



MINUTES

**Strategy, Finance and Risk Committee
meeting**

Monday, 13 May 2024

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**MINUTES OF TAURANGA CITY COUNCIL
STRATEGY, FINANCE AND RISK COMMITTEE MEETING
HELD AT THE BAY OF PLENTY REGIONAL COUNCIL CHAMBERS,
REGIONAL HOUSE, 1 ELIZABETH STREET, TAURANGA
ON MONDAY, 13 MAY 2024 AT 1PM**

PRESENT: Commission Chair Anne Tolley (Chairperson), Commissioner Shadrach Rolleston, Commissioner Stephen Selwood, Commissioner Bill Wasley, Ms Matire Duncan, Ms Rohario Murray, Mr Bruce Robertson

IN ATTENDANCE: Marty Grenfell (Chief Executive), Paul Davidson (Chief Financial Officer), Nic Johansson (Head of Transport), Stephen Burton (Acting General Manager: Infrastructure), Christine Jones (General Manager: Strategy, Growth & Governance), Alastair McNeill (General Manager: Corporate Services), Gareth Wallis (General Manager: City Development & Partnerships), Andrew Mead (Manager: City Planning & Growth), Jeremy Boase (Manager: Strategy & Corporate Planning), Carl Lucca (Team Leader: Urban Communities), Mike Naude (Director of Civic Development), Wally Potts (General Manager: Infrastructure), Neil Mason (Programme Director: Major Projects), Tom McEntyre (Team Leader: Transport Development), Geoff Barnard (Head of Department Security & Assurance), Janine Speedy (Team Leader: City Planning), Vicky Grant-Ussher (Policy Analyst), Angela Murray (Team Leader: Procurement), Kathryn Hooker (Corporate Planner), Kathryn Sharplin (Manager: Finance), Jan Pedersen (Head of People, Performance and Culture), Rich May (Health Safety and Wellbeing Manager), Kath Norris (Team Leader: Democracy Services), Amanda Davies (Manager: Spaces and Places Project Outcomes), Coral Hair (Manager: Democracy & Governance Services), Caroline Irvin (Governance Advisor), Aimee Aranas (Governance Advisor)

1 OPENING KARAKIA

A karakia was provided at the opening of the Council meeting held in the morning.

2 APOLOGIES

APOLOGY

COMMITTEE RESOLUTION SFR3/24/1

Moved: Commissioner Shadrach Rolleston

Seconded: Commissioner Bill Wasley

That the apology for absence received from Dr Wayne Beilby and Mr Te Pio Kawe be accepted.

CARRIED

3 PUBLIC FORUM

Nil

4 ACCEPTANCE OF LATE ITEMS

Nil

5 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN

Nil

6 CHANGE TO ORDER OF BUSINESS

Nil

7 CONFIRMATION OF MINUTES

7.1 Minutes of the Strategy, Finance and Risk Committee meeting held on 25 March 2024

COMMITTEE RESOLUTION SFR3/24/2

Moved: Commissioner Stephen Selwood

Seconded: Mr Bruce Robertson

That the minutes of the Strategy, Finance and Risk Committee meeting held on 25 March 2024 be confirmed as a true and correct record.

CARRIED

8 DECLARATION OF CONFLICTS OF INTEREST

Nil

9 BUSINESS

9.1 Tauranga Urban Design Action and Investment Plan Adoption

Staff Christine Jones, General Manager: Strategy, Growth & Governance
Carl Lucca, Team Leader: Urban Communities

Key points

- An overview of the report was provided.

In response to questions

- With the report presented today, staff had an action plan to proactively move forward. The comments heard today would help to kick start this. There was a need to create exemplars and talk to the community and key stakeholders. Plan Change 38 would play a role in this.
- Urban design needed to be considered at all scales and all layers to obtain the desired result.
- This report provided strategic direction and once adopted, this would be the approved policy that would prompt the actions as set out in the Urban Design and Action and Investment Plan 2024-2034.

Discussion points raised

- This was an important initiative because getting urban design right was fundamental to a successful city. It would be useful to create some exemplars of what good urban design looked like to bring reality to the aspiration.
- It would be helpful to think about the people who would be living in the houses that were to be designed and how their needs could be met. This was an opportunity to engage expertise from other regions.

