



# **MINUTES**

**Ordinary Council meeting  
Monday, 15 August 2022**

## Order of Business

<b>1</b>	<b>Opening karakia and acknowledgement .....</b>	<b>3</b>
<b>2</b>	<b>Apologies .....</b>	<b>3</b>
<b>3</b>	<b>Public forum.....</b>	<b>3</b>
<b>4</b>	<b>Acceptance of late items .....</b>	<b>4</b>
4.1	Late Item - Infrastructure Funding and Financing Act Proposal for the Transport System Plan - Negotiation Update and Decision on Proceeding .....	4
<b>5</b>	<b>Confidential business to be transferred into the open.....</b>	<b>4</b>
<b>6</b>	<b>Change to the order of business .....</b>	<b>4</b>
<b>7</b>	<b>Confirmation of minutes.....</b>	<b>4</b>
7.1	Minutes of the Council meeting held on 25 July 2022.....	4
<b>8</b>	<b>Declaration of conflicts of interest .....</b>	<b>4</b>
<b>9</b>	<b>Deputations, presentations, petitions .....</b>	<b>5</b>
9.1	Toxic Agrichemicals Advisory Forum (TAAF) .....	5
<b>10</b>	<b>Recommendations from other committees.....</b>	<b>5</b>
	Nil	
<b>11</b>	<b>Business.....</b>	<b>6</b>
11.1	Use of Agrichemicals on Grass Sports Turf Surfaces - Amendment to schedule one to the Use of Toxic Agrichemicals for Vegetation Management Policy .....	6
11.2	Executive Report.....	7
11.3	City Centre Action and Investment Plan .....	8
11.4	Withdrawal of Proposed Plan Change 26 - Housing Choice and part of Plan Change 27 - Flooding from Intense Rainfall .....	10
11.5	Adoption of Plan Change 33 - Enabling Housing Supply for Notification .....	12
11.6	Temporary Road Closures - Annual Events 2022 - 2023.....	14
<b>12</b>	<b>Discussion of late items .....</b>	<b>14</b>
<b>13</b>	<b>Public excluded session .....</b>	<b>14</b>
13.1	Public Excluded Minutes of the Council meeting held on 25 July 2022.....	15
13.2	Appointment of hearings panel for Plan Change 33 - Enabling Housing Supply .....	15
13.3	Infrastructure Funding and Financing Act Proposal for the Transport System Plan - Negotiation Update and Decision on Proceeding .....	15

**MINUTES OF TAURANGA CITY COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE BAY OF PLENTY REGIONAL COUNCIL CHAMBERS, REGIONAL HOUSE, 1  
ELIZABETH STREET, TAURANGA  
ON MONDAY, 15 AUGUST 2022 AT 9.30AM**

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

**IN ATTENDANCE:** Marty Grenfell (Chief Executive), Paul Davidson (General Manager: Chief Financial Officer), Barbara Dempsey (General Manager: Community Services), Nic Johansson (General Manager: Infrastructure), Christine Jones (General Manager: Strategy, Growth & Governance), Alastair McNeill (General Manager: Corporate Services), Steve Pearce (Acting General Manager: Regulatory and Compliance), Gareth Wallis (General Manager: City Development & Partnerships), Andrew Mead (Manager: City Planning and Growth), Carl Lucca (Programme Director: Urban Communities), Robyn Scrimshaw (Urban Planner: Urban Communities), Gregory Bassam (Principal Strategic Transport Planner), Janine Speedy (Team Leader: City Planning), Libby Dodds (Team Leader: Community Relations), Coral Hair (Manager: Democracy Services), Robyn Garrett (Team Leader: Committee Support), Sarah Drummond (Committee Advisor), Anahera Dinsdale (Committee Advisor), Janie Storey (Committee Advisor)

## **1 OPENING KARAKIA AND ACKNOWLEDGEMENT**

Commissioner Shad Rolleston gave the karakia and reflected on recent passing of Mr Peri Kohu.

