



MINUTES

**Ordinary Council meeting
Monday, 1 May 2023**

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**MINUTES OF TAURANGA CITY COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE BAY OF PLENTY REGIONAL COUNCIL CHAMBERS, REGIONAL HOUSE,
1 ELIZABETH STREET, TAURANGA
ON MONDAY, 1 MAY 2023 AT 9.42 AM**

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

IN ATTENDANCE: Marty Grenfell (Chief Executive), Paul Davidson (Chief Financial Officer), Nic Johansson (General Manager: Infrastructure), Gareth Wallis (General Manager: City Development & Partnerships), Fiona Nalder (Principal Strategic Advisor), Corinne Frischknecht (Senior Urban Planner), Carl Lucca (Team Leader, Urban Communities), Rob Lahey (Principal Strategic Advisor); Brendan Bisley (Director of Transport), Karen Hay (Team Leader: Cycle Plan Implementation), Andrew Mead (Manager: City Planning and Growth), Brian Everitt (Team Leader: Engineer Services), Paul Young (Programme Manager: Safety), Sheree Covell (Treasury and Financial Compliance Manager), Coral Hair (Manager: Democracy & Governance Services), Robyn Garrett (Team Leader: Governance Services), Sarah Drummond (Governance Advisor), Janie Storey (Governance Advisor)

1 OPENING KARAKIA

Commissioner Rolleston opened the meeting with a karakia.

2 APOLOGIES

Nil

3 PUBLIC FORUM

3.1 Gretchen Benvie and Graham King – Tauranga Croquet Club – proposed stadium at the Tauranga Domain

Key points

Ms Benvie noted:

- She was a long term resident of Tauranga, a member of the Croquet Club for 38 years and President for 13 years.
- The thought of facing relocation despite co-existing for 100 years was daunting after all of the time and energy members had put into the current international standard lawns and facilities.
- The Club had close to 100 members and it was available to use by community groups for team building and social events.
- There was an intensive maintenance program for the lawns.
- The Club was well used with 5,000 visits a year by individuals, so it was a busy club.
- Members were unsettled by a possible relocation, and while some might think that it was just resistance to change being seen, there was good reason. It was not the idea of change that was unsettling, it was that they had no idea where they would be relocated to and who would pay. This had resulted in 17 months of uncertainty.

- There was no mention of this expense noted in the business case and while some people had suggested merging with other local clubs, it was said without understanding their requirements. Currently they were centrally located, the land was suitable for four full size lawns, there were sheds for equipment and the membership catchment came from central Tauranga and the surrounding suburbs.
- Lawns could not be established overnight, it takes up to five years to make lawns that were suitable to play on.
- Relocation of the Club would take at least \$750,000, which was money that the Club did not have.
- The Club play 12 months of the year and were not dictated by seasons. They attracted many players from outside the area and contributed to the hospitality of the city.
- The greenkeeper, Dave Ormsby, noted from the sports report in the business case that they would be limited if the pristine lawns were to be maintained.
- The Club requested that the Council did not destroy the only open greenspace in the central city area and keep it for future generations to enjoy. Removing all of the established areas would take that away – enhancement was a better option, not destruction.
- Be open and honest about the costs and please do not bury the cost in the annual plan as many people do not understand this process or do not have the confidence to speak to Council.
- The current plan was taking paradise and turning it into a parking lot and the green open space would be gone forever.

Mr King noted:

- Mr King advised that he was the Treasurer of the Tauranga Croquet Club. Based on the limited time to review the business case, Mr King raised three areas of concern that were all connected to risk.
- Firstly concerns with the economic assessment, secondly the lack of identification of disbenefits and thirdly the concern about the impact on ratepayers.
- In terms of the economic assessment, Priority One undertook the business case and employed consultants to do the assessment. Mr King considered the whole economic case was weak. Cost benefit ratios (CBR) needed to see a benefit for cost incurred and as a minimum the benefits should be sufficient to ensure no costs incurred by ratepayers.
- Mr King reminded the Council of one key section of business case that was missing from the Council report. Two main options were shortlisted and both were assessed as very weak for CBR and from these a new option including space for the university, was developed and this achieved a maximum CBR of 0.94 which was still very low for the overall investment. The consequences of the low CBR was shown in Table 6.10 on page 102 of the business case which highlighted a shortfall of \$15m per year over 50 years of use. This resulted in \$750m, over three times the cost of construction.
- The Council report hinted of a series of wider benefits but did not note any potential disbenefits. These included the impacts of climate change on weather dependent events, the loss of an amenity for future generations, the costs of moving clubs to other locations and costs associated with compensating the speedway if they were required to move. The estimated cost and running of the stadium would be \$970m, plus the cost of the disbenefits noted.
- The business case highlighted a real world revenue shortfall of \$15m per year and there were no answers provided in the reports. This shortfall would have to be met by ratepayers as there was no other underwriter for the debt. Fees and charges would need to be increased by over \$1m a month for 50 years to cover the full operating costs.
- In summary it was clear this was a high risk proposition, because amenity at the Domain would be lost forever.
- All options showed an unacceptably low cost benefit ratio, the disbenefits had not been identified and rate payers would be carrying the risk of cost overruns and repayment of debt and operating costs..

