

**Minutes of the Ordinary Meeting of the Kawerau District Council
held on Wednesday 22 February 2023
in the Council Chamber commencing at 9.00am**

Present: Her Worship the Mayor F K N Tunui
Deputy Mayor A Rangihika
Councillor B J Julian
Councillor Godfery
Councillor C J Ion
Councillor J Ross
Councillor S Kingi
Councillor R Brooking

In Attendance: Chief Executive Officer (R George)
Group Manager, Operations and Services (H van der Merwe)
Group Manager, Regulatory and Planning (M Glaspey)
Group Manager, Finance & Corporate Services (L Butler)
Communications Manager (T Humberstone)
Administration Officer (T Barnett)

Apologies

Resolved **Her Worship the Mayor / Deputy Mayor Rangihika**

An apology from Councillor Savage was received.

Leave of Absence

Resolved **Councillor Ion / Deputy Mayor Rangihika**

A Leave of absence was received by Councillor Julian from 21 June 2023 until 2 August 2023.

Opening Prayer

Pastor Jenny Reynolds opened the meeting with a prayer.

Public Forum

Jenny Reynolds

Would like to see Council consult with the public on all matters regarding the community.

Declarations of Conflict of Interest

No declarations of conflict of interest were received.

1 CONFIRMATION OF COUNCIL MINUTES

1.1 Ordinary Council – 13 December 2022

Action Item:

Page 4 – Item 5.2 – ‘*The Council increase the general refuse charge for commercial trucks only at \$260 per tonne up to 2 cubic meters and \$290 per tonne exceeding 2 cubic meters with a review at the Regulatory and Services meeting on 8 February 2023*’ to be added to the Action Schedule

Resolved

Councillors Julian / Ross

That the minutes of the Ordinary Council Meeting held on 13 December 2022 be confirmed as a true and accurate record.

2 RECEIPT OF COMMITTEE MINUTES

2.1 Creative New Zealand Communities Grant Scheme – 9 December 2022

Resolved

Councillors Godfery / Brooking

That the Minutes of the Creative New Zealand Communities Grant Scheme Committee meeting held on 9 December 2022 be confirmed as a true and accurate record.

2.2 Regulatory and Services Committee – 13 December 2022

Resolved

Councillors Ion / Julian

That the Minutes of the Regulatory and Services Committee meeting held on 13 December 2022 be confirmed as a true and accurate record.

2.3 Regulatory and Services Committee – 8 February 2023

Resolved

Councillors Ion / Rangihika

That the Minutes of the Regulatory and Services Committee meeting held on 8 February 2023 be confirmed as a true and accurate record.

2.4 Audit and Risk Committee – 13 February 2023

Resolved

Councillor Ion / Her Worship the Mayor

That the Minutes of the Regulatory and Services Committee meeting held on 13 February 2023 be confirmed as a true and accurate record.

3 Action Schedule (101120)

Action Items:

Communications and engagement Manager to communicate to public regarding the relocation of the cemetery records.

Update to be given to Anne Kubler regarding the exit to the laundromat.

Resolved

Councillors Kingi / Julian

That the updated Action Schedule of resolutions/actions requested by Council is received.

4 Her Worship the Mayor's Report (101400)

Resolved

Councillor Kingi / Her Worship the Mayor

That Her Worship the Mayor's report for the period Monday 23 January 2023 to Tuesday 14 February 2023 is received.

5 Annual Plan Performance for the Six Months Ended 31 December 2022 (Chief Executive Officer) (110400)

Council discussed the report "Annual Plan Performance for the Six Months Ended 31 December 2022".

Resolved

Councillor Ion / Deputy Mayor Rangihika

That the report "Annual Plan Performance for the Six Months Ended 31 December 2022" is received.

6 Code of Conduct (Chief Executive Officer) (101300)

Council discussed the report "Code of Conduct" for adoption.

Resolved

Councillors Ion / Kingi

- 1. That the report "Code of Conduct" is received.*
- 2. Council deferred recommendation 2 until a list of investigators had been received and a budget has been formalised.*

7 Local Governance Statement (Group Manager, Finance and Corporate Services) (103000)

Council discussed the report “Local Governance Statement”.

Action Item:

Item 7 – Page 102 – Councillors contact details. Corrections to be made to the contact details of the Councillors.

Resolved **Councillor Ion / Deputy Mayor Rangihika**

1. *That the report “Local Governance Statement” is received.*
2. *Council adopts the Local Governance Statement for the current triennium.*

8 Bay of Plenty Mayoral Forum Triennial Agreement (Chief Executive Officer) (104040)

Council considered the report “Bay of Plenty Mayoral Forum Triennial Agreement” for approval.