Chairperson Tolley noted that Peri Kohu spoke at the last Council meeting where he made an historic apology and had appeared in front of the Council at a number of occasions. The extent of his relationship with the Council was reflected at his tangi, which was attended by large group of representatives from TCC. This meant a lot to Mr Kohu's family - the relationship was one of mutual respect and understanding and he had given a great deal of assistance to Council right up to the day before he passed.

## **2 APOLOGIES**

Nil

## **3 PUBLIC FORUM**

Nil

## **4 ACCEPTANCE OF LATE ITEMS**

### **4.1 Late Item - Infrastructure Funding and Financing Act Proposal for the Transport System Plan - Negotiation Update and Decision on Proceeding**

#### **RESOLUTION CO15/22/1**

Moved: Commissioner Bill Wasley

Seconded: Commissioner Shadrach Rolleston

That the Council:

Accepts the following late item for consideration at the meeting:

- Infrastructure Funding and Financing Act Proposal for the Transport System Plan - Negotiation Update and Decision on Proceeding

The above item was not included in the original agenda because it was not available at the time the agenda was issued, and discussion cannot be delayed until the next scheduled meeting of the Committee because a decision is required in regard to this item.

**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 25 July 2022**

#### **RESOLUTION CO15/22/2**

Moved: Commissioner Bill Wasley

Seconded: Commissioner Shadrach Rolleston

That the minutes of the Council meeting held on 25 July 2022 be confirmed as a true and correct record.

**CARRIED**

## **8 DECLARATION OF CONFLICTS OF INTEREST**

Commissioner Wasley declared that he lived in an area affected by Item 11.5 Plan Change 33. It was noted it was a general interest and not a financial conflict.

## 9 DEPUTATIONS, PRESENTATIONS, PETITIONS

### 9.1 Toxic Agrichemicals Advisory Forum (TAAF)

**External** - Bill Myhill, Ian McLean, Peter Mora

A presentation was provided noting the following with regards to the use of chemicals oxadiazon and pendimethalin:

- TAAF supported human health and these chemicals were a threat, with considerable research being done to support this view. The group did not want these chemicals in the environment.
- Provided two recommendations - one was not to use the chemicals at all, and the other was to note that, while they did not give their support, they wanted to be provided with an opportunity to comment on how they were used if used.
- Oxadiazon - had been trialled, but the results poorly reported. It remained in the soil, its effectiveness was short term, results were inconsistent and it did not attach to established plants at the germination and early growth stage
- Toxicity - there were claims the sprays were not carcinogenic, but reports indicated that they were when tested on animals. Sometimes they were safe when used with protective clothing. Chronic exposure was hard to document or to see if there were side effects e.g. a team of players in field, one of whom was pregnant and loses the baby - this was a possibility with use of oxadiazon but hard to establish causality.
- Pendimethalin - while this was better it was still not good to use as there were issues with its application. The primary purpose was to allow greater use of fields, but as the field had to be closed for four months it took out a whole summer of sports for that field.
- There was nowhere in the statement limiting the use of the chemical when replacing grass or how often it was likely to be used, and no comment for when an area was being re-grassed.
- The field could be upgraded without the use of chemicals.
- Primary recommendation was that neither chemical be added to Schedule 1.
- Secondary recommendation was to add to Schedule 1 with nominated restrictions including being limited to fields where a high level of service was required, e.g. elite sports and to identify a minimum time interval between applications in any one location.
- If the secondary recommendation was applied, then discussions should be held to follow up what the nominated restrictions were. High quality fields for elite sports do not normally have children playing on them e.g. cricket at Blake Park would fulfil the requirement.
- TAAF's view was that the Environmental Protection Authority (EPA) had low standards. While the chemicals were approved for use in NZ and America, there were other countries that considered them far too toxic. TAAF considered that the EPA decisions were based on research carried out by the agencies selling the chemicals and the American influence.

The Chair thanked the representatives for their attendance and advice, noting that it was important to maintain advice with use of chemicals in public places in an open and transparent manner.

