



MINUTES

**Ordinary Council meeting
Monday, 10 February 2025**

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UNCONFIRMED

**MINUTES OF TAURANGA CITY COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE BAY OF PLENTY REGIONAL COUNCIL CHAMBERS,
REGIONAL HOUSE, 1 ELIZABETH STREET, TAURANGA
ON MONDAY, 10 FEBRUARY 2025 AT 9.30AM**

MEMBERS PRESENT: Mayor Mahé Drysdale (Chairperson), Deputy Mayor Jen Scoular, Cr Hautapu Baker, Cr Glen Crowther, Cr Rick Curach, Cr Steve Morris, Cr Marten Rozeboom, Cr Kevin Schuler, Cr Rod Taylor

IN ATTENDANCE: Marty Grenfell (Chief Executive), Paul Davidson (Chief Financial Officer), Barbara Dempsey (General Manager: Community Services), Nic Johansson (General Manager: Infrastructure), Christine Jones (General Manager: Strategy, Growth & Governance), Alastair McNeill (General Manager: Corporate Services), Sarah Omundsen (General Manager: Regulatory & Compliance), Gareth Wallis (General Manager: City Development & Partnerships), Caroline Lim (CCO Specialist), Kathryn Sharplin (Manager: Finance), Charles Lane (Team Leader: Commercial Legal), Stephen Burton (Transformation Lead: Water Services), Nigel McGlone (Manager: Environmental Regulation), Ross Hudson (Manager: Strategic Planning & Partnerships), Jamie Kinzett (Senior Strategic Advisor) Janine Speedy (Team Leader: City Planning), Coral Hair (Manager: Democracy & Governance Services), Clare Sullivan (Team Leader: Governance Services), Anahera Dinsdale (Governance Advisor)

EXTERNAL: Pdraig McNamara, Partner, Simpson Grierson (online)

Timestamps are included beside each of the items and relate to the recording of the meeting held on 10 February 2025 at <https://www.youtube.com/watch?v=YY2G7BbGALM>

1 OPENING KARAKIA

Cr Hautapu Baker opened the meeting with a karakia.

2 APOLOGIES

Nil

3 PUBLIC FORUM

TIMESTAMP: 9:40 AM

3.1 Neil Pollett - Reclassification of Marine Park

Key Points

- Sought a pause on the reclassification and lease to University of Waikato.
- Sought consultation and public input to guide how to activate use of the area.
- Sought protection of as much greenspace as possible in the park.

4 ACCEPTANCE OF LATE ITEMS

7.2 Minutes of the Council meeting held on 25 November 2024

RESOLUTION CO/25/1/1

Moved: Cr Rick Curach

Seconded: Cr Rod Taylor

That the Council:

- (a) Accepts the following late item for consideration at the meeting:

Confirmation of open part of the minutes of the Council meeting held on 25 November 2024.

The above item was not included in the original agenda because it was not available at the time the agenda was issued, and discussion cannot be delayed until the next scheduled meeting of the Council as the public excluded minutes of the meeting are included in the public excluded section of the agenda.

CARRIED

5 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN

Nil

6 CHANGE TO THE ORDER OF BUSINESS

It was noted that there would be several changes to the order of business within the meeting.

Item 3.2 Hearing of Submitters on the Alcohol Bylaw would be taken at 1pm immediately before Item 11.8 Alcohol Control Bylaw 2018 Amendment.

Item 11.4 will be taken at 11am.

Item 11.7 Temporary Road closure Report for Events march – June 2025 has been withdrawn from the agenda as the main event in the road closures Oceania Championship Triathlon was cancelled on Friday 7 February 2025.

Items 13.1 and 13.2 will be taken in public excluded from 2.00pm.

Item 13.9 Sale of Marine precinct – Legal Update will be taken at 3.15 pm in public excluded.

