



# AGENDA

## Ordinary Council meeting Monday, 29 May 2023

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

**Date:** Monday, 29 May 2023

**Time:** 9.30am

**Location:** Bay of Plenty 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](http://www.tauranga.govt.nz).*

**Marty Grenfell**  
Chief Executive

# Terms of reference – Council

---

## Membership

---

<b>Chairperson</b>	Commission Chair Anne Tolley
<b>Members</b>	Commissioner Shadrach Rolleston Commissioner Stephen Selwood Commissioner Bill Wasley
<b>Quorum</b>	<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> .
<b>Meeting frequency</b>	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).



## Order of Business

<b>1</b>	<b>Opening karakia</b> .....	<b>7</b>
<b>2</b>	<b>Apologies</b> .....	<b>7</b>
<b>3</b>	<b>Public forum</b> .....	<b>8</b>
3.1	Mr Graeme Benvie - The Domain.....	8
3.2	Mr Christopher Pattison - The Domain and Memorial Park Development.....	8
3.3	Ms Margaret Murray-Benge - Bethlehem Road Curb and Channelling.....	8
<b>4</b>	<b>Acceptance of late items</b> .....	<b>9</b>
<b>5</b>	<b>Confidential business to be transferred into the open</b> .....	<b>9</b>
<b>6</b>	<b>Change to the order of business</b> .....	<b>9</b>
<b>7</b>	<b>Confirmation of minutes</b> .....	<b>10</b>
7.1	Minutes of the Council meeting held on 1 May 2023 .....	10
<b>8</b>	<b>Receipt of minutes for information</b> .....	<b>30</b>
	Nil	
<b>9</b>	<b>Declaration of conflicts of interest</b> .....	<b>30</b>
<b>10</b>	<b>Deputations, presentations, petitions</b> .....	<b>30</b>
	Nil	
<b>11</b>	<b>Recommendations from other committees</b> .....	<b>31</b>
11.1	Nga Poutiriao o Mauao - Membership .....	31
<b>12</b>	<b>Business</b> .....	<b>32</b>
12.1	Letter of Expectation for Te Manawataki o Te Papa Limited.....	32
12.2	Traffic & Parking Bylaw Amendment 44 .....	42
12.3	Parking Rule Change .....	50
12.4	SmartGrowth Leadership Group (Joint Committee) Membership and Terms of Reference .....	72
12.5	Draft User Fees and Charges 2023/24 - Hearings.....	85
<b>13</b>	<b>Discussion of late items</b> .....	<b>89</b>
<b>14</b>	<b>Public excluded session</b> .....	<b>90</b>
14.1	Public Excluded Minutes of the Council meeting held on 1 May 2023 .....	90
14.2	Exemption to Open Competition - Maintenance and Operations Services.....	90
14.3	Request for Management Reserve for Building our future - Cameron Road, Te Papa Stage 1 .....	90
14.4	Marine Precinct Lot Purchase - 35 Hikuwai Place .....	90
<b>15</b>	<b>Closing karakia</b> .....	<b>92</b>



**1 OPENING KARAKIA**

**2 APOLOGIES**

**3 PUBLIC FORUM**

**3.1 Mr Graeme Benvie - The Domain**

**ATTACHMENTS**

**Nil**

**3.2 Mr Christopher Pattison - The Domain and Memorial Park Development**

**ATTACHMENTS**

**Nil**

**3.3 Ms Margaret Murray-Benge - Bethlehem Road Curb and Channelling**

**ATTACHMENTS**

**Nil**



**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 1 May 2023**

**File Number:** A14717937

**Author:** Anahera Dinsdale, Governance Advisor

**Authoriser:** Anahera Dinsdale, Governance Advisor

---

### **RECOMMENDATIONS**

That the Minutes of the Council meeting held on 1 May 2023 be confirmed as a true and correct record.

---

### **ATTACHMENTS**

#### **1. Minutes of the Council meeting held on 1 May 2023**



# **MINUTES**

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

**Order of Business**

<b>1</b>	<b>Opening karakia</b> .....	<b>4</b>
<b>2</b>	<b>Apologies</b> .....	<b>4</b>
<b>3</b>	<b>Public forum</b> .....	<b>4</b>
3.1	Gretchen Benvie and Graham King – Tauranga Croquet Club – proposed stadium at the Tauranga Domain .....	4
3.2	Garth Mathieson, trustee of the Tauranga Millennium Track Trust – proposed stadium at the Tauranga Domain .....	6
3.3	Philip Brown, Tauranga Lawn Tennis Club – proposed stadium at the Tauranga Domain .....	6
3.4	Tim Searle – proposed stadium at the Tauranga Domain.....	7
<b>4</b>	<b>Acceptance of late items</b> .....	<b>8</b>
<b>5</b>	<b>Confidential business to be transferred into the open</b> .....	<b>8</b>
<b>6</b>	<b>Change to the order of business</b> .....	<b>8</b>
<b>7</b>	<b>Confirmation of minutes</b> .....	<b>8</b>
7.1	Minutes of the Council meeting held on 3 April 2023.....	8
7.2	Minutes of the Council meeting held on 3 and 4 April 2023 .....	8
<b>8</b>	<b>Declaration of conflicts of interest</b> .....	<b>8</b>
<b>9</b>	<b>Deputations, presentations, petitions</b> .....	<b>8</b>
9.1	CBD parking petition - Ethan Watene.....	8
<b>10</b>	<b>Recommendations from other committees</b> .....	<b>9</b>
<b>11</b>	<b>Business</b> .....	<b>9</b>
11.1	Tauranga Community Stadium - preliminary business case .....	9
11.2	Adoption of Ōtūmoetai Spatial Plan.....	12
11.3	Submission to the Ministry of Transport - Charging Our Future - draft Electric Vehicle Charging Strategy.....	13
11.4	Update on cycle use on Totara Street .....	15
11.5	Water Supply Fluoridation Funding .....	16
11.6	Project budget changes: Hastings Road Upgrade and Wairakei Stream Papamoa East/Emerald Shores Crossing .....	16
11.7	Increase of 2022/23 Borrowing Resolution .....	17
<b>12</b>	<b>Discussion of late items</b> .....	<b>18</b>
<b>13</b>	<b>Public excluded session</b> .....	<b>18</b>
13.1	Public Excluded Minutes of the Council meeting held on 3 April 2023.....	18
13.2	Variation to contract and direct appointment contract TC64/21 Accessible Streets .....	18
13.3	Reinvestment of Elder Housing Sale Proceeds .....	19
13.4	Chief Executive Appointment .....	19
<b>14</b>	<b>Closing karakia</b> .....	<b>19</b>

