



# **MINUTES**

**Ordinary Council meeting  
Monday, 27 February 2023**

**Order of Business**

<b>1</b>	<b>Opening karakia</b> .....	<b>3</b>
<b>2</b>	<b>Apologies</b> .....	<b>3</b>
<b>3</b>	<b>Public forum</b> .....	<b>3</b>
<b>4</b>	<b>Acceptance of late items</b> .....	<b>3</b>
<b>5</b>	<b>Confidential business to be transferred into the open</b> .....	<b>3</b>
<b>6</b>	<b>Change to the order of business</b> .....	<b>3</b>
<b>7</b>	<b>Confirmation of minutes</b> .....	<b>4</b>
7.1	Minutes of the Council meeting held on 7 February 2023.....	4
<b>8</b>	<b>Declaration of conflicts of interest</b> .....	<b>4</b>
<b>9</b>	<b>Deputations, presentations, petitions</b> .....	<b>4</b>
9.1	Mohinder Singh on behalf of the Sikh Indian community - Request for installation of covered bus stop at 61 Te Okuroa Drive (Papamoa Gurudwara Sahib). .....	4
<b>10</b>	<b>Recommendations from other committees</b> .....	<b>4</b>
	Nil	
<b>11</b>	<b>Business</b> .....	<b>4</b>
11.1	Bay Venues User Fees Review and Office Refurbishment.....	4
11.2	Traffic & Parking Bylaw Amendment 42 .....	5
11.3	Executive Report .....	6
11.4	Submission to Local Government Official Information and Meetings Act Amendment Bill .....	8
11.5	Appointment of Tangata Whenua Representatives to SmartGrowth Leadership Group.....	9
11.6	Draft submission on Future for Local Government draft report.....	9
11.7	2024-2034 Long-term Plan - Significant Forecasting Assumptions .....	10
11.8	Existing Use Rights in the Mount Maunganui Industrial Area .....	11
11.9	Project delivery update - verbal report.....	12
<b>12</b>	<b>Discussion of late items</b> .....	<b>14</b>
<b>13</b>	<b>Public excluded session</b> .....	<b>14</b>
13.1	Public Excluded minutes of the Council meeting held on 7 February 2023.....	14
13.2	Tauriko Public Transport Facility.....	15
13.3	Exemption from Open Competition - Biosolids refuse disposal .....	15
11.6	Draft submission on Future for Local Government draft report - Confidential Attachment 2 .....	15
<b>14</b>	<b>Closing karakia</b> .....	<b>16</b>

**MINUTES OF TAURANGA CITY COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE BOP REGIONAL COUNCIL CHAMBERS, REGIONAL HOUSE, 1 ELIZABETH  
STREET, TAURANGA  
ON MONDAY, 27 FEBRUARY 2023 AT 9.30AM**

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

**IN ATTENDANCE:** Christine Jones (Acting Chief Executive/General Manager: Strategy, Growth & Governance), Paul Davidson (Chief Financial Officer), Nic Johansson (General Manager: Infrastructure), Alastair McNeill (General Manager: Corporate Services), Sarah Omundsen (General Manager: Regulatory and Compliance), Gareth Wallis (General Manager: City Development & Partnerships), Ceilidh Dunphy (Community Relations Manager), Kim Martelli (Resilience Specialist: Natural Hazards and Infrastructure), Margaret Batchelar (Manager: Customer Services), Jeremy Boase (Manager: Strategy & Corporate Planning), Brendan Bisley (Director of Transport), Kelvin Hill (Manager: Water Infrastructure Outcomes), Amanda Davies (Manager: Spaces and Places Project Outcomes), Coral Hair (Manager: Democracy & Governance Services), Robyn Garrett (Team Leader: Governance Services), Sarah Drummond (Governance Advisor), Anahera Dinsdale (Governance Advisor), Janie Storey (Governance Advisor)

**1 OPENING KARAKIA**

Commissioner Shad Rolleston opened the meeting with a karakia.

