



AGENDA

Ordinary Council meeting Monday, 14 August 2023

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

Date: Monday, 14 August 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.

Marty Grenfell
Chief Executive

Terms of reference – Council

Membership

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

Role

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

Scope

- Oversee the work of all committees and subcommittees.
- Exercise all non-delegable and non-delegated functions and powers of the Council.
- The powers Council is legally prohibited from delegating include:
 1. Power to make a rate.
 2. Power to make a bylaw.
 3. Power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan.
 4. Power to adopt a long-term plan, annual plan, or annual report
 5. Power to appoint a chief executive.
 6. 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.
 7. 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:
 8. Power to compulsorily acquire land under the Public Works Act 1981.
- Make those decisions which are required by legislation to be made by resolution of the local authority.
- Authorise all expenditure not delegated to officers, Committees or other subordinate decision-making bodies of Council.
- Make appointments of members to the CCO Boards of Directors/Trustees and representatives of Council to external organisations.
- Consider any matters referred from any of the Standing or Special Committees, Joint Committees, Chief Executive or General Managers.

Procedural matters

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

Regulatory matters

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

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1 OPENING KARAKIA

2 APOLOGIES

3 PUBLIC FORUM

3.1 Tauranga Intermediate School – Future Problem Solving Team – Thank you

ATTACHMENTS

Nil

3.2 Age Concern - Roger Goodman and Adrienne von Tunzelmann - Investment of Elder Housing Sale Proceeds

ATTACHMENTS

Nil

3.3 Bay Trust - Alastair Rhodes - Investment of Elder Housing Sale Proceeds

ATTACHMENTS

Nil

3.4 Jo Gravit - Investment of Elder Housing Sale Proceeds

ATTACHMENTS

Nil

3.5 Grey Power - Vanessa Charman-Moore - Investment of Elder Housing Sale Proceeds

ATTACHMENTS

Nil

3.6 Toxic Agrichemicals Advisory Forum - Peter Mora, Dr Ian McLean and Bill Myhill – Use of oxadiazon and pendimethalin on active reserves

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 27 June 2023

File Number: A14902568

Author: Fiona Hindmarsh, Administrator: Governance Services

Authoriser: Coral Hair, Manager: Democracy and Governance Services

RECOMMENDATIONS

That the Minutes of the Council meeting held on 27 June 2023 be confirmed as a true and correct record.

ATTACHMENTS

1. Minutes of the Council meeting held on 27 June 2023



MINUTES

**Ordinary Council meeting
Tuesday, 27 June 2023**

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3	Public forum	3
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	Nil	
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	Nil	
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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 TUESDAY, 27 JUNE 2023 AT 2.49 PM**

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), Alistair Talbot, (Team Leader: Structure Planning & Strategic Transport), Andrew Mead (Manager: City Planning and Growth), Coral Hair (Manager: Democracy & Governance Services), Sarah Drummond (Governance Advisor), Anahera Dinsdale (Governance Advisor), Janie Storey (Governance Advisor)

1 OPENING KARAKIA

Bay of Plenty Regional Councillor Te Tara White opened the session which commenced at 2pm 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

Nil

8 DECLARATION OF CONFLICTS OF INTEREST

Nil

9 DEPUTATIONS, PRESENTATIONS, PETITIONS

Nil

10 RECOMMENDATIONS FROM OTHER COMMITTEES

Nil

11 BUSINESS

Presentation by Waka Kotahi – Tauriko SH29 Business Case

A presentation was given by three Waka Kotahi representatives, David Speirs, Director Regional Relationships (Waikato / Bay of Plenty); Jessica Andrews, Regional Manager System Design (Waikato Bay of Plenty) and Kaylene Meyer, Principal Project Manager, to the three councils (Tauranga City Council, Bay of Plenty Regional Council and Western Bay of Plenty District Council) prior to the meeting commencing and answered questions of Members from all three councils.

Commissioner Tolley thanked the Waka Kotahi Representatives for their presentation and information.

A copy of the presentation for this item can be viewed on Tauranga City Council's website in the Minutes Attachments document for this committee meeting.

Attachments

- 1 Tauriko SH29 Business Case

11.1 Tauriko SH29 Network Connections Detailed Business Case

Staff Marty Grenfell, Chief Executive
Christine Jones, General Manager: Strategy, Growth & Governance
Andrew Mead, Manager: City Planning and Growth
Alistair Talbot, Team Leader: Structure Planning & Strategic Transport

Key points

- The Western corridor was a key growth corridor identified through SmartGrowth and Urban Form and Transport Initiative (UFTI) as agreed across the partnership and with Central Government.
- The Western Corridor has had significant growth over the last two decades and had significant planned growth into the future, which could not happen without a long term transport solution.
- The Tauriko West and Tauranga Business Estate extensions were currently going through plan changes, with both about to be notified.
- Stage 3 around Barkes Corner would unlock a large amount of growth, particularly in Tauriko West and all the Business Estate extension, in a timeframe aligned with the land use development.
- Issues being faced around these developments were the range of plan changes and funding agreements. Also the developers were working through their commercial feasibility and getting ready to develop the land.
- Until there was a certainty of commitment and funding for the delivery of the infrastructure, those processes faced significant risk.
- The recommendations in the report included Council endorsing the business case to the Waka Kotahi Board for approval and to seek secured delivery sooner and within 10 years.

- There was a need to future proof the solution sooner and to seek improved solutions for the pinch points at Barkes Corner and the Toll Road roundabout and for Waka Kotahi to focus their next stage of work to continue to look at improved solutions for these pinch points.
- There was a requirement for a four-lane bridge across the Omanawa Stream rather than the two-lane bridge proposed as the roading network was four lanes. This would remove an immediate pinch point in that design.
- The cost share for Tauranga City Council were the Redwood Lane roundabout of between \$27.2M - \$32.3M in stage 4 with the more immediate cost share of between \$4.1M and \$5.1M for the stage 3 walking and cycling connections on Marshall Avenue to connect to the Barkes Corner improvement.

Discussion points raised

- Commissioner Tolley noted that it was appropriate for the three councils to look at the next stages together and important to endorse the works sub-regionally.
- Even with strong subregional support there was no guarantee of priority being given for this road, as it needed to be endorsed by the Waka Kotahi Board, before going into the Regional Land Transport Programme.
- It was important not to create more pinch points and future proof it to ensure that a four-lane highway did not include a two-lane bridge.
- Timing was important as one example would see up to 87 trucks per day taking product from the new Winstone's factory to distribute around the country. This had been pointed out to the Minister as only central government could change what was being asked for and to provide the funding and certainty for unlocking the city.
- Commissioners were heartened by the work of mana whenua towards the project and to see the support of all parties involved.

RESOLUTION CO10/23/1

Moved: Commissioner Stephen Selwood

Seconded: Commissioner Bill Wasley

That the Council:

- (a) Receives the report "Tauriko SH29 Network Connections Detailed Business Case" (Business case).
- (b) Endorses the Business case being submitted to Waka Kotahi Board for approval.
- (c) Re-confirms to Waka Kotahi the Tauranga City Council position that there is a strong preference and need for the project to be delivered in a single stage within a decade (or by 2034) as opposed to the proposed staged delivery over many years potentially extending until 2050 given the significance of the corridor locally and nationally.
- (d) Recommends to Waka Kotahi that:
 - (i) The next stage of the Business case delivery, including Detailed Design development, identify solutions to improve the performance of identified future 'pinch points' at Cameron Road / Barkes corner, and Takitimu Drive/SH29/SH29a/SH36 to ensure satisfactory Levels of Service and futureproofing; and
 - (ii) A 4-lane bridge over the Omanawa stream is constructed in Stage 2, rather than the proposed 2-lane replacement bridge, to integrate with 4-lane sections of state highway to be constructed either side of the bridge and to support the function of this inter-regional freight route.
- (e) Notes that based on the principles established to confirm the cost share for delivering the Business case, the Tauranga City Council cost share is associated with delivery of:

- (i) the roundabout at the southern Redwood Lane inter-change (in Stage 4), and
 - (ii) a walking & cycling path on Marshall Avenue (in Stage 3),
- with both components having a 49% Local Council share / 51% Funding Assistance Rate funding split for their total cost.

CARRIED

12 DISCUSSION OF LATE ITEMS

Nil

13 PUBLIC EXCLUDED SESSION

Nil

The meeting closed at 3.05 pm.

The minutes of this meeting were confirmed as a true and correct record at the Ordinary Council meeting held on 14 August 2023.

.....
CHAIRPERSON

7.2 Minutes of the Council meeting held on 24 July 2023

File Number: A14921681

Author: Anahera Dinsdale, Governance Advisor

Authoriser: Anahera Dinsdale, Governance Advisor

RECOMMENDATIONS

That the Minutes of the Council meeting held on 24 July 2023 be confirmed as a true and correct record.

ATTACHMENTS

1. Minutes of the Council meeting held on 24 July 2023



MINUTES

**Ordinary Council meeting
Monday, 24 July 2023**

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	Nil	
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14	Closing karakia	18

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, 24 JULY 2023 AT 10.30AM**

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

IN ATTENDANCE: Marty Grenfell (Chief Executive), Kathryn Sharplin (Manager Finance)-Barbara Dempsey (General Manager: Community Services), 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), Mike Naude (Director of Civic Developments), Sarah Stewart (Principal Strategic Advisor), Simon Collett (Manager: Commercial Property), Graeme Frith (Team Leader: Legal & Business Support), Coral Hair (Manager: Democracy & Governance Services), Sarah Drummond (Governance Advisor), Anahera Dinsdale (Governance Advisor), Janie Storey (Governance Advisor)

1 OPENING KARAKIA

Commissioner Shad Rolleston opened the meeting with a karakia.

2 APOLOGIES

Nil

3 PUBLIC FORUM

3.1 John Robson – Te Manawataki o Te Papa

Key Items

- Wanted to note as a matter of public record that there had been little debate for the project and it was likely that all recommendations at the meeting would be accepted without discussion.
- As an ex-Councillor he had objected to the process from the beginning, including partnering with Willis Bond and all of the steps that followed and considered the project was an insult to democracy.
- Make no mistake if the right people were elected next year the whole lot of the decisions would be reversed.
- The media coverage to date had been appalling, with the ratepayers being up for significantly more than the \$151.5M noted.
- The business case showed the cost of Opex to 2029 as \$130M which was the real cost that would have to be paid by the ratepayers. The numbers were frightening and a burden on ratepayers.
- These types of initiatives were a confirmation bias and the irony to do any upside was only a sensitivity analysis. The discount rate of 4% was obscene, as were other numbers including the value of Māori culture with a 20% return. This was a taniwha and like one, it was a fiction.
- Some of the numbers in the business case did not match and the public had a right to know what these were.

3.2 Nigel Tutt – Priority One – Te Manawataki o Te Papa

Key Items

- Priority One supports the Council investment in Te Manawataki o Te Papa.
- At present the CBD was something that the city could not always be proud of which had been of concern for a long time.
- The work would create a vibrant CBD along with partnerships with private investors and the government working towards the same goal.
- Lack of action had been a problem in the past, but now people were hearing that the CBD would continue to grow. Historically the Council had been indecisive resulting in investors choosing to go elsewhere or not investing at all.
- The CBD blueprint had been discussed for over a decade but now after a year it looked much stronger and would showcase seven of those developments and instil confidence in civic investments.
- Council was not responsible for the entire investment in the CBD but Council's investment sent a strong signal. There was confidence in the Council by the private sector which would encourage further investment.

4 ACCEPTANCE OF LATE ITEMS

4.1 Acceptance of Late Item - Te Manawataki o Te Papa Limited Board

A report from the Te Manawataki o Te Papa Limited Board was tabled

RESOLUTION CO12/23/1

Moved: Commissioner Shadrach Rolleston

Seconded: Commissioner Bill Wasley

That the late item tabled report from Te Manawataki o Te Papa Limited Board be received and considered at the meeting.

CARRIED

5 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN

Nil

6 CHANGE TO THE ORDER OF BUSINESS

1. Te Manawataki o Te Papa Limited Board report and presentation would be considered after the first two reports, the Overview and Design and Cost update.
2. Recommendations from Te Manawataki o Te Papa Limited Board Report and the Design and Cost Update report would be revisited after the presentation from the Board Chair Kim Wallace.
3. Recommendations (h) and (i) from the Design and Cost Update report relating to delegations to the Chief Executive to enter into contracts on behalf of Council and transferring attachments into the public, could not be considered until there was a financial strategy in place and therefore would be considered after the Financial Strategy recommendations had been dealt with. There was a recommended condition (h) (iii) that would require Council to go into public excluded to consider due to the commercial sensitivity around this condition.
4. The recommendations of the Financial Strategy would be considered after the Asset Realisation Reserve recommendations had been considered.

7 CONFIRMATION OF MINUTES

7.1 Minutes of the Council meeting held on 3 July 2023

RESOLUTION CO12/23/2

Moved: Commissioner Bill Wasley

Seconded: Commissioner Shadrach Rolleston

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

CARRIED

8 DECLARATION OF CONFLICTS OF INTEREST

Nil

9 DEPUTATIONS, PRESENTATIONS, PETITIONS

Nil

10 RECOMMENDATIONS FROM OTHER COMMITTEES

Nil

11 BUSINESS

11.1 Te Manawataki o Te Papa - Overview Report

Staff Marty Grenfell, Chief Executive
Christine Jones, General Manager: Strategy, Growth & Governance
Gareth Wallis, General Manager: City Development & Partnerships

Key points

- The report gave the history of the development of the projects noting the adoption of the master plan in 2021 and \$303.4M included in the 2022 Long Term Plan Amendment (LTPA) to proceed with the development.
- The Otamataha Trust had signed a co-ownership and formed a charitable trust for Site A and a Council Controlled Organisation (CCO) was set up to oversee the delivery of the programme.
- There were still a number of gateways to be met to proceed to the completion of the detailed business case, the financial strategy and cost estimates all of which had been covered in reports to the meeting to allow Commissioners to be given the confidence to proceed.
- The Chief Executive commended staff and consultants for all of the reports put forward to the meeting.

Discussion points raised

- Commissioner Tolley noted that the process had gone on for a long period of time. It was important that the Council partnered with the private sector to maintain the centre of the city as the heart of the city.
- National media had recently shown that the city centre had died, which had happened over time as Council did not partner to rebuild or maintain it. Credit goes to those businesses who were still doing business.
- Te Manawataki o Te Papa was the focus of the Commission to invest in community, its infrastructure and transport systems to enable the city to develop and grow over time.

- The re-energising of the city centre would provide a centre for all to be proud of, a place to take and meet people, to gather and to provide opportunities to further enhance the tertiary education role, professional offices, retail and entertainment. The precinct would provide people with a range of activities and an integrated campus approach, working together not just for those who live here, but also for others who come to Tauranga each year.
- Urbanisation intensification along Cameron Road would also reduce car dependence, carbon emissions and congestion and reshape the city's growth into the future by attracting more people to come in to live, work and play.
- The business case looked at all of the benefits, including environmental benefits, and quantified them as much as they could be. There were a number of intangible social, community and amenity benefits noted as fundamental foundations of the city that would give the city a true meaning as well as celebrating the cultural aspects.

RESOLUTION CO12/23/3

Moved: Commissioner Stephen Selwood

Seconded: Commissioner Shadrach Rolleston

That the Council:

- (a) Receives the report "Te Manawataki o Te Papa - Overview Report".

CARRIED

11.2 Te Manawataki o Te Papa - Design and Cost Update Report

Staff Gareth Wallis, General Manager: City Development & Partnerships
Mike Naude, Director of Civic Developments

External Wayne Silver, Director Willis Bond – via teams
Rohan McCain, Willis Bond

Presentation by Wayne Silver

Key points

- Mr Silver acknowledged the enormous effort from everyone to bring the project status to this point including the number of packages which were at different stages of design.
- As the designs evolved the pricing of each project would become more precise.
- The Masonic Park budget was below the costings estimated in December 2022 as they were able to realise savings and crystallise the costs before it went to tender.
- The Library and Community Hub was the next project to be developed and was currently in the detailed design stage.
- Baycourt was the least detailed developed project and had not commenced any detailed planning as the scope was still being debated by Council.
- The cost for the Library and Community Hub had come in at \$240,000 over the December 2022 estimate, following the teams finding a total of \$1.5M in achievable savings. The team were confident that they would be able to find \$240,000 to bring the total cost to \$91.5M.
- Willis Bond was able to inform the costs for 90 Devonport Road to these projects in relation to the wooded structure. \$800,000 in additional costs were included as a basis of the learnings from that consenting process and would be absorbed into the costs.
- Preserving the contingency and escalation allowances of 14% was important in terms of risk management before letting construction contracts and to cover any unknown events.
- The Exhibition Centre and Museum was 60% through the developed design with work now being focused around the component parts of the facade, how they fitted around the building and the cost.
- The ground floor had been completely redesigned with the café and merchandising area opening out to Hamilton Street. Also because of the evolution of work and the height and

length of that area a hybrid of wood and steel framing would be used to reduce the number of columns needed. This would also allow a better visitor experience and layout for exhibitions, especially international grade exhibitions and would not affect the greenstar rating.

- The costs for the Civic Whare, Exhibition and Museum was \$2.7M over the previous estimate but they were highly confident savings could be achieved through the developed design. The project was due for completion in 2028.
- Landscaping was 50% developed designed which included safety and security issues for the public with refinement of the ramping and street furniture. \$300,000 had already been identified in savings to bring it within budget and there was a total escalation and contingency of 27% as any work coming out of the ground was always a bigger risk area.
- Project packages had been identified with LT McGuiness in a logical construction order to determine how to physically set up the site, provide work access and unload vehicles.
- Landscaping sat within each of the building packages as the public needed to access the buildings safely once each was completed.
- Masonic Park would be completed over the next 12 months, enabling works commenced on the library and community hub ready to start construction in February 2024 and the Civic Whare, Exhibition and Museum enabling works would be started in March 2024.
- The total variance of 1.18% was an achievement given the amount of additional detail included in each of the projects.
- Risks included the building of a wooden structure as there was no national standard making it a challenge for all to smooth out the consenting path; identifying and approving value engineering and the purchasing and pre committing of timber and steel prior to approval. A prompt turnaround was required to continue to work together and commit to the programme.
- The capacity of local sub-contractors was also a risk as there would be a lot of construction going on in the CBD. The programme was designed to accommodate a seamless transition of trades and this should be readily achievable with an approved pipeline of works.

In response to questions

- In relation to cost savings with the value engineering, it was noted that this cycle was gone through with each project all day every day, to continually identify opportunities to interrogate the designers and costs and come up with a package of options for Council to decide on.
- Key risks included subcontractor capacity, scope creep, escalating costs and the like. While the Te Manawataki o Te Papa Board were confident there was a clear mandate, there were still items into the future that were unknown.
- All value engineering options would be listed with potential savings so that the Council could prioritise and select which ones to implement.
- Each of the buildings were complementary to one another so an integrated construction programme with builders and designers was enormously valuable and would save costs. Any plans to re-establish on site at a later date would be more expensive.
- The provision of shade over the stage in the amphitheatre was still a work in progress.
- The handover of the library and community hub for the soft fit out was due in January 2026 with it due to open to the public in the second quarter of the year.
- A flythrough presentation of the Library and Community Hub was provided.

Discussion points raised

- The archaeological site within the development provided an opportunity to tell the colonial story and more recent history which was as important as the strong mana whenua link.
- Commissioners congratulated the Willis Bond team for the work done to date and noted that keeping the increased costs at 1.18% was an excellent result. They acknowledged that staff had also worked hard to ensure the scope had not crept out and had kept focused to keep within reach of the cost.

11.2.1 Te Manawataki of Te Papa Limited – Board Report

External Kim Wallace, Chairperson

Tabled report

Key points

- The four Independent Directors all shared the vision and brought different sets of skills to the table to ensure that the projects were delivered on time, on budget and within expectations.
- Risks included cost, time and scope challenges which the Board were monitoring and managing and they were firmly committed and actively engaged in setting up strategies and relationships to achieve the goals set out in their letter and statement of intent.
- The Board intended to retain and preserve sufficient contingencies as these were absolutely critical throughout the life of the project.
- The Board had a high level of confidence that the value engineering opportunities of \$2.6M would be achieved based on the information provided by Willis Bond.
- The Board were very cognisant that Council had consulted on the project and that any overspend would be detrimental to strengthening community confidence and the project team had been instructed to actively pursue all cost estimates within the budget.
- The Board emphasises that the delivery programme should be based on the fundamental premise of a single staged programme of projects which would provide cost efficiencies and noted that if broken the project would incur high incidental costs.
- The capital project costs included fitout costs that were the subject of an ongoing review, with any changes being managed through an approval process to retain as much as practically possible within the budget.
- The Board wanted to know that the money would be available from both external and ratepayer funding so that early procurement of timber and steel could be undertaken as it presented an opportunity to manage cost escalation. The Board recommended that Council lock in the supply in the near term at the current pricing. Further information on this would be presented to the Board once a Council decision had been made to proceed with the projects.
- The Board had gained further confidence from the asset realisation reserve and the independent review undertaken and supported the maximising of external funding before the use of the airport or asset management reserve.
- The Board had met with Willis Bond and independent advisors and considered that the Development Management Agreement costs presented value for money and were reflective of the risk and project complexities. The additional benefits included their learnings from 90 Devonport Road and other similar projects they had undertaken which showed that their expertise helped manage key project risks with construction complexities and consenting issues.
- The updated Tauranga Moana Waterfront master plan would be discussed at the next Board meeting as this project had only recently been added to the Board's governance scope.

In response to questions

- The contingencies and cost escalation was considered sufficient given the phase that the design was at for each building and there were a number of value engineering opportunities that were actively being progressed to look at. The Board wanted to look more at prioritising these with Council and make recommendations to ensure any unforeseen or unanticipated events could be investigated further.

RESOLUTION CO12/23/4

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the Council:

- (a) Receives the report "Te Manawataki o Te Papa - Board Report".