3.2 Garth Mathieson, trustee of the Tauranga Millennium Track Trust – proposed stadium at the Tauranga Domain

Tabled Information

Key points

- Represents the Tauranga Millennium Track Trust who opposed the multi-use boutique stadium preliminary business case.
- Four days' notice was too short for all parties with a vested interest to address all matters set out in the business case and requested a further reasonable opportunity to submit before the business case was adopted by the Council into the Long-Term Plan (LTP)
- The business case noted that the costs outweighed the benefits and did not include the relocation costs of the athletic track.
- If the business case was included in the LTP, the Trust wanted the Council to notify the subsequent resource consent application.
- Mr Mathieson stated that he believed the Council was heavily conflicted with the roles of the applicant, the decision maker and a strategic partner of Priority One, who were also project partners.
- Mr Mathieson considered there was a number of conflicts of interests relating to Commissioner Tolley, Council's Chief Executive and the Chair of Bay Venues within their roles.
- Requested that the resource consent be a notified application because of these conflicts and an Independent Commissioner be appointed to hear the application. A letter from planner Graeme Lawrence was tabled outlining a consenting process.
- The speedway must also be included as an affected person and be notified of the consent as their future was woven into the future of the boutique stadium.

Attachments

- 1 Tabled Item - G Mathieson Tauranga Community Stadium

3.3 Philip Brown, Tauranga Lawn Tennis Club – proposed stadium at the Tauranga Domain

Key points

- Mr Brown advised that he was President of the Tauranga Lawn Tennis Club and was a party to the boutique stadium.
- Mr Brown believed the Commissioners were being asked to facilitate a vanity stadium project and to place this project in the LTP without any real public consultation. There had only been four days between the release of the business case and this meeting requesting approval.
- The Domain was the only large green area left and seemed to be put up for grabs to the highest bidder. While the business case talked about community groups it did not talk about the community, yet was the community not a stakeholder?
- While the business case suggested that some public consultation be held further along the process, Mr Brown considered it would be too late then, with decisions already having been made.
- Mr Brown had heard at the Priority One meeting that the stadium location had already been decided. Nowhere in the discussion document did it include anything on the location of the stadium which was the most important part. Mr Brown considered that any number of other locations could be more suitable.
- Mr Brown stated that the community would need to fund the operating loss at \$250 per property per annum in their rates for 50 years and this was an unacceptable burden to land on ratepayers.
- The Tauranga Domain was the only open green space in the downtown area. Imagine placing a stadium there, it would be like putting one in the middle of Central Park or Hyde Park.

- The users wanted to retain the current sports clubs on the Domain and noted that there was room to introduce new sports.
- The area was complimented by visitors on the park and its surroundings and the greenspaces were valuable to the city.
- The business case had a benefit/cost ratio of less than 1 indicated that it was not a good investment.
- Mr Brown queried where parking would be provided for 15,000 people attending an event? Without any additional parking being created, it would completely overload all of the parking around the Domain, including that used by the tennis club. This was seen already when there was a big event on in the Park.
- Talking to some concert promoters they noted that they preferred to use a greenfield area rather than being fenced in by a stadium.
- Mr Brown questioned if Council knew who the current users of the Domain were and stated no user surveys had been completed which was crucial information when making decisions on the future of the Domain. Currently there were up to 9,000 athletes using the running track in February. The tennis club had 500 users per week and these people needed to be consulted with.
- The ratepayers should not have to fund a whimsical stadium.
- Mr Brown recommended that the stadium proposal not be included in the LTP and that further input be provided before any decision on the stadium was made. There were many in the community that did not support a stadium at the Domain.

