



MINUTES

**Ordinary Council meeting
Monday, 19 June 2023**

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**MINUTES OF TAURANGA CITY COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE BAY OF PLENTY REGIONAL COUNCIL CHAMBERS, REGIONAL HOUSE, 1
ELIZABETH STREET, TAURANGA
ON MONDAY, 19 JUNE 2023 AT 9.03 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),
Barbara Dempsey (General Manager: Community Services), Nic Johansson
(General Manager: Infrastructure), Christine Jones (General Manager:
Strategy, Growth & Governance), Alastair McNeill (General Manager:
Corporate Services), Sarah Omundsen (General Manager: Regulatory and
Compliance), Gareth Wallis (General Manager: City Development &
Partnerships), Anne Blakeway (Manager: City Partnerships), Susan Braid
(Financial Analyst), Jim Taylor (Manager: Rating Policy and Revenue), Ben
Corbett (Team Leader: Growth Funding), Kathryn Hooker (Corporate
Planner), , Josh Clark (Advisor: Natural Environment (Mauao)) Ceilidh
Dunphy (Community Relations Manager), Coral Hair (Manager: Democracy
& Governance Services), Sarah Drummond (Governance Advisor), Janie
Storey (Governance Advisor)

1 OPENING KARAKIA

Commissioner Shad Rolleston opened the meeting with a karakia.

2 APOLOGIES

Nil

3 PUBLIC FORUM

Nil

4 ACCEPTANCE OF LATE ITEMS

Nil

5 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN

Nil

6 CHANGE TO THE ORDER OF BUSINESS

Nil

7 CONFIRMATION OF MINUTES

7.1 Minutes of the Council meeting held on 29 May 2023

RESOLUTION CO9/23/1

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the minutes of the Council meeting held on 29 May 2023 be confirmed as a true and correct record.

CARRIED

7.2 Minutes of the Extraordinary Council meeting held on 6 June 2023

RESOLUTION CO9/23/2

Moved: Commissioner Shadrach Rolleston

Seconded: Commissioner Bill Wasley

That the minutes of the Extraordinary Council meeting held on 6 June 2023 be confirmed as a true and correct record.

CARRIED

8 RECEIPT OF MINUTES FOR INFORMATION

Nil

9 DECLARATION OF CONFLICTS OF INTEREST

Nil

10 DEPUTATIONS, PRESENTATIONS, PETITIONS

Nil

11 RECOMMENDATIONS FROM OTHER COMMITTEES

Nil

12 BUSINESS

12.1 Review of Council funding of Bay Venues to ensure ongoing sustainability

Staff Paul Davidson, Chief Financial Officer
Anne Blakeway, Manager: City Partnerships
Susan Braid, Financial Analyst

External Chad Hooker, Chief Executive Officer, Bay Venues Limited
Simon Clarke, Chair of Board, Bay Venues Limited

Amended attachment tabled

Key points

- Mr Hooker noted that the report was the result of a number of conversations over the past 12 months and a cumulation of a lot of co-operative work between Tauranga City Council (TCC) and Bay Venues Limited to get the right funding solution for a long-term sustainable business model.
- Bay Venues Limited were a community driven organisation that were there to ensure they could deliver facilities in the recreation spaces and noted that they did it for the community. That value was important to the city.
- As a CCO they were commercial in mind but had the community at heart for all they did, however keeping this balance was a challenge.
- To remain financially sustainable, there were three key issues and options for consideration.
- First issue identified was to address the historical underfunding of depreciation. While as an organisation they had to fund some renewals at Baypark, the stadium and Adams High Performance Centre, they had used debt to fund it, which was not the best way to do this.
- Second issue identified was the level of operational funding and subsidy received from the Council, which had been marked with a number of issues, including the Covid ups and downs and not being able to trade at times. The cost profile had increased significantly, with items like electricity going up 34%, becoming a living wage employer had increased the wages by 9.9%, with these and other increased costs about to come through in other areas. Where they had traditionally been able to attract new clients to venues, many venues were at or nearing capacity, so they were unable to attract more users. This resulted in revenue being capped at the same time as operating costs were increasing.
- The third issue identified was the debt structure of the organisation, and because of Covid and depreciation, the debt had grown disproportionately over the last few years. In order to address this issue they were proposing to re-balance the debt with a conversion of debt-to-equity ratio by reallocating \$15 million of capital against the existing loan. There would be no impact on the balance sheet.
- Bay Venues Limited were seeking a significant increase in Council funding. If Council chose not to approve the increase and let them continue as they were, the debt would continue to mount up over time. For Bay Venues Limited to be financially sustainable, they could need to look at how to cut costs, but it would result in cutting services with things like reducing operating hours and potentially closing some of the services. With the growing population and the increasing demands for venues, this would not be the best way to deal with the issues.
- Mr Clarke advised that the Board's focus was on the business going forward. It was a relentless focus to get the best value for money and community outcomes delivered.

In response to questions

- It was noted that the debt-to-equity conversion of the \$15M of debt incurred would not result in additional debt as it was an equity transfer. It would be a realised debt into Council and would have no direct impact on rates. The depreciation exceeds the amount of non-funded as a catch up and would need to be looked at in the future to remain at the proper funding level.
- In response to a query regarding what was commercial and what was not, Mr Hooker noted that Bay Events was only a venue and had no part in the operation of an event. Bay AV was also about looking after the venue, making sure that the PA system was ready to go, the power supplies were in the right places and the like. This work was not paid for by the clients, it was what had to be done to hold the event. There was a little bit of external work, but they generally made sure that they were not competing with the private sector and were limited to what they could do commercially.
- In response to a question relating to the time frame to address some of the ageing community funded facilities, it was noted that there were a number of elements to address that moving forward, with much of it being tied up with the Long-Term Plan (LTP) and submitted to the Council team. The plan was to look after what they had and through that they had proposed \$92M of renewals included in the LTP to replace and renew assets and proposed \$53M on new capital works on facilities to bring them up to speed. The focus over the next 10 years was new facilities to deal with the growing population. The Memorial Park project was funded

within the LTP and they were working with Council on the timing of when this would be on stream and how it would be delivered.

