



AGENDA

Ordinary Council meeting Monday, 7 November 2022

I hereby give notice that an Ordinary Meeting of Council will be held on:

Date: Monday, 7 November 2022

Time: 9.30am

Location: BoP Regional Council Chambers
Regional House
1 Elizabeth Street
Tauranga

Please note that this meeting will be livestreamed and the recording will be publicly available on Tauranga City Council's website: www.tauranga.govt.nz.

Marty Grenfell
Chief Executive

Terms of reference – Council

Membership

Chairperson	Commission Chair Anne Tolley
Members	Commissioner Shadrach Rolleston Commissioner Stephen Selwood Commissioner Bill Wasley
Quorum	<u>Half</u> of the members physically present, where the number of members (including vacancies) is <u>even</u> ; and a <u>majority</u> of the members physically present, where the number of members (including vacancies) is <u>odd</u> .
Meeting frequency	As required

Role

- To ensure the effective and efficient governance of the City
- To enable leadership of the City including advocacy and facilitation on behalf of the community.

Scope

- Oversee the work of all committees and subcommittees.
- Exercise all non-delegable and non-delegated functions and powers of the Council.
- The powers Council is legally prohibited from delegating include:
 - Power to make a rate.
 - Power to make a bylaw.
 - Power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan.
 - Power to adopt a long-term plan, annual plan, or annual report
 - Power to appoint a chief executive.
 - Power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the local governance statement.
 - All final decisions required to be made by resolution of the territorial authority/Council pursuant to relevant legislation (for example: the approval of the City Plan or City Plan changes as per section 34A Resource Management Act 1991).
- Council has chosen not to delegate the following:
 - Power to compulsorily acquire land under the Public Works Act 1981.
- Make those decisions which are required by legislation to be made by resolution of the local authority.
- Authorise all expenditure not delegated to officers, Committees or other subordinate decision-making bodies of Council.
- Make appointments of members to the CCO Boards of Directors/Trustees and representatives of Council to external organisations.
- Consider any matters referred from any of the Standing or Special Committees, Joint Committees, Chief Executive or General Managers.

Procedural matters

- Delegation of Council powers to Council's committees and other subordinate decision-making bodies.
- Adoption of Standing Orders.
- Receipt of Joint Committee minutes.
- Approval of Special Orders.
- Employment of Chief Executive.
- Other Delegations of Council's powers, duties and responsibilities.

Regulatory matters

Administration, monitoring and enforcement of all regulatory matters that have not otherwise been delegated or that are referred to Council for determination (by a committee, subordinate decision-making body, Chief Executive or relevant General Manager).

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1 OPENING KARAKIA

2 APOLOGIES

3 PUBLIC FORUM

3.1 Speakers regarding the Otumoetai Accessible Streets proposals

4 ACCEPTANCE OF LATE ITEMS

5 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN

6 CHANGE TO THE ORDER OF BUSINESS

7 CONFIRMATION OF MINUTES

7.1 Minutes of the Council meeting held on 3 October 2022

File Number: A14173509

Author: Robyn Garrett, Team Leader: Governance Services

Authoriser: Robyn Garrett, Team Leader: Governance Services

RECOMMENDATIONS

That the Minutes of the Council meeting held on 3 October 2022 be confirmed as a true and correct record.

ATTACHMENTS

1. Minutes of the Council meeting held on 3 October 2022



MINUTES

**Ordinary Council meeting
Monday, 3 October 2022**

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UNCONFIRMED

**MINUTES OF TAURANGA CITY COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE BOP REGIONAL COUNCIL CHAMBERS, REGIONAL HOUSE, 1 ELIZABETH
STREET, TAURANGA
ON MONDAY, 3 OCTOBER 2022 AT 10.57 am**

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

IN ATTENDANCE: Marty Grenfell (Chief Executive), Paul Davidson (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), Gareth Wallis (General Manager: City Development & Partnerships), Sarah Omundsen (General Manager: Regulatory and Compliance); Sanjana France (CCO Specialist); Anne Blakeway (Manager: City Partnerships), Phil Kai Fong (Team Leader Strategic Property), Paul Dunphy (Service Transformation Manager); Brendan Bisley (Director of Transport), Ross Hudson (Team Leader: Planning), Stuart Goodman (Team Leader: Regulation and Monitoring), Richard Eaton (Team Leader: TTOC), Jane Barnett (Policy Analyst), Stephen Burton (Interface Lead: Three Waters Transition), Coral Hair (Manager: Democracy & Governance Services), Robyn Garrett (Team Leader: Governance Services), Anahera Dinsdale (Governance Advisor), Janie Storey (Governance Advisor)

1 OPENING KARAKIA

The opening karakia was given at the start of the Strategy, Finance and Risk Committee meeting.

2 APOLOGIES

Nil

3 PUBLIC FORUM

3.1 Tauranga Millennium Track Trust

External Garth Mathieson, Malcolm Taylor and Murray Clarkson

Key points

A submission was tabled noting:

- The Trust rejects statements 27-30 of the Active Reserves Masterplan.
- The Trust organised the construction of the current all-weather track and facilities at the Tauranga Domain, raised the finance for them and then gifted them to TCC.
- The Council needed to consult more with the Trust. The decision was premature as insufficient due diligence had been carried out.
- A Geotech report had not been done on the new site as the athletic track needed to be perfectly flat. Some of the land was swampy when wet and there was a hill that would need to be removed.
- The current track and facilities had cost the club \$2m, it would cost more to provide those now.
- Any subsequently elected Council would not be interested in the proposals being put forward in the plan.
- TCC would not enter into a binding contract with the Trust, but had indicated that they would not demolish the current facilities until the new track was completed. The Trust expressed concern that the current track would be taken out before the new one was constructed.

- Good relationships had been built up with the schools and national bodies to be able to host events at the domain. The Trust wished to continue occupation of the domain.
- The alternative uses of the new area did not allow for people to do fitness training; Bayfair was not a fit location for an international track unless the netball courts were removed.
- The Trust considered that they had not been consulted and expressed a need to be able to consult with the Council.

Discussion points raised

- The Trust was congratulated on the current facilities and recognition noted of the huge project undertaken by the Trust to provide the facilities.
- An invitation was extended to the Trust to meet separately with the Commissioners to discuss the plans and to work through the issues in a way that met their satisfaction. The Trust members advised that they would take the offer up to meet with the Commissioners.

Attachments

- 1 Tauranga Millennium Track Trust - Tabled item
- 2 Tauranga Millennium Track Trust - Tabled item 2
- 3 Mount Maunganui Tennis Club - Tabled item
- 4 Mount Maunganui Tennis Club - Tabled item 2

3.2 Mount Maunganui Tennis Club

External Kent Lendrum, President; and Robert Naumann, Chairman of WBOP Tennis

Key points

A submission was tabled noting:

- The Tennis Club and the Mount Cricket Club would like to meet and discuss the proposal with the Commissioners.
- The Tennis Club had concerns with the draft plans and had met with the Cricket Club as they also had overlapping concerns.
- Concern was noted that the new location was surrounded by Maunganui Road on one side and the train line on the other, which caused noise and fumes and would also limit the length of the cricket field.
- The location of the clubhouse - the Cricket Club had different plans to those proposed, to enable better scoring and not looking into the afternoon sun.
- Tabled plans of how both the clubs would like to see the changes made. The clubs wished to start discussions with Council on how these would work.
- Currently there were 19 tennis courts available; however, the plan was to reduce this to 12 better quality courts. The club would like to aim for at least 14 courts, and that the two public courts be put near the carpark not at the far end.

3.3 BOP Speedway

External Rodney Wood, Phil Buckland

Key points

- Accepted an invitation to meet with the Commissioners.
- Requested that Council not endorse the report recommendations in Item 11.5 at this meeting, and noted that they had a letter from their barrister which had been provided to Council.
- Resource consent for the park for the good of the community. The sale of the land to TCC from BOP Speedway was provided in good faith so that it would continue to be their home.
- Speedway had flourished in the past and, while it had not been as good lately, the club had

made suggestions on how they would like to see it going forward.

- Formal consultation began in July and they only had six hours to get their submission in. They considered that there was a hidden pre-determined agenda that was of a bullying type nature.
- The master plan was removed from the site without fair consultation, the minutes did not reflect the true facts and differed from their own meeting minutes. The Club wished to be given a fair opportunity to have proper consultation as they felt they were blindsided by the master plan revealed on Thursday.
- Speedway would be the hardest code to relocate. They currently had a lease until 2029 - the moving of the pits this year would be in breach of several aspects of the deed. There had been much blood, sweat and tears put in to the facility by members of the club.
- The club were happy to co-use the area with other groups and had put forward examples of how they could co-exist but these had so far been ignored.
- Members considered that plans to relocate would be the end of speedway in the Bay of Plenty.
- TCC's consultants indicated the likely cost of a 9,500 spectator stadium would be \$300m plus the purchase of land and, as this was some years out, the cost would balloon up and would create an outcry from ratepayers.
- Baypark was created for motor sport. The air quality for other sports would not be good, being next to a dump station, sewerage and fertiliser plant.
- Concerned that the Commissioners would make a decision on flawed information from staff and the club looked forward to the opportunity to catch up with them.
- The Club and its legal advisors requested that the item be removed from the agenda in relation to Baypark Stadium in order for genuine consultation to take place; and to take no decision until such time as a judicial rule or adequate good consultation had taken place.

Discussion points raised

- Chairperson Tolley noted that the item would not be taken off the agenda. It was a high level report with plans for the next 10-30 years. The Commissioners would be happy to talk with the group directly and discuss the issues raised.

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 30 August 2022

RESOLUTION CO18/22/1

Moved: Commissioner Bill Wasley
Seconded: Commissioner Stephen Selwood

That the minutes of the Council meeting held on 30 August 2022 be confirmed as a true and correct record.

CARRIED

7.2 Minutes of the Council meeting held on 5 September 2022

RESOLUTION CO18/22/2

Moved: Commissioner Bill Wasley
Seconded: Commissioner Stephen Selwood

That the minutes of the Council meeting held on 5 September 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

10.1 Recommendation from other Committees - Strategy, Finance and Risk Committee - 12 September 2022

RESOLUTION CO18/22/3

Moved: Commissioner Bill Wasley
Seconded: Commissioner Stephen Selwood

That the Council:

- (a) Receives the report "Recommendation from other Committees - Strategy, Finance and Risk Committee - 12 September 2022".
- (b) Accepts the recommendation of the Strategy Finance and Risk Committee made on 12 September 2022 and adopts the Easter Sunday Shop Trading Policy 2022 (**Attachment 1**) with immediate effect.

CARRIED

11 BUSINESS

11.1 Council-Controlled Organisations' Draft and Final Annual Reports for 2021/2022

Staff Sanjana France, CCO Specialist
Anne Blakeway, Manager: City Partnerships

External Chad Hooker and Simon Clarke - Bay Venues
BOPLASS - Stephen Boyle
Tourism BOP - Oscar Nathan
Tauranga Art Gallery - Stephen Cleland and Rosemary Protheroe
Local Government Funding Authority - Sheree Covell and Paul Davidson

Key points

- Demonstrated resilience with Covid 19 - clear focus delivering for communities.

Bay Venues - Chad Hooker and Simon Clarke

Presentation including the following points:

- Highlights for the year included sports tournaments, exhibitions and other events coming back.
- 20,000 people attended or watched the Aims Games.
- Updated their strategy to be more community focused.
- Engagement with TCC on its master plans, the Community Centres Action and Investment plan and the Events Action and Investment plan. Appreciation was passed on to staff for their support with these.
- Key numbers included revenue being down on budget. \$6.5m was provided from the Council with half going towards renewals and half into operational funding. The lower user fees and charges were in line with the closed facilities throughout the period.
- Key challenges included the financial impact of the closures, aging assets, unplanned capex, increasing and changing demand, hard to manage court space, resourcing and talent, access to Baypark through the front entrance.
- Was building a relationship with Waka Kotahi with regards to the access link as it would make it harder for all if the access to Baypark was not good.
- Noted the game plan and strategy for the coming year and what they were trying achieve with a key focus on maximising activity in the venues with participation and spectating.
- Core focus to look after the assets and make sure they could deliver now and into the future and to grow the people to deliver.
- Governance - this was the first year of the new Board, the members had settled in and were doing a good job. A board review would be undertaken this year.
- Looking forward to a strong pipeline of events and some big summer events with six significant events over 10 days throughout the new year.
- There would be a review of the user fees and charges as part of the annual plan process. The team was working closely with the shared service opportunities and with other CCO's in human resources, IT and finance. A sustainability team would focus on that and on energy efficiency, and an assets strategy for the LTP.
- Four key capital projects were underway. Baywave would need to be closed for 10 weeks for some major maintenance items.
- Excited to go forward and to be working with the Council as a strategic delivery partner to deliver outcomes for TCC.

Discussion points raised

- Commissioners congratulated the group for their governance and management in difficult times.
- In response to a query in relation to the condition of the assets being taken seriously by the Council in planning around the LTP, Mr Hooker noted that the conversations were good and the timing and budget work to date had been sound.

- The number of events planned was an increase from previous years. There were four concerts booked, but the numbers attending those would vary.
- Access to Baypark was critical and they needed to make sure the right access points were proposed, to see what they looked like, to sequence them to see how it all fitted together. This needed to be absolutely sorted, especially the safety aspects which were critical before the master plan could be implemented.
- Mr Hooker noted that they would need to come back to Council with thoughts on a break even position to bridge the \$1.7m budget gap, noting they would need to look at how much was received from the Council, possible opportunities and extra charges to the community. This would be provided to the upcoming annual plan process.
- Mana whenua relationships were being fostered with iwi around the master plan and good engagement was being held. Working closely with iwi and the TCC team to capture the history of Baypark site.

