



MINUTES

**Ordinary Council Meeting
Monday, 10 May 2021**

Order of Business

1	Opening Karakia	3
2	Apologies	3
3	Public Forum.....	3
4	Acceptance of late items	3
	4.1 Acceptance of Late Items.....	3
5	Confidential business to be transferred into the open.....	3
6	Change to the order of business	4
7	Confirmation of Minutes.....	4
	7.1 Minutes of the Council meeting held on 27 April 2021	4
	7.2 Minutes of the Council meeting held on 4 May 2021	4
8	Declaration of conflicts of interest	4
9	Deputations, Presentations, Petitions.....	4
	9.1 Petitions - 12th Avenue - Homeless people and liquor ban	4
10	Recommendations from Other Committees	5
	Nil	
11	Business.....	5
	11.1 Mainstreet Report July to December 2020	5
	11.2 Direction on the Hearings Panel for Plan Changes 26, 27 and 30	7
	11.3 Submission on the discussion document Supporting Sustainable Freedom Camping in Aotearoa New Zealand - Proposed Changes to support effective management of freedom camping in New Zealand	8
12	Discussion of Late Items.....	9
13	Public excluded session	9
	13.1 Public excluded minutes of the Council meeting held on 27 April 2021	9
	13.2 Appointments to Strategy, Finance and Risk Committee.....	9
	13.3 Board appointments to a council-controlled organisation: Bay Venues Limited	9
14	Closing Karakia.....	10

**MINUTES OF TAURANGA CITY COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE TAURANGA CITY COUNCIL, COUNCIL CHAMBERS, 91 WILLOW STREET,
TAURANGA
ON MONDAY, 10 MAY 2021 AT 10.30AM**

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), Michael Vujnovich (Manager: Project Tauranga), Janine Speedy (Team Leader: City Planning), Rebecca Gallagher (Policy Analyst), Ariell King (Team Leader: Policy), Stuart Goodman (Team Leader: Regulation Monitoring), Coral Hair (Manager: Democracy Services), Robyn Garrett (Team Leader: Committee Support), Raj Naidu (Committee Advisor) and Jenny Teeuwen (Committee Advisor)

1 OPENING KARAKIA

Commissioner Shadrach Rolleston opened the meeting with a Karakia.

2 APOLOGIES

Nil

3 PUBLIC FORUM

Nil

4 ACCEPTANCE OF LATE ITEMS

4.1 Acceptance of Late Items

RESOLUTION CO8/21/1

Moved: Commissioner Bill Wasley

Seconded: Commissioner Shadrach Rolleston

That the following item be included in the Public Excluded agenda:

- 13.3 - Board appointments to a council-controlled organisation: Bay Venues Limited.

CARRIED

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 27 April 2021

RESOLUTION CO8/21/2

Moved: Commissioner Stephen Selwood
Seconded: Commissioner Shadrach Rolleston

That the minutes of the Council meeting held on 27 April 2021 be confirmed as a true and correct record.

CARRIED

7.2 Minutes of the Council meeting held on 4 May 2021

RESOLUTION CO8/21/3

Moved: Commissioner Bill Wasley
Seconded: Commissioner Stephen Selwood

That the minutes of the Council meeting held on 4 May 2021 be confirmed as a true and correct record.

CARRIED

8 DECLARATION OF CONFLICTS OF INTEREST

Nil

9 DEPUTATIONS, PRESENTATIONS, PETITIONS

9.1 Petitions - 12th Avenue - Homeless people and liquor ban

A copy of the tabled documents for this item can be viewed on Tauranga City Council's website in the Minutes Attachments document for this council meeting.

Maggie Stewart

Key points

- Ms Stewart spoke to the petition signed by the residents of 12th Avenue.
- There had been issues with people drinking on the street in 12th Ave over the past year; however there now seemed to be drunk people in the street every day.
- Bad language was being used and drink bottles and food containers were left lying around on a daily basis.
- There were many elderly living in the street and they felt scared and unsafe.
- Police response to residents' phone calls had been positive.
- Requested that a liquor ban be placed on the street.

In response to questions

- The situation had been discussed with council staff.
- The police required a legal basis for removing people from the street and a liquor ban would provide this.

The Commission Chair thanked Ms Stewart for her presentation.

Paul Billinghamurst

Key points

- Mr Billinghamurst spoke to the petition from business owners.
- Staff felt unsafe and intimidated, particularly female staff.
- The tabled photos of the area showed the mess that was being left behind on a daily basis.
- The police response had been good but they had no legal basis for moving the people on without photo evidence taken when things were actually happening.
- Requested an alcohol ban from 11th Avenue to 13th Avenue.