In response to questions

- In response to a question as to how the submitter came up with the community not supporting the stadium in the Domain, Mr Brown noted that there was a group called “Hands Off Tauranga Domain” who had carried out a survey of 500 people which resulted in 99/1 against. A survey of tennis club members resulted in 65% saying no and 35% saying yes, so they had a mandate from the club to present that. The Club’s position was it wanted to maintain the greenspace and community sports facilities in the park.

3.4 Tim Searle – proposed stadium at the Tauranga Domain

Key points

- Submitter had lived Tauranga for 25 years, had studied here, was raising his family and was part of the business community.
- Was a passionate runner and had a connection with the harbour and the environment over Tauranga.
- Points raised were his personal thoughts as he was not a public figure, and maybe his thoughts were also shared with 1-2% of the community on the stadium proposal.
- Over this time living in the city, he had been watching the heart of the city slowly fade, the hospitality sector fading and the investment fading. There needed to be a shock to get the heart back into action.
- The effect of the past three years had been harder, but the city centre needed to be the economic hub, it needed to attract new events and tourism and fill the hospitality sector which the city was made up of. The heart needed a future, a flow of energy and a reliving.
- The proposal would come with a change and uncertainty for many groups. Mr Searle noted he used the athletic track once a week, so he had genuine concerns and had seen a number of changes, some of which were good and some not so good. He had watched international cricket matches, concerts and the like that were filling venues and seen venues move about over time.
- It was important that the users concerns were addressed, managed and communicated well and that the best interests were followed for the future of Tauranga’s heartbeat.
- Mr Seale stated that we had a lot of trust in the Council to carry out the due diligence required and guide the changes into the future.

- One perspective was that if the project was shared by some that were passionate about the area, they want to see what could be done.

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 3 April 2023

RESOLUTION CO6/23/1

Moved: Commissioner Stephen Selwood

Seconded: Commissioner Bill Wasley

That the minutes of the Council meeting held on 3 April 2023 be confirmed as a true and correct record.

CARRIED

Information was requested on the possible extension of the free parking at the Spring Street and Elizabeth Street parking buildings on a Friday evening.

7.2 Minutes of the Council meeting held on 3 and 4 April 2023

RESOLUTION CO6/23/2

Moved: Commissioner Bill Wasley

Seconded: Commissioner Shadrach Rolleston

That the minutes of the Council meeting held on 3-4 April 2023 (Greerton Maarawaewae hearings) be confirmed as a true and correct record.

CARRIED

8 DECLARATION OF CONFLICTS OF INTEREST

Nil

9 DEPUTATIONS, PRESENTATIONS, PETITIONS

9.1 CBD parking petition - Ethan Watene

Mr Watene did not appear to present the petition.

Key points

- Commissioner Tolley apologised that the petition requesting the Council to revert back to free parking in the CBD, received in December 2022, but was just being addressed.
- It was noted that the main reason to bring back paid parking was due to workers within the CBD using the parks all day which limited parks for those coming into the city for hospitality or shopping. To assist the existing retailers, \$2 had been introduced for the first hour and then a different regime for those staying longer. The cost of street parking being lower than the carparking buildings was not fair on retailers who needed a turnover of shoppers on a constant basis.

In response to questions

- Contact would be made with the Petitioner providing information outlining the reasons for the current parking regime and working through the good suggestions raised in the petition.

RESOLUTION CO6/23/3

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the Council receives the petition of Ethan Watene regarding the provision of parking for city CBD workers.

CARRIED

10 RECOMMENDATIONS FROM OTHER COMMITTEES

Nil

11 BUSINESS**11.1 Tauranga Community Stadium - preliminary business case**

Staff Gareth Wallis, General Manager: Central City Development
Fiona Nalder, Principal Strategic Advisor

External Nigel Tutt, Priority One
Chad Hooker; Bay Venues Limited

Key points

Nigel Tutt noted:

- The preliminary business case for the stadium was a team effort and they were presenting it on behalf of the interested parties. It would have been hard for one entity to do it all on their own.
- There were a number of people and organisations keen to see progress with the stadium and to assist with funding..
- The document was a continuation of four-five years of work and included a needs assessment, location analysis and feasibility study.
- Visitor Solutions and other specialised consultants were involved and it had been peer reviewed, with much robust debate to ensure there was a good case for the stadium.
- The business case aligned with other Council master plans.
- The outline for the stadium was complex and difficult as there were plenty of people who all had opinions ranging from not having a stadium to making it bigger. The team were confident that they had come to the best configuration while trying to also make it different and smart.
- The facility would be a boutique, multi-use area and was not just a sports facility. It would be a venue for sports (both professional and community), to hold functions, exhibitions, concerts, festivals, to cater for clubs and to be used as a teaching space for the university.