UNCONFIRMED

**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
<b>13.1 - Public Excluded Minutes of the Council meeting held on 3 April 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	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
<b>13.2 - Variation to contract and direct appointment contract TC64/21 Accessible Streets</b>	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)(j) - The withholding 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

	is necessary to prevent the disclosure or use of official information for improper gain or improper advantage	
<b>13.3 - Reinvestment of Elder Housing Sale Proceeds</b>	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
<b>13.4 - Chief Executive Appointment</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)(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.**

.....  
**CHAIRPERSON**

**8 RECEIPT OF MINUTES FOR INFORMATION**

Nil

**9 DECLARATION OF CONFLICTS OF INTEREST**

**10 DEPUTATIONS, PRESENTATIONS, PETITIONS**

Nil

## 11 RECOMMENDATIONS FROM OTHER COMMITTEES

### 11.1 Nga Poutiriao o Mauao - Membership

**File Number:** A14726755

**Author:** Anahera Dinsdale, Governance Advisor

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

#### PURPOSE OF THE REPORT

1. The purpose of this report is to bring a recommendation from Nga Poutiriao o Mauao to Council for consideration. At its meeting on 3 May 2023, the Committee passed the following resolutions which include recommendations to Council:

##### **10.5 Council Membership**

*That Nga Poutiriao o Mauao:*

- (a) Receives the report "Nga Poutiriao o Mauao - Membership".*
- (b) Congratulates Dean Flavell (Ngāti Pūkenga) on his reappointment by the Mauao Trust as Chairperson of Ngā Poutiriao o Mauao for a further three-year term to April 2026.*
- (c) Congratulates Josh Te Kani on his appointment by the Mauao Trust as the representative of Waitaha a Hei to Ngā Poutiriao o Mauao.*
- (d) Congratulates (name) on their appointment by the Mauao Trust as the representative of Ngāi Te Rangī to Ngā Poutiriao o Mauao.*
- (e) Acknowledges Punohu McCausland (Waitaha a Hei) and Jack Thatcher (Ngāi Te Rangī) for their contributions over many years as representatives to Ngā Poutiriao o Mauao.*
- (f) Recommends to Council that Alison Law, Manager: Spaces and Places be appointed to Ngā Poutiriao o Mauao as the first Tauranga City Council representative if one Commissioner is absent to ensure a quorum.*

---

#### RECOMMENDATIONS

That the Council:

- (a) Receives the report "Nga Poutiriao o Mauao - Membership".
- (b) Appoints Alison Law, Manager: Spaces and Places to Ngā Poutiriao o Mauao as the first Tauranga City Council representative if one Commissioner is absent to ensure a quorum.

---

#### ATTACHMENTS

Nil



## 12 BUSINESS

### 12.1 Letter of Expectation for Te Manawataki o Te Papa Limited

**File Number:** A14654334

**Author:** Anne Blakeway, Manager: City Partnerships  
Sanjana France, CCO Specialist

**Authoriser:** Gareth Wallis, General Manager: City Development & Partnerships

#### PURPOSE OF THE REPORT

1. The purpose of this report is to confirm the Letter of Expectation for 2023-2024 from Tauranga City Council to the Board of its new council-controlled organisation, Te Manawataki o Te Papa Limited.

---

#### RECOMMENDATIONS

That the Council:

- (a) Receives the report "Letter of Expectation for Te Manawataki o Te Papa Limited".
- (b) Approves the Letter of Expectation from Tauranga City Council to the Board of Te Manawataki o Te Papa Limited (Attachment 1).

---

#### EXECUTIVE SUMMARY

2. A Letter of Expectation for Tauranga City Council's (TCC) new council-controlled organisation, Te Manawataki o Te Papa Limited, is attached for Council's approval.
3. This letter provides guidance to the council-controlled organisation on what Council expects to see in their Statement of Intent for 2023-2024.

#### BACKGROUND

##### Legislative requirements for council-controlled organisations

4. Part 5 of the Local Government Act 2002 sets out the statutory regime for council-controlled organisations. The key components are:
  - Appointment of directors/trustees
  - Consideration of the draft statement of intent and providing comment
  - Regularly monitoring council-controlled organisation's performance
  - Including the council-controlled organisation's objectives and performance in the council's long-term plan, annual plan, and annual report.
5. Under the Local Government Act legislative framework, Council has minimal opportunity for input into a council-controlled organisation's planning for the following year, until the draft Statement of Intent has been completed and submitted to Council, at which point Council has two months to respond.
6. A number of councils, including TCC, take a more proactive approach, working collaboratively with their council-controlled organisations and providing them with clear guidance at the early stages of the annual planning process. This helps ensure that the council-controlled organisation's objectives and strategies are aligned with the Council's and is particularly important when council-controlled organisations deliver significant services on its behalf.



7. This process has been focused on those substantive council-controlled organisations that TCC has significant control over i.e. Bay Venues Limited, Tauranga Art Gallery Trust and Tourism Bay of Plenty (joint shareholder with Western Bay of Plenty District Council).
8. Letters of Expectation went out to Bay Venues Limited, Tauranga Art Gallery Trust and Tourism Bay of Plenty in December 2022. With Te Manawataki o Te Papa Limited being newly established, applying the same process serves as best practice and a good foundation for the relationship of the Board with TCC.