- There was a lack of built heritage particularly around the city over the last 30 to 40 years. What was left of this needed to be looked after and protected. The recognition of cultural elements and design was also important and how this would be reflected in the urban form.
- Things such as adequate car parking, shade in summer and light in winter were provided for in lower level urban design and also needed to be taken into account.
- It was about creating places for people to live. These aspects helped inform good urban design.

COMMITTEE RESOLUTION SFR3/24/3

Moved: Commissioner Bill Wasley

Seconded: Commissioner Shadrach Rolleston

That the Strategy, Finance and Risk Committee:

- (a) Receives the report "Tauranga Urban Design Action and Investment Plan Adoption 2024-2034".
- (b) Adopts the Tauranga Urban Design Action and Investment Plan Adoption 2024-2034 (Attachment A) to improve urban design outcomes in Tauranga.
- (c) Delegates the Group Manager: Strategy, Growth and Governance to approve minor amendments to the Plan, if required prior to publication.
- (d) Notes that the Tauranga Urban Design Strategy (2006) is superseded by the Urban Design Action and Investment Plan and approves that the Strategy be rescinded.

CARRIED

9.2 Natural Hazard and Resilience Planning - Release of Natural Hazard Information (Coastal Flooding)

Staff Wally Potts, Acting General Manager: Infrastructure
Natalie Rooseboom, Manager: Asset Services

Key points

- The report was taken as read.

Discussion points raised

- The Tauranga coastal flooding mapping was a great tool and provided accurate information to enable the Council's to plan for the next ten to twenty years. The work done on this was greatly appreciated.
- This information was very important for our community to help them understand what the risks were and for future development.

COMMITTEE RESOLUTION SFR3/24/4

Moved: Commissioner Shadrach Rolleston

Seconded: Ms Matire Duncan

That the Strategy, Finance & Risk Committee:

- (a) Receives the report "Natural Hazard and Resilience Planning - Release of Natural Hazard Information (Coastal Flooding)".

CARRIED

9.3 Approach to Preparation of Proposed Plan Change 38 - Business Land Framework

Staff Christine Jones, General Manager: Strategy, Growth & Governance
Janine Speedy, Team Leader: City Planning

Key points

- A comprehensive summary of the report was provided.

In response to questions

- Staff reported back to a governance group consisting of a number of general managers from across the organisation on a monthly basis. Staff were required to report back on any critical risks that needed to be managed internally.
- Identified critical risks such as the Resource Management Act (RMA) reforms and the change in government were a 'watching brief'. These changes were an uncertainty for policy staff in terms of how they would affect plan changes.
- Staff were yet to implement the new National Planning Standards (NPS) which required Council to have a new formatting structure for the entire city plan and use the definitions as set out in these standards. This would be a complex and critical process because of flow on affects to other chapters in the Plan Change. Staff were following up with Central Government to make them aware of this.

Discussion points raised

- Over a long period of time there was no clarity of commercial or business hierarchy in the city centre. Having this clarity was important in terms of the investment required, providing certainty around nature and scale and ensuring that 'leakage' did not occur when retail shops appeared in general industrial zones instead of urban centres.
- It was important not to underestimate the value of a solid evidence base in terms of development of a commercial business hierarchy as there would be a lot of interest in this from large and small firms. A solid evidence base would be fundamental to successfully implementing the plan change.

COMMITTEE RESOLUTION SFR3/24/5

Moved: Commissioner Bill Wasley

Seconded: Commissioner Shadrach Rolleston

That the Strategy, Finance and Risk Committee:

- (a) Receives the report "Approach to Preparation of Proposed Plan Change 38 - Business Land Framework".
- (b) Approves the proposed Plan Change 38 – Business Land Framework objectives as follows:
 - i. Give effect to the NPS-UD to provide sufficient business land for different sectors (in terms of location and land use) over the short, medium, and long term to the extent practicable.
 - ii. Develop strategic objectives and policies for the sustainable and integrated management of commercial and industrial land to ensure planning decisions support well-functioning urban environments, now and into the future.
 - iii. Establish a range of prescribed commercial and industrial zones with land use frameworks to support their respective roles, including a commercial hierarchy.
- (c) Notes that regular progress updates will be provided to the relevant committee as the plan change progresses with the next significant milestone being options presented for direction in early 2025.

CARRIED

9.4 Procurement Policy Review

Staff Alastair McNeil, General Manager: Corporate Services
Vicky Grant-Ussher, Policy Analyst
Angela Murray, Team Leader: Procurement

Key points

- A summary of the report was provided.

