



# **MINUTES**

**Ordinary Council meeting  
Tuesday, 26 October 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 TUESDAY, 26 OCTOBER 2021 AT 10.30AM**

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

**IN ATTENDANCE:** Paul Davidson (Acting Chief Executive; General Manager: Corporate Services), Barbara Dempsey (General Manager: Regulatory & Compliance), Susan Jamieson (General Manager: People & Engagement), Christine Jones (General Manager: Strategy & Growth), Andrew Mead (Manager: City & Infrastructure Planning), Alistair Talbot (Team Leader: Transport Strategy & Planning), Waheed Ahmed (Senior Transport Planner), Richard Harkness (Project Leader: Urban Planning), Mike Naude (Programme Manager: Civic Redevelopment Projects), Ceilidh Dunphy (Community Relations Manager), Emma Cottin (Strategic Community Relations Advisor), Coral Hair (Manager: Democracy Services), Robyn Garrett (Team Leader: Committee Support)

## **1 OPENING KARAKIA**

Commissioner Rolleston opened the meeting with a karakia, and acknowledged the recent passing of both Brian Penetaka Dickson and Louis Te Kani and extended condolences to Ngāi Te Rangi and whanau.

## **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 4 October 2021

#### RESOLUTION CO20/21/1

Moved: Commissioner Stephen Selwood

Seconded: Commissioner Shadrach Rolleston

That the minutes of the Council meeting held on 4 October 2021 be confirmed as a true and correct record; subject to the following corrections:

- That Item 3.2, second bullet point, be amended to read “The proposed new policy, to be considered for adoption later in the meeting, could provide a discretion for Council to support papakāinga housing both for upcoming development and retrospectively.”

It was clarified that Mr Kawe’s Public Forum presentation was before Council had considered and adopted the Grants for Development Contributions on Papakāinga Housing Policy at Agenda Item 11.14.

**CARRIED**

## 8 DECLARATION OF CONFLICTS OF INTEREST

Nil

## 9 DEPUTATIONS, PRESENTATIONS, PETITIONS

Nil

## 10 RECOMMENDATIONS FROM OTHER COMMITTEES

Nil

## 11 BUSINESS

Agenda item 11.2 was moved forward and considered before item 11.1

### 11.2 Civic Redevelopment Programme Progress Report

**Staff** Mike Naude, Programme Manager Civic Redevelopment Projects

#### Key points

- Progress would be reported at least quarterly to Council. A further update would be provided before Christmas and Projects 2, 3 and 5 would be reported on more regularly.

#### In response to questions

- The Civic Redevelopment Programme Governance Group membership was Independent Chairperson John Brockies, Chief Executive Marty Grenfell, General Manager: People and Engagement Susan Jamieson, General Manager: Community Services Gareth Wallis, Carlo Ellis as iwi representative and David Lambie from Twenty Two Independent Property Advisers.
- In the process of finalising the lease agreement for Devonport Road, which included the requirement for a timber structure building.
- Noted that the Commissioners and Chief Executive were moving to the Cameron Road office.

- The cinema and restaurant would be able to operate independently from the library/service centre. Screening would be installed to assist these businesses and to protect the library and service centre from any after hour users.
- Staff were working with the other tenants in the Cameron Road office to determine the location of increased Tauranga City Council signage.
- The importance of linking the various city centre plans and strategies was emphasised.
- The City Centre master plan was a work in progress and community communication around this significant work, including the refresh of the Willow St and civic centre site, was needed.

### **RESOLUTION CO20/21/2**

Moved: Commissioner Bill Wasley

Seconded: Commissioner Shadrach Rolleston

That the Council receives the Civic Redevelopment Progress Report.

