



# **MINUTES**

**Ordinary Council Meeting  
Monday, 22 February 2021**

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**MINUTES OF TAURANGA CITY COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE TAURANGA CITY COUNCIL, COUNCIL CHAMBERS, 91 WILLOW STREET,  
TAURANGA  
ON MONDAY, 22 FEBRUARY 2021 AT 9AM**

**PRESENT:** Commission Chair Anne Tolley, Commissioner Shadrach Rolleston,  
Commissioner Stephen Selwood and Commissioner Bill Wasley

**IN ATTENDANCE:** Marty Grenfell (Chief Executive), Paul Davidson (General Manager: Corporate Services), Barbara Dempsey (General Manager: Regulatory & Compliance), Susan Jamieson (General Manager: People & Engagement), Nic Johansson (General Manager: Infrastructure), Christine Jones (General Manager: Strategy & Growth), Gareth Wallis (General Manager: Community Services), Carlo Ellis (Manager: Strategic Maori Engagement), Nick Swallow (Manager: Legal & Commercial), Brendan Bisley (Director of Transport), Paul Dunphy (Director of Spaces and Places), Jeremy Boase (Manager: Strategy & Corporate Planning), Ariell King (Team Leader: Policy), Coral Hair (Manager: Democracy Services), Scott MacLeod (Group Communication Advisor), Robyn Garrett (Team Leader: Committee Support), Raj Naidu (Committee Advisor), and Jenny Teeuwen (Committee Advisor)

Carlo Ellis, Manager: Strategic Maori Engagement, opened the meeting with a Karakia.

The Commission Chair, Anne Tolley, acknowledged the 10-year anniversary of the Christchurch earthquake and asked that the meeting observe a moment of silence.

Anne Tolley, Commission Chair, introduced herself to the meeting, followed by Commissioners Stephen Selwood, Shadrach Rolleston and Bill Wasley.

**1 APOLOGIES**

Nil

**2 PUBLIC FORUM**

Nil

**3 ACCEPTANCE OF LATE ITEMS**

Nil

**4 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN**

Nil

**5 CHANGE TO THE ORDER OF BUSINESS**

Nil

## 6 CONFIRMATION OF MINUTES

Nil

## 7 DECLARATION OF CONFLICTS OF INTEREST

Nil

## 8 DEPUTATIONS, PRESENTATIONS, PETITIONS

Nil

## 9 RECOMMENDATIONS FROM OTHER COMMITTEES

Nil

## 10 BUSINESS

### 10.1 Governance Structure, Joint Committee appointments and Standing Orders

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

The report was taken as read.

#### Key Points

- Two further amendments to Standing Orders had been requested:
  - Time limits for members speaking to motions, rights of reply and discussing motions be revoked (Standing Order 21.2). As the Commission was only four people, the more formal approach did not apply. The Commission wanted to have as much open discussion as possible.
  - Amend the public forum speaking time to up to 5 minutes in total per person or group (Standing Order 15.1 and 16.1) to enable more people to be able to speak at a meeting. This could be reviewed again if the timing did not work.

#### In response to questions

- Proposed commissioner appointments for the City Plan Hearings Committee were expected to be reported back to the council for consideration and approval in May 2021.

### RESOLUTION CO1/21/1

Moved: Commissioner Stephen Selwood

Seconded: Commissioner Shadrach Rolleston

That the Council:

- (a) Receives the report "Governance Structure, Joint Committee appointments and Standing Orders".
- (b) Discharges the following Standing Committees:
  - Finance, Audit and Risk Committee
  - Policy Committee
  - Projects, Services and Operations Committee
  - Urban Form and Transport Development Committee
  - Regulatory Committee

- Chief Executive’s Performance Committee

(c) Confirms the following Standing and Special Committees continue with the same Terms of Reference but with a change in membership as follows:

| <b>Committee</b>                               | <b>Membership (Tauranga City Council)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Tangata Whenua/Tauranga City Council Committee | <p>The Tauranga City Council elected members are discharged, and the following persons are appointed in their stead:</p> <ul style="list-style-type: none"> <li>– Commission Chair Anne Tolley</li> <li>– Commissioner Shadrach Rolleston</li> <li>– Commissioner Stephen Selwood</li> <li>– Commissioner Bill Wasley</li> </ul> <p>The following existing members are confirmed:</p> <ul style="list-style-type: none"> <li>– Independent Chairperson Huikakahu Kawe</li> <li>– Ms Matire Duncan</li> <li>– Mr Puhirake Ihaka</li> <li>– Mr Whitiara McLeod</li> <li>– Mr Buddy Mikaere</li> <li>– Mrs Irene Walker</li> </ul> <p>Mr Hayden Henry is discharged and replaced with Mr Nathan James</p> |
| City Plan Hearings Committee                   | <p>The Tauranga City Council elected members are discharged.</p> <p>Commissioner Bill Wasley is appointed as Chairperson.</p> <p>The other members (yet to be appointed) will be external independent hearing commissioners accredited under the Resource Management Act 1991.</p>                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Wastewater Management Review Committee         | <p>The Tauranga City Council elected members are discharged, and the following persons are appointed in their stead:</p> <ul style="list-style-type: none"> <li>– Commissioner Stephen Selwood</li> <li>– Commissioner Bill Wasley</li> </ul> <p>The following existing members are confirmed:</p> <ul style="list-style-type: none"> <li>– Ms Matire Duncan – Nga Potiki (Deputy Chairperson)</li> <li>– Mr Whitiara McLeod - Ngai Te Rangi</li> <li>– Mr Carlton Bidois - Ngati Ranginui</li> <li>– Vacant – Nga Potiki (TBC)</li> </ul>                                                                                                                                                             |

(d) Confirms the District Licensing Committee continues without any changes to its Terms of Reference or membership.

(e) Confirms the following Joint Committees continue with the same Terms of Reference but with a change in the appointment of the Tauranga City Council representatives as set out below:

The Tauranga City Council elected members who were appointed to these Joint Committees are discharged and the following persons appointed in their stead:

| <b>Committee</b>                                                      | <b>Membership (Tauranga City Council)</b>                                                                                                  |
|-----------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| SmartGrowth Leadership Group                                          | Commission Chair Anne Tolley<br>Commissioner Stephen Selwood<br>Commissioner Bill Wasley<br><br>Alternate: Commissioner Shadrach Rolleston |
| Bay of Plenty Civil Defence Emergency Management Group                | Commission Chair Anne Tolley<br>Alternate: Commissioner Bill Wasley                                                                        |
| Te Maru o Kaituna (Kaituna River Authority)                           | Commissioner Shadrach Rolleston<br>Alternate: Commissioner Bill Wasley                                                                     |
| Regional Transport Committee                                          | Commission Chair Anne Tolley<br>Alternate: Commissioner Stephen Selwood                                                                    |
| Public Transport Committee (Bay of Plenty Regional Council Committee) | Commissioner Stephen Selwood<br>Commissioner Bill Wasley                                                                                   |

- (f) Appoints the following persons as the Tauranga City Council representatives/members to these advisory groups, external organisations and internal working groups in the stead of the Tauranga City Council elected members who are discharged from these groups/organisations:

| <b>Group/organisation</b>                   | <b>Membership on behalf of Tauranga City Council</b>                                                                         |
|---------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|
| Tauranga Moana Advisory Group               | Commissioner Shadrach Rolleston<br>Commissioner Bill Wasley                                                                  |
| Waiāri Kaitiaki Advisory Group              | Commissioner Shadrach Rolleston<br>Commissioner Bill Wasley                                                                  |
| Ngā Poutiriao ō Mauao                       | Commissioner Shadrach Rolleston<br>Commissioner Bill Wasley                                                                  |
| Mount Air Quality Working Party             | Commissioner Shadrach Rolleston<br>Commissioner Bill Wasley<br><br>Existing TCC appointee, Ms Emily Gudsell, is reconfirmed. |
| Dive Crescent Governance Group              | To be decided                                                                                                                |
| Omanawa Project Governance Group Meeting    | To be decided                                                                                                                |
| Event Funding Panel                         | To be decided                                                                                                                |
| Community Development Match Fund Panel      | To be decided                                                                                                                |
| Creative Communities Tauranga Funding Panel | To be decided                                                                                                                |
| Tauranga Western Bay Safer Communities      | To be decided                                                                                                                |