- Mr Hooker clarified that Bay Venues Limited did not run events and only hosted events at their venues and agreed to take Bay Events off the list to avoid the perception that they did run events..
- Bay Venues Limited shared with the Council to have citywide networks and were working through a plan as to when new community centres and sports courts may open, but there was the challenge of how much funding was available and when it would happen.
- Mr Clarke noted that the rebalancing of debt was from the first year of the LTP as they did not want to stagger it and preferred to set it up cleanly for the LTP period to give certainty for the Board.
- Mr Clarke thanked the Commissioners for their positive comments and thanked the Council team who were working closely with the Bay Venue Limited team.

Discussion points raised

- Commissioner Tolley noted that they were aware of the issues and had appointed and put in place a new Board who had a focus on the heart of the community and it was agreed that the current situation was due to an underinvestment in the past.
- The issues had to be dealt with as part of the LTP conversations.
- Commissioners complimented Bay Venues Limited on the work done to date and for working closely with Council to bring the financial situation to light. The report had clearly laid out the difficulties, but they had operated well despite those.

RESOLUTION CO9/23/3

Moved: Commissioner Stephen Selwood

Seconded: Commissioner Bill Wasley

That the Council:

- (a) Receives the report "Review of Council funding of Bay Venues to ensure ongoing sustainability".
- (b) Approves the updated Bay Venues Funding Principles (tabled at meeting), which will be incorporated into the revised Enduring Statement of Expectations coming to Council later this year.
 - Noting that this includes the transfer of Mercury Baypark Arena 6-court, Arena Suites and Stadium, Lounge, Pavilions and Fields, as well as Bay Audio Visual, Bay Events and the Adams High Performance Centre from the "non-funded network" to the "funded network."
- (c) Approves the recommended Option 4, specifically:
 - (i) Fund depreciation to cover renewals for all community assets: increase rates funded depreciation contribution by \$3.6 million per year, taking total depreciation funding to \$7.7 million per year.
 - (ii) Increase the operating subsidy to achieve break-even: increase the operating subsidy by \$3.0 million, taking the total to \$8.2 million per annum, to ensure Bay Venues can deliver its services to the community on behalf of Council.
 - (iii) Re-balance Bay Venues debt structure: Council to re-balance the debt-to-equity ratio by reallocating \$15 million of capital to offset losses incurred because of the COVID pandemic and unfunded assets (e.g. Baypark, Adams High Performance Centre and asset revaluations).
 - (iv) Debt retirement from depreciation reserve to no longer fund Bay Venues debt retirement from FY25 onwards, but instead used to retire Council's debt on the capital re-allocation.

- (v) Increase the annual interest grant to an average of \$921,000 per annum across the Long-term Plan 2024-2034 period (\$997,000 in FY25).
 - (vi) Noting that all of the changes above will be subject to prioritisation within the Long-term Plan 2024-2034 process, which may include phasing options. If approved, the changes will take effect in FY25.
- (d) Approves a request, on behalf of Bay Venues, for a temporary increase of \$5 million to the Intra-Group Two Way Loan Agreement between Tauranga City Council and Bay Venues, from \$30 million to \$35 million in FY24, to ensure there are sufficient short-term funds available to cover the forecast operating deficit before the recommendations above are implemented in FY25.
- Noting that this is subject to Tauranga City Council being able to remain within its Treasury Policy limits, and to Bay Venues continuing to work with Council staff in monitoring their cashflow position.

CARRIED**Attachments**

- 1 Tabled Attachment - Funding Principles v2

12.5 Mauao Annual Report

Staff Barbara Dempsey, General Manager: Community Services
Josh Clark – Advisor Natural Environment (Mauao)

External Dean Flavell – Chairperson, Ngā Poutiriao o Mauao

Mr Flavell and Mr Clark gave a power point presentation.

Key points

- Apologies from Matemoana McDonald, Chairperson Mauao Trust, who was unable to attend.
- A karakia had been held on Mauao earlier this morning before a health and safety briefing was provided to contractors who were about to remove more exotic trees from Mauao.
- Highlights of the year 2021-2022 included Te Mahere Whakamahina o Mauao (Placemaking and Interpretation), Kapehu (cultural compass installation at the summit) and Whakatere (enhanced wayfinding signage).
- The trig was removed from Mauao in 2021 and replaced with the kapehu, cultural compass, which was made a feature for Matariki's first New Zealand public holiday in 2022.
- The placemaking and interpretation project, which also included enhanced way finding signage, depicted the cultural heritage of the Maunga and helped people to engage with the stories of Mauao.
- One of the highlights included the removal of 18 large exotic trees by a heavy lift helicopter that were located on sensitive archaeological sites. It was a successful operation resulting in 280 tonne being taken off the mountain without touching the mountain. More than 13,000 native trees had been planted..
- Track resurfacing had been undertaken. There was a lot to upkeep, and they always needed renewing a lot faster than any of the other networks as 1 million people used the tracks each year.
- Tracking of rats had been successful with a 1-0% average being gained and the ecology of the maunga was doing well as a result of this with successful translocation of skinks.
- The Trust was working with Scion and the Council to contain the myrtle rust in the area.
- The Mauao Trust were important kaitiaki for Mauao and involved four local iwi.
- All planned works for this year would be completed in the current financial year..