7 CONFIRMATION OF MINUTES

7.1 Minutes of the Council meeting held on 9 December 2024

RESOLUTION CO/25/1/2

Moved: Mayor Mahé Drysdale

Seconded: Cr Hautapu Baker

That the minutes of the Council meeting held on 9 December 2024 be confirmed as a true and correct record, subject to the following correction:

- (a) Item 3.8 correct name of the attachment being attributed to Alan Withy and not Sam Allen.

CARRIED

7.2 Minutes of the Council meeting held on 25 November 2024

RESOLUTION CO/25/1/3

Moved: Mayor Mahé Drysdale

Seconded: Cr Marten Rozeboom

That the minutes of the Council meeting held on 25 November 2024 be confirmed as a true and correct record.

CARRIED

8 DECLARATION OF CONFLICTS OF INTEREST

Nil

9 DEPUTATIONS, PRESENTATIONS, PETITIONS

Nil

10 RECOMMENDATIONS FROM OTHER COMMITTEES

Nil

11 BUSINESS

Mayor Drysdale, noted the recent resignation of Mikaere Sydney, he commented that it was sad to lose him as a member of the Council and wished him and his whanau the best wishes for a full recovery, and that he can continue to contribute to the future of Tauranga.

The Mayor also noted that nominations were now open for candidates for the by-election for a member of the Te Awanui ward and closed on 3 March at 12 noon. He encouraged those who will be eligible to vote to check they are enrolled on the Māori roll and to vote when voting papers were sent out.

The Mayor also congratulated residents of Tauranga who had been recognised in the King's new year honours list – Puhirake Ihaka, ONZM for services to Māori and governance, Noel Graham Harris, ONZM, for services to the thoroughbred racing industry, Ian Martyn Pickard, ONZM, for services to Fire and Emergency NZ, Lee Wei-Hahn Murray, ONZM, for services to literature, particularly speculative literature and Rev Marie Eleanor Gilpin, KSM, for services to the community.

The Mayor acknowledged the work that many volunteers throughout Tauranga do for the people of the community and the city of Tauranga.

The Mayor also acknowledged the recent achievements of Sam Ruthe, a 15 year old who has won senior national athletics titles and a world best for his age group in the 1500m.

11.1 Appointment of Chairperson and Deputy Chairperson to the City Futures Committee and Community and Performance Committee

Mahé Drysdale, Mayor

Timestamp 32:24

Changes to recommendations:

- The Mayor moved a motion with changes to the names of the two committees and confirming the appointments of Chairperson and Deputy Chairperson for the committees.

RESOLUTION CO/25/1/4

Moved: Mayor Mahé Drysdale

Seconded: Cr Rick Curach

That the Council:

- (a) Receives the report "Appointment of Chairperson and Deputy Chairperson to the City Futures Committee and Community and Performance Committee".
- (b) Changes the names of the following committees:
 - (i) City Futures Committee to City Future Committee
 - (ii) Community & Performance Committee to City Delivery Committee.
- (c) Confirms the appointment of the Chairperson and Deputy Chairperson of the following committees:

Committee	
City Future Committee	Chairperson: Cr Marten Rozeboom Deputy Chairperson: Cr Rod Taylor
City Delivery Committee	Chairperson: Deputy Mayor Jen Scoular Deputy Chairperson: Cr Kevin Schuler

- (d) Confirms that the:
 - (i) Chairperson and Deputy Chairperson of the City Future Committee act as co-chairs.
 - (ii) Chairperson and Deputy Chairperson of the City Delivery Committee act as co-chairs.
 - (iii) That for each committee the following changes are made to the terms of reference:

Chairperson and Deputy Chairperson acting as Co-Chairs

- While the Chairperson and Deputy Chairperson of the Committee roles are separately appointed it is the intention that they act as co-chairs.
 - Only one person can chair a meeting at any one time. The person chairing the meeting has the powers of the chairperson as set out in standing orders and has the option to use the casting vote in the case of an equality of votes.
 - The rotation of the meeting chairs is at the discretion of the Chairperson and Deputy Chairperson and subject to their availability, however it is expected that they will alternate chairing meetings when possible.
 - When the Deputy Chairperson is chairing the meeting, the Chairperson will vacate the chair and enable the Deputy Chairperson to chair the meeting. The Chairperson will be able to stay and participate in the meeting unless they declare a conflict of interest in an item, in which case they will not participate or vote on that item.
 - The Chairperson and Deputy Chairperson will attend pre-agenda briefings and split any other duties outside of meetings, e.g. spokesperson for the

Committee.