- (g) In respect of the advisory groups, external organisations and internal working groups where Tauranga City Council representatives are yet to be decided, delegates to the Chief Executive and/or his sub-delegate(s) the authority to attend meetings of these groups/organisations on behalf of Tauranga City Council, until those appointments are decided and confirmed.
- (h) Confirms and adopts the Terms of Reference and delegations for the above Committees and Governance Groups as set out in Attachment 1.
- (i) Confirms the next meeting of the Council (Commission) will be held on Monday, 8 March 2021 commencing at 9:00 am in the Council Chamber, 91 Willow Street, Tauranga.
- (j) Adopts the current Standing Orders in Attachment 2 with the following changes:
- (i) Casting vote provision is retained (Standing Order 19.3 and Appendix 8: Powers of a Chairperson).
  - (ii) Option C for motions and amendments (Standing Order 22.4) and Appendix 5.
  - (iii) Remove references to Code of Conduct.
  - (iv) Amend the public forum time set aside at the beginning of each meeting to state this is at the discretion of the Chairperson; and amend the time speakers on behalf of an organisation or topic can speak to up to 5 minutes in total, unless the Chairperson (at their discretion) otherwise agrees (Standing Order 15.1 and 16.1).
  - (v) For the term of the Commission, where the Standing Orders refer to the Mayor, this will be taken to refer to the Commission Chair, and where it refers to the elected members, this will be taken to refer to the Commissioners.
  - (vi) Time limits for members speaking to motions, rights of reply and discussing motions be revoked (Standing Order 21.2).

**CARRIED**

## 10.2 Executive Report

**Staff** Paul Davidson, General Manager: Corporate Services  
Barbara Dempsey, General Manager: Regulatory & Compliance  
Susan Jamieson, General Manager: People & Engagement  
Nic Johansson, General Manager: Infrastructure  
Christine Jones, General Manager: Strategy & Growth  
Gareth Wallis, General Manager: Community Services

### Key points

- Growth and Strategy  
Highlighted work currently underway on changes to the Tauranga City Plan; in particular Plan Change 26 – Housing Choice, and Plan Change 27 – Flooding from intense rainfall.
- Infrastructure  
Highlighted the Waters Reform and the Water Services Bill. Tauranga City Council's (TCC) draft submission to the Bill would be considered later in the meeting.
- Community Services
  - The uncertainty of COVID-19 was still providing some challenges for Baycourt but one of the unintended upsides was that more local product was touring the country.
  - The Cricket Women's World Cup had also been affected by COVID-19 and would now take place in 2022. Although Tauranga had lost hosting a semi-final, it had picked up an extra match and was now hosting the first match of the whole tournament with an

- estimated viewing audience of 1.2 billion.
- Positive feedback had been received for the Trail Rider project. The trail rider was a wheeled apparatus manned by four people which enabled a person with accessibility issues to get to the top of Mauao. The trail rider was available to be booked from the Mount Holiday Park and was proving to be incredibly popular.
- The replacement mobile library bus was about a month away.
- The Wharf Street streetscape project was fundamentally complete, with a few cultural elements still to do. The project would come in under budget.
- People and Engagement
  - TCC had been one of four councils selected last year to be audited by the Ombudsman. The audit report was received in February. Good feedback had been received with no formal recommendations made, but a number of suggestions to improve TCC's transparency with the community. Many of the opportunities for improvement were well underway.
  - During rates month, members of the customer services team were stationed at the libraries to provide a mobile rates payments service and to take enquiries.
- Regulatory and Compliance
  - The Building and Environmental Planning teams had increasing workloads and it was a challenge to recruit suitably qualified people.
  - The downwards trend in acts of aggression by dogs was noted and the work of the Animal Services team in this area acknowledged.
  - COVID-19 had set the programme of inspections of food premises back. The Environmental Health and Licencing team was aiming to have caught up by the end of the financial year.
- Corporate Services
  - It was noted that the Finance and Legal and Risk services of this group were reported separately.
  - External reporting had been carried out on TCC's digital security last year and a programme was currently being developed to lift TCC's security maturity for the future.
  - The airport was going very well at the moment despite all the implications of COVID-19. The Tauranga airport was one of the few that were close to 100% of schedule and load factors were strong at present.
  - The Mount Holiday Park was also enjoying the impact of local tourism and had produced its best result ever.
  - The Marine Precinct continued to grow and the lifts were now gaining a lot of profile.

### **In response to questions**

- Strategy and Growth
  - City Plan changes
    - Hearings for submissions to the City Plan changes would be in this calendar year. A report was expected to be presented back to council in around May 2021 on the nature of submissions and a proposed timeline for hearings.
    - Some submissions had stated that City Plan 26 did not go far enough, predominately related to height in the Te Papa Peninsula. Some submitters were not aware of existing sightlines (cultural view shafts) to Mauao. The geographical land form, view shafts and transport corridors would need to be fully considered and understood before a decision could be made on whether there was room for further density than what was proposed in the initial plan change.
    - Frequent newsletters were being sent out to people who had registered an interest in the plan changes or had engaged with TCC in any way. Following submissions being publicly notified for further submissions, the next stage of the community engagement plan would be developed for each of the streams, which included clearly identifying what was and was not in scope. Those whose submissions fell outside of scope would be given alternative avenues for their concerns to be raised.