BOPLASS - Stephen Boyle

- Annual accounts for the past financial year were not final as yet and staff were working with the auditors to have the final report by the end of November.
- It was a busy and successful year last year, despite the many challenges, with an extensive list of projects undertaken.
- Larger projects included the collective insurance programme resulting in substantial savings of \$2.1m in premiums last year, and being able to secure the right cover in today's market where there was continuing natural disasters and restrained capacity.
- Interregional collaboration was encouraged and examples noted in report e.g. tender for postal services and courier services across councils saving up to 40%.
- 3D aerial imaging had also resulted in good savings by councils working together. Tauranga was now flown on a six-monthly basis to update the mapping of the region.
- The Directors had undertaken a strategic workshop and were looking at where they could add further value.
- Financial performance was budgeted to a \$0 balance target, and had ended up with a good result and a \$6,000 balance.

Discussion points raised

- Projects were now agreed by a coalition of willing parties and were able to move forward, with other councils able to join at a later date.
- There were opportunities for shared services, with the Board looking from a procurement focus. There were no new projects being considered at this point.
- Offers had been made to share services with other CCO's; there were also personnel from CCO's on some of the advisory groups e.g. health and safety.

Tourism BOP - Oscar Nathan

Presentation noting the following points:

- Apologies from the Chair and Deputy Chair who were both unavailable for the meeting.
- Annual accounts were unaudited at present but would be completed in time to meet the deadline.
- The first cruise ship would return to Tauranga on 15 October, with 3500 people on board.
- Strategy had proven to remain resilient and showed the need to adapt to the changing times. Plan was to survive and revive this year and continue to focus on the four pillars - horticultural provenance, oceans and beaches, Māori culture and natural environment.
- Area covered by the Board was from Waihi to Whakatane. 23 of the 33 key measures were being undertaken with seven deferred due to Covid.
- Highlights were the integrated focus on the area as a horticultural province, including delivery of the first festival, Flavours of Plenty.
- The cycleways brochure and The Green Room were implemented as tangible ways to reduce emissions.
- The *Sure to Make you Smile* campaign had been successful and provided a much needed

boost for operators.

- Noted the return of the cruise ships, with 103 ships expected in total throughout the season bringing 250,000 passengers. There would be a few double up days this season but no triple days. Staff were working with the port authorities, traffic management, and ferry services to ensure all went to plan.
- Acknowledged Council staff for their professionalism and having the ability to analyse and look at needs first. Also acknowledged the Board for their support.

Discussion points raised

- The visitor spend only being 3% down, when the national trend was 7%, encapsulated the work done in the recent tough times.
- Commended the initiative of Flavours of Plenty.
- A community survey had been conducted on the locals' view on the return of cruise ships. Many were excited about their return; however, there were concerns of Covid and ensuring congestion was going to be managed with the port and cruise lines.
- Commissioners noted that it was a great result and wished them the best for the new season.

Art Gallery - Rosemary Protheroe and Stephen Cleland

- Annual accounts were still to be audited.
- Had a successful year given the constraints of Covid. Missed a couple of visitation points and some education in schools programmes were cancelled.
- Proud of the team for the successful and quality programmes that were put on and exhibitions held.
- Were within budget, but continued to face challenges to balance the budget.
- Welcomed two new members onto the Board, which was continuing to work hard to develop processes and procedures for the gallery.
- Resilience was the key this year. Highlights included thinking differently, engaging with 100,000 visitors, staying open when others closed.
- Acknowledged with thanks the support from TCC and their staff.
- The gallery received strong coverage with its speciality areas, and had broad national coverage from RNZ and key journals which helped to build the gallery's reputation nationally.
- Piloting of outreach programmes reached 40 schools across the Bay of Plenty. Taking the programmes out to the schools took three times longer to deliver than those undertaken inhouse.
- The initial focus was to get people back into the gallery before focusing on the outreach programmes.
- It was a challenging year to make up \$160,000 in lost revenue, but with cutting back programmes and having strong performances it was pleasing to come out in the black.
- The work plan included being involved in the larger Te Papa development; had met with Warren Mahoney Architects to discuss moving the entrance to the gallery and to look at how it would flow into the new developments for the longer term.
- The support and partnering with TCC in key areas such as remuneration reviews for staff was appreciated.

Discussion points raised

- Commissioners noted it had been a hugely successful year given the restrictions faced.
- The Art Gallery Foundation was an independent charitable trust which assisted the gallery.
- The education outreach programme had mixed benefits and, while there was a portion of secured funding, it was less than when last received. Fundraising was required to meet overheads etc. The Ministry of Education supported the programme but the amount provided did not adequately address needs in the sector.
- Some funding for the gallery had been received from Western Bay of Plenty District Council and discussions were ongoing with them to consider increasing the amount, given the number of visitors into the gallery.
- There were good reasons to maintain free access and get repeat visitations. International

visitors expected to pay so they were looking forward to that sector returning to the area.

RESOLUTION CO18/22/4

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the Council:

- (a) Receives the council-controlled organisations' Draft and Final Annual Reports for 2021/2022 report.
- (b) Receives Bay Venues Limited's draft annual report on its performance for the year to 30 June 2022.
- (c) Receives Bay of Plenty Local Authority Shared Services Limited's draft annual report on its performance for the year to 30 June 2022.
- (d) Receives Tauranga Art Gallery Trust's report on its performance draft annual report on its performance for the year to 30 June 2022.
- (e) Receives Tourism Bay of Plenty's draft annual report on its performance for the year to 30 June 2022, noting that it was also provided to Western Bay of Plenty District Council as joint shareholder at their meeting on 15 September 2022.
- (f) Receives the Local Government Funding Agency's final annual report on its performance for the year to 30 June 2022.

CARRIED

Attachments

- 1 Presentation - Bay Venues Ltd
- 2 Presentation - CCO reports - Tauranga Art Gallery
- 3 Presentation - CCO reports - TBOP Annual Plan 2021-22

11.2 Proposal to establish a Council Controlled Organisation for Site A of the Civic Precinct - consultation feedback

Staff Phillip Kai Fong, Team Leader Strategic Property

Tabled a late submission received from respondent #55.

Key points

- Acknowledged the passing of Peri Kohu and the work he had done to reach this point.
- Consultation included 73 submissions with 68% in support of the proposal and 22% opposing.
- Support included the restoration of iwi's mana, trust in Council, reconciliation of historical grievances and benefit to the communities within Tauranga.
- Reasons for opposition included a perceived financial impact on ratepayers, ownership being fully to Council or fully to mana whenua and the current Council not being democratically elected.
- Ngai Tukairangi hapū opposed the proposal as they did not consider the Otamataha Trust pertained to them; however, they were recognised in the land deed of the Otamataha Trust.

Discussion points raised

- Commissioner Tolley also recognised the contribution by Peri Kohu and noted the regret and sadness felt that he was not present today to see this process to its conclusion.
- It was a significant moment for Tauranga and its environs and Council was heartened by the

comments that came from the community which showed understanding that this was a long standing matter of grievance simply resolved with a trusting relationship. It had significant meaning and resolution for mana whenua.

- Advice had been received on the concerns expressed by Ngai Tukairangi, but the Council had to be consistent with the Crown and it would be wrong to step outside of this ruling. The matter needed to be dealt with in the Otamataha Trust.
- The Commissioners were honoured to be able to take the agreement forward and to finally address a 150 year grievance.

RESOLUTION CO18/22/5

Moved: Commission Chair Anne Tolley

Seconded: Commissioner Shadrach Rolleston

That the Council:

- (a) Receives the report "Proposal to establish a Council Controlled Organisation for Site A of the Civic Precinct - consultation feedback".
- (b) Considers the feedback received through the public consultation process.
- (c) Approves the establishment of a council controlled organisation for Site A of the Civic Precinct with Otamataha Trust (Option 1) with the following proposed structure and arrangements:
 - Transfer of the land to the council controlled organisation for a nominal sale price of \$1.00 and subject to a perpetual peppercorn ground lease back to Council; and
 - Council retains ownership of any improvements on the land and is entitled to develop and construct further improvements on the land.
- (d) Requests that staff proceed with finalising arrangements to establish a council controlled organisation and notes that a further report to appoint Trustees for the new council controlled organisation charitable trust will be available to Council before the end of year.

CARRIED

Attachments

1 Late Submission #55 PDF

At 12.43pm the meeting adjourned.

At 1.31pm the meeting reconvened.

11.3 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 & Governance
Alastair McNeil, General Manager: Corporate Services
Gareth Wallis, General Manager: City Development & Partnerships
Sarah Omundsen, General Manager: Regulatory and Compliance

Key points

- At the recent Civil Contractors Conference, TCC staff won both the small project award and the supreme award for the Sherwin Street Stormwater Project. Congratulations to all concerned.
- Funding had been confirmed from Waka Kotahi for the Wairoa cycle project. This allowed TCC

to make a smaller contribution than budgeted for. Construction would commence for this summer.

- Consideration was being given to how to better manage project spending to avoid the overspending that occurred on the Domain grandstand project to enable televising of sporting events. Due to the seismic rating, a separate tower had to be built.
- Work was underway on the tender process around the airport runway lighting and carpark extension.
- The Epidemic Preparedness notice would cease on 20 October 2022. Any member attending meetings electronically would not count towards a quorum, but was still able to vote.
- The volume of online and digital transactions with customers was continuing to increase.
- 1,738 submissions had recently been received as part of the consultation regarding the land at Greerton racecourse. This resulted from an increased staff effort to grow community engagement and consultation within the city.
- There had been a recent drop in building and resource consent applications. Staff were anticipating that the return of summer events this year would increase the workload for the alcohol licencing team.
- Information would be provided to the next meeting on requests over the past six months from developers wanting a deferral of development contribution payments.
- Information would be provided to the next meeting on the impacts of the relocation of the newly discovered blue sponge from the Beacon Wharf area.
- The information required for the resource consent for the Cargo Shed had been provided and it was back on target to be ready for use by the end of November.
- A communication strategy had been signed off to ensure everyone was aware of what was going on within the CBD, and noted the impact that communities would experience while work was going on.

In response to questions

- Concern was noted at the grandstand overspend when a feasibility study and business case were being undertaken for a new stadium, with replacement anticipated in the next five years. While Commissioners were heartened to hear that staff were looking at systems to ensure overspend did not occur again, they considered it should not have happened at all and there needed to be better systems in place to control any overspending.
- Appreciation was noted for the staff who assisted the Nelson/Tasman councils with their emergency management recovery.
- It was noted that agreement had been reached following consultation with school children to rename Yatton Park and it was requested that the system and relevant signage be updated to reflect that.

Discussion points raised

- Compliments to staff on the recent light sculpture and the Shadelands Lane artwork.

RESOLUTION CO18/22/6

Moved: Commissioner Stephen Selwood

Seconded: Commissioner Shadrach Rolleston

That the Council:

- (a) Receives the report "Executive Report";
- (b) Approves the total overspend of \$603,000 for the Tauranga Domain Grandstand project; and
- (c) Agrees to loan-fund the overspend of \$603,000.

CARRIED

11.4 Parking Management Plan

Staff Paul Dunphy, Service Transformation Manager
Brendan Bisley, Director of Transport
Stuart Goodman, Team Leader: Regulation and Monitoring
Richard Eaton, Team Leader: TTOC

External Scott Ebbett - Contractor

Key points

- The Parking Management Plan would give effect to what was agreed in the parking strategy and put it into practice.
- Encouraged the use of the parking buildings for long term or all day parking and supported the use of alternative modes of transport.
- There was provision for short term on-street parking so that people could access the shops they wished to visit.
- Recommendation to stop the two hour free trial as many parking spaces in the trial area were used by staff working in the area.
- Aimed for the parking activity to become cost neutral with the users paying. Last year resulted in a loss of \$1m.
- Council could not do this on their own, the private sector also needed to provide parking.
- The Harington Street carpark would have 200 additional parks coming onstream once completed.

In response to questions

- All day on street parking would cost \$34 per day, which was twice the cost of using the parking buildings.
- The on-street supply was expected to decrease, as was the private supply, which would move parking from private to public provision with the cost ending up with the Council.
- Messaging was required to the development community that they should not be expecting the Council to provide for parking provisions on or near development sites.
- This was also an opportunity to relay the cost neutral factor to the public and to tell the wider parking story.
- Parking plans were underway for Mount Maunganui, followed by the area around the hospital and Greerton. These would also consider whether parking would remain free or whether there should be a cost associated with it.
- At present there was parking on berms in some areas, but this was not approved except in rare circumstances; berms should remain as green spaces.
- There were currently 5000 on and off street parks in and around the city. Staff were currently looking at what the demand was within the CBD, what the use was and the timeline. The study was expected to be completed in the next eight weeks and would map out the requirements over the next 10 years.
- With the current disruptions due to the developments taking place within the CBD, there was a work underway for stormwater and traffic management, running parallel with the CBD works.
- Staff were looking at short term tactical options for car parking where land may be vacant for a short period of time; and also installation of digital signs on the six entrances to the city advising where parking was available.

Discussion points raised

- Commissioners amended the suggested recommendation to \$1 per hour over the holiday period and \$2 from 1 February 2023.
- Supported no parking allowed on berms and the inclusion of wider restrictions from the CBD to 11th Avenue as it compromised the amenity of these residential areas.
- Need to ensure the private sector carried its share of provision of private parking.

- Communication was vital as car parking was always a subject of contention.
- Acknowledged the quality of the report and the helpful information provided.

RESOLUTION CO18/22/7

Moved: Commission Chair Anne Tolley

Seconded: Commissioner Stephen Selwood

That the Council:

- (a) Receives the Tauranga Central City Parking Management Plan report
- (b) Adopts the Parking Management Plan (Option 1) and its recommendations as set out in Table 2, with specific attention drawn to:
 - (i) From December 1, 2022, stop the 2-hour free trial and reinstate parking charges within the city centre core area (outlined in Figure 2 in orange).
 - (ii) From December 1, 2022, extend no parking on berms throughout the plan area
 - (iii) From November 1, 2023, implement parking restrictions across the city centre fringe and wider areas in Te Papa up to 11th Avenue, including Memorial Park (outlined in Figure 2 in purple and green).
 - (iv) Adopts the change to variable on-street charging which will come into effect on December 1, 2022 with the charge being \$1 per hour to 1 February 2023 and \$2 per hour beyond that date.
- (c) Notes that there will be communications on the changes.

