



MINUTES

**Ordinary Council Meeting
Monday, 29 March 2021**

Order Of Business

1	Opening Karakia	3
2	Apologies	3
3	Public Forum	3
4	Acceptance of late items	3
5	Confidential business to be transferred into the open	3
6	Change to the order of business	3
7	Confirmation of Minutes	4
7.1	Minutes of the Council meeting held on 8 March 2021	4
7.2	Minutes of the Council Meeting held on 15 March 2021	4
8	Declaration of conflicts of interest	4
9	Deputations, Presentations, Petitions	4
	Nil	
10	Recommendations from Other Committees	4
	Nil	
11	Business	4
11.1	2021-2031 Long-term Plan - Adoption for Audit of draft Long-term Plan Consultation Document	4
11.2	2021-2031 Long-term Plan - Adoption for Audit of Long-term Plan supporting documentation.....	6
11.3	Expected increases to the development contribution fees in 2022 financial year.....	7
11.4	Adoption of the Procurement Policy 2021.....	7
11.5	Adoption of the draft Community Funding Policy 2021 for consultation	8
11.6	Submission to Western Bay of Plenty District Council's Long Term Plan.....	8
11.7	Dive Crescent - Ownership of Reclaimed Land	8
11.8	Governance Structure - establish a Regulatory Hearings Panel and make appointments to governance groups, funding panels and organisations.....	9
12	Discussion of Late Items	11
13	Public excluded session	11
13.1	Public Excluded Minutes of the Council Meeting held on 8 March 2021	11
13.2	Public Excluded Minutes of the Council Meeting held on 15 March 2021	11
13.3	Regulatory Hearings Panel Members Appointment	12
14.	Closing Karakia	12

**MINUTES OF TAURANGA CITY COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE TAURANGA CITY COUNCIL, COUNCIL CHAMBERS, 91 WILLOW STREET,
TAURANGA
ON MONDAY, 29 MARCH 2021 AT 1.00PM**

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), Ross Boreham (Civic Communications Specialist), Nick Swallow (Manager: Legal and Commercial), Jeremy Boase (Manager: Strategy and Corporate Planning), Kathryn Sharplin (Manager: Finance), Anne Blakeway (Manager: Community Partnerships), Brigid McDonald (Manager: Strategic Investment & Commercial Facilitation), Gert van Staden (Senior Strategic Advisor), Angela Murray (Team Leader: Procurement), Ariell King (Team Leader: Policy), Josh Logan (Team Leader: Corporate Services); Elizabeth Hughes (Consultant, Communications and Engagement), Ana Blackwood (Development Contributions Policy Analyst), Coral Hair (Manager: Democracy Services), Robyn Garrett (Team Leader: Committee Support), Raj Naidu (Committee Advisor), and Jenny Teeuwen (Committee Advisor)

1 OPENING KARAKIA

Shadrach Rolleston, Commissioner, opened the meeting with a Karakia.

2 APOLOGIES

Nil

3 PUBLIC FORUM

Nil

4 ACCEPTANCE OF LATE ITEMS

Nil

5 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN

Nil

6 CHANGE TO THE ORDER OF BUSINESS

Nil

7 CONFIRMATION OF MINUTES

7.1 Minutes of the Council meeting held on 8 March 2021

RESOLUTION CO4/21/1

Moved: Commissioner Stephen Selwood
Seconded: Commissioner Shadrach Rolleston

That the minutes of the Council meeting held on 8 March 2021 be confirmed as a true and correct record.

CARRIED

7.2 Minutes of the Council meeting held on 15 March 2021

RESOLUTION CO4/21/2

Moved: Commissioner Bill Wasley
Seconded: Commissioner Shadrach Rolleston

That the minutes of the Council meeting held on 15 March 2021 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

11.1 2021-2031 Long-term Plan - Adoption for Audit of draft Long-term Plan Consultation Document

Staff Marty Grenfell, Chief Executive
Christine Jones, General Manager: Strategy and Growth
Paul Davidson, General Manager: Corporate Services

In response to questions

- Both the Long-term Plan (LTP) consultation document and the supporting documentation would be available on Tauranga City Council's (TCC) website.
- Any changes requested by commissioners post audit would be dependent on how substantive the changes were. Minor wording changes could be made but any significant financial changes would be difficult to make. There would be some ability to change performance measures throughout the process but the earlier this happened, the better.