- On behalf of the Mauao Trust, appreciation was given to the Council on how they managed Mauao and communicated with the Trust.
- He Korowai Ariki o Mauao, the Cloaking of Mauao 2021-2031 was Mauao Trust's Strategic Plan.

In response to questions

- As Mauao was a Class 1 and Class 2 ecological area, the pine trees were being progressively removed. A further eight trees would be removed this week which would mark the end of those trees in the sensitive archaeological areas. There would still be seven to eight large trees left on Mauao, but as they were not in sensitive areas, they did not need to be as active in removing them as they provided good nesting areas for birds. The internal team priorities would now change and move to restore what was in the forest as these sensitive archaeological features were now protected.
- The placemaking and interpretation and signage projects were expected to be completed by the end of the next financial year.
- In response to what other initiatives would be planned and how the Council could assist, Mr Flavell noted that an archaeological investigation on the seaward side of Mauao would be undertaken to determine what the archaeology of the site was and replanting the area to benefit penguins, skinks etc. He noted that the offer of assistance would be passed on to the Trustees for them to respond.
- The trig was an important measuring point on the mountain, but now a lot of it could be done by GPS and other different methods. The trig had been removed in conjunction with LINZ. The location was taken digitally with an offset mark made on the summit, so that if a manual point was needed to be retaken it could be done by the offset.
- Mr Flavell noted that the removal of the trig was not out of disrespect and was currently included in the heritage collection. It was an interesting object, with many names and drawings etched onto it and people had an affinity to this object. How it was to be used in the future had yet to be decided.

Discussion points raised

- Mr Flavell was congratulated for working at the Council for 20 years.
- Commissioners acknowledged the work that had been done by the Mauao Trust, Nga Poutiriao o Mauao and the Council staff..

RESOLUTION CO9/23/4

Moved: Commissioner Bill Wasley

Seconded: Commissioner Shadrach Rolleston

That the Council:

- (a) Receives the report "Mauao Annual Report".

CARRIED

Attachments

- 1 Mauao Presentation - pdf

12.2 Rates Resolution 2023/2024

Staff Paul Davidson, Chief Financial Officer
Jim Taylor, Manager: Rating Policy and Revenue

Key points

- The rates resolution included all the information and figures from the adoption of the annual plan.

In response to questions

- The community targeted rate was introduced three years ago to let the community know of the added investment to bring up the community amenities for the city instead of including it in the general rate. It was a targeted rate so that the investment could be seen.
- The water rates were excluded from the commercial rate as the amount of water varied considerably between small and large industrial areas.

Discussion points raised

- The underinvestment in the city in the past was noted.
- The Council could not continue to have increases at less than the rate of inflation in future years. However, the Commissioners felt that this was the right thing to do this year, given the difficult year for everyone.
- Acknowledged this was the second year of the introduction of the commercial rate differential.

RESOLUTION CO9/23/5

Moved: Commissioner Stephen Selwood

Seconded: Commissioner Bill Wasley

That the Council:

- (a) Receives the report "Rates Resolution 2023/2024".
- (b) Sets the following rates under the Local Government (Rating) Act 2002, in accordance with the relevant provisions of the Funding Impact Statement in the Annual Plan for the 2023/2024 rating year, on rating units in the city for the financial year commencing on 1 July 2023 and ending on 30 June 2024.

The rates and charges specified are inclusive of Goods and Services Tax at the prevailing rate.

I. General Rate

A general rate set under section 13(2) (b) of the Local Government (Rating) Act 2002 at:

- A rate of \$ 0.00192224 in the dollar of capital value on all residential rateable rating units in the city.
- A rate of \$0.00403671 in the dollar of capital value on all commercial rateable rating units in the city.

("residential" and "commercial" are as defined in the Funding Impact Statement).

II. Uniform Annual General Charge

A uniform annual general charge set under section 15(1)(b) of the Local Government (Rating) Act 2002 at:

- A rate of \$274.00 per separately used or inhabited part of a rateable rating unit.

III. Waste Collection Rate

Uniform targeted rates for the kerbside waste collection services, set under section 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, on all rating units in the city on which there is one or more residential use and that will be provided with the low, standard or high waste collection service, at:

- A rate of \$200 per low waste service capacity provided for each residential use on each rating unit in the City.

- A rate of \$235 per standard waste service capacity provided for each residential use on each rating unit in the City.
- A rate of \$340 per high waste service capacity provided for each residential use on each rating unit in the City.

IV. Garden Waste Rate (optional)

Uniform targeted rates for garden waste collection services, set under section 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, on all rating units in the city used for residential purposes and that will be provided with the garden waste collection service, at:

- A rate of \$105 for each garden waste bin (two weekly collection).
- A rate of \$75 for each garden waste bin (four weekly collection).

V. Wastewater Rate

A differential targeted rate for wastewater, set under sections 16(3)(b) and 16(4)(b) of the Local Government (Rating) Act 2002 at:

- A rate of \$671.60 for each water closet or urinal in a connected rating unit in the city.
- A rate of \$335.80 per separately used or inhabited part of a rating unit for any serviceable rating units in the city.

("separately used or inhabited part of a", "connected" and "serviceable" rating units, are defined in the Funding Impact Statement).