CARRIED

11.5 Active Reserve Masterplans

Staff Barbara Dempsey, General Manager: Community Services
Ross Hudson, Team Leader: Planning

Key points

- TCC was not using some of the land as efficiently as it could, so some changes were required.
- Staff worked hard to get to this point with most of the 30 groups affected supporting the change.
- Some immediate work was proposed and staff would work with the impacted sporting codes.
- The concerns raised by some groups were acknowledged - they would experience significant disruption to their sports.
- There was an individual vision for each of the sites and an overall integrated vision. Masterplans would be created for an extended period to allow Council to move forward quickly with some of these.
- Once approved, the changes would be included in the Masterplan and staff would continue to engage with affected stakeholders throughout the process.
- The indicative costs of some of the actions were covered within existing budgets, but it was likely that more would be sought through the Annual Plan, LTP and external funding.
- The next step was to create a detailed design, refine space allocation and plan the staging of works so that a new facility was provided before an existing one was removed.
- Some cases would require feasibility studies and business cases to be undertaken.
- The report was signalling that the three areas would be redeveloped and that staff were working with current users to ensure that they would get a better facility which also suited the growing population.
- There was a lot of work still to do, the plan set the overall direction and vision.

Discussion points raised

- Acknowledged the work done to reach this point.
- Sports clubs were regularly coming to Council to upgrade facilities to cater for increased numbers of players. Need to ensure that there was sufficient for everyone to take part and the facilities were accessible.
- A regional strategic plan was yet to be implemented. More consultation was required if it resulted in a relocation of codes, to reconcile their needs with the plan going forward and to determine how it was to be funded.
- Council needed to understand the cost implications, timing, phasing etc.

RESOLUTION CO18/22/8

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the Council:

- (a) Receives the Active Reserve Masterplans report and attachments.
- (b) Endorses the attached Active Reserve Masterplans for Baypark, Blake Park and the Tauranga Domains as preferred options and notes the intention to propose funding allocations through the next Annual Plan and Long-term Plan to enable key actions.
- (c) Approves moving to detailed design and project feasibility for the masterplans, including further engagement with stakeholders and mana whenua, and delegates to the Chief Executive or appointee to make further decisions on minor design amendments.
- (d) Continues to work with Bay of Plenty Speedway Association towards the implementation of the Baypark masterplan, including consideration of options for relocation of their activities to a suitable alternative site.
- (e) Endorses the following actions as priorities for early implementation between now and 2024/25, pending detailed design and feasibility and agreement of funding contributions through the Annual Plan and Long-term Plan:
 - (i) Enabling works at Baypark, including a new entrance from State Highway 29a and the repositioning of the Speedway pit area
 - (ii) Relocation of Tauranga Netball and essential supporting services from Blake Park to Baypark
 - (iii) Increased dedicated tennis court space provision at Blake Park
 - (iv) Provision of additional grass fields at Blake Park
 - (v) Demolition of the Mount Sports Centre at Blake Park and reuse of that space for additional carparking
 - (vi) Provision of additional formalised parking at Blake Park
 - (vii) Relocation of the athletics track and essential supporting services from Tauranga Domain to Baypark
 - (viii) Relocation of Tauranga Lawn Bowls and Tauranga Croquet Club from Tauranga Domains to alternative sites

CARRIED

11.6 Adoption of Community Centres Action & Investment Plan

Staff Barbara Dempsey, General Manager: Community Services
Ross Hudson, Team Leader: Planning

Key points

- The Plan built on the previous work with the Community Development Plan and included a large number of small low level actions designed to guide staff decision making on key investments for the provision and management of community centres.
- It was noted that given the Action and Investment Plan considered earlier, the plan be received rather than adopted at this meeting. A workshop format would be provided so that it could be seen in context with the next LTP rather than being considered in isolation.

RESOLUTION CO18/22/9

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the Council:

- (a) Receives the report "Adoption of Community Centres Action & Investment Plan";
- (b) Receives the Community Centres Action & Investment Plan and notes further review is required prior to finalisation;
- (c) Endorses the Gate Pā Community Centre feasibility study and supports progress of the project to its detailed design and implementation phases;
- (d) Notes that amendments to current budget allocations for community centre investments will be proposed through the 2023/24 Annual Plan and the 2024/34 Long Term Plan.

CARRIED

11.7 Temporary Alcohol Free Areas for the Summer period

Staff Barbara Dempsey, General Manager: Community Services

RESOLUTION CO18/22/10

Moved: Commissioner Stephen Selwood

Seconded: Commissioner Bill Wasley

That the Council:

- (a) Receives the report "Temporary Alcohol Free Areas for the Summer period".
- (b) In accordance with section 147B of the Local Government Act 2002, agrees that the proposed temporary alcohol-free areas are appropriate and proportionate in the light of the evidence; and justified as a reasonable limitation on people's rights and freedoms.
- (c) Resolves under clause 8 of the Alcohol Control Bylaw 2018 to implement a temporary alcohol-free area between the hours of 9pm and 7am for all beaches, reserves and public places on the seaward side of Marine Parade (eastwards from its intersection with Grove Avenue), Oceanbeach Road and Maranui Street and Surf Road from 21 October 2022 to 2 April 2023.
- (d) Resolves under clause 8 of the Alcohol Control Bylaw 2018 to implement temporary alcohol-free areas to support events across Tauranga as follows:

Fergusson Park	Fergusson Park including Tilby Drive from the intersection of Tainui Street and Waratah Street (all inclusive) from 10am, 31 December 2022 to 6am, 1 January 2023.
Gordon Spratt Reserve	Gordon Spratt Reserve and Alice Way (all inclusive) and Parton Road (between Tara Road and Papamoa Beach Road) from 10am, 31 December 2022 to 6am, 1 January 2023.
Tauranga Racecourse Reserve	Tauranga Racecourse Reserve from 10am, 31 December 2022 to 6am, 1 January 2023.
Soper Reserve	Soper Reserve and Newton Street (all inclusive) from 10am to midnight, Saturday 11 March 2023.
Marine Park	Marine Park, Cross Road (from Mirrielees Road), and Keith Allen Drive (all inclusive) from 6am to midnight 25 February 2023.

- (e) Resolves under clause 8 of the Alcohol Control Bylaw 2018 to implement temporary alcohol-free areas surrounding Trustpower Baypark from 10am, 31 December 2022 to midnight, 6 January 2023 as follows:

Proposed alcohol-free area for key events at Trustpower Baypark	
Girven Road	From Gloucester Road to State Highway 2
State Highway 2	From Girven Road to Sandhurst Drive
Te Maunga Lane	All inclusive
Truman Lane	All inclusive
Mangatawa Link Road	All inclusive
State Highway 29A	From Truman Lane to the intersection with State highway 2 (including the roundabouts)
Gloucester Road	From Eversham Road to Girven Road
Eversham Road	All inclusive
Tudor Place	All inclusive
Palliser Place	All inclusive
Harrow Place	All inclusive
Exeter Street	All inclusive
Lambeth Terrace	All inclusive
Dover Place	All inclusive
Weymouth Place	All inclusive
Eversham Road Reserve	All inclusive
Kingsley Place	All inclusive
Penrhyn Place	All inclusive
Ernie Way	All inclusive
Hadleigh Reserve	All inclusive

- (f) Clarifies that during the period from 26 December 2022 to 6am on 6 January 2023, a temporary alcohol-free area is in place, 24 hours a day, seven days a week, for:
- (i) All beaches, reserves and public places on the seaward side of Marine Parade (eastwards from its intersection of Grove Avenue to its intersection of Tweed Street);
 - (ii) Omanu Surf Club and car park area; and
 - (iii) Waiariki Street.

CARRIED

11.8 Three Waters Reform Update

Staff Nic Johansson, General Manager: Infrastructure
Dianne Bussey, Contractor - Three Waters Reform
Stephen Burton, Interface Lead: Three Waters Transition

Key points

- Update on Three Waters reform, including governance and appointments in the Entity B local transition team.

In response to questions

- Whakatane District Council was working with TCC to create a project team to support the national initiatives as much as possible. This added to the skill, knowledge and experience of the team and would share the cost.
- All of the working groups were populated with staff.
- The local transition team met monthly, with the next meeting being held in Tauranga, and would include site visits and an opportunity to socialise in the evening.

Discussion points raised

- Acknowledgement of the work staff and the team were continuing to do towards the reform.

RESOLUTION CO18/22/11

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the Council:

- (a) Receives the report "Three Waters Reform Update".
- (b) Endorses the Three Waters Project Team to continue with the next steps as documented.

CARRIED

12 DISCUSSION OF LATE ITEMS

Nil

13 PUBLIC EXCLUDED SESSION

RESOLUTION CO18/22/12

Moved: Commissioner Stephen Selwood

Seconded: Commissioner Bill Wasley

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
<p>13.1 - Public Excluded Minutes of the Council meeting held on 30 August 2022</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>13.2 - Public Excluded Minutes of the Council meeting held on 5 September 2022</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)(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)(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>13.3 - Exemption to Open Competition: Waters consumables and services</p>	<p>s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or</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</p>

procurement; Vessel Works Stage 2 Wharf Extension - Steel Pipe procurement	disadvantage, commercial activities	of information for which good reason for withholding would exist under section 6 or section 7
13.4 - Tauranga Urban Design Panel Members Appointment	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	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
13.5 - Smiths Farm - Divestment Objectives and Disposal Classification	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
13.6 - Update Report - Rowsdale Drive Access Issues	s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege 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
13.7 - Infrastructure Acceleration Funding Agreements for Tauriko West and Te Papa	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

CARRIED

14 CLOSING KARAKIA

Commissioner Shad Rolleston gave the closing karakia.

The meeting closed at 3.30 pm.

The minutes of this meeting were confirmed as a true and correct record at the Ordinary Council meeting held on 7 November 2022.

.....
CHAIRPERSON

8 DECLARATION OF CONFLICTS OF INTEREST

9 DEPUTATIONS, PRESENTATIONS, PETITIONS

Nil

10 RECOMMENDATIONS FROM OTHER COMMITTEES

Nil

11 BUSINESS

11.1 Accessible Streets for the Ōtūmoetai Peninsula Recommended Options

File Number: A13750252

Author: Karen Hay, Team Leader: Cycle Plan Implementation

Authoriser: Nic Johansson, General Manager: Infrastructure

PURPOSE OF THE REPORT

1. As part of the ongoing growth of Tauranga, traffic volumes continue to increase, and this is creating congestion as the volume of traffic in the peak hours now exceeds the capacity of the road corridors. There has been little investment in additional traffic capacity over the last 15 years and in areas the topography and landforms make it difficult and expensive to widen roads for more capacity. Therefore, it is important that the city builds infrastructure to provide safe travel for walking and cycling and passenger transport facilities that provide reliable journey times to reduce the pressure on the transport network and allow more people to move across the city in the same road space. To do this Council has three parts of the city planned to have high quality cycle facilities with the first being planned for the Area B area which is discussed in this report.
2. The planned infrastructure in Area B will encourage those that feel unsafe biking to consider this as an alternative option for travel. Area B connects to the new two-way cycleway being constructed along Cameron Road. In addition to the cycleways planned, improvements will be made for key passenger transport infrastructure and improved walking connectivity in the area. Safety improvements are also planned in key areas to make the streets safer for walking and cycling in the residential streets connecting to the planned cycleway. Vehicle travel will still be catered for, but changes will be required to carparking etc to create the additional space required for the new cycling and passenger transport facilities.
3. The TSP project identified a preferred route for both the passenger transport and cycle facilities in the study area. A business case has been underway for a few months looking at a number of options for the various facilities required for the walking, cycling and passenger transport facilities and alternatives that could be implemented. These alternatives have been discussed with the community and key stakeholders and from this a preferred option has emerged.
4. This report identifies the preferred option from the options developed for the various sections of the route and requests approval for these to be further developed as a concept design so additional engagement can be undertaken with stakeholders and affected residents and businesses. It also allows accurate project costings to be developed, consenting issues for the option identified and an accurate assessment of the project benefits and benefit cost ratio identified for the funding application from Waka Kotahi if the project were to proceed to construction. The results of the consultation and other information such as costs etc would be reported back to Council for a final decision before the designs progress to implementation in the future.

RECOMMENDATIONS

That the Council:

1. Receives the report "Accessible Streets for the Ōtūmoetai Peninsula Recommended Options".
2. Endorses the overall approach of the Accessible Streets programme, ensuring safe infrastructure for cycling or catching the bus in the City.