**2 APOLOGIES**

Nil

**3 PUBLIC FORUM**

Nil

**4 ACCEPTANCE OF LATE ITEMS**

Nil

**5 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN**

Nil

**6 CHANGE TO THE ORDER OF BUSINESS**

Nil

## 7 CONFIRMATION OF MINUTES

### 7.1 Minutes of the Council meeting held on 7 February 2023

#### RESOLUTION CO2/23/1

Moved: Commissioner Stephen Selwood

Seconded: Commissioner Bill Wasley

That the minutes of the Council meeting held on 7 February 2023 be confirmed as a true and correct record.

**CARRIED**

## 8 DECLARATION OF CONFLICTS OF INTEREST

Commissioner Rolleston noted that he was involved with Ministry for the Environment reforms which connected into Three Waters and would not speak to that topic in item 11.3.

## 9 DEPUTATIONS, PRESENTATIONS, PETITIONS

### 9.1 Mohinder Singh on behalf of the Sikh Indian community - Request for installation of covered bus stop at 61 Te Okuroa Drive (Papamoa Gurudwara Sahib).

A petition was tabled from the Sikh Indian community requesting:

*We request to install covered bus stop for the people of Papamoa, specially kids and senior citizens during rain they face problem. Located 61 Te Okuroa Drive, Papamoa in front of Sikh temple, Sri Guru Granth Sahib ji. There's no bus stop nearby.*

#### RESOLUTION CO2/23/2

Moved: Commissioner Stephen Selwood

Seconded: Commissioner Shadrach Rolleston

That the petition be received.

**CARRIED**

## 10 RECOMMENDATIONS FROM OTHER COMMITTEES

Nil

## 11 BUSINESS

### 11.1 Bay Venues User Fees Review and Office Refurbishment

**Staff** Christine Jones, Acting Chief Executive  
Paul Davidson, Chief Financial Officer

**External** Chad Hooker, BVL Chief Executive  
Adam Ellmers, BVL General Manager: Finance and Commercial

#### Key points

- The review had benchmarked user fees against other cities and all fees - except for Baywave - sat well below the benchmark of other areas.

- Increasing fees would have an impact on some sectors of community and needed to be weighed up against the responsibility to get the balance right between user pays and the public good ratepayer perspective.
- BVL considered they had reached a fair and reasonable balance. When considering a dollar term basis per user per visit it was a minor increase and would still sit below the benchmark.
- Office accommodation currently had staff at 10 different locations. Would like to bring the staff together to build good teamwork and a better organisational culture, and to deliver their community outcomes. Funding would be reallocated from the existing Baypark budget.

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

- In regard to timing of the proposed increases, it was noted that the general admissions fees would be implemented on 1 July 2023, and the regular user groups on 1 January 2024, to enable them time to have their budgets in place.
- Consideration was given to a number of scenarios when setting the recommended fees, noting that the quality of some of the facilities were lower than others.
- It was noted that there was time to reconsider the fee structure to bring the increases more in line with the benchmark and report back to the 20 March 2023 meeting.

#### **Discussion points raised**

- Discussion ensued on the balance of user pays fair share versus ratepayer funding, and the need to have sufficient funding to invest in the facilities to improve the level of service provided.
- It was agreed to defer the decision until the 20 March 2023 Council meeting to allow for reconsideration of the fees, and to also consider the Council grant to allow for increased upkeep in some of the facilities. This would also provide transparency to the public.
- There was a need to be mindful that it had been a tough year for many and some people in the area were suffering quite badly.
- Commissioners acknowledged Bay Venues for their good work and for attempting to get the balance right between the community use and service provision.

#### **RESOLUTION CO2/23/3**

Moved: Commissioner Stephen Selwood

Seconded: Commissioner Bill Wasley

That the Council:

- (a) Receives the Bay Venues User Fees Review and Office Refurbishment report.
- (b) Approves in principle to support the user fees with a view to increasing fees where possible, and requests a further report on the grant for the use of community facilities.
- (c) Approves the reallocation of Bay Venues capital budget to fund the support office refurbishment, noting that this project has been approved by the Bay Venues Board and is in alignment with the Baypark Masterplan.
- (d) Approves additional rates funding of \$186,000 per annum to cover depreciation and interest costs associated with the Baypark office refurbishment.