CARRIED

Attachments

- 1 TMoTP Limited - Board Paper 21 July 2023 to Council meeting 24 July 2023

11.2 Te Manawataki o Te Papa - Design and Cost Update Report *(continued)***RESOLUTION CO12/23/5**

Moved: Commissioner Shadrach Rolleston

Seconded: Commissioner Bill Wasley

That the Council:

- (a) Receives the report "Te Manawataki o Te Papa - Design and Cost Update Report".
- (b) Receives the Library Community Hub Developed Design and approves the associated cost estimates.
- (c) Receives the Civic Whare, Exhibition and Museum Preliminary Design and approves the associated cost estimates.
- (d) Receives the Masonic Park Detailed Design and approves the associated cost estimates.
- (e) Receives the Civic Precinct Landscaping 50% Developed Design and approves the associated cost estimates.
- (f) Reallocates \$1.0 million unspent Civic Heart Demolition budget to Te Manawataki o Te Papa.
- (g) Requires that the overall cost estimate will be further refined, including exploring value engineering opportunities during the detailed design phase of the programme, to within a revised budget of \$306.3 million (\$303.4 million approved in May 2022, \$1.88 million approved in March 2023 and \$1.0 million Civic Heart demolition underspend).

CARRIED

Attachments

- 1 Presentation - Willis Bond Te Manawataki o Te Papa

11.3 Te Manawataki o Te Papa Business Case

Staff Christine Jones, General Manager: Strategy, Growth & Governance
Sarah Stewart, Principal Strategic Advisor

External Edward Guy, Managing Director Rationale Consulting
Malcolm Gibb, Contractor, Rating Review – Finance

Presentation and tabled replacement page 131 attached.

Key points

- The business case was started some time ago with cost estimates being included in various budgets. \$306.3M had now been approved by way of a Council resolution for Willis Bond to design, with Council agreement sought for final approval.
- Mr Guy tabled an updated Figure 40 Benefits Map (replacement page 131 of the Business Case) and apologised that the figure had not been updated in the agenda.
- Mr Guy provided an overview of the history, information gathering, refreshments undertaken and multi criteria analysis to show how they got to this point of validation of the service delivery being provided, the number of visitations and the multitude of benefits being invested in.
- Core investment objectives were tracked and monitored including the wider economic benefits, inclusiveness and attracting people to the precinct giving a promotor score of 35.
- The investor logic map noted the problems, how to measure the benefits and the response to attract people and businesses to the area. Council was currently failing to meet arts, culture, heritage and manakitanga outcomes and the proposal created opportunities to deliver these, including an enhanced sense of inclusiveness and belonging and an understanding of what Tauranga represented.
- Multi criteria analysis included options based on investment objectives, cost, risk and other business needs to be able to see where the value was delivered.
- Visitation model figures were conservative and work was continuing on each of the elements comparing them with other cities with similar facilities.
- The cost benefit analysis currently sat between 1 and 2.
- The benefit map identified core investment objectives, all of which tied into Tauranga City Council's strategic directions and delivered a vast array of objectives.

It was agreed that the meeting would continue past the two hour requirement and adjourn for a break at the conclusion of this item.

In response to questions

- The projects created a much safer environment for workers and visitors due to the increased number of people that would be in the area.
- The analyses included in the case study had erred on conservatism all the way through. GHD had done some of the work and made recommendations.
- The \$26M included in the Opex budgets going forward was additional to existing budgets.
- The depreciation on the services Council currently had were accepted, but there would be additional depreciation and costs based on assumptions including additional staff and increased visitations. There would be additional costs for a higher level of service.

Discussion points raised

- Commissioners gave thanks to all involved in the compilation and presentation of the business case, and especially to Sarah Stewart for her input.

RESOLUTION CO12/23/6

Moved: Commissioner Stephen Selwood

Seconded: Commissioner Bill Wasley

That the Council:

- (a) Receives the report "Te Manawataki o Te Papa Business Case"; and
- (b) Adopts Te Manawataki o Te Papa Business Case that recommends proceeding with the delivery of the programme of works, subject to the replacement Figure 40 (page 131) as tabled at the meeting; and
- (c) Delegates to the Chief Executive the authority to rectify any minor errors or omissions that are identified in the Te Manawataki o Te Papa Business Case prior to publication.

CARRIED

Attachments

- 1 Presentation - Business Case
- 2 Tabled document - Business Case replacement page 131

At 12.55pm the meeting adjourned.

At 1.29pm the meeting reconvened.

11.4 Financial Strategy - Te Manawataki o Te Papa

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

Presentation attached.

Key points

- The Strategy was based on assumptions as noted in other reports and would be funded from a mixture of ratepayer and external funding, including an airport activity contribution and asset realisation fund. Further work was to be done on this and reported on in the future.
- Changes were noted since the adoption of the LTPA with the total budget of \$303.4M increasing to \$306.3M.
- The Government had indicated a reduced or redacted amount of funding being received due to the recent flooding events in the country.
- There was a lot of work going on to realise opportunities.
- An appropriateness assessment was undertaken with the airport activity including how many visitors travel by other means, international visitors, domestic visitors from outside the region and inside region and how the airport was affected. A conservative approach was taken based on a series of assumptions, with sound processes and methodology. Air NZ had signalled that they agreed with the assessment, however further work was to be undertaken in consultation with them.
- Any community amenity or IFF levy for the ratepayer share would need to go through a public process.
- Three attachments were also to be dealt with in Public Excluded.

Discussion points raised

- Commissioners acknowledged TECT as a founding funder with their contribution of \$21M noting that it provided strong recognition of confidence and support for the project.
- Funding conversations needed to be held with neighbouring councils as these projects were building the heart of the region.
- Commissioner Tolley noted that as the fifth largest city it was time that Tauranga got more assistance from central government than the \$14M noted to provide these cultural facilities.

RESOLUTION CO12/23/7

Moved: Commissioner Stephen Selwood

Seconded: Commissioner Shadrach Rolleston

That the Council:

- (a) Receives the report –“Financial Strategy – Te Manawataki o Te Papa”.

CARRIED

Attachments

- 1 Presentation - Financial Strategy

11.5 Asset Realisation Reserve

Staff Christine Jones
Simon Collett, Manager: Commercial Property

Presentation attached.

Key points

- Establishing the reserve was commencing a process, not deciding to sell as the normal Council policies would still need to apply.
- The assessment process included identifying assets that were not required for core Council business or be managed in a different way.
- Policy and legal considerations included proceeds going to debt repayment, however the Council had the discretion to apply these separately by way of a resolution to any other purpose. If a decision was inconsistent with the policy the process needed to be transparent and prescribe why and the policy amended for the future.
- An annual review of properties would be undertaken, with potential sites being managed through the reserve approach.
- Two attachments were included in the public excluded section of the agenda.

RESOLUTION CO12/23/8

Moved: Commissioner Bill Wasley

Seconded: Commissioner Shadrach Rolleston

That the Council :

- (a) Receives the report "Asset Realisation Reserve".
- (b) Approves the creation of an Asset Realisation Reserve approach which will be used to:
 - (i) Manage Council properties and assets, initially acquired from sources other than the Strategic Acquisitions Fund, which have been assessed as:
 - No longer needed for operational or strategic purposes, or
 - Identified as available for disposal (externally or to a Tauranga City Council activity) to achieve a strategic purpose and a defined trigger or timeframe for that disposal has been determined; and
 - Includes, for avoidance of doubt, assets associated with commercial activities that Council no longer wishes to own or operate.
 - (ii) Hold the resulting sale proceeds from Council properties and assets.
 - (iii) Fund Council capital projects, with the decision to fund capital projects from the Asset Realisation Reserve to be made via Council resolution.
- (c) Approves that on sale of assets managed through the Asset Realisation Reserve approach, any debt associated with that asset will be not repaid unless Council, by further resolution, determines full or partial debt repayment shall occur.
- (d) Notes that property or an asset identified to be managed through the Asset Realisation Reserve approach is not necessarily a decision to sell that property or asset, but a recognition that the property/asset is no longer required by Council for operational purposes or is available for strategic disposal.
- (e) Notes that an annual review of Council's property holdings will be undertaken, with those properties which are identified as no longer required by Council for operational purposes or are available for strategic disposal managed through the Asset Realisation Reserve approach.

- (f) Notes that the potential sale of any Council properties or assets held by the Asset Realisation Reserve will be assessed and managed on a case-by-case basis and in accordance with Council's legislative requirements and policies, including the Property Acquisitions and Disposals Policy and Significance and Engagement Policy.
- (g) Approves all the properties listed in Attachment 1, subject to not being required for any alternate operational purpose, being managed through the Asset Realisation Reserve approach and approve staff to progress the sale or potential sale of those properties.
- (h) Approves the Asset Realisation Reserve to be used as a source of funding for the Te Manawataki o Te Papa project in the first instance.
- (i) In accordance with section 80 of the Local Government Act notes that, with respect to the decision to hold sale proceeds in the newly established Asset Realisation Reserve:
 - (i) The decision is inconsistent with the Property Acquisitions and Disposals Policy (section 5.8.5) which states that proceeds from the disposal of surplus property will be returned to the council activity that funded the purchase; and
 - (ii) The reasons for the decision are addressed in this Asset Realisation Reserve Report; and
 - (iii) Council intends to amend the Property Acquisitions and Disposals Policy to accommodate the decision.
- (j) Retains the information contained within Attachments 2 and 3 in public excluded until the respective property sale has been completed. Details associated with unsold properties will remain confidential and are to be redacted from any public release.

CARRIED

Attachments

- 1 Presentation - Asset Realisation Reserve

11.4 Financial Strategy - Te Manawataki o Te Papa *(continued)*

RESOLUTION CO12/23/9

Moved: Commissioner Shadrach Rolleston

Seconded: Commissioner Bill Wasley

That the Council:

- (b) Approves the Financial Strategy – Te Manawataki o Te Papa with the following key elements:
 - (i) Reconfirmation that the ratepayer funded loan shall be a maximum of \$151.5 million; and
 - (ii) Council will seek to maximise external funding sources, including grants and development contributions; and
 - (iii) To the extent that the funding sources (b)(i) and (b)(ii) are insufficient to fund the full capital costs, the balance will be funded by:
 - Airport Activity funding up to \$13 million; and/or
 - Asset Realisation Reserve.
- (c) Notes that the decision on the quantum of airport activity and/or Asset Realisation Reserve funding to be applied to Te Manawataki o Te Papa will be made by way of subsequent resolutions of Council after consideration of what is appropriate, further legal advice on the application of the airport activity funding, the outcome of any

required consultation processes, and assessment of compliance with any relevant legal requirements.

- (d) Confirms that Council considers that sufficient funding will be available to proceed with the Te Manawataki o Te Papa investment within the approved budget.
- (e) Retains Attachments 1 and 2 in confidential to maintain legal professional privilege and to enable Council to carry out, without prejudice or disadvantage, commercial activities.
- (f) Transfers Attachment 3 into open when consultation and any associated negotiation with direct stakeholders is complete.

CARRIED

11.2 Te Manawataki o Te Papa - Design and Cost Update Report *(continued)*

RESOLUTION CO12/23/10

Moved: Commissioner Shadrach Rolleston

Seconded: Commissioner Stephen Selwood

That the Council:

- (h) Delegates to the Chief Executive authority to enter into contracts on behalf of Council for the delivery of the Te Manawataki o Te Papa (Site A) programme of works as further outlined within the Te Manawataki o Te Papa Design and Cost Update Report – July 2023 (attachment 1), subject to:
 - (i) (i) Endorsement by the Te Manawataki o Te Papa Board (Ltd.); and
 - (ii) (ii) Sufficient funds being available in accordance with the Te Manawataki o Te Papa Financial Strategy Report resolutions approved by Council at this 24 July 2023 meeting; and
 - (iii) (iii) Condition of commercial sensitivity (as per attachment 2 confidential resolution).
- (iv) (i) Transfers **Attachment 2** into the open when contract negotiations are complete.

CARRIED

11.6 Te Manawataki o Te Papa - Willis Bond - Development Management Agreement

Staff Gareth Wallis, General Manager: City Development & Partnerships
Graeme Frith, Team Leader: Legal & Business Support

External David Lambie – Consultant

Key points

- The next stages of the project were all underpinned by Willis Bond.
- The Development Management Agreement was with Willis Bond for the delivery of the Te Manawataki o Te Papa programme of works. Staff were satisfied that the detailed scoping, clear set of processes and delegations provided clarity to all.
- The agreement was consistent with the partnering agreement and the quality and performance of Willis Bond in living the values, providing the expectation of expertise and giving surety with mitigation of risk.

Discussion points raised

- Commissioners noted that the relationship had been strongly examined when Willis Bond came into the project and they had been impressed throughout the whole process to date especially

with the wider expertise they brought to the table and the pace they were able to work at.

RESOLUTION CO12/23/11

Moved: Commissioner Stephen Selwood
Seconded: Commissioner Shadrach Rolleston

That the Council:

- (a) Receives the report "Te Manawataki o Te Papa - Willis Bond - Development Management Agreement".
- (b) Delegates to the Chief Executive authority to enter into a Development Management Agreement on behalf of Council with Willis Bond for delivery of the Te Manawataki o Te Papa (Site A) programme of works as further outlined within the Te Manawataki o Te Papa Design and Cost Update Report July 2023.

CARRIED

11.7 Tauranga Moana Waterfront - Masterplan Update

Staff Gareth Wallis, General Manager: City Development & Partnerships
Mike Naude, Director of Civic Developments

Discussion points raised

- Commissioners noted that the project was a credit to all who had been working on it and looked forward to seeing it eventuate.
- The four Commissioners had chaired steering groups on all components and as such were able to raise questions throughout the masterplan process.
- Commissioner Tolley acknowledged Dean Flavell who was present at the meeting for his patience in waiting 20 years as Council's Heritage Collection Manager for the decision to be made to showcase some of the local taonga to the community.

RESOLUTION CO12/23/12

Moved: Commissioner Stephen Selwood
Seconded: Commissioner Bill Wasley

That the Council:

- (a) Receives the report "Tauranga Moana Waterfront - Masterplan Update".
- (b) Receives the updated Masterplan and acknowledges the location of the Whare Waka, and the additional pavilion/public convenience on the Strand South Reserve.

CARRIED

12 DISCUSSION OF LATE ITEMS

Nil

13 PUBLIC EXCLUDED SESSION

Resolution to exclude the public

RESOLUTION CO12/23/13

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
<p>13.1 - Public Excluded Minutes of the Council meeting held on 3 July 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)(c)(i) - The withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied</p> <p>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>Confidential Attachment 2 - 11.2 - Te Manawataki o Te Papa - Design and Cost Update Report</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>Confidential Attachment 1 - 11.4 - Financial Strategy - Te Manawataki o Te Papa</p>	<p>s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege</p> <p>s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p>	<p>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>Confidential Attachment 2 - 11.4 - Financial Strategy - Te Manawataki o Te Papa</p>	<p>s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege</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>Confidential Attachment 3 - 11.4 - Financial Strategy - Te Manawataki o Te Papa</p>	<p>s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities 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>Confidential Attachment 2 - 11.5 - Asset Realisation Reserve</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>Confidential Attachment 3 - 11.5 - Asset Realisation Reserve</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>

CARRIED

14 CLOSING KARAKIA

Commissioner Shad Rolleston closed the meeting with a karakia.

The meeting closed at 2.22 pm.

The minutes of this meeting were confirmed as a true and correct record at the Ordinary Council meeting held on 14 August 2023.

.....
CHAIRPERSON

8 DECLARATION OF CONFLICTS OF INTEREST

9 DEPUTATIONS, PRESENTATIONS, PETITIONS

Nil

10 RECOMMENDATIONS FROM OTHER COMMITTEES

Nil

11 BUSINESS

11.1 Investment of Elder Housing Sale Proceeds

File Number: A14720451

Author: Fiona Nalder, Principal Strategic Advisor
Sheree Covell, Treasury & Financial Compliance Manager

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

PURPOSE OF THE REPORT

1. This report presents community feedback received on Council's proposal to invest the elder housing village sale proceeds into housing outcomes for the city and provides a recommended investment approach for consideration by Council.

RECOMMENDATIONS

That the Council:

- (a) Receives the report "Investment of Elder Housing Sale Proceeds".
- (b) Approves investment of the total available elder housing village sale proceeds into delivering social, elder and/or affordable housing outcomes for the city.
- (c) Notes that allocation of elder housing village sale proceeds to provide \$3 million of development contribution grants, available for community housing and Papakāinga housing, was an allocation over three years via the 2021-2031 Long-Term Plan, and that these funds will be rolled over annually until fully spent.
- (d) i) Approves a further total allocation of \$3 million, \$1.5 million for registered community housing providers and \$1.5 million for Papakāinga housing funded from the proceeds of the elder housing sale, evenly distributed over years 1-3 of the upcoming 2024-2034 Long-Term Plan, and to be managed under Council's policies *Grants for development contributions on Community Housing* and *Grants for development contributions on Papakāinga Housing*.

Or

- ii) Notes that there will be no further allocation for registered community housing providers and Papakāinga housing funded from the proceeds of the elder housing sale, for distribution under Council's policies *Grants for development contributions on Community Housing* and *Grants for development contributions on Papakāinga Housing*.
- (e) Approves an initial investment of \$10 million into the Housing Equity Fund being established for the Bay of Plenty region, in the form of cash and/or property and subject to final due diligence.
- (f) Delegates the Chief Executive to develop, negotiate and execute on Council's behalf the required legal documentation for the initial investment of \$10 million into the Housing Equity Fund.
- (g) Resolves that if two Council signatories are required in respect of any of the necessary legal documentation, the General Manager: Strategy, Growth & Governance is the delegated authority to execute the legal documentation together with the Chief Executive.
- (h) Approves investment of the remaining funds (as cash and/or property), subsequent to the proceeds being available, into either the Housing Equity Fund or alternative

affordable/social/elder housing projects within Tauranga.

- (i) Notes that the decision regarding the investment of the remaining funds (i.e. investment into the Housing Equity Fund versus alternative housing projects) will be made via Council decision and will not be subject to further community consultation.
 - (j) Notes, in accordance with Section 80 of the Local Government Act, that:
 - (i) the decision in (e) above is inconsistent with the *Treasury* policy as the Housing Equity Fund does not have an approved credit rating; and
 - (ii) the *Treasury* policy is currently under review, however it is not intended to amend the policy to accommodate this decision.
-

EXECUTIVE SUMMARY

2. Council is proposing to invest the available proceeds from the sale of the elder housing villages into affordable/social/elder housing outcomes for the city. Some sale proceeds have already been used to deliver housing outcomes, including relocation of the Tauranga Women's Collective (previously named the Tauranga Women's Refuge) and a one-off allocation of \$3 million to provide development contribution grants for registered community housing providers and Papakāinga housing (this report provides an option to allocate a further one-off amount of \$3 million for this purpose).
3. In May 2023 Council consulted on using the remainder of the sale proceeds to deliver housing outcomes for the city. Specifically, Council consulted on investing an initial \$10 million into a Housing Equity Fund being established for the Bay of Plenty region, with remaining sale proceeds to be invested once they are available, into either the Housing Equity Fund or alternative affordable/social/elder housing projects within Tauranga.
4. Council received 67 responses, and 70% of these supported Council using the sale proceeds for housing outcomes. Of this 70%, 89% supported investment into the Housing Equity Fund. A small number of respondents wished to see the sale proceeds spend on elder housing outcomes specifically (rather than affordable housing more generally).
5. This report recommends that Council proceeds with its proposal to invest an initial \$10 million in the Housing Equity Fund, and that the remaining sale proceeds (once available) are invested into either the Housing Equity Fund or other affordable/social/elder housing projects within Tauranga.
6. For additional background information on the Housing Equity Fund and the full range of investment options considered by Council, refer to the 1 May 2023 Council report.

BACKGROUND

Introduction and past decisions

7. Council sold seven of its nine elder housing villages to Kāinga Ora: Homes and Communities (Central Government's public housing provider) in 2023. Two of the nine villages are currently in the process of being sold for private redevelopment.
8. When Council made the decision to sell its elder housing villages in 2018, it also decided to ring-fence the sale proceeds into an 'elder or social housing' specific reserve fund until potential application of the proceeds was confirmed.
9. In July 2022 Council adopted the following principles to guide the reinvestment of the remaining proceeds from the sale of the elder housing portfolio (including the Pooles Road property, adjacent to the Pooles Road village). Funds will be used in such a way as to:
 - Deliver an increase in public, social, affordable, and elder housing for Tauranga.
 - Minimise private individual profit.
 - Provide the opportunity to leverage additional external funds.

- Ensure funds remain within non-profit entity control (i.e. if reinvestment does return a profit, the resulting profit will be reinvested to deliver further public and/or affordable housing and would not return to Council).
 - Result in community benefit being retained long term.
10. At the same meeting, Council also:
- Authorised staff to work collaboratively with BayTrust on a co-design model for a proposed Housing Equity Fund, based on a possible Tauranga City Council investment of \$20 million plus.
 - Approved the completion of further work investigating the establishment processes, costs, governance, and potential return on investment of setting up an independent entity versus investing alongside others, such as investment into the proposed Housing Equity Fund.
11. In May 2023 Council decided to consult on the following proposals:
- To reinvest all of the available sale proceeds from the elder housing portfolio disposal into delivering affordable/social/elder housing outcomes for the city
 - An initial \$10 million investment in the Housing Equity Fund being established for the Bay of Plenty
 - For the remaining sale proceeds to be invested once they were available into either the Housing Equity Fund or alternative affordable/social/elder housing projects within Tauranga.
12. More information about the Housing Equity Fund can be found in the 1 May 2023 Council report (which is now publicly available).
13. This report presents the consultation findings and recommends next steps for Council consideration.

Summary of consultation

14. Community consultation ran from Wednesday 31 May until Monday 26 June, and was publicised via Council's newsletter, Kōrero mai - Let's talk Tauranga, print advertisements (one issue in Bay of Plenty Times and two issues in the Weekend Sun), and a media release.
15. An email update was provided to Te Rangapū Mana Whenua o Tauranga Moana Partnership and Council staff met with TCHT and Accessible Properties (two of Tauranga's largest registered community housing providers). No formal feedback was received from Te Rangapū Mana Whenua o Tauranga Moana Partnership or Accessible Properties. TCHT responded via the survey, expressing strong support for investment into the Housing Equity Fund and recommending that Council invests further available sale proceeds into the Fund, in addition to the \$10 million recommended by this report.
16. In total, Council received 67 responses. Submitters were asked to complete a short survey consisting of four questions. A small number of submitters provided feedback directly rather than completing the survey (or in addition to completing the survey). Survey responses are summarised below and with further detail provided in the attachments to this report.
17. Attachment 1 provides the long-form text responses to the survey questions and Attachment 2 provides responses from submitters who chose to provide feedback separately to the survey (or in some cases, additional to the survey). The submitters who provided separate feedback are:
- Age Concern
 - Bay Trust
 - Carole Gordon
 - Jo Gravit
 - SocialLink
 - The National Council of Women – Tauranga Branch

Question 1: Do you support Council investing the total available elder housing village sale proceeds into delivering affordable housing initiatives in Tauranga? (yes/no)

18. A total of 66 respondents answered this question, either via the survey or directly referencing it in their submission, with 46 (70%) supporting Council's proposal to invest the elder housing sale proceeds into affordable housing initiatives in Tauranga and 20 (30%) opposing it.