Amendments requested to the Consultation Document

- Page 6 – Either in the front end of the document or attributed to Commissioner Bill Wasley, highlight existing partnership commitments including Smartgrowth, Urban Form and Transport Initiative (UFTI), Transport System Plan (TSP) and also the partnership with Tangata Whenua. It also needed to be clear that infrastructure included community facilities.
- Page 9 - Include “learn” in “More people coming to live, work, and play”.
- Page 12 and 13 – How we fund what we do - ensure that the message/story that everyone was paying their share was clear. In particular, more clarity and specificity was needed around development contributions (DCs).
- Page 15 – Vested assets – clarify that ratepayers cover all costs of using and maintaining these assets over time.
- Page 15 – DCs (green box) – emphasise and make clearer that DCs could be used to fund community facilities.
- Page 16 – Rating impacts - include more meaningful explanations of how much rates increases would cost the average household per week and what that was equivalent to e.g. the cost of a cup of coffee.
- Page 17 - Capital expenditure priorities – use words that better describe actual areas and where things are, rather than the terms eastern/western corridors.
- Page 18 – Supply of land for homes and businesses - include commentary around opportunities for papakāinga and social housing, and also that TCC was not only focussed on growth but also on wider opportunities for redevelopment/intensification within the city limits and were investing in infrastructure to allow for this. Changing housing needs over time also needed to be signalled.
- Page 21 – Civic administration building bullet point – include the term “leased”
- Page 22 – Enabling delivery - include that TCC was benchmarking against other councils and endeavouring to be as efficient as possible.
- Page 23 – Renewal expenditure - need commentary/story to support the graphs and to strongly emphasise that TCC was investing in the current city as well as providing for growth.
- Page 34 – Sale of Pitau Road Village and Hinau Street Village – it needed to be made clear how the revenue generated from the sales would provide TCC with a number of options within the community/papakāinga housing space.
- Page 40 – Civic administration premises – remove or pare back reference to the Willow Street site.
- Page 42 – Infrastructure Strategy – need to describe infrastructure in terms people will understand e.g. swales.
- Page 44 – Our capital programme, graphs on page 44 and top of page 46 – need a shorter, more succinct, meaningful story to accompany the graphs.

RESOLUTION CO4/21/3

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the Council:

- (a) Receives the 2021-2031 Long-term Plan - Adoption for Audit of draft Long-term Plan Consultation Document report.
- (b) Approves the draft 2021-31 Long-term Plan Consultation Document (**Attachment 1**) for the purposes of submitting it to Audit New Zealand for the audit process.
- (c) Notes that improvements will be made to the presentation of option 2 (pages 26-27 of Attachment 1) to more clearly show the differences in outcomes and costs between option 1 and option 2, primarily relating to reductions in transportation, resilience, community facilities and accessible recreation and sporting experience projects.
- (d) Delegates authority to the Chief Executive to make editorial amendments to the draft 2021-31 Long-term Plan Consultation Document, if required, prior to them being submitted to Audit New Zealand.

- (e) Notes the final version of the draft 2021-31 Long-term Plan Consultation Document, following any amendments made by the Commissioners at this meeting, amendments made by staff required by Audit New Zealand, and for graphic design purposes, will be provided to Council for its approval at the meeting in early May 2021. Significant changes, if any, will be highlighted at that time.

CARRIED

11.2 2021-2031 Long-term Plan - Adoption for Audit of Long-term Plan supporting documentation

Staff Marty Grenfell, Chief Executive
Christine Jones, General Manager: Strategy and Growth
Paul Davidson, General Manager: Corporate Services
Gareth Wallis, General Manager: Community Services

A copy of the tabled document for this item – Replacement pages for Attachment 4, Infrastructure Strategy - can be viewed on Tauranga City Council's website in the Minutes Attachments document for this council meeting.

In response to questions

- The document was found to be difficult and repetitive; the same messages being conveyed with different lenses, which created confusion rather than clarity. It was suggested that the document be more succinct. It was acknowledged that some parts of the legislation, by their nature, created repetition.
- Some targets e.g. transport, would initially go backwards until investment in infrastructure took effect, and would then move back towards set targets again.
- A review of the Tauranga main streets area was planned for August.
- An update on the possible alignment with Western Bay of Plenty District Council (WBOPDC) for the District Plan review would be provided in the Executive Report that would be presented at the 12 April Council meeting. Whatever framework approach was taken for the review would not impact on the performance measures in the LTP.
- The increase in personnel expenses within the first year was attributable to a catch up from COVID-19 when costs had been frozen, normal market movement, and the increase of FTEs which was reflective of the organisation's need to be able to deliver the bigger capital programme.
- There was no duplication in the levels of service provided by TCC and Creative Bay of Plenty.

