



AGENDA

Ordinary Council meeting Monday, 18 October 2021

I hereby give notice that an Ordinary Meeting of Council will be held on:

Date: Monday, 18 October 2021

Time: 11.15am (Representation Review hearings)

**Location: Tauranga City Council
Council Chambers
91 Willow Street
Tauranga**

Please note that this meeting will be livestreamed and the recording will be publicly available on Tauranga City Council's website: www.tauranga.govt.nz.

**Marty Grenfell
Chief Executive**

Terms of reference – Council

Membership

Chairperson	Commission Chair Anne Tolley
Members	Commissioner Shadrach Rolleston Commissioner Stephen Selwood Commissioner Bill Wasley
Quorum	<u>Half</u> of the members physically present, where the number of members (including vacancies) is <u>even</u> ; and a <u>majority</u> of the members physically present, where the number of members (including vacancies) is <u>odd</u> .
Meeting frequency	As required

Role

- To ensure the effective and efficient governance of the City
- To enable leadership of the City including advocacy and facilitation on behalf of the community.

Scope

- Oversee the work of all committees and subcommittees.
- Exercise all non-delegable and non-delegated functions and powers of the Council.
- The powers Council is legally prohibited from delegating include:
 - Power to make a rate.
 - Power to make a bylaw.
 - Power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan.
 - Power to adopt a long-term plan, annual plan, or annual report
 - Power to appoint a chief executive.
 - 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.
 - All final decisions required to be made by resolution of the territorial authority/Council pursuant to relevant legislation (for example: the approval of the City Plan or City Plan changes as per section 34A Resource Management Act 1991).
- Council has chosen not to delegate the following:
 - Power to compulsorily acquire land under the Public Works Act 1981.
- Make those decisions which are required by legislation to be made by resolution of the local authority.
- Authorise all expenditure not delegated to officers, Committees or other subordinate decision-making bodies of Council.
- Make appointments of members to the CCO Boards of Directors/Trustees and representatives of Council to external organisations.
- Consider any matters referred from any of the Standing or Special Committees, Joint Committees, Chief Executive or General Managers.

Procedural matters

- Delegation of Council powers to Council's committees and other subordinate decision-making bodies.
- Adoption of Standing Orders.
- Receipt of Joint Committee minutes.
- Approval of Special Orders.
- Employment of Chief Executive.
- Other Delegations of Council's powers, duties and responsibilities.

Regulatory matters

Administration, monitoring and enforcement of all regulatory matters that have not otherwise been delegated or that are referred to Council for determination (by a committee, subordinate decision-making body, Chief Executive or relevant General Manager).

Order of Business

1 Opening Karakia 7

2 Apologies 7

3 Public Forum..... 7

4 Acceptance of Late Items..... 7

5 Confidential Business to be Transferred into the Open..... 7

6 Change to the Order of Business 7

7 Confirmation of Minutes..... 7

Nil

8 Declaration of Conflicts of Interest..... 7

9 Deputations, Presentations, Petitions 7

Nil

10 Recommendations from Other Committees 7

Nil

11 Business..... 8

11.1 Submissions to Representation Review Initial Proposal 8

12 Discussion of Late Items..... 245

13 Public Excluded Session..... 245

Nil

14 Closing Karakia..... 245

- 1 OPENING KARAKIA**
- 2 APOLOGIES**
- 3 PUBLIC FORUM**
- 4 ACCEPTANCE OF LATE ITEMS**
- 5 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN**
- 6 CHANGE TO THE ORDER OF BUSINESS**
- 7 CONFIRMATION OF MINUTES**
Nil
- 8 DECLARATION OF CONFLICTS OF INTEREST**
- 9 DEPUTATIONS, PRESENTATIONS, PETITIONS**
Nil
- 10 RECOMMENDATIONS FROM OTHER COMMITTEES**
Nil

11 BUSINESS

11.1 Submissions to Representation Review Initial Proposal

File Number: A12908611

Author: Coral Hair, **Manager:** Democracy Services

Authoriser: Susan Jamieson, **General Manager:** People & Engagement

PURPOSE OF THE REPORT

- To present the public submissions received on the Council's Initial Proposal.

RECOMMENDATIONS

That the Council:

- Receives the report "Submissions to Representation Review Initial Proposal".
- Receives the public submissions on the Representation Review Initial Proposal in Attachments 2 and 3, excluding submissions on the establishment of a Māori ward.
- Accepts the late submissions on the Representation Review Initial Proposal from the Bay of Plenty Regional Council, Christine Hibbs and Hylton Rhodes.

BACKGROUND

- The Council at its meeting on 30 August 2021 resolved to adopt an Initial Proposal to go out for formal public submissions from 3 September to 4 October 2021. Refer to Attachment 1 for the resolutions.