Question 2: Do you support our proposal to invest \$10m into the Housing Equity Fund and then allocating the rest of the proceeds (likely to be a further \$10m-\$15m, to be confirmed once the remaining sales are finalised) to either the Housing Equity Fund or other affordable housing initiatives? (yes/no)

19. Council received 46 responses to this question, i.e., every respondent who stated they supported Council's proposal to invest in affordable housing initiatives then went on to answer this question.
20. Of the 46 responses, 41 (89%) supported Council's proposal to invest \$10 million in the Housing Equity Fund, with further investment into affordable housing investment later, and 5 (11%) opposed it.

Question 3: If the sale proceeds are not used to deliver affordable housing initiatives in Tauranga, how do you think these funds should be used instead? (open text answer)

21. Council received a total of 24 responses to this question, with some people who supported investment into affordable housing still choosing to answer this question, usually qualifying their original answer. The 24 responses fall within the following categories.
22. Sale proceeds should be:
- Used for elder housing only – 14 responses (i.e. out of the total 67 responses, 21% wanted to see the sale proceeds used to deliver elder housing initiatives only).
 - Part ring-fenced for elder housing – 2 responses
 - Used to provide other types of housing (mana whenua, disaster accommodation) – 2 responses
 - Used to reduce rates – 4 responses
 - Used to fund other infrastructure (roads, playgrounds) – 2 responses
23. The responses received to this question can be read in Attachment 1. Below are two examples of these responses.
- "These funds you are getting from elderly funding should be put back into elderly funding initiatives not generally funding housing initiatives."*
- "Some of the money could be invested but the majority of it could be used to reduce the horrendous rates that we now have to pay."*

Question 4: Have we missed anything? Is there any other feedback you would like to provide? (open text answer)

24. A total of 38 responses were received to this question, with many respondents choosing to use this question as an opportunity to reconfirm the answers they had provided earlier in the survey. The full range of responses can be read in Attachment 1.
25. A small number of respondents used this question to request more information on the Housing Equity Fund and its proposed application, and some also wanted more information on what the second tranche of investment might be used to fund.

Responding to community feedback

26. Those submitters who provided email contact details will receive a response from Council outlining resolutions made in relation to this project. This will also provide submitters with the link to the Housing Equity Fund's website, proposed next steps/timeframes and a link to this report. Where submitters had specific questions, these will also be answered where possible.

Reinvesting sale proceeds into elder housing only

27. Whilst still a minority view, this was the most frequently expressed alternative option. Tauranga does have an ageing population, and as this population increases alongside growing issues of housing unaffordability and lower rates of home ownership in the 65+ age group, the need for subsidised elderly housing also increases.
28. However, this report does not recommend ring-fencing reinvestment of the sale proceeds for elder housing only, due to several reasons.
29. The mission statement of the Housing Equity Fund is:
- “To catalyse the development of the much needed, large-scale new housing supply across the Bay of Plenty for members of the community most in need of improved housing options, whilst delivering a commercial rate of return to investors.”*
30. The focus of the Housing Equity Fund is on creating housing types (typology and tenure) which are being underdelivered by the market or government, focusing on meeting the housing needs of those in the community who are being underserved.
31. This provides flexibility in the Fund to focus on meeting the needs of different communities across the Bay of Plenty (noting that funds invested by Council will only be spent in Tauranga). In Tauranga, with our growing elderly population and our undersupply of 1-2 bedroom units/housing, housing that meets the needs of elderly will naturally be a focus area for the Housing Equity Fund.
32. However, placing a contractual requirement on the Housing Equity Fund to use Council funds either only or partially on elder housing will constrain the Fund's decision-making processes further than they are already, noting that their mission statement, impact objectives and geographical ring-fencing of funds already tightly limits the types of housing projects they will be considering. The more restrictive the investment criteria, the more difficult it makes it for the Housing Equity Fund to succeed.
33. Additionally, restricting reinvestment to elder housing only does not easily allow for a change in approach if the needs of the community change over time. Finally, the current housing market and level of cross-generational housing needs are very different from what they were in 1960s-1980s when Council originally established the elder housing portfolio. Housing costs (in relation to income) are much higher now, and there is a very high level of housing need being experienced by many different age groups and household types in Tauranga.

Using the sale proceeds to reduce rates

34. A small number of respondents wished to see the sale proceeds used to reduce rates. This is not recommended by this report as using the sale proceeds to reduce rates:
- Does not meet the reinvestment principles adopted by Council.
 - Primarily benefits those who already own housing in the city, rather than targeting those in housing need.
 - Provides a limited, one-off benefit. In the 2024/2025 financial year, applying \$10 million to reduce rates would decrease rates by approximately 3.5% on average (and \$20 million would provide close to a 7% rates reduction). However, these benefits would be one-off, providing no longer term gains, unlike the benefits the Housing Equity Fund aims to deliver.

Investment of remaining funds

35. This report recommends an initial \$10 million investment into the Housing Equity Fund, with the remaining sale proceeds (once they are available) to be invested into either the Housing Equity Fund or alternative affordable/social/elder housing projects within Tauranga.
36. The decisions regarding the second investment tranche would be made via Council resolution but not subject to further community consultation (unless Council no longer wished to invest these funds into affordable/social/elder housing projects within Tauranga).
37. The timing of the next round of investment will be influenced by sale processes for Pitau Road and Hinau Street elder housing villages, both of which have contracts in place but neither of which are currently unconditional.
38. It is expected that Council will decide on how to invest the remaining sale proceeds either later this year or early 2024.

Development Contribution rebates

39. In the 2021-2031 Long-Term Plan one-off funding of \$3 million over 3 years was approved to provide development contribution rebates/grants for registered community housing providers and Papakāinga housing (\$1.5m each). This was funded from the proceeds of the elder housing sale.
40. Whilst some of the grant funding available has been accessed, there is still a significant amount available for both registered community housing providers and Papakāinga housing. The lead-in time for eligible projects can be lengthy, and a number of projects expected to apply for these grants are currently in the planning stages.
41. The unspent funds will continue to be rolled over on an annual basis until they are fully spent. This report provides the option to approve a further one-off allocation of \$3 million over 3 years for the same purpose (to provide development contribution grants for registered community housing providers and Papakāinga housing, \$1.5m each).
42. If Council chooses to approve an additional allocation, this would occur as well as the second investment tranche above (however, would decrease the amount available to invest in the second investment tranche). It is not envisaged that any further elder housing sale proceeds will be used for development contribution grants.
43. The allocation of the development contribution rebates is managed under Council's policies *Grants for development contributions on Community Housing* and *Grants for development contributions on Papakāinga Housing*.

STRATEGIC / STATUTORY CONTEXT

44. Council is committed to addressing housing needs in the city as a strategic priority. The sale of the elder housing villages, and the subsequent reinvestment of sale proceeds into housing outcomes for the city, supports the delivery of this strategic priority and the community outcome 'A well-planned city'.
45. Investing in delivering housing outcomes for the city also aligns with local government responsibilities under the Local Government Act 2002 to promote the social, economic, environmental, and cultural well-being of their communities.

OPTIONS ANALYSIS

46. The options discussed in this section include Council's preferred option, as consulted on, together with alternative options drawn from key feedback themes received as part of the consultation process.
47. Council's preferred option is the recommended option and aligns with the majority of public feedback.

Option One: Invest initial funds into the Housing Equity Fund and invest remaining funds into either the Housing Equity Fund or other housing alternatives. Investment staggered over time. RECOMMENDED OPTION

48. Council initially invests \$10 million into the Housing Equity Fund, as cash and/or property. As further sale proceeds become available, notably the proceeds from the sale of Pitau Road and Hinau Street villages, Council will invest the remaining funds (as cash and/or property) either into the Fund or into alternative affordable/social/elder housing projects within Tauranga. The decision to invest further sale proceeds into the Housing Equity Fund will depend on the status of the Fund, the potential projects in Tauranga, and the availability of possible investment alternatives. (This option will result in no change to Council debt levels.)

49. Key risks:

- That it is more difficult for the Housing Equity Fund to achieve success in Tauranga, due to having a smaller amount of funding available (at least initially).
- That the Housing Equity Fund is unable to secure other funding to bring it up to the \$50 million cash funding indicated as necessary for viability.

Advantages	Disadvantages
<ul style="list-style-type: none"> • Limits Council’s exposure to risk, retaining some of the elder housing sale proceeds for investment at a later decision point (into the Housing Equity Fund or other projects). • Aligns Council funding into the Housing Equity Fund with that of other parties (BayTrust & TECT) who have also committed \$10 million. • May encourage additional investment into the Housing Equity Fund by other investors. • Reduced risk of inadvertently creating CCO, at least in the short-term¹. • Delivers long-term housing outcomes for the city, with the potential for fund recycling to over time provide greater benefits than one-off grants or investments. • Relatively low ongoing time and cost burden for Council, as Council is not directly delivering projects. • Provides the opportunity for Council to consider further investment into the Housing Equity Fund alongside other housing initiatives which are not yet ready for investment, but which may provide opportunities in the future (such as the Council owned land earmarked for housing at Smiths Farm and Poteriwhi). 	<ul style="list-style-type: none"> • Risk is passed to third party so reliance on due diligence and ongoing monitoring is high • Capital and control is passed over to third party, limiting Council’s influence over outcomes.

¹ See *Legal Implications / Risks* section of this report for more information.

Option Two: Invest the sale proceeds, wholly or partially, into the Housing Equity Fund with additional requirements allowing the funds to be used to deliver initiatives which provide affordable housing for elderly only (i.e. housing targeted at 65+ years). NOT RECOMMENDED

50. Council invests into the Housing Equity Fund but places additional contractual requirements that limit the application of Council provided funds to elder housing initiatives only.

51. Key risk:

- That it is more difficult for the Housing Equity Fund to achieve success in Tauranga, due to additional restrictions on how they can apply funding (noting that any funds provided by Council are already ring-fenced to Tauranga City).

Advantages	Disadvantages
<ul style="list-style-type: none"> • Ensures housing is delivered which meets the needs of vulnerable elderly in our city. • Relatively low ongoing time and cost burden for Council, as Council is not directly delivering projects. 	<ul style="list-style-type: none"> • Does not provide any opportunity to meet the housing needs of other underserved groups • Further restricts the Housing Equity Fund’s ability to choose their projects based on the best overall outcomes (noting that geographical restrictions already exist for the Fund). • Provides reduced flexibility for the Housing Equity Fund, making it difficult to change focus if community needs change over time. • Risk is passed to third party so reliance on due diligence and ongoing monitoring is high • Capital and control is passed over to third party, limiting Council’s influence over outcomes.

Previously considered options

52. Options discussed in the previous report to Council and which Council decided not to proceed with:

- Council invests all the funds into partnerships directly with existing CHPs/Trusts on project-specific initiatives
- Council invests the total available elder housing village sale proceeds, as cash and/or property (expected to be \$20 million plus), into the Housing Equity Fund, noting that the investment would be staggered over time as further funds become available (sale proceeds from the Pitau Road and Hinau Street villages). Unlike the recommended option, this option does not allow for Council to consider other affordable housing initiatives alongside the Housing Equity Fund.

53. For more information on these options, refer to the report ‘Reinvestment of Elder Housing Sale Proceeds’ from the 1 May 2023 Council meeting.

FINANCIAL CONSIDERATIONS

54. The Tauranga Women’s Collective (the Tauranga Women’s Refuge) was moved from their previous premises at Pooles Road, allowing the site to be sold as part of the elder housing portfolio (as it was adjacent to the Pooles Road elder housing village). Past reports have

sought approval to fund the relocation of the Collective from the elder housing sale proceeds, at a total estimated cost of \$3.2 million. These approved costs included:

- Purchase of a new property for \$850,000 (complete)
- Renovation of Council owned property for \$350,000 (complete)
- Up to a further \$2 million to fund internal transfer and debt retirement for Council owned property.

55. The internal transfer and debt retirement for the Council owned property has now been completed at a total cost of \$650,000, substantially less than the initial estimate of \$2 million (which was based on estimated market value, rather than actual costs to Council). This will positively impact on the overall net proceeds available for reinvestment.

56. The table below provides a summary of estimated costs and revenue.

Summary	Cost
Total proceeds (estimate)	\$43,600,000
Expenditure to date	(\$6,500,000)
Estimated remaining funds for reinvestment	\$37,100,000

57. The consultation noted there may be a further \$10 to \$15 million available for the second investment tranche (sourced from the estimated remaining funds for reinvestment in the above table). However, it may be higher than \$15 million. This will depend on the final sale proceeds for Pitau Road and Hinau Street villages, and as these sales are not yet unconditional, the final sale proceeds are not known.

LEGAL IMPLICATIONS / RISKS

Development of legal documentation

58. The legal documentation required for the investment in the Housing Equity Fund is currently under development. Council’s Manager: Commercial Property is the internal lead for this work. Specific consideration will be given to the risks of inadvertently creating a Council-controlled organisation², and mitigations developed to address this.

59. If Council decides to proceed with investing in the Housing Equity Fund, there will be an external review of the legal documentation prior to execution (as per Council’s standard due diligence processes).

Treasury Policy

60. Investment in the Housing Equity Fund does not adhere to investment guidelines in Council’s *Treasury* policy as the Fund does not have an approved credit rating. Whilst the Housing Equity Fund will aim to provide commercial returns of 4% per year, the Fund is motivated by social outcomes rather than financial returns (impact investment) and this is reflected by its adopted mission statement and impact objectives (www.bophef.info).

61. Council is joining other organisations, such as Bay Trust and TECT, in investing in the Housing Equity Fund. These organisations have experience and a strong track record in impact investment and have been involved, along with Council, in the development of the Housing Equity Fund model.

62. Overall, investment in the Housing Equity Fund carries a higher level of risk than Council’s typical investments, which are governed by *Treasury* policy. However, given the intent of this investment, which is motivated by outcomes rather than financial return, and Council’s awareness of the risk, an exemption from the *Treasury* policy is considered acceptable in this instance.

² If a council (or councils, collectively) contributes more than 50% of funding (or controls more than 50% of board members) an entity becomes a Council-controlled organisation under legislation.

SIGNIFICANCE

63. 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.
64. 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 decisions.
 - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
65. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the decisions are of medium significance.

ENGAGEMENT

66. Taking into consideration the above assessment, that the decisions are of medium significance and that consultation has occurred, officers are of the opinion that no further consultation or engagement is required.

NEXT STEPS

67. The next steps, depending on Council's decisions today, will be to complete due diligence on the legal documentation required for investment into the Housing Equity Fund, and to prepare documentation for execution.
68. Following this, later in 2023 or early 2024, a report to Council will recommend an approach for the second tranche of investment. The timing of this report will be influenced by the sale processes for Pitau Road village and Hinau Street village.

ATTACHMENTS

1. **Text responses - Survey - A14900263** [↓](#) 
2. **Individual submissions - A14900298** [↓](#) 

ATTACHMENT 1

Survey Responses

If the sale proceeds are not to be used to deliver affordable housing initiatives in Tauranga, how do you think these funds should be used instead?

<p>The vast majority of the funds should be used to "enable growth of the elder housing portfolio" - TCC's own words in proposing the sale. At the time it was stated that there is "evidence of rapidly growing demand for affordable rental elder housing in Tauranga."</p>
<p>These funds you are getting from elderly funding should be put back into elderly funding initiatives not generally funding housing initiatives</p>
<p>They should only be used to provide affordable housing for the elderly. I feel you have robbed the elderly of Tauranga by selling these properties, without consultation from the rate payers. I feel the amount paid was well below market value. As I sad you robbed the elderly of Tauranga by taking away their housing.</p>
<p>deliver affordable housing for elders of any race</p>
<p>Playgrounds in suburbs around Tauranga region</p>
<p>The TCC should be concentrating on keeping the city moving ahead by doing what you are suppose to do effectively and efficiently. TCC is not a bank. TCC is not a road safety seat belts educator. Stick to getting the basics right. Report card currently sitting at a poor "D".</p>
<p>Elder housing villages</p>
<p>I support this in part, as I believe that moving forward collaboration between agencies is necessary. However I believe TCC has largely ignored and not invested or adequately supported or considered their role in ensuring mana whenua and hapu communities have access to affordable housing. Some of these proceeds should be allocated to.mana whenua projects, particularly Ngai Tamarāwaho and Ngāti Ruahine. These communities in particular have struggled to provide affordable. Safe, warm housing, and have suffered adversely through the development of Tauranga City and land loss.</p>
<p>reduce TCC debt</p>
<p>Credit our rates</p>
<p>Some of the money could be invested but the majority of it could be used to reduce the horrendous rates that we now have to pay</p>
<p>To keep our general rates under control, and to expedite the Cameroh Rd shambles.</p>

<p>Affordable housing for the elderly. Replace what was there. Not taking social housing for all which is government responsibility</p>
<p>First of all - by clicking "no" to the proposed equity fund I did not say that the funds should not be used for housing initiatives. My concern is that there are no guidelines as to what the housing equity fund will actually fund. My concern is for vulnerable elderly now and going forward. Many "baby boomers" have done well, working hard & saving for their retirement. Many other elderly have worked hard, but through no (or little) fault of their own have found themselves with no (or little) equity and getting too old to work (e.g. business failures, divorce and expenses for their children or for their health). These people cannot afford to rent in the open market on the income from NZ superannuation. They cannot afford the retirement villages which steal a lot of equity from retirees (fine, if you can afford it), but need support and to be close to health services and family. I have seen this coming for a long time and have been long concerned about it; knowing people who are on the slippery slope to this problem. Now the elderly of Tauranga have lost another (albeit small) avenue for affordable housing & I submitted against this sale. There is no guarantee that the government department can be trusted to continue to run those villages for the elderly; and probably won't into the future given their track record. Also, two housing complexes at Mount Maunganui lost altogether to developments for the wealthy. The homelessness of elderly has already started in NZ. I am advocating for a minimum investment by the Housing Equity Fund to address those issues. Start developing appropriate solutions now and more going forward. The Abbeyfield WBOP Trust has some ideas/projects around this. In Australia many elderly live in tiny homes or relocatable trailers in well-kept trailer parks. The roads and communal facilities are communal for a small fee and the trailers homes are owned by the resident (much cheaper than a normal house or unit). Each unit has space for a car and a small garden. I am sure there are other solutions. Please consider the plight of the retirees who are, or will be, struggling and make provision to plan for that now. Thank you, Melanie Norton.</p>
<p>Building structures to cater to "new zealand residents" only for such things as flooding, bank slides, and things of that nature. It is apparent that Tauranga does not have the capacity to home people who are affected by these forces of mother nature and planning now will ensure the safety of residents who are affected. Mark my words heavy constant rainfall impacts the city of Tauranga and its neighboring suburbs and I'd like to think that the Council has channeled funds towards this as it is not a matter of "if" but "when". Are your families secure in case of a natural disaster of this type? Do they have somewhere temporary to home them should they be caught in such a catastrophe???</p>
<p>In affordable housing but not necessarily through HEF. This structure will be very expensive and we need reassurance that it is sound. Has it been used elsewhere? What are the set up costs and how much has been spent so far? TCC must use money obtained from elder housing for housing older people in the community, not as part of the 6 housing types listed.</p>

<p>Our answer was intended to be a combination of yes and no. These funds should be all be reinvested into affordable housing for elders. There is a rapidly growing elder population and many need more affordable homes. We are concerned that the Fund may not be the best means of directly benefiting elderly in the city. (Glen Crowther, Sustainable Bay of Plenty)</p>
<p>I think they should be ringfenced and used only for elder housing.</p>
<p>Council should reconsider. Older ratepayers are the city's backbone and our housing needs should be prioritised</p>
<p>The sale should have never proceeded as it has deprived many elderly of affordable housing</p>

Have we missed anything? Is there any other feedback you would like to provide?