In response to questions

- It was important to make sure the policy reflected what staff were doing in terms of managing the life cycle of procurement.
- The modern slavery aspect had been highlighted by Council's Risk Team in terms of legislation that had been progressing through the previous Government and included extreme breaches of employment standards. Staff would be proactive in alerting the authorities if it became aware of any such breaches.

Discussion points raised

- There was now a lengthy process to go through when selecting a product to ensure that it had not been obtained through modern slavery practices.

COMMITTEE RESOLUTION SFR3/24/6

Moved: Mr Bruce Robertson

Seconded: Commissioner Bill Wasley

That the Strategy, Finance and Risk Committee:

- (a) Receives the report "Procurement Policy Review".
- (b) Approves the following amendments to the procurement policy:
 - (i) Lift the value at which procurements must have a documented procurement plan authorised by the procurement team, the person with delegated financial authority for the contract and relevant senior manager (tier three or above) from \$100,000 to \$250,000 (policy clause 6.7.4).
 - (ii) Lift the chief executive's delegation to approve an exemption from open competition from \$500,001 to \$3 million (policy clause 6.5).
 - (iii) Create a new category of general manager approval for an exemption from open competition for projects \$250,001 - \$500,000 (policy clause 6.5).
 - (iv) Clarify that if the council becomes aware of, or suspects, modern slavery or a breach of employment standards we will alert the appropriate authorities (policy clause 6.7.6).
 - (v) Clarify that the council (or appropriate council committee) may, by resolution, set targets, or mandatory requirements for procurement for the purpose of achieving broader outcomes (policy clause 6.2.5).
 - (vi) Clarify that to achieve public value council will monitor the performance of suppliers to ensure they are delivering on expected outcomes (policy clause 6.1.4).
 - (vii) Clarify that the procurement policy does not apply to development agreements and instead procurement expectations for developers will be set out in the development agreement (policy scope).
 - (viii) Update material within the policy to reflect updates to the strategic direction, relevant legislation and minor edits to improve readability (policy clause 4.1, 6.1.4, 6.2.4, 6.2.5, 6.7.6 and references section).

- (c) Approves the adoption of the updated procurement policy included as Attachment One to this report.
- (d) Delegates any minor or presentational changes required to the policy prior to the publication of the policy to the General Manager Corporate Services.

CARRIED

9.5 Annual Residents Survey Report - Wave 3, 2023/24

Staff Christine Jones, General Manager: Strategy, Growth & Governance
Kathryn Hooker, Corporate Planner

Key points

- A summary of the report was provided.

Discussion points raised

- The results of the third wave survey report underlined how long and deep it was necessary to communicate and much of the sentiment was driven by perception. It took a long time for perception to change and it would be a matter of watching this space for some time to come.

COMMITTEE RESOLUTION SFR3/24/7

Moved: Commissioner Stephen Selwood

Seconded: Ms Rohario Murray

That the Strategy, Finance and Risk Committee:

- (a) Receives the report "Annual Residents Survey Report - Wave 3, 2023/24".

CARRIED

9.6 LGOIMA and Privacy Report Q3 for 2023/2024 year

Staff Christine Jones, General Manager: Strategy, Growth & Governance
Kath Norris, Team Leader: Democracy Services

Key points

- The number of requests was increasing slightly each quarter however the number of days to resolve these had reduced.

In response to questions

- There were currently six active Ombudsman investigations. Four of these were from the last quarter where staff were providing information as requested and waiting for the outcomes.

COMMITTEE RESOLUTION SFR3/24/8

Moved: Commissioner Bill Wasley

Seconded: Mr Bruce Robertson

That the Strategy, Finance and Risk Committee:

- (a) Receives the report "LGOIMA and Privacy Report Q3 for 2023/2024 year.

CARRIED

9.7 Health & Safety Report - Q3 - January to March 2024

Staff Alastair McNeil, General Manager: Corporate Services
Jan Pedersen, Head of People, Performance and Culture
Rich May, Health Safety and Wellbeing Manager

Key points

- The Commissioners and Executives support of the Safety Programme throughout the quarter was appreciated.
- The skate park would be opened on 29 May. The Health and Safety risk assessments that were carried out were very comprehensive and staff were very pleased to be able to deliver this project to the general public without any major incidents to report.

In response to questions

- The event category security/trespass/criminal activity/terrorism/damage had increased predominantly through the libraries in terms of bad behaviour and trespass.