- Plan Change 27 in particular had been of concern to the public, and this had been exacerbated by the distribution of inaccurate information by other parties. Drop-in information sessions and one to one meetings with staff had been able to address and respond to a lot of concerns. Staff were currently working on how to best communicate with those who had not taken up the opportunity to meet with staff and still had concerns.
- Infrastructure
  - The findings of the three waters multi-regional initiative was expected to be presented to council within the next two months with a proposal for how the future may look.
  - Engagement with affected stakeholders for the No.1 Road pipeline project had happened since the beginning of the project around 18 months ago. The disruption to residents and stakeholders was being mitigated by regular information updates on how the project was progressing, timelines and next steps.
  - The Totara St cycleway project was a temporary solution which was not ideal long-term but provided a safer cycling facility in the meantime. There was a parallel initiative as part of the Transport System Plan (TSP) business case looking at the whole Hull, Hewletts and Totara roads area.
  - Cameron Road:
    - The final design for Cameron Rd would be presented to council for approval around late March.
    - Any review or changes to the project scope could compromise the deadlines in place with the funding partner. There were some significant constraints in the corridor and there would be compromises. The compromises, along with the pros and cons, would form part of the final design report. The Cameron Road project scope limitations would be circulated to the commissioners.
    - Information on tangata whenua involvement in the urban design for Cameron Rd would also be provided to the commissioners.
    - The communication component around the bigger picture (outcome) for this project was difficult. The City Vision, the 2021-2031 Long-term Plan (LTP) and the TSP would help to provide a better understanding to the community of what the city could look like. It was noted that some projects happened in the absence of understanding and acceptance of mode shift, but once the project was completed, the community tended to embrace the project outcome e.g. the Maunganui Road project.
- Community Services
  - Commissioners would be informed of applicants being recommended for the Art Gallery Trust, along with the reasons for the recommendations for those appointments.
  - The Elizabeth St streetscape project and funding had been approved by council. Regular operational updates on how the project was progressing would be provided to the commissioners. The project was going well as this point.
  - The next steps planned for the Kulim Park upgrade would be provided to the commissioners.
- People and Engagement
  - The Communications and Engagement Team acted as an advisory function for the organisation to help teams and projects set their communications and engagement plans, and provided advice on how they might reach their stakeholders and what mechanisms and channels could be used. Ultimately, the ownership of communication and engagement plans sat with the project owner or the business unit owner.
- Regulatory and Compliance
  - There were currently four vacancies in the Environmental Planning team and 12 vacancies in the Building team. Filling these particular types of roles was not just a TCC issue but a broader issue across the country.
  - The Building function was around 80% self-funded. The component of the activity that was not 100% funded was general enquiries, enforcement and following up with

people.

- Corporate Services

- The first phase of the Procurement Policy review was a tidy up of the policy and looked at limits and bringing in local and sustainability practices. The second phase was a much bigger piece of work which would be more strategic. Phase two work would begin later this year.
- There was currently a good depth of response to tenders going to market but the sector was heating up and it was becoming more difficult. The long-term procurement plan would help TCC become an attractive partner for the design and delivery sector.
- There had been a change to the late February timeframe for presenting the SmartGrowth report on regional funding options to the Chief Executives of the SmartGrowth partnership. The new timeframe had yet to be confirmed.

## **RESOLUTION CO1/21/2**

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the Council receives the Executive Report.

**CARRIED**

### **Staff Action**

The following information to be circulated to Commissioners:

- Cameron Road project scope limitations.
- Information on tangata whenua involvement in the urban design for Cameron Rd.
- The next steps for the Kulim Park upgrade.

## **10.3 2021-2031 Long-term Plan Timeline**

**Staff** Christine Jones, General Manager Strategy and Growth

### **Key points**

- The 30 June 2021 timeframe for adoption of the 2021-2031 Long-term Plan (LTP) was not achievable and it was recommended to move the timeline to the end of July 2021.
- It was noted that timelines would still be very tight, even with the deadline extended beyond the statutory deadline.
- The Local Government Act 2002 provided the ability for amendments to the LTP at any point in time, subject to public consultation.
- If the LTP timeline was extended beyond the statutory deadline, it was suggested that the Commission write to formally advise the Minister for Local Government to ensure transparency of the decision and clear communication of the extension.