- The Chairperson and Deputy Chairperson will jointly oversee and co-ordinate all activities of the Committee within their specific terms of reference and delegated authority, providing guidance and direction to all members and liaising with Council staff in setting the content and priorities of meeting agendas.
- The Chairperson and Deputy Chairperson will be accountable for ensuring that any recommendations from the Committee are considered by the Tauranga City Council.

CARRIED

11.2 Letters of Expectations 2025/26 for Council-Controlled Organisations

Staff Gareth Wallis, General Manager: City Development & Partnerships
Caroline Lim, CCO Specialist

Timestamp 36.57

Action

- It was requested that letters of expectations for future years to substantive Council Controlled Organisations be approved by Council before being sent out for the following financial year.

RESOLUTION CO/25/1/5

Moved: Mayor Mahé Drysdale
Seconded: Cr Kevin Schuler

That the Council:

- (a) Receives the report "Letters of Expectations 2025/26 for Council-Controlled Organisations".
- (b) Receives the Letter of Expectations 2025/26 from Tauranga City Council to Bay Venues Limited (Attachment 1).
- (c) Receives the Letter of Expectations 2025/26 from Tauranga City Council to Tauranga Art Gallery Trust (Attachment 2).
- (d) Receives the Letter of Expectations 2025/26 from Tauranga City Council to Tourism Bay of Plenty (Attachment 3). Noting that as joint shareholder, Western Bay of Plenty District Council is not providing Tourism Bay of Plenty with a Letter of Expectations for 2025/26.
- (e) Receives the Letter of Expectations 2025/26 from Tauranga City Council to Te Manawataki o Te Papa Limited (Attachment 4).

CARRIED

11.3 Local Government Funding Agency (LGFA) Bespoke Covenant Application

Staff Paul Davidson, Chief Financial Officer
Kathryn Sharplin, Manager: Finance

Timestamp 54:48

RESOLUTION CO/25/1/6

Moved: Mayor Mahé Drysdale

Seconded: Cr Rick Curach

That the Council:

- (a) Receives the report "Local Government Funding Agency (LGFA) Bespoke Covenant Application".
- (b) Agrees that Council application to LGFA for a bespoke borrowing Covenant includes the following:
 - (i) A bespoke borrowing covenant of 350% debt to revenue.
 - (ii) Noting that Council aims to maintain debt headroom by borrowing below this maximum, with an internal borrowing limit at around 320%.
 - (iii) the covenant should apply from the 2024/25 financial year.
 - (iv) the background information attached to this report is provided with the letter of application.
- (c) Authorises the Mayor to submit the attached application letter to the Board of LGFA on behalf of Council supported by the material contained in Attachment 1 to this report.
- (d) Notes that the implications of a bespoke LGFA borrowing covenant and how it would differ from the existing borrowing limits of the 2024-34 Long-Term Plan can be included in the financial information in the Annual Plan consultation document.

CARRIED

11.4 Tauranga City Council Submission to Local Government (Water Services) Bill

Staff Christine Jones, General Manager: Strategy, Growth & Governance
Charles Lane, Team Leader: Commercial Legal
Stephen Burton, Transformation Lead: Water Services

External Pdraig McNamara, Partner, Simpson Grierson (online)

Timestamp: 1:37:00

Changes to recommendations:

- The Council discussed removing sections 2.1 and 2.2 in the draft submission on shareholder control over water organisations and that there is currently no requirement in the bill for water services providers to act in accordance with the statutory objectives.
- Additional matters were to be raised in the submission including development contributions and charging for stormwater.