COMMITTEE RESOLUTION SFR3/24/9

Moved: Ms Matire Duncan
Seconded: Commissioner Stephen Selwood

That the Strategy, Finance and Risk Committee:

- (a) Receives the report "Health & Safety Report - Q3 - January to March 2024".

CARRIED

9.8 Quarterly Financial Monitoring Report for the Nine Months to 31 March 2024

Staff Paul Davidson, Chief Financial Officer
Susan Braid, Finance Lead Projects Assurance
Kathryn Sharplin, Manager: Finance

Key points

- A summary of the report was provided.

COMMITTEE RESOLUTION SFR3/24/10

Moved: Mr Bruce Robertson
Seconded: Commissioner Stephen Selwood

That the Strategy, Finance and Risk Committee:

- (a) Receives the report "Quarterly Financial Monitoring Report for the Nine Months to 31 March 2024".

CARRIED

9.9 Capital Programme 2023/24 3rd Quarter Update

Staff Alastair McNeil, General Manager: Corporate Services
Mike Naude, Director of Civic Development
Amanda Davies, Manager: Spaces and Places Project Outcomes
Wally Potts, General Manager Infrastructure
Tom McEntyre, Team Leader: Transport Development
Neil Mason, Programme Director: Major Projects

Capital Programme Budget and Spend - Alastair McNeil

- At the end of Financial Quarter 3, there was approximately \$200M of underspend to get through in three months. At the forecasted rate, Council would not hit where it thought it would.

City Centre and Civic Programme - Mike Naude

- A Letter of Intent had been issued regarding the Cameron Road Indoor Courts for the contractor to pre-purchase materials.
- All the top 5 projects/programmes were within scope. The Memorial Park Aquatic Facility project completion date had been revised in accordance with the Long Term Plan.
- Prices were coming back in the market, trades were less busy and looking for work which was advantageous to Council in terms of construction, a consenting strategy was being worked through and the constraints on the sub-contractor market were starting to become a lower risk.
- Highlights included the living seawall at Strand North, Memorial Park Aquatic Facility Concept Design, 90 Devonport Road internal fit out, Tunks Reserve Cultural Lighting and Library and Community Hub load bearing platform.
- There had been a lot of interest generated in the living seawall. Waikato University's Marine department had done a lot of work with the pods. This had proven to be an excellent educational initiative.

Spaces and Places – Amanda Davies

- Council was tracking well in terms of delivery this year.
- Four out of five of the top 5 projects were substantially completed or had been completed. There had been a slight delay in getting underway at the Gordon Spratt Reserve but was now fully in construction.
- Top risks included inflation, cost escalation, Council project cross-interdependencies and procurement methodologies.
- Cultural installations had been placed at Maranui Lane and the site had been blessed.
- A blessing had been held at the Kopurererua Valley Stream realignment site to open the northern alignment.
- A blessing had been held at the Gordon Spratt Community Sports Pavillion. The construction contractor was well into the build of the facility.

City Waters – Wally Potts

- The revised programme was tracking to be on target.
- For the most part, the top five projects were tracking well.
- There had been a lot of changes with legislation and water reforms recently which made future work programmes uncertain. Staff were putting together teams to look at how they could successfully achieve 'Local Water Done Well'.
- A graduate programme to recruit younger people to become project managers had been set up and was doing well.
- Highlights included Te Maunga Clarifier 3 Piling Progress, Evans Road Culvert completion, Opal Drive to Te Maunga Rising Main, first lift of preload for Dam 5, Tautau Rising Main in service and palm Beach Culvert Upgrade.

In response to questions

- The Te Maunga desludging had been completed and the trenches had been covered and left to stabilise. An impervious cover would then be put over this and it would eventually be covered in grass.

Discussion points raised

- Staff needed to make sure that the timing of the Opal Drive pump station and a private development aligned.

Transport – Tom McEntyre

- The Arataki Bus project was released for tender on 10 May and closed on 31 May with the award of contract to occur mid-June. Staff were working closely with adjacent landowners to finalise the mitigation arrangements and were looking forward to getting the work underway.
- The Links Avenue resurfacing was close to being completed. There were still garden works and cycle separators to be installed as well as some work on the entrances to the football fields. The concrete road aspects and line markings had been completed.
- Highlights included Maunganui Road Stage 3 safety upgrades completion, and the dawn blessing marking the completion of Cameron Road Stage 1 upgrade.