**Letter of Expectation for Te Manawataki o Te Papa Limited**

9. This is the first Letter of Expectation to Te Manawataki o Te Papa Limited from TCC.
10. The letter welcomes the new Board and sets an intention for building strong relationships and working together to deliver exceptional community outcomes for Tauranga City with the Te Manawataki o Te Papa civic precinct development.
11. The letter states TCC’s commitment to “put the community at the heart of everything we do” and to create a vibrant city. It also highlights key planning and strategy documents to help deliver on these commitments.
12. The letter provides context and background on the Te Manawataki o Te Papa civic precinct development project, and the significant investment involved in delivering the project.
13. The letter states the objectives and key deliverables of the civic precinct development project, noting the purpose and scope of Te Manawataki o Te Papa Limited and TCC’s expectations of the Board. It also outlines the relationship between Te Manawataki o Te Papa Limited and TCC, and key accountability documentation and monitoring requirements.

**STRATEGIC / STATUTORY CONTEXT**

14. While not a legislative requirement under the Local Government Act (2002), when combined with the Enduring Statement of Expectation, the Letter of Expectation is a key document that ensures Council provides clear guidance to its council-controlled organisations.
15. The Letter of Expectation helps ensure that the council-controlled organisation’s objectives and strategies are aligned with Council’s by providing key areas of focus that Council expects to see reflected in their Statement of Intent.

**OPTIONS ANALYSIS**

**Option 1: Approve the Letter of Expectation – RECOMMENDED**

16. Council approves the Letter of Expectation for Te Manawataki o Te Papa Limited.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• Council-controlled organisations are part of the TCC group and are expected to operate in ways which contribute to the success of the group as a whole.</li> <li>• The community outcomes that are delivered by services provided by council-controlled organisations assist Council to achieve the community outcomes and four well-beings prioritised through the Long-term Plan.</li> </ul>	<ul style="list-style-type: none"> <li>• Nil</li> </ul>

**Option 2: Do not approve the Letter of Expectation – NOT RECOMMENDED**

17. Council does not approve the Letter of Expectation for Te Manawataki o Te Papa Limited.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• Nil</li> </ul>	<ul style="list-style-type: none"> <li>• Council may not be able to achieve its Long-term Plan community outcomes.</li> <li>• Lack of strategic direction, leading to a potential negative impact on Council’s relationship with its new council-controlled organisation.</li> <li>• Potential negative community perception over the value and direction of the new council-controlled organisation.</li> </ul>

**FINANCIAL CONSIDERATIONS**

18. There are no financial considerations.

**LEGAL IMPLICATIONS / RISKS**

19. There are no legal implications or risks.

**CONSULTATION / ENGAGEMENT**

20. Community consultation or engagement is not required or appropriate for this matter.

**SIGNIFICANCE**

21. 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.

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

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

**ENGAGEMENT**

24. 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.

*Click here to view the [TCC Significance and Engagement Policy](#)*

**NEXT STEPS**

25. Once adopted, the Letter of Expectation will be incorporated into an official letter to the council-controlled organisation, signed by the Commission Chair and delivered to the Chair of Te Manawataki o Te Papa Limited by email.
26. The Letter of Expectation is intended to inform Te Manawataki o Te Papa Limited's Statement of Intent, which must be adopted by the Te Manawataki o Te Papa Limited Board and submitted to Council no later than 30 June 2023.

**ATTACHMENTS**

1. **TMOTP Letter of Expectations for 2023-24 (FINAL) - A14654350** [↓](#) 



13 April 2023

Kim Wallace  
Chair, Te Manawataki o Te Papa Limited  
By email: [kimlouise.wallace@gmail.com](mailto:kimlouise.wallace@gmail.com)

Tēnā koe Kim

#### **Letter of Expectation from Tauranga City Council to Te Manawataki o Te Papa Limited for 2023-2024**

We are delighted to welcome you and your fellow Directors into the wider Tauranga City Council whānau as the inaugural Board of Te Manawataki o Te Papa Limited (TMOTPL) and look forward to building strong relationships and working with you over the coming years to deliver fantastic community outcomes for Tauranga City with the Te Manawataki o Te Papa civic precinct development.

The purpose of this letter is to set out the expectations from Tauranga City Council (Council) as the sole shareholder of TMOTPL, as to how TMOTPL is to conduct its operations over the next financial year. The TMOTPL board of directors (Board) should consider these expectations when preparing its draft Statement of Intent. Council issues revised letters of expectation to its council-controlled organisations annually in December.

In addition, we are currently undertaking our five-year review of our Enduring Statement of Expectations with all of our council-controlled organisations, which incorporates governance expectations of a more enduring nature. Some of the information outlined below will be incorporated into that document and forwarded to you in due course.

#### **Community outcomes**

We have made a commitment to “put the community at the heart of everything we do” and to create a vibrant city. The *Our Direction Tauranga 2050* [document](#) provides Council’s strategic framework which informs our community outcomes, guides decision making and supports our overarching [City Vision](#), *Tauranga, together we can*. Our [community outcomes](#) are of particular relevance to TMOTPL and align with the three pillars of our City Vision.

#### **Background**

The delivery of the Te Manawataki o Te Papa civic precinct development project in Tauranga’s city centre (the Project) is a once-in-a generation Project that will see the city’s heart transformed into a vibrant community space, breathing new life into what will become a key cultural, heritage and economic driver for the region.

The Project involves a significant investment into the community, which will result in a curated precinct that is consistent with the refreshed Tauranga Civic Masterplan approved by Council in December 2021, and which will revitalise the city centre.