A rating unit used primarily as a residence for 1 household will not be treated as having more than 1 water closet or urinal.

VI. Stormwater Rate

A targeted rate for stormwater infrastructure investment, set under section 16(3)(a) and 16(4) (b) of the Local Government (Rating) Act 2002 at:

- A rate of \$0.00001942 in the dollar of capital value on all residential rateable rating units in the city.
- A rate of \$0.00003108 in the dollar of capital value on all commercial rateable rating units in the city.

VII. Water Supply Rates

Volumetric rate

A targeted rate for metered water supply set under section 19(2)(a) of the Local Government (Rating) Act 2002 at

- A rate of \$3.40 per cubic metre of water supplied.

Base rate

A differential targeted rate per connection on every rating unit in the City which is provided with a metered water supply service, set under sections 16(3)(b) and 16(4)(b) of the Local Government (Rating) Act 2002, calculated on the basis of the nature of the connection size as follows:

Meter Size	Amount
20mm	\$0.00
25mm	\$0.00
32mm	\$0.00
40mm	\$0.00
50mm	\$0.00
80mm	\$0.00
100mm	\$0.00
150mm	\$0.00
200mm	\$0.00
250mm	\$0.00

VIII. Water Supply Rates (unmetered)

Unmetered rate

A uniform targeted rate on every rating unit in the City which is provided with and connected to an unmetered water supply service, set under sections 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, at:

- A rate of \$885.00 for each separately used or inhabited part of a rating unit as defined in the Funding Impact Statement.

IX. Economic Development Rate

A targeted rate for economic development in the City, set under section 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002 at:

- A rate of \$0.00037982 in the dollar of capital value on every commercial rateable rating unit (as defined in the Funding Impact Statement).

X. Mainstreet Rates

Targeted rates for Mainstreet organisations, set under section 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, at:

- A rate of \$0.00044546 in the dollar of capital value for every commercial rating unit in the Tauranga Mainstreet rating area as defined in the Funding Impact Statement.
- A rate of \$0.00050048 in the dollar of capital value for every commercial rating unit in the Mt Maunganui Mainstreet rating area as defined in the Funding Impact Statement.
- A rate of \$0.00151715 in the dollar of capital value for every commercial rating unit in the Greerton Mainstreet rating area as defined in the Funding Impact Statement.
- A rate of \$0.00029648 in the dollar of capital value for every commercial rating unit in the Papamoa Mainstreet area as defined in the Funding Impact Statement.

XI. Special Services Rates

'The Lakes' Targeted Rate

A uniform targeted rate for additional levels of service in relation to maintenance and renewal of street gardens, street trees, footpaths and the removal of litter from ponds provided to 'The Lakes' subdivision, located at Pyes Pa, set under section 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, at:

- A rate of \$102.75 per rating unit located within 'The Lakes' subdivision as defined in the Funding Impact Statement.

'The Coast Papamoa' Targeted Rate

A uniform targeted rate for additional levels of service in relation to maintenance and renewal of street trees and footpaths provided to 'The Coast Papamoa' subdivision, located at Papamoa, set under section 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, at:

- A rate of \$35.01 per rating unit located within 'The Coast Papamoa' subdivision as defined in the Funding Impact Statement.

'The Excelsa' Targeted Rate

A uniform targeted rate for additional levels of service in relation to maintenance and renewal of street gardens, street trees and up lights under trees provided to 'The Excelsa' subdivision, located at Papamoa, set under section 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, at:

- A rate of \$51.78 per rating unit located within 'The Excelsa' subdivision as defined in the Funding Impact Statement.

XII. Resilience Rate

A targeted rate for resilience infrastructure investment in Water, Wastewater, Stormwater, Transportation and Emergency Management, set under section 16(3)(a) and 16(4) (b) of the Local Government (Rating) Act 2002 at:

- A rate of \$0.00001215 in the dollar of capital value on all residential rateable rating units in the city.
- A rate of \$0.00001944 in the dollar of capital value on all commercial rateable rating units in the city.

XIII. Transportation Rate

A targeted rate for Transportation infrastructure investment, set under section 16(3)(a) and 16(4) (b) of the Local Government (Rating) Act 2002 at:

- A rate of \$0.00005360 in the dollar of capital value on all residential rateable rating units in the city.
- A rate of \$0.00027872 in the dollar of capital value on all commercial rateable rating units in the city.

XIV. Community Rate

A targeted rate for Community amenity investment, set under section 16(3)(a) and 16(4) (b) of the Local Government (Rating) Act 2002 at:

- A rate of \$0.00011214 in the dollar of capital value on all residential rateable rating units in the city.
- A rate of \$0.00017943 in the dollar of capital value on all commercial rateable rating units in the city.