The group left the meeting at 9.45 am

#### Attachments

- 1 Presentation - TAAF - Applications for oxadiazon, pendimethalin - 15 August 22 Council (A13766389) pdf

## 10 RECOMMENDATIONS FROM OTHER COMMITTEES

Nil

## 11 BUSINESS

### 11.1 Use of Agrichemicals on Grass Sports Turf Surfaces - Amendment to schedule one to the Use of Toxic Agrichemicals for Vegetation Management Policy

**Staff** Barbara Dempsey, General Manager Community Services  
Ross Hudson, Team Leader: Planning  
Emma Joyce, Open Space and Community Facilities Planner  
Peter Mouldey, Senior Project Manager

#### Key points

- The Council would not do anything that compromised public health and relied on the EPA assessments to make playgrounds and turf areas safe and available to players.
- Both chemicals were EPA-approved and used for sports fields with best practice guidelines.
- The applications were an integral part of the maintenance to provide better facilities that allowed more training hours and more people playing on the fields.

#### In response to questions

- When the chemicals were applied it was done as part of the upgrade of the field, so it was out of use for four months to be able to grow new turf. The areas were fenced off and the chemical was used to stop the growth of weeds.
- If a second application was used it would mostly be due to climate conditions and the field would be closed for a longer period.
- Oxadiazon was more toxic and would be used when the area was fenced off. Pendimethalin was used for the maintenance of a field.
- Alternative options had been investigated to get extra use of the grounds, but any other product would also kill off the grass. Pendimethalin increased the germination of the seed. No other councils were able to provide an alternative practical solution.
- The fields were redeveloped every 10 years or so. The granulated product was at 2% with the rest being fertiliser and well-watered into the ground.
- In response to a query regarding the ongoing monitoring and reporting on the use of chemicals and compliance with signage, it was noted that contractors were required to enter all agricultural chemicals used and information on the chemicals used was available to the public.
- It was agreed to include monitoring of these reserves and to provide feedback to the Council and TAAF in 12 months on the effectiveness, compliance with the processes and signage and any incidences of problems.
- Pendimethalin would be used on the premier sports fields at Blake Park and the Tauranga Domain.

#### RESOLUTION CO15/22/3

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the Council:

- (a) Approves the addition of oxadiazon (Oxa-Pro) and pendimethalin (Pendi-Pro) to Schedule One: List of Approved Products appended to the Use of Toxic Agrichemicals for Vegetation Management Policy, noting that their use is restricted to grass sports turf.
- (b) Agrees that both oxadiazon and pendimethalin can be used on the three identified active reserves of Links Ave, Waipuna Park and Morland Fox Park, and that pendimethalin can also be used on Blake Park 1 and Tauranga Domain, for one year; and requests that a review be provided to Council in 12 months on effectiveness, compliance with process and signage, and any incidences of problems.

**CARRIED**

## 11.2 Executive Report

**Staff** Nic Johansson, General Manager: Infrastructure Services  
Barbara Dempsey, General Manager: Community Services  
Paul Davidson, Chief Financial Officer  
Christine Jones, General Manager: Strategy & Growth  
Alastair McNeil, General Manager: Corporate Services  
Steve Pearce, Acting General Manager: Regulatory and Compliance  
Gareth Wallis, General Manager: Central City Development