#### **The objectives are that the Project will:**

- Promote opportunities for welcoming and expression, learning and discovery, appreciating our past and shaping our future, and places for entertaining and enjoyment.
- Stimulate the region’s economy, including attracting domestic and international visitors, experiences and events.
- Enable the region to attend a range of events and activities, including art exhibitions, museum displays, entertainment activities and other community and business events.
- Increase the vibrancy of the civic precinct and support the connection of central Tauranga with the surrounding region.

---

Tauranga City Council Private Bag 12022, Tauranga 3143, New Zealand +64 7 577 7000 [info@tauranga.govt.nz](mailto:info@tauranga.govt.nz) [www.tauranga.govt.nz](http://www.tauranga.govt.nz)

- Provide confidence to the investment markets to invest further in the civic precinct area.
- Enhance the region's social, cultural, entertainment and artistic reputation and identity.

**The key deliverables for the Project, which should be consistent with the Statement of Intent, are:**

- Design and procure construction of the Library and Community Hub, Civic Whare, Exhibition Gallery and Museum buildings and associated landscaping, in accordance with the Tauranga Civic Precinct Masterplan and any further approvals or variations advised by Council.
- Ensure that the total capital project cost does not exceed budget and appropriately balance the capital cost of initial construction, the cost of operation, and the cost of refurbishments over the lifetime of the precinct.
- Meet contracted delegations, New Zealand legislation and regulations, and New Zealand construction industry best practice, including adopting/exceeding New Zealand construction industry best practice standards for the health, safety and wellbeing of all involved in the project.
- Deliver a sustainable approach to the design and construction of the project, including consideration of 6 Green Star sustainability and WELL certifications for the buildings associated with the Project.
- Ensure that the Project recognises and reflects the inherent connection with mana whenua.
- Respect the name gifted by mana whenua representatives from Otamataha Trust for the Project, being Te Manawataki o Te Papa.
- Provide an uplifting, enjoyable experience for those enjoying the civic precinct area for recreation, enjoyment and business, and for those bringing events or experiences to the precinct.
- Ensure the precinct area is accessible to all in the region, addressing both access for those with disabilities, and ease of access for all in terms of transport and connectedness to the outer regions of Tauranga.

The Council is the agency responsible for the delivery of the Project and is responsible for securing the funding for the Project (including any third-party contribution), the management of the Project, ensuring that the Project remains strategically aligned and viable, and that the benefits sought are on track to be realised.

Appropriate project governance for a project of this scale is critical. Council has approved the establishment of TMOTPL as a company, to govern the delivery of the Project, TMOTPL being a council-controlled organisation (CCO) under the Local Government Act 2002 (LGA) and a public benefit entity for financial reporting and tax purposes.

#### **Purpose of Te Manawataki o Te Papa Limited (TMOTPL)**

TMOTPL is responsible for the governance of the delivery of the Project from planning, design, execution, monitoring and control, through to the completion of construction. *See Attachment 1 for the full scope of The Project.*

At this stage, TMOTPL will not have an ongoing role after the completion of the Project, but Council will determine in due course the appropriate vehicles to own and operate the completed Te Manawataki o Te Papa precinct, which may be the Council itself, TMOTPL, or another entity.

TMOTPL is to provide project governance to ensure that:

- The Project is successfully delivered by the target delivery dates, within the targeted delivery costs, and in accordance with contractual obligations, New Zealand laws, regulations and good industry practice.
- The key deliverables for the Project are achieved.
- The Project is capable of delivering the benefits and objectives outlined in this Letter of Expectation.

The Council may identify further responsibilities of the Board from time to time.

**Expectations of the Board**

Council expects the TMOTPL Board to undertake its activities in accordance with all relevant regulatory and statutory requirements, policy and administrative requirements, and in accordance with best practice governance.

Directors will need to ensure they are familiar with the directors' duties in the Companies Act 1993 (Companies Act), the rights, powers, duties and obligations under the Companies Act and the TMOTPL constitution (Constitution), and the requirements of the LGA. In particular, Part 5 'Council-controlled organisations and council organisations,' and Schedule 8 'Statements of intent for council-controlled organisations' of the LGA.

**The Council expects the Board to:**

- Ensure appropriate project governance and management practices are in place for the Project.
- Provide best practice governance in relation to the delivery of the Project.
- Actively identify, quantify and mitigate risks in a timely manner to the Council as the accountable agency for the delivery of the Project, including (without limitation) financial risk, delivery risk and reputational risk.
- Actively seek opportunities to add value to any Council investment in the Project.
- Ensure the procurement processes meet the legal requirements of the LGA (section 14), and the principles governing public spending within the Controller and Auditor-General's Procurement Guidance by adhering to Council's Procurement Policy and Framework.
- Maximise opportunities for Council to obtain third party contributions to the Project.
- Actively engage with key stakeholders and mana whenua to ensure the Project functionality is fit for purpose, enables an outstanding experience for guests, and minimises whole-of-life asset management, maintenance and compliance costs.
- Demonstrate a proactive and transparent approach to notifying, consulting and sharing information with all relevant stakeholders.
- Develop and report against meaningful and measurable performance targets (to be set out in the Statement of Intent).
- Assist with and engage in assurance and post-project evaluation processes.
- Ensure health and safety is a priority for both TMOTPL and the Board across all aspects of the Project.

**Relationship between the Council and TMOTPL Board**

Council expects a high level of engagement between the Board and Council. It expects the Board to:

- Meet the key accountability requirements under the LGA.
- Give Council reasonable prior notice of all Board meetings so that representatives of the Council can attend in an advisory/observer capacity. To this end, Council expects the Board to extend a standing invitation to such Council representatives in respect of all Board meetings (including any committee meeting) and to provide the relevant papers for these meetings concurrently with circulation to directors.
- Provide Council with accurate and timely advice as required, including performance reports highlighting the status of the Project, including the management of key risks, programme progress, and identifying upcoming decisions required in relation to the Project.
- Seek Council approval prior to making decisions that may materially affect the Project outcomes and key deliverables, or which may breach the targeted delivery costs or targeted delivery date(s).
- Inform the Council well in advance of any significant matter relating to the Project, whether positive or negative, on a "no surprises" basis. This "no surprises" approach will also apply from the Council to the Board.
- Advise Council in advance of any significant issues that may be discussed in the public arena, or which may have a reputational impact on the Council.