- (c) That all rates (except the water supply volumetric rate set under section 19 and the water supply base rate for metered connections under section 16 of the Local Government (Rating) Act 2002) be payable in two equal instalments due on:

- 31 August 2023 and
- 29 February 2024

- (d) That all metered water rates will, except as to high users, be invoiced on a quarterly basis dependant on when the water meters are read, in accordance with the table below headed “Due dates and penalty dates for rates for metered water supply”. The due dates will also be specified on the invoice. Rating units, which are considered high users of water (namely having an average consumption more than 5m³ per day) will be invoiced monthly, and these rates will be due on the first Thursday after 23 days following the date of the invoice.
- (e) That the Council authorises the addition of penalties to rates that are not paid by the due date, as follows, in accordance with sections 57 and 58 of the Local Government (Rating) Act 2002, and delegates authority to the Manager Finance to apply penalties in accordance with this regime:
 - (i) a charge of 10% on so much of any rates instalment after 1 July 2023 which is unpaid after the relevant due date (except for the volumetric rate under section 19 and the water supply base rate for metered connections under section 16 of the Local Government (Rating) Act 2002) will be applied on:

Instalment due date	Penalty Date
31 August 2023	11 September 2023
29 February 2024	11 March 2024

- (i) a charge of 10% on so much of any of the volumetric rate under section 19 and the water supply base rate for metered connections under section 16 of the Local Government (Rating) Act 2002 invoiced after 1 July 2023 and which is unpaid after the due date will be applied on whichever is the next consecutive date following the due date of the invoice to which the penalty applies, being:

Water Penalty Date
26 October 2023
1 February 2024
2 May 2024
25 July 2024

Due dates and penalty dates for rates for metered water supply and connection

Week	Area	Q1 Due date	Q2 Due date	Q3 Due date	Q4 Due date
1	Mt Maunganui North/ Ind, Omanu, Matapihi,	10-Aug-23	02-Nov-23	15-Feb-24	09-May-24
2	Arataki, Te Maunga, Papamoa West	17-Aug-23	09-Nov-23	22-Feb-24	16-May-24
3	Papamoa West / East	24-Aug-23	16-Nov-23	29-Feb-24	23-May-24
4	Papamoa East / South,	31-Aug-23	23-Nov-23	07-Mar-24	30-May-24
5	Papamoa East, Kairua, Welcome Bay, Hairini	07-Sep-23	30-Nov-23	14-Mar-24	06-Jun-24
6	Hairini / Ohauti, Poike, Pyes Pa, Maungatapu.	14-Sep-23	07-Dec-23	21-Mar-24	13-Jun-24
7	Greerton, Yatton Park, Gate Pa, Avenues	21-Sep-23	14-Dec-23	28-Mar-24	20-Jun-24

8	Tauranga Central/South, TeReti, Judea, Sulphur Pt	28-Sep-23	11-Jan-24	04-Apr-24	27-Jun-24
9	Brookfield, Bellevue, Otumoetai	05-Oct-23	11-Jan-24	11-Apr-24	04-Jul-24
10	Otumoetai, Matua	12-Oct-23	18-Jan-24	18-Apr-24	11-Jul-24
11	The Lakes, Bethlehem	19-Oct-23	25-Jan-24	25-Apr-24	18-Jul-24
All (including high users)	Penalty Added Date	26-Oct-23	1-Feb-24	2-May-24	25-Jul-24

- (f) Where a ratepayer makes any payment that is less than the amount now payable, the Council, will apply the payment firstly to any rates outstanding from previous rating years and then proportionately across all current year rates due.

CARRIED

12.3 Adopt Final 2023/24 Development Contributions Policy

Staff Christine Jones, General Manager: Strategy, Growth & Governance
Ben Corbett, Team Leader: Growth Funding

Key points

- Council adopted a Development Contributions Policy each year.
- As there were no key differences, the policy had not been publicly consulted on.
- It had become apparent that there were no new major capital projects being undertaken with the costs instead being driven by inflation and the holding of costs associated with debt.
- The Lakes reserve transport costs had resulted in the largest increase and there was a decrease in Pāpāmoa’s costs as they had finished collecting for the reserves as they were now fully funded.
- There would be a reallocation of changes for the 2024-25 year and these would be consulted on.

In response to questions

- In response to a query the Master Builders Association had raised through a Commissioners Clinic, it was noted that the regulation team held regular meetings with builders and developers that were attended by the Association. Material had been prepared addressing the Association’s concerns and noting the different timing for the charging of the development contribution fees. This would be provided to the Commissioners so that they could see what the options could be, and to provide feedback when approached. While there seemed to be a good level of understanding, each sector had different priorities of who pays and when they paid.
- The growth assumptions reflected in the Long-Term Plan 2024-34 (LTP) were used to calculate development contributions and would also look at transport numbers, growth experience and how much would be funded by the growth. Transport was the primary focus to understand whether Council was charging enough for the 2024-25 development contributions policy.
- There was a statutory requirement to align the development contributions policy with the LTP every three years. This was not done with the Long-Term Plan Amendment in 2022, but the underlying assumptions and the timing of investment and population projections would be picked up in the next LTP and flow through into that.
- Changes to the charges had to be reflected in the annual plan or LTP and all the projects would be revised by the Project Managers line by line to ensure that it all made sense and to determine whether sufficient levies had been collected.

- While the works included in the development contributions policy had been based on a lower inflation rate, it was noted that as many of the projects had already been delivered and paid for, therefore there was no escalation in the costs associated with those projects. The debt assumptions were reflected the annual plan and the LTP.
- Tauranga City Council (TCC) had one of the most comprehensive development contributions policies and some of the recent changes to legislation were modelled from Council's policy. There were very specific costs that related to the contributions and the principles that drove it. TCC worked closely with a group of growth councils.
- By adopting the policy today, the Council was confirming the policy which states that growth must pay for growth although Master Builders would argue that there was a public benefit of growth.
- It was virtually impossible under the legislation to collect 100% of the costs of growth through the fees. However there was an advantage to TCC updating the policy annually

RESOLUTION CO9/23/6

Moved: Commissioner Bill Wasley

Seconded: Commissioner Shadrach Rolleston

That the Council:

- (a) Receives the report "Adopt Final 2023/24 Development Contributions Policy".
- (b) Adopts the 2023/24 Development Contributions Policy.
- (c) Delegates to the General Manager: Strategy, Growth and Governance the authority to rectify any minor errors or omissions that are identified in the 2023/24 Development Contributions Policy prior to final publication.