In response to questions

- The issue had been ongoing for a number of years but had escalated in last six months. It was now happening every day and there were more people involved; from two to a dozen daily.
- The carpark was privately owned. If the people were moved on by the police, they just moved to the footpath or to alongside the Chorus box.

The Commission Chair thanked Mr Billinghamurst for his presentation.

The Commission chair requested that staff provide a report back to council on the issues and options for a liquor ban in 12th Avenue.

Staff Action

Staff to report back to council on the issues and options for a liquor ban in 12th Avenue..

Attachment

- 1 Petition - Liquor ban in 12th Avenue - tabled photos

10 RECOMMENDATIONS FROM OTHER COMMITTEES

Nil

11 BUSINESS

11.1 Mainstreet Report July to December 2020

Staff Michael Vujnovich, Manager: Project Tauranga

Mainstreet Presentations

Downtown Tauranga – Sally Cooke and Brian Berry

For a copy of the Downtown Tauranga presentation for this item, please contact Downtown Tauranga.

Key points

- Provided overview of their report.
- Believed there was further opportunity for collaboration with council and the other Mainstreet organisations.
- Looked for continued support from Tauranga City Council (TCC) and would be applying to the Long Term Plan (LTP) for funding for the next three years.

In response to questions

- The submission to the LTP for the Activate Vacant Spaces project would include analysis of the pilot; however, it would be difficult to present accurate foot traffic results as there were no foot traffic counters in the city centre.
- The Commissioners would like to see evidence from all Mainstreet organisations on vacancy rates, whether business turnover was increasing, and if not, why not, and foot traffic data was essential.
- Downtown Tauranga would like to be involved in the proposed review of the Mainstreet programme.
- There had been a range of data measures in place for the Buy Local Tauranga campaign, including digital, electronic, and social media platforms, as well as feedback from the different Mainstreets.
- Each Mainstreet organisation had different issues they were addressing. Collaboration was reflected more in the coordination of promotions that suited all Mainstreets and were jointly funded.
- Downtown Mainstreet favoured a targeted rate.

The Commission Chair thanked Ms Cooke and Mr Berry for their presentation.

Greerton Village – Sally Benning**Key points**

- The report was taken as read.
- Believed Greerton was tracking along pretty well - did not lose a single business post COVID, although it had been a difficult time for some.
- Greerton was busy most of the time. Carparks were full for most of the day with a high turnover.
- Traffic could be heavy, particularly at morning and afternoon commute times, but believed most businesses had learnt to live with it.
- Reported that the majority of the Greerton business community was not in favour of the proposed name change for Greerton village.

In response to questions

- Lamp post cleaning and pavement scrubbing had still not occurred. The last communication with TCC staff had been two weeks ago. Staff would follow up on this.
- The March 2021 vintage, retro and steampunk event had gone well following a two year gap due to COVID. Unfortunately, there had been no vintage cars on display in Chadwick Rd and this had resulted in a slight reduction to crowd numbers.
- Business After Five events were still considered valuable and were held every month, with 12 to 20 people attending.
- Pedestrians and mobility scooter users were much happier with the transportation change through Greerton. Businesses had suffered while the work had been carried out but it seemed that business was back to normal as time had gone by.

The Commission Chair thanked Ms Benning for her presentation.

Papamoa Unlimited – David Hill**Key points**

- The report was taken as read.
- Papamoa Mainstreet worked well because it was incorporated in with the shopping centre and provided a united front for all Papamoa. Everyone on Papamoa Mainstreet committee was a retailer.
- Three to four events were held each year, with one new event each year. The Santa Parade was the jewel in the crown with approximately 20,000 attending.

In response to questions

- Papamoa Mainstreet would like be involved in any review.
- The Commissioners would like to see more reporting on outcomes as this built a case for investment.

The Commission Chair thanked Mr Hill for his presentation.

Points of discussion

- Foot traffic and eftpos counts were available as part of the parking trial in the CBD. These figures would be included in the parking trial report being presented to Council in about a month.
- Early engagement with the Mainstreets needed to happen before the proposed review.
- A common reporting format and better reporting of outcomes needed to be included as part of the review.

RESOLUTION CO8/21/4

Moved: Commissioner Bill Wasley

Seconded: Commissioner Shadrach Rolleston

That the Council receives the Mainstreet Report: July to December 2020.

