



MINUTES

**Strategy, Finance and Risk Committee
Meeting**

Monday, 16 May 2022

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**MINUTES OF TAURANGA CITY COUNCIL
STRATEGY, FINANCE AND RISK COMMITTEE MEETING
HELD AT THE BAY OF PLENTY REGIONAL COUNCIL CHAMBERS, REGIONAL HOUSE,
1 ELIZABETH STREET, TAURANGA
ON MONDAY, 16 MAY 2022 AT 10AM**

PRESENT: Commission Chair Anne Tolley, Commissioner Shadrach Rolleston, Commissioner Stephen Selwood, Commissioner Bill Wasley, Mr Te Pio Kawe, Mr Bruce Robertson

IN ATTENDANCE: Marty Grenfell (Chief Executive), Tony Aitken (Acting General Manager: People & Engagement), Paul Davidson (General Manager: Corporate Services), Barbara Dempsey (Acting General Manager: Community Services), Nic Johansson (General Manager: Infrastructure), Christine Jones (General Manager: Strategy & Growth), Rebecca Gallagher (Policy Analyst), Nigel McGlone (Manager: Environmental Regulation), Sharon Herbst (Policy Analyst), Jeremy Boase (Manager: Strategy & Corporate Planning), Anne Payne (Strategic Advisor), Andy Mead (Manager: City Planning & Growth), Janine Speedy (Team Leader: City Planning), Kathryn Sharplin (Manager: Finance), Mark Clifford (HS&W Business Partner), Robyn Garrett (Team Leader: Committee Support), Sarah Drummond (Committee Advisor), Anahera Dinsdale (Committee Advisor)
Elizabeth Hughes (Consultant)

1 OPENING KARAKIA

Commissioner Shadrach Rolleston gave the opening karakia, and noted a recent bereavement within the Maungatapu and Tauranga communities.

2 APOLOGIES

COMMITTEE RESOLUTION SFR4/22/1

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That apologies from Dr Wayne Beilby, Ms Matire Duncan and Ms Rohario Murray be received and accepted.

CARRIED

3 PUBLIC FORUM

Nil

4 ACCEPTANCE OF LATE ITEMS

Nil

5 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN

Nil

6 CHANGE TO ORDER OF BUSINESS

Nil

7 DECLARATION OF CONFLICTS OF INTEREST

Nil

8 BUSINESS

8.1 Review of Tauranga City Council Gambling Venues Policy

Staff Christine Jones, General Manager: Strategy & Growth

Key points

- The Committee was advised and noted this report did not propose any substantive changes and was a straightforward paper that reconfirmed existing policy and provided for ongoing data and information collection.

Discussion points raised

- The policy will be brought back to the Committee in due course.

COMMITTEE RESOLUTION SFR4/22/2

Moved: Commissioner Stephen Selwood

Seconded: Commissioner Bill Wasley

That the Strategy, Finance and Risk Committee:

- (a) Having completed a review of the Tauranga City Gambling Venues Policy, reconfirms the policy with no changes (as per Attachment 1).

CARRIED

8.2 Review of Easter Sunday Shop Trading Policy- Issues and Options

Staff Christine Jones, General Manager: Strategy & Growth

Key points

- With the change in Covid 19 restrictions the city was expected to be busy in the 2023 Easter period as, after two years' disruption, the Jazz Festival would be held in 2023.
- Had engaged with a range of parties; the overall view was to retain the policy unchanged.
- Recommended a minor change to clarify that markets would be covered by the policy and be able to trade.

In response to questions

- The Committee confirmed the current policy with no changes and directed staff to begin the public consultation process as per the Statement of Proposal (incorporating minor wording changes of clarification).

Discussion points raised

- Further changes of legislation from central government were in progress and the policy would

be brought back to the Committee in due course, once these legislative changes had been finalised.

- It was noted that at present all councils in the Bay of Plenty operated the same with unrestricted Easter trading.

COMMITTEE RESOLUTION SFR4/22/3

Moved: Commissioner Stephen Selwood

Seconded: Commissioner Bill Wasley

That the Strategy, Finance and Risk Committee:

- (a) Agrees to propose to continue with the current policy of allowing shops to trade on Easter Sunday if they wish to.
- (b) Adopts the Statement of Proposal appended at attachment 2 as the basis for the required public consultation process.