- It would be flexible in layout and contained modular seating which could be changed, depending on the use. It was smart and seeks to get the right user experience and was well used. .
- The objective was for it to be the people's stadium, open for community use and have the capacity to take kids sports on Saturday morning as well as hold the big games, and was optimised for the fan experience.
- The facility was the right size for audiences of 7,000-15,000 for sporting events and 15,000-20,000 for concerts and the like. It would fit the markets needs and ensure the right solution and was placed in the right location.
- This was the right location and had scored the highest as well as supporting all of the city centre rejuvenation and business investment into the future.
- A Trust would be formed to work alongside the Council and be partners in the development. There was a large amount of key support for a Trust.
- The financial case included how the Council could approach the project by themselves with external funding, it would look at the future preliminary costings and they expected to work more on that and firm those things up.
- The report asks the Council to include the project in the LTP so that it would continue to be progressed and the public, not just the interested parties, could have their say as it was a contentious issue. Mr Tutt asked that the Council work with Priority One to ensure the engagement was sufficiently robust and to note that this was the start and there was further work to be done.
- Donna Gardiner, Board Member Te Runanga o Ngāti Ranginui was to be at the meeting today to support the proposal, but was unable to attend. She would have noted that 30% of the city's population was under 25 and she was strongly advocating for youth now and into the future maintaining that it was important as the city continues to grow. Improving major events both nationally and locally, holding local and regional school events and the like with accessibility and affordability.

Chad Hooker noted:

- Bay Venues were supportive of the proposal and the location with the massive growth in population in the city and we know we haven't invested in community infrastructure.
- There was a clear sign for demand for events through their facilities with Baypark struggling to cope. The stadium would also determine what Baypark could become in the future. If the new facility could take some of the business events and concerts it would free up space for Baypark to hold more community sporting events.
- Bay Venues considered the proposal was a good trade off, as the demand increased they were struggling to accommodate users and this was a real opportunity to drive multipurpose use through to the stadium.
- Conversations held with major sporting bodies noted that they were looking for opportunities to bring events to the city but there was presently no facility to accommodate them. There was no capacity for the Chiefs to play here, yet they want to recognise Tauranga as an important market for them.

Mr Tutt noted:

- that there had been a 72% increase in the population of the city since the turn of the century and he knew everyone was working hard with transport and housing outcomes, however it was also important to look at community facilities at the same time to have correct facilities for that increased population.
- This was the best opportunity for Tauranga to have a stadium.
- The change in the environment where the city was growing could be daunting and difficult.
- Mr Tutt sympathised with those that may be involved in a potential relocation, essentially to improve the facilities that the Council had. This could not be easy for those groups, however the Council could not let things get in the way of progress or continue to find ways not to do things that would benefit current and future generations.

In recognition of the public at the meeting, Commissioner Tolley noted:

- Commissioner Tolley advised that she had Chaired the Project Development Committee which brought together local people and organisations, including mana whenua, who oversaw the feasibility study and business case since the work had started in 2018.
- The proposal was very clear from the start it was to be an enhancement of facilities that were there and a major upgrade which would be uniquely Tauranga. Mana whenua were very determined that the view to Mauao be maintained and it would also give a uniqueness when events were being televised from the stadium.
- The area was always intended to remain open for daily use to walk etc and the stadium was not to interfere with that. The area would be used for much more than sport and would enhance this really critical piece of greenspace as the city was short of these spaces in the city. It would provide a refuge for people to get out of the office and enjoy nature, walk amongst the trees of historical significance that would not be touched. Commissioner Tolley underlined that the proposal was to keep as much of the current spaces as possible and to enhance them where it could.
- It was a great privilege to work with the group of citizens who had identified the need. This was no different to how Bay Park and Bay Oval were developed, and Tauranga were fortunate to have so many dedicated citizens who were devoted to their own resources. You only had to look at what was happening overseas, and the idea was to bring the best to Tauranga.
- Today was the presentation of the Business Case, which was only the second time it had come to Council, the first was seeking permission as to whether the Domain could be considered as a venue, and for the business case to proceed. This was now being presented to the Council for an in-depth discussion.

