



MINUTES

**Ordinary Council meeting
Thursday, 24 March 2022**

Order of Business

1	Opening karakia	3
	Staff Presentation – Warren Aitken – 25 years' service	3
2	Apologies	4
3	Public forum	4
4	Acceptance of late items	4
5	Confidential business to be transferred into the open	4
6	Change to the order of business	4
7	Confirmation of minutes	4
	7.1 Minutes of the Council meeting held on 8 February 2022.....	4
	7.2 Minutes of the Council meeting held on 21 February 2022.....	4
8	Declaration of conflicts of interest	4
9	Deputations, presentations, petitions	4
	Nil	
10	Recommendations from other committees	5
	Nil	
11	Business	5
	11.1 Adoption of consultation document and supporting material - Long-term Plan Amendment and Annual Plan 2022/23	5
	11.2 Adoption of the Draft 2022/23 Development Contributions Policy	6
	11.3 Active Reserves - actions to increase capacity	7
	11.4 Blake Park and Gordon Spratt Reserve & Alice Johnson Oval - actions following 'future state' user workshops	8
	11.5 Traffic & Parking Bylaw 2012 - Amendment 35.....	9
12	Discussion of late items	9
13	Public excluded session	9
	11.3 Confidential Attachment 2 - Active Reserves - actions to increase capacity	10
	13.1 Public Excluded minutes of the Council meeting held on 21 February 2022.....	10
	13.2 Te Maunga Pond 1 Desludging.....	10
	13.3 Sale of Elder Housing.....	10
	13.4 The Sale of Pitau Road and Hinau Street Elder Housing Villages.....	10
	13.5 19 Grove Avenue, Mount Maunganui	11
14	Closing karakia	11

**MINUTES OF TAURANGA CITY COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE GROUND FLOOR - MEETING ROOM 1, 306 CAMERON ROAD, TAURANGA
ON THURSDAY, 24 MARCH 2022 AT 10AM**

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

IN ATTENDANCE: Marty Grenfell (Chief Executive), Tony Aitken (Acting General Manager: People & Engagement), Paul Davidson (General Manager: Corporate Services), Barbara Dempsey (General Manager: Community Services), Nic Johansson (General Manager: Infrastructure), Christine Jones (General Manager: Strategy & Growth), Gareth Wallis (General Manager: Central City Development), Steve Pearce (Acting General Manager: Regulatory and Compliance), Brendan Bisley (Director of Transport), Josh Logan (Team Leader: Corporate Planning), Kathryn Sharplin (Manager: Finance), Tracey Hughes (Financial Insights and Reporting Manager), Frazer Smith (Manager: Strategic Finance & Growth), Ana Blackwood (Development Contributions Policy Analyst), Ben Corbett (Team Leader: Growth Funding), Paul Dunphy (Director of Places & Spaces), Ross Hudson (Team Leader: Planning), Warren Aitken (Manager: Parks & Recreation), Ceilidh Dunphy (Community Relations Manager), Libby Dodds (Team Leader: Community Relations), Robyn Garrett (Team Leader: Committee Support), Sarah Drummond (Committee Advisor), Anahera Dinsdale (Committee Advisor)

Clarence Susan and Anton Labuschagne, Audit NZ

1 OPENING KARAKIA

Commissioner Rolleston opened the meeting with a karakia.

Staff Presentation – Warren Aitken – 25 years' service

- Warren Aitken joined TCC in 1997 as a Park Ranger at McLaren Falls and contributed much to the development of the Falls Park, particularly with significant improvements to the park's roading and plantings. Reputed to have piped in the New Year at the Park a number of times.
- Moved into the Parks team with a variety of responsibilities over the years, including leading the Park Ranger team which looked after all our green spaces and wahi tapu, including Mauao, Moturiki, Kopurererua Valley and McLaren Falls.
- Noted his thoughtful and accommodating approach; genuinely wants to improve the environment and the city's green spaces. An acknowledged expert in all things relating to Tauranga's natural environment.
- Chair Tolley thanked Warren on behalf of the Council and the community for 25 years of outstanding service.
- Warren – responded that he had been working for TCC for more than half his life and had thoroughly enjoyed working for TCC. He was proud of the Parks team and its achievements, and particularly proud of setting up the programme of removal of coastal encroachments and restoration of special ecological areas.