<p>No, totally agree</p>
<p>The amount being provided to the HEF is the minimum that should be allocated. More should be provided if it becomes available. Discussions with Community Housing providers should be held regarding the Mt properties. Whilst they are deemed unsuitable for public housing, they are very suitable for community housing. (TCHT)</p>
<p>Can you please provide some further clarity on the use of funds resulting from the sale and make sure that information is available for all to see? 32m sale proceeds less initial \$10m investment, less 10-15m second investment round (itself a very large range), leaves 7m balance from the sale of these assets. What has happened to the other 7m (potentially 12m) and why was this not also invested into same housing fund as suggested? Losing this difference into the general TCC funds is not what was signalled upfront and having this invested alongside the initial 2 sums, would significantly help achieve affordable housing.</p>
<p>really important to prioritise affordable community owned housing</p>
<p>I think it is a great idea - definitely needed in Tauranga</p>
<p>We need to know a lot more detail on how the fund will be managed and investment criteria. We also need more information on all the options for the additional monies</p>
<p>Whilst I support this initiative, especially the co-collaborative funding approach I have two questions 1. What are the remaining 7.5 million dollars from the sale being used for? 2. Given our aging population and the knowledge we now have about the lack of long term wealth for our less affluent aging population what provision is being made specifically for units that are only for elders who meet low income criteria. I believe that, given where the funds are coming from, that is the sale of all of our elder housing units, that such a provision is essential? Such an undertaking needs to "cast in stone" for the future.</p>
<p>Yes - what is the Housing Equity Fund? We need to know more about "the Housing Equity Fund". Currently it's an opaque black box</p>

<p>Don't give a house to anyone without making them pay a reasonable rent. And make them look after and take pride in the property as if they owned it.</p>
<p>ensure affordable housing is available for all who need it</p>
<p>Why are you selling off elder housing when there is great need?</p>
<p>Housing is not a role of local government. It is a central government responsibility. Get back to doing what you are suppose to be focusing on Roads , footpaths , sewage and water and city wide amenities.</p>
<p>I agree, we are in desperate need of affordable housing choices in Tauranga. I would like to see more detail or examples of what the 'other' initiatives mentioned might be. A portion could create a fund to support research, innovation and support of local equitable housing choices, especially for those who struggle to maintain housing?</p>
<p>I believe the council needs to monitor their spending in almost every part of there daily work there is a huge waste of money I noticed every day</p>
<p>Reconviger the Greerton roundabout or at least take away the three fingers protruding from the roundabout that makes every vehicle have to use the roundabout. Not rocket science!</p>
<p>More detail on what will be done with this money!</p>
<p>I hope some of the housing is at wider Mount Maunganui - it can be a good place for older people to live, with many relevant services available, even if the flats sold weren't the right type of accommodation.</p>
<p>No</p>
<p>I would like to be informes of and better understand the history of each of the 9 elderly housing properties. How was the land acquired, should it have come under the RFR policy, and what is the impact on mana whenua and tangata whenua?</p>
<p>I am not sure that many people understand the affordable housing initiative, and it is untested. It appears that TCC has largely moved away from social housing, with much less focus on providing affordable housing for Tauranga residents. While I support the proceeds from the sale of elder housing being spent to achieve affordable housing, I have no idea of who will benefot and how many people will be able to take advantage of it. It appears to me that more social housing has been lost, than has been built and I have not seen any plan to end the housing crisis in Tauranga. A plan is badly needed with input from all agencies involved in housing.</p>
<p>TCC withdrew from providing these village's , right or wrong. Why then go back into the same .TCC has proved that they are not capable of the provision of these services , they were terribly run down and not up to standard to the point that they withdrew as they were not up to the standard s per rental property standard.,.I am discussed at the dicount deal that the achieved with the Housing Corporation.Imagine what TCC could have achieved if they had redeveloped these villages under the new town planning rules They will have no where near the impact they could have achieved if they had not sold these valuable large land properties ,</p>

<p>Yes you've missed the fact that at a time when the need for specifically elder housing has increased exponentially council (except we don't actually have an elected one) have chosen to divest themselves of the elder housing portfolio. There is a housing shortage with one and two bedroom dwellings being particularly difficult to find, not to mention less pensioners owning their own homes today than in previous generations. For many of these people who are only reliant on the pension private rent barely leaves enough to survive, not to mention there is no security of tenure. Not only are there not enough social houses to fill the gap but pensioner villages were unique in that they catered specifically for the elderly whose needs are very specific. At a time when these needs are so demonstrable it is deplorable that council (or rather what passes for one) could agree to the continued sell off of this housing.</p>
<p>Purchase other properties for the same initiatives around Tauranga Moana and mount Maunganui. A house next to the soccer fields in mount Maunganui was purchased and will be made into a car park, this should be used for housing those in need. If your going to provide housing for those in need please be consistent.</p>
<p>These sale proceeds should not be used for housing we have special govt agencies are skilled in handing tenants. We are all struggling with rate increases and body of living now . These funds need to come back to ratepayers your investors .</p>
<p>Really no use</p>
<p>We need to provide warm, safe housing for the most vulnerable in our communities including over 65's, currently homeless people, and those on low incomes - especially those with families.</p>
<p>Is there more information about the housing equity fund?</p>
<p>Keep to your core responsibilities. Affordable housing for anyone, is not the function of Councils.</p>
<p>Support the elderly, not young families who can get greater MSD subsidies</p>
<p>Council should ensure the affordable housing is allocated to young working families and those on limited incomes as priority placements. Ideally locations near schools , walking distance to supermarkets</p>
<p>how do you define (AFFORDABLE) housing . is it houses for purchase or state rentals . also , as the nz aging population is growing , what future planning is included for aged community housing ? the elderly have a better quality of life when in a social environment with others like themselves , as they enjoy a daily chat or a cup of tea with a fellow retiree . they should not be hosed in private dwellings where they can become isolated from friends etc .</p>
<p>Consultation with communities where you propose to have the housing is important, due problems which may or may not be associated with this type of housing e.g. money problems, unemployment, alcohol and or drug issues</p>
<p>I think the approach TCC is taking to reinvesting the sales proceeds from the elder housing portfolio is a really good approach. Housing affordability is the worst in the country in Tauranga,</p>

<p>so this kind of work is needed to help people secure housing; people on a benefit, people who are key workers etc.</p>
<p>We do not need any more housing development. Tauranga can just barely cope with the number of people who reside full-time and temporarily as it is! Let Whakatane and Rotorua take up some of the slack in this area. Lastly, we do not need to sell to private developers! If you manage the Tauranga and its funding correctly the citizens and Council can take care of our city and plan for its future without involving private sectors who do not put the money back into our community but rather send it off shore, no matter what they say. its a common fact!</p>
<p>Ensure that a ring fenced amount is allocated to housing for superannuitants who are struggling - in keeping with the original intention of Elder Housing. Tauranga sold off the elderly housing portfolio, Council needs to ensure the profits benefit the elderly who are living in poverty. WBOPDC elder housing is full and has a waiting list - there is a need for smaller subsidised homes for our ageing population. For example the TCHT development in Bethlehem. Abbeyfield in development in Katikati.</p>
<p>no thanks</p>
<p>There is a huge need for good quality elder housing in Tauranga. Money from the sale needs to go back into elder housing and meeting the specific physical and social needs of that demographic. Retirees on government super cannot afford suitable rental accommodation in Tauranga with most private rentals starting at \$400 pw. Although an accomodation supplement is available it depends on the amount of savings the applicant has. For elders wishing to maintain their independence it puts them in the difficult position of having to become a flatmate. Having a good supply of affordable rentals that are suitable for the elderly is desperately needed.</p>
<p>An equity fund is a potentially helpful financing mechanism, but there are risks. The most important thing is those funds from the sale are optimised and invested directly to benefit elders (and disabled) housing in Tauranga. We do not believe they should be used for broader social housing, or for more indirect benefits. (Glen Crowther, Sustainable Bay of Plenty)</p>
<p>I consider it a disgrace that when the NEED for pensioner housing is at a premium, council is choosing to sell this off. More and more elders are no longer home owners. Where do they go? There ARE NOT ENOUGH social houses, social housing for just anyone does not suit older residents and while housing is a central government issue local councils should also play their part. After all they know their citizens best and where the needs are.</p>
<p>Another sale would deprive other elderly person of affordable housing in their old age. Depriving the elderly of affordable housing of their own is not going to solve the affordable housing outcomes for the city.</p>
<p>Simple. We have thousands of immigrants that need housing in our country - stop that for a few years and maybe that will house our own people</p>

ATTACHMENT 2



AGE CONCERN TAURANGA

Submission: Bay of Plenty Housing Equity Fund

**To: The Commissioners
Tauranga City Council**

26 June 2023

**Contact: Tanya Smith, General Manager
Age Concern Tauranga, 177a Fraser Street, Tauranga 3112**

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Bay of Plenty Housing Equity Fund: Tauranga City Council Investment for members of the community most in need of improved housing options

Introduction

We welcome the opportunity to present our submission on the Council's proposal to reinvest part of the proceeds from the sale of its elder housing into a Housing Equity Fund (HEF).

We fully acknowledge and support the aim of the HEF to improve access to affordable housing in our community, and, to deliver affordable housing solutions for members of the community most in need of improved housing options and where these are not being adequately delivered by the market or government faced with a deepening social housing crisis and growing waiting lists for their community and pensioner housing units.

We note and endorse the intention that any funds that the Council invests will be spent within Tauranga city.

We submit however that a portion of the Council's investment in the HEF be specifically committed to meeting the acute shortage of affordable and suitable housing for the city's older citizens, given:

- a) that both the intended initial \$10 million and subsequent sums were derived from elder housing provision that no longer exists
- b) the particular and increasing housing stress being experienced by older people in Tauranga
- c) Tauranga's ageing population (and the growing number of the 'older' old in our community).

This would be consistent with principles the Council adopted in 2022 to guide future reinvestment of sale proceeds, which included that funds will be used in such a way as to: deliver an increase in public, social, affordable, and elder housing for Tauranga.

About Age Concern Tauranga

Age Concern Tauranga is an Incorporated Society, one of 32 local Age Concerns around the country, working for the wellbeing, rights, respect, and dignity of the 750,000 people aged 65 and over that call New Zealand home.

Our vision:

Older people live valued lives in an inclusive society

He pāpori e whai whakaarohia ana, e whakanuitia ana, e tautokona ana, e whai mana anahoki te hunga kaumātua

We promote wellbeing, rights, respect, and dignity for older adults. We want everyone's contribution to society valued and respected regardless of age.

We are a trusted first port of call for older people and their whānau and families in the Tauranga community, and work to assist older adults to lead healthy, independent, safe, and respected lives and to stay connected with their whānau/family, friends, and community. In our advocacy role, we are active and vocal on relevant issues.

Age Concern Tauranga provides expert information and support services in response to older adults' needs from our premises at 177a Fraser Street, Tauranga, and out into the community. We have a small office of paid staff, a volunteer elected board and a large number of volunteers (currently 150). Our current membership stands at 333 (285 households).

Position Statement on Housing

Our National Office, Age Concern New Zealand, provides leadership on a wide range of issues affecting older New Zealanders.

ACNZ has recently released a *Position Statement on Housing* which endorses the identification by the Ministry of Housing and Urban Development in its recently released statutory *Long-term Insights Briefing* of four key shifts that need to occur to support the needs of an ageing population. The Briefing considers the implications of our ageing population for our housing and urban futures, given that population ageing will increase the number of people aged 65 years and older and change the composition of our population. The key shifts needed are:

- More affordable housing
- Diversified tenure choices beyond renting or owner occupier
- Increased diversity and functionality of the Housing stock
- Neighbourhoods, towns and cities that are designed to make it easy for people to access the amenities they need to support their wellbeing (<https://www.hud.govt.nz/our-work/long-term-insights-briefing>).

Central to these shifts is enabling older people to age in place which is vital to maintaining their independence and wellbeing as active and contributing members of their communities.

Brief recap on the history of Council elder housing

It is important to emphasise the historical context behind the Council's villages and the decision to sell. We believe this establishes a strong rationale for the Council to ensure HEF funding is directed to meeting housing need among the older population.

Local government has historically been New Zealand's second biggest provider of social housing. 'Pensioner housing' as it has been commonly called resulted from a highly successful partnership between central and local government whereby councils built and administered pensioner housing complexes, on the basis of low interest loans provided by central government specifically for elder housing. With councils taking care of older citizens, central government's housing agency was able to focus on housing low-income families and individuals with complex social needs.

The partnership ended in 1991 with the removal of central government's low interest loans, following which councils questioned their ongoing role as social housing providers. Council-owned social housing units fell significantly. This is despite significant growth in the number of older citizens in the interim. A more recent compounding factor has been the decision in 2013 to exclude councils from applying to become community housing providers and be able to access the income-related rent subsidy.

At the time the Council was proposing to sell the villages, we submitted in support, subject to the proceeds being used for elder housing, recognising where the funds came from.

The housing needs of older people – housing stress

There is clear evidence of the growing need for more – not less – provision for older people facing housing deprivation in our community. 'Need' runs across those struggling to remain in home ownership because of rising costs, a rapidly growing cohort of older renters reaching retirement age who, without the capital to access retirement villages, lack adequate housing options, and long-term renters facing unaffordable rents and 'doing it tough' because of the lack of suitable rental properties. The Commission for Financial Capability (CFFC) has repeatedly stated that New Zealand Superannuation was not designed to cover rent – it assumes people at retirement are mortgage-free home owners.

Falling home ownership is driving more and more older-aged people into the private rental market. Home ownership data from the 2018 Census found that one in four 60 to 64 year-olds did not own the home they lived in. On current trends by 2053, almost half of over-65s would be renting, one estimate suggests, which would mean 640,000 over-65s, including 326,000 renters over 85.

Research commissioned by the Council has unequivocally established the acute level of housing stress in the Western Bay of Plenty sub-region. The data-backed report to the Kāinga Tupu Taskforce in September 2022, *Seniors' Housing Stress Scoping Exercise Integrated Report*¹, identified the following gaps in housing provision:

- Public, community and Council housing specifically for seniors.
- Affordable private rentals with long-term tenure.
- Affordable smaller dwellings to buy or rent.
- Alternative tenure options that are affordable.
- Kaumātua and papakāinga housing.
- Houses designed for multi-generational living.

The report highlights the experience of older people (seniors) most under-served in the housing market. They have:

- Few or no financial resources, other than national superannuation, or have not accessed national superannuation or other government benefits or entitlements.
- Physical disabilities.
- Mental health needs
- Cognitive impairment
- Dementia

¹ Dr Bev James, Public Policy and Research with CRESA Centre for Research, Evaluation, and Social Assessment.

- Addictions
- Vulnerable adult children that they care for.

To quote:

“Seniors’ housing stress in the sub-region is characterised by: • Lack of age-appropriate housing. • Lack of supports to assist seniors to continue to live independently in their homes. • Lack of public and social rental housing attuned to the needs of seniors. • Increasing reliance of middle aged and older people on a private rental market that does not serve seniors well. • Pervasive tenure insecurity in the rental market, including a dearth of affordable rental housing. • High housing costs that place additional stress on seniors with low incomes by affecting their ability to afford everyday living costs. Seniors living alone are particularly vulnerable to financial stress due to high housing costs. • Rental housing that is cold and damp, in poor repair, and lacking accessible features. These deficits can force an older tenant to move. • Having to rent can constrain seniors’ choices about their living environment and who they live with. Those constraints can increase the risk of homelessness. • Frequent moving due to rental insecurity places stresses on seniors, including financial stress, and can cause them to lose contact with their social networks and support services.”

The report also focuses in on growing homelessness among older people in our community:

“including hidden homelessness and becoming homeless for the first time in later life. • Unaffordable housing and tenure insecurity are key drivers of homelessness. Seniors in private rentals are especially vulnerable to homelessness. • Most seniors are not homeless due to multiple and complex needs. Instead, sudden shocks and events beyond their control have resulted in homelessness. Most older homeless have had conventional housing and employment histories, including former homeownership. • There is a dearth of supports to prevent seniors becoming homeless, and to assist seniors without housing to find and retain permanent housing.

Summary

With the sale of the Council’s elder housing, there is now no source of secure access to affordable housing for older people in need in the Tauranga area. Access to public housing (Kāinga Ora) and community housing providers using the IRRS is only via the housing register which does not prioritise people who are old and poor. Welfare support to help meet housing costs is available via the accommodation supplement, for those meeting the eligibility criteria. But this doesn’t fill the large gap in housing provision which the private rental market is poorly suited to meeting.

We acknowledge local community housing providers whose aims and housing portfolios include accessible homes suitable for ageing in place and who provide housing and housing support for older people along with others in need such as disability and chronic health conditions.

The housing stress research found strong agreement by both seniors and providers that the sub-region lacks a supply of affordable, secure, right-sized, and suitable housing for seniors.

Older people face different types of challenges in obtaining housing, and have different housing needs, compared to those faced by younger age groups (James 2022). These include ageism, and the more limited opportunities to improve either their life chances or financial situations.

The HEF undoubtedly offers a major opportunity to address the housing needs of older people in our community experiencing housing difficulties, if not actual housing stress. Senior housing is one of six pillars of inclusive housing listed among the impact objectives of the Fund. Although it is intended that investments will reflect all six of the key focus areas, we are concerned that senior housing could get lost in the bigger picture, given the uncontested need across the other pillars.

The Council is in a clear position to ensure a balance towards older members of our community facing acute housing need in relative disadvantage by ensuring its contributions to the HEF are tied to these, reflecting the source of its investment funds. This would not affect achieving the broader aims of HEF.

The Council will need to be active in conveying its senior housing intentions to the parties involved in the governance and management of the Housing Equity Fund and require decisions to be made accordingly.

Recommendations:

We recommend that:

1. Funds derived through the sale proceeds from the sale of Tauranga City Council's elder housing portfolio are used to increase and improve seniors' housing options, having specific regard to the particular difficulties older people face, and to where need is especially acute, with the aim of applying capital to increasing the supply of public and community housing dedicated to seniors and the range of affordable housing options (to rent and to buy) for seniors.
2. Senior housing developed with Council capital have explicit focus on the provision of the kinds of housing options that would serve the needs and aspirations of older citizens, in particular:
 - well-designed and well-located smaller dwellings, that are close to relevant services and amenities
 - incorporate the principles of universal design and
 - supports ageing-in-place.
3. Preference community housing providers which have an explicit commitment to housing solutions for older people.
4. The Council is active in conveying its senior housing intentions to the parties involved in the governance and management of the Housing Equity Fund and require decisions to be made accordingly.

Additionally, we encourage the Council to involve seniors and their representative organisations in identifying and designing housing and service solutions that affect them, in order to make the best decisions.

TAURANGA CITY COUNCIL HOUSING EQUITY FUND SUBMISSION

CGConsulting
specialist services in social and political gerontology.
Carole Gordon MNZM

[REDACTED]
[REDACTED]
[REDACTED]

Given a longstanding professional interest in Elder housing, research and policy impact on later-life wellbeing as a key determinant of health, I offer the following observations on the proposal to invest part of the proceeds from the sale of Tauranga City Elder Housing Villages.

- It is commendable that a Housing Equity Fund has been established to assist in the provision of affordable housing.
- A business case to supply urgently needed affordable rental homes is needed to validate the proposed investment. It should specify the use of Village proceeds for Elder homes in Tauranga City, and provide a planned timeframe for delivery now, and to meet future known need. A co-design approach with Elders is vitally necessary to achieve best outcomes.
- How will the supply affordable rental Elder homes be achieved? More transparency and community input to the use of proceeds from the sale of Villages is necessary. The proposal indicates use of a part sum of sale proceeds but fails to indicate use of the full sum.
- Tauranga City has a known Elder rental housing crisis. It appears that there is no immediate solution to the provision of affordable rental homes for City Elders. Council time frame arrangements with Kaianga Ora further exacerbates timely solutions. There is a priority risk associated with MSD needs analysis system.
- Mixed social housing provision does not provide suitable, secure and safe appropriately designed lifetime healthy living environments for Elders. There are exemplar NZ models.
- While the Housing Equity Fund has investment merits, the initial transfer of \$10 M, (and a further \$10 M sum) is proposed without support documentation on supply provision within a specified timeframe, or detailed structure for housing priority assessment. **More community information is needed to enable a credible informed position on the use of invested funds.**

Summary:

1 Given the evidenced and growing need for suitable affordable rental Elder and papakaianga homes, it is clear that: **All Elder Village sale profits should be ring-fenced in a dedicated fund.** This may potentially be within the proposed Housing Equity Fund.

2 The SmartGrowth Housing Systems Plan should include an immediate 3 year and further 10 year plan to provision affordable rental Elder homes in suitable City locations. (see HUD Long Term Policy Brief 2023)

3 The community must be actively engaged in solutions to enhance social cohesion.
It is vital that Elders live within caring communities.

4 I need further information on Elder housing supply processes in order to support the proposal.

National Council of Women Tauranga Branch

Introduction

NCWNZ is an umbrella organisation working towards true gender equality in Aotearoa New Zealand. Established in 1896, we have 14 branches and more than 200 organisations, as well as individuals, as members.

The council's function is to serve women, the family, and the community at a local national and international level by building understanding and driving action for gender equality through research, study, discussions, and action.

This submission has been prepared by NCWNZ Tauranga Branch with *specific reference to the impact of the lack of social housing specifically for women Elders. Particularly women who rely on community housing; for example Maori and Pacific Island women and single women of all races who are solely dependent on New Zealand National Superannuation.*

Without the benefit of the detailed design and planning for more community housing in Tauranga we urge Tauranga City Council (TCC) to incorporate our comments into future planning and design.

Access to adequate housing is a basic human right and New Zealand government has a binding obligation under the United Nations convention to provide adequate housing to its population.

Providing safe, accessible, integrated housing solution for the most vulnerable in the community deserve broader consideration beyond the physical build. Optimum urban design seeks to maximise opportunities for people to connect and grow within a healthy community environment.

Points of emphasis:

Social equity is not the role of investors.

* Money priority must be Elder housing with other funding for Social Housing

* Social housing does not ensure the Elderly have access

* Elder safety is a priority and is often put at risk when Elders are housed close to tenants with social problems

* Elders via a Reference Group must be included in:

deciding where the houses will be located

housing planning and design

who will do the design

the decision of who is worthy of an Elder Social House

NCW Tauranga would like to be assured as to how the Community will be involved in Social Housing development and in particular equity for Elders.

NCW Tauranga continues to be concerned with the use of money from the sale of Elder Housing assets on housing other than for Elders.

Pauline Bennett

President NCW Tauranga

██████████

████████████████████

Jo Gravit

25th June 2023**Response to the TCC Proposal to invest Elder Housing Sale Proceeds in a proposed Bay of Plenty Housing Equity Fund**

I acknowledge the new background material received last week, but the amount of redacted data makes it difficult to offer comment based on the full professional investment advice. Indeed the few simple questions in the online survey suggest that this has been a routine required consultation process as for say parking limits, rather than a well informed community strategic level engagement process with a wide range of people, rather than primarily with Council's key stakeholders. The elder housing capital equity has been built up over fifty plus years and our vulnerable elder population is rapidly increasing as all your recent reports illustrate. We especially need a mechanism to encourage affordable "build to rent" BTR developments. I ask that this model is stated as the key priority for future investment of the money that came from the elder housing asset sale.

You will be aware that Kainga Ora is planning for 74 new houses here in 2023 which will help reduce the priority waiting list of about 500. However few older people on Superannuation qualify as the top priority for public housing and their lack of choices are well reported.

I am only taking time to respond to this TCC proposal to become a founding shareholder in BoP HEF because of my long community housing experience. I am one of a small number that has followed the changing TCC objectives for the future of their significant housing portfolios. There has been more than five years of uncertainty and lack of transparency as various reports were commissioned but not fully discussed with the wider community. It appears that Council believed that they had good reasons to only negotiate with the state housing provider using commercial sensitivity and Government policy directions to avoid transparency in the extended decision making process on the sale of the elder housing. The willingness of several locally proven competent CHPs to offer proposals was not acknowledging at the time.