In response to questions

- In response to a query regarding the funding propositions and potential benefits for the wider Western Bay, it was noted that they had taken good care to make it for a wider pool than Tauranga City Council. Meaningful discussions would be held with others once the business case had been completed and a regional plan for proximity in terms of benefits would be compiled. There were smart ways to fund the proposal and while some conversations had been held around funding there had been no serious discussions held yet.
- The business case would also be presented to the BOP Regional Council.
- In relation to ongoing engagement with users and the wider community, they had been engaging with people over the past few months and had noted that a common theme was a fear of what the future may look like. It was expected that engagement would be held with the wider community on the business case and who would use the stadium..
- It was agreed that the business case should not be confused with the resource consent process
- It was noted that any consent hearing would be referred to an Independent Commissioner and Council would not have anything to do with the resource consent decision making.
- It was acknowledged that there was a lot of work still to do with regards to developing different funding models for the stadium if it was to proceed.
- A study and strategic assessment on the wider regional benefits and how the proposal aligned with those of the WBOP District Council and the BOP Regional Council was a piece of work that Priority One would like to do.

Discussion points raised

- It was noted that this was the first time that the other Commissioners had seen the report and much still needed to be done in understanding and confirming community support for the proposal and to determine how it would be funded.
- While the proposal was an initiative from within the community, Council needed to acknowledge the limitations around Council funding by ratepayers and funding arrangements would be critical if this was to proceed.
- There was a need to work with organisations who could be impacted by the proposal and to reiterate to them that this was the start of a process, work with them and allay their concerns.

Council would continue to work with organisations who were currently using the Domain and to recognise that some had been doing so for a long time. The Council had a moral obligation with the current users to give assurances that they would be provided for as part of the project.

- Commissioners added to the recommendations proposed in the report by adding (d) to (i).
- The decision making process was likely to be the end of September 2023 for inclusion or not into the LTP with public consultation taking place in November/December 2023 for final sign off in March 2024.
- Disappointment was noted that the business case was not strong enough in enunciating the social and health benefits and the reasons why this stadium could provide immense community benefit and how this aligned with wider social and economic benefits.
- It was critical during further consultation that people understood the immense community benefits and the pathway to understand who should be funding it. Those that enjoy and use the facility should contribute to the cost and provide a revenue stream from the users to help pay the debt, with social and health benefits being funded from the community.
- Quantification of who would benefit from this regional stadium would impact on funding solutions, but there was more work to be done to better inform the debate in the LTP and to be balanced by the wider community benefit.

RESOLUTION CO6/23/4

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the Council:

- (a) Receives the report "Tauranga Community Stadium - preliminary business case".
- (b) Notes that further consultation and any decisions regarding future Council participation and funding of the Tauranga Community Stadium could occur via the 2024-2034 Long-term Plan Process, with ongoing community engagement (including city, regional and subregional wide communities) occurring in addition to formal consultation processes as appropriate.
- (c) Refers the Preliminary Business case to Tauranga Domain User Groups and any other relevant groups for their information.
- (d) Requests a report back from Tauranga City Council staff on funding and affordability considerations including operational costs and the likely relocation costs of existing groups so a comprehensive funding picture is provided prior to consideration for inclusion in the 2024/2034 Long-term Plan.
- (e) Ensures that the region wide social and economic benefits are clearly enunciated in the business case along with direct benefits and costs.
- (f) Requests Tauranga City Council staff continue to engage with sporting groups on identifying future options for relocation if the stadium project progresses.
- (g) Reports back on potential ownership and operational delivery structure.
- (h) Reports back on the likely costs of undertaking the above work and how it would be funded.

CARRIED

11.2 Adoption of Ōtūmoetai Spatial Plan

Staff Carl Lucca, Team Leader: Urban Communities
Corinne Frischknecht, Senior Urban Planner

Key points

- The report outlined the steps taken with the Ōtūmoetai Spatial Plan since it was provided to the Strategy, Finance and Risk Committee on 3 October 2022 for adoption and the follow up workshop on 17 November 2022.