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 February 2022****RESOLUTION CO5/22/1**

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the minutes of the Council meeting held on 8 February 2022 be confirmed as a true and correct record.

CARRIED**7.2 Minutes of the Council meeting held on 21 February 2022****RESOLUTION CO5/22/2**

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the minutes of the Council meeting held on 21 February 2022 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 Adoption of consultation document and supporting material - Long-term Plan Amendment and Annual Plan 2022/23

Staff Paul Davidson, General Manager: Corporate Services
Kathryn Sharplin, Manager: Finance

External Clarence Susan and Anton Labuschagne, Audit NZ

Key points

- The civic precinct project and Infrastructure Funding and Financing (IFF) proposal were key features of the Long-term Plan Amendment (LTPA). Noted the impact of IFF funding on the balance sheet and rephrasing of the delivery of the capital programme.
- Annual Plan (AP) proposed to increase the rating contribution by the commercial sector over the next two years.

Audit NZ

- Audit opinion covered the LTPA not the AP. The emphasis of matters noted two issues – uncertainty around grants funding and the impacts of IFF funding on the balance sheet.
- Audit had reviewed and tested the underlying information, including assumptions related to external funding; development of an LTPA was a complex and difficult process successfully managed in this case. Thanked the council finance staff for their work.
- Considered the Consultation Document was clear around the impacts of receiving/not receiving grant funding for the civic precinct redevelopment.
- Intention of IFF was to remove the debt from Council's balance sheet – the assumption was reasonable but more information available would become available as the IFF process continued and the accounting treatment of each project could be confirmed.

Discussion points raised

- Was an important document with exciting opportunities for the city; there was a choice for Tauranga residents about creating a vibrant exciting central city or a scaled down version. Would generate discussion about what should be at the heart of the city.
- Residents felt they were carrying too bigger a load in terms of share of rates. The commercial sector had responded constructively and the Annual Plan included a significant change to how transport rates were funded, based on an investigation about who benefitted from the transport infrastructure, which increased the percentage of transport rates that commercial would pay.
- A lift in development contributions was proposed to account for a share of the development of community facilities.
- Considered alternative methods of funding and financing; borrowing money where the debt does not show on Council's books.
- Future councils would have more flexibility about decisions made with the alternative funding arrangements that were now possible with IFF.
- Noted the percentage proportions of where rates would sit with commercial and residential ratepayers. Noted the increases for the commercial sector and the impact on the business sector; business community was supportive of the city moving forward and development taking place.
- Property valuation increases also impacted on rates increases. A third of central CBD businesses would have no or very low rates increases as commercial CBD property values had not increased significantly.
- Without rates increases, residents would pay in other ways through a loss of services and amenity in the city.

- Expectation of timely and efficient delivery of services by the organisation, particularly as fees and charges increase.
- Civic redevelopment as the heart of the city, working in partnership with iwi and hapū partners.
- The LTPA sought an additional \$221m for the civic centre development from what was originally committed in the LTP. Council was also looking at grant funding and funding from asset sales to minimise the increased cost for ratepayers.

RESOLUTION CO5/22/3

Moved: Commissioner Stephen Selwood

Seconded: Commissioner Bill Wasley

That the Council:

- (a) Receives the report.
- (b) Approves the consultation document for the proposed amendment to the Long-term Plan 2021-2031 and draft Annual Plan 2022/23 (**Attachment 1**).
- (c) Adopts the proposed amendment to the Long-term Plan 2021-2031(**Attachment 2**) to be consulted on through the Long-term Plan Amendment consultation document.
- (d) Adopts the draft Annual Plan 2022/23 supporting financial information (**Attachment 3**).
- (e) Adopts the proposed amendments to the fees and charges schedule and the Statement of Proposal for the draft 2022/23 user fees and charges as the basis for public consultation (**Attachments 4 and 5**).