3. Approves the recommended emerging options to be developed into a concept design as outlined below:
- a) **Section 1 - Chapel Street between Harington Street and Maxwells Road.**
One-way cycleways and shared path on both sides. The traffic lane heading towards Ngatai Road is removed (from north of the Mobil site to Vale Street) to accommodate the cycleway. Further modelling is being undertaken to determine additional opportunities to provide a higher Level of Service for buses south of the Mobil site and Brown Street.
 - b) **Section 2 - Ngatai Road between Maxwells Rd to Ōtūmoetai roundabout.**
Two-way cycleway on the harbour side of Ngatai Road. Allows retention of parking on one side of the road, improved safety at intersections and connections at Maxwells Road.
 - c) **Section 3 – Charles Street to Bellevue Road along Windsor Road.**
A two-way cycleway on the school side of Windsor Road. To accommodate the two-way cycleway and retain parking on both sides of the road, this option removes a general traffic lane on Charles Street and Windsor Road between Ngatai Road and Anne Road to introduce a one-way circulation system.
 - d) **Section 4 – Bellevue Road.**
A two-way cycle facility on southern side of Bellevue Road, changing to one-way facility south of the Brookfield roundabout. A signalised crossing will be provided for cyclists to transition from one facility type to another.
 - e) **Section 5 - Waihi & 11th Avenue.**
Combination of one-way cycleways / shared paths and bus priority measures. The removal of a city bound traffic lane between the slip lane exit to Takitimu Drive and Edgecumbe Road to provide space for a bus/transit lane. Conversion of citybound parking between Edgecumbe Road and Cameron Road to an AM peak bus/transit lane clearway. On-street parking would be removed here during the am peak travel times.
 - f) **Primary bus routes.**
Bus stop Improvements including major upgrades to high priority stops. Minor upgrades to medium and low priority stops. Optimisation of bus stop locations and in-lane bus stops.
 - g) **Neighbourhood Streets.**
30km/h speed limit, speed reduction measures, pedestrian upgrades, and urban realm enhancements. Consideration to be given to limited time speed limits outside schools during the concept design development.
-

NEXT STEPS

5. The above options are to be developed as concept designs to allow consenting issues, costings etc to be developed for consultation with stakeholders and the affected residents and businesses prior to reporting back to Council for future decisions.

BACKGROUND

6. Ōtūmoetai Peninsula is identified as a priority area to deliver safe, convenient, healthy, and environmentally friendly travel choices due to its expected growth and the high number of trips that can easily be taken by foot, bus, bike, or scooter. Schools, community hubs, shops and reserves, as well as the city centre, are all within a reasonable distance for car-free travel.
7. Over the past five years Council have engaged with people across Tauranga and specifically in the Ōtūmoetai Peninsula about how they move around the city and their community. Tauranga is a car-reliant city, but people living in Tauranga and on the Ōtūmoetai Peninsula have told us they would choose to cycle to places such as the shops, parks, or work if they felt safer. They would like neighbourhoods that are well connected to other neighbourhoods and to centres outside of the Ōtūmoetai peninsula.
8. Accessible Streets aims to deliver improvements on primary routes that provide people who live, learn, work, and play on the Ōtūmoetai Peninsula with better travel choices and enable them to connect to schools and the city centre.
9. These improvements will enable more people to safely and confidently walk, bike or bus and reduce the number of vehicles on our road.
10. The Accessible Streets programme contributes to the following key strategic outcomes:
 - **The Emissions Reduction Plan**
Sets out how the Government will meet the first emissions budget (2022-2025) and sets the path towards meeting Aotearoa’s long-term climate targets. It is a key step in transitioning to a low emissions future. The plan has a considerable focus on reducing transport emissions through transport related interventions that will reduce the quantity of vehicle kilometres travelled (VKT) and encouraging short trips (those 5km or less) to be undertaken using public transport or active travel. *This project supports the Emission Reduction Plan targets for transport by improving multimodal choice and making it accessible to reduce vehicle kilometres that are travelled.*
 - **Road to Zero**
New Zealand’s road safety strategy which sets out a vision where no one is killed or seriously injured in road accidents. The strategy sets a target of a 40% reduction in deaths and serious injuries by 2030. *This project supports Road to Zero by improving safety using speed management, speed limit changes outside schools and safety improvements along routes and at key intersections.*
 - **The National Policy Statement on Urban Development (NPS-UD)**
Aims to ensure that New Zealand’s towns and cities are well-functioning urban environments that meet the changing needs of our diverse communities. *This project supports the Council’s spatial planning efforts to support intensification and how people move around our transport system.*
11. The draft problem statements and benefits are outlined in Figure 1 below.

Benefit	Investment Objective
Improved access to employment, education and social opportunities by active travel modes and public transport	Achieve mode shift (active travel and public transport modes) to work/education trips to/from/within the Ōtūmoetai peninsula
Improved cultural, environmental and health outcomes	Reduction in transport related CO2e
Improved safety for people using active travel modes	Reduce annual walking and cycling DSIs within the Ōtūmoetai peninsula

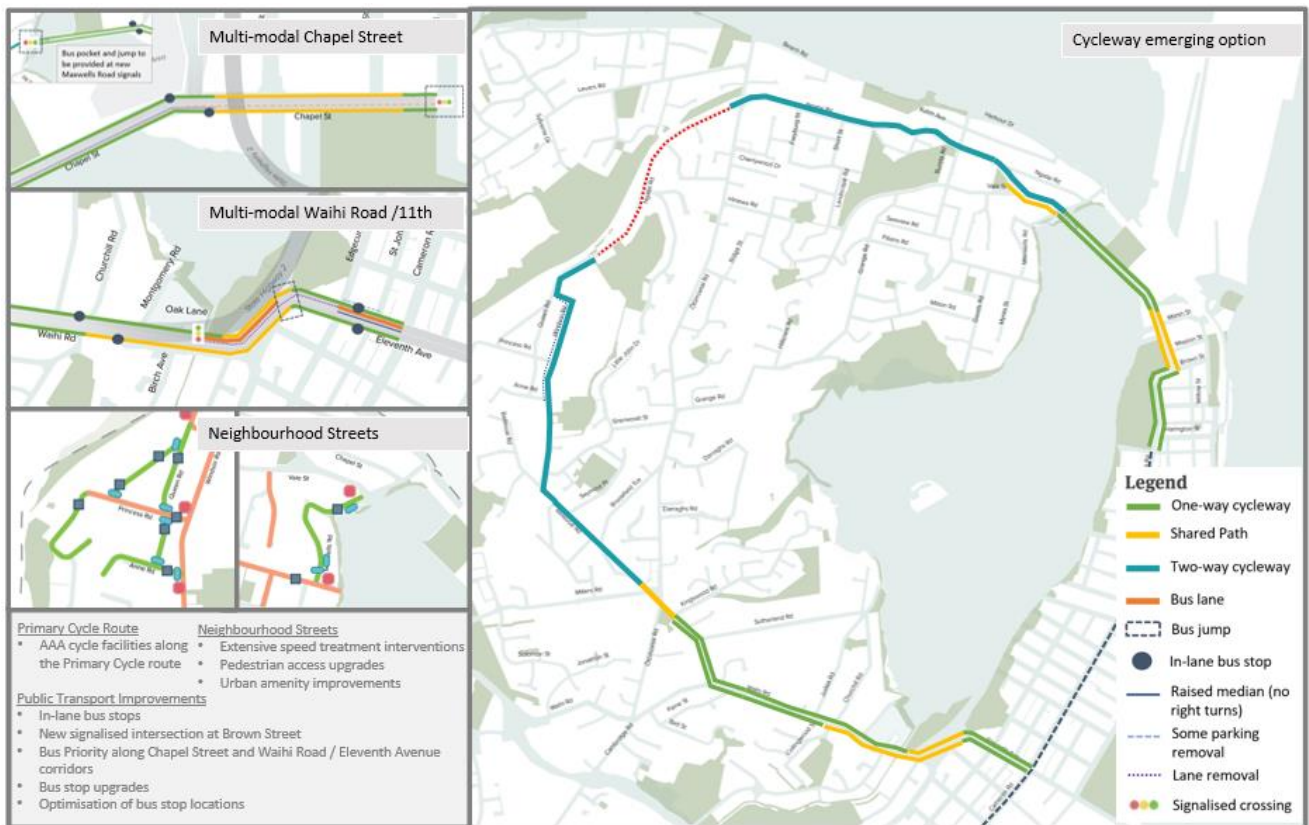
12. The cycle model is being updated to reflect 2018 census data and considers the increased use of e-bikes which would inform mode shift outcomes, key performance indicators and the associated economic evaluation.

OPTION ANALYSIS

13. It is challenging to achieve change in road layouts in a constrained transport environment like Tauranga as the city is built along narrow peninsulas. There are a number of ways to do this, these include:
 - a) Prioritising road space between modes – i.e. between bus and bike and which mode has priority where and how, as well as potential impacts to local businesses or overall traffic flow.
 - b) Reallocating road space from motor vehicles to enable people to walk, cycle or bus will inevitably create challenges such as increased congestion when lanes are used for alternative purposes.
 - c) Losing parking or changing access for residents and/or business.
14. To mitigate these challenges, a multi-criteria analysis (MCA) option analysis was undertaken that takes a holistic view of options, seeks early feedback from the local community and stakeholders to enable clear and transparent decision making. High level traffic modelling is undertaken to understand the impacts to the network.
15. Feedback from the affected community and stakeholders is considered as part of the option analysis to decide on the short list option and preferred that will proceed.
16. This process provides decision makers and the community with a deeper level of transparency and confidence in the resulting outcome.
17. Multiple options were assessed through the MCA process. The options were then integrated in the multi modal areas to see how they would work together. Each of the options has a level of potential implications that require consideration. Community feedback is also integral into option selection. The options assessed are outlined in the Table 1 below. The Alternative Options Assessment Report is outlined in Attachment 1.

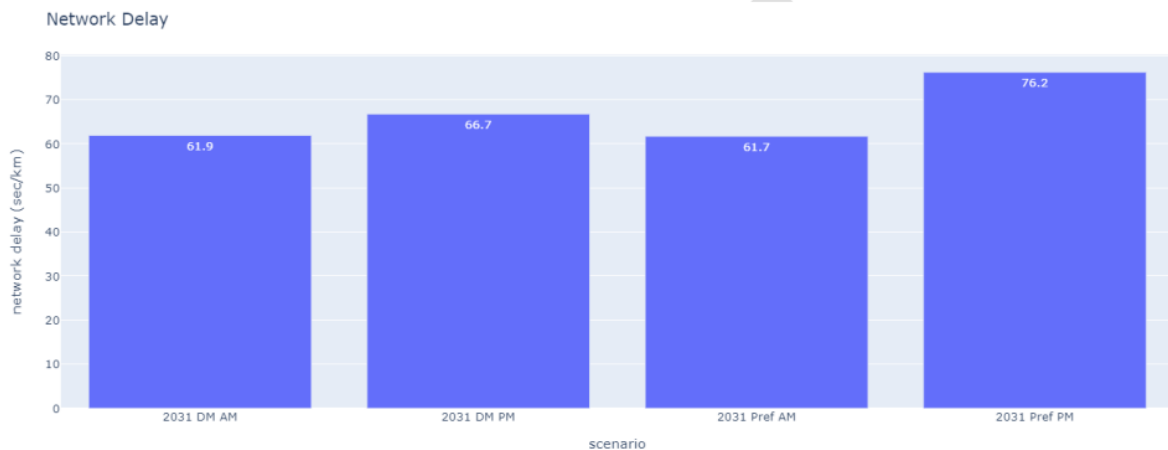
Intervention type	Nature of intervention
Safety improvements and intersection upgrades	Signalisation or other intersection changes such as removal of slip lanes at key locations
Cycling facilities	One-way cycleways
	Shared paths
	Two-way cycleways
Public transport priority interventions	Bus lanes
	Transit lanes (T2/T3)
	Bus gates/jumps
	Bus stop location optimisation
	Bus stop upgrades
	In lane or indented bus stops
Neighbourhood Streets	Speed limit changes
	One way circulation changes (Windsor Road)
	Traffic calming - speed humps, raised tables and road narrowing
	Pedestrian access upgrades
	Safer speed areas that include some artwork, additional planting speed humps, raised tables or road narrowing, pedestrian crossing upgrades

18. A summary of the emerging options, its description together with key themes from community feedback is in Attachment 2. *The overall integrated solution for bikes and buses is outlined in Figure 2 below:*



TRANSPORT MODELLING

19. High level transport modelling has been undertaken to inform the options and to provide an estimation of the general traffic / commercial vehicle and public transport performance of the short list options and preferred option against a “Do Minimum” scenario.
20. Ōtūmoetai is constrained with limited alternative routes into and from the peninsula. Reallocation of road space to allow provision for cycle lane and public transport users will impact on the surrounding network. As a result, there is an increase in general vehicle travel time. However, through refinement of the options and understanding the impact on the general traffic, the increases in travel time have been kept to within a couple of minutes for any one segment around the study corridor.
21. An example of a route segment comparison of the do minimum vs the emerging option is outlined in the table below:



22. The modelling did identify that the removal of a traffic lane for use as a bus only lane along Chapel Street from Brown Street through to Vale Street had significant adverse impacts on the traffic queues and the SH network. This option also creates an unwanted increase to bus travel times.
 - a. The reduction of a southbound general traffic lane through the interchange causes significant additional queueing along Chapel Street. Buses would be delayed, and the benefit of bus lanes negated.
 - b. A reduction in the number of through lanes (northbound or southbound) will have significant impacts on queueing / delays with potential for traffic to queue back along the SH2 off ramp to the expressway through lanes.
 - c. Reducing the number of northbound lanes on Chapel Street north of the Mobil petrol station to Vale Street does not have a significant impact.
23. The concerns raised of additional queues when accessing Bay central from SH2 have been considered. These queues are worst in the weekends or when the larger retailers (Briscoes, Rebel Sport etc) in the complex have large sale events that attract higher volumes of shoppers. The two northbound lanes will merge past the queue length (north of Mobil) which will minimise impacts. This will be refined during concept design development and shared with Bay Central businesses for discussion.
 - a. The travel time along Ngatai Road shows a more significant increase in travel times. This is particularly due to the addition of the signalised intersection replacing the Ngatai / Ōtūmoetai roundabout. The travel time increases predicted by the model are up to 1.6 minutes. However, the model predicts that these queues are generally quick to both build up and dissipate.
 - b. Additional signals managing the slip lane from Waihi Rd to SH2 will require additional modelling to determine the impacts on the wider network. This is intended to be completed as part of the concept design development.
24. Further modelling is being undertaken to determine additional opportunities to provide a higher Level of Service (LoS) for buses south of the Mobil site and Brown Street.