Resolved **Her Worship the Mayor / Councillor Julian**

1. *That the report “Bay of plenty Mayoral Forum Triennial Agreement” is received.*
2. *That Council notes that the Local Government Act 2002 requires no later than 1 March after each triennial general election of members, all local authorities within each region to enter into a triennial agreement covering the period until the next election.*
3. *That Council endorses the draft Bay of Plenty Mayoral Forum Triennial Agreement 2022 – 2025.*

9 Adoption of the Draft Eastern Bay of Plenty Local Alcohol Policy for Public Consultation (Group Manager, Regulatory and Planning) (110876)

Council discussed the report “Adoption of the Draft Eastern Bay of Plenty Local Alcohol Policy for Public Consultation.”

Action Items:

Page 199 – Licensed Premises in Kawerau District as of July 2022 – Addresses to be added into the table.

Confirm if River Road Dairy and Galway Street Dairy are prohibited to sell alcohol.

Page 160 – Confirm that the Pinelands site still exists.

Confirm the number of off-licences at Tarawera Park are in the Kawerau District.

Resolved

Councillors Julian / Kingi

1. *That the report "Adoption of the Draft Eastern Bay of Plenty Local Alcohol Policy for Public Consultation" is received.*

Resolved

Councillor Ion / Deputy Mayor Rangihika

2. *That Council acknowledges that the Draft Eastern Bay of Plenty Local Alcohol Authority Policy will continue to be a joint policy between Whakatane District Council, Kawerau District Council and Opotiki District Council.*

Resolved

Councillors Julian / Ross

3. *That the Council adopts the Draft Eastern Bay of Plenty Local Alcohol Policy, Statement Proposal, and Research Report as per appendices 1 – 3 for consultation between 27 March 2023 – 28 April 2023.*

Resolved

Councillors Julian / Godfery

4. *That Council nominates her Worship the Mayor Faylene Tunui and Councillor Carolyn Ion to be representatives for the joint hearings and deliberations meeting following consultation taking place.*

10 Intention to Exchange Reserve Land to Enable the Stoneham Park Residential Development (Communications and Engagement Manager) (407900)

Council discussed the report "Intention to Exchange Reserve Land to Enable the Stoneham Park Residential Development"

Resolved

Councillors Julian / Godfery

1. *That the report "Intention to Exchange Reserve Land to Enable the Stoneham Park Residential Development" is received.*
2. *That Council resolve to pass a resolution of its intention to exchange Stoneham Park for the land on Fenton Mill Road currently used as a Stock Pound, which it owns in Private title.*
3. *That Council resolves to publically notify its intention to pass a resolution to exchange the status of Stoneham Park as a recreational reserve for the land on Fenton Mill Road, currently used as a Stock Pound, which it owns on private title. This land, the former Stock Pound would subsequently become a recreational reserve.*
4. *That Council resolve to continue consultation with Iwi and Tangata Whenua, stakeholders and the community regarding the intention to exchange reserve land to enable the Stoneham Park Residential Development.*

5. That Council resolve that the consultation period of 1 month will commence on Friday 24 February 2023 from when the public notification is published in the Beacon Newspaper and submissions will close at 5pm on Friday 24 March 2023.

11 Roy Stoneham Park Residential Development District Plan Change 4 Report.

Council discussed the report "Roy Stoneham Park Residential Development District Plan Change 4 Report.

Resolved

Councillors Ion / Ross

1. That the report "Roy Stoneham Park Residential Development District Plan Change 4 Report" is received.
2. That Council confirms it is satisfied the requirements of Section 32 of the Resource Management Act 1991 have been met and adopts the Section 32 Report for Proposed Change 4 (Residential Development of Roy Stoneham Park to the Kawerau District Plan.
3. That the Council confirms it is satisfied the requirement of the Resource Management Act 1991, in particular sections 73, 74, 75 and 76 and Schedule 1, relating to the preparation of a change to the Kawerau District Plan up to public notification stage, have been met.
4. That Council approves Proposed Change 4 (Residential Development of Roy Stoneham Park) to the Kawerau District Plan pursuant to Clause 5 of Schedule 1 to the resource Management Act 1991, and makes the Section 32 Report publically.
5. That Council approves the public notification of the Proposed Change 4 (Residential Development of Roy Stoneham Park) to the Kawerau District Plan pursuant to the requirements of Clauses 5 and 7 of Schedule 1 to the Resource Management Act 1991.
6. That Council delegates authority to the Group Manager, Regulatory and Planning to make any minor amendments, including grammatical and formatting, to Proposed Change 4 (Residential Development of Roy Stoneham Park) to the Kawerau District Plan and the Section 32 Report prior to public notification.
7. That Council approves in principle that one independent Commissioner will be appointed to the Change 4 Hearing Panel.
8. That Council notes that the independent Commissioner will be appointed in due course in March/April or May 2023 subject to resolution of Council.

Meeting closed 11.20am



F. K. N. Tunui

Mayor