- Promptly inform Council of any imminent media coverage of any matters relating to TMOTPL or the Project on which the Council may be asked to make a media comment or public statement.
- Provide the Council with sufficient information and time to enable Council to make a decision on any matter which falls outside the scope of the Board's authority.
- Provide the Council with all required information promptly, on request, to allow the Council to fulfil any of its obligations to third parties in relation to the Project.
- Provide the Council with sufficient information and time to enable Council to consult any third parties in relation to the Project, as Council determines is appropriate.
- Advise Council of the referral of any notifiable incidents to WorkSafe and keep Council fully informed as to any such incidents that are subject to investigation by WorkSafe.

Council expects TMOTPL to deliver value for money in its activities. In this regard, it expects TMOTPL to be a small entity, which will work collaboratively with Council and its various business units and make full use of their capacity and skills to successfully deliver the Project.

**Accountability documentation**

The table below details the annual cycle of preparation and approval of accountability documentation and reporting requirements for council-controlled organisations:

Date	Accountability documentation and reporting requirements
July	Council sets priorities through the Long-term Plan/Annual Plan
November/December	Council issues a Letter of Expectations to its CCOs, communicating priorities
February to June	CCO translates priorities into a three-year work programme, through the Statement of Intent process
On or before 1 March	CCO delivers a draft Statement of Intent to Council for shareholder comment
By 1 May	Council provides shareholder feedback to the draft Statement of Intent, which must be considered by the CCO Board
By 30 June	CCO finalises its Statement of Intent with Council and publishes one month thereafter. <b>In the case of TMOTPL, the Statement of Intent will need to be delivered in draft as soon as possible for shareholder review and comment, if appropriate.</b>
Ongoing	Performance monitoring by Council staff
30 September and 28 February	Annual reporting within three months following 30 June balance date. Interim six-monthly reporting within two months following 31 December
	Publication of the final Statement of Intent, Letter of Expectations and monitoring reports within the timelines provided in the LGA

**Auditor-General is auditor of council-controlled organisations**

Despite sections 207P to 207V of the Companies Act, a council-controlled organisation or a subsidiary of a council-controlled organisation is a public entity as defined in section 4 of the Public Audit Act 2001 and, in accordance with that Act, the Auditor-General is its auditor.

**Directors and remuneration**

The Council highly values diversity in its organisations and will take this into consideration for new director appointments.

The Council is responsible for board remuneration and expects the Board to show restraint regarding reimbursement of additional expenses in relation to travel and accommodation.

If you would like to discuss the content of this letter of expectations or any other governance-related matters, please contact Gareth Wallis at [Gareth.Wallis@tauranga.govt.nz](mailto:Gareth.Wallis@tauranga.govt.nz) or on 027 551 7310.

We welcome you to the Tauranga City Council whānau and look forward to working with the TMOTPL Board in the coming months.

**Statement of Intent**

Council expects that the strategic priorities contained in this Letter of Expectation will be reflected in TMOTPL's Statement of Intent and supported by performance indicator measures where appropriate.

The Commissioners believe that by working collaboratively, with a shared approach, goals and culture, the Tauranga City Council whānau can deliver best value for money, high-quality and cost-effective outcomes, and services for our community.

Thank you for your contribution to this process. We look forward to receiving your final Statement of Intent by 30 June 2023.

Ngā mihi

Anne Tolley

**COMMISSION CHAIR**

Cc: Marty Grenfell – [Marty.Grenfell@tauranga.govt.nz](mailto:Marty.Grenfell@tauranga.govt.nz)

Gareth Wallis – [Gareth.Wallis@tauranga.govt.nz](mailto:Gareth.Wallis@tauranga.govt.nz)





## 12.2 Traffic & Parking Bylaw Amendment 44

**File Number:** A14689966

**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 44".
- (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 30 May 2023 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 7.1: No Parking Behind Kerb
  - (b) Attachment 7.2: Prohibited Stopping and Standing of Vehicles
  - (c) Attachment 7.7: Mobility Parking
  - (d) Attachment 7.9: Parking Time Restrictions
5. These amendments are proposed for 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 listed 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. A number of parking restriction amendments have been proposed on Cameron Road between Hamilton Street and Seventeenth Avenue, to reflect changes to parking within the Cameron Road multimodal Project.
9. The remainder of the proposed amendments are minor changes to parking restrictions across the city which have arisen through requests from the public, transportation staff or other stakeholders, changes resulting from approved developments, plus other minor changes deemed necessary by the Network Safety and Sustainability team.