CARRIED

12.4 Deliberations and Adoption Report - User Fees and Charges 2023/24

Staff Paul Davidson, Chief Financial Officer
Kathryn Hooker, Corporate Planner

External Chad Hooker, Bay Venues Limited
Tina Harris-Ririnui – Bay Venues Limited

Key points

- The submission process had attracted 139 submissions, the bulk of which were about the Bay Venues Limited charges.
- Bay Venues Limited had provided responses to the submission points, most of which were around costs and the fairness of charges for indoor activities verses outdoor activities.
- There were some suggested changes in the report including on the water supply to reduce the fixed water cost in response to the Annual Report 2023-2024.
- Mr Hooker noted that they had been closely involved with user groups and had been holding ongoing conversations with them so were aware of the impact of the charges, but they had to manage the challenges.
- Ms Harris-Ririnui noted the process they had undertaken starting from a low place, adjusting the CPI, and benchmarking back in 2019. The charges then were well below the national benchmark and then Covid hit so it was not the right time to increase the costs. While some charges were adjusted, an independent review was carried out in 2021 which noted some charges were higher and some were lower.
- Tiered and different pricing was used for sporting facilities starting at the highest point with an adult standard rate, which was still subsidised by ratepayers, then a 15% discount adjustment for regular users was applied and then a 30% discount was applied for youth and seniors.

- The same exercise was applied for halls.
- The aquatic centres also had different prices for different age groups and regular users. The increase of a per person rate where there were 16 people per lane it was between 64 and 96 cents per person. For a hall the increase was between 20-86 cents per user.
- Most of the feedback was from the lane users, for whom they recognised was a price shock, so had relooked at that and introduced a 10% discount for regular users. The increase was 70-80 cents per person per hour for lane hire.
- Users were notified of the proposed increases in 2022 and directed to the information on the Tauranga City Council website.
- A submission point asked a comparison be done with an arena in the Hawkes Bay and that had been done. The proposed charges were still less than the national benchmark.
- In response to further submission points asking how the charges could be increased at the aquatic centres when water deaths were at the level that they were, it was noted that 78% of the deaths were people 25 years and over and 24% were in the 55 plus age range. 2,244 pupils from nineteen local schools participated in water safety lessons this year. The programme included 8-10 lessons on water safety and they would do more of these programmes if they could.

In response to questions

- The proposed fee increases were not being charged until January 2024, apart from general entry prices which would increase on 1 July 2023, as Bay Venues Limited wanted to give the organisations time to imbed the increases into their budgets and to allow time for them to apply for funding.
- In response to a query as to why the fixed water meter charge was to be reduced, it was noted with the increase in volume, the Council would recover more in that activity than was required. Staff had looked to keep the volumetric use at a higher level and brought down the fixed charge. This was a temporary measure and the fixed charge at \$0 was still included so that it could be brought back in if needed.
- In relation to the charges for indoor and outdoor facilities it was noted that there was a comprehensive review of all fees and charges which would feed into the LTP.

Discussion points raised

- Commissioner Tolley noted that the current process in place, which combined all user fees and charges and submissions being heard by the Council, needed to be changed in the future and expanded to include Bay Venues Limited. A new resolution (i) was added - *designs a future process to hear submissions on user fees and charges when Bay Venues Limited facilities were involved.*
- Commissioners acknowledged the explanations from Bay Venues Limited
- Acknowledged that a fair assessment of charges was being undertaken across the board.
- Noted that if increases in charges were delayed, it would affect the facilities later with either future users or ratepayers having to absorb costs in the future.

RESOLUTION CO9/23/7

Moved: Commission Chair Anne Tolley

Seconded: Commissioner Bill Wasley

That the Council:

- (a) Receives the report "Deliberations and Adoption Report - User Fees and Charges 2023/24".
- (b) Approves staff comments on submissions relating to User Fees and Charges 2023/24 in **Attachment 1**.
- (c) Confirms the following approach to the Schedule of User Fees and Charges as a result of feedback from consultation and staff suggested changes:

- (i) Option 1: Amend the proposed Schedule of User Fees and Charges as suggested in the table in paragraph 19.
- (d) Confirms the base water charges to be displayed \$0.00 in the Schedule of User Fees and Charges in line with the decision made at the adoption of the Annual Plan 2023/24 that all fixed charges are removed for 2023/24.
- (e) Notes in paragraphs 13-16 below how recommendations (e) to (h) added during the adoption of hearings held 29 May 2023 have been addressed.
- (f) Notes **Attachment 3** – an email from submitter 13 that has additional information to add to their submission.
- (g) Adopts the Schedule of User Fees and Charges 2023/24 with amendments from resolution (c) contained in **Attachment 2**.
- (h) Authorises the Chief Financial Officer to make any necessary minor drafting or presentation amendments to the Schedule of User Fees and Charges 2023/24 before going to print.
- (i) Designs a future process to hear submissions on user fees and charges when Bay Venues Limited facilities were involved.

CARRIED

At 10.43am the meeting adjourned.

At 11.01am the meeting reconvened.