FINANCIAL CONSIDERATIONS

25. The original budget in LTP FY21-30 to deliver this project was \$53.8M. At the time of forecasting, the scope of the project was to deliver the primary cycle network only.
26. Through discussions with Waka Kotahi New Zealand Transport Agency and the Bay of Plenty Regional Council, additional scope was added to the business case investigations, that included neighbourhood streets, bus and multi modal improvements. The overall project budget was not adjusted until outcomes of the investigation could be determined.
27. The budget for the business case phase is \$3.2M, and we are currently on track to deliver the business case within budget.
28. The indicative cost to deliver pre-implementation & construction (inclusive of risk contingency) has increased by \$14.3M (\$64.9M vs. \$50.6M).
29. The 12km cycleway component has increased by \$1.9M (\$52.5M vs \$50.6M),
30. The additional scope items investigated through the business case has added an additional \$12.4M:
 - a. Neighbourhood streets - \$5.3M
 - b. Bus / Multimodal improvements - \$6.0M
 - c. Minor safety improvements - \$1.1M
31. The total estimated cost (inclusive of risk contingency) for the project now stands at \$68.2M.

LEGAL IMPLICATIONS / RISKS

32. The key risk is associated is with the increased cost for the project. Funding is constrained in both the Long-Term Plan and the National Land Transport Programme. Staff will review the Long-Term Plan Walking and Cycling proposals to seek efficiencies in cost to offset the cost increase above.

CONSULTATION / ENGAGEMENT

33. The project team have worked in partnership with Waka Kotahi, the Bay of Plenty Regional Council and mana whenua representatives throughout the optioneering process.
34. Engagement and consultation with stakeholders, mana whenua and the Ōtūmoetai community enabled council to collect feedback on a range of options for each of the sections along the corridor. A summary of activities, the engagement approach and key themes is attached in *Attachment 3- Engagement Summary Ōtūmoetai peninsula*.
35. An overview of participation statistics and feedback received:
 - a. 150 people or businesses attended a webinar or in person open day session.
 - b. 202 individual survey responses were received. This generated 339 responses to multiple choice options and 472 pieces of feedback or commentary about the project.
 - c. 32 submissions were received via email or at an open-day session.
36. In general, the feedback received has been much more positive/supportive than negative/against. Those who supported the project wanted to make sure the team delivered a high-quality outcome, include other routes, and did not delay delivery. The main concerns were about potential loss of parking, impacts to vehicle travel times, increased congestion, restricted access to property and impacts on business.
37. These concerns have been carefully considered in development of the emerging preferred option. Additionally, staff intend meeting with directly affected businesses to receive further feedback during the concept plan development. The wider community will have another opportunity to have their say on the concept design early in February 2023.

SIGNIFICANCE

38. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals, and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
39. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
 17. (a) the current and future social, economic, environmental, or cultural well-being of the district or region
 18. (b) any persons who are likely to be particularly affected by, or interested in, the decision.
 19. (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
40. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the decision is of medium significance.
41. The issue is of medium significance as it affects people within the Ōtūmoetai Peninsula mostly but is of high significance due to potential cost implications of more than \$4M. The Councils decision on costs for the project will be considered as part of the business case approval in 2023. In the meantime, staff will work through current LTP priorities with recommendations on how the costs can be accommodated within overall fiscal envelope.

ENGAGEMENT




42. Taking into consideration the above assessment, that the proposal is of medium significance, officers are of the opinion that no further engagement is required prior to Council deciding on the emerging options. Further consultation will be undertaken around the concept design prior to final business case decisions being made in April 2023.

NEXT STEPS

43. The concept plan of the preferred option is developed to establish more accurate costs and identify consenting issues etc.
44. Consultation with the wider community on the concept plan expected to commence in February 2023, noting the commitment to work with directly affected businesses during the concept design development. This is to ensure that their needs are fully considered within the preferred option.
45. The resulting final concept plan, the business case including the economic case will be presented to Council for approval in April 2023.
46. Approval for design and implementation funding of the project will be sought from Waka Kotahi in May 23.

20.

ATTACHMENTS

1. **Accessible Streets Alternative Options Assessment Report - A14136598 (Separate Attachments 1)** 
2. **Summary of Emerging Options and Community Feedback - A14161392 (Separate Attachments 1)** 
3. **Accessible Streets Engagement summary report - A14136607 (Separate Attachments 1)** 

11.2 Proposed Partial Reclassification of Gate Pa Recreation Reserve - Hearings Report

File Number: A14062922

Author: Rachael Williams, Strategic Property Advisor

Authoriser: Paul Davidson, Chief Financial Officer

PURPOSE OF THE REPORT

1. To receive the written submissions received in response to the public and tangata whenua consultation of the proposed partial reclassification of the Gate Pa Recreation Reserve and to hear seven verbal submissions from submitters wishing to speak in support of their submissions.

RECOMMENDATIONS

That Council:

- (a) Receives the report "Proposed Partial Reclassification of Gate Pa Recreation Reserve - Hearings Report"; and
- (b) Receives the written submissions in relation to the proposed partial reclassification of the Gate Pa Recreation Reserve and hear the verbal submissions of those wish to speak in support of their written submissions; and
- (c) Notes that a final decision on the reclassification will be made by way of a deliberations report on 28 November 2022 which will fully consider the submissions received from the public and tangata whenua.

EXECUTIVE SUMMARY

2. On 25 July 2022, Council resolved to initiate the process to reclassify part of the Gate Pa Recreation Reserve (the Reserve), more particularly described as Section 1 on draft survey plan SO 584235 (**Attachment A**) in accordance with the Reserves Act 1997 (the Reserves Act). The confirmed area subject to the proposed reclassification is 6,716m² compared with the approximate area of 6,150m² mentioned in the report of 25 July 2022.
3. The reclassification is required to progress the proposal received by Ngai Tamarawaho and the Pukehinahina Charitable Trust to use part of the Reserve for a Cultural and Historic Centre.
4. In response to the public and tangata whenua consultation Council received a total of 63 submissions.
5. Overall, the proposal to reclassify part of the Reserve has been well received by the community with 88.88% of the submissions received supporting the proposal.

BACKGROUND

6. Following the resolution to initiate the partial reclassification of the Reserve, staff have completed the public and tangata whenua consultation as required by the Reserves Act. Consultation commenced on 12 September 2022 and concluded on 12 October 2022.
7. During the consultation process Council received a total of 63 submissions in response to the proposed reclassification with:
 - (a) 50 strongly in support;
 - (b) 6 somewhat in support;

- (c) 6 strongly opposing; and
 - (d) 1 that was neutral.
8. A list of all submissions received is attached (**Attachment B**) together with a list of the submitters that wish to speak in support of their submissions (**Attachment C**).
 9. In accordance with the Reserves Act, Council must consider the submissions received prior to resolving to confirm or abandon the proposed reclassification.
 10. During the consultation period Council received seven requests from submitters wishing to speak to their submissions.
 11. Council is now required to receive the written submissions received both in support and in opposition of the proposed reclassification and to hear the verbal submissions from those who have indicated that they wish to speak in support of their written submission.

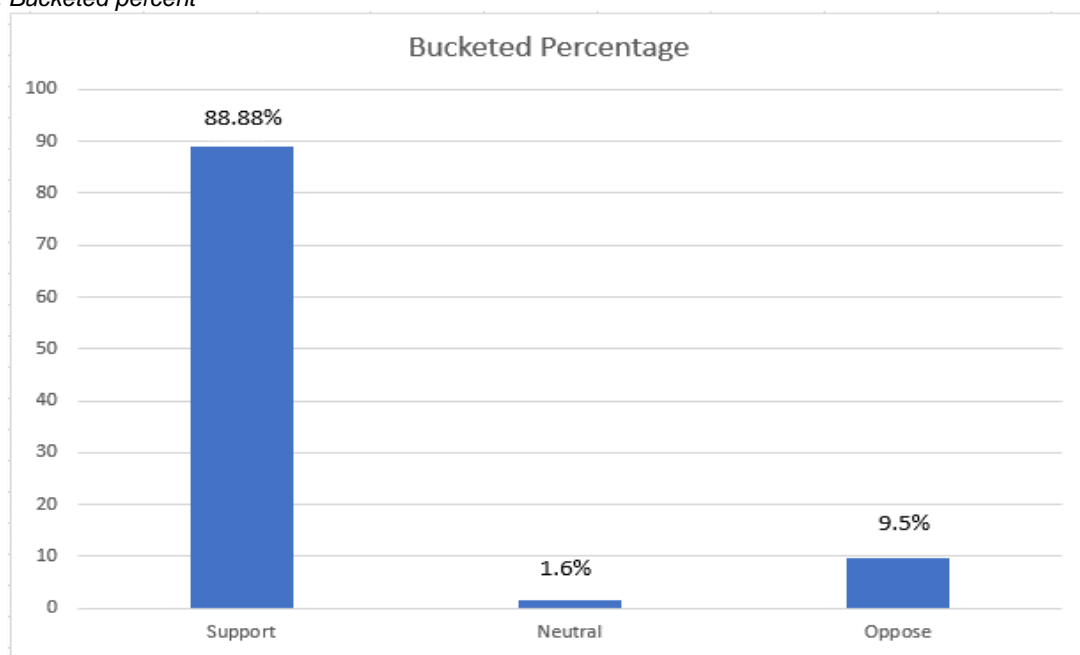
STRATEGIC / STATUTORY CONTEXT

12. In accordance with the Reserves Act, Council is required to consider all submissions received during the consultation period prior to deciding whether to proceed with the reclassification of part of the Reserve.
13. At the Council meeting of 25 July 2022, Council resolved to hold a public hearing for submitters who wanted to speak to their submissions. The Reserves Act specifies that all submissions made in terms of the proposed reclassification must be in writing and the verbal submissions made today will be in support of written submissions received.

CONSULTATION

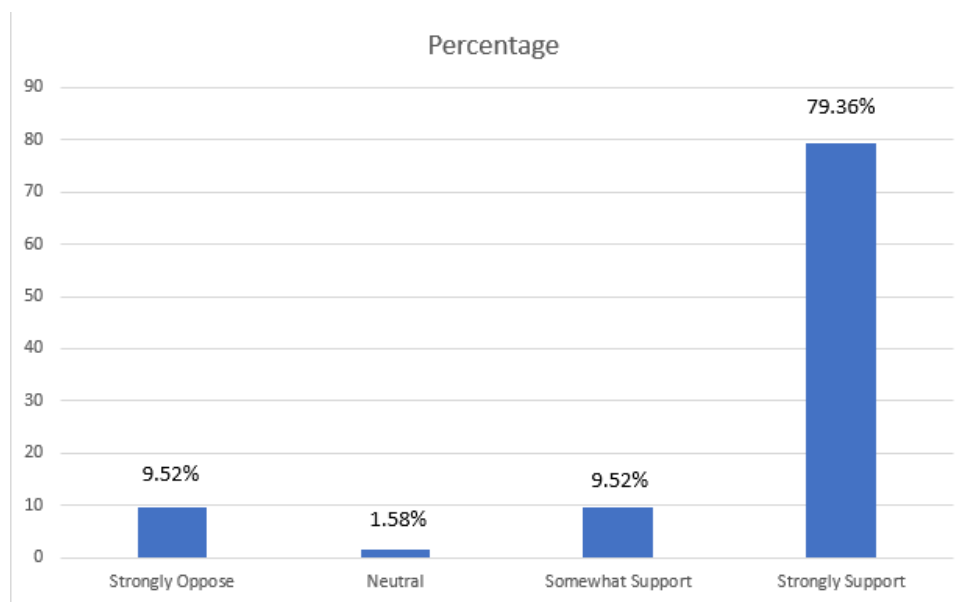
14. During the consultation period, members of the public and tangata whenua were asked whether they supported or objected to the proposed reclassification.
15. Council received a total of 63 submissions which can be categorised into three main categories, those in support of the reclassification, those who object to it and those that are neutral.
16. As shown on the graph below, a total of 88.88% of the submissions received supported the reclassification, 9.52% of the submissions received objected to it, and 1.6% of submissions received were neutral.

Image 1: Bucketed percent



17. The graph below sets out the individual responses to the consultation on the reclassification.

Image 2: Individual responses (not bucketed according to category)



18. One of the main themes coming through from the submissions in support was the importance of the historical significance of the site both at a national level and to Tauranga and that the recognition of this was long overdue.
19. There were no common themes in the submissions received in opposition however one submitter was concerned of the impact that the proposed Cultural and Historic Centre would have on the residents of the adjoining St George Street. There were also concerns about how the Cultural and Historic Centre would be funded and the type of building that will be constructed for the Centre.
20. The deliberations report set for 28 November 2022 will contain detailed consideration of the objections received as well as an analysis of the submissions in support.

OPTIONS ANALYSIS

21. There are currently no options to consider. Council must consider all submissions received.
22. Council will have the option of confirming or abandoning the reclassification on 28 November 2022.

FINANCIAL CONSIDERATIONS

23. There are no impacts to existing budget lines, and no funding is being requested.

LEGAL IMPLICATIONS / RISKS

24. As mentioned under the Options Analysis, Council has a statutory requirement to consider the submissions received prior to deciding on the reclassification proposal.

SIGNIFICANCE

25. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council’s Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal

or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.

26. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
 - (a) the current and future social, economic, environmental, or cultural well-being of the district or region
 - (b) any persons who are likely to be particularly affected by, or interested in, the decision.
 - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
27. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the issue is of medium significance.




ENGAGEMENT

28. Taking into consideration the above assessment, that the issue is of medium significance, officers are of the opinion that no further consultation is required prior to Council hearing the submissions as the consultation period has closed.

NEXT STEPS

29. A deliberations report will be prepared for the Council meeting of 28 November 2022 which will give the Commissioners the opportunity to fully consider all submissions received. As part of the report, the Commissioners will be requested to pass a resolution either confirming or abandoning the reclassification of part of the Reserve.