RESOLUTION CO/25/1/7

Moved: Mayor Mahé Drysdale

Seconded: Cr Marten Rozeboom

That the Council:

- (a) Receives this report "Submission Document – Local Government (Water Services) Bill".
- (b) Approves the draft submission "Tauranga City Council Submission - Local Government (Water Services) Bill" with the removal of sections 2.1 and 2.2 and subsequent renumbering.

- (c) Delegates authority to the Chief Executive to update the submission to address additional matters including development contribution and charging for stormwater, approve, finalise and sign the Council's submission on the Bill.

CARRIED

The meeting adjourned at 11.35.am and resumed at 11.50 am.

11.5 Background Information - Marine Park Reclassification

Staff Sarah Omundsen, General Manager Regulatory & Compliance
Paul Davidson, Chief Financial Officer
Ross Hudson, Manager: Strategic Planning & Partnerships Community, Spaces & Places
Jaimee Kinzett, Senior Strategic Advisor, Strategic Property

Timestamp: 2.21:

The Council requested the public excluded attachments be made publicly available. Staff advised that they would need to engage with the University of Waikato on the release of the confidential agreements prior to doing so.

The Council agreed to let the report lie on the table until they discussed the public excluded attachments.

Note: Consideration of the item was adjourned until 6.35 pm.

The meeting adjourned at 12.15pm and resumed at 12.45pm.

11.9 Submission on Resource Management (Consenting and Other System Changes) Amendment Bill 2024

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

Timestamp: 3:18:50

RESOLUTION CO/25/1/8

Moved: Cr Marten Rozeboom

Seconded: Cr Glen Crowther

That the Council:

- (a) Receives the report "Submission on Resource Management (Consenting and Other System Changes) Amendment Bill 2024".
- (b) Endorses the submission to the Select Committee on the Resource Management (Consenting and Other System Changes) Amendment Bill 2024 included as Attachment 1.

CARRIED

11.6 160 Devonport Road Land Purchase and Development

Staff Paul Davidson, Chief Financial Officer

Timestamp: 2:41:44

RESOLUTION CO/25/1/9

Moved: Mayor Mahé Drysdale

Seconded: Deputy Mayor Jen Scoular

That the Council:

- (a) Leaves the report "160 Devonport Road - Land Purchase and Development" to lie on the table until 3 March 2025 .

CARRIED

11.7 Temporary Road Closure Report for Events March - June 2025

Staff Nic Johansson, General Manager: Infrastructure

This report was withdrawn from the agenda as the main event in the road closures Oceania Championship Triathlon was cancelled on Friday 7 February 2025.

3.2 Hearing of submitters on the Alcohol Bylaw

Timestamp: 3:33:50

The following members of the public spoke to their submission to the Alcohol Bylaw. A copy of all presentations and documents tabled at the hearing can be viewed on Tauranga City Council's (TCC) website.

(1) Kerry McCaffery

Key Points

- Supports the bylaw.
- Tauranga needs places for people to be able to detox safely.

(2) John Tawahru

Key Points

- Represent community, supports the bylaw.
- Bylaw area should be extended and police need to act urgently on calls from residents in the area.

(3) Susan Hodgkinson

Key Points

- Collects rubbish throughout the area.
- Supports the bylaw and wants to have more compliance on rubbish left in the area of the ban and throughout Mount Maunganui.

(4) Andrew Galloway, Executive Director Alcohol Healthwatch**Key Points**

- Support the bylaw and would want a permanent ban in summer months from Mt Maunganui to Pāpāmoa.

