set out in Attachment A are adopted, coming into effect on 1 May 2019.*
4. *That a public notice be issued as soon as practicable following this meeting regarding any approved amendments to the Terms and Conditions for the Supply of Water.*

Councillors Thwaites and Dally recorded their vote against the motion.

C22.11 **Recommendatory Report from Tauranga City Council / Western Bay of Plenty District Council Joint Governance Committee Meeting JG7 5 December 2018 - Letter of Expectation to Tourism Bay of Plenty**

Resolved: Williams / Mackay

1. *THAT Council approve the Letter of Expectation from Tauranga City Council and Western Bay of Plenty District Council to Tourism Bay of Plenty for 2019/20.*
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.*

Local Government Official Information and Meetings Act

Exclusion of the Public

Schedule 2A

Resolved: Murray-Benge / Dean

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

- *In Confidence Council and Committee minutes for Confirmation*
- *In Confidence Minutes for Receipt*
- *In Confidence Minute Index and Information Pack*
- *In Confidence Recommendatory Report from Joint Governance Committee - Appointment of Board Members to Tourism Bay of Plenty December 2018*
- *In Confidence Recommendatory Report from the Operations and Monitoring Committee - Purchase of 24 Middlebrook Drive*
- *In Confidence Urban Form & Transport Initiative*
- *In Confidence Chief Executive Officer's Report - December 2018*
- *Mayor's Report to Council - December 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 Minutes for Receipt</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>In Confidence Recommendatory Report from Tauranga City Council/Western Bay of Plenty District Council Joint Governance Committee – Appointment of Board Members to Tourism Bay of Plenty – December 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>Protect the privacy of natural persons, including that of deceased natural persons.</i>
<i>In Confidence Recommendatory Report from Operations and Monitoring Committee – Purchase of 24 Middle Brook Drive</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 Urban Form & Transport Initiative</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 - December 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>Maintain legal professional privilege. Protect the privacy of natural persons, including that of deceased natural persons.</i>
<i>In Confidence Mayor's Report to Council - December 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)</i>