**CARRIED**

#### **11.2 Traffic & Parking Bylaw Amendment 42**

**Staff** Nic Johansson, General Manager: Infrastructure Services

#### **Key points**

- The proposed changes were for safety and operational reasons and to enable enforcement.

**RESOLUTION CO2/23/4**

Moved: Commissioner Bill Wasley

Seconded: Commissioner Shadrach Rolleston

That the Council:

- (a) Receives the report "Traffic & Parking Bylaw Amendment 42".
- (b) Adopts the proposed amendments to the Traffic and Parking Bylaw (2012) Attachments as per Appendix B, relating to minor changes for general safety, operational or amenity purposes, to become effective on or after 28 February 2023 subject to appropriate signs and road markings being implemented.

**CARRIED**

**11.3 Executive Report**

**Staff** Nic Johansson, General Manager: Infrastructure Services  
Paul Davidson, Chief Financial Officer  
Christine Jones, General Manager: Strategy, Growth & Governance  
Alastair McNeil, General Manager: Corporate Services  
Sarah Omundsen, General Manager: Regulatory and Compliance  
Gareth Wallis, General Manager: Central City Development

**Infrastructure Services****Key points**

- The summer holiday waste collection campaign had gone well with no increase noted in the feedback. There had been improved communication prior to the holiday season and increased collections. Further information would be provided in March along with a full analysis.

**In response to questions**

- Comment would be sought from local litter collector Sue Hodgkinson whether she had noticed an improvement in the waste collection.
- The construction period for the Te Maunga transfer station redevelopment was expected to take 18 months once the contract had been let.
- The Corporate Sustainability Plan was expected to be in draft form to Council for consideration in October 2023.
- While the recent rainfall in the city was not extraordinary, the water coming from the ranges down through the streams had caused damage. It was a 1:20 event in the city and 1:100 in the ranges. The rainfall over the summer had completely saturated the area with 400mm falling in January when the norm was 75mm.

**Discussion points raised**

- Information was requested on whether there was an increase in the patronage of the cycleway along Totara Street on weekends and weekdays before and after the installation of the lights; and a further update in 6 months was requested.
- Key metrics were requested on issues such as congestion over the summer holidays and how well the transport system performed.
- The need to consider a whole catchment view was highlighted with the rain events, which also highlighted the need for the Council to meet with the Western Bay District Council, Bay of Plenty Regional Council and the Crown to focus on a sub-region strategy for the Wairoa River.

## **Community Services**

### **Discussion points raised**

- Higher level of service was noted for the cemeteries as a result of this activity being taken back in house.
- There was a need to ensure that any new facilities provided had maintenance plans so that they remained befitting to the city.
- Commissioner Rolleston noted that he had attended the youth climate change action plan hui at Huria Marae which had 30-40 young people engaged in assisting with the development of a plan. It was refreshing to hear from young people and listen to their perspective and views around climate change.
- It was requested that dual park names be used in future reports.

## **Strategy, Growth and Governance**

### **Key points**

- Submissions were included in the report on the Resource Management Act reform and the Local Government Electoral Legislation Bill seeking retrospective approval.
- The strategic framework and Te Ao Māori approach would be provided to the Strategy, Finance and Risk Committee for endorsement.

## **Corporate Services**

### **Key points**

- The community responded well to the way in which Council reacted to a situation – many people used the Council portal for information during the recent disasters.
- Digital Services had 400,000 customer records and a programme was being carried out to create more accurate records.
- Staff turnover was nearly 16% and consideration would be given to what staff needed in an attempt to get this down to 10%.

### **Discussion points raised**

- Commissioners acknowledged the work done by staff on the recent submissions.
- It was noted that paragraph 82 of the report was confusing and further explanation was needed so the public could easily understand it.
- Staff were asked to be mindful when using internal naming as external users also needed to understand the terminology.

## **Regulatory and Compliance**

### **Key points**

- Staff were prioritising catching up on getting consents out within the timeframes, with this now sitting at 70%.
- The building warrant of fitness programme had been amended by MBIE and staff were working closely with businesses. There was also a reputational risk and Council staff were making it clear to the business owners that it was a MBIE guideline change and advising what was now required.
- The gap in planning staff was being filled by consultants at this stage. There was also work with the metro councils to share resources or do things differently and to bring new planners in and build their skills.