We are told that the \$17m sale process for the seven elder housing properties bought by Kainga Ora has now been completed and therefore TCC now wishes to undertake their final involvement by transferring these proceeds to a new and untested HEF. We gather the transfer is initially of "possibly \$20 million minimum". Will there be a community engagement process on the use of sale proceeds of Hinau and Pitau Road properties?

I believe the objective of delivering *an increase in public, affordable and elderley housing* would be supported by most in our city. However, the extent of the TCC contribution, the cost of management and the allocation priorities should be subject to further well informed public debate. We know that affordable quality social housing relies on subsidy in some form, and I question the modelling for the possible HEF rent to buy, first home buyer and equity models that are being suggested to return a fair return to the wider investment community. I assume all

TCC investment in the HEF will be clearly ringfenced and separately reported on for Tauranga City initiatives. Who will decide the criteria and incentives for the individual Project Specific Limited Partnerships and how will the BoPHEF report to the Tauranga ratepayers on whether they are getting their expected outcomes?

While the analysis of the proposed options appear to be slightly weighted towards the recommended HEF option, insufficient recognition has been given to the value of the proven local CHPS and the capacity of Iwi bases structures who own land and have resources, to meet the long term rental supply objectives in a very short timeframe compared to setting up a new unproven model. I cannot support the proposals as outlined in the survey data, until some of these issues have been further publicly clarified. There is no detail about the preferred range of housing typologies and possible funding arrangement models. Will the Managers establish a local presence in Tauranga and be available for community interactions? Will TCC be requiring any preference to densification proposals on Te Papa Peninsula to make best use of the improved Infrastructure? When will BoP HEQ be able to sign an agreement for the first Partnership?

There is merit in TCC contributing \$10 million to the proposed HEF, along with other potential HEF contributors but spreading its investment options. I suggest that some local CHPSs are well able to give priority to providing fully accessible homes for vulnerable older people as a priority, as was stated back in the early discussions in 2017. TCC would be then creating more targetted affordable housing in a shorter timeframe in the city and would also be spreading its risk. We cannot wait for the 25 year timeframe granted to Kainga Ora as I understand that no homes were built in Tauranga last year in contrast to the successful CHPs new build programmes.

I would like to speak to this submission after being able to consider other submissions that you receive.

Thank you

Jo Gravit



20 June 2023

Tauranga City Council
Cameron Road
Tauranga

Attention: Fiona Nalder

Tauranga City Council investment of proceeds of Elder housing into BOPHEF

Dear Fiona

As a key stakeholder in Tauranga with a 30-year history of acting in the communities' best interests, BayTrust strongly supports TCC investing into the BOP Housing Equity Fund as proposed for following reasons:

- At BayTrust we value healthy, secure and affordable housing as a fundamental right. We believe everybody in the BOP should be housed in suitable, adequate and affordable accommodation that fits their whanau and cultural requirements and the HEF is an important catalyst to help achieve this which is evidenced by our \$10m commitment to the fund.
- BayTrust constantly surveys our communities, and there is clear evidence that Housing and Cost of Living which are intrinsically linked are by far the biggest challenges our Tauranga Communities face and the ones that they most want us to address.
- By investing alongside BayTrust and others into the HEF, we believe that TCC is **effectively utilising of the proceeds** of the sale its elder housing in a manner that enables other funds to invest alongside Council, increasing the effect of the funds and the impact that TCC will have. The fund will also be able to borrow funds to increase its impact, which the Council is not able to do.
- The Fund will be managed by professional Fund Managers whose mandate, through the Fund structure and documentation, is to provide housing where it is most needed – in effect addressing inequity in housing. The Fund will be able to invest through and not be influenced by election cycles and has as its **core purpose the provision of housing in areas that address market and government shortfalls**.
- The investment of the Funds into the **BOPHEF will ringfence the funds** to ensure they will always be utilised for housing needs and benefit future generations of ratepayers in a long term and sustainable way.

752 Cameron Road, Tauranga 3112 - Freephone: 0800 654 546, Phone: 07 578 6546 - Email: info@baytrust.org.nz
Web: www.baytrust.org.nz

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Overall we see the proposed investment into the BOPHEF as a fantastic step by Council in partnering with other investors (including ourselves) to help address an issue that requires a substantial amount of investment to make an impact. Alone each investment is insignificant, together there is the potential to attract other investment and make significant impact on the housing issue. Currently the other investors in the BOPHEF are philanthropic trusts whose purpose is serving the community, and have similar objectives to TCC. The Fund has been co-designed by this core group in consultation with many community, iwi, social and housing groups plus other Councils, to address housing needs and provide equity for those who are disadvantaged through inability to access housing that best meets their needs.

Yours sincerely



Alastair Rhodes
CEO



The Kollektive, 145 17th Ave West, Tauranga, Post: c/o The Kollektive,
DX HP40007, Tauranga 3112. Ph 07 987 0920

www.sociallink.org.nz

SocialLink Western Bay of Plenty is a registered charity based at The Kollektive in 17th Avenue, Tauranga. It is the umbrella peak body for the social and community sector in the Western Bay of Plenty.

Its vision is a resourced, skilled and cohesive for purpose sector enabling communities to flourish. Its purpose is to build the capability, confidence, sustainability and voice of community organisations in the Western Bay of Plenty.

Submission on Tauranga City Council's Housing Investment Proposal

Thank you for the opportunity to provide feedback on the proposal. SocialLink would like to make the following comments and suggestions.

- We support the proposed investment plan, while there is always risk associated with a new venture, the fact the other partners are very experienced in investment is a considerable mitigation of risk. Equally, the benefits that can be achieved by combining the investment of TECT, Bay Trust, TCC and others is more likely to achieve the systemic change that is required to address the housing crisis. The Productivity Commission report on Persistent Disadvantage makes the following point that also applies to the Housing Equity Fund:

"Persistent disadvantage cannot be fixed overnight or by a few disconnected actions. A system problem demands a systemic response. There is no single approach that works. But there are three common themes – the importance of locally led, whānau-centred, centrally enabled approaches, trusted relationships between funders, providers, and the people and their communities – holding each other to account, hearing and learning from the voices of people and their communities."

- We recommend Council consider ring fencing some of the funding to be allocated specifically to elder housing, given the funding is derived from elder housing assets, in a similar way that some of the funders need their funding ring fenced according to the geographical reach.
- The focus on delivering housing options that are not currently being provided by the market, and on providing affordable housing for those most in need needs to remain in the

foreground and clearly incorporated into the “terms of reference” of the HEF (or whatever the underpinning mandate of the body is).

- The identification of what the current housing needs are has to be continually re-evaluated, as more providers are moving into this space (both through direct government initiatives but also through private developers and community providers looking to respond to needs). Up to date insights about who is doing what, and what is in the wind are required. The current financial climate means the new groups with housing needs are also emerging. How good is the intelligence about this – particularly keeping a finger on the community pulse of who the groups with emerging housing needs are. Groups like our Foodbanks and emergency housing providers (not just the government agencies) often see these needs starting to emerge before government agencies do (as raised at the recent Kāinga Tupu providers hui).
- There is potentially an issue that the administration of the fund ends up eating into the fund/any revenue that is generated (as bureaucracy often does). Is there a way that this could be covered elsewhere?
- If the \$3 million funding allocated to development contributions rebates scheme for CHP and Papakāinga is not fully subscribed, is there some policy in place that these funds get returned to the fund if unspent?

11.2 Greerton Maarawaewae Options Study Deliberations

File Number: A14448497

Author: Robyn Scrimshaw, Urban Planner: Urban Communities
Carl Lucca, Team Leader: Urban Communities
Ross Hudson, Team Leader: Planning

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

PURPOSE OF THE REPORT

1. To support Council deliberations and decision making in relation to the most appropriate and efficient use of the Tauranga Racecourse Reserve in the short, medium and long term, following community consultation and hearings.

RECOMMENDATIONS

That the Council:

- a) Receives the report "Greerton Maarawaewae Options Study Deliberations ".
- b) Recognises that Te Whatu Ora (Health New Zealand Board) is progressing a Programme Business Case to consider options for future hospital health services provision in Tauranga that includes consideration of:
 - new greenfields sites, with Tauranga Racecourse Reserve land as one greenfield option; and
 - remediation and expansion of the current Tauranga hospital,and notes that this business case will likely be completed by July 2024.
- c) Agrees that, in recognition of (b) above:
 - i. If the Crown does not require part of the Tauranga Racecourse site for health purposes, then Option C: 'Enhanced Status Quo' will be progressed in consultation with stakeholders.
 - ii. If the Crown does require the Tauranga Racecourse site, then recommends to the Crown that Option A: 'Health and Recreation' is the preferred option to support the wider needs of the city.
- d) Approves, in recognition of the two possible future pathways in (c), Option D: Community Plus – an adaptive, future-proofed programme pathway to be developed with stakeholders, with the following key elements:
 - (i) Adoption of the attached preliminary concept plan.
 - (ii) Short-term improvements to the Racecourse Reserve to enable more community use of the site as indicated in attached concept plan, including additional play features and a covered hardcourt facility.
 - (iii) Provision of funding for longer-term actions for consideration through the 2024-2034 Long Term Plan process.
- e) Continues to work with the existing users on planning the future of the following activities:
 - (i) Tauranga Racing and New Zealand Thoroughbred Racing on short and long-term opportunities to continue Thoroughbred Racing in the Bay of Plenty.
 - (ii) Tauranga Equestrian Sports Association on the future of equestrian in the Bay of Plenty including implementation of the Bay of Plenty Equestrian Strategy.

-
- (iii) Community groups currently using of the Tauranga Racecourse Reserve to enable existing activities to continue to operate in Tauranga.
 - (iv) Mana whenua on the future of the Tauranga Racecourse Reserve to incorporate the cultural history and narrative into site improvements.
- f) Approves Council entering into a new long-term concession/lease with Tauranga Golf Club (through the Reserve Act s59A process) that accounts for:
- (i) Appropriate community access through the golf course and linkages enabled into Kopurererua Valley, and opportunities for increased community use of the buildings and greenspace.
 - (ii) The need to future-proof the site to enable city infrastructure needs such as the potential hospital, SH29A realignment and stormwater solutions that could require golf hole relocations.
- g) Resolves that Council give the Tauranga Racecourse Reserve Trust 12 months' notice to terminate the 2020 Memorandum of Understanding arrangements and work with the Trust to establish alternative reserve management to provide for wider community recreation and sporting use of the reserve
- h) Requests that, as per section 41(9) of the Reserves Act 1977, a non-comprehensive and targeted review is undertaken of the Tauranga Reserves Management Plan: *Part C, Section 3.238 Tauranga Golf Club and Racecourse Reserve* to reflect recent Council decisions.
-

EXECUTIVE SUMMARY

5. The Greerton Maarawaewae Options Study commenced in October 2021 to determine the best future use of the Tauranga Racecourse Reserve land.
6. Hearings were held on the 3rd and 4th of April 2023 to hear from the community on the 3 options consulted on during August 2022. The 3 options presented are Option A; Health and Recreation, Option B; Central Park and Option C; Enhanced Status Quo. Housing was removed from consideration of the options in June 2022 and is not an option for this site.
7. The Crown informally approached the project team to request consideration of a relocation of the Tauranga hospital be included in the options. A formal letter was received from Te Whatu Ora dated 29th May 2023 indicating an interest in the Tauranga Racecourse Reserve land. Te Whatu Ora is undertaking a business case to determine if they will require a portion of the reserve for health purposes.
8. The community has expressed a strong desire through the project processes to see a wider community benefit from the reserve into the future and for the existing stakeholders to be supported.
9. Taking into consideration the above matters and balancing them against each other it is recommended that deliberations on the resolutions consider:
 - (a) TCC works with the existing stakeholders and supports the community to have a wider benefit from the reserve.
 - (b) TCC supports the completion of the Te Whatu Ora business case process for the cities benefit.
10. Next steps proposed are to implement *Option D: Community Plus – an adaptive future-proofed program pathway and the flow on processes that result.*

BACKGROUND / PROCESS TO DATE

11. This section outlines the purpose of the project, the strategic background and process to date.

Purpose of the Greerton Maarawaewae Study

12. The purpose of the Greerton Maarawaewae study is to undertake an options study to explore the most appropriate and efficient use of the Tauranga Racecourse Reserve that will support wellbeing and liveability as the city continues to grow. Within this context, the agreed scope for the study has included:
- (a) Preparation of broad options for the subject site, to form the basis for engagement, assessment and recommendations on the future use of the site. Options ranged from status quo through to mixed open space / residential land use.
 - (b) Engagement with mana whenua through the process, including consideration of their aspirations for the land.
 - (c) Engagement with the community, existing users, government partners and key stakeholders to:
 - (i) Provide an understanding of the subject site's potential opportunities in the context of city growth and community wellbeing
 - (ii) Understand the aspirations for the site from existing and potential future users, to be incorporated into option development and recommendations for future use.
 - (d) Following on from previous engagement as part of the Te Papa Spatial Plan, the importance of the open space to the community was also acknowledged as a key area to further explore with the community.
 - (e) As part of the options study assessment consideration has been given to:
 - (i) Feasibility – financial implications and need for activities
 - (ii) Risks – reputational, sustainability of activities and legal implications
 - (iii) Relocation requirements – the needs of the activities currently and into the future.
 - (iv) Delivery timeframes – the implications of the different workstreams on each other

Strategic / Statutory Context

13. A full outline of the strategic and statutory context has been outlined in previous reporting. In summary:
- (a) The Greerton Racecourse Recreation Reserve was established as a reserve in 1879, providing for recreation and the current racecourse use. The Crown land has been classified as a reserve for recreation purposes and the TCC has been appointed as the Administering Body; the underlying ownership rests with the Crown. The reserve is officially titled '*Recreation Reserve – Tauranga Racecourse*'.
 - (b) Through leases until 2038, the Tauranga Racecourse occupies approximately 34 hectares of land, and the Tauranga Golf Course occupies approximately 45 hectares of land. Tauranga Golf Course has an additional lease outside the Crown reserve land and adjoining Kopurererua Valley Reserve of approximately 6.7ha.
 - (c) The site also has particular significance to mana whenua. As outlined by Ngāi Tamarāwaho in correspondence to the Crown, before 1864 the land was held by Ngāi Tamarāwaho as the mana whenua hapu of Ngāti Ranginui. In 1865 the land was confiscated from local hapu and iwi as part of the Crown raupatu of Tauranga land under the New Zealand Settlements Act (1863). Mana whenua's connection with the whenua endured until the land was placed in a reserve in 1879.
 - (d) The Urban Form and Transport Initiative (UFTI) recognises this corridor is expected to see the most significant transformation in the next 30 years. UFTI also recognises the

importance of the green space and the opportunity to better utilise the Racecourse Reserve in the context of broader outcomes sought for the city.

- (e) Te Papa Spatial Plan further expands on the outcomes of SmartGrowth and UFTI and the future of Greerton as a centre. A key action includes consideration of *Future uses shall include ongoing provision and diversification of open space, appropriate for the nature and scale of surrounding activities, and may also include opportunities for other uses such as community amenities, comprehensively developed housing, education and/or tourism.*

Process to date

14. Phase 1 engagement with the community was undertaken from late October to Mid December 2021. The purpose of this engagement was to hear the communities ideas on the future use of the land.
15. Phase 2 engagement was undertaken from the end of December 2021 to 6th March 2022 with the community, stakeholders and mana whenua with feedback sought on the seven options. The seven options incorporating the feedback from phase 1 included a status quo option, through to housing and health precinct options, mixed with active recreational opportunities.
16. At the 11 April 2022 Council meeting³ an update on progress of the study was provided, including outcomes of phase 1 & 2 community engagement, the process that the option development involved and the consultants' option assessment.
17. The Council resolved to commence a cross-organisational working party to identify potential sites for a sub-regional equine racing facility, with a lead role by New Zealand Thoroughbred Racing, Tauranga Racing Club and including key stakeholders. Also, to continue engagement with the community, mana whenua and the racecourse users.
18. An update on the project was brought to Council through the 13 June 2022 report.⁴ The recommendation based on the engagement feedback on the seven options refined the options down to the following three options and removed housing from consideration:
 - (a) **Option A Health and Recreation** (Council's preferred option): Health and Recreation – a mixture of public hospital, parkland, sports fields, golf, and connections to Kopurererua Valley. (Option A included a fallback provision that says: if the public hospital does not proceed on this site, then Option B: Centra Park will proceed).
 - (b) **Option B Central Park**: a large green parkland, sports fields, community spaces, golf and connections to Kopurererua Valley
 - (c) **Option C Enhanced Status Quo**: racecourse, golf, equestrian, sports fields and connections to Kopurererua Valley
19. Phase 3 consultation was then undertaken 27 July - 29 August 2022 on the three refined options to determine the most appropriate and efficient use of the Tauranga Racecourse Reserve land.
20. Through the phase 3 consultation submitters were given the opportunity to speak to their submission points. The hearings were initially scheduled for November 2022. However, submission points raised topics that required more technical work to be undertaken. The hearings were delayed allowing this to be undertaken.
21. The hearings were held the 3rd and 4th of April 2023. The Hearings report 3 April⁵ summarises the feedback received on the three options.

³ https://infocouncil.tauranga.govt.nz/Open/2022/04/CO_20220411_AGN_2424_AT_WEB.htm

⁴ https://infocouncil.tauranga.govt.nz/Open/2022/06/CO_20220613_AGN_2429_AT_WEB.htm

⁵ https://infocouncil.tauranga.govt.nz/Open/2023/04/CO_20230403_AGN_2556_AT_WEB.htm

22. During initial engagement on the study, mana whenua, the community and key stakeholders, strong feedback was received against using the green space for housing. Accordingly, Council resolved the following in June 2022:
- (a) Remove reference to 'comprehensively developed housing' as it relates to the Greerton Racecourse Reserve from the Te Papa Spatial Plan and other relevant strategic documents.
 - (b) Recommends to the SmartGrowth Leadership Group that the Tauranga Racecourse Reserve be recognised as assessed as not providing a future residential housing opportunity.

CONSULTATION AND ENGAGEMENT

23. Through the initiation of this study a commitment was made to undertake engagement and consultation with the community. As the study has worked through the process there have been 3 rounds of engagement and consultation with the community.
- (a) Phase 1 engagement – The community ideas – Late October to Mid December 2021.
 - (b) Phase 2 engagement – The seven options – End of December 2021 to 6th March 2022
 - (i) A summary can be found of the phase 1 and 2 engagement:
<https://www.tauranga.govt.nz/Portals/0/data/future/greerton-racecourse/files/final-engagement-report-april.pdf>
 - (c) Phase 3 consultation – The three options – 27 July - 29 August 2022.
 - (i) A summary of the consultation is attached to this report (attachment 2) and feedback is further explored in the hearings report⁶
24. General feedback themes resulting from engagement and consultation are summarised as follows:
- (a) All members of the community value access to the green spaces in the Greerton area and city wide. The mature trees are an asset to the city.
 - (b) The community would like to see connections to Kopurererua Valley improved and enabled through the green space.
 - (c) Upgrades to the transportation network to support the activities on the site would be required including connections to local network, parking facilities and multimodal connections.
 - (d) The community value the current family-based events and community use of the site that occurs and would like that to continue and be increased.
 - (e) The current activities that occur on the site have a long running history with the site, along with mana whenua.
 - (f) Limited support for housing on the site, however acknowledgement of the housing need in Tauranga City.
 - (g) The current health services aren't meeting the cities needs and require attention. There is a growing demand in the eastern area of the city to consider.
25. As part of engagement and consultation, a range of meetings and other work has also taken place with key stakeholders, including:
- (a) Tauranga Equestrian Sports Association (TESA) have been engaged through the Greerton Maarawaewae Options Study project team. The National Equestrian Strategy being led by Equestrian Sport NZ and the Bay of Plenty Facilities stocktake with the Tauranga addendum being led by Sport Bay of Plenty with the Bay of Plenty Councils

⁶ https://infocouncil.tauranga.govt.nz/Open/2023/04/CO_20230403_AGN_2556_AT_WEB.htm

has also run in parallel to this project and included specific engagement with equestrian users.

- (b) Tauranga Golf Club have been engaged through the Tauranga City Council's Spaces and Places team as they have worked through the Play, Active Recreation Action and Sport Action and Investment Plan (PARS AIP) work to determine the future golf needs in Tauranga.
- (c) Transpower staff have met with Council to discuss city wide power needs and ongoing demand on the infrastructure.
- (d) Other community groups, including event holders have been engaged through the engagement rounds and specific future needs have been put forward for the project team to consider.
- (e) Health representatives provided feedback during phase 1 engagement to ask that the future health facility needs of the city be included in engagement collateral. Option 7 of the phase 2 engagement and Option A of the phase 3 engagement reflected a health precinct option. Staff have continued to engage with the newly created Te Whatu Ora (Health New Zealand)
- (f) Tauranga Racing Working Group has held nine meetings from the initiation in June 2022 to current day. The working group is led by New Zealand Thoroughbred Racing and includes Tauranga Racing, Tauranga City Council, Western Bay District Council and Rotorua Lakes Council. Rotorua Racing initially joined the group and then withdrew their membership. The terms of reference agreed by the group includes investigating alternative locations for a Bay of Plenty Racecourse to be located.

MANA WHENUA ENGAGEMENT

- 26. Representatives of mana whenua (Ngāi Tamarāwaho, Ngāti Ruahine and Ngāti Tapu) have met with Council staff throughout the studies progress to discuss their aspirations for the future of the land.
- 27. Ngāi Tamarāwaho has advised that they support the ongoing recreation reserve status of the land and would seek to have land ownership discussions should an alternative or revised use be proposed. A formal treaty claim letter has been lodged with the Crown.
- 28. Tauranga City Council will continue to engage directly with mana whenua on these matters and acknowledge that the treaty claim process is between mana whenua and the Crown. This will require Crown consideration through the Te Whatu Ora business case process.