- Stronger wording added to make it clear the Plan supported the wellbeing of the existing community as well as making it a better liveable area now and for future residents.
- Map updates to growth areas of Brookfield, Cherrywood and Bureta communities to align more closely with the National Policy Statement on Urban Development and an updated action plan with timeframes to align with outcomes had been included in section 6 of the plan.

In response to questions

- The ecological corridors were accepted but it was not clear that these were unique neighbourhoods and while it outlined the mana whenua history, there was more recent European history where the orchards and the like were also part of the communities history and it was considered that all stories needed to be kept and told. It was noted that there was a specific action for all histories, but that may not be clear enough at the start of the document.

Discussion points raised

- Commissioners congratulated staff on a job well done and the innovative way in which the conversations were held with the communities to connect them and get them involved. This had resulted in a better document.
- A caution was noted on references to growth throughout the document and to be careful when implementing and providing context and stories as the key focus was on the people who live there now, as well as the environment and the biodiversity. With growth predicted at 2,200 dwellings in the area, the investment story was related more to the existing city community which was a significant area for the city, and it was important to tell, involve and make sure the story was also about existing residents rather than focused on growth..

RESOLUTION CO6/23/5

Moved: Commissioner Bill Wasley

Seconded: Commissioner Shadrach Rolleston

That the Council:

- (a) Receives the report "Adoption of Ōtūmoetai Spatial Plan".
- (b) Adopts the Ōtūmoetai Spatial Plan (Attachment 1) to guide development and investment prioritisation in the Ōtūmoetai peninsula.
- (c) Delegates the General Manager: Strategy & Growth to approve minor amendments if required prior to publication and/or any changes to ensure alignment and consistency with Plan Change 33 – Enabling Housing Supply.

CARRIED

11.3 Submission to the Ministry of Transport - Charging Our Future - draft Electric Vehicle Charging Strategy

Staff Rob Lahey, Principal Strategic Advisor

Key points

- The report was to provide feedback on the Ministry of Transport's draft electric vehicle (EV) charging strategy.
- The number of EV stations had increased over the last few years, but with an additional 1.5m vehicles needed to be added to the fleet to meet the target in the emissions reduction plan, EV charging infrastructure would be critical to meet that target so people can get to where they need to go within the EV range.
- The focus was on light EV units only but did include an outcome area on heavy vehicles in the future.
- The Strategy supported a market-led rollout supported by the government ensuring enabling regulation and standards and government co-funding for public charging infrastructure to

address gaps in the network, primarily through the Energy Efficiency and Conservation Authority's (EECA) low emission transport fund.

- A number of supermarkets, malls and petrol stations were now moving into the EV space although research showed more than 80% of owners were charging their vehicles at home.

In response to questions

- The Ministry of Transport was engaging with Council and staff had attend a number of workshops. Submissions were due on 11 May 2023 and following the hearing of submissions, it was expected that a revised final strategy would be provided from the Ministry.

Discussion points raised

- Commissioners noted that the submission was not strong enough regarding the provision of government funding and they should not be looking at local government to fund it. The government should be funding this alongside the private sector.
- Also seek a much clearer definition of what municipal and community facilities were, as the government could argue that all parks met this definition and in theory greenspace could be taken up with charging facilities.
- There would be gaps in the network given the population basis, however, the programme should be central government funded, as that was what the EECA fund was set up for, so it should be used for that.
- Add to the submission to strengthen it - to seek absolute clarity on the target for public EV charging infrastructure at municipal or community facilities and strengthen expectations that this would be funded through a partnership with central government and the private sector rather than rely on ratepayers.

RESOLUTION CO6/23/6

Moved: Commissioner Shadrach Rolleston

Seconded: Commissioner Stephen Selwood

That the Council:

- (a) Receives the report "Submission to the Ministry of Transport - Charging Our Future - draft Electric Vehicle Charging Strategy".
- (b) Approves the draft submission included in **Attachment 1** with the following amendments:
 - (i) strengthen paragraph 10 to state that the Council seeks absolute clarification on the applicability of the target for public EV charging infrastructure at municipal or community facilities.
 - (ii) strengthen the expectation that this would be funded by a partnership between central government and the private sector rather than rely on ratepayers.
- (c) Delegates authority to General Manager: Strategy, Growth, & Governance to make minor drafting, typographical, and presentation amendments as required prior to formally submitting the submission ahead of the 11 May 2023 deadline.