### Key points

- Acknowledgement of the success of the contact centre attaining 3<sup>rd</sup> in Customer Service benchmarking in a mystery shopper type survey; the Tauranga/Western Bay Global ambassadors reaching the semi-final of the Impact awards; of Mangatawa Marae for offering to be a dedicated community centre in an emergency and to all the volunteer planters who supported planting days throughout the city.
- There had been a recent increase in flights from the Tauranga airport. It was planned to bring forward expenditure and planning of the relocation of the fire station, power and lighting centre to allow for the carpark extension.
- The marine precinct was also fuller with an uplift in forward bookings. One derelict vessel had been taken out of the water and placed on the hard stand and staff were working with owners of the other vessels on payment options to clear debt. BOPRC was removing the fluids from the vessels.
- The Otūmoetai spatial plan was now at the stage where tangata whenua were involved. The plan would be provided to the Strategy, Finance and Risk Committee in October.
- A submission was being drafted for the Local Government Electoral Legislation bill on Māori representation and changes to the representation arrangements. The information would be provided to the Tangata Whenua Committee so they were aware of the proposals being submitted.
- The District Licencing Committee was appointed five years ago, and a few changes had been made due to the change in legislation allowing for greater community involvement. Several trained Commissioners wished to stay on. The Chairpersons would be experts in licencing and members would be experts within the community. Staff would look at the contractual arrangement for the recently appointed tangata whenua position to see whether it continued or was included in the reappointment process.
- Governance to Governance meetings had been held with two Council Controlled Organisations (CCOs) resulting in productive conversations and good relationships being developed with them. The demolition of 90 Devonport Road was well underway and the consultation for the proposal to set up a CCO in partnership with tangata whenua would be undertaken at the end of August.
- The resource consent for the Marine Parade walkway was lodged with TCC last week for the work to be contracted out for tender. The barbecues and seating would be installed in October/November.

### In response to questions

- Improvements to bus stops and shelters included considering other opportunities network-wide rather than just upgrading those that were there.
- The Otūmoetai spatial plan included the look and feel of the peninsula, what the future transport plan would take into account with the proposed future intensification of the area and would connect to Council's Long-term Plan (LTP).
- Te Ara o Wairakei Reserve planting had received minimal vandalism with one tree being removed and replaced. It was noted that a group of residents had written to the Ombudsman expressing their concern that the consultation process was not what the community had expected.

- In response to a query regarding any plans to review the success of the use of the Totara Street cycleway route during the week, it was noted that early counts were being taken and would be done again at 6-12 months. A post project review was a requirement for the 51% contribution from Waka Kotahi to ensure the anticipated benefits were being achieved.
- A number of options for decision making with regards to the new cycleways would be put to the Council in September with the decisions being sought in October. Bike security would be included in the option processes.
- The Nature and Diversity action plan would be delivered in time for the next LTP along with a number of other plans. A suite of plans updated by the Commissioners would be in place for the new Council when they came into force.
- Plan Change 33 was having some bearing and uncertainty on the consents team with learning the new rules.
- Staff were meeting their obligations with food licences. There was now a full team, and the small backlog was expected to be cleared this year.
- Staff had noted the opportunities for greater public awareness when new liquor licences were applied for or renewals sought.
- Commissioners wished to understand how city housing aspirations were being met. Information was sought on how many completed houses were being lived in and how many were being delivered relative to what was needed in the area.
- It was noted that there was work being done on the sediment and erosion control on building sites. The Council had a double problem approach with offenders, by taking enforcement action on the companies with poor compliance and increasing visits to these sites. The need to lift the overall market was recognised and for developers to understand the impact if they did not comply.
- It was requested that the story be told of the stained-glass windows that were currently on display at the library.

#### **Discussion points raised**

- An iwi visit and blessing was to be undertaken at the Waiāri water supply before it was opened.
- There was a need to be mindful of how dynamic some of the water supply systems were and to be flexible with how monitoring was undertaken.
- Compliments to the wastewater team for carrying out testing and taking a prudent look at work not needed, saving \$250,000 expenditure.
- Acknowledgement of the work of the events team - e.g. the recent Independence day for India where staff were active in engaging with the community to commemorate and celebrate the event.
- Acknowledgement of the increased standard of community consultation being undertaken.

#### **RESOLUTION CO15/22/4**

Moved: Commissioner Shadrach Rolleston

Seconded: Commissioner Stephen Selwood

That the Council:

- (a) Receives the Executive Report.