CARRIED

Audit NZ spoke to their audit report and the remaining recommendations were put to the vote.

RESOLUTION CO5/22/4

Moved: Commissioner Shadrach Rolleston

Seconded: Commissioner Stephen Selwood

That the Council:

- (f) Receives the audit opinion on the consultation document for the proposed Long-term Plan Amendment, pursuant to s93D (4) of the Local Government Act 2002.
- (g) Adopts the audited consultation document for public consultation for the proposed Long-term Plan Amendment, using the special consultative procedure pursuant to s93 and s93A of the Local Government Act 2002.
- (h) Authorises the Chief Executive to make minor amendments to the documentation to ensure accuracy and correct minor drafting errors.

CARRIED

11.2 Adoption of the Draft 2022/23 Development Contributions Policy

Staff Christine Jones, General Manager: Strategy & Growth
Ana Blackwood, Development Contributions Policy Analyst
Ben Corbett, Team Leader: Growth Funding

Key points

- Direction given previously on development contributions had been incorporated into the policy.
- There had been engagement with the development and construction sectors.

In response to questions

- Consultation had included use of two council newsletters – planning and environmental – that went out to a large number of participants in the sector; had been specific contact with the bigger developers and with the larger building sector. Staff were trying to reach out to building companies so they were aware the increase was coming. Had used social media to try and alert “mum and dad” developers and builders, and linked to the TCC website. Once the policy was adopted there would be a formal consultation process.
- The active reserves policy would be reviewed this year, which would also include looking at the development contributions side to assess suitability. 50% of active reserves could be funded by development contributions.
- The difference between financial contributions and development contributions was clarified, in relation to Papamoa reserves.
- Development contributions were based on cost estimates and the portion of services/benefit provided that related to growth; it was better to wait to collect until the project costings were well-defined for some projects. The Memorial Park aquatic/recreation centre costs were currently being peer reviewed, materials cost could change over the years. Noted that project delay was a risk in terms of collection of development contributions; this risk was managed by collecting at a rate slightly lower than actual costs then adjusting upwards as a project progressed.

Discussion points raised

- Communication was very important for a no surprises approach for developers and home buyers.

RESOLUTION CO5/22/5

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the Council:

- (a) Adopts the Statement of Proposal and Draft 2022/23 Development Contributions Policy for public consultation
- (b) Authorises the Chief Executive to approve minor draft, financial and presentation amendments to the Draft 2022/23 Development Contributions Policy prior to printing if necessary.

CARRIED

11.3 Active Reserves - actions to increase capacity

Staff Paul Dunphy, Director, Places and Spaces
Ross Hudson, Team Leader: Planning

Key points

- Noted that it was hard to get a clear picture of the city’s active needs now and in the future and suggested a workshop would be helpful to gain a more overall picture and context.

In response to questions

- It was a very complex picture. Noted the LTP submissions from various sports clubs about lack of investment and planning. There was a lot of information in the reports to digest; suggested that the relevant information could have been pulled out of the appendices and presented in a more open direct way.
- Specific parts of the reports could be progressed separately while other recommendations could be reconsidered after the workshop. A further report could be brought back in six weeks with a wider perspective; and a workshop set up to look at wider and future active needs.
- Users at Gordon Spratt Reserve were very keen to see works progress.

Discussion points raised

- Consideration should include areas in the Western Bay Sub Region rather than stopping at TCC boundaries; look at the possibility of sub-regional development.
- Need a blueprint for the city and a strategic overview of sub-regional opportunities; a strategic view was required to be able to make informed individual decisions on individual projects.
- Need to look at from a user perspective as well.
- Noted that council was currently backfilling from lack of investment decisions and development over years; but adequate provision for increased population and their recreational and sporting needs also needed to be made.
- Recommendations should clearly outline options and decisions required rather than refer to appendices.

