

Minutes of the Regional Council Meeting held in Baycrest Rooms 1 & 2, Sudima Hotel Lake Rotorua, 1000 Eruera Street, Rotorua on Wednesday, 27 July 2011 commencing at 11.00 a.m.

Present:

Chairman: Chairman J Cronin

Councillors: R Bennett, T Eru, J Mansell, J Nees, I Noble, N Oppatt, P Thompson, L Thurston, M Whitaker

In Attendance: M McConway (Acting Chief Executive), B Trott (Group Manager Corporate Services), W Murray (Group Manager Land Management), K Tarboton (Group Manager Rivers and Drainage), G Maloney (Acting Group Manager Strategic Development), L Thompson (Senior Communications Officer), L Butt (Governance Team Leader)

Attendance in part – S Omundsen (Senior Planner), T Briggs (Planner), G Corbett (Manager Land Resources (Rotorua)), H Creagh (Manager Consents)

Apologies: Councillors' T Marr, D Owens and P Sherry

1 **Opening and adjournment**

Chairman Cronin opened the meeting at 11 am. The Chairman called for apologies and Council accepted apologies from Councillors' Marr, Owens and Sherry.

The Chairman recommended the meeting be adjourned for morning tea until 11.15 am approximately.

Resolved

That the Regional Council:

- 1 **Agrees to adjourn the meeting at 11 am for morning tea, and reconvene the meeting at 11.15 am approximately.**

Thurston/Bennett
CARRIED

The meeting reconvened at 11.16 am.

2 **Chairman's announcement**

The Chairman advised the following four additional items be included in the Council agenda:

- (a) As part of the Chairman's report an additional recommendation to change Council's committee membership so that Councillor Mansell's membership to the Māori Committee is withdrawn;
- (b) As part of the Chairman's report section of the agenda Council considers the addition report (pre-circulated) entitled '*Rotorua Floating Wetland request for further funding support*' (refer tabled document number 1);
- (c) Consider the public excluded minutes of the Council meeting held on 15 June 2011 (refer tabled document number 2);
- (d) Consider the public excluded memorandum (pre-circulated) as part of the report entitled '*Chief Executive Employment Matters*'.

Resolved

That the Regional Council:

- 1 Agrees that the four additional items listed above be included in the agenda.**

**Cronin/Thurston
CARRIED**

3 Council Meeting Minutes and Workshop Reports

3.1 Regional Council Meeting - 23 June 2011

Resolved

That the Regional Council:

- 1 Confirms the minutes of the Regional Council meeting held on 23 June 2011 as a true and correct record.**

**Cronin/Thurston
CARRIED**

3.2 Regional Council Workshop - 28 and 29 June 2011

Resolved

That the Regional Council:

- 1 Confirms the report of the Regional Council Workshop held on 28 and 29 June 2011.**

**Cronin/Bennett
CARRIED**

4 **Committee Meeting Minutes**

4.1 **Finance and Corporate Committee Meeting - 21 June 2011**

Resolved

That the Regional Council:

- 1 **Confirms the minutes of the Finance and Corporate Committee meeting held on 21 June 2011.**
- 2 **Notes the resolutions made therein under delegated authority.**
- 3 **Notes there no recommendations to adopt.**

Thompson/Whitaker
CARRIED

4.2 **Maori Committee Meeting - 30 June 2011**

Resolved

That the Regional Council:

- 1 **Confirms the minutes of the Maori Committee meeting held on 30 June 2011.**
- 2 **Notes the resolutions made therein under delegated authority.**
- 3 **Notes there no recommendations to adopt.**

Eru/Thurston
CARRIED

5 **Joint Committee Meeting Minutes**

5.1 **Rotorua Te Arawa Lakes Strategy Group Meeting - 24 June 2011**

Resolved

That the Regional Council:

- 1 **Confirms the minutes of the Rotorua Te Arawa Lakes Strategy Group meeting held on 24 June 2011.**
- 2 **Notes the resolutions made therein under delegated authority.**
- 3 **Notes there no recommendations to adopt.**

Cronin/Thurston
CARRIED

6 **Chairman's Report**

6.1 **Chairman's Report**

Refer tabled documents 4 and 5.

The Chairman presented his report, noting the pre-circulated reports from Councillor Nees be received (refer tabled documents 4 and 5). Chairman Cronin advised that at Councillor Mansell's request, Council consider his membership to the Maori Committee is withdrawn.

Members sought and received clarification on a number of matters outlined in the report.

Resolved

That the Regional Council:

- 1** Receives the report, '*Chairman's Report*'.
- 2** Agrees to amend its committee memberships so that Councillor Mansell's membership to the Maori Committee is withdrawn.
- 3** Receives two reports from Councillor Nees entitled; '*Local Government Conference, 11-13 July 2011*' and '*Navigating the Green Economy, 23-24 May 2011*'.

**Cronin/Nees
CARRIED**

Attendance

Councillor Eru left the meeting at 11.30 am.