**CARRIED**

### **11.3 City Centre Action and Investment Plan**

**Staff** Carl Lucca, Programme Director: Urban Communities  
Robyn Scrimshaw, Urban Planner: Urban Communities  
Gregory Bassam, Principal Strategic Transport Planner

**External** Daniel Chapman and Darren Davis - Stantec



**Key points**

- The purpose was to refresh the plan with a focus on what to deliver over the next 10 years, supporting the rejuvenation of the city centre and the integration of all the factors relating to it.
- Included the engagement and feedback gained through the LTP, consulting with a wide range of stakeholders, partners and mana whenua and tied in with Priority One's blueprint, the University of Waikato and the broader city centre stakeholders.
- A number of common themes came through with the engagement.
- Vision - Te Rapunga Ora ki Te Papa - a great place to live, work, learn and play.
- Four Pou - worked with mana whenua who looked back to look forward and to acknowledge the city centre with the moana and responsibility to the natural environment.
- Peri Kohu's contribution would benefit generations to come.
- Strategic Outcomes included: how we move around, what to be proud of, the activation of what was happening today, tomorrow, next year and reconnecting with nature.
- There were eight precincts identified and each had a vision, a primary and secondary outcome for land use, significant developments and the character of each area reflecting existing uses and realising the potential to build the identity of the city centre.
- The movement and access framework was to allow people to have a choice how they could get into the city centre easily and move around it safely. There would be more option analysis and consultation undertaken over time building out from the precinct, for those moving around the city on foot and the ongoing enhancement of public transport.
- A table of actions and programmes was provided in the presentation.
- The Plan was well underway for implementation and there had been lots of opportunities for people to have a say as it had been included in the previous LTP and LTP amendment.
- The plan would now be taken forward developing partnerships with mana whenua, the University of Waikato, Priority One and other organisations to create more space, more events, more students, more living and working in the city centre.

**In response to questions**

- Staff were currently working on the monitoring framework for the spatial plan with KPI's being identified. These required further work and, once data was available, they would be brought together with the Te Manawataki Te Papa spatial plan framework and explored further.
- It had been taken for granted that Cameron Road was the central spine of Te Papa, this would be looked at again and plans updated to provide it as a more prominent message.
- A fundamental principle was for everyone to have access to every area of the city centre, but it needed to be managed in a way so that traffic was not using it as a thoroughfare to go from one area of the city to another. More detail around this would be placed in the maps.
- It was noted that a lot of work sat behind the maps and that this be provided to the Commissioners in a briefing to enable a clearer understanding.

**Discussion points raised**

- Commended staff on what they had achieved in the plan; acknowledgement that a lot of work had been done over the last 10 years towards the revitalisation of Tauranga's centre.
- As the fifth largest and fastest growing city in NZ it was important to have a cohesive centre for the city.
- The completed plan answered a lot of the questions asked by the community during consultation and the changes included focusing on people rather than cars and parking, the need to create great spaces and places for people to shop, be entertained, take part in events and the development of laneways to brighten up places for people to gather.
- The timelines of actions were good, but it would be preferable to get definite timelines with funding rather than short and medium term.
- Need to move from the plan and have investment funding bedded into the LTP so when the next Council was appointed there would be a clear pathway for them to pick up and add value.
- Acknowledgement that a lot of businesses were still in the city centre and continued to trade and operate in a challenging environment and new retail would emerge in the centre again like it used to.

- The plan embedded the history the city was founded on as a place of gathering connecting trade, commerce and learning with the values and key outcomes being critical.
- The blueprint to bring the city back to reality was there, but the opportunity to reduce our carbon footprint was not shown very strongly.
- The plan was the heart of the Western Bay of Plenty subregion, not just Tauranga city.
- Important to ensure that there were monitoring, reporting and implementation arrangements set in place as this had been lacking in the past. Ensure it was cohesive and co-ordinated looking at integration of all actions, or the outcomes sought for the city centre would not be achieved.
- Connection into other parts of city through the walkways etc was one point, but need to see what framework and KPI's were in place to measure the achievements, how the plan was anchored in the LTP and how it linked with other plans like the City Plan.
- A matrix of implementation arrangements would give confidence to the Commissioners, agencies and the wider community that the plan was well anchored to actually deliver what it said it would.