### **Discussion points raised**

- It was noted that building firms needed to be able to get on with building, and it was requested that staff work towards improving the timeframes for consenting.

## **City Development and Partnerships**

### **Key points**

- External fundraising was paying dividends for a number of opportunities within the city.

- TCC were currently advertising for the CCO board for the new Te Manawataki o Te Papa development and the art gallery.
- It had been confirmed that the installation of the railway underpass would be carried out over Easter.
- Willis Bond and LT McGuinness were well in advance for the 90 Devonport Road construction with the blessing taking place on 3 March 2023 when the first spade would be put in the ground.
- Local mana whenua water service projects would be covered within the normal budget.

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

- A chart noting all of the projects within the CBD and outlining the milestone points for each would be provided to Commissioners.
- Memorial Park and Tunks Reserve - Council would go to market for a design partner within the next two weeks and for a construction partner within three weeks. Key decisions would be made as part of the Long-term Plan (LTP) and staff were currently updating the costings for the programme as envisaged.
- Staff were assessing the seismic issues with the indoor court to decide whether to fix it or rebuild it. The decision would be made as part of the LTP considerations.

#### **RESOLUTION CO2/23/5**

Moved: Commissioner Stephen Selwood

Seconded: Commissioner Bill Wasley

That the Council:

- (a) Receives the "Executive Report".
- (b) Retrospectively endorses the submissions to the:
  - (i) Natural and Built Environment Bill and Spatial Planning Bill;
  - (ii) Inquiry into the 2022 Election; and
  - (iii) Sale and Supply of Alcohol (Community Participation) Amendment Bill.

**CARRIED**

It was noted that Commissioner Rolleston did not vote on this item.

#### **11.4 Submission to Local Government Official Information and Meetings Act Amendment Bill**

**Staff** Margaret Batchelar, Manager: Customer Services

#### **RESOLUTION CO2/23/6**

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the Council:

- (a) Approves Attachment 1 – Tauranga City Council's "Submission to Local Government Official Information and Meetings Act Amendment Bill 2022".

**CARRIED**



## 11.5 Appointment of Tangata Whenua Representatives to SmartGrowth Leadership Group

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

### RESOLUTION CO2/23/7

Moved: Commissioner Bill Wasley

Seconded: Commissioner Shadrach Rolleston

That the Council:

- (a) Receives the report "Appointment of Tangata Whenua Representatives to SmartGrowth Leadership Group".
- (b) Accepts the recommendation of Te Rangapū Mana Whenua o Tauranga Moana and confirms the appointment of Whitiara McLeod as a Tangata Whenua Representative to the SmartGrowth Leadership Group.
- (c) Accepts the recommendation of Te Kāhui Mana Whenua o Tauranga Moana and confirms the appointment of Riki Nelson as a Tangata Whenua Representative to the SmartGrowth Leadership Group.
- (d) Notes that this appointment is also to be confirmed by Western Bay of Plenty District Council and Bay of Plenty Regional Council.

**CARRIED**

## 11.6 Draft submission on Future for Local Government draft report

**Staff** Christine Jones, General Manager: Strategy, Growth & Governance  
Jeremy Boase, Manager: Strategy & Corporate Planning

**Correction** - Paragraph 17 final sentence should read:

*However, we do not believe that review should be led by central government.*

### Discussion points raised

- Commissioners had no vested interest as they were not elected members which allowed them to take a more independent view.
- It was disappointing that the current discussion had not taken the opportunity to look at the wider picture of rules and regulations and where Council functions could lie.
- Commissioners agreed with a four-year term and discussions being held with central government to better align local and central government with regards to commitment of funding, terms of appointment and long-term planning.
- It was essential to highlight the need for a special place for metro councils, especially with timeliness, conflict with timing for central government funding and for metro councils to be able to expand. They continually had to work with surrounding territorial authorities whose residents used the metro facilities. There were many smaller town subdivisions that required services to be provided by the metros and these points needed to be recognised in local government reform.
- There was a disconnect with the various reforms taking place which would increase with planning and climate change legislation and would remain highly complex structures and systems. The submission needed to include that these needed to be aligned so that councils could move forward and get on with development.
- Paragraph 108 noted a potential structure for the Bay of Plenty and functions needed to be established first before it focused on the form.
- Include a recommendation capping elected member service to a set number of terms.