12.5 Pōteriwahi (Parau Farms) further Report to Consultation Outcomes

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

Key points

- This report was an opportunity to conclude the consultation process for the proposed land use change of Pōteriwahi.
- Consultation had been undertaken on the use of the land and previous resolutions required staff consult with iwi and hapū. Key issues were worked through with Ngāti Kahu and the changes to the concept plan also took into account community feedback.
- The concept plan had been updated with the land for housing reduced from 22ha to 11ha, included three sports fields, the retention of an area for cultural recognition and the inclusion of a greenbelt area, passive reserves, stormwater and river access. Further development of the concept plan was required in conjunction with Ngāti Kahu and would be reported back to Council for approval.
- The report requested approval to proceed with the development of a plan change to zone land at Pōteriwahi for housing.

In response to questions

- A plan change process was starting, with the technical work underway. Regardless of how the concept plan was finalised, the plan change process would be commenced straight away with the concept planning being run in parallel.

Discussion points raised

- Commissioner Rolleston noted that when the consultation first started there was an appetite for housing, with others wanting to retain a greenspace, and this proposal gave a good balance for both. Through working positively with Ngāti Kahu it was now a significant site for all iwi and hapū. It was important to protect and preserve areas and to have opportunities for environmental enhancements and connections back to the river.

- Iwi had land on the other side of the road where they wanted to develop papakāinga and Council would work closely with them to realise their long term aspirations. There was still a way to go, and there was a need to step through a plan change process with the community and the hapū.
- At a concept level there was an opportunity to create something special, with a development that could become an exemplar of urban design, delivering social and affordable housing, along with creating recreational and leisure spaces.

RESOLUTION CO9/23/8

Moved: Commissioner Shadrach Rolleston

Seconded: Commissioner Bill Wasley

That the Council:

- (a) Receives the report "Pōteriwahi (Parau Farms) further Report to Consultation Outcomes" and notes the 8 February 2022 report "Pōteriwahi (Parau Farms) further Report to Consultation Outcomes".
- (b) Approves Pōteriwahi land use change to include retention of land for sports fields, passive reserves, stormwater and river access, with the remainder of land being disposed for housing purposes
- (c) Endorses in principle the updated concept plan for Pōteriwahi (Figure 1) that reflects this proposed land use and notes that the concept plan will be further developed in consultation with Ngāti Kahu and reported back to Council for approval.
- (d) Approves proceeding with the development of a plan change to zone land at Pōteriwahi to enable housing
- (e) Notes the hapū desire to achieve some housing outcome for their hapū and that Tauranga City Council will continue to work with them on ways that could be achieved
- (f) Requests Ngāti Kahu hapū nominate 2 representatives to work with Council as planning progresses.

CARRIED

12.6 Arataki Community Liaison Group Pilot Review

Staff Nic Johansson, General Manager: Infrastructure Services
Ceilidh Dunphy, Community Relations Manager

Key points

- There were two key learnings relating to community participation which would be noted when setting up community liaison groups in the future.
- The first was this project had too broad of a remit, which tended to give people expectations on the range of what they felt they could influence, but was misaligned with what Council could deliver. By contrast Links Avenue had a singular point of focus.
- The second was the importance of having consistency of staff throughout the project. The lack of facilitator for a few months impacted on the momentum and it was hard to regain the time commitment to do the group justice. A full time staff member was the best way to partner with the project and the community

In response to questions

- In response to a query as to what could be ticked off and what was coming up, it was noted that this was being reported regularly. One such item was the engagement this week regarding the safe crossing of Girven Road and connecting the park to Bayfair. This was now with the transport team who included this in transport choices. This project had Waka Kotahi

support and a completion date of July 2024. There had been a lot of positive feedback and the two local schools were thrilled to have a safe crossing.

Discussion points raised

- Appreciation was noted and included in the resolution to all involved in the project and to formally thank them on behalf of the Council.
- There was a need to go out early to the community with the issues and harness their knowledge of the area. While the Council would put criteria in place it was powerful to go out to communities who were invested in making their community a great place to live and to find solutions that was good for their community.

RESOLUTION CO9/23/9

Moved: Commission Chair Anne Tolley

Seconded: Commissioner Bill Wasley

That the Council:

- (a) Receives the report "Arataki Community Liaison Group Pilot Review".
- (b) Note the key findings of the review when considering the use of community panels and liaison groups in the future and thank all those involved in the Community Liaison Group for their time and commitment to the Arataki area.

CARRIED

12.8 Executive Report

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

Infrastructure Services

In response to questions

- It was noted that the Cameron Road cycleway was due to open by 23 June 2023.
- The new approach to flood management was a hazards to person approach. This looked at the danger to the person from the impact of stormwater by depth, speed and the velocity of the water and whether a child or adult could be pushed over by it. Council introduced this eight years ago and it was good to see it introduced in other regions as you could not build your way out of stormwater issues by mitigating them, you had to look at the danger to people
- Police presence in the community was important. They were now looking at cameras for red light running which was a step change to how this was managed and would be discussed further in the LTP. Safety had to be put first and may result in the red light having to be left on longer to allow the traffic to get through. This was an efficiency intervention that could possibly be done at a lesser cost.

Discussion points raised

- Commissioners commended staff on 87% of the capital programme being completed and a forecast of 90% at year end, especially given the weather conditions it was a remarkable result.

Community Services

Key points

- Today was the first day for the new five day a week customer services operating at the Pāpāmoa and Greerton libraries.
- There was a plan to plant 200,000 plants across the city in the next few months.
- The virtual reality project was developed to show people what it was like in an earthquake or tsunami.

In response to questions

- In response to concern about false and misleading emergency management information being provided to people at Pāpāmoa, it was noted that staff had met with the Pāpāmoa Residents & Ratepayers Association and provided them with correct information and would keep talking to the Association.
- It was noted that staff were identifying what trees they had now and as part of the annual process had a target to plant more trees each year.
- Information was sought on how to manage the increased geese population in the city.