### RESOLUTION CO15/22/5

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the Council:

- (a) Receives the 'City Centre Action and Investment Plan' report.
- (b) Adopts the City Centre Action and Investment Plan (Attachment A) to guide rejuvenation and investment prioritisation in the city centre.
- (c) Delegates the General Manager: Strategy & Growth to approve minor amendments if required prior to publication.
- (d) Rescinds the City Centre Strategy (2012) and the City Centre Spatial Framework (2017) with those documents being superseded by the City Centre Action and Investment Plan.

**CARRIED**

### Attachments

1 Presentation - CCAIP council presentation 15 August 2022 (A13760465)

At 11.32am the meeting adjourned.

At 11.59am the meeting reconvened.

### 11.4 Withdrawal of Proposed Plan Change 26 - Housing Choice and part of Plan Change 27 - Flooding from Intense Rainfall

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

### Key points

- There were two parts to the report - the withdrawal of plan change 26 and a push for TCC to look at intensification up and out with the key elements notified in 2020.
- The other key component was to create and provide for intensification along the Te Papa peninsula corridor. Submissions on both were being worked through.
- The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act was introduced and the plan change put on hold while the implications of the Amendment Act on the plan change were understood.
- The key reasons for withdrawing the plan change were that the geographic extent was larger

than what was proposed in the plan change, there were clear requirements as to what was a permitted activity, the implementation of the national policy statement was very directive in intensification around the city.

- The withdrawal of proposed plan change 26 in full would enable the adoption of plan change 33 for public consultation.
- Also sought was a part withdrawal of plan change 27 regarding the impervious rule which managed the effect of flooding from intense rainfall. This would change where the rule sat in the plan and what it covered across the city.
- The removal of this would not affect the three Environment Court appeals.
- Chapter 14 residential zone - very significant amendment to make it more efficient to deal with what needed to be implemented.
- Plan change 33 - staff proposed to reuse the information from plan change 26 and the work done on the Te Papa peninsula with the additional height; and allowing three dwellings of three stories gives effect to Policy 3, taking into account the submissions received.
- Resource consent would be needed for four or more dwellings considering the capacity in the network, bicycle parking requirements, lighting, urban design etc.

### **In response to questions**

- All active submitters had been notified that the plan change was on hold and would be further notified with the withdrawal. Staff would continue to work closely with the submitters.

### **RESOLUTION CO15/22/6**

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the Council:

- (a) Resolves to withdraw Proposed Plan Change 26 – Housing Choice in accordance with Clause 8D of Schedule 1 of the Resource Management Act 1991.
- (b) Notes that the reasons for withdrawal of Proposed Plan Change 26 are:
  - (i) The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act (Amendment Act) enacted on 20 December 2021 directs tier 1 councils, including Tauranga City Council, to publicly notify an Intensification Planning Instrument (IPI) by 20 August 2022 that applies medium density residential standards (MDRS) across all relevant residential zones and gives effect to Policy 3 of the National Policy Statement on Urban Development (NPS-UD).
  - (ii) The scope of the changes required by the Amendment Act are different and wider reaching geographically than Proposed Plan Change 26.
  - (iii) Proposed Plan Change 33 – Enabling Housing Supply, which implements the requirements of the Amendment Act, is recommended for adoption for public notification, and will supersede the purpose of Proposed Plan Change 26.
- (c) Authorises the General Manager: Strategy, Growth and Governance to give public notice of withdrawal of Proposed Plan Change 26 – Housing Choice, and the reasons for the withdrawal, in accordance with Clause 8D of Schedule 1 to the Resource Management Act 1991
- (d) Resolves to withdraw the following parts of Proposed Plan Change 27 – Flooding from Intense Rainfall in accordance with Clause 8D of Schedule 1 to the Resource Management Act 1991:
  - (i) 14B.3.7(b) Site Coverage – Suburban Residential Zone and additional Note
  - (ii) 14B.3.8(b) Site Coverage – Large Lot Residential Zone and additional Note