- Include a suggestion that a system of split-elections, whereby only half of a council is elected at each election, be investigated.

### RESOLUTION CO2/23/8

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the Council:

- (a) Receives the report "Draft submission on Future for Local Government draft report".
- (b) Approves the draft submission included at **Attachment 1** with the following amendments:
  - (i) Addition of the word 'not' to the second sentence of paragraph 17;
  - (ii) inclusion of a recommendation that the Review Panel should recommend capping elected members' service to a set number of terms;
  - (iii) inclusion of a recommendation that, if four-year terms were not approved, a system of split-elections (whereby only half of a council is elected at each election) be investigated
- (c) Delegates authority to the General Manager: Strategy, Growth & Governance to make minor drafting, typographical, and presentation amendments as required prior to formally submitting the submission ahead of the 28 February deadline.
- (d) **Attachment 2** can be transferred into the open when both councils have finalised their submission to the Review Panel.

**CARRIED**

## 11.7 2024-2034 Long-term Plan - Significant Forecasting Assumptions

**Staff** Christine Jones, General Manager: Strategy, Growth & Governance  
Josh Logan, Team Leader: Corporate Planning

### Key points

- The forecast assumptions work was required as part of the LTP.

### In response to questions

- A lot of modelling had been done for climate change, stormwater and natural hazards, the upper catchments and impacts and how these were accounted for or accommodated. Considerable work went into planning and taking into consideration the trends and spikes that were then included in the general modelling within the LTP. There was a solid plan for those and the definition of resilience in this context was more about what do with the existing infrastructure.
- Examples included route solutions in the eastern corridor and where to locate wastewater pipes. The more information provided allowed more accurate planning.
- The population table increases and declines were also based around the availability of land. Planning was done with a 30-year lens and constantly monitored. With planning in place development could be pushed forward or pulled back as needed.
- Statements around the wider region and the effect on transport, commercial amenities etc were noted. The SmartGrowth strategy was a good avenue to have subregional conversations. Further information would be provided to the Council in April and to the June SmartGrowth meeting.

**Discussion points raised**

- Include in the projections the special role that metros played for residents from the surrounding districts with services catered for in the city. Many lived outside the city but worked in the city.
- Noted in the 2018 census that 5,500 people drove into the region for work on a daily basis, so wider needs such as the transport system needed to have a clear indication of what it was servicing so it could be factored into the decision making.

**RESOLUTION CO2/23/9**

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the Council:

- (a) Receives the report “2023-2034 Long-Term Plan – Significant Forecast Assumptions”.
- (b) Approves the draft 2023 – 2034 Long-Term Plan Significant Forecasting Assumptions and associated mitigation actions as set out in **Attachment 1**.
- (c) Additional points to include:
  - a) Assumption 12 risk to be reworded to “ .... reveal more cost-effective methods of delivering services and desired outcomes which may be preferred”
  - b) Add an assumption that growth outside of the city boundaries will impact on planning and investment in infrastructure.
  - c) Add an assumption that legislative change including Resource Management and associated risks of impacts on planning and investment.
  - d) Review the waters assumption based on announcements by both Labour and National political parties on the nature, extent, and timing of reform.

**CARRIED**

**11.8 Existing Use Rights in the Mount Maunganui Industrial Area**

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

**Key points**

- The report provided an update on the industrial area at the Mount and the number of workstreams underway for spatial planning, the Mount Industrial study and zoning issues.
- Iwi were wanting changes and staff were working with Whareroa Marae hau kainga, but had not yet come to a formal conclusion.
- Work was also continuing with the Bay of Plenty Regional Council (BOPRC) on the Air Quality Plan change and the Environment Court interim decision.
- Legal advice was attached to the report relating to existing use rights, which noted that those who had built had existing use rights and there was no legal mechanism under the district plan to move those activities. Future activities may have an avenue through BOPRC through a series of tests relating to soil conservation, water, ecosystems and natural hazards.
- There were opportunities only with future actions or activities within the resource management area.