HEARINGS HELD 3RD AND 4TH APRIL 2023

- 29. All submitters from the phase 2 of engagement and phase 3 consultation were offered an opportunity to speak to their written submission at the hearings. A total of 21 submitters took up the opportunity and represented a cross section of stakeholders, mana whenua and interested community residents.
- 30. Through the written submissions and verbal submissions specific themes emerged of the community views on the posed 3 consultation options

Specific topic-based community commentary in addition to previous general themes

Health:

- 31. The community felt adequate health services are a city necessity and a new hospital would be a great asset to the city and Bay of Plenty region as a whole.
- 32. Repurposing the old hospital site for housing is a great possibility and an opportunity to assist in a positive housing outcome for the city.
- 33. A hospital integrated into the existing green space would have wellbeing benefits to the patients and staff accessing the facilities.

34. Greerton doesn't have the roading connections yet or parking for staff and patients. There are future roading infrastructure upgrades in planning by Waka Kotahi.
35. The Tauranga Racecourse site is centrally located for future population growth.

Racing:

36. The existing Tauranga racecourse has a connection and long history with the existing location.
37. The racecourse provides a community asset, function & event space, and a valuable green reprieve.
38. There is limited land available for potential relocation, any site would be located out of the city. The relocation will be costly and who pays for it.

Equestrian:

39. The current location is viewed as being central to the users that makes it accessible.
40. There are specific requirements needed if it was to be relocated and this would require funding support.
41. A reduction in the current offerings would not meet equestrian needs for day-to-day pony clubs or for future events.

Golf:

42. It is a well utilised course due to the natural environment and mature trees
43. There is a need for the golf course need to be retained as an 18-hole championship course, as the only publicly owned 18 hole course. Also, questions raised on potential reduction to 9 holes for other community uses on the site.
44. Better community utilisation and access of the golf course facilities and land is desired, instead of the big space for one activity.

Recreational needs:

45. The future generations need a variety of recreational experiences and spaces.
46. There is a gap in the playful experience offerings in this suburb.
47. Great place for families to gather and enjoy walking the dogs. Promoting healthy family living.

Power:

48. The city is growing and with this comes a growing demand for power supply.
49. There are limited options for land and locations to expand power infrastructure.

SUMMARY OF PROJECT FINDINGS

50. The community value the Tauranga Racecourse Reserve as a green space to escape the urban environment. Access is currently constrained due to the activities that occur on the site. The community would like to enjoy freedom of access and use of the site.

Health:

51. The current hospital site has seismic constraints on the current use as a hospital past August 2035.⁷ A city the size of Tauranga requires an operational hospital into the future to support the wellbeing of the community
52. Remediation of the current buildings while the hospital is operational, and offering a range of health services that face increasing pressure is challenging and has a considerable fiscal implication.

⁷ The Building Act sets out a system for managing earthquake prone buildings including timeframes for remediation.

53. A business case is required to fully explore the options, benefits and constraints of the future of health services in Tauranga. The business case will consider the option of a relocation of some hospital services to a new greenfield site, and an option of remediation and continued use of the existing site. (Refer attachment 1 for Te Whatu Ora letter on business case).
54. One of the greenfields sites being considered for the hospital services is the option of the Tauranga Racecourse site, which at this stage in the assessment process meets all of the specified criteria.
55. The Te Whatu Ora business case process will take 12-months through to July 2024.
56. In assessing the option of relocation of the hospital health services to a new greenfields site, the future of the existing site will be considered alongside the business case process including the option of repurposing the site to contribute to meeting Tauranga's housing needs.

Racing:

57. The landscape of thoroughbred racing in New Zealand is changing. Throughout New Zealand consolidation of assets, clubs and tracks is required to ensure a sustainable industry into the future.
58. New Zealand Thoroughbred Racing has reiterated that one racecourse for the Bay of Plenty will be required.
59. The Racing Working Group (*RWG*) representatives have all contributed to considering the best location for racing to occur into the future. The RWG has completed site analysis on the existing racing sites and future potential greenfield locations in the Bay of Plenty for racing to continue.
60. Analysis of the existing sites has included engagement with the current racing communities to understand their communities needs and how the racing function currently operates.
61. The green fields sites have had confidential investigations to understand if there is an alternative location that would meet the needs of the racing communities into the future. There has been a sufficient level of engagement and due diligence completed on alternative locations to indicate that there is a suitable alternative location for thoroughbred racing to occur in the Bay of Plenty.
62. A re-development of the racing assets presents an opportunity for investment into wider recreational outcomes for Bay of Plenty communities. The Councils have committed to ensuring multiple benefits can be achieved for the communities.

Equestrian:

63. The New Zealand Equestrian Sport Strategy process began January 2023 and is being led by Equestrian Sport New Zealand with support from Sport New Zealand. As a part of this national look the Bay of Plenty Councils requested a closer look at the current facilities and future requirements of all Equestrian disciplines in the Bay of Plenty.
64. The strategy development processes have been occurring concurrently and ensuring the future requirements for equestrian are integrated with the national, regional and Tauranga direction.
65. The National Strategy has been delayed several months due to the impacts of Cyclone Gabrielle on key equestrian regions. The draft Bay of Plenty Equestrian Strategy is currently being worked through to align with the national work and a draft is expected in the coming weeks.
66. The draft Tauranga addendum to the Bay of Plenty strategic work recommends:
 - (a) Future land requirements to accommodate all equestrian disciplines will require a 10 – 35ha site and there are alternative sites that could meet the needs. The disciplines included are dressage, pony club, show jumping, cross country, western riding and cowboy riding.

- (b) Alternative sites require detailed planning to ensure utilisation of the site is maximised for the benefit of all equestrian discipline communities.
 - (c) The eventing requirements of equestrian differ to the day-to-day equestrian functions. Equestrian eventing requirements can be considered for future co-location with the racecourse (as currently occurs).
 - (d) There is an opportunity to relocate and grow equestrian with Riding for the Disabled Association currently located in Tauranga
67. TESA has been engaged in the project so far and Tauranga City Council will continue to work with TESA to ensure the findings of the strategy can be implemented to achieve the outcomes.

Golf:

68. The Tauranga Golf Club has been located on the site since 1914 and comprises of an 18-hole championship golf course. The course caters for a range of communities and ages and has a full tee sheet most days of the week.
69. The current membership base of the club, as of February 2023, is 1070 (920 18-hole memberships and 150 9-hole memberships). The membership of the club has seen consistent growth over the past several years, with the membership growing by 25% between 2016 and today
70. The community requested through the feedback more access to the Tauranga golf club buildings and through the course to link into Kopurererua Valley. Tauranga Golf Club advises that currently many residents informally walk through the golf course as part of their walking circuit, including to exercise their dogs.
71. Examples of public access through and alongside golf courses exist both nationally and internationally, there is a need to ensure safe public access to reduce the risk from golf balls and from casual users distracting golfers.
72. The current Tauranga golf club buildings aren't currently set up for community use and would require further investigations into staffing, operational capacity, financial sustainability and carparking capacity.
73. There are also opportunities for wider public use of the publicly owned greenspace areas including enabling broader community use. Council is keen to explore with the Tauranga Golf Club how this could be achieved.
74. The Tauranga Golf Club course is considered by Bay of Plenty Golf and Tauranga Golf Club as one of the top four 18-hole courses in the area, with unique hilly features that make it attractive to the golf community, while also being a quality resource of the clubs' catchment area of Bethlehem, Lakes, and the Te Papa Peninsula. The club also host Golf NZ events and interprovincial events. e.g. the Carrus Open held at Tauranga Golf Club annually. The region also has a five 18-hole golf tournament every year (5 Course Classic) – this includes Tauranga Golf Club, which the club notes has tourism and economic benefits for the region.
75. The difference between an 18-hole and 9-hole course is that an 18-hole course is considered the traditional, competitive course favoured by the golfing community. A 9-hole course is usually for more beginner friendly play and used by members of the community who have limited time
76. The Tauranga Golf club are willing to work through finding the best solutions for the community in return for a new lease that allows them to invest into the facilities.

Other recreational needs:

77. The objective of the Play, Active Recreation and Sport draft Action and Investment Plan (PARS) is to *'Increase participation by providing easily accessible opportunities for organised and informal play, active recreation and sport for people of all ages, background and abilities'*.

78. Through the development of the PARS it identified a gap for the provision of facilities for local play in the Greerton area. The Greerton Maarawaewae site provides an opportunity to fill some of these gaps to meet the play and active recreation needs of the local community. Actions include:
- (a) Nature play and 'play along the way' opportunities integrated into design throughout
 - (b) Skatepark and/or pump track and/or basketball hoop/s, the work identified there is a gap in the provision of these facilities for the Greerton, Merivale and Gate Pa communities. The scale and/or demand to be determined through consultation (line marked and managed for multi-purpose use when appropriate).
 - (c) New play spaces in existing residential areas.
79. The draft Reserves and Open Space Action and Investment Plan also has actions to ensure opportunities for passive recreation and social gathering as part of the development of Greerton Maarawaewae site and to implement actions to enhance and adapt existing reserves in Te Papa to provide increased opportunities for community gathering and green space, recognising the impact of intensification in those areas.
80. The draft Nature and Biodiversity Action and Investment Plan has overarching actions that also apply to the Greerton area and the Maarawaewae site. This includes nature and biodiversity enhancement, more specifically to improve and enhance the nature and biodiversity values of the site and provide space for people to access nature.
81. There is a capacity deficit in the sports-field and indoor court network across the city. The deficit increases in the western corridor area over the next 5 years. Network planning studies are indicating that 3-4 natural grass fields and/or an artificial turf field that can be utilised for a cricket wicket and oval is required. This would provide capacity for growth in the western corridor and wider city west catchment. There is also a need for a 3-4 court, indoor court (or outdoor covered) facility. This could be a potential long-term solution for western corridor provision.
82. The concepts attached have been developed to consider how the site could function in the future. The implementation timeframe is indicated at 2 years + to recognise that Option D will be implemented with further engagement and processes completed in 2023 and then either Option A or Option C will be refined once the outcome of the Te Whatu Ora business case is known in July 2024.

Mana Whenua:

83. The hui to date has reiterated mana whenua connection to this whenua and their commitment to retain community recreational purposes on the Tauranga Racecourse Reserve site.
84. There will be further korero with mana whenua, Tauranga City Council and the Crown as the Te Whatu Ora business case progresses, and the wider health needs of the city are assessed.
85. The opportunity exists for staff to work with mana whenua on the cultural history and narrative to be incorporated into the concept site plan as attached for the site improvements.

Power:

86. The city is expected to grow, with this growth comes and increased demand for power supply. Transpower supplies power infrastructure to the city. Future planning has shown that the capacity of the current substations is insufficient to meet future needs.
87. Upgrades to the power infrastructure network are required to enable the city to grow. Tauranga City Council will continue to work with Transpower on their options analysis processes to ensure workable solutions and alternative locations can be found for future sufficient power supply.

OPTIONS ANALYSIS

Option A: Health and Recreation – a mixture of public hospital, parkland, sports fields, golf, and connections to Kopurererua Valley

88. Te Whatu Ora has indicated a desire to investigate the possibility of using a portion of the Crown owned land at the Tauranga Racecourse reserve for the relocation of the Tauranga hospital.

Pros of Option A	Cons of Option A
<ul style="list-style-type: none"> • Retains the potential for a new hospital on the site integrating health and wellbeing services • Responds to the ability to design fit-for-purpose, future-focused healthcare needs of the Western Bay of Plenty. • The ability to Integrate the hospital into the existing natural environment to provide a better healing experience for patients, staff and service users. • Allows for more recreational activities to co-locate and utilise the existing facilities on the site. • Existing and enhanced community use can take place in the green space on the site • Provides opportunities to enhance cultural values and narratives over the entire area. • The potential for housing on the old hospital site can be investigated • Connections through to Kopurererua Valley can be enabled for community use. 	<ul style="list-style-type: none"> • Requires Crown commitment for funding of a new hospital and relocation of existing users. • Uses valuable green space for hospital infrastructure • Delay in certainty of future use of a portion of the site while the Te Whatu Ora business case process is undertaken.

89. Option A is the preferred option to be recommended to the Crown if the Te Whatu Ora business case process findings in July 2024 conclude that Te Whatu Ora does require a portion of the site for the relocation of the Tauranga hospital⁸.

Option B: Central Park - A large green parkland, sports fields, community spaces, golf and connections to Kopurererua Valley

90. The community values the existing natural environment and would like as much community use as possible enabled. This option considered a parkland environment

Pros of Option B	Cons of Option B
<ul style="list-style-type: none"> • Provides more green space, recreational areas and community facilities for the benefit of the whole community 	<ul style="list-style-type: none"> • Requires the relocation of the Tauranga Racecourse and Tauranga Equestrian Sport Association to be fully funded by Tauranga ratepayers.

⁸ Option A indicates the hospital co-locating with active recreational opportunities, the concept will require further refinement on site layout if this is preferred option. The concept attached indicates a 2 year + implementation timeframe to be refined with concept once business case is complete.

<ul style="list-style-type: none"> • Considers maximising the community use of this land for playgrounds, walkways, gardens and active recreational opportunities. 	<ul style="list-style-type: none"> • Does not support the wider city outcome needs of health or the possibility for housing
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Option C: Enhanced Status Quo - racecourse, golf, equestrian, sports fields and connections to Kopurererua Valley

91. Maximising community use of the reserve land for the benefit of the wider community while supporting the existing users to sustainably continue their activities

Pros of Option C	Cons of Option C
<ul style="list-style-type: none"> • Existing users can continue their activities with certainty. • Golf is enabled to invest in their assets for the future of golfing in Tauranga • The use can be enhanced for the wider community through play, active recreation and sport opportunities. • Access through to Kopurererua Valley is enabled. 	<ul style="list-style-type: none"> • Investment in existing Tauranga Racecourse and Equestrian facilities on the site cannot be completed until the business case is complete. • Investment planning to access the internal area of the racecourse cannot be completed yet. • Limited in ability to provide for wider public benefit and access if existing uses retained. • Doesn't support wider city outcome needs of health or the possibility for housing.

92. Option C is the preferred option to be recommended to the Crown if the Te Whatu Ora business case process findings in July 2024 conclude that Te Whatu Ora does not require a portion of the site for the relocation of the Tauranga hospital⁹.

Option D: Community Plus - an adaptive future-proofed program pathway – improvements to the existing racecourse site to increase community benefit as requested by the community, while retaining the ability to be responsive to potential future Crown decisions

93. The racecourse land is owned by the Crown and is currently administered by Council. Te Whatu Ora has advised that the Crown may in future wish to utilise the land for health purposes and it would therefore be prudent for Council to recognise that in its decision making.

94. The community feedback through the engagement periods expressed a strong desire for more community utilisation of the current Tauranga Racecourse Reserve and that it should be managed for the benefit of the wider community. The work completed through the PARS AIP identified a gap in recreational opportunities in this area. The adaptive pathway looks to work with the existing leaseholders, stakeholders and mana whenua to fill these gaps and deliver on what we heard through the project.

Preliminary Concept Plan – Tauranga Racecourse Reserve

95. Until there is more certainty for the site there is still opportunity through this project to increase community use of the site while the Te Whatu Ora business case is underway. The

⁹ Option C indicates an enhanced status quo, the concept will require further refinement on site layout if this is preferred option. The concept attached indicates a 2 year + implementation timeframe to be refined with concept once business case is complete.

preliminary concept below (and attachment 3) indicates where the site could have more utilisation for the benefit of the wider community.



96. The short-term improvements proposed as part of the adaptive pathway are;

- (a) Play elements that will be refined through community engagement.
- (b) A covered hardcourt area
- (c) Changes to the parking and access of the site.
- (d) Linkages to Kopurererua Valley

97. Community engagement to understand what the community would like to see further for all ages in the play and passive area will occur in late 2023.

Pros of Option D	Cons of Option D
<ul style="list-style-type: none"> • Existing users can continue their activities with more community utilisation of their assets. • Golf is enabled to invest in their assets for the future of golfing in Tauranga • The use can be enhanced for the benefit of wider community through play opportunities and potential covered hardcourts. • Access through to Kopurererua Valley is enabled. • The option for the Crown to utilise the land after the business case has been completed is retained. • Prudent investment by all parties is 	<ul style="list-style-type: none"> • Enhancing access to the internal area of the racecourse and / or the balance of the remaining racecourse land cannot be completed yet to enable more community use in these areas.

<p>enabled with certainty</p> <ul style="list-style-type: none"> • Provides opportunities to enhance cultural values and narratives over the entire area. • Actions from the PARS AIP are being investigated and implemented. • Actions what was heard through the Greerton Maarawaewae Options Study. 	
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98. *Option D: Community Plus - an adaptive future-proofed program* is the recommended option to allow a wider community benefit from the Tauranga Racecourse Reserve while retaining the option for the Crown to complete their processes.

TAURANGA RACECOURSE RESERVE TRUST

- 99. Until 1989, the reserve was administered by trustees elected by the public every seven years. In 1989 the Tauranga Reserve Subcommittee was established to assist Council with the administration of the reserve and to oversee the transition of management of the reserve from the Domain Board to Council. In 2016 Council resolved to disestablish the committee from 1 September 2016, and to manage the reserve in a similar fashion to other similar sites within the reserves network in the Parks and Recreation Activity.
- 100. The Tauranga Racecourse Reserve Charitable Trust was established in 2017. The purpose of the Trust is to manage for the benefit of the public of New Zealand, the Tauranga Racecourse Reserve, in accordance with the reserve management plan for the reserve.
- 101. The Trust deed appoints trustees and has 2 representatives from the Tauranga Golf Club, 2 from the Tauranga Racing Club and 1 representative from the Tauranga Equestrian Sport Association. There is also the ability for the Trustees to appoint two additional trustees whose function shall be to represent the wider interests of the Tauranga community in the use of the Reserve.
- 102. There is a 2020 Memorandum of Understanding (MOU) that sets out the roles and responsibilities of the Trust and TCC as the Administering Body of the reserve.
- 103. The ground lease rental from the Tauranga Golf Club and Tauranga Racing Club are paid directly to the Trust, the Trust then uses this income to maintain reserve areas not otherwise covered by leased areas and terms.
- 104. The purpose of the disestablishment of the committee was to manage the reserve in a similar way to other reserves. Other reserves that Council are the Administering Body for are now managed through the Spaces and Places internal division of TCC. The termination of the MOU and consequential recommended dissolution of the Trust and the amendment of this arrangement will bring the management into TCC, the same as the current arrangement for other reserves in the Council portfolio.

FINANCIAL CONSIDERATIONS

- 105. The business case process underway by Te Whatu Ora will have a funding package element for the future hospital potential pathways. Should the Racecourse Reserve greenfield option be the favoured choice as at July 2024, subsequent Crown investment decisions will be undertaken.
- 106. In the 2021-31 Long Term Plan there is funding available to implement the preliminary plan as attached.
- 107. If the Crown does require a portion of the site for healthcare needs the funding for a wider range of recreational opportunities as a second stage will be considered through the Long-

Term Plan 2024-34 budget settings and may utilise existing Western Corridor recreation budgets.

108. The RWG has considered an indicative relocation cost to enable racing to continue in the Bay of Plenty. This cost requires a multiagency commitment to ensure viability.
109. The equestrian strategic direction provides a pathway to consider future requirements for equestrian in the Bay of Plenty, further work is required to implement the opportunities identified.
110. Golf is enabled through lease processes to consider their future investment in the site and how their membership and the community can work together for financial viability.

LEGAL IMPLICATIONS / RISKS

111. The Golf course lease will require a Reserve Act process to be undertaken before Tauranga City Council as the Administering Body can grant a new lease over the land. This process will include public notification of the lease conditions. The project has through the community engagement refined certain requirements for a future lease to meet the objectives of the project as indicated in the resolution.
112. The termination of the MOU and subsequent recommended disestablishment of the Tauranga Racecourse Reserve Trust will require a formal trust dissolution process in accordance with the Charitable Trusts Act. Staff will support these processes with the Trust, the Trust will be required to obtain their own legal advice to ensure compliance.
113. To enable public access on the scale proposed by the preliminary plans, discussions with the Tauranga Racing Club are required. This will include the future management, maintenance and effects on the current lease. There is the potential to use a partial surrender of the leased area or a Public Works Act 1981 process to enable this.
114. Should Te Whatu Ora indicate they require a portion of the Tauranga Racecourse Reserve land for a hospital to the Crown this will trigger a Crown led reserve revocation and reclassification process. The Crown could direct Tauranga City Council as the Administering Body to undertake the required processes. Including public notification and engagement under Reserve Act 1977 processes.
115. The Treaty Claim lodged by Ngāi Tamarāwaho with the Crown will require the Crown to enter into discussions to settle this claim. Tauranga City Council is not a party to this claim.
116. It is noted that this process requires involvement from multiple government ministers and Crown agencies. Staff are continuing to engage with the external workstreams to work towards the July 2024 decision making date.

The Tauranga Reserve Management Plan

117. The Tauranga Reserve Management Plan (TRMP) was adopted in early 2019. Council as the Administering Body is required under s41 of the Reserves Act 1977 to have an up-to-date plan in place. The plan contains statements that guide how Council will manage its reserves.
118. Part C of the TRMP contains specific statements relating to the management of the Tauranga Golf Club and Racecourse Reserve (Part C; Section 3.238). The statements contained in this section will not reflect the recent decision making made through the Greerton Maarawaewae Options Study Project.
119. A resolution is required to complete a non-comprehensive and targeted review of the relevant section to ensure the plan is kept up to date, in line with the Reserve Act obligations.

SIGNIFICANCE

120. 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.

121. 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.
122. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the decision is of high significance.

ENGAGEMENT

123. Commissioners have met with the directly affected stakeholder groups prior to this report being considered at this meeting.
124. There has been significant engagement throughout the project to enable a decision. Taking into consideration the above assessment, that the decision is of high significance, officers are of the opinion that no further engagement is required prior to Council making a decision.
125. Further engagement with the community and an ability to submit on elements of the decision will be enabled through subsequent Reserves Act 1977, Conservation Act 1987 and Resource Management Act 1991 Processes.