- (iii) 14B.6(a)(x) and (b)(vii) Restricted Discretionary Activity Rules
- (iv) 14B.6.1.9 Site Coverage
- (v) 14D.4.2.9(d) Site Coverage
- (vi) 14D.4.2.14(w) Restricted Discretionary Activities – Matters of Discretion and Conditions
- (e) Notes that the reason for withdrawal of the parts of Proposed Plan Change 27 – Flooding from Intense Rainfall listed above are:
  - (i) Proposed Plan Change 33 requires significant changes to the structure and content of Chapter 14 – Residential Zones in the City Plan, which consequentially affects the impervious surface area rules included in Proposed Plan Change 27.
  - (ii) Proposed Plan Change 33 will include equivalent impervious surface area rules.
  - (iii) Withdrawal of the impervious surface area rules will not affect or vary any other part of Proposed Plan Change 27.
- (f) Authorises the General Manager: Strategy, Growth and Governance to give public notice of withdrawal of the parts of Plan Change 27 – Flooding from Intense Rainfall listed in (d) above, and the reasons for the part withdrawal, in accordance with Clause 8D of Schedule 1 of the Resource Management Act 1991.

**CARRIED**

## Attachments

- 1 Presentation to Council Meeting - Withdrawal in full Plan Change 26 and part of Plan Change 27 - 15 August 2022 (A13761945) pdf

## 11.5 Adoption of Plan Change 33 - Enabling Housing Supply for Notification

**Staff** Janine Speedy, Team Leader: City Planning  
Andrew Mead, Manager: City Planning and Growth

### Key points

- Significant process to understand the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act (Amendment Act), with a lot of complicated issues to work through to get to this point.
- There was a requirement to notify by 20 August 2022 and staff were confident that they had implemented the requirements and key elements specific to TCC.
- Large areas of the city that were medium density residential zone would be combined or rezoned into one zone.
- It was reasonable to implement Policies 3c and 3d in the high-density zone within the city centre and in the Te Papa peninsula with height enabled for apartment-type areas.
- In other residential areas such as Otūmoetai medium three storey three dwelling development would be allowed. If not complying, or for four or more dwellings, a resource consent would be required.
- High density zones had permitted activities and the site coverage rule did not apply. Consent would still be required for four or more dwellings and height would be enabled across certain parts of city in relation to the boundary.
- The Urban Design Panel was important to assess the criteria for the resource consent process.
- Proposed that any new residential properties in a commercial zone must get resource consent as a restricted discretionary activity as the ground floor was still required to be for commercial purposes.
- There was no minimum density limit in the commercial zone if it met Policy 3d and would work

closely with the city centre zone. Requirement was to give effect to Policy 3a, to allow as much development as possible in the city centre.

- Height was enabling across much larger areas, with most of the city centre unlimited, apart from the airport flight path restrictions.
- Would ensure the centre was vibrant using the Urban Design Panel and working with the refresh team and the Otamataha Trust on cultural values, protection and consideration of the interface with sites of heritage or cultural significance.
- The Amendment Act allowed Smiths Farm to be rezoned in part from rural residential to medium density.
- Public consultation was required to gain feedback on the changes.
- Qualifying matters allowed Council to limit development, but it would need to be justified why it was limited through the consent process - e.g. flight path, cultural reasons.
- Three new zones included – Housing under the national grid where it was intended to change to noncomplying; Pukehinahina as it was a significant cultural site and Council was currently working with the Trust regarding limited height around the site with transitional height to eight stories on edges and working up from that; and Plan Change 27 must be treated as qualifying, only removing the impervious surface rule.