Amended by
Council resolution
CO13/22/3 dated
24 March 2022

RESOLUTION CO5/22/6

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the Council:

- (c) Endorses upgrades to Links Avenue Reserve and Macville Park in Mount Maunganui, to enable the development of a centralised facility for football talent development and a football academy for the city, pending agreements with the football clubs and agreement of budget reallocations through the Annual Plan Deliberations process.

CARRIED

RESOLUTION CO5/22/7

Moved: Commissioner Bill Wasley

Seconded: Commissioner Shadrach Rolleston

That the Council:

- d) Endorses the provision of artificial turfs as a sustainable and efficient method to meet local community demand for sports fields, in appropriate circumstances, and notes the need to amend the Active Reserve Level of Service Policy in due course to accommodate this.

CARRIED

11.4 Blake Park and Gordon Spratt Reserve & Alice Johnson Oval - actions following 'future state' user workshops

Staff Paul Dunphy, Director, Places and Spaces
Ross Hudson, Team Leader: Planning

In response to questions

- Clarification was provided around a multi-use pavilion at Alice Johnson Oval and available funding.
- Provision of cricket nets in Waipuna Park had been recommended as part of the LTP – wider engagement with Welcome Bay residents around reserves and recreational needs was now completed and findings would be provided to the commissioners.

RESOLUTION CO5/22/8

Moved: Commissioner Bill Wasley

Seconded: Commissioner Shadrach Rolleston

That the Council:

- (a) Thanks the users of Blake Park and Gordon Spratt Reserve and Alice Johnson Oval for their open-minded engagement in the Future State workshops, and recognises the support of Sport Bay of Plenty in facilitating these sessions in the second half of 2021.
- (c) Notes the opportunity for accelerated delivery of a new cricket pavilion at the Alice Johnson Oval, with budget reallocations to be considered through the 2022/23 Annual Plan Deliberations process.
- (d) Notes the opportunity for early implementation of lighting projects to increase availability of sports fields, with budget reallocations to be considered through the 2022/23 Annual Plan Deliberations process .
- (f) Completes the business case for a multi-purpose clubroom facilities, and requests that staff report to Council with indicatively priced proposals for key actions in 2022.

CARRIED

11.5 Traffic & Parking Bylaw 2012 - Amendment 35

Staff Brendan Bisley, Director of Transport

Key points

- The bylaw changes were associated with the new Papamoa school; around parking to achieve a safe environment particularly for drop-offs and pick-ups.
- There was no on-street parking as the corridor too narrow.

RESOLUTION CO5/22/9

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the Council:

- (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 25 March 2022.

CARRIED

12 DISCUSSION OF LATE ITEMS

Nil

13 PUBLIC EXCLUDED SESSION

Resolution to exclude the public

RESOLUTION CO5/22/10

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 Simon Waalkens and Charlotta Harpur from Rice Speir for Agenda Item 13.5, 19 Grove Avenue.

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
11.3 - Confidential Attachment 2 - Active Reserves - actions to increase capacity	s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	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
13.1 - Public Excluded minutes of the Council meeting held on 21 February 2022	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)	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
13.2 - Te Maunga Pond 1 Desludging	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 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)	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
13.3 - Sale of Elder Housing	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)	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
13.4 - The Sale of Pitau Road and Hinau Street Elder Housing Villages	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)	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>13.5 - 19 Grove Avenue, Mount Maunganui</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)(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 recent passing of Sir Wira Gardiner was acknowledged and his contributions both at a Māori/Crown perspective and on a local level were noted.

The passing of Oscar Nathan’s mother Puawaitanga Nathan-Parra was also acknowledged.

The meeting closed at 12.05pm.

The minutes of this meeting were confirmed as a true and correct record at the Ordinary Council meeting held on 27 June 2022.

.....
CHAIRPERSON