NEXT STEPS

126. Discussions with Tauranga Racing and Tauranga Golf Club on enabling more community access and the mechanisms to enable this.
127. Engagement with the community in late 2023 on the preliminarily plan and refinement of the play elements desired.
128. Engagement with mana whenua and the existing stakeholders to incorporate the cultural history and narrative into site improvements.
129. Initiate the Reserve Act process to enter into a new long-term lease with the Tauranga Golf Club, including the elements in the resolutions.
130. Work with the Tauranga Racecourse Reserve Trust to terminate the MOU and support dissolution of the Trust arrangements and establish alternative reserve management processes.
131. Continued engagement with the Crown ministers and operational agencies involved through the business case process.
132. Long Term Plan funding discussions on the adaptive, future-proofed programme.
133. Continued engagement with the racing communities to understand the future opportunities to continue Thoroughbred Racing in the Bay of Plenty
134. Implementation of the related draft PARS AIP actions that relate to the Tauranga Racecourse Reserve or Greerton area, including implementation of the equestrian strategy.
135. Staff to complete a targeted review of the Tauranga Reserves Management Plan: Part C, Section 3.238 Tauranga Golf Club and Racecourse Reserve to reflect recent Council decisions.

ATTACHMENTS

1. **2023 05 29 - Letter to Anne Tolley TCC - Planning Future Health Services in the Bay of Plenty - A14897651** [↓](#) 

2. **2023 06 26 Greerton Maarawaewae - summary of engagement stage 3 - V3 - A14826978**
[↓](#) 
3. **2023 07 28 - Stage 1 concepts for Option D - Adaptive pathway - A14903022** [↓](#) 

29 May 2023

Te Whatu Ora
Health New Zealand
Hauora a Toi Bay of Plenty

Anne Tolley
Commission Chair/Chair of SmartGrowth
Tauranga City Council
Anne.Tolley@tauranga.govt.nz

Kia ora Anne

Planning Future Health Services in the Bay of Plenty

Thank you for the opportunity for Margie Apa and I to meet with you and Marty Grenfell on 26 April 2023 to discuss the responses to your letter from late last year.

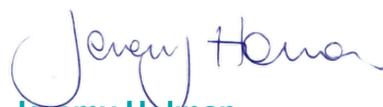
The discussion around future dwelling numbers demonstrates the benefit of Te Whatu Ora having involvement with SmartGrowth and a coordinated and sharing approach to planning future health services in the Bay of Plenty.

It is our intention that Bronwyn Anstis, Interim District Lead for Hospital Specialist Services will be the person to work with SmartGrowth and attend their meetings as required.

With respect to the possible use of the Tauranga Racecourse land as a greenfield site for a new hospital, as discussed, unfortunately we are unable to make a commitment before the Programme Business Case could be considered by the Te Whatu Ora - Health New Zealand Board, which is planned for the first half of 2024, and then approved by Ministers.

As discussed, should the racecourse be our preferred new hospital site, then we acknowledge that the Hauora a Toi Bay of Plenty will need to initiate the acquisition of the land via the Crown agency.

Ngā mihi



Jeremy Holman

Chief infrastructure and Investment Officer
Te Whatu Ora

[TeWhatuOra.govt.nz](https://www.TeWhatuOra.govt.nz)

Te Kāwanatanga o Aotearoa
New Zealand Government

Greerton Maarawaewae engagement and consultation summary report

March 2023



A key output of the Greerton Maarawaewae study was to provide certainty for existing users and the wider community as to the future use of the Tauranga Racecourse Reserve land.

The engagement (phases 1 and 2) provided significant input to the Commissioners' selection of their preferred option to go out for consultation (in particular the removal of an option that proposed using the Reserve land for housing).

The consultation (phase 3) has provided specific feedback on each of the options from tangata whenua, existing users and the wider community.

Consultation with mana whenua was undertaken through a series of hui throughout the projects duration and the korero is ongoing.

This report provides a brief summary of feedback received from the engagement and consultation phases.

To view the feedback and submissions for all phases, please go to the below links;

Phase 1 and 2: <https://letstalk.tauranga.govt.nz/projects/the-greerton-maarawaewae-study>

Phase 3: <https://letstalk.tauranga.govt.nz/Portals/14/data/gate-pa/greerton-maarawaewae-study/files/submissions-greerton-maarawaewae.pdf>

Engagement - phases 1 and 2

The engagement was in two phases – phase 1 from late October to mid-December 2021 and phase 2 from the end of December 2021 to 6th March 2022.

The team received around 1500 individual pieces of information/input/feedback via online forms, emails, letters, community days, social media and focus groups during these two phases.

The overall feedback from the engagement phase showed:

- (a) extremely strong support for creating a multi-purpose destination green space for the city with improved access to Kopurererua Valley

- (b) very strong support for creating active recreational spaces and for other community amenities – including telling the cultural story of the whenua and providing a multi-cultural community centre
- (c) some support for relocating the racecourse (if a suitable location could be secured)
- (d) some support for relocating equestrian (if a suitable location could be found)
- (e) not much support for relocating the golf course
- (f) limited support for housing on this reserve land
- (g) some support for a public health precinct / future hospital facility (more when the possibility of housing on the existing hospital site is factored in).

Information from this feedback can be viewed in full on the Council's website and Appendix 1 provides the seven options that were considered during this engagement phase.

Throughout the process, mana whenua expressed a strong desire to keep the use as recreation space and indicated that they would be discussing ownership of the land with the Crown if the existing land use changes.

Mana whenua engagement

Council staff have met with representatives of mana whenua (specifically Ngāi Tamarāwaho) on six occasions since the inception of the study.

Ngāi Tamarāwaho has advised that they support the ongoing recreation reserve status of the land and would seek to have land ownership discussions should an alternative or revised use be proposed. A formal statement of claim has been lodged with the Waitangi Tribunal and there has been correspondence provided to the Crown.

As stated in the Waitangi Tribunal claim, the Ngāi Tamarāwaho kōrero is that the return of the reserve lands and indeed all lands within its rohe used for public or community purposes was not pursued as part of its historic Treaty claim. Ngāi Tamarāwaho have also indicated through correspondence that they are happy for the land to continue to be used for community recreational purposes and would support use of the land for a wider range of recreational uses such as walking and biking pathways through the racecourse and golf course lands.

Council will continue to engage directly with mana whenua on these matters and acknowledge that as owners of the land, ongoing kōrero

with the Crown will also be necessary if any changes to the existing use are proposed.

Existing users' feedback

Racing Tauranga supported options 1 and 2 only and stated that they would like to ensure the TCC is committed to ensuring the appropriate land and funding is available to achieve a relocation of Racing Tauranga in the Tauranga Region if indeed one of options 3-7 eventuate.

Tauranga Golf Course stated that they did not support the relocation of the golf course and could work with Council on options 1, 2, 3 and 7. They also indicated willingness to contribute to some of the broader objectives of enhanced utilisation of the Reserve.

The Tauranga Equestrian Sports Association (TESA) strongly supported the retention and/or expansion of the current equestrian offering at the Tauranga Racecourse reserve location.

Consultation – phase 3 of engagement – was on the three options. This ran from 27 July - 29 August 2022 (see below).

Formal consultation process – Phase 3

In July 2022, the Council invited submissions on three options (see Appendix 2). These options were narrowed from the original seven as a result of the engagement to date, an independent analysis of wider city factors, geotechnical information and considering community feedback through the phase 1 and 2 engagement periods.

As a result of the consultation, 897 submissions were received.

The following are the numbers of submissions received in support of each option:

- Option A: health and recreation (Council's preferred option) – 201
- Option B: central park – 128
- Option C: enhanced status quo – 548

There were also 20 submissions not related to a specific option.

Themes from the consultation process

Across all submissions there are some consistent themes – very much aligned with the earlier engagement phases but also presented with more emphasis. These include:

- the high value that is put on having access to green space

- how having much better access to Kopurererua Valley would benefit the entire community
- recreational facilities should be more open and less structured eg more grass fields instead of artificial or enclosed turf spaces
- the importance of having to upgrade transportation no matter which option is followed – and that parking would need to be included/improved
- the congestion caused by having so many sporting codes in one location
- whether the golf course be reduced in the future also.

The submissions also cover a range of themes and questions relating to each option.

Option A – health and recreation - the recommended option

In the initial engagement phases, the proposal to use of some of the Reserve land for a health care facility (hospital) was less understood than during the consultation phase. Therefore there has been more positive support for the potential of the site as a health precinct during the consultation phase.

Generally this support is focused on the need for better and new health services as the City grows, the opportunity of having a hospital co-located with recreational space, the fact that the current hospital is at capacity, and the need for the regional hospital to be in a central location.

A number of submissions focus on health services being a better use of the land for a greater number of people and how the existing hospital site might be better used for housing.

Option B – central park

The most common submissions on this option reflect the overall desire for creating and ensuring there are beautiful green spaces in the City and that they are accessible to the widest range of users.

There is support for the creation of formal botanical gardens (as in other cities in New Zealand and internationally) as well as for and evolving green space that is unstructured, has few or no buildings, and focuses on biodiversity and trees.

There is also recognition about the need to have more centralised and accessible sports and recreational spaces on the Tauranga side of the

bridge. Submitters recognise that this option retains (and enhances) the existing opportunities for events and community use.

A recreational park is recognised by these submitters as an asset to the city - with green space balancing out the growth in the rest of the city - and as a taonga for future generations.

A consistent view across supporters for this option, is that this one provides the widest range of benefits, to the widest range of people in the community.

Option C – enhanced status quo

Those who support Option C – enhanced status quo – express a very strong preference to retain current user activities on the Reserve land. Many submitters wish to keep it as “green space” and support existing community users and uses of the space.

A range of submitters focus on the history of the Reserve’s use (golf, racing and equestrian) and the value of retaining these activities.

Many submitters note their enjoyment of going to the races, attending community events on site and dog training/walking activities.

Equestrian activities are favoured within the Reserve by these submitters as there is nowhere else currently where horses can go and/or where people can go to experience horses.

Specifically, TESA and others who use the equestrian space in the current Racecourse arena, submit that the reduced equestrian space under Option C is insufficient for their needs and purposes. Therefore their preference remains for the status quo (which was not one of the options being consulted on).

Submitters’ questions/issues across all three options from consultation – phase 3

Golf

- Is it possible for a golf-course to be co-located with recreational activities close by?
- How will safe access to Kopurererua Valley be achieved?

- Can the golf-course be reduced to 9 holes and make more room for recreational users of the land?
- How will there be more community use of facilities? Make a café where the clubhouse is?

Racing

- Where will a new racecourse go and who will pay for it?

Equestrian

- Where will this be relocated to and who will pay for it?
- What about extra travel costs associated with going to a facility out of town?

Traffic and parking

- How will this be managed as the area is already problematic?
- What will the impact be of public and private use of on-site parking and parking in surrounding areas?

Hospital

- What other sites have been looked at? (and what about Papamoa as an option?)
- What would happen to the other medical facilities already co-located with current hospital?

Other ideas:

A range of other ideas are proposed through the submission process for use of the Reserve land.

These include:

- aquatic facility
- velodrome
- school/educational facility
- a dog park
- cross country course for horses over the golf course.
- Expansion of the Transpower site into the green space

Appendix 1 – Phase 2 engagement (seven options)

Option 1: Stay the way it is now (status quo)



Option 5: Golf course, new homes and potentially a new school



Option 2: Enhanced community activity combined with racecourse, golf course and equestrian use



Option 6: Destination park, new homes and potentially a new school



Option 3: Community spaces and active recreation combined with golf and equestrian



Option 7: Enhanced community spaces, golf course, active recreation and potential health services



Option 4: Community spaces and active recreation destination park combined with equestrian



Appendix 2 – Phase 3 Consultation (three options)

Option A: Health and Recreation – a mixture of public hospital, parkland, sports fields, golf, and connections to Kopurererua Valley.

Option A includes a fallback provision that says: if the public hospital does not proceed on this site, then Option B: Centra Park will proceed.

To support wellbeing and liveability of the community, Option A is Tauranga City Council's preferred option for the future use of this site.

- The golf course stays and the racecourse and equestrian facilities are relocated
- This option provides future opportunity to consider the use of the current hospital campus site for housing.



Option B: Central Park – a large green parkland, sports fields, community spaces, golf and connections to Kopurererua Valley

- The golf course stays, and the racecourse and equestrian facilities are relocated



Option C: Enhanced status quo – racecourse, golf, equestrian, sports fields and connections to Kopurererua Valley

- The racecourse, golf course and equestrian facilities stay
- Potential reduction in equestrian space to allow for active sports uses.



Option D:



0 100 200m
Scale 1:5000 (A3)

Legend

- Vehicle access point
- Road
- Walkway
- Connection to Kopurererua Valley and Golf Club
- Natural bore
- Kopurererua Valley
- Existing schools
- Existing commercial zone
- Significant cultural sites
- Existing Buildings to stay
- New Building
- Re-purposed existing building
- Play Experiences
- Overflow Parking
- New Maintenance Depot
- P** Parking

Please note:
The spaces and places shown on this map are illustrated for discussion purposes and are only indicative at this time 13/07/2021.
Do not scale off this drawing.



DRAFT 7

Option D:



0 50 100m
Scale 1:2000 (A3)

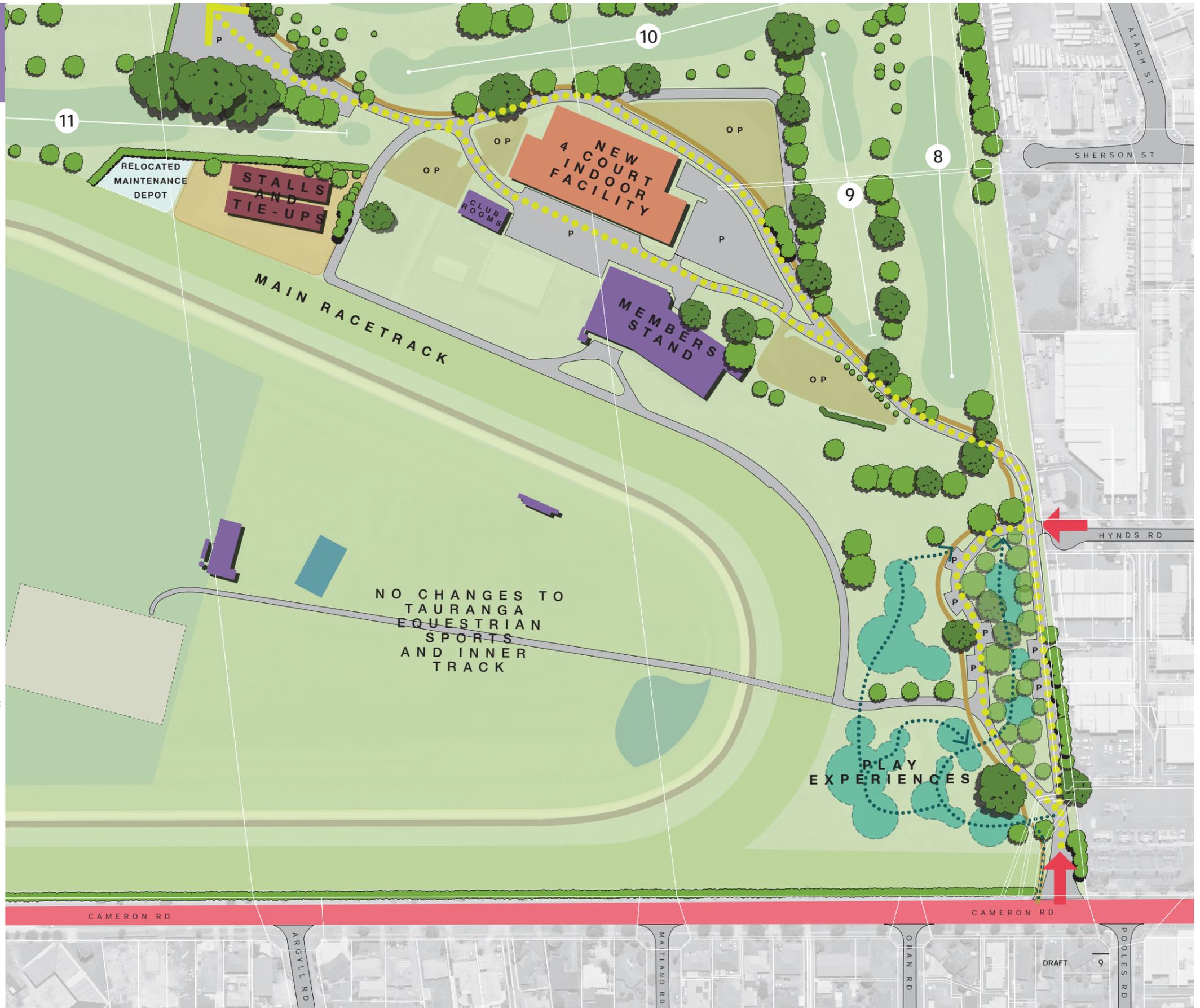
Legend

- Vehicle access point
- Road
- Walkway (Pedestrian + cyclist movement)
- Vehicular movement to Kopurererua Valley and Golf Club
- Nature play connections through to main roadway
- Existing water systems
- Existing Buildings to stay
- New Building
- Re-purposed existing building
- Play Experiences
- Overflow Parking
- Parking

Buildings that have been removed:

- Public Stand
- Marquee
- Maintenance Depot
- Existing Tie-Ups (relocated as per plan)

Please note:
The spaces and places shown on this map are illustrated for discussion purposes and are only indicative at this time 08/08/2023.
Do not scale off this drawing.



Option A: Stage 2 (2 years + development)



0 50 100m
Scale 1:2000 (A3)

Legend

- Vehicle access point
- Road
- Walkway (Pedestrian + cyclist movement)
- Vehicular movement to Kopurererua Valley and Golf Club
- Nature play connections through to main roadway
- Existing water systems
- Existing Buildings to stay
- New Building
- Re-purposed existing building
- Play Experiences
- Overflow Parking
- Parking

Buildings that have been removed:

- Public Stand
- Marquee
- Maintenance Depot
- Existing Tie-Ups (relocated as per plan)
- Club Rooms

Please note:
The spaces and places shown on this map are illustrated for discussion purposes and are only indicative at this time 08/08/2023.
Do not scale off this drawing.



Option C: Stage 2 (2 years + development)



0 100 200m
Scale 1:5000 (A3)

Legend

- Vehicle access point
- Road
- Walkway
- Connection to Kopurererua Valley and Golf Club
- Natural bore
- Kopurererua Valley
- Existing schools
- Existing commercial zone
- Significant cultural sites
- Existing Buildings to stay
- New Building
- Re-purposed existing building
- Play Experiences
- Overflow Parking
- New Maintenance Depot
- Parking
- Event Day Setup

Please note:
The spaces and places shown on this map are illustrated for discussion purposes and are only indicative at this time 08/08/2023.
Do not scale off this drawing.



Option C: Stage 2 (2 years + development)



0 50 100m
Scale 1:2000 (A3)

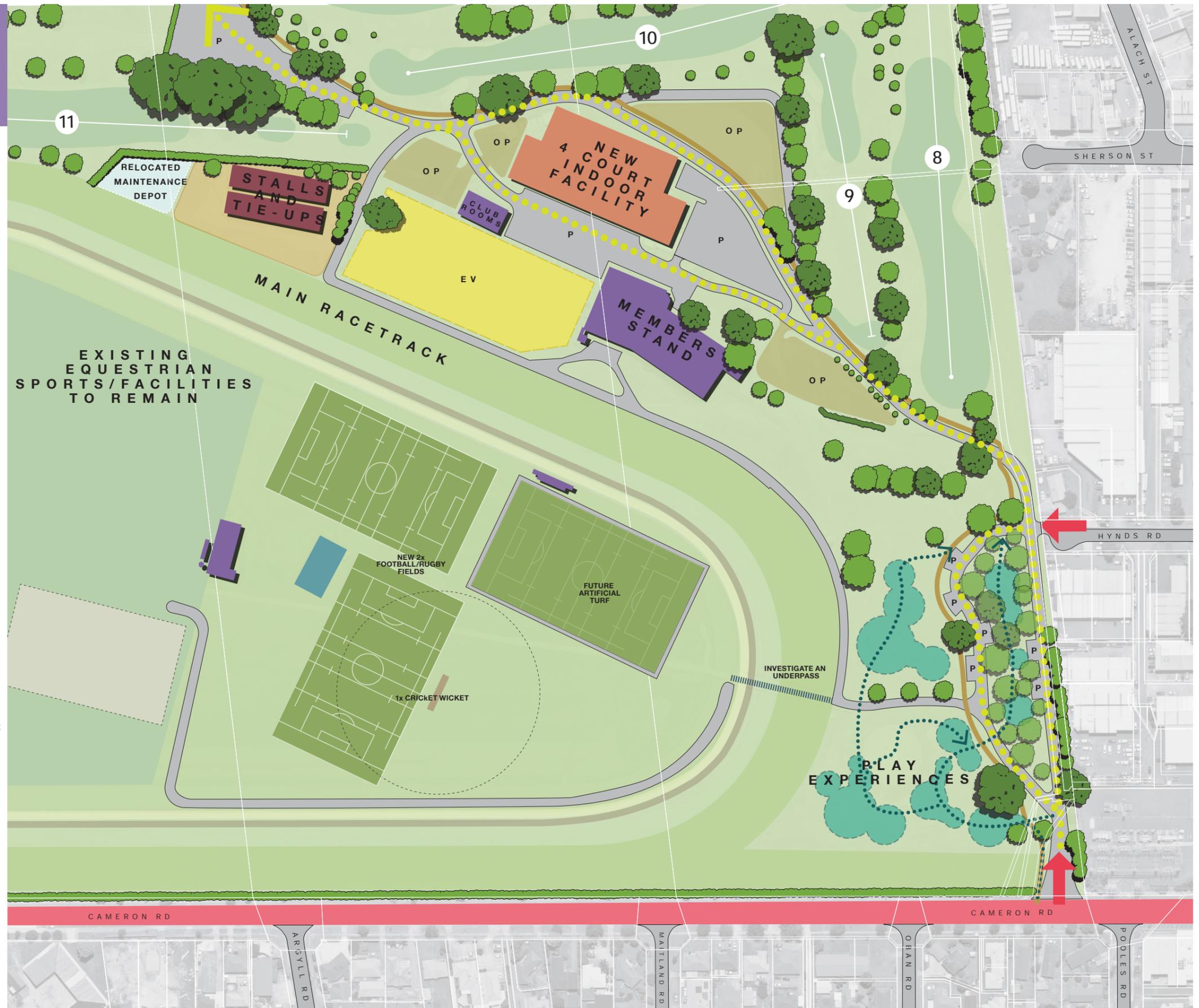
Legend

- Vehicle access point
- Road
- Walkway (Pedestrian + cyclist movement)
- Vehicular movement to Kopurerua Valley and Golf Club
- Nature play connections through to main roadway
- Existing water systems
- Existing Buildings to stay
- New Building
- Re-purposed existing building
- Play Experiences
- Overflow Parking
- Event Day Setup
- Parking

Buildings that have been removed:

- Public Stand
- Marquee
- Maintenance Depot
- Existing Tie-Ups (relocated as per plan)

Please note:
The spaces and places shown on this map are illustrated for discussion purposes and are only indicative at this time 08/08/2023.
Do not scale off this drawing.