11.8 Alcohol Control Bylaw 2018 Amendment: Hearings and Deliberations

Staff Sarah Omundsen, General Manager: Regulatory and Compliance

Timestamp:4.04:23

RESOLUTION CO/25/1/10

Moved: Cr Steve Morris

Seconded: Cr Rod Taylor

That the Council:

- (a) Receives the report "Alcohol Control Bylaw 2018 Amendment: Hearings and Deliberations".
- (b) Receives the submissions to the draft Alcohol Control Bylaw 2018 Amendment (**Attachment One**).
- (c) Resolves, in accordance with section 147A and 155 of the Local Government Act 2002 that:
 - (i) the amendments to the Alcohol Control Bylaw 2018 (**Attachment Two**) are the most appropriate and proportionate way of addressing the perceived problem of alcohol consumption in public places in the area that the amendments apply;
 - (ii) the draft amendments are in the most appropriate form of bylaw;
 - (iii) the draft amendments do not give rise to implications under the New Zealand Bill of Rights Act 1990;
 - (iv) the draft amendments can be justified as a reasonable limitation on people's rights and freedoms;
 - (v) a high level of crime or disorder caused or made worse by alcohol consumption is likely to arise in the area to which the draft amendments are intended to apply if the amendments are not made;
 - (vi) the draft amendments are appropriate and proportionate in light of that likely crime and disorder.
- (d) Adopts the Alcohol Control Bylaw 2018 Amendment (**Attachment Two**) to come into effect on the 24 February 2025.
- (e) Consider consulting in 2027 on adding to Schedule 1 all reserves, beaches and public places on and including the seaward side of the road from Grove Road to Sandhurst Drive.

CARRIED

12 DISCUSSION OF LATE ITEMS

None

13 PUBLIC EXCLUDED SESSION

RESOLUTION TO EXCLUDE THE PUBLIC RESOLUTION CO/25/1/11

Timestamp:4:23

Moved: Deputy Mayor Jen Scoular

Seconded: Cr Marten Rozeboom

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
13.1 - Matua Hori Ahomiro - Asset Realisation Reserve	s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	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
13.2 - Spencer Webster, CEO Nga Potiki a Tamapahore Trust - Asset Realisation Reserve	s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	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
13.3 - Public Excluded Minutes of the Extraordinary Council meeting held on 25 November 2024	s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege 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)	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
13.4 - Public Excluded Minutes of the Council meeting held on 9 December 2024	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 information s7(2)(g) - The withholding of the information is necessary to maintain	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

	legal professional privilege	
13.5 - Disposal of Properties under Asset Realisation Reserve	s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	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
13.6 - Asset Realisation Reserve - 376 No.1 Road, Te Puke (Orchard Block) Divestment Objectives and Disposal Classification	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)	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
13.7 - Asset Realisation Reserve - Kairua Road - Divestment Objectives and Disposal Classification	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)	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
13.8 - Te Maunga Bioreactor 2 - Contractor Negotiations Update	s6(b) - The making available of the information would be likely to endanger the safety of any person 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 information s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	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
13.9 - Sale of Marine Precinct - Legal Update	s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities 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)	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

13.10 - Western Bay of Plenty Sub-Regional Deal Proposal	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)	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
Confidential Attachment 1 - 11.5 - Background Information - Marine Park Reclassification	s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege	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
Confidential Attachment 2 - 11.5 - Background Information - Marine Park Reclassification	s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege	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

CARRIED

The public were excluded at 1.55pm.

The meeting resumed in open at 6.35pm

11.5 Background Information - Marine Park Reclassification (Continued)

Staff Sarah Omundsen, General Manager Regulatory & Compliance
Paul Davidson, Chief Financial Officer

The Council agreed to let the report lie on the table until 3 March 2025 Council meeting to provide time for further consideration by the University of Waikato on the release of the confidential agreements (with or without redactions).

RESOLUTION CO/25/1/12

Moved: Deputy Mayor Jen Scoular

Seconded: Mayor Mahé Drysdale

That the Council:

- (a) Leaves the report to lie on the table until the 3 March 2025 Council meeting.

CARRIED

14 CLOSING KARAKIA

Councillor Baker closed the meeting with a karakia.

The meeting closed at 6.37 pm.

The minutes of this meeting were confirmed as a true and correct record at the Ordinary Council meeting held on 3 March 2025.

.....
Mayor Mahé Drysdale
CHAIRPERSON

UNCONFIRMED