CARRIED

8.3 Updated outline plan of Committee's upcoming workload

Staff Jeremy Boase, Manager: Strategy & Corporate Planning

Key points

- Staff provided an outline of the current work programme of the Committee. Noted that as the Long-Term Plan Amendment and Annual Plan were implemented there would be changes to the programme, and that at present the timeline was a fluid document.
- The current proposed review of the Smokefree Places Policy was not a legislative requirement and the current timeframes could be extended to allow further consultation, or the policy review removed from the work programme. The current policy and timeline were approved in a previous term of Council. It was not a statutory policy, more to provide guidance to stakeholders.

In response to questions

- The timing around the adoption of the Local Alcohol Policy was queried. If further consultation on the off-licence provisions of the Local Alcohol Policy was required, there was room within the work programme schedule to enable this.
- As the strategic framework was signed off, the strategic implementation plan would start to populate into the Committee's work programme.
- An update on the marine strategy could be provided as needed.

COMMITTEE RESOLUTION SFR4/22/4

Moved: Commissioner Bill Wasley

Seconded: Commissioner Shadrach Rolleston

That the Strategy, Finance and Risk Committee:

- (a) Notes the updated work programme for the Committee (Attachment 1); and that the programme will be amended to remove the proposed review of the Smokefree Places Policy and to incorporate other minor amendments discussed at the meeting.

CARRIED

8.4 Strategic Framework Refresh - proposed framework structure

Staff Christine Jones, General Manager: Strategy & Growth
Jeremy Boase, Manager: Strategy & Corporate Planning
Anne Payne, Strategic Advisor
Elizabeth Hughes, Consultant

A copy of the staff presentation for this item can be viewed on Tauranga City Council's website in the Minutes Attachments document for this committee meeting.

Key points

- Staff provided a PowerPoint presentation to share current thoughts on the proposed framework structure and where strategies and plans might sit within the framework.
- The Committee was advised that the current framework was still very much in a working draft state and that all work streams currently in place would continue. The refresh was designed to build on what was already in place, pull the different work strands together, show programmes' progress to date and streamline and simplify processes and documents.
- The timeline would be used in conjunction with other documents but was designed to be easy to use and would be a living document improved over time.
- The final framework would return to be considered at a Council meeting in September 2022, after community consultation and feedback. Work ongoing after September would be programmed to the framework.
- Older policies had been incorporated into the framework along with the new workstream.
- There was concern over the speed at which this work could be completed.

Questions and discussion points

- Further work was needed on how "sustainability" was used as a term and its meaning. There was no present clear definition of what it meant and how the term was being used and this created confusion. There needed to be further definition and clarity of terms.
- Council would provide direction to staff and identify priorities. Noted the need for the framework to be flexible and allow for new policies and projects to be included.
- Further communication was needed to ensure wide understanding that the framework would extend beyond the term of the current Commissioners/Council; strategies could be for 10-30 years and plans align with the life of a Long-term Plan.

COMMITTEE RESOLUTION SFR4/22/5

Moved: Commissioner Bill Wasley

Seconded: Mr Bruce Robertson

That the Strategy, Finance and Risk Committee:

- (a) Receives the report 'Strategic Framework Refresh – proposed framework structure'; and
- (b) Provides feedback on the proposed framework structure; and
- (c) Provides in principle endorsement of the proposed framework structure; and
- (d) Notes the next steps outlined in the project timeframes section of this report.

CARRIED

8.5 Residential intensification to give effect to Policy 3 in the National Policy Statement on Urban Development

Staff Janine Speedy, Team Leader: City Planning
Andy Mead, Manager: City Planning & Growth

Key points

- Large new greenfield developments would not be progressed through this plan change., Going forward when rezoning the land would need to consider the requirements for town centres when looking at planning provisions.
- Need for planning around a town centre in Tauriko West – what it would look like will be for future changes; did not seem to have the requisite town centre focus at this stage to align with live/learn/play. Structure plan processes for Tauriko and Keenan Rd were still being worked through so there was uncertainty around commercial land distribution and rezoning for a town/local centre; consequently, differing height requirements for development around the “centre” had not been defined.
- Given the size of Tauranga Crossing, hard to justify another town centre for Tauriko West. Would be further developed when picked up by all-of-city commercial hierarchy planning. Smaller centres could still be developed for smaller communities in that area.
- Private plan change process should not be the mechanism to determine where town centre areas were located e.g., the Crossing was not a town centre. There would need to be a ‘Horses for courses’ approach.