CARRIED

Staff Action

Staff to follow up on:

- The cleaning of lamp posts and the pavement scrubbing in Greerton Village.
- Bus stops signage for Mount Mainstreet.

11.2 Direction on the Hearings Panel for Plan Changes 26, 27 and 30

Staff Janine Speedy, Team Leader: City Planning

Key points

- A brief overview of the report was provided.
- Three options for the hearings panel were provided. The staff recommendation was for Option One.

In response to questions

- Plan Change 26 had been significantly driven by the 2020 changes to the National Policy Statement-Urban Development (NPS-UD).
- Direction for Plan Change 27 had been set by the Regional Policy Statement 2015, and was also a result of the significant flooding events in Tauranga in 2005 and 2010.
- It was requested that further consideration be given to some kind of community perspective on the panel.
- Time line and legislative provisions around the process e.g. could parts of the plan changes be withdrawn, approximate timings for hearings, and when decisions would be made for release would be provided to Commissioners.
- Commissioners would like to see the long list as well as the short list of the preferred candidates for the hearings panel, along with the list of each candidate's skills.

RESOLUTION CO8/21/5

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the Council:

- (a) Receives the Direction on the Hearings Panel for Plan Changes 26, 27 and 30 report.

- (b) Requests staff prepare a recommendation of three to five independent hearings commissioners (including chair), selected from the Ministry for the Environment Certificated Commissioner list, for appointment to the hearings panel on the following plan changes:
- (i) Plan Change 26 – Housing Choice
 - (ii) Plan Change 27 – Flooding from Intense Rainfall
 - (iii) Plan Change 30 – Earthworks
- (c) Notes in accordance with section 80 of the Local Government Act 2002, that the decision to appointment commissioners directly from the Ministry for the Environment list of approved commissioners is inconsistent with Council's Independent Hearings Commissioners Policy, as set out in paragraphs 26-28.
- (d) Notes that a report is required to Council with recommendations on delegations to the Plan Change 26, 27 and 30 Independent Hearings Commissioners hearings panel.

CARRIED

Staff Action

A time line and the legislative provisions around the Plan Change process e.g. could parts of the plan changes be withdrawn, approximate timings for hearings, and when decisions would be made for release, to be provided to Commissioners.

11.3 Submission on the discussion document Supporting Sustainable Freedom Camping in Aotearoa New Zealand - Proposed Changes to support effective management of freedom camping in New Zealand

Staff Barbara Dempsey, General Manager: Regulatory & Compliance
Ariell King, Team Leader: Policy
Stuart Goodman, Team Leader: Regulation Monitoring

In response to questions

- Questions 3.1 and 3.2 had been marked neutral as TCC's freedom camping bylaw already restricted freedom campers to self-contained vehicles. However, it was important that this be supported by law so it was suggested that the question be amended to strongly support mandatory self-contained vehicles.
- Generally, TCC did not use the freedom camping bylaw act to manage homelessness. A community approach to homelessness activity was preferred.

RESOLUTION CO8/21/6

Moved: Commissioner Stephen Selwood

Seconded: Commissioner Bill Wasley

That the Council:

- (a) Receives the Submission on the discussion document Supporting Sustainable Freedom Camping in Aotearoa New Zealand - Proposed Changes to support effective management of freedom camping in New Zealand report.
- (b) Approves the submission to the discussion document "Supporting Sustainable Freedom Camping in Aotearoa New Zealand – Proposed changes to support effective management of freedom camping in New Zealand" in attachment A with the following amendment:
 - Amend section 3.1 from Neutral to Strongly Agree.

CARRIED

12 DISCUSSION OF LATE ITEMS

Nil

13 PUBLIC EXCLUDED SESSION

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION CO8/21/7

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 27 April 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 - Appointments to Strategy, Finance and Risk Committee</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>
<p>13.3 - Board appointments to a council-controlled organisation: Bay Venues Limited</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)(c)(i) - the withholding of the information is necessary to protect information which is subject to an</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</p>

	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 to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied	section 6 or section 7
--	---	------------------------

CARRIED

At 12.07pm, the meeting resumed in the open session.

14 CLOSING KARAKIA

Commissioner Shadrach Rolleston closed the meeting with a Karakia.

The meeting closed at 12.08pm.

The minutes of this meeting were confirmed as a true and correct record at the Ordinary Council meeting held on 31 May 2021.

.....
CHAIRPERSON