## STRATEGIC / STATUTORY CONTEXT

10. 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

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

## LEGAL IMPLICATIONS / RISKS

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

## CONSULTATION / ENGAGEMENT

13. The changes related to the Cameron Road Multimodal Project have been publicised during the engagement processes of the project.
14. The introduction of small areas of parking time limits is in line with the recently publicised Parking Management Plan.
15. The remaining amendments proposed in Appendix B have been assessed as being of a minor nature.
16. Consultation is not required for minor stopping and parking amendments, or other minor amendments required to support operational or safety 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 44 - A14705164** [!\[\]\(a16a19bbc0e991a431a3f945e52ea4ee\_img.jpg\)](#) [!\[\]\(84adebc4a9e78c4c1c7cf356a810b3d7\_img.jpg\)](#)
2. **Appendix B - T&P Bylaw Amendment 44 - A14705165** [!\[\]\(b6dfdc469db7bdd9d4753ebc0f182e12\_img.jpg\)](#) [!\[\]\(e237d05601894a5cc79fab37f59f08f5\_img.jpg\)](#)















### 12.3 Parking Rule Change

**File Number:** A14714730

**Author:** Reece Wilkinson, Parking Strategy Manager

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

#### PURPOSE OF THE REPORT

1. To update in line with the parking strategy and public request.

---

#### RECOMMENDATIONS

That the Council:

- (a) Receives the report "Parking Rule Change".
- (b) Approves the following changes to the Traffic and Parking Bylaw 2012 to come into effect on 5 June 2023
  - (a) Clause 12,13.1 and 14, attachment 7.14 - Change the paid parking finish time to 5pm weekdays (currently 6pm).
  - (b) Clause 12,13.1 and 14, attachment 7.14 - Introduce free parking on Saturdays in the City Centre.

---

#### EXECUTIVE SUMMARY

2. Feedback from the public suggests that parking is seen as a deterrent for visitors to the city centre. To encourage more people into the city centre, there is a need to address this parking concern. Working with businesses in the city centre and listening to the community, we have identified this proposed change to the parking bylaw will help reduce any potential obstacles for visitors coming into the city, particularly during weekends and evenings.

#### BACKGROUND

3. After paid parking was reintroduced in the city centre, visits to the area remained stable until around April of this year. However, since then, footfall in the city centre has started to decline, while the number of parking transactions has increased. This suggests that the current parking regulations may be impacting city centre footfall and average spending by those visiting the city.
4. Public perception plays a crucial role in shaping the success of any area, including the city centre. If visitors perceive parking rules as inconvenient or expensive, it can discourage them from frequenting the city centre, resulting in a decrease in footfall and spending. To address this issue, it may be necessary to re-evaluate the existing parking bylaw and consider adjusting paid parking times that can strike a balance between generating revenue for car parking maintenance and creating an attractive and visitor-friendly environment.
5. Engaging with the public and local businesses to gather feedback and understand their concerns and preferences can provide valuable insights for improving the parking situation. By taking into account public sentiment and considering adjustments to the parking bylaw, it may be possible to mitigate the negative impact on footfall and average spending in the city centre. Collaborative efforts between the relevant stakeholders, such as local authorities, business owners, and the community, can help create a more vibrant and welcoming city centre for visitors.

## STRATEGIC / STATUTORY CONTEXT

6. The proposed changes aim to eliminate any perceived obstacles for individuals entering the city centre after 5pm and during weekends. It is important to establish a collaborative approach with the city centre businesses to effectively inform the public about the upcoming change. Setting a rollout date, in this case, the 5 June 2023, will allow sufficient time for communication efforts and preparations.
7. Given that adjustments to the existing bylaw are not necessary, the implementation process can be expedited. However, it is crucial to ensure that all relevant parties are well-informed about the change, including business owners, employees, residents, and visitors. Clear and comprehensive communication should be devised to explain the revised parking rules, highlighting the benefits and addressing any concerns.

## OPTIONS ANALYSIS

8. It is important to consider various options when addressing parking strategies in the city centre. While the public may have proposed alternatives, it is mentioned that they do not align with the wider goals and parking strategy for the city centre at this time. However, it is acknowledged that similar parking arrangements may be implemented in more targeted situations in the future, indicating a willingness to consider alternative approaches when appropriate.
9. Two popular options that were mentioned are:
  - a) Two hours of free parking: While this option may seem appealing, its successful implementation would require strict enforcement to achieve the desired effect. Heavy reliance on enforcement would be necessary to ensure turnover and availability of parking bays. However, the potential stress and inconvenience caused by rigorous enforcement may counteract the benefits of free parking. Inaccurate enforcement could lead to a situation where parking bays are not available for visitors, and the revenue shortfall would need to be covered by increased parking rates. This option, therefore, may not align with the current expectations and goals for the city centre.
  - b) Adjusting the paid parking finish time from 6pm to 4pm: This proposal suggests moving the end of paid parking earlier in the evening. However, it is important to keep in mind that the purpose of paid parking during certain hours is to discourage long-term parking in on-street city centre bays. Introducing periods of free parking during business hours would go against this objective. Therefore, this option may not align with the overall strategy of promoting turnover and availability of parking spaces.
10. While these alternative options were considered, it is emphasised that the chosen approach aligns with the current expectations and goals for the city centre and its parking strategy. Flexibility may exist for implementing similar options in specific contexts in the future, but for now, the proposed changes aim to address the perceived obstacles and promote the vibrancy and growth of the city centre.

## FINANCIAL CONSIDERATIONS

11. Based on the provided information, it is expected that implementing the proposed changes to the parking rules will not have a significant financial impact. Here are the reasons supporting this conclusion:
  - a) Average Saturday revenue since 1st March has been \$3,500 per day, which is less than half of the revenue generated during weekdays. This indicates that the revenue generated during weekends is already lower compared to weekdays. Therefore, the potential impact of removing obstacles for visitors to the city centre after 5pm and on weekends is not expected to have a major financial effect.
  - b) Transactions after 5pm only accounted for 2.45% of total transactions since 1st March. This indicates that the number of parking transactions during the evening hours is relatively low compared to other times. As a result, the potential revenue loss from

allowing free or reduced-cost parking during these hours is not expected to be significant.

12. Based on these figures, it can be inferred that the financial impact of implementing the proposed changes will likely be minimal. However, it is important to continuously monitor and assess the actual impact once the changes are implemented to ensure that the expected financial outcomes align with the reality.