**In response to questions**

- Modelling for the area for natural hazards would be a crucial part of the Mount plan.

**Discussion points raised**

- The Tauranga Moana Advisory Group started the inquiry and part of the process would be to report back to their meeting in June 2023.
- It was important when talking about planning being undertaken for the future to acknowledge that this was a significant port which had much industry associated with it. Discussions should

be about emitters/emissions rather than the industry. Businesses were there and had the right to be there and Council did not have the mechanism to change that.

- The report clearly outlined what the situation was, and it was suggested that the report and legal advice be provided to the working group, as it would be helpful for everyone to have the advice and be involved in the discussion of where to go from there. There were 800 businesses employing 12,000 people in that area, so it was a significant area for the city. The emissions related to a relatively small handful of those businesses.
- There was also a perceived impact on the residential community. It was noted that the industry groups had invested heavily to reduce the impact as they were aware of impact and their social licence to operate. Many were well below the consenting emission thresholds and were still seeking to do more and this should be noted.
- It was requested to request a change within SmartGrowth from heavy industry to emitters as there was no proposal to stop industry.

## RESOLUTION CO2/23/10

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the Council:

- (a) Receives the report "Existing Use Rights in the Mount Maunganui Industrial Area".
- (b) Notes the legal advice received, in particular that:
  - (i) Many industrial activities in the Mount Maunganui Industrial Area have existing use rights.
  - (ii) Rezoning under the City Plan could potentially constrain future activities but not activities that are protected by existing use rights.
  - (iii) No feasible legal mechanism open to the Tauranga City Council has been identified to compel existing industry to relocate away from Whareroa Marae.

**CARRIED**

At 11.39am the meeting adjourned.

At 11.47am the meeting reconvened.

### 11.9 Project delivery update - verbal report

**Staff** Nic Johansson, General Manager: Infrastructure Services  
 Amanda Davies, Manager: Spaces and Places Project Outcomes  
 Brendon Bisley, Director of Transport  
 Kelvin Hill, Manager: Water Infrastructure Outcomes  
 Gareth Wallis, General Manager: Central City Development

#### Key points

- Overall projects were where they were expected to be by year end.
- Much of the works were inground which was too silty for much of this summer.
- Inflation was likely to take longer to come down.
- Cyclone cost to the Government were likely to be around \$13b, and was likely to have an impact on the local market; some Crown funding was likely to be less than anticipated.
- Risks included resource availability, funding, and cost escalation.
- There was a need to look at the viability of some projects in the LTP.

#### Transportation

- Funding was available for 150 bus shelters over the next 24 months. One could be installed as requested next to the Sikh Temple at Te Okuroa Drive, Papamoa.

- Much of the project delivery was weather dependent. The initial target of 99% budget had now been reduced to 93%.
- Extra sealing resources had been secured, but the risk was that days were being lost because of the bad weather.
- The main change was the Tauriko West budget for which the forecast had been reduced from \$50.7 to \$11.4 spend this year. This had been offset by the Cameron Road project being completed sooner.
- Top five projects - there had been a 10-30% cost increase with Stage 1 of Cameron Road which was now likely to be completed in early 2024.
- The Area B cycleway, when completed, would create a circuit in the western part of the city network.
- Risks included funding being tightened heading forward, but the assumption was that it would remain the same until told otherwise.
- Four business cases had been moved out three months and would not be finished until later in the year. Costings were 20-30% higher.
- Waka Kotahi were partners on all the business case projects and they were acutely aware that these were the key to unlocking other areas for growth. They would not delay these four projects as they were aligned with the government's mode shift and outlook of what they were trying to achieve.