CARRIED

At 11.34am the meeting adjourned.

At 11.41am the meeting reconvened.

11.4 Update on cycle use on Totara Street

Staff Nic Johansson, General Manager: Infrastructure Services
Brendan Bisley, Director of Transport
Karen Hay, Team Leader: Cycle Plan Implementation

Commissioners and staff acknowledged the recent fatal cycle accident involving a staff member, and noted that the sympathies of the Council go out to the cyclist's family and the truck driver's family.

Key points

- The report was to provide an update on the Totara Street cycleway, which was late opening due to the power supplies for the switch crossings along the route.
- Despite the weather the use of the shared path had seen increased use from when it had first opened and substantial increases since which had already exceeded 2026 expectations.
- The target reduction was 40% for serious injury and death over the next five years. The risk remained high for cyclists who continued to use the road. There had been several cycle accidents at Triton Street where motorists had not seen the cyclist approaching. Staff were continuing to encourage the use of the shared use path so that everyone could get to their destination safely.

In response to questions

- It was suggested that there may need to be a reset of the targets as one bike was one less car on the road.
- It was noted that the number of death or serious injury accidents was two, the measure was indicating a reduction by one, but were actually aiming for none. Minor injuries of 50% were for all active users and was sitting around seven at present.
- There were some cyclists who used the route as a Strava training route as it was a straight stretch of road where they recorded their speeds and uploaded them to record with other riders. Confident cyclists got used to the risks, but one tiny mistake could result in a fatality.
- In response to a query as to whether it would be helpful if Commissioners talked to the cyclists it was noted that as it was legal to cycle on the road, they were not breaking any laws. The encouragement of minimal use of roads by cyclists, where there was a choice of an alternative cycle path, would be welcome. It was suggested that this be taken up with the government as one of the tools to keep people safe on roads.
- It was noted that a report would be provided on all pathway networks and their usage which was continuing to grow. The figures were that 10% of the population would always bike regardless, 10% would never bike and the 70-80% who are interested in biking become more interested with cycle/shared paths. Petrol prices and traffic congestion were major factors and there were a lot more riders using the routes on the weekend.
- Staff acknowledged Dominion Salt who had approximately 70 trucks a day crossing the path had installed signage and put the truck operators and majority of drivers through a training course with cyclists. The signage was a national trial to see how effective the signs were to increase the security of path users.

RESOLUTION CO6/23/7

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the Council:

- (a) Receives the report "Update on cycle use on Totara Street".
- (b) Notes that a further evaluation of cycle use will be reported to Council in six months, following completion of the Totara Street safety improvement project.

CARRIED

11.5 Water Supply Fluoridation Funding

Staff Nic Johansson, General Manager: Infrastructure Services
Brian Everitt, Team Leader: Engineer Services

Key points

- This was in response to a national directive by the Ministry of Health to have all potable water supplies fluoridated by 2024.
- The Ministry would compensate Council for the introduction costs as they were incurred.
- The request was to bring the budget of \$2.6m forward to this financial year so that they could implement the changes for the water treatment plants.

In response to questions

- Provision had been made at the Waiāri treatment plan for fluoride storage, but the other two plants needed the provision to store and all three needed fluoride to be introduced into the supply.
- In response to a query as to whether there was a risk that the funding would not be forthcoming, it was noted that while there was a slight risk, the Council still had an obligation to fluoridate by 1 July 2024 so there was no alternative but to proceed.
- The full amount of funding required had been provided to the Ministry who had agreed in principle to fund it, subject to the final costs.

RESOLUTION CO6/23/8

Moved: Commissioner Bill Wasley

Seconded: Commissioner Shadrach Rolleston

That the Council:

- (a) Receives the report "Water Supply Fluoridation Funding".
- (b) Approves a budget of \$2,600,000 in the 2024 Annual Plan to front fund the implementation of fluoridation (on the understanding that Ministry of Health will ultimately cover this budget upon project completion).