SUBMISSIONS

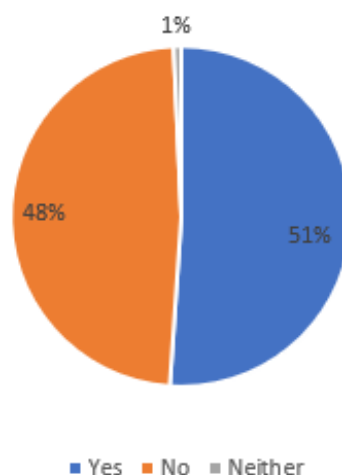
- 139 submissions were received, including three late submissions from the Bay of Plenty Regional Council, Christine Hibbs and Hylton Rhodes. As these submissions were received after the closing date for submissions it will require a resolution by the Council to enable those submissions to be accepted.
- 18 submitters wish to speak to the Council about their submission. These submissions are in Attachment 2 and are set out in the following speaking order:

Name of submitter	Organisation	Time speaking
Rob Paterson		11:20 am
Graham Cooney		11:25 am
Keith Johnston		11:30 am
John Robson		11:35 am
Glen Crowther	Sustainable Bay of Plenty Charitable Trust	11:40 am
Greg Brownless		11:45 am
Barry Scott		11:55 am
Roy Edwards		12:00 pm
Sandi Fernandez		12:05 pm
Stephanie Simpson		12:10 pm

Name of submitter	Organisation	Time speaking
Jan Beange		12:15 pm
Mike Baker		12:20 pm
Koro Nicholas	TKKM o Te Kura Kōkiri	12:25 pm
Matthew Roderick		12:30 pm
Jo Allum	Venture Centre	12:35 pm
Susan Hodgkinson		12:40 pm
Cr Andrew von Dadelszen – Tauranga Ward Councillor	Bay of Plenty Regional Council	12:45 pm
Hylton Rhodes		12:50 pm

- Submissions from those submitters who did not wish to speak to their submissions are set out in Attachment 3.
- There were 71 submitters (51%) who agreed with the Initial Proposal and 67 (48%) who disagreed with the Initial Proposal and one (1%) who did not state if they agreed or disagreed. This is set out in the graph below.

Do you agree with the Initial Proposal? – 139 responses*



*16 submissions on the establishment of a Māori ward were not included in these figures

- Gate Pa was initially described as included in the Tauriko ward. This was an error; Gate Pa is included in the Te Papa ward. The ward maps were correct, but the original resolution and public notice were incorrect. The description of the Te Papa ward on the website was corrected on 14 September 2021. Staff apologised to the submitter who commented on this in their submission.

NAME OF MĀORI WARD

- Te Rangapū Mana Whenua o Tauranga Moana will be gifting the name for the Māori ward.

SUBMISSIONS REGARDING THE ESTABLISHMENT OF A MĀORI WARD

- The Local Government Commission and the Council’s Electoral Officer have advised all councils that submissions relating to the establishment of a Māori ward are out of scope and cannot be considered by the council and cannot be appealed to the Local Government Commission. The advice is set out below:

“Submissions, appeals and objections cannot be made on Councils’ decisions to establish (or not establish) Māori wards and constituencies. These are decisions of Council made prior to the representation review process commencing and, similar to the decision on voting system, form the context of the representation review. Submissions, appeals and objections relating to Māori wards and constituencies can be made:

- *regarding the names of Māori wards and constituencies; and*
 - *where more than one member is eligible to be elected via Māori wards and constituencies, whether there should be one or more Māori wards or constituencies, and the boundaries of any such ward or constituency; and*
 - *regarding the total number of members to be elected”*
10. The submissions can be reported to the Council and these are included for information only, but Council cannot act on them. These submissions have therefore not been included in the figures of those disagreeing with the proposal. Where submitters have made a number of submission points as well as a submission on the establishment of a Māori ward, the other submission points can be considered. Refer to Attachment 4 for submissions related solely to the establishment of a Māori ward.

NEXT STEPS

11. Hear submitters.
12. Deliberate on submissions and adopt a Final Proposal on 8 November 2021.

ATTACHMENTS

1. **Council resolution on Initial Proposal 30 August 2021 - A12971692** [↓](#)
2. **Representation Review - Submitters speaking to submissions - A12972787** [↓](#)
3. **Representation Review - Submitters not speaking to submissions. Part A agree, Part B disagree, Part C submitters with attachments and late submissions. - A12972536** [↓](#)
4. **Representation Review submissions on the establishment of a Maori ward - A12971642** [↓](#)

12 DISCUSSION OF LATE ITEMS

13 PUBLIC EXCLUDED SESSION

Nil

14 CLOSING KARAKIA