### LEGAL IMPLICATIONS / RISKS

13. It is important to acknowledge the potential risk that the public may not engage with the proposed changes, which could lead to a further decline in footfall within the city centre. Offering free parking alone does not necessarily guarantee an increase in visitors, as evidenced by low occupancy numbers in buildings with free parking (averaging 5%).
14. To address this risk and ensure the effectiveness of the proposed changes, it is crucial to closely monitor parking trends in the city centre going forward. By collecting data on visitor numbers, parking occupancy, and other relevant metrics, it will be possible to evaluate the impact of the new parking rules accurately. If, after a thorough monitoring period, it is determined that the changes have not yielded the desired results and footfall continues to decline, there may be a need to consider proposing a reversion to the previous parking changes. The willingness to reassess and make necessary adjustments demonstrates a responsive and adaptable approach. By monitoring the situation and being open to potential paid parking changes, we demonstrate a willingness to ensure that the city centre remains vibrant and attractive to visitors. Regular evaluation and flexibility allow for proactive decision-making based on the actual impact of the parking changes rather than a rigid adherence to a specific strategy.

### CONSULTATION / ENGAGEMENT

15. The proposal for changes in the city centre parking rules is a response to the widely expressed public discourse surrounding the Tauranga city centre. The recognition that there is a significant call for change indicates the importance of addressing the concerns and desires of the community.

### SIGNIFICANCE

16. Based on the assessment conducted in accordance with the Local Government Act 2002 and the Significance and Engagement Policy, it is determined that the proposal for changes to the city centre parking rules is of high significance. This assessment takes into account the likely impact and consequences for the current and future social, economic, environmental, and cultural well-being of the district or region.
17. The proposal has the potential to affect various aspects of the community's well-being, including social dynamics, economic activities, environmental sustainability, and cultural experiences within the city centre. As such, it is recognised that the proposal holds a high degree of importance for individuals, groups, and agencies affected by it.
18. Additionally, the assessment considers the likely impact and level of interest from those who are likely to be particularly affected by or interested in the proposed changes. This includes local businesses, residents, visitors, and other stakeholders with a vested interest in the city centre's development and success.
19. Considering these factors, along with the criteria and thresholds outlined in the policy, it is determined that the proposal for changes to the city centre parking rules is of high significance. This recognition emphasises the importance of engaging with the public, stakeholders, and affected parties to ensure transparency, inclusivity, and effective decision-making throughout the process.



## ENGAGEMENT

20. Based on the assessment that the proposal for changes to the city centre parking rules is of high significance, it is mentioned that officers believe no further engagement is required prior to the Council making a decision. While it is understandable that certain situations may arise where further engagement is not deemed necessary, it is crucial to ensure that the decision-making process remains transparent, inclusive, and representative of the interests and concerns of the community. Public and affected stakeholders' feedback has contributed to the development of this report.

## NEXT STEPS

21. Once the proposed changes to the city centre parking rules are approved, the implementation process will commence immediately under the guidance of the Parking Strategy Manager. To ensure effective communication and dissemination of information, the following steps will be taken:
22. A date will be set in collaboration with the communications team and private businesses operating within the city centre. This coordination will allow for sufficient time to prepare and distribute information regarding the changes to their respective customers. By implementing a well-coordinated communication plan, the public will have the necessary information to understand and adapt to the revised parking regulations in the city centre.

## ATTACHMENTS

1. **Attachment 7.14 - A14725145** [↓](#) 
2. **Traffic-and-parking-2012 - A14725146** [↓](#) 









































## 12.4 SmartGrowth Leadership Group (Joint Committee) Membership and Terms of Reference

**File Number:** A14721092

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

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

### PURPOSE OF THE REPORT

1. To approve the refreshed SmartGrowth arrangements as per the SmartGrowth Leadership Group resolutions from the meeting of 5 April 2023.

---

### RECOMMENDATIONS

That the Council:

- (a) Receives the report "SmartGrowth Leadership Group (Joint Committee) Membership and Terms of Reference".
- (b) Approves the SmartGrowth Leadership Group (Joint Committee) Agreement 2023 and SmartGrowth Leadership Group Committee Terms of Reference (attachment 1)
- (c) Notes that the recruitment process for the Independent Chair position is underway.

---

### BACKGROUND

2. The SmartGrowth Leadership Group at the 5 April 2023 meeting considered a SmartGrowth Governance Refresh Proposal and the following resolutions were passed:

*That the SmartGrowth Leadership Group:*

- a) **Resolved** to proceed with the Refresh.
- b) **Resolved** to accept the draft SmartGrowth Leadership Group Agreement and associated Terms of Reference contained in Appendix Two of the report dated 5 April 2023 and clarifying the Terms of Reference that each partner Council appoints three representatives
- c) **Noted** that resolutions 1 and 2 above will subsequently be recommended to the SmartGrowth partner agencies for adoption.
- d) **Noted** that any agreed changes to the membership of SLG and SGIG will be implemented after the 5 April SLG meeting, but further work will need to occur on the detailed changes to be made at the SGIG and Secretariat level prior to implementing them.
- e) **Resolved to** commence the recruitment process for the Independent Chair position following this meeting.
- f) **Note that** the Chief Executives have appointed Craig Batchelar as Interim Implementation Advisor while the recruitment process occurs.

3. The proposal key changes involve:

- Composition of SmartGrowth Leadership (SLG) membership
- Ministers and Chairs/Mayors (including the Combined Tangata Whenua Forum Chair) to meet outside of SLG



- Strengthening the implementation role of the current Chief Executives Advisor Group, to operate as the SmartGrowth Implementation Group (SGIG)
  - Positioning the SmartGrowth Secretariat to contribute to the regional spatial strategy under the RMA Reforms and to better support the SGIG and SLG with an enhanced role in programme management and co-ordination of community engagement.
4. The proposed arrangements are contained in:
- SLG resolved Terms of Reference (attachment 1)
  - SLG resolved Agreement (attachment 1)
  - Summary of members, key responsibilities, and spatial planning relationships (attachment 2)

## SIGNIFICANCE

5. 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.
6. 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 .
  - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
7. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the decision is of low significance.