6.2 **Rotorua Floating Wetland request for further funding support**

Refer tabled document number 1.

Warwick Murray (Group Manager Land Management) introduced the report that presented a letter from Rotorua District Council requesting further funding support for its proposed floating wetland in Lake Rotorua.

Council was advised that a report is included in the Operations, Monitoring and Regulation Agenda for its meeting on 2 August 2011 that outlines an analysis of the proposal, including its cost effectiveness.

Resolved

That the Regional Council:

- 1** Receives the report, '*Rotorua Floating Wetland request for further funding support*'.
- 2** Refers the Rotorua District Council funding request to the Operations, Monitoring and Regulation Committee to determine Council's level of support under its delegated authority.

**Mansell/Nees
CARRIED**

7 Acting Chief Executive's Reports

7.1 The Regional Pest Management Strategy Board of Inquiry's recommendations to the Regional Council on the Regional Pest Management Strategy 2011 – 2016

Councillor Bennett (Chairman, Regional Pest Management Strategy Board of Inquiry) presented the report and recommended Council approve the Regional Pest Management Strategy 2011-2016. Chair Bennett acknowledged and thanked staff, and in particular Councillor Noble, whose collective knowledge and expertise ensured a robust plan. Councillor Bennett also noted a number of concerns that were identified during the strategy development process would be dealt with as part of the future operational plan.

Two concerns were expressed; that further analysis was required and that the boundary control rule did not comply. Council noted that a robust cost benefit analysis had been a critical part of the plan development, and the inclusion of the boundary control rule was a directive from Council. Staff advised that on balance and given the strong support to have such a rule, it was not unreasonable for the Board to include it in the Plan.

Resolved

The Regional Pest Management Strategy Board of Inquiry recommends that the Regional Council:

- 1 Receives the report, '*The Regional Pest Management Strategy Board of Inquiry's recommendations to the Regional Council on the Regional Pest Management Strategy 2011 – 2016*'.**
- 2 Agrees to all of the changes to the draft Regional Pest Management Strategy 2011 – 2016 recommended in this report (recommendations (i) to (xxxv); list of species in Appendix 2; minor amendments in Appendix 3).**
- 3 Approves the Regional Pest Management Strategy 2011 – 2016, as attached in Appendix 5.**
- 4 Notes the minutes from the Regional Pest Management Strategy Board of Inquiry deliberations held on 14 April and 21 June, as attached in Appendix 6.**
- 5 Confirms that the decision is within the Bay of Plenty Regional Council's strategic planning framework (Council's Ten Year Plan, and planning documents and processes under the Resource Management Act 1991, Biosecurity Act 1993, Land Transport Act 2003, Civil Defence and Emergency Act 2002, and Local Government Act 1974, and 2002).**

**Bennett/Whitaker
CARRIED**

Resolved

That the Regional Council:

- 1 Gives its vote of thanks to staff and the Board of Inquiry Chairman who did an exceptional job to deliver the Regional Pest Management Strategy 2011–2016 in what was a new and difficult process.

Thompson/Whitaker
CARRIED

- 2 Thanks the Board of Inquiry for their work and effort during this process.

Bennett/Cronin
CARRIED

7.2 Process for Finalising the Regional Pest Management Strategy 2011 - 2016

The report recommended Council adopt a process to finalise the draft Regional Pest Management Strategy 2011-2016. A member considered the development and implementation of the operational plan was very important and wanted an assurance that elected members would be part of the operational plan development process. Staff responded that the development of the operational plan was delegated to the Operations, Monitoring and Regulation Committee, and that elected members would have opportunity to offer input and feedback through that committee process.

Resolved

If the Regional Pest Management Strategy 2011 - 2016 is approved by the Regional Council, that the *Regional Council*:

- 1 Receives the report, '*Process for Finalising the Regional Pest Management Strategy 2011 – 2016*'.
- 2 Notes that staff will publicly notify the Regional Council's decision on the Strategy as required under the Biosecurity Act 1993.
- 3 Notes that staff will provide copies of the Board of Inquiry's recommendations report as public feedback to submitters.
- 4 Notes that staff will oversee minor editorial and formatting changes to the Regional Pest Management Strategy 2011 – 2016, as part of the publication process.

Bennett/Whitaker
CARRIED

7.3 Appointing Members to the Rangitaiki River Forum

The report recommended Council appoint its three members and an alternate member to the Forum, as required by the Ngati Manawa and Ngati Whare Claims Settlement Act 2011 (the Act). It was noted that the proposed appointments were ahead of the formal establishment of the Forum.

Chairman Cronin called for nominations, and nominations were received as follows;

- (a) Move: Councillor Thurston Second: Councillor Whitaker

Nominate Councillor Jim Mansell as a member of the Rangitaiki River Forum once it is established.

- (b) Move: Councillor Nees Second: Councillor Bennett

Nominate Councillor Malcolm Whitaker as a member of the Rangitaiki River Forum once it is established.

- (c) Move: Chairman Cronin Second: Councillor Whitaker

Nominate Councillor Tiipene Marr as a member of the Rangitaiki River Forum once it is established.