In response to questions

- Notification would require the revocation of Plan Change 26; to look at density through the proposed notification would require a ‘building up not out’ planning framework.
- All town centres would be contained within the new National Policy Statement (NPS) provisions, green spaces will sit outside of this area.

Discussion points raised

- Council was holding discussions with central government regarding funding and infrastructure.

COMMITTEE RESOLUTION SFR4/22/6

Moved: Commissioner Bill Wasley

Seconded: Commissioner Shadrach Rolleston

That the Strategy, Finance and Risk Committee:

- (a) Approves progressing with the enabling housing supply plan change to implement the Resource Management (Enabling Housing Supply and other Matters) Amendment Act to apply the Medium Density Residential Standards to residential zones and give effect to Policy 3 in the National Policy Statement on Urban Development.
- (b) Endorses that the approach set out in Plan Change 26 (Housing Choice) and the Te Papa Spatial Plan is reflected in the enabling housing supply plan change to enable at least 6 storeys within a walkable catchment of the city centre and along Cameron Road to give effect to Policy 3(c) and Policy 3(d) in the National Policy Statement on Urban Development.
- (c) Endorses the following principles for the application of Policy 3(d) in the National Policy Statement on Urban Development to enable height and density within and adjacent to identified neighbourhood, local and town centres:
 - (i) That centre type will be identified based on the land uses within and surrounding the commercial zone and the size of the commercial zone.

- (ii) That discretion will be applied where there is a relevant strategy or spatial plan.
 - (iii) No additional Policy 3(d) intensification (beyond the application of zones containing the Medium Density Residential Standards) for commercial zones identified as neighbourhood centres.
 - (iv) Apply an accessible and walkable catchment of approximately 400 metres enabling greater height and density of four storeys in and around commercial centres identified as local centres.
 - (v) Apply an accessible and walkable catchment of approximately 800 metres enabling greater height and density of six storeys in and around commercial centres identified as town centres.
- (d) Notes that a walkable catchment is measured along public footpaths that are formed and well-lit for pedestrian safety.
 - (e) Notes that where a commercial zone meets the principles set out above, there may be qualifying matters which justify lesser height and density.
 - (f) Notes that staff will report back to the Strategy Finance and Risk Committee in June on the approach to give effect to Policy 3(a) in the National Policy Statement on Urban Development which relates to providing building heights within the City Centre Zone.
 - (g) That when considering the development of the commercial hierarchy in the city plan, consideration be given to the potential identification of a town centre in the Western/Southern corridors that considers the development opportunities and catchments that are identified in the Urban Forum and Transport Initiative (UFTI) which are beyond the current Tauranga City Council boundary. This is to guide any future changes (Private or Tauranga City Council)

CARRIED

8.6 Financial and Non-Financial Monitoring Report: Period ended 31 March 2022

Staff Paul Davidson, General Manager: Corporate Services

Key points

- This update report noted the projects and committed funding that would be carried over into next financial year through the Annual Plan process.
- Capital expenditure continued to be good and was at a record high level although this would be a hard month to replicate. Was not expected to continue at this level and the capex forecast remained at 80%.
- Interest rate changes would come through in Annual Plan deliberations; however, increases had been accounted for and was hedged well this year.
- Over half of the non-financial indicators were on track; of those not on track about half had been severely impacted by Covid.

In response to questions

- Maintenance and repair projects were expected to be back on schedule by the end of the financial year. Staff continued to make innovative and creative use of existing technology given supply difficulties and shortages of equipment.

Discussion points raised

- Staff training and the need to hire specialised emergency management had been noted as a concern moving forward.
- Planning on making TCC a preferred client with contractors would be part of a long-term deep

dive into procurement processes and procedures. This would also cover pipeline timeframes and work commitments.