RESOLUTION CO4/21/4

Moved: Commissioner Shadrach Rolleston

Seconded: Commissioner Bill Wasley

That the Council:

- a) Receives the 2021-2031 Long-term Plan - Adoption for Audit of Long-term Plan supporting documentation report.
- b) Adopts the draft Groups of Activities plans as set out in **Attachment 2**, for submission to Audit New Zealand, incorporating the new community outcomes approved on 15 March 2021.
- c) Adopts the following documents as supporting documents for the draft LTP for submission to Audit New Zealand, incorporating the following strategies, analysis and policies:
 - (i) Summary financials (**Attachment 1**)
 - (ii) Draft Financial Strategy (**Attachment 3**)

- (iii) Draft Infrastructure Strategy (**Attachment 4**)
- (iv) Draft Revenue and Finance Policy (**Attachment 5**)
- (v) Revenue and Financing – Funding Needs Analysis (**Attachment 6**)
- d) Delegates authority to the Chief Executive to make editorial amendments and the amendments made by Commissioners at this meeting to the draft 2021-31 Long-term Plan supporting documentation, if required, prior to them being submitted to Audit New Zealand.
- e) Notes the final version of the 2021-31 Long-term Plan supporting documentation, following any amendments required by Audit New Zealand and for graphic design purposes, will be provided to Council for its approval in early May 2021.

CARRIED

Attachment

1 Attachment 4 - Draft Infrastructure Strategy - replacement pages

11.3 Expected increases to the development contribution fees in 2022 financial year

Staff Christine Jones, General Manager: Strategy and Growth

In response to questions

- Location DCs were generally paid on subdivision, whereas the citywide DC was generally paid on building consent. The two were added together to get the total DC charge.
- The different Wairakei sub catchments predominantly related to the different stormwater catchments and where the stormwater flowed.
- The policy schedules were reviewed every year and aligned with the Annual Plan (AP) or LTP. The policy elements were generally updated through the LTP process.
- TCC was seen nationally as a leader for DCs and a comprehensive DC policy had been in place for some time. Amendments to the Local Government Act 2002 three years ago were very much modelled on TCC's DC policy. It was suggested that this be included as part of the DC story in the LTP.

RESOLUTION CO4/21/5

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the Council notes the contents of the report and that a draft 2021/22 Development Contributions Policy which includes the fees discussed in the report will be brought to the Council to consider for adoption in May 2021.

CARRIED

11.4 Adoption of the Procurement Policy 2021

Staff Paul Davidson, General Manager: Corporate Services
Nick Swallow, Manager: Legal and Commercial
Angela Murray, Team Leader: Procurement

RESOLUTION CO4/21/6

Moved: Commission Chair Anne Tolley

Seconded: Commissioner Stephen Selwood

That the Council:

- (a) Adopts the draft Procurement Policy 2021.
- (b) Adopts Option 1 of Issue 1, and Option 1 of Issue 2.
- (c) Delegates authority to staff to undertake minor editorial changes for the purposes of correction or clarification.

CARRIED

11.5 Adoption of the draft Community Funding Policy 2021 for consultation

Staff Gareth Wallis, General Manager: Community Services
Anne Blakeway, Manager: Community Partnership
Ariell King, Team Leader: Policy

RESOLUTION CO4/21/7

Moved: Commissioner Bill Wasley
Seconded: Commissioner Shadrach Rolleston

That the Council adopts the draft Community Funding Policy 2021 for consultation as part of the draft Long-term Plan 2021-31 process.

CARRIED

11.6 Submission to Western Bay of Plenty District Council's Long Term Plan

A copy of the tabled document for this item – Submission to the Bay of Plenty District Council Long Term Plan 2021-2031 - can be viewed on Tauranga City Council's website in the Minutes Attachments document for this council meeting.

RESOLUTION CO4/21/8

Moved: Commissioner Bill Wasley
Seconded: Commissioner Stephen Selwood

That the Council approves the submission to the Western Bay of Plenty District Council Draft Long Term Plan.

CARRIED

Attachment

- 1 Submission to the Western Bay of Plenty District Council Long Term Plan 2021-2031

11.7 Dive Crescent - Ownership of Reclaimed Land

Staff Brigid McDonald, Manager: Strategic Investment & Commercial Facilitation
Gert van Staden, Senior Strategic Advisor

In response to questions

- The Memorandum of Understanding (MoU) with Otamataha Trust was still live. It had been signed in 2010.
- The transfer was expected to happen in a matter of weeks.

RESOLUTION CO4/21/9

Moved: Commissioner Bill Wasley
Seconded: Commissioner Shadrach Rolleston

That the Council agrees to transfer a 50% interest in the reclaimed land at 9 Dive Crescent, identified as Lot 1 Deposited Plan 450624, to the Otamataha Trust, as it honours the intent and terms of the May 2010 Memorandum of Understanding with the Otamataha Trust and Tauranga City Council.

CARRIED

11.8 Governance Structure - establish a Regulatory Hearings Panel and make appointments to governance groups, funding panels and organisations

Staff Coral Hair, Manager: Democracy Services

In the Public Excluded session of this Council meeting, it was recommended that a Tangata Whenua representative be appointed to the Regulatory Hearings Panel, to be nominated by Te Rangapū Mana Whenua o Tauranga Moana and subsequently endorsed by Council. This has been reflected in the resolution below.