ATTACHMENTS

1. **Draft Survey Plan showing proposed reclassification area - Gate Pa Recreation Reserve - A14150733** [↓](#) 
2. **Submissions Received in Response to Consultation - A14150173** [↓](#) 
3. **List of Submitters who wish to speak to their submissions - A14150175** [↓](#) 

11.3 Tauriko West Rezoning

File Number: A14149974

Author: Andy Mead, **Manager:** City Planning & Growth

Authoriser: Christine Jones, **General Manager:** Strategy, Growth & Governance

PURPOSE OF THE REPORT

1. To determine the preferred rezoning approach for the Tauriko West urban growth area.

RECOMMENDATIONS

That the Council:

- (a) Receives the report "Tauriko West Rezoning".
- (b) Approves proceeding with preparing a variation to Plan Change 33 – Enabling Housing Supply to rezone Tauriko West for urban development including implementation of the Medium Density Residential Standards and additional intensification opportunities as appropriate and any supporting or consequential changes to the Tauranga City Plan.
- (c) Delegates to the Chief Executive responsibility to put in place any necessary arrangements to enable a variation to proceed, including any required changes to timeframes set out in directions for Plan Change 33 – Enabling Housing Supply.

EXECUTIVE SUMMARY

2. Tauriko West is a priority urban development area supported through SmartGrowth and the Urban Form and Transport Initiative.
3. Rezoning of Tauriko West has been delayed due to the Government's recent freshwater reforms. The constraints these reforms have created have been acknowledged by the relevant Minister and amendments to freshwater policy are being progressed this year to provide a pathway for urban development in areas like Tauriko West. Given this, the rezoning process for Tauriko West will be able to proceed in 2023.
4. A number of rezoning processes exist under the Resource Management Act 1991 (RMA) and other legislation eg the Urban Development Act. Due to the city's acute and urgent housing challenges and the range of public processes that have already occurred for Tauriko West we recommend a planning pathway with high levels of certainty of outcome within defined and reasonable timeframes.
5. Based on our assessment of options we recommend a variation to Plan Change 33 – Enabling Housing Supply (PC33) is adopted. This approach would enable the variation to rezone Tauriko West to be adopted and notified by mid-2023 and completed by mid-2024.
6. A variation to PC33 enables public and Tangata Whenua participation in the process, in particular through the submissions and hearing stages. This opportunity for participation is in addition to the consultation and engagement which has been undertaken to develop the rezoning proposal to this point.
7. A variation approach would not affect the timeframes for PC33 as currently notified which requires a Council resolution on the Hearing Panel recommendations by 20 November 2023. This would be managed by having separate hearings and decisions.

BACKGROUND

8. Tauranga City Council is progressing an Intensification Planning Instrument (IPI) to implement the government's recent housing amendments to the RMA to provide for the

Medium Density Residential Standards and intensification provisions in the NPS-UD, this being Plan Change 33. Plan Change 33 was notified by 20 August 2022 and is on track to deliver widespread intensification opportunity across our city.

9. This however will not be sufficient in itself to resolve the city's acute housing challenges, including non-compliance with the NPS-UD development capacity requirements given a number of challenges associated with residential intensification including:
 - (a) High development costs
 - (b) Commercial feasibility challenges
 - (c) Covenants that heavily restrict redevelopment potential
 - (d) Fragmented land ownership
 - (e) Lack of public housing redevelopment opportunities (due to previous divestment).
10. An update on the city's housing shortage was provided to the 12 September 2022 Strategy, Finance & Risk Committee. In summary the housing outlook has continued to deteriorate. It is now estimated that over the next 10 years new supply will be around 3,000 homes less than required under the NPS-UD to satisfy demand. This is up from around 1,500 homes which was our previous estimate. The increasing shortfall is primarily due to delay in the release of new large scale development opportunities (particularly the Te Tumu urban growth area).
11. In addition to this for the first time we have an estimate of the current underlying shortfall of housing in the city. New Zealand Institute of Economic Research estimate this to be between 4,300 and 5,300 homes. Combining this with the forecast shortfall over the next 10 years means that we are dealing with an overall housing supply shortage in the order of 8,000 homes that would affect around 20,000 people.
12. To address these housing challenges the SmartGrowth Urban Growth Partnership with the Crown has identified a number of Priority Development Areas (PDAs). These provide the largest opportunities to deliver housing at scale in reasonable timeframes.
13. One of these PDAs is Tauriko West which is a predominately residential growth area anticipated to deliver 3-4,000 homes starting in 2025. There are three major landowners (including Kainga Ora) in the area who are all experienced developers. They are keen to progress the development of the area and it is realistic to progress with pace. Work is also underway to provide public transport and active transport links between Tauriko and the CBD, with Stage 1 in construction on Cameron Rd and the planning for Stage 2 Cameron Road underway.
14. To date TCC has been constrained in moving forward to rezone Tauriko West due to the operative national direction for freshwater under the RMA. As such Council were unable to consider inclusion of Tauriko West in PC33 as notified.
15. Amendments to remedy the freshwater issues are well underway and we are confident this will provide a pathway to enable urban development while also resulting in net positive outcomes for streams and wetlands. We have been advised by Ministry for the Environment (MfE) that these freshwater amendments will be in place by the end of the 2022 calendar year. This will enable Council to complete a number of technical assessments required to support a rezoning planning process.

STRATEGIC / STATUTORY CONTEXT

16. In 2016 SmartGrowth adopted Tauriko West as the next urban growth area for rezoning and development in Tauranga (alongside Te Tumu and a renewed focus on the intensification of existing urban areas).
17. Tauriko West was reaffirmed through the SmartGrowth Urban Form and Transport Initiative (UFTI) process which resulted in a sub-region wide transport business case being adopted by the Waka Kotahi Board as well as amendment to the SmartGrowth Partnership to become

an urban growth partnership with the Crown involving Ministerial involvement at a governance level.

18. A number of planning processes (all publicly notified) have been completed to enable the development of Tauriko West including changes to the urban limits contained in the BOPRC Regional Policy Statement and a Local Government Commission led reorganisation process to bring land within Tauriko West into the TCC jurisdiction from WBOP District Council.
19. An enabling works transport business case for Tauriko West was developed by TCC and approved (including co-funding) by the Waka Kotahi Board earlier in 2022. This enables development of the first 2,000 homes in Tauriko West as well as further development in the adjoining Tauriko Business Estate. The enabling works have been further developed under a Waka Kotahi lead (due to investment being primarily on the State Highway network) to the point where procurement is programmed for early 2023 with construction commencing from mid-2023.
20. A multi-party funding package of circa \$250m has been developed to enable delivery of the enabling works transport and waters investment. This involves funding from:
 - (a) Development contributions
 - (b) Waka Kotahi
 - (c) Proposed Citywide IFF levy (via Crown Infrastructure Partners)
 - (d) Infrastructure Acceleration Funding sought for \$80m (IAF)
 - (e) A further \$60m of developer funding through either a Tauriko West specific IFF levy or an alternative development funding model.
21. Alongside the enabling works, Waka Kotahi is progressing a further transport business case focused on long term transport needs for the wider Tauriko area. This provides for the full development of Tauriko West as well as other development proposed in the Western Corridor. This business case is programmed to be reported to the Waka Kotahi Board for decision-making in the first quarter of 2023.
22. Recently Kāinga Ora acquired approximately 95 hectares within Tauriko West which provides the opportunity for the government to have much greater control on public and affordable housing outcomes, urban form and density. The Kāinga Ora land cannot be developed until Tauriko West is rezoned.

OPTIONS ANALYSIS

23. With the freshwater challenges due to be resolved imminently we have been considering the most appropriate planning pathway to rezone Tauriko West from its current rural zoning to residential, in particular to enable the Medium Density Residential Standards. Due to the city's acute and urgent housing challenges and the range of public processes that have already occurred we are seeking a planning pathway with high levels of certainty of outcome within defined and reasonable timeframes.
24. Our preference therefore is not to utilise the standard Schedule 1 RMA plan change process due to the possibility of Environment Court appeals which can add significant time, cost and uncertainty.
25. We are currently working with Kainga Ora who are investigating the establishment of the Specified Development Project (SDP) for the wider Western Corridor in Tauranga (inclusive of Tauriko West). At this stage there is uncertainty whether the SDP will be established and even if it was, timeframes do not align with our needs for the rezoning of Tauriko West to enable residential development. An SDP would however have other purposes and would support and complement rezoning of Tauriko West.
26. This leaves two options for consideration. A variation to Plan Change 33 or a Streamline Planning Process (SPP). Both processes do not include Environment Court appeals. Following engagement between our staff, MfE and Ministry of Housing and Urban

Development officials, consideration of a variation process is recommended as it would be more efficient and require much less upfront effort compared to the SPP which requires an extensive application to be prepared by Council and then assessed by officials. We understand resourcing within MfE is constrained and focused on other priorities at this point in time.

27. We anticipate that a variation could be adopted and publicly notified for submissions in the second quarter of 2023. Further submissions and a hearing would follow with a Council decision required on whether to accept or reject the independent hearing panel recommendation by the end of the second quarter of 2024 with no provision for Environment Court appeals.
28. The variation would be kept separate from PC33 as notified, which would proceed on current timeframes and through a separate hearing and Council decision to be completed by 20 November 2023.
29. A variation would still enable public and Tangata Whenua participation in the process, in particular through the submissions and hearing stages. Ongoing engagement leading up to and through-out the variation process would continue (e.g. with Tangata Whenua, landowners and developers).

FINANCIAL CONSIDERATIONS

30. Tauriko West rezoning costs are anticipated within existing budgets.

LEGAL IMPLICATIONS / RISKS

31. Legal advice confirms a variation pathway exists for Tauriko West within PC33. We have also confirmed this with MfE officials. We note that Auckland Council are proceeding with a similar variation to their equivalent plan change.
32. The ability to progress with a variation is dependent on amendments to the freshwater reforms be gazetted in a timely manner to enable Council to complete technical work. Any significant delays with this would make a variation to PC33 challenging. It is also dependent on appropriate timeframe extensions to PC33 being agreed.

CONSULTATION / ENGAGEMENT

33. Significant public and tangata whenua consultation and engagement has occurred in relation to past decisions to progress urban development in Tauriko West and implementation processes (urban limits change and boundary adjustments).
34. In the lead up to this report TCC wrote to a number of key stakeholders to advise of the report and recommendation to be put to Council and invited feedback to assist decision-making.
35. A hui is scheduled with the Te Kauae a Roopu on 2 November to discuss the matter.
36. Any significant feedback from this recent engagement will be provided to Commissioners before or during the Council meeting where this report is considered.

SIGNIFICANCE

37. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
38. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
 - (a) the current and future social, economic, environmental, or cultural well-being of the district or region.

- (b) any persons who are likely to be particularly affected by, or interested in, the decision.
 - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
39. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the decision is of medium significance as it proposes to implement agreed strategic direction through a statutory process that limits appeal rights which may be a concern to some parties.

ENGAGEMENT

40. Taking into consideration the above assessment, that the decision is of medium significance, officers are of the opinion that no further engagement is required prior to Council making a decision. As noted above targeted engagement has occurred with key stakeholders on this proposal to inform decision-making.
41. It should be noted that a variation process would involve formal RMA pre-notification engagement, submissions, further submissions and hearings which provide for further public and Tangata Whenua input.

NEXT STEPS

42. Complete formal arrangements to enable the variation eg revise timeframes for variation to PC33, engagement with appointed Independent Hearings Panel.
43. Proceed with the preparation of a variation to PC33 to rezone the Tauriko West urban growth area for residential development including the completion of technical reports and structure plan; draft planning provisions and maps; and prepare supporting documentation.
44. Undertake RMA pre-consultation requirements – including with Tangata Whenua.
45. Adopt variation to PC33 for public notification under Schedule 1 of the RMA and progress through submissions, hearing and Council decisions.

ATTACHMENTS

Nil

11.4 Water Management Plan

File Number: A13899891

Author: Peter Bahrs, **Manager: Water Services**

Authoriser: Nic Johansson, **General Manager: Infrastructure**

PURPOSE OF THE REPORT

1. This report provides an update on the risk and mitigations required regarding Tauranga's water supply security in the near term to 2026.

RECOMMENDATIONS

That the Council:

- (a) Receives this report on Water Drought/ Resilience Planning and Water Watchers.
- (b) Endorses the continuation of the Water Watchers Plan as an ongoing water efficiency / conservation measure through to 2026 (to be formally approved by the Chief Executive Under the Water Supply Bylaw)

EXECUTIVE SUMMARY

2. The report provides an update on the status of the source water supply streams as well as predicted supply / demand balance which has been used to determine the risk of supply deficit in the short to medium term.
3. The result of this analysis supports keeping the Water Watchers Plan in place as well as planning further interventions.
4. The report also details changes made to the Water Watchers Plan based on community feedback and lessons learnt from last summer.