## ENGAGEMENT

8. 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

9. When all three Councils have passed resolutions to approve the refreshed arrangements the Agreement will be signed by all parties, and letters written to the new members of the SLG.

## ATTACHMENTS

1. **SmartGrowth Partnership Agreement and Terms of Reference (2023 Updates) - 5 April 2023 - A14732231** [↓](#) 
2. **SmartGrowth Arrangements (including key responsibilities) - A14732232** [↓](#) 

























## 12.5 Draft User Fees and Charges 2023/24 - Hearings

**File Number:** A14648196

**Author:** Kathryn Hooker, Corporate Planner

**Authoriser:** Paul Davidson, Chief Financial Officer

### PURPOSE OF THE REPORT

1. To receive and hear submissions from the public on the Draft User Fees and Charges 2023/24.

---

### RECOMMENDATIONS

That the Council:

- (a) Receives the report "Draft User Fees and Charges 2023/24 - Hearings."
- (b) Receives the written submissions on the "Draft User Fees and Charges 2023/24" (**Attachment 2**).
- (c) Receives submission numbers 138 and 139 that were received after submissions closed at 5pm on 24 April 2023.
- (d) Receives the verbal submissions from those submitters that wish to speak to their submission.

---

### EXECUTIVE SUMMARY

2. Council's fees and charges are usually consulted on annually alongside the Long-term Plan (LTP) or annual plan (as applicable in any given year). This year there were no significant changes being proposed in the annual plan compared to what was outlined in the LTP.
3. As council remain committed to actions outlined in the LTP, we chose not to undertake formal consultation on the 2023/24 Annual Plan. This decision is permitted under the Local Government Act 2002.
4. However, as a part of the review process, Council must consult and seek feedback from the community on the Draft User Fees and Charges 2023/24. This must be undertaken in accordance with the Local Government Act 2002, Special Consultative Procedure.
5. At its meeting of 20 March 2023, Council adopted the Draft User Fees and Charges Schedule and Statement of Proposal: User Fees and Charges, with the consultation period opening on 24 March 2023.
6. Community consultation occurred between 24 March 2023 to 24<sup>th</sup> April 2023 and 139 submissions were received (**Attachment 2**). A large portion of submissions received related to the Bay Venues proposed fees increases.
7. The consultation asked submitters to provide what their views were on the proposed changes.
8. Of the 139 submitters, 8 to date have requested to be heard today.
9. During the consultation period it was brought to council's attention via an email that there was an error in some of the percentage change figures in the Bay Venues fees.
10. Upon being informed of this Council took the following actions: corrected the percentage change error in the user fees schedule for the effected Bay Venues fees, issued a statement about the correction on the project's website and also emailed 100 submitters that has

submitted so far to also inform them of this and offer them the opportunity to add any additional information to their submissions.

11. It should be noted that that the fee which is the part that is consulted on, was always correct. The percentage change is additional information in the schedule and not material.
12. As a result of this processes are being reviewed for the next revision of the User Fees and Charges to ensure that this type of error does not happen again during the Long-term Plan.

## DISCUSSION

13. A full set of submissions received for the Draft User Fees and Charges 2023/24 are part of this Agenda (**refer Appendix 2**).
14. A list of the order of speakers (**Attachment 1**) is also attached to this agenda. This will be subject to change as speakers are confirmed and will be updated, if required, for the hearings.

## LATE SUBMISSIONS

15. The Draft User Fees and Charges 2023/24 submission period closed on the 24<sup>th</sup> of April 2023 at 5pm. Two late submissions were received via email after this date.
16. However, in recognition of 25 April 2023 being a public holiday and disruptions to the postal service we have accepted and processed all submissions received up to 27 April 2023.

## STRATEGIC/STATUTORY CONTEXT

17. Setting fees and charges at the correct level enables the funding of council's activities. These activities help deliver our community outcomes and facilitate improved quality of life, quality of economy and sound city foundations.
18. The recommendation meets the requirements of the Local Government Act 2002.
19. Council is authorised to set fees and charges under specific legislation, including:
  - Local Government Act 2002
  - Resource Management Act 1991
  - Dog Control Act 1996
  - Building Act 2004
  - Reserves Act 1977
  - Waste Minimisation Act 2008
  - Local Government Official Information and Meetings Act 1987
  - Food Act 2014
  - Food Hygiene Regulations 2015
  - Impounding Act 1955
  - Health Act 1956
  - Sale of Alcohol Act 2012

## SIGNIFICANCE

20. 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.

21. 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,
  - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
22. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the Draft User Fees and Charges 2023/24 are of high significance.


### ENGAGEMENT

23. Taking into consideration the above assessment, that Draft User Fees and Charges 2023/24 are of high significance, officers are of the opinion that no further engagement is required prior to Council making a decision due to the special consultative procedure having just concluded.

### NEXT STEPS

24. Council will consider the submissions and deliberate on the Draft User Fees and Charges at its meeting on 19 June 2023.

### ATTACHMENTS

1. **Submitters Schedule Draft User Fees and Charges Hearing 2023 24 - A14703745** [↓](#) 
2. **Fees and Charges Submissions\_with\_attachments - A14675782 (Separate Attachments 1)** 





**13 DISCUSSION OF LATE ITEMS**

## 14 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
<b>14.1 - Public Excluded Minutes of the Council meeting held on 1 May 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 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
<b>14.2 - Exemption to Open Competition - Maintenance and Operations Services</b>	s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	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
<b>14.3 - Request for Management Reserve for Building our future - Cameron Road, Te Papa Stage 1</b>	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
<b>14.4 - Marine Precinct Lot Purchase - 35 Hikuwai Place</b>	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	s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure

---

	supplied or who is the subject of the information	of information for which good reason for withholding would exist under section 6 or section 7
--	---	---

**15 CLOSING KARAKIA**