Transport Major Projects - Neil Mason

- The largest deviation in the cash management was based on Tauriko West for this period, driven by late access and contract negotiations with the NZTA. A winter earth works consent had been granted to solve the delay in starting. Staff were working with contractors in terms of the material change and the extra cost involved now, to prevent the potential of a significant extension of time claim in the spring.
- The commercial director of Downers met with Mr Mason in person last week to discuss the incentives programme regarding the Tauriko West Enabling Works and how much risk could be incurred if the programme was accelerated. Both parties agreed to pursue the initiative more.
- The Turret Road 15th Ave Multimodal had to be descoped in conjunction with the draft Government Policy Statement (GPS). Mr Mason had met with iwi and Hapu representatives to explain the challenges and our intention to come up with a solution for the Welcome Bay connection alternative.

In response to questions

- The three lane tidal system was still under review for scale of benefit in the business case. This tied in with the Hairini Street bus lane issue. The business case would be brought to Council next week. Staff were working towards creating a picture for the business case that would fall in line with the GPS.

Wider Programme – Nic Johansson

- The 'Low Cost Low Risk' Safety Team had managed to get substantial funding through the National Land Transport Plan and were now delivering a vast range of improvements across the network. This had taken several years of planning but the fruits of it were now being seen this year which was a great result. The challenge now was for the shift in the GPS not to have too much of an impact on the community.
- Of note was that the Network Outcomes Team had done a great job pulling resources together to get bitumen supply for maintenance contractors to keep up with work to be completed.

COMMITTEE RESOLUTION SFR3/24/11

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the Strategy, Finance and Risk Committee:

- (a) Receives the presentation 'Capital Programme 2023/24 3rd Quarter Update'.

CARRIED

9.10 Audit New Zealand - Report to the Commissioners on the Audit of the 2024-34 Long-Term Plan

Staff Paul Davidson, Chief Financial Officer
Kathryn Sharplin, Manager: Finance
Josh Logan, Team Leader: Corporate Planning

Key points

- The report was taken as read.

Discussion points raised

- What had been raised in the report was no surprise. The risks associated with minimal debt headroom had been a struggle, and the re-evaluation of Three Waters did not help the situation. There was uncertainty of delivery with capital programmes in terms of sheer size and ability to deliver and uncertainty over funding sources for the proposed community stadium which was a long way out in the Longer Term Plan.

COMMITTEE RESOLUTION SFR3/24/12

Moved: Commissioner Stephen Selwood

Seconded: Commissioner Shadrach Rolleston

That the Strategy, Finance and Risk Committee:

- Receives the report 'Audit New Zealand – Report to the Commissioners on the Audit of the 2024-34 Long-Term Plan'.

CARRIED

10 DISCUSSION OF LATE ITEMS

Nil

11 PUBLIC EXCLUDED SESSION**Resolution to exclude the public****COMMITTEE RESOLUTION SFR3/24/13**

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

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 - Public Excluded Minutes of the Strategy, Finance and Risk Committee meeting held on 25 March 2024	<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</p>	s48(1)(a) - 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</p> <p>s7(2)(d) - The withholding of the information is necessary to avoid prejudice to measures protecting the health or safety of members of the public</p> <p>s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege</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>	
11.2 - Litigation Report	<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)(g) - The withholding of the information is necessary to maintain legal professional privilege</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>	s48(1)(a) - 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 - Internal Audit & Assurance - Quarterly Update	<p>s6(b) - The making available of the information would be likely to endanger the safety of any person</p> <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)(d) - The withholding of the information is necessary to avoid prejudice to measures protecting the health or safety of members of the public</p> <p>s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege</p> <p>s7(2)(j) - The withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage</p>	s48(1)(a) - 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
11.4 - Corporate Risk Register - Quarterly Update	<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</p>	s48(1)(a) - 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>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> <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>	
<p>11.5 - Quarterly Security Report - FY24</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>	<p>s48(1)(a) - 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>

CARRIED

12 CLOSING KARAKIA

Commissioner Shadrach Rolleston closed the meeting with a karakia.

The meeting closed at 3.26pm.

The minutes of this meeting were confirmed as a true and correct record at the Strategy, Finance and Risk Committee meeting held on 11 June 2024.

.....
 Commission Chair Anne Tolley
CHAIRPERSON