### **In response to questions**

- A LTP amendment process could begin at any point in time after the LTP had been adopted. Changes could be either discrete or substantive across the entire plan. A new plan would be produced but the focus for community consultation would be on what was being amended.

## **RESOLUTION CO1/21/3**

Moved: Commission Chair Anne Tolley

Seconded: Commissioner Bill Wasley

That the Council:

- (a) Receives the 2021-2031 Long-term Plan Timeline report.
- (b) Endorses option two to extend the timeframe to allow for late adoption of the 2021-2031 Long-term Plan in the week beginning 26 July 2021.

- (c) Writes to inform the Minister of Local Government of the decision to extend the 2021-2031 Long-term Plan timeframe.

**CARRIED**

#### **10.4 Adoption of the Tangata Whenua Remuneration Policy 2021**

**Staff** Ariell King, Team Leader: Policy  
Carlo Ellis, Manager: Strategic Maori Engagement

The report was taken as read.

##### **In response to questions**

- Although the current policy had been adopted in 2009, the current meeting fees pre-dated this.
- Te Rangapū was broadly supportive of the policy and appreciated that it had been independently evaluated, but looked for more regular reviews in the future.
- The review had been carried out by Strategic Pay and the State Services Commission cabinet fees framework had been used to set the rate. The rate set was similar to Western Bay of Plenty District Council's rate.

##### **RESOLUTION CO1/21/4**

Moved: Commissioner Shadrach Rolleston

Seconded: Commissioner Bill Wasley

That the Council:

- (a) Receives the Adoption of the Tangata Whenua Remuneration Policy 2021 report.
- (b) Adopts the Tangata Whenua Remuneration Policy 2021.
- (c) Rescinds those parts of the External Representatives' Remuneration Policy relating to tangata whenua remuneration and the Tangata Whenua Collective.
- (d) Delegates authority to staff to make minor editorial changes to the Tangata Whenua Remuneration Policy 2021 for the purposes of correction or clarification.

**CARRIED**

#### **10.5 Traffic and Parking Bylaw 2012 Amendments**

**Staff** Nic Johansson, General Manager: Infrastructure  
Brendan Bisley, Director of Transport

The report was taken as read.

##### **RESOLUTION CO1/21/5**

Moved: Commissioner Stephen Selwood

Seconded: Commissioner Shadrach Rolleston

That the Commission:

- (a) Receives the Traffic and Parking Bylaw 2012 Amendments Report.
- (b) Adopts the proposed amendments to the Traffic and Parking Bylaw 2012 Attachment as per Appendix B, effective from 23 January 2021.

**CARRIED**

## 10.6 Water Services Bill - Draft Submission

**Staff** Nic Johansson, General Manager: Infrastructure

The report was taken as read.

### In response to questions

- The impact of backflow on the quality of water was a big issue and needed to be regulated.
- Following a request from the Commission, standard wording would be used in future for recommendations that delegated authority to the Chief Executive and/or staff to make minor editorial changes to formal documents for the purposes of correction or clarification.
- Engagement for the submission had been undertaken with TCC's immediate neighbours as well as the broader water supply sector of local government across the country.

### RESOLUTION CO1/21/6

Moved: Commissioner Bill Wasley

Seconded: Commissioner Shadrach Rolleston

That the Council:

- (a) Receives the Water Services Bill – Draft Submission report; and
- (b) Approves Tauranga City Council's draft submission to the Water Services Bill, subject to final drafting changes as:
  - (i) Noted during this Council meeting; and/or
  - (ii) any subsequent minor editorial changes for the purposes of correction or clarification as approved by the Chief Executive.

**CARRIED**

### Staff Action

Standard wording to be used in future for recommendations that delegate authority to the Chief Executive and/or staff to make minor editorial changes to formal documents for the purposes of correction or clarification:

*"Delegates authority to the Chief Executive and/or staff to make minor editorial changes for the purposes of correction or clarification."*

## 11 DISCUSSION OF LATE ITEMS

Nil

## 12 PUBLIC EXCLUDED SESSION

Nil

Carlo Ellis, Manager: Strategic Maori Engagement, closed the meeting with a Karakia.

**The meeting closed at 10.34am.**

**The minutes of this meeting were confirmed at the Ordinary Council meeting held on 8 March 2021.**

.....  
**CHAIRPERSON**