- Discussion around where costs of delay in development projects should sit e.g. Farmers; with the developer rather than ratepayers picking up costs. Noted the impact of ongoing development and construction works on CBD businesses.

COMMITTEE RESOLUTION SFR4/22/7

Moved: Mr Bruce Robertson

Seconded: Commissioner Bill Wasley

That the Strategy, Finance and Risk Committee:

- (a) Receives Report Financial and Non-Financial Monitoring Report: Period ended 31 March 2022.

CARRIED

8.7 2022 Q3 Jan-Mar Health and Safety Report

Staff Tony Aitken, Acting General Manager: People & Engagement
Mark Clifford, HS&W Business Partner

Key points

- Work was ongoing with contractors around education for site safety, incident numbers were showing no real change or variation. Need to balance TCC exercising appropriate due diligence without taking over accountability from contractors.

COMMITTEE RESOLUTION SFR4/22/8

Moved: Commissioner Shadrach Rolleston

Seconded: Mr Bruce Robertson

That the Strategy, Finance and Risk Committee:

- (a) Receives the 2022 Q3 Health and Safety Report
- (b) Receives the 2022 Q3 Mental Health and Wellbeing Report

CARRIED

8.8 Q3 2021/22 LGOIMA and Privacy Requests

Staff Tony Aitken, Acting General Manager: People & Engagement

Key points

- There were no significant changes; trends and numbers of LGOIMA requests continued as per the last report.
- Noted that charging for LGOIMAs was now starting to have some effect.

COMMITTEE RESOLUTION SFR4/22/9

Moved: Commissioner Stephen Selwood

Seconded: Commissioner Bill Wasley

That the Strategy, Finance and Risk Committee:

- (a) Receives the report Q3 2021/22 LGOIMA and Privacy Requests.

CARRIED

8.9 Project Delivery Deep Dive

Staff Nic Johansson, General Manager: Infrastructure
Kelvin Hill, Manager: Water Infrastructure Outcomes
Amanda Davies, Manager: Community Amenity Programme Delivery

A copy of the staff presentation for this item can be viewed on Tauranga City Council's website in the Minutes Attachments document for this committee meeting.

Key points

- Was a \$4.5b capital project delivery programme, very complex with a lot at stake. The need to deliver at pace created risk.
- Need to find a balance between pace, cost and quality in the delivery of capital projects.
- Examples of project delivery in the Places and Spaces and City Waters teams were outlined; including improvements to procurement processes, project reporting and contractor and stakeholder engagement.
- Capital Projects Assurance Division (CPAD) tools, framework and processes had provided consistency and best practice examples.

Discussion points raised

- Commended staff on the progress made in this area.
- Noted the improvement in telling the "why" of the various capital projects, emphasised the importance of storytelling.

COMMITTEE RESOLUTION SFR4/22/10

Moved: Commissioner Bill Wasley

Seconded: Mr Bruce Robertson

That the Strategy, Finance and Risk Committee:

- (a) Receives the Deep Dive – Capital Project Delivery Risk Report

CARRIED

9 DISCUSSION OF LATE ITEMS

Nil

10 PUBLIC EXCLUDED SESSION**RESOLUTION TO EXCLUDE THE PUBLIC****COMMITTEE RESOLUTION SFR4/22/11**

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the public be excluded from the following parts of the proceedings of this meeting, with the exception of Nathan Speir, Rice Speir law firm, to remain for item 10.3.

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
10.1 - Internal Audit - Quarterly Update	<p>s6(b) - The making available of the information would be likely to endanger the safety of any person</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)(d) - The withholding of the information is necessary to avoid prejudice to measures protecting the health or safety of members of the public</p> <p>s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege</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>
10.2 - Corporate Risk Register - Quarterly Update	<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,</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>

	negotiations (including commercial and industrial negotiations)	
10.3 - Litigation Report	<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>	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

CARRIED

At 1pm the meeting adjourned.

11 CLOSING KARAKIA

Mr Te Pio Kawe closed the meeting with a karakia.

The meeting closed at 2.35pm.

The minutes of this meeting were confirmed as a true and correct record at the Strategy, Finance and Risk Committee Meeting held on 1 August 2022.

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CHAIRPERSON