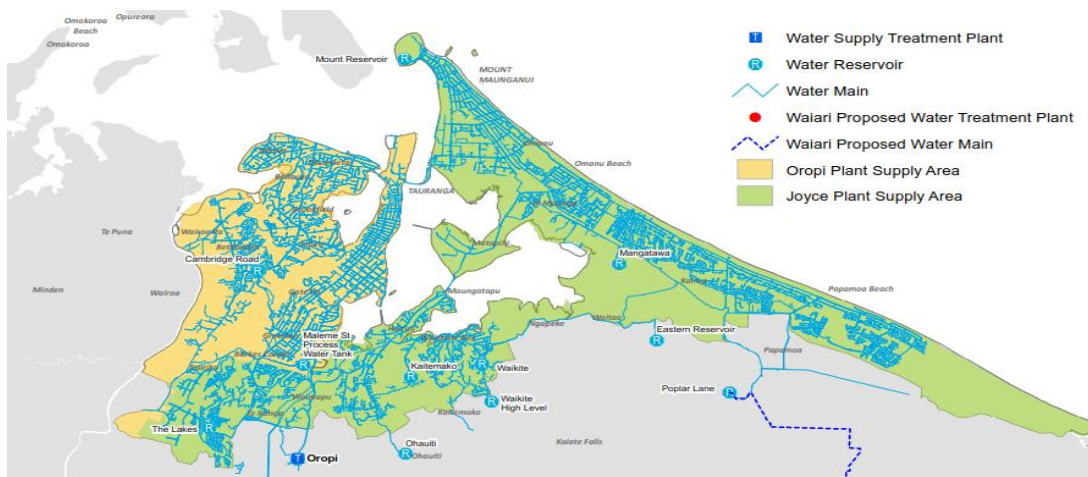
BACKGROUND

5. Flow in the Tautau Stream that supplies source water to the Joyce Water Treatment plant has significantly declined over the past 3 summers. Declines have also been seen in Councils two other source water streams (Waiāri and Waiorohi).
6. Reduced flow in the Tautau is as a consequence of reduced rainfall within the groundwater catchments over the period 2019 to 2021. Although rainfall over winter and into spring at the Tauranga Airport rainfall gauge has been the highest since 2010, uncertainty remains as to the impact this rainfall will have on flows in source water streams over the short and medium term.
7. Currently, the increased rainfall is affecting the streams quite differently:
 - (a) Tautau - Since June 2022, the Tautau Stream flow has increased to between 42,000 and 45,000 m³/d however this is still significantly below the long-term average flow of 70,000 m³/d.
 - (b) Waiorohi - Since mid-august, the Waiorohi Stream flow has been consistently above the long-term average flow of 100,000 m³/d, this level of flow was last seen in mid-2019 and is a significant improvement over the flow leading into last summer, which was in the order of 80,000m³/d.
 - (c) Waiāri – the Waiāri Stream flow has improved marginally with the winter rainfall to 300,000 m³/d however this is still 15% below the long-term average flow of 354,000

m3/d. It is noted that the Waiāri flow is still significantly more than the Tautau and Waiorohi streams.

Graphs showing current stream flow are included as Attachment A

8. The Joyce water treatment plant has been most impacted by the source water shortage and this plant provides about 55% of drinking water to the City of Tauranga, currently servicing the areas shown below in green (Pyes Pa, Welcome Bay, Maungatapu and the Coastal Strip).



9. To keep water demand to a level that can be matched by the current levels of supply, a water efficiency / demand management restriction program has been in place since the summer of 2017/2018, initially to manage treatment capacity constraints and more recently to manage reducing source water
10. In addition to lower levels of source water, significant growth within Tauranga City is increasing demand on the available water supplies.
11. Tauranga City Council have invested in the new Waiāri water supply that will supplement the Joyce system while providing additional drinking water for the growing city, with Stage 1 of this new supply source expected to be online during December 2022.
12. As part of the previous paper presented to Council on this topic, approval was granted for a “water conservation strategy” to be prepared. This work has been renamed as a Water Drought/ Resilience Plan to better reflect its contents.

WATER DROUGHT/ RESILIENCE PLANNING

13. TCC commissioned GHD to prepare a plan focusing on the near term (up to 2026). Work commenced in July and is currently on-going. The plan has scaled the risk emerging in potential supply / demand imbalance.
14. A demand forecast using a climate dependant water balance tool developed by GHD has reflected a historically dry climate demand case for peak demands to 2026.
15. Three stream flow scenarios have been assessed per water treatment plant system.
 - (a) Medium – Historical average supply (using middle lower quartile statistical average)
 - (b) Low – Minimum historical flow (this occurred last summer in the Tautau)
 - (c) Extreme low (never seen) – based on predictive stochastic modelling of the Tautau

These scenarios have been used to estimate the deficit risk based on available supply versus predicted demand.

PREDICTIONS FOR THIS SUMMER

16. The deficit risk for summer 2022/23 for the Joyce Scheme is shown below

Stream flow Scenario	Pre-Waiāri being online	Pre Waiāri with Water Watchers	Post-Waiāri being online	Post with Waiāri Water Watchers
Medium	Low	Low	Low	Low
Low	Significant	High	High	Medium
Extreme low	Significant	Significant	Significant	Significant

Deficit Risk (ML/d): Significant <-10, High -5 to -10, Medium +3 to -5, Low > +3

17. NIWA predictions (Sept 22) suggested that we will see normal spring rainfall with a return to near normal soil moisture and river flow conditions across NZ. With the recent rainfall seen in Tauranga, and the associated increase in the flow within the source water streams, source water conditions appear slightly more favourable than last summer.
18. Predictive stochastic modelling of the Tautau Stream recently completed that took into consideration higher winter rainfall suggests that flows will likely be higher than last summer but not significantly so. Current flow in the Tautau is higher than the low flow stream scenario, but not significantly so and can rapidly change.
19. For planning purposes, the low scenario (flow recorded in the Tautau in summer 21/22) is recommended to plan for this summer.
20. The highest risk period this summer is prior to the Waiāri Scheme coming online and without the Water Watchers Plan being in place deficit risk is predicted to be significant.
21. Following connection of the Waiāri Scheme the deficit risk is still predicted to be high, however this deficit is able to be reduced to medium by keeping the Water Watchers Plan in place. The deficit risk remains high following the Waiāri connection as whilst the scheme will deliver additional water into the network in December, the full benefit of the Waiāri requires the implementation of “Waiāri Stage 2 & 3” pipeline projects.
22. The proposed approach this summer is therefore to maintain the Water Watchers Plan as it helps manage Council’s risk prior to and following the Waiāri Scheme coming online. It also helps maintain a level of consistency and reinforces the need to conserve water.
23. The remaining residual deficit risk (medium) is expected to be partially mitigated through actual stream flows being higher than the low scenario being used as the basis of the risk assessment. Should there be a remaining deficit, this is expected to be able to be managed within the network via reservoir storage.

WATER WATCHERS IMPLEMETATION THIS SUMMER

24. Changes to the Water Watchers Plan based on lessons learnt last summer and work to date on the Water Drought/ Resilience Plan are outlined below. The plans are included as Attachment B.
25. All plans:
 - (a) Peak demand month restrictions have been changed to December to February (From December to March), following analysis of last year’s water demand and availability. During March this year rainfall increased and water demand decreased; hence the proposal to relax restrictions slightly earlier. This means residents will be able to use sprinklers and irrigation systems for one hour in the evenings in March as well as April next year.
 - (b) A banner has been added across the bottom of the plans with an advisory that more stringent water saving measures will be implemented if water use goes beyond sustainable levels. The change is proposed to better communicate the alternative to complying with the Water Watchers Plan.
26. At Home plan
 - (a) An allowance has been made for watering vegetables with low volume/ micro irrigation systems, following feedback last summer from people struggling to keep their

vegetable gardens alive. We believe it is important to acknowledge the value of vegetable gardens with the current high inflation and cost of living demands on the community.

27. At Work plan

- (a) The existing plan has been reorganised into three activity themes :-
 - (i) Landscaping, gardens and pools
 - (ii) Garden Centres and retailers
 - (iii) Vehicle and building washing
- (b) A new section for water use in construction has been added, with a Smart Water Plan required for water usage of more than 1000L in a day. There has been engagement with the civil construction industry on this limit and measures Council and the industry can take to look at alternative water sources – work is ongoing in this area.
- (c) The ability to apply for a Smart Water Plan for development dust suppression purposes has been removed. The use of drinking water for dust suppression is prohibited and alternative water sources are required.

28. In the Community

- (a) An allowance has been made for watering community vegetable gardens with low volume/ micro irrigation systems in line with the at home plan.

29. Outside of the formal Water Watchers Plan, since last summer Council have been engaging with the Port of Tauranga (a top 10 water user) on their water usage. They have made meaningful water savings over the year and have also agreed to place a cap on the quantity of water supplied to cruise ships, something that is of known concern to residents

30. A separate communications plan has been developed to support the Water Watchers Plan

LOOKING FURTHER AHEAD

31. The deficit risk for future summers for the Joyce System is shown below

Without Water Watchers

Scenario	2023	2024	2025	2026
Medium	Low	Low	Low	Low
Low	High	High	High	High
Extreme Low	Significant	Significant	Significant	Significant

With Water Watchers

Scenario	2023	2024	2025	2026
Medium	Low	Low	Low	Low
Low	Medium	Medium	Medium	High
Extreme low	Significant	Significant	Significant	Significant

Deficit Risk (M/d): Significant <-10, High -5 to -10, Medium +3 to -5, Low > +3

32. Uncertainty remains regarding the prediction of streamflow for future summers; however, this will be improved through the Freshwater Management Tool initiative that will be completed by mid-2023. This will support the decision regarding which scenario to plan for in future summers.

33. However, the stream flow risk, based on the low flow scenario (flow recorded in the Tautau summer 21/22) coupled with higher demand forecasts supports the need for planning interventions to be taken to manage this risk through to 2026, as significant demand pressure remains on the Joyce supply.

34. Interventions are currently being developed that will look at both bringing forward supply and reducing demand, it is expected that a combination of both will be required through to 2026. This work is still being developed and is expected to be complete this year with an update to Council to follow. Interventions are that currently looking favourable are:
- (a) Keeping the Water Watchers plan in place permanently, shifting the focus from restrictions to a focus on good practice and efficiency when available water supply allows. This is consistent with other utilities in Australia such as the Waterwise program in NSW. This also aligns with the principles of Te Mana o te Wai in protecting stream health and using water effectively.
 - (b) Increasing investment on enhanced leakage management over the next 5 years to reduce leakage levels. Gains have been achieved over the past 12 months (18.8% leakage in 2020/21 to 14.9% leakage in 2021/22) however further investment is expected to be able to reduce this further.
 - (c) Accelerating Stage 2 of the Waiāri pipeline currently scheduled for completion in 2027 would allow Waiāri to provide an increasing quantity of water into the network to support the Joyce System. The Stage 2 pipeline will enable about 60% of the Coastal Strip (Papamoā/ Mount Maunganui) to be fed from Waiāri. This would in turn reduce the demand on Joyce Road and provide greater resilience in the supply system and catering for future growth water demand.

RECOMMENDATIONS

35. The following actions are recommended:
- (a) That the year-round, Water Watchers plan remains in place with the recommended changes this summer. See Attachment B.
 - (b) The Water Watchers Plan remains in place until at least 2026, shifting the focus from restrictions to a focus on good practice and efficiency when supply allows.
 - (c) Council to consider implications of bringing investment forward for the delivery of the Waiāri Stage 2 pipeline and to review investment in leakage reduction, as part of the Annual Plan 2023/24 process.

APPROVALS

36. Approval is sought:
- (a) To endorse the continuation of the Water Watchers Plan, as updated, as an ongoing water conservation measure through to 2026.

ATTACHMENTS

1. **Graph of source water stream flows - A14159490**  
2. **Water Watchers - At home; At work; In the community. - A14159099**  

11.5 Traffic & Parking Bylaw Amendment 40

File Number: A13899833

Author: Will Hyde, Senior Transportation Engineer

Authoriser: Nic Johansson, General Manager: Infrastructure

PURPOSE OF THE REPORT

1. To obtain approval from the Commission to introduce amendments to the appropriate Attachments within the Traffic and Parking Bylaw (2012)

RECOMMENDATIONS

That the Council:

- (a) Receives the report "Traffic & Parking Bylaw Amendment 40".
- (b) Adopts the proposed amendments to the Traffic and Parking Bylaw (2012) Attachments as per Appendix B, relating to minor changes for general safety or amenity purposes, to become effective from 8 November 2022 subject to appropriate signs and road markings being implemented.

EXECUTIVE SUMMARY

2. The Traffic and Parking Bylaw 2012 includes Attachments each of which lists various traffic and parking restrictions.
3. Council can amend the Attachments by Council Resolution.
4. This report sets out amendments to the following:
 - (a) Attachment 3.1: Shared Pedestrian/Cycle Paths & Cycle Paths (in Road Reserve)
 - (b) Attachment 4.3: Special Vehicle Lanes – Cycle Lanes
 - (c) Attachment 7.1: No Parking Behind Kerb
 - (d) Attachment 7.2: Prohibited Stopping and Standing of Vehicles
 - (e) Attachment 7.7: Mobility Parking
 - (f) Attachment 7.9: Parking Time Restrictions
 - (g) Attachment 7.7: Parking Areas (Leased Zones)
 - (h) Attachment 7.12: Pay Areas
 - (i) Attachment 7.13: Pay Areas Time Designation
 - (j) Attachment 7.14: Pay Area Spaces & Car Park Buildings
5. These amendments are proposed for the following reasons:
 - (a) To enable implementation of the recently approved CBD Parking Management Plan.
 - (b) To support the (currently under construction) Cameron Road Multi-Modal project.
 - (c) General operational reasons, principally requests from the public or other stakeholders for numerous small changes to parking controls.
6. These amendments are summarised in Appendix A, with details in Appendix B.

BACKGROUND

7. The amendments set out in Appendix B are changes proposed to reflect and support operational and safety needs on the road network.
8. The majority of these changes are required to support and enable the changes to parking in the CBD and northern Te Papa area (from the harbour bridge to Eleventh Avenue) which were recently approved by the Commission (the Parking Management Plan). These changes comprise the revoking of free P120 parking in the CBD; the reintroduction of a paid parking zone in the CBD; and the introduction of a berm parking prohibition throughout the CBD and northern Te Papa area.
9. A number of “house-keeping” deletions have also been proposed from the Attachments related to CBD parking, to reflect parking areas, fees or time limits which are no longer relevant, for example car parks which no longer exist but are still listed in the Attachments.
10. Additions to the cycle paths, shared paths and cycle lanes Attachments are proposed to keep up with the on-going construction of the Cameron Road multi-modal project. These will ensure that these elements of the project can be supported through enforcement as they are completed.
11. The remainder of the proposed amendments are minor changes to parking restrictions across the city which have arisen through requests from the public and other stakeholders, plus changes deemed necessary by the Network Safety and Sustainability team.