Discussion points raised

- Commissioner Rolleston noted that he had attended a recent Instep young leaders' breakfast which focused on a budget exercise looking at the LTP and getting them to think about the priorities. The key items raised were better transport options and choices, better reliability, and more efficient delivery of transport infrastructure and city-wide amenities, not only within the city centre. Questions put to the youth included where they were going to be in five years' time, resulting in no one putting their hand up to be in Tauranga, which highlighted the need to make Tauranga an attractive place to study, live, bring up families and contribute to the community and the need to attract people back to the area once they had completed their studies.
- The range of amenities included in the shared path facility in Pāpāmoa was acknowledged.

Chief Financial Office

Key points

- Equipment would be upgraded over the next 12 months to allow better operating conditions in poor weather conditions which would enable more landings and take-offs.
- The airport terminal precinct project was progressing slower due to consenting issues.

Corporate Services

Key points

- The engagement portal was now live, and if anyone wanted to make a connection with each ward, using the digital medium as a great way to get the experience.
- Last month as part of the business continuity programme an exercise was done to find out what would happen if the Council was the subject of a cyber-attack and we lost everything. It was noted that we learnt what we could not do without, as the organisation was highly dependent on technology and suppliers were highly dependent on instruction from the Council.
- Staff turnover had reduced from 20% to 15% in a time when the market competition for staff resources was high.

Regulatory and Compliance

Key points

- A key issue was the update on the Sale and Supply of Alcohol Amendment Bill, with the Select Committee recommendations proposing changes to the legislation. Many of these changes were about the process, so if the Bill was passed this year, it would not have an impact on the Local Alcohol Policy and there would be no need to reconsult.
- The Objective build move for building consents went well with great reports being received from consultants and builders on the consistent portal between Tauranga City Council and Western Bay of Plenty District Council.

- There would be a significant system upgrade for the resource consent process on 1 July 2023, with consultants and agents been advised and workshops would continue to ensure the experience was smooth.

In response to questions

- Regarding the Local Alcohol Policy, it was noted that the Police District Commander would like a decision on opening times for licenced premises prior to summer and a query was raised as to whether decisions could be made on the open door policy and different opening times, as this would assist with policing in the CBD. Staff would check the legalities of this, consider options and report back.
- There was no information collected on how many houses were removed from the market due to being taken down or being no longer habitable, but staff would be able to capture the information going forward. Information on the current housing stock and how much it was increasing each year would be helpful.
- In response to a query regarding the need for two noise complaints to be registered before it triggered an inspection and some people not bothering to complain about road works because of it, the process of noise complaints was explained. Most complaints were for noise from parties rather than road works, however staff would let the contractor know of these and make sure they were closing the loops.
- The Sanderson Group proposed development at Pitau Street was a critical decision for the Minister for the Environment to consider and decide whether it could be released. Once the decision was to hand the timeframes would be updated.

Discussion points raised

- It was requested that the information provided in the report on housing trends be changed to a line graph as it would be easier to understand the demand curve.
- It was noted that every Council had received a letter from Minister Woods following the Loafers Lodge fire to ensure that building compliance checks were being carried out.
- The onus should be on food premises to have a valid licence as they should be aware of their obligations.

City Developments & Partnerships

Key points

- The Safe and Resilient Communities Advisor has been seconded to work closely with the businesses in the city centre and carried out on a daily walk of the CBD and was a good way to make a connection with the businesses and people in the city centre and form positive relationships.
- A new Chairperson had recently been appointed to Downtown Tauranga and was keen to work with the Council.

In response to questions

- In response to a query as to whether the \$1.4m that had been applied for the Marine Parade Coastal Pathway would result in a balance of ratepayer funds available if it was successful. The information would be sought and provided to Members.
- Council was working closely with the Bay of Plenty Regional Council on the plans for the waterfront. It was noted that they were currently in public consultation for some of their activities in the area.
- All consents had been issued for the Harrington Street carpark with the six-story carpark being due for completion next year.
- In answer to a query regarding the submission received to install a climbing wall at the end of Memorial Park, it was noted that staff had made a commitment to work with the group and were seeking to find an industrial space that may be a better place for the activity.

RESOLUTION CO9/23/10

Moved: Commissioner Bill Wasley
 Seconded: Commissioner Shadrach Rolleston

That the Council:

- (a) Receives the "Executive Report".

CARRIED

13 DISCUSSION OF LATE ITEMS

Nil

14 PUBLIC EXCLUDED SESSION

Resolution to exclude the public

RESOLUTION CO9/23/11

Moved: Commissioner Bill Wasley
 Seconded: Commissioner Stephen Selwood

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
<p>14.1 - Public Excluded Minutes of the Council meeting held on 29 May 2023</p>	<p>s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) - The withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
<p>14.2 - Tauriko West Funding Agreement Approval</p>	<p>s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p>	<p>s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>

	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)	
14.1 - Exemption from Open Competition - Grounds maintenance for Te Maunga Waste Management Area	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
14.4 - Exemption to Procurement Policy for Project Management Resource for Transport Team	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
14.5 - Appointment of Board Members to Te Manawataki o Te Papa Limited and Tauranga Art Gallery Trust	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)(c)(i) - The withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied	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

The meeting closed at 12.51pm.

The minutes of this meeting were confirmed as a true and correct record at the Ordinary Council meeting held on 3 July 2023.

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CHAIRPERSON