Amended by  
Council resolution  
CO17/22/1 dated  
5 September  
2022

### In response to questions

- Objectives and policies fitted within all the zones and linked to the residential outcomes framework - the residential zone did not have the same interface with the commercial zone.
- In response to the proposed application of the resource consent outcomes framework for industrial or business zones, it was noted that the framework did have some unintended outcomes for these zones. The ability within future development to consider what commercial zones were, what could be enabled in those zones and whether to use multiple zones was important.
- In response to consideration being given to parking and road width with the removal of parking within the high-density areas, it was noted that the removal of carparks occurred in 2020. Developers needed to make a financial decision as to whether to provide carparking as part of a development. While the role of the hearings panel was to consider all submissions received, they would be doing so in relation to the Amendment Act, so parking would not be a consideration.
- The transport team was looking at tools to manage parking including bicycle parking. The cycle strategy, transport system plan and parking strategy were key documents for moving around the city with carparking as a key component. The implementation of the parking plan over the next month would provide a car parking stipulation with the design of new roads.
- In response to a query about what TCC could provide as benefits for a developer and incentives to encourage good quality design in a private perspective, it was noted that this was being approached through Plan Change 33; and to ensure the assessment criteria had good outcomes on the ground, there would be a panel to provide feedback and a clear rule framework. It would lessen the risk, time and cost to developers if they remained within the framework; however, if they went outside of it, they would risk limited notification and a hearing process which would add time and cost.

### Discussion points raised

- Congratulations to staff for getting to this stage with a thoughtful and considered process to take the plan change to consultation.
- There was a risk that there were significant areas with old infrastructure, and growth in those areas could occur.
- Commissioners requested to meet with staff prior to the closure of submissions to provide further input.

### RESOLUTION CO15/22/7

Moved: Commissioner Stephen Selwood

Seconded: Commissioner Shadrach Rolleston

That the Council:

- (a) Adopts Plan Change 33 – Enabling Housing Supply for public notification, to implement the Intensification Planning Instrument required under the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.
- (b) Authorises the General Manager: Strategy, Growth and Governance to arrange the public notification process in accordance with the provisions of section 95(2) of Part 6 of Schedule 1 to the Resource Management Act 1991.
- (c) Delegates authority to the General Manager: Strategy, Growth and Governance to approve any minor and technical changes to the Proposed Text Amendments contained in Attachment 2 and Proposed Map Amendments contained in Attachment 3, as required prior to public notification.
- (d) Endorses the non-statutory urban design guide (Residential Outcomes Framework) included as Appendix 9 to the section 32 report in Attachment 1 to this report for consultation.

**CARRIED**

### **Attachments**

- 1 Presentation to Council Meeting - Adopt Plan Change 33 for Notification - 15 August 2022 (A13738226) pdf

## **11.6 Temporary Road Closures - Annual Events 2022 - 2023**

**Staff** Lindsay Cave, Team Leader: Corridor Access & Temporary Traffic Management  
Jenna Quay, Events Facilitation Manager

### **RESOLUTION CO15/22/8**

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the Council:

- (a) Receives the amended report of Temporary Road Closures for Annual Events 2022-2023
- (b) Pursuant to Clause 11(e) of the Tenth Schedule of the Local Government Act 1974, grants approval to close the roads and car parks listed on Attachment A to ordinary vehicular traffic on the dates and during the hours stated for the purposes of facilitating safe and successful operations during the following events in Tauranga.

**CARRIED**

## **12 DISCUSSION OF LATE ITEMS**

As part of Public Excluded business.

## **13 PUBLIC EXCLUDED SESSION**

### **Resolution to exclude the public**

### **RESOLUTION CO15/22/9**

Moved: Commissioner Bill Wasley

Seconded: Commissioner Shadrach Rolleston

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
<b>13.1 - Public Excluded Minutes of the Council meeting held on 25 July 2022</b>	<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)(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)(c)(i) - The withholding of the information is necessary to protect information which is subject to an 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</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>
<b>13.2 - Appointment of hearings panel for Plan Change 33 - Enabling Housing Supply</b>	<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>
<b>13.3 - Infrastructure Funding and Financing Act</b>	<p>s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of</p>	<p>s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting</p>

<b>Proposal for the Transport System Plan - Negotiation Update and Decision on Proceeding</b>	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)	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**

**The meeting closed at 1.18 pm.**

**The minutes of this meeting were confirmed as a true and correct record at the Ordinary Council meeting held on 5 September 2022.**

.....  
**CHAIRPERSON**