**CARRIED**

### **11.1 Submission to Discussion Document on Proposed Changes to the Wetland Regulations**

**Staff** Andy Mead, Manager: City & Infrastructure Planning  
Richard Harkness, Project Leader: Urban Planning

#### **Key points**

- The Ministry for the Environment (MfE) had released a discussion document regarding proposed changes to the management of wetlands, which included suggested amendments to the National Policy Statement for Freshwater Management (NPS-FM) and the Resource Management (National Environmental Standards for Freshwater) Regulations (NES-F). The proposed changes were generally positive and a good step forward, but staff considered the changes did not go far enough to address all council's concerns. It was very challenging to align wetlands management and protection with urban development in the city.
- Staff had worked directly with MfE and liaised with other councils to ensure a strong local government perspective was provided on the revision proposals.
- The two key proposals in the discussion document particularly relevant to Council were the refinement of the definition of natural wetlands and the provision of a consenting pathway for urban development. While supportive of these proposals, Council's submission included various areas of concern with the consenting pathway e.g. the requirement for urban development to demonstrate a "functional need" and the activity classification – discretionary/restricted discretionary/non-complying.
- The TCC submission highlighted why the suggested changes were needed and provided wording of what these changes could look like; worked examples of the proposed consenting pathway and consent assessment were also included in the submission.
- Modelling of the Te Tumu/Tauriko West urban growth areas indicated they could still be captured by the wetlands provisions.
- Noted that regional council and territorial authority views on wetlands protection and appropriate activity classification for urban development were varied and possibly conflicting.
- Had submitted in support of "no net loss" to wetlands rather than the current "no loss", to enable offset by environmental aquatic mitigation measures.
- Some substantive changes were needed to the national directions to reach a point of providing certainty for TCC projects such as Tauriko West.

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

- Noted the possible conflict between the responsibilities of regional councils to protect the environment and with territorial authorities who are tasked to provide housing; suggested examples of the number of houses affected be included in the submission. Also suggested

that the conflicts between various National Policy Statements e.g. Freshwater Management and Urban Development be highlighted.

- This was a Cabinet/regulatory review committee process not a Select Committee process.
- Noted that water intakes or discharges downstream of wetlands could still be caught by the setback/proximity requirements even though there were no impacts.
- Hamilton, Porirua and Wellington City Councils were putting in strong submissions regarding the functional need test and the consenting pathway.
- Western Bay of Plenty District Council had not confirmed if it was putting in a submission but had indicated general agreement with the consenting issues raised by TCC.
- The Commissioners could provide a letter to the Minister highlighting and enumerating the impact on TCC. A high-level view could get lost in the detail of the submission.
- Council's concerns about the impact of wetlands management on urban development needed to be put in the context of Council's own work around the protection and development of a network of wetlands over the last 20 years; e.g. Wairakei Stream and wetland development around the Kaituna River; balance was needed.

### **RESOLUTION CO20/21/3**

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the Council:

- (a) Endorses the draft submission (Attachment 1) to the discussion document on proposed changes to the wetland regulations, with the amendments agreed at the meeting, for lodgement to the Minister for the Environment.

**CARRIED**

## **12 DISCUSSION OF LATE ITEMS**

Nil

## **13 PUBLIC EXCLUDED SESSION**

### **RESOLUTION TO EXCLUDE THE PUBLIC**

#### **RESOLUTION CO20/21/4**

Moved: Commissioner Shadrach Rolleston

Seconded: Commissioner Bill Wasley

That the public be excluded from the following parts of the proceedings of this meeting, with the exception of Keith Frentz and Jandre Van Zyl from BECA who are permitted to remain at this meeting for Item 13.2 – Ohauti site access assessment, because of their knowledge of planning and civil engineering.

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><b>13.1 - Public Excluded Minutes of the Council meeting held on 4 October 2021</b></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)(b)(i) - The withholding of the information is necessary to protect information where the making available of the information would disclose a trade secret</p> <p>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</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><b>13.2 - Ohauti Site Access Assessment: Option Identification and Evaluation</b></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>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><b>13.3 - Land Acquisition - Kennedy Road</b></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>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>

**CARRIED**

**14 CLOSING KARAKIA**

Commissioner Rolleston closed the meeting with a Karakia.

**The meeting closed at 11.54am.**

**The minutes of this meeting were confirmed as a true and correct record at the Ordinary Council meeting held on 15 November 2021.**

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**CHAIRPERSON**