- (d) Move: Councillor Mansell Second: Chairman Cronin

Nominate Councillor Paula Thompson as the alternate member of the Rangitaiki River Forum once it is established.

The four nominations were PUT and CARRIED, and consensus that each be appointed.

Resolved

That the Regional Council:

- 1 Receives the report, '*Formation of the Rangitaiki River Forum*'.**
- 2 Appoints Councillor Mansell as a member of the Rangitaiki River Forum once it is established.**
- 3 Appoints Councillor Whitaker as a member of the Rangitaiki River Forum once it is established.**
- 4 Appoints Councillor Marr as a member of the Rangitaiki River Forum once it is established.**
- 5 Appoints Councillor Thompson as an alternate member of the Rangitaiki River Forum once it is established.**

**Cronin/Whitaker
CARRIED**

7.4 Independent Commissioners - Consent Applications

The report presented an updated list of Independent Commissioners that provided for some gaps in expertise. Council agreed to adopt the recommended list, excluding the second to last name on the list.

Resolved

That the Regional Council under its delegated authority:

- 1 Receives the report, '*Independent Commissioners - Consent Applications*'.**

- 2 **Confirms that the listed persons (excluding the second to last name on the list) may be appointed to hear and decide on applications for resource consent under the Operations, Monitoring & Regulation Committee Terms of Reference.**
- 3 **Confirms that the decision is within the Bay of Plenty Regional Council's strategic planning framework (Council's Ten Year Plan, and planning documents and processes under the Resource Management Act 1991, Biosecurity Act 1993, Land Transport Act 2003, Civil Defence and Emergency Act 2002, and Local Government Act 1974 and 2002).**

**Oppatt/Thurston
CARRIED**

7.5 **Offer of land as addition to Papamoa Regional Park**

The Group Manager Land Management presented the report that sought Council direction on whether staff should undertake due diligence in response to an offer by Ian and Bronwyn Moore to sell their 17 hectare property to the Council as an addition to the Papamoa Regional Park. It was the general consensus of Council that it direct the Chief Executive to undertake due diligence on the offer.

Resolved

That the Regional Council:

- 1 **Receives the report, '*Offer of land as addition to Papamoa Regional Park*'.**
- 2 **Confirms that the decision is within the Bay of Plenty Regional Council's strategic planning framework (Council's Ten Year Plan, and planning documents and processes under the Resource Management Act 1991, Biosecurity Act 1993, Land Transport Act 2003, Civil Defence and Emergency Act 2002, and Local Government Act 1974, and 2002).**
- 3 **Directs the Chief Executive to undertake a detailed analysis of the potential costs and benefits of purchasing the Moore's property as an addition to the Papamoa Regional Park and to report back to a subsequent full Council meeting.**

**Thompson/Noble
CARRIED**

7.6 **Quayside Group Statement of Intent**

Brian Trott (Group Manager Corporate Services) presented the report that informed Council of the final Quayside Group Statement of Intent. Some members expressed concern at the scope of some of the objectives contained in the statement. Staff advised that members would have an opportunity to debate Council's financial policies, including its investment policies, as part of its upcoming Ten Year Plan workshop programme.

Resolved

That the Regional Council:

- 1 Receives the report, Quayside Group Statement of Intent.**

**Thompson/Cronin
CARRIED**

7.7 Treaty Update

The report presented an update on the Treaty landscape, as it evolves in the Bay of Plenty region.

Resolved

That the Regional Council:

- 1 Receives the report, Treaty Update.**

**Bennett/Cronin
CARRIED**

8 Resolution to exclude the public

THAT the public be excluded from the following parts of the proceedings of this meeting.

The general subject 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(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

8.1 Regional Council Meeting – 15 June 2011**Reason**

Good reason for withholding exists under Section 48(1)(a)

Grounds

Protect the privacy of an individual

8.2 Regional Council Meeting - 23 June 2011**Reason**

Good reason for withholding exists under Section 48(1)(a)

Grounds

Protect the privacy of an individual

8.3 **Finance and Corporate Committee Meeting - 21 June 2011**

Reason

Good reason for withholding exists under Section 48(1)(a)

Grounds

To prevent improper gain or advantage

8.4 **Rotorua Te Arawa Lakes Strategy Group Meeting - 24 June 2011**

Reason

Good reason for withholding exists under Section 48(1)(a)

Grounds

To protect this information so it doesn't prejudice similar information

8.5 **Appointment of Directors to Quayside**

Reason

Good reason for withholding exists under Section 48(1)(a)

Grounds

Protect the privacy of an individual

8.6 **Chief Executive Employment Matters**

Reason

Good reason for withholding exists under Section 48(1)(a)

Grounds

To protect the privacy of an individual, and to maintain legal professional privilege.

**Cronin/Thurston
CARRIED**

The meeting closed at 1.07 pm, at the conclusion of the public excluded reports section.

Confirmed

Chairman Bay of Plenty Regional Council

Date