CARRIED

11.6 Project budget changes: Hastings Road Upgrade and Wairakei Stream Papamoa East/Emerald Shores Crossing

Staff Nic Johansson, General Manager: Infrastructure Services
Brendan Bisley, Director of Transport
Paul Young, Programme Manager: Safety
Andy Mead, Manager: City Planning and Growth

Key points

- The project upgrades had triggered an unbudgeted amount over the delegated amount that staff were able to sign off.
- While both projects had been funded primarily through development contributions the delay in the onsite construction works and the increase in the design standards for the retaining walls for Hastings Road upgrade had resulted in unbudgeted expenditure of \$245,000 that could not be met from development contributions.
- The Wairakei Stream works had been delayed due to Covid. The works had been completed two years ago but approval was not put through at that stage and staff apologised for that.

In response to questions

- These costs could not be fully recovered by development contributions, as it was not possible to charge retrospectively as the growth in these two areas had occurred and fees had already been paid.
- Hastings Road was in Pyes Pa west, the Lakes area, and the majority of the growth area had already been developed, with less than 20% growth to still occur. 20% of the additional unbudgeted amount for Hastings Road would be paid through development costs. Any amounts not recovered through development contributions would be rates/loan funded.
- It was noted that the Hastings Road costs were expected to be 93% recovered from development contributions.. The delay was from both sides and not just the developer.
- The Wairakei Stream costs were in the Wairakei growth area where most growth had happened and similarly costs could not be retrospectively charged through development contributions.

Discussion points raised

- Commissioner Tolley noted that she had held discussions with the Minister of Local Government on the ability to recover costs and the agility of tools Council had to do so.

RESOLUTION CO6/23/9

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the Council:

- (a) Approves the additional unbudgeted funds for the two listed projects:
 - (i) Hastings Road Upgrade: Approves the additional funds of \$245,000 required to build the retaining walls to the required building consent design standard.
 - (ii) Wairakei Stream Papamoa East/ Emerald Shores Crossing: Approves the additional funds of \$527,500 required to finalise payment of Bluehaven Holdings Ltd for the reimbursement of road/stormwater culvert infrastructure to service the Papamoa Special Housing Area Outstanding invoice for the works already completed for this project.

CARRIED

11.7 Increase of 2022/23 Borrowing Resolution

Staff Paul Davidson, Chief Financial Officer
Sheree Covell, Treasury and Financial Compliance Manager

Key points

- At the start of each financial year the base on borrowing was included in the annual plan.
- The main reason for the increase to the borrowing limit related to the timing of the disposal of property that would not occur until the next financial year.

In response to questions

- Staff were working with CIP regarding the timing and conversations would be held around the additional costs incurred.

RESOLUTION CO6/23/10

Moved: Commissioner Stephen Selwood

Seconded: Commissioner Shadrach Rolleston

That the Council:

- (a) Receives the report "Increase of 2022/23 Borrowing Resolution ".
- (b) Approves a \$55m increase to the 2022/23 borrowing limit from \$198.5 million to \$253.5 million.
- (c) Notes that the closing debt position is now forecast to be \$69.5m above the annual plan budget at \$972.5m, which will affect the debt to revenue ratio by 16%.

CARRIED

12 DISCUSSION OF LATE ITEMS

Commissioner Tolley presented Robyn Garrett the Team Leader, Governance Services with a bouquet of flowers in recognition of the work that she had done for them since they had been appointed. While Robyn was leaving her current role within Democracy Servicecs, she would remain in the Council as part of the legal team. Robyn had worked in her current role for five years – managing public forum speakers, coming and making presentations and keeping Comissioners in line with meeting procedures. Commissioner Tolley thanked Robyn for all she had done, with much of it in the background to ensure meetings ran smoothly. Her reputation in dealing with the public who were sometimes in an agitated or nervous state had been commented on as Robyn was always professional.

13 PUBLIC EXCLUDED SESSION

Resolution to exclude the public

RESOLUTION CO6/23/11

Moved: Commissioner Shadrach Rolleston

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
13.1 - Public Excluded Minutes of the Council meeting held on 3 April 2023	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
13.2 - Variation to contract and direct appointment contract TC64/21 Accessible Streets	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	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

	s7(2)(j) - The withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage	
13.3 - Reinvestment of Elder Housing Sale Proceeds	s7(2)(i) - The withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
13.4 - Chief Executive Appointment	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)(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 closed the meeting with a karakia.

The meeting closed at 12.54 pm

The minutes of this meeting were confirmed as a true and correct record at the Ordinary Council meeting held on 29 May 2023.

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CHAIRPERSON