STRATEGIC / STATUTORY CONTEXT

12. The amendments achieve the vision and strategic transport priorities to help make our network safer and easier for people to get around the city.

FINANCIAL CONSIDERATIONS

13. Negligible – the associate signs and markings costs can be accommodated within existing project or operational budgets.

LEGAL IMPLICATIONS / RISKS

14. The bylaw amendment is needed to allow enforcement of changes deemed necessary for safety and amenity purposes.

CONSULTATION / ENGAGEMENT

15. Changes related to the Parking Management Plan and the Cameron Road Multi-Modal project were subject to public consultation as part of those projects. It is noted that further publicity relating to the Parking Management Plan changes will continue up to and beyond the December 1st 2022 implementation date.
16. Consultation is not required for minor stopping and parking amendments, or other minor amendments required to support operational improvements.

SIGNIFICANCE

17. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council’s Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
18. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
 - (a) the current and future social, economic, environmental, or cultural well-being of the district or region
 - (b) any persons who are likely to be particularly affected by, or interested in, the decision.



- (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.

In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the decision is of low significance.

ENGAGEMENT

19. Taking into consideration the above assessment, that the decision is of low significance, officers are of the opinion that no further engagement is required prior to Council making a decision.

ATTACHMENTS

1. **Appendix A - T&P Bylaw Amendment 40 - A14151054** [↓](#) 
2. **Appendix B - T&P Bylaw Amendment 40 - A14151056** [↓](#) 

11.6 Matapihi Southern Pipeline Advisory Group - Establishment and Terms of Reference

File Number: A13655493

Author: Carlo Ellis, Manager: Strategic Māori Engagement
Coral Hair, Manager: Democracy and Governance Services

Authoriser: Christine Jones, General Manager: Strategy, Growth & Governance

PURPOSE OF THE REPORT

1. The purpose of the report is to establish the Matapihi Southern Pipeline Advisory Group which will provide strategic oversight and direction over the management of the Southern Pipeline and build ongoing relationships between the Tauranga City Council and the hapū Ngāti Tapu and Ngāi Tūkairangi and the community at Matapihi.

RECOMMENDATIONS

That the Council:

- (a) Receives the report “Matapihi Southern Pipeline Advisory Group – Establishment and Terms of Reference”
- (b) Acknowledges the Memorandum of Understanding signed between the Council and the hapū Ngāti Tapu and Ngāi Tūkairangi as set out in Attachment 1.
- (c) Establishes the Matapihi Southern Pipeline Advisory Group.
- (d) Adopts the Terms of Reference for the Matapihi Southern Pipeline Advisory Group in Attachment 2.
- (e) Appoints the following members to the Matapihi Southern Pipeline Advisory Group

- Four representatives appointed by the hapū, namely two representatives from Ngāti Tapu and two representatives from Ngāi Tūkairangi:
 - Hauata Palmer (Ngāti Tapu)
 - Josh Gear (Ngāti Tapu)
 - Anthony Fisher (Ngāi Tūkairangi)
 - Ngareta Timutimu (Ngāi Tūkairangi)
- Four representatives appointed by Tauranga City Council (**‘Council’**) (these members will be appointed for a term subject to Council triennial elections and must include one appointed or elected representative):
 - Commissioner Shadrach Rolleston
 - General Manager: Infrastructure* - Nic Johansson
 - Team Manager: Te Pou Takawaenga* - Keren Paekau
 - Director of City Waters* - Wally Potts

** In respect of Council staff appointees, if the appointee is absent and another staff member has been appointed to act in their role, the person acting will be deemed to be the appointee’s alternate*

-
- (f) Appoints Commissioner Shadrach Rolleston as the co-chairperson representing the Council on the Matapihi Southern Pipeline Advisory Group.
 - (g) Endorses Anthony Fisher who has been appointed as the co-chairperson representing the hapū on the Matapihi Southern Pipeline Advisory Group.
 - (h) In respect of each of the Tauranga City Council staff appointees specified in resolution (e), if their position title changes or their position is dis-established, a staff member who performs or exercises the same or substantially similar role or function to that position will, upon confirmation by the Chief Executive be deemed to be the Council's appointee to the Matapihi Southern Pipeline Advisory Group without further resolution of the Council being required.
-

EXECUTIVE SUMMARY

2. A Memorandum of Understanding (MOU) between Ngāti Tapu and Ngāi Tūkairangi and Tauranga City Council (TCC) to establish the Matapihi Southern Pipeline Advisory Group (Advisory Group) was signed at Waikari Marae on 2 November 2022. The MOU provides that a formal governance group will be established to provide strategic oversight and direction over the management of the Southern Pipeline and build ongoing relationships between the Tauranga City Council and the hapū Ngāti Tapu and Ngāi Tūkairangi and the community at Matapihi.

BACKGROUND

3. With the Southern Pipeline causing problems over the years, coupled with spills into the harbour and ongoing odour issues, in April 2021, the Matapihi community sought a meeting with Council to discuss these issues. A hui was held at Waikari Marae, and it was decided the community should get involved, forming a steering group that was made up of four Council members and tangata whenua representatives. In subsequent discussions with the hapū it was supported that two representatives should each come from the hapū Ngāti Tapu and Ngāi Tūkairangi. Those nominated were Hauata Palmer and Joshua Gear for Ngāti Tapu, and Ngareta Timutimu and Anthony Fisher for Ngāi Tūkairangi.
4. On 23 November 2021, the hapū representatives met with the Commissioners and Council staff at Waikari Marae to discuss the next steps around the formation of the group. A MOU and terms of reference (TOR) were drafted and circulated. Two further meetings were held in 2022 to finalise the wording of the MOU and the TOR and to confirm membership.
5. A Memorandum of Understanding between Ngāti Tapu and Ngāi Tūkairangi and Tauranga City Council to establish the Matapihi Southern Pipeline Advisory Group was signed at Waikari Marae on 2 November 2022. Refer to Attachment 1.

MEMBERSHIP AND TERMS OF REFERENCE OF MATAPIHI SOUTHERN PIPELINE ADVISORY GROUP

6. The Membership of the Advisory Group is set out in the draft Terms of Reference and includes four representatives appointed by the hapū, namely two representatives from Ngāti Tapu and two representatives from Ngāi Tūkairangi, and four representatives appointed by Tauranga City Council, including at least a commissioner (or an elected member) and appointed staff members.
7. Co-chairpersons are to be appointed, with the Chairperson representing the Council being appointed by the Council and the Chairperson representing hapū to be appointed by the hapū. The role of the co-chairs is set out in the TOR.
8. The draft Terms of Reference is set out in Attachment 2 and reflects the MOU.

STRATEGIC / STATUTORY CONTEXT

9. The Council may enter into a memorandum of understanding with any iwi or hapū or other parties as it sees fit and may establish advisory groups at any stage.
10. The Advisory Group is informal in nature and is not established as a committee, subcommittee, or other subordinate decision-making body of Council under clause 30(1)(a) of Schedule 7 of the Local Government Act 2002 and does not have delegated decision-making powers. The Advisory Group is responsible for prioritising and allocating project and community purpose funds provided by the Council to carry out its purpose and functions and may make recommendations to the Council.
11. As an advisory group there is no requirement under the Local Government Official Information and Meetings Act 1987 to have minutes and agendas publicly available or the meetings livestreamed.

OPTIONS ANALYSIS

12. The Council has two options, to establish the Advisory Board or not establish the Advisory Board.
13. Given the commitment by the Council through the signing of the MOU, it is recommended that the Matapihi Southern Pipeline Advisory Group be established.

FINANCIAL CONSIDERATIONS

14. The administrative costs of the Advisory Group will be met within current budgets. The amount of funding provided to the Advisory Group to carry out its purpose and functions will be determined by Council through the Long-Term Plan and annual plan processes.

LEGAL IMPLICATIONS / RISKS

15. The risks associated with wastewater spilling into the harbour, odour issues, and hapū opposition to the Matapihi Southern Pipeline are acknowledged. The Advisory Group provides a forum for building, fostering and maintaining an ongoing relationship between hapū and Council to recognise, understand and co-operate in partnership to provide strategic direction over the management of the Southern Pipeline to mitigate and avoid these risks.

CONSULTATION / ENGAGEMENT

16. The establishment of the Advisory Board is a result of the Matapihi community expressing a strong desire to be involved with Council regarding the Southern Pipeline.

SIGNIFICANCE

17. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
18. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
 - (a) the current and future social, economic, environmental, or cultural well-being of the district or region
 - (b) any persons who are likely to be particularly affected by, or interested in, the decision.
 - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
19. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the decision is of low significance.

ENGAGEMENT

20. Taking into consideration the above assessment, that the decision is of low significance, officers are of the opinion that no further engagement is required prior to Council making a decision.

NEXT STEPS

21. The Advisory Board will hold its Inaugural meeting.

ATTACHMENTS

1. **Memorandum of Understanding Tauranga City Council and Ngati Tapu and Ngai Tukairangi to establish the Matapihi Southern Pipeline Advisory Group - A13648399**  
2. **Draft Terms of Reference Matapihi Southern Pipeline Advisory Group - A13648398**  

11.7 Meetings Schedule 2023

File Number: A14081066

Author: Coral Hair, **Manager:** Democracy and Governance Services

Authoriser: Christine Jones, **General Manager:** Strategy, Growth & Governance

PURPOSE OF THE REPORT

1. This report recommends the adoption of a meetings schedule for 2023 based on the governance structure.

RECOMMENDATIONS

That the Council:

- (a) Receives the report "Meetings Schedule 2023".
- (b) Adopts Attachment 1 as the meetings schedule for the period January to December 2023.
- (c) Notes that the 2023 meetings schedule will be updated when the meeting dates for joint committees become available in December 2022.

BACKGROUND

2. The Council may adopt a schedule of meetings to cover any future period the Council considers appropriate. It is recommended that the Council adopts a meetings schedule for the period January to December 2023, as included in Attachment 1.
3. The schedule sets out a three-weekly Council meeting cycle, with the Strategy, Finance and Risk Committee meetings to be held six-weekly and as required. The other two committees and advisory groups are held every two or three months.
4. We co-ordinate joint committee meeting dates with the Bay of Plenty Regional Council, the Western Bay of Plenty District Council and other councils in the Bay of Plenty. These councils have held local elections on 8 October 2022 and are going through the process of determining the joint committees for the upcoming triennium, their membership and scheduling of meetings. A further report to adopt joint committees will go to the Council meeting in December 2022 and the meetings schedule will be updated at that point to include these meetings.
5. Dates for consultation on the Annual Plan 2023-24 have been included in the meetings schedule. If a decision is made later that consultation is not required, these dates will be removed from the meetings schedule.

Date	Meeting
20 March 2023	Council: Adopt Annual Plan for public consultation
8-11 May 2023	Council – Hearing of submissions
22-23 May 2023 and 24 May if required	Council – deliberations on submissions
26 June 2023	Council - Adopt Annual Plan

6. The Long-Term Plan 2024-34 (LTP) will go out for public consultation at the end of 2023, with hearings and deliberations to be held in early 2024. LTP workshop dates from July to October 2023 have been included.
7. Strategy, Finance and Risk Committee workshop dates for the development of Action and Investment Plans have been included in early 2023.
8. The Local Government New Zealand Conference, Zone 2 and Metro meeting dates are included in the schedule.

STRATEGIC / STATUTORY CONTEXT

9. Clause 19(6) of Schedule 7 of the Local Government Act 2002 provides for the Council to adopt a meetings schedule to cover any future period.

OPTIONS ANALYSIS

Option 1 – Adopt the meetings schedule for 2023 (preferred option)

10. The Council has the option of adopting a meetings schedule for the period January-December 2023.
11. This option enables the Commissioners, external appointees, staff, media and the public to know when meetings are scheduled for the year ahead.
12. The Council has previously adopted a year's meetings schedule and this decision would be consistent with this practice. For these reasons this option is preferred.

Option 2 – Adopt a meetings schedule for a different time period

13. The Council has the option of adopting a meetings schedule for a different time period; for example, three or six months.
14. This option would still provide for certainty; however, a reduced timeframe can potentially make it more difficult to schedule meetings later in the year. For these reasons this option is not preferred.

FINANCIAL CONSIDERATIONS

15. There are no financial considerations to adopting a meetings schedule.

LEGAL IMPLICATIONS / RISKS

16. The legislation provides for the adoption of a schedule of meetings.

SIGNIFICANCE AND ENGAGEMENT

17. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
18. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
 - (a) the current and future social, economic, environmental, or cultural well-being of the district or region
 - (b) any persons who are likely to be particularly affected by, or interested in, the decision.
 - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
19. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the decision is of low significance.

ENGAGEMENT

20. Taking into consideration the above assessment, that the decision is of low significance, officers are of the opinion that no further engagement is required prior to Council making a decision.

NEXT STEPS

21. Meetings schedule to be available on the Council's website.
22. Calendar requests sent out.
23. Further report on establishing joint committees to Council in December 2022.

ATTACHMENTS

1. **Draft 2023 Meetings Schedule - A13899616** [↓](#) 

12 DISCUSSION OF LATE ITEMS

13 PUBLIC EXCLUDED SESSION

RESOLUTION TO EXCLUDE THE PUBLIC

RECOMMENDATIONS

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
<p>13.1 - Public Excluded Minutes of the Council meeting held on 3 October 2022</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)(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)(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>13.2 - Wairoa Cycle Connection</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)(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>s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
<p>13.3 - City Centre Laneways - Property Acquisition</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</p>

		of information for which good reason for withholding would exist under section 6 or section 7
13.4 - Mount North Development Opportunity	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
13.5 - Infrastructure Funding and Financing Act Proposal for the Transport System Plan - Approval to proceed	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

14 CLOSING KARAKIA