### **City Waters**

- Stormwater issues had kept staff busy behind scenes over the summer, but the systems had coped well.
- The Waiāri water treatment plant would officially open on 22 March 2023 and had cost \$200m to build over a 15-year period from start to finish.
- The bioreactor site had included methodology above and below ground with two separate contracts. The area had to be pumped out after each rain event.
- The Waiāri stream had risen five metres at the intake site. This may have been caused by a slip upstream which had temporarily dammed the stream as the water came very quickly. The plant was designed to take a 1:100 event and they were confident the intake had been designed correctly. One of the pumps required some additional protection to be put in place to stop any future silt damage.
- A slight overspend had occurred on renewals, with other projects running to form.
- The weather had an impact, but they were still on track for expenditure with no concerns at this stage.
- The Te Maunga desludging project had increased from an 8-hour workday to a 16-hour day and may still increase to a 24-hour day.
- Risks - some forward work may have up to a 50% increase in cost with the main driver being lack of people resource to carry out the work.

### **Spaces and Places**

- Delivering a lot of community assets such as the park playground, cycleway rides, upgrades in the Historic Village and at Ila Park. Two project teams were fully resourced.
- Budget - bad weather had caused some delays for some of the larger projects like Marine Parade, but they were still on track and confident projects would be completed.
- Risks included cross council project dependency. The skatepark had a working group in place.

### **Civic Development**

- The Dive Crescent carpark was underway and due for completion in April. When this was fully operational the Stand north carpark would be closed and work commenced on that.
- The design for the Strand reserve would be provided to the Council in April.
- Tunks Reserve work was due to start in May 2023 and would be a 164-day work programme.
- The landlords and tenants around Masonic Park would be given an update on the programme in the near future.
- The waterfront playground would be completed as budget allowed. It was hoped that it would be fully completed within budget.

- Risks included the completion of the railway underpass, cost escalation and inflation.

**In response to questions**

- In response to a query regarding the cost increases, it was noted that the best gauge for costings was the tender box. Currently TCC was in a good position with people lining up for the various panels, and had received a good uptake on what was put to market. Increased visibility of the project work pipeline going forward and the procurement strategy within market had been achieved. Council was continuously rolling out a lot of work and implementing the contemporary procurement practices had helped. Staff were also holding some tough negotiations with contractors when they did not meet expectations.

**Discussion points raised**

- The Commissioners thanked staff for the update and their efforts and noted that they had seen considerable lift in the capability of the organisation. They were pleased to see that staff were as invested as the commissioners to turn Tauranga into a great place to live and work.

**RESOLUTION CO2/23/11**

Moved: Commissioner Bill Wasley  
 Seconded: Commissioner Shadrach Rolleston

That the Council:

- (a) Receives the report "Project delivery update – verbal report".

**CARRIED**

**Attachments**

- 1 Presentation - Project Delivery Update - PDF

**12 DISCUSSION OF LATE ITEMS**

Nil

**13 PUBLIC EXCLUDED SESSION**

**Resolution to exclude the public**

**RESOLUTION CO2/23/12**

Moved: Commissioner Bill Wasley  
 Seconded: Commissioner Stephen Selwood

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
<b>13.1 - Public Excluded minutes of the Council meeting held on 7 February 2023</b>	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons s7(2)(b)(ii) - The withholding of the	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

	<p>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)(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>information for which good reason for withholding would exist under section 6 or section 7</p>
<p><b>13.2 - Tauriko Public Transport Facility</b></p>	<p>s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege</p> <p>s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) - The withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
<p><b>13.3 - Exemption from Open Competition - Biosolids refuse disposal</b></p>	<p>s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p>	<p>s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
<p><b>11.6 - Draft submission on Future for Local Government draft report - Confidential Attachment 2</b></p>	<p>s7(2)(c)(i) - The withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied</p>	<p>s48(1)(a) the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>

**CARRIED**

At 12.38pm the meeting adjourned.

At 1.31pm the meeting reconvened in public excluded.

**14 CLOSING KARAKIA**

Commissioner Shad Rolleston closed the meeting with a karakia.

**The meeting closed at 2.00 pm.**

**The minutes of this meeting were confirmed as a true and correct record at the Ordinary Council meeting held on 20 March 2023.**

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**CHAIRPERSON**