RESOLUTION CO4/21/10

Moved: Commissioner Bill Wasley
Seconded: Commissioner Stephen Selwood

That the Council:

- (a) Receives the report "Governance Structure – establish a Regulatory Hearings Panel and make appointments to governance groups, funding panels and organisations."
- (b) Pursuant to clause 30(1)(a) Schedule 7 of the Local Government Act 2002, establishes a Regulatory Hearings Panel as a subordinate decision-making body (that is neither a committee nor subcommittee) of the Council.
- (c) Adopts the Terms of Reference for the Regulatory Hearings Panel in Attachment 1 and delegates to it the role, scope and powers specified therein (pursuant to clause 32 Schedule 7 of the Local Government Act 2002).
- (d) Appoints four members to the Regulatory Hearings Panel, including one Tangata Whenua representative nominated by Te Rangapū Mana Whenua o Tauranga Moana, after considering the candidates in the public excluded part of the agenda; and releases those names into the public arena once the members have been advised of their appointment. The members appointed will be external independent persons with the skills, attributes or knowledge that will assist the work of the panel.
- (e) Appoints the following persons as the Tauranga City Council representatives/members to these governance groups, funding panels and external organisations instead of the Tauranga City Council elected members who were discharged from these groups/organisations on 22 February 2021. The staff appointees to the Event Funding Panel and Community Development Match Fund Panel are delegated the authority specified. The staff appointments to the Tauranga Western Bay Safer Communities, Event Funding Panel, Community Development Match Fund, and the Tauranga Creative Communities Scheme Funding Panel are interim appointments, pending further consideration by the commissioners.

Group/organisation	Membership on behalf of Tauranga City Council
Dive Crescent Governance Group	Commissioner Shadrach Rolleston Commissioner Bill Wasley
Omanawa Project Governance Group	Director of Spaces and Places Manager: Strategic Māori Engagement
Tauranga Western Bay Safer Communities	General Manager: Community Services (assumes Chairperson role) Alternate: Team Leader: Community Development
Event Funding Panel	General Manager: Community Services (assumes Chairperson role) Manager: Venues and Events Council subject matter expert(s) dependent on genre/type/nature of event. (The two Council representatives/members appointed above are delegated authority to appoint, by consensus, an appropriate expert or experts to the Panel on a per event basis).
Community Development Match Fund Panel	Manager: Community Partnerships Team Leader: Community Development The three existing external appointees (one each from TECT, Bay Trust and Acorn Foundation) are reconfirmed. The Manager: Community Partnerships is delegated authority to approve small grants of up to \$1,000 with the number of grants approved not to exceed the total amount budgeted annually for small grants.
Tauranga Creative Communities Scheme Funding Panel	Manager: Arts and Culture

- (f) In respect of each of the Tauranga City Council staff appointees specified in resolution (e), if their position title changes or their position is disestablished, a staff member who performs or exercises the same or substantially similar role or function to that position will, upon confirmation by the Chief Executive, be deemed to be the Council's appointee to the group/panel/organisation without further resolution of the Council being required.
- (g) Adopts the amended Terms of Reference for the Event Funding Panel and the Community Development Match Fund Panel as set out in Attachment 3, and delegates to them the role, scope and powers specified therein (pursuant to clause 32 Schedule 7 of the Local Government Act 2002).
- (h) Removes the Event Funding Panel and the Community Development Match Fund Panel from the Governance Structure Terms of Reference and includes information on these panels on the relevant pages of the Tauranga City Council's website.

- (i) Approves the amended Terms of Reference for the Dive Crescent Governance Group as marked-up in Attachment 4, and recommends these amendments be referred to the Group's next meeting for agreement along with a recommendation that the Group consider meeting quarterly or as required.

CARRIED

12 DISCUSSION OF LATE ITEMS

Nil

13 PUBLIC EXCLUDED SESSION

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION CO4/21/11

Moved: Commissioner Shadrach Rolleston

Seconded: Commissioner Bill Wasley

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
<p>13.1 - Public Excluded Minutes of the Council Meeting held on 8 March 2021</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)(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> <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>	<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>
<p>13.2 - Public Excluded Minutes of the Council Meeting held on 15 March 2021</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>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>

<p>13.3 - Regulatory Hearings Panel Members Appointment</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>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>
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CARRIED

14. CLOSING KARAKIA

Shadrach Rolleston, Commissioner, closed the meeting with a Karakia in the Public Excluded session.

The meeting closed at 2.49pm.

The minutes of this meeting were confirmed as a true and correct record at the Ordinary Council Meeting held on 12 April 2021.

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CHAIRPERSON