11.3 Freedom Camping Bylaw Amendments

File Number: A14848711

Author: Ruth Woodward, Team Leader: Policy

Authoriser: Sarah Omundsen, General Manager: Regulatory and Compliance

PURPOSE OF THE REPORT

1. To adopt the draft amended Freedom Camping Bylaw 2019.

RECOMMENDATIONS

That the Council:

- (a) Receives the report "Freedom Camping Bylaw Amendments ".
- (b) Approves the draft amended Freedom Camping Bylaw 2019 (**Attachment One**).
- (c) Resolves that in accordance with section 10 of the Freedom Camping Act 2011, that inconsistencies to the Freedom Camping Bylaw 2019 are amended. These:
 - (i) include land held by Land Information New Zealand as outside the application of the bylaw
 - (ii) include a definition of motor vehicle in accordance with section 4 of the Freedom Camping Act.
 - (iii) replace the current definition of self-contained vehicle in accordance with section 87 (d) of the Plumbers, Gasfitters, and Drainlayers Act 2006
 - (iv) remove the infringement fee of \$200 for an offence
 - (v) include offences section 20 (F) and (G) of the Freedom Camping Act.
- (d) Resolves that the amendments are publicly notified in accordance with section 5 of the Local Government Act and as required by section 10 of the Freedom Camping Act 2011.
- (e) Authorises the Chief Executive to make any necessary minor drafting amendments to the draft amended Freedom Camping Bylaw 2019.

EXECUTIVE SUMMARY

2. The Self-contained Motor Vehicles Legislation Act 2023 came into effect on 6 June after receiving royal assent, which means it is now law. This legislation amends aspects of the Freedom Camping Act 2011 and the Plumbers Gasfitters and Drainlayers Act 2006.
3. A default position has been introduced prohibiting freedom camping on local authority land in a non-self-contained vehicle.
4. The legislation empowers the making of regulations, setting out national infringement offences, fees and fines, effective from 13 July 2023.
5. If there is an inconsistency between the legislation and an existing Freedom Camping Bylaw, the affected aspect of the bylaw has no legal effect, and the local authority must amend or revoke the bylaw to remove the inconsistency. Consequently, there is a requirement to update Tauranga City Council's Freedom Camping Bylaw (the bylaw).
6. The legislation states the resulting amendments in the bylaw may be made by resolution and publicly notified, without the requirement to use the special consultative procedure.

BACKGROUND

7. The purpose of the bylaw is to control freedom camping in Tauranga, including protecting local authority areas and access to them, and protecting the health and safety of people visiting these areas.
8. Local authorities are not required to have Freedom Camping Bylaws; however, Tauranga City Council (council) first adopted its bylaw in 2013. The impacts of the Freedom Camping Act on the bylaw are small, because it meets most of the requirements of the amending legislation.
9. For those local authorities that do not have a Freedom Camping Bylaw, freedom camping on local authority land in a non-self-contained vehicle is prohibited. Therefore, freedom camping on local authority land is restricted to self-contained vehicles only.
10. The regulations setting out national infringement offences, fines and fees, over-ride the penalty fee of \$200 for an offence, noted in the bylaw, so the need for inclusion is redundant. The number of offences has increased. The regulations came into effect on 13 July 2023.
11. The meaning of a self-contained motor vehicle has been further defined and technical requirements, including national certification standards, are being phased in until full implementation by 7 June 2025.
12. An exemption has now been included for people experiencing homelessness. They cannot be liable for freedom camping offences if they are not in New Zealand on a visitor visa and are unable to live in appropriate residential accommodation. This largely reinforces the previous recommended approach, which is people should not be penalised and instead directed to appropriate social service organisations.
13. The legislation also recognises that local authorities can make bylaws that prohibit freedom camping, or prohibit or restrict freedom camping in certain areas and stipulate time limits. The bylaw includes schedules identifying restricted areas along with specific and general restrictions, including identifying prohibited areas for freedom camping.
14. Local authorities are empowered to make bylaws diverging from the default position of the national rule, by permitting freedom camping in non-self-contained vehicles, in certain local areas. The bylaw already allows for this.
15. We are seeking Council’s approval to formalise the amendments to the bylaw resulting from legislation amending the Freedom Camping Act.

STRATEGIC / STATUTORY CONTEXT

16. The following areas of the bylaw have been impacted and consequently require updating:

	Amendment	Reason
3.1	Include land held by Land Information New Zealand as outside the application of the bylaw	Restrictions extended to include LINZ land section 19A Freedom Camping Act
5	Include a definition of a motor vehicle	Expanded to include slide-on campers, section 4 of the Freedom Camping Act
5	Amend the definition of a self-contained vehicle	Section 87U (d) of the Plumbers, Gasfitters, and Drainlayers Act 2006
10	Remove the fee of \$200 as a penalty for an offence	National regulations setting out fees, section 10 of the Freedom Camping Act
10	Include references to offences	Section 20 (F) and (G) of the Freedom Camping Act

FINANCIAL CONSIDERATIONS

17. Because the recently introduced schedule of fees are higher than the fixed fee in the council's bylaw, there may be an increase in fee income.

LEGAL IMPLICATIONS / RISKS

18. The requirements of the Freedom Camping Act prevail over inconsistencies in the bylaw and local authorities must amend or revoke their bylaws if these exist. This may be done by resolution publicly notified without there being a requirement to use the special consultative procedure.

CONSULTATION / ENGAGEMENT

19. The amendments to the bylaw will be publicly notified through the council's social media channels and local printed media.

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, the matter.
 - (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 matter is of low significance.

ENGAGEMENT

23. Taking into consideration the above assessment, that the matter is of low significance, officers are of the opinion that no further engagement is required prior to Council making a decision.
24. The required review of the bylaw will occur in 2028 in accordance with the current review schedule.

NEXT STEPS

25. Public notification of the amendments to the bylaw will occur following the adoption of them.

ATTACHMENTS

1. **Draft amended Freedom Camping Bylaw 2019 Aug 2023 updates PDF - A14914121** [↓](#) 

DRAFT AMENDED FREEDOM CAMPING BYLAW 2019



First adopted	2013	Minute reference	M13/60.7
Revisions/Amendments	2019, <u>2023</u>	Minute references	
Review date	2028, being no later than 10 years after the last review as per S13(2) of the Freedom Camping Act 2011 (the Act)		
Engagement required	Special Consultative Procedure Publicly notified (LGA S835) as required by S1014(52) of the Act		
Associated documents	Street Use and Public Places bylaws and policies		
Relevant legislation	The Freedom Camping Bylaw is made under The Freedom Camping Act 2011		

1. TITLE

1.1 This Bylaw is the Tauranga Freedom Camping Bylaw 2019.

2. COMMENCEMENT

2.1 This Bylaw comes into force on 1 July 2019.

3. APPLICATION

3.1 The provisions of this Bylaw only apply to land owned and controlled by Council, it does not apply to land owned by other organisations, for example the Department of Conservation, ~~and the~~ New Zealand Transport Agency (Waka Kotahi) ~~and Land Information New Zealand~~.

4. PURPOSE

4.1 The purpose of this Bylaw is to control Freedom Camping in Tauranga in order to:

- i. protect Local Authority Areas
- ii. protect the health and safety of people who may visit the area
- iii. protect access to Local Authority Areas.

5. DEFINITIONS

5.1 For the purposes of this Bylaw, the following definitions shall apply:

Term	Definition
Act	means the Freedom Camping Act 2011 and any subsequent amendments
Bylaw	refers to the Tauranga City Council Freedom Camping Bylaw 2019

Chief Executive	means the person for the time being exercising the functions of the Chief Executive of Council or their delegate
Council	means Tauranga City Council or any Committee, Sub-committee or elected member of Council or officer or other person authorised to exercise the authority of Council
Designated Area	means a parking area that is indicated by signs and/or road markings in an area where Freedom Camping is permitted subject to any restrictions and conditions
Freedom Camp/ing	has the meaning in section 5 of the Freedom Camping Act 2011 or any subsequent legislation in amendment of, or substitution for, the same
Local Authority Area	has the meaning in section 6 of the Act and any subsequent amendments
Park	means any land defined as a Park under the Local Government Act 2002
Parking Space	means a portion of a road or parking area marked out with painted lines for the specific purpose of accommodating a parked vehicle
Reserve	means any land declared a Reserve under the Reserve Act 1977
Road	has the meaning assigned to it under section 2 of the Land Transport Act 1988 – it also means all land lying between the boundaries of a Road including footpaths and berms
<u>Motor Vehicle</u>	<p><u>Means each of the following:</u></p> <p><u>(a) a motor vehicle within the meaning of section 2(1) of the Land Transport Act 1998;</u></p> <p><u>(b) a unit used for camping that is not itself a vehicle but is capable of being-</u></p> <p><u>(i) transported by means of being loaded onto a vehicle; and</u></p> <p><u>(ii) used for camping whether or not it is loaded onto a vehicle</u></p>
Self-Contained Vehicle	<p><u>In relation to a motor vehicle, means that the vehicle that has a valid certificate of self-containment issued in accordance with section 87U(32)(d) of the Plumbers, Gasfitters, and Drainlayers Act 2006 (but see subpart 1 of Part 1 of Schedule 1AA for the meaning of self-contained during the transitional period) designed and built for the purpose of camping which has the capability of meeting the ablutionary and sanitary needs of occupants of that vehicle for a minimum of three days without requiring any external services or discharging any waste and complies with New Zealand Standard 5465:2001, as evidenced by the display of a current self-containment warrant issued under New Zealand Standard Self Containment of Motor Caravans and Caravans NZS 5465:2001 and any subsequent amendments</u></p>
<u>Warrant Card</u>	<p><u>Means the warranted card referenced to in section 87X(1)(b) of the Plumbers, Gasfitters, and Drainlayers Act 2006</u></p>
<u>Words or phrases used in this Bylaw shall have the same meaning as defined in the Act.</u>	

6. LOCAL AUTHORITY AREAS WHERE FREEDOM CAMPING IS PERMITTED (SUBJECT TO RESTRICTIONS)

- 6.1 Freedom Camping is permitted in the Local Authority Areas set out in schedule 1 subject to the following general restrictions and conditions, and the specific restrictions identified in schedule 1:
- (a) must be in a Self-Contained Vehicle
 - (b) must be parked in the Designated Area for Freedom Camping when camping on a Reserve
 - (c) must be parked legally and any possessions associated with Freedom Camping must not encroach on another defined Parking Space unless in accordance with schedule 1.
 - (d) all waste should be disposed of in either the appropriate public place bin (rubbish or recycling) or should be disposed of at the transfer station.
 - (e) do not prevent others from undertaking legitimate activities in the location
 - (f) the maximum period of stay in any one Park, Reserve or Council car park or in any one Street is two nights per calendar month
- 6.2 Council may, by publicly notified resolution, change the location of a Designated Area within a permitted Freedom Camping area, and record such changes on the maps in schedule 3.

7. LOCAL AUTHORITY AREAS WHERE FREEDOM CAMPING IS PROHIBITED

- 7.1 Freedom Camping is prohibited in the areas identified in schedule 2 of this Bylaw.

8. PRIOR PERMISSION FROM COUNCIL

- 8.1 Upon application, the Chief Executive may temporarily waive or modify the Freedom Camping restrictions or prohibitions in clauses 6 to 7 of this Bylaw. Permission may be granted by the Chief Executive, with or without conditions.
- 8.2. Application for permission must be in writing and provide sufficient detail about the proposed camping to the Chief Executive at least 14 days in advance of the date planned for Freedom Camping in the area where the restrictions apply.
- 8.3. Any temporary waiver or modification of the Freedom Camping restrictions or prohibitions by the Chief Executive must be in writing.

9. COUNCIL MAY CLOSE AN AREA TO FREEDOM CAMPING

- 9.1 The Chief Executive may temporarily close or restrict Freedom Camping in any area or part of an area where the closure or restriction is considered necessary to:
- (a) prevent damage to the Local Authority Area or facilities in the area
 - (b) allow maintenance of the Local Authority Area/facilities thereon
 - (c) protect the safety of persons/property
 - (d) provide for unfettered public access, including in circumstances where events are planned for that area.

- 9.2 Notice will be given of any temporary closure or restriction, and the removal of any closure or restriction, in any manner the Chief Executive considers is appropriate to the reason for the closure or restriction. Prior notice of any temporary closure or restriction will be given where possible.

10. OFFENCES AND PENALTIES

- 10.1 As specified by section 20(1) of the Act, unless exemption under clause 9 applies, every person commits an offence who:
- (a) Freedom Camps in a Local Authority Area in breach of any prohibition or restriction in this Bylaw that applies to the area
 - (b) makes preparations to Freedom Camp in a Local Authority Area in breach of any prohibition or restriction in this Bylaw that applies to the area.
- 10.2 As specified by section ~~23(1)~~20(E) of the Act, every person who commits an offence set out in clause 10(1) is liable to an infringement fee ~~(fine) of \$200.~~
- 10.3 As specified by section 20(F)3~~(2 and 3)~~ of the Act, every person who commits an offence set out in clause 20(F)~~(2 and 3)~~1 of the Act is liable to prosecution.
- 10.4 As specified by section 20(G)(3) of the Act, every person who commits an offence set out in clause 20(G)(1 and 2) of the Act is liable to prosecution.

SCHEDULE 1: FREEDOM CAMPING – RESTRICTED AREAS

1.1 Park and Reserve areas where Freedom Camping is permitted subject to the general restrictions at clause 6.1, and the following specific restrictions (if any):

Parks and Reserves	Schedule 3 Map No.	Restrictions	
		No. of Freedom Camping vehicles permitted	Other restrictions
Beach Road Reserve	2	2	
Mount Greens Car Park (adjacent to Club Mount Maunganui, Kawaka Street)	7	10	Must fit within the confines of a marked and formed Parking Space from 7am to 8pm. Between the hours of 8pm and 7 am vehicles must be parked within the area marked as car parking spaces, but are not restricted to occupying a single space.
Cambridge Park	3	6	
Carlton Street Reserve	2	8	
Fergusson Park	2	3	Freedom Camping between: 7pm Sunday –10am Friday
Gordon Spratt Reserve	10	8	Freedom Camping between: 7pm Sunday –10am Friday
Graham Park	2	3	
Greerton Park	4	6	Freedom Camping between: 7pm Sunday – 10am Friday
Harrison’s Cut	9	2	
Kulim Park	2	2	
Marine Park 1	6	8	
Marine Park 2	6	3	
Matua Saltmarsh	2	3	
Maxwells Road Esplanade	6	2	Sealed car park at Ngatai Road end only
Memorial Park	2	6	
Mitchell Park	2	2	
Motiti Reserve	10	2	
Pemberton Park	3	2	Freedom Camping between: 7pm Sunday – 10am Friday
Rotary Park	5	3	
Stella Place	9	3	
Taylor Reserve	10	2	
Tye Park	5	2	
Waikareao Foreshore	2	3	
Waipuna Park	5	4	Freedom Camping between: 7pm Sunday – 10am Friday
Whareroa Reserve	6	4	

- 1.2 Roads where Freedom Camping is permitted subject to the general restrictions at clause 6.1 and the following specific restrictions (if any):

Roads	Restrictions
Roads with a speed limit of 50 km/hr or less (excluding Roads identified in schedule 2).	<p>Must be parked within the confines of a formed and marked Parking Space.</p> <p>Not parked directly outside a residence, commercial or industrial premises on the same side of the Road.</p> <p>Must be less than 3.5 tonnes gross vehicle mass in a residential area.</p>

- 1.3 Council car parks where Freedom Camping is permitted subject to the general restrictions at clause 6.1 and the following restrictions (if any):

Council car park	Restrictions
The Strand Waterfront car park	Must be parked within the confines of a marked and formed Parking Space.
Dive Crescent car park	Must be less than 3.5 tonnes gross vehicle mass.
Masonic car park	<p>Must be parked within the confines of a marked and formed Parking Space from 7 am to 8pm.</p> <p>Between the hours of 8pm and 7 am vehicles must be parked within the area marked as car parking spaces, but are not restricted to occupying a single space.</p> <p>Must be less than 3.5 tonnes gross vehicle mass.</p>
Devonport Road car park	
Eleventh Avenue car park	

SCHEDULE 2: FREEDOM CAMPING - PROHIBITED AREAS

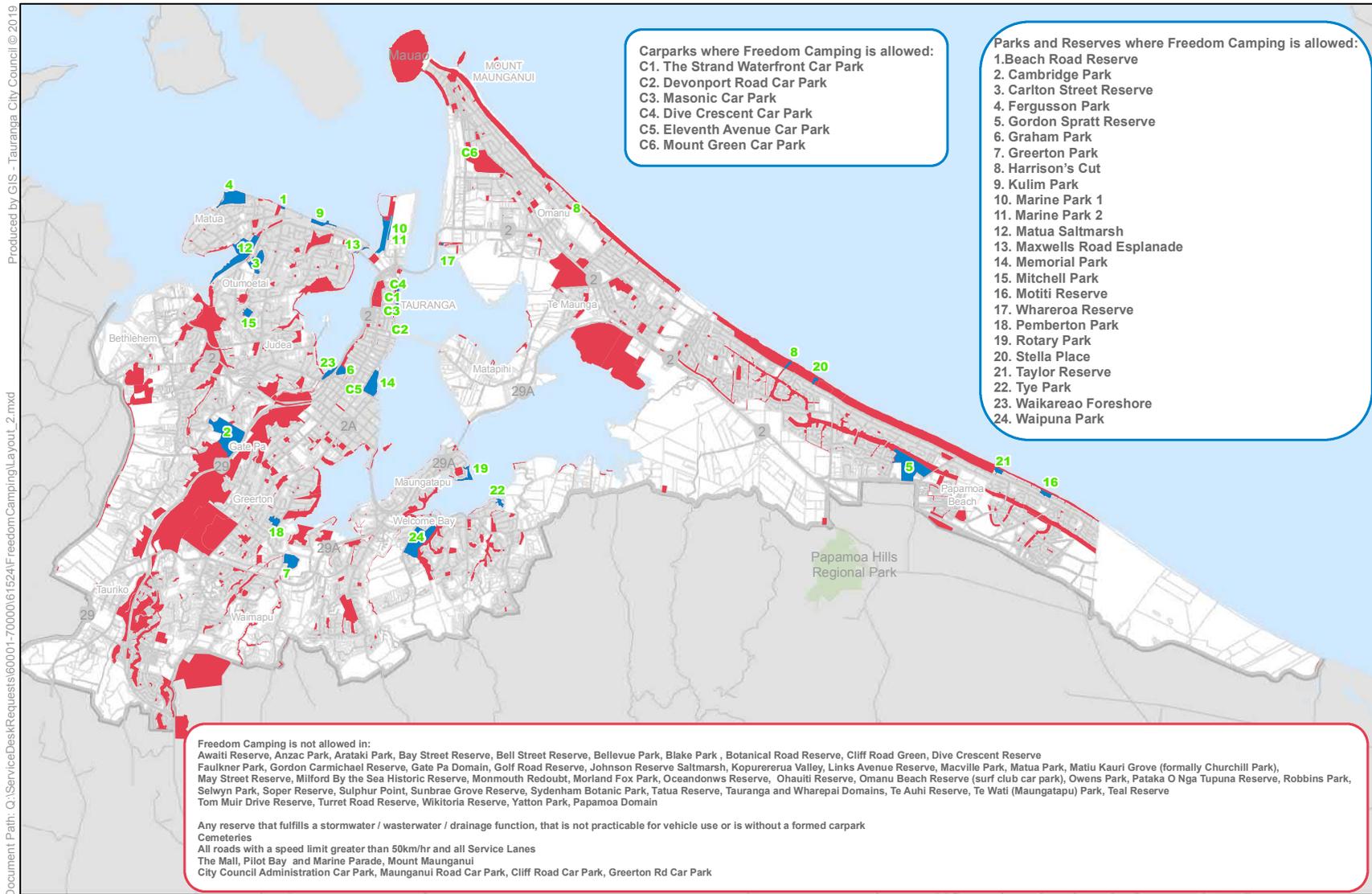
2.1 The following Park and Reserve areas where Freedom Camping is prohibited and identified in Schedule 3 Freedom Camping Maps 1 - 10:

Prohibited Park and Reserve Areas
Anzac Park
Arataki Park
Bellevue Park
Blake Park
Dive Crescent Reserve
Gordon Carmichael Reserve
Gate Pa Domain – Pukehinahina
Kopurererua Valley
Links Avenue Reserve
Macville Park
Matua Park
May Street Reserve
Morland Fox Park
Oceandowns Reserve
Omanu Beach Reserve (surf club car park)
Papamoa Domain
Reserve site at 123 Maunganui Road, Mount Maunganui
Selwyn Park
Sulphur Point
Sydenham Botanic Park
Tauranga and Wharepai Domains
Yatton Park
All Council Reserves that fulfil a stormwater and/or wastewater and/or drainage function
All Council Leased areas and community centres and halls that are under the control of a third party
Council land that is not practicable for vehicles to access
Reserves without formed car parks
Cemeteries

2.2 The following Roads and Council car parks where Freedom Camping is prohibited and identified in Schedule 3 Freedom Camping maps 1 - 10:

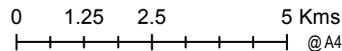
Road and car park
All Roads with a speed limit over 50 km/hr
The Mall, Pilot Bay, Mount Maunganui
Marine Parade, Mount Maunganui
Turret Road
All service lanes in the Tauranga District
City Council Administration car park
May Street car park
Cliff Road car park
Greerton Road Car Park

SCHEDULE 3: FREEDOM CAMPING MAPS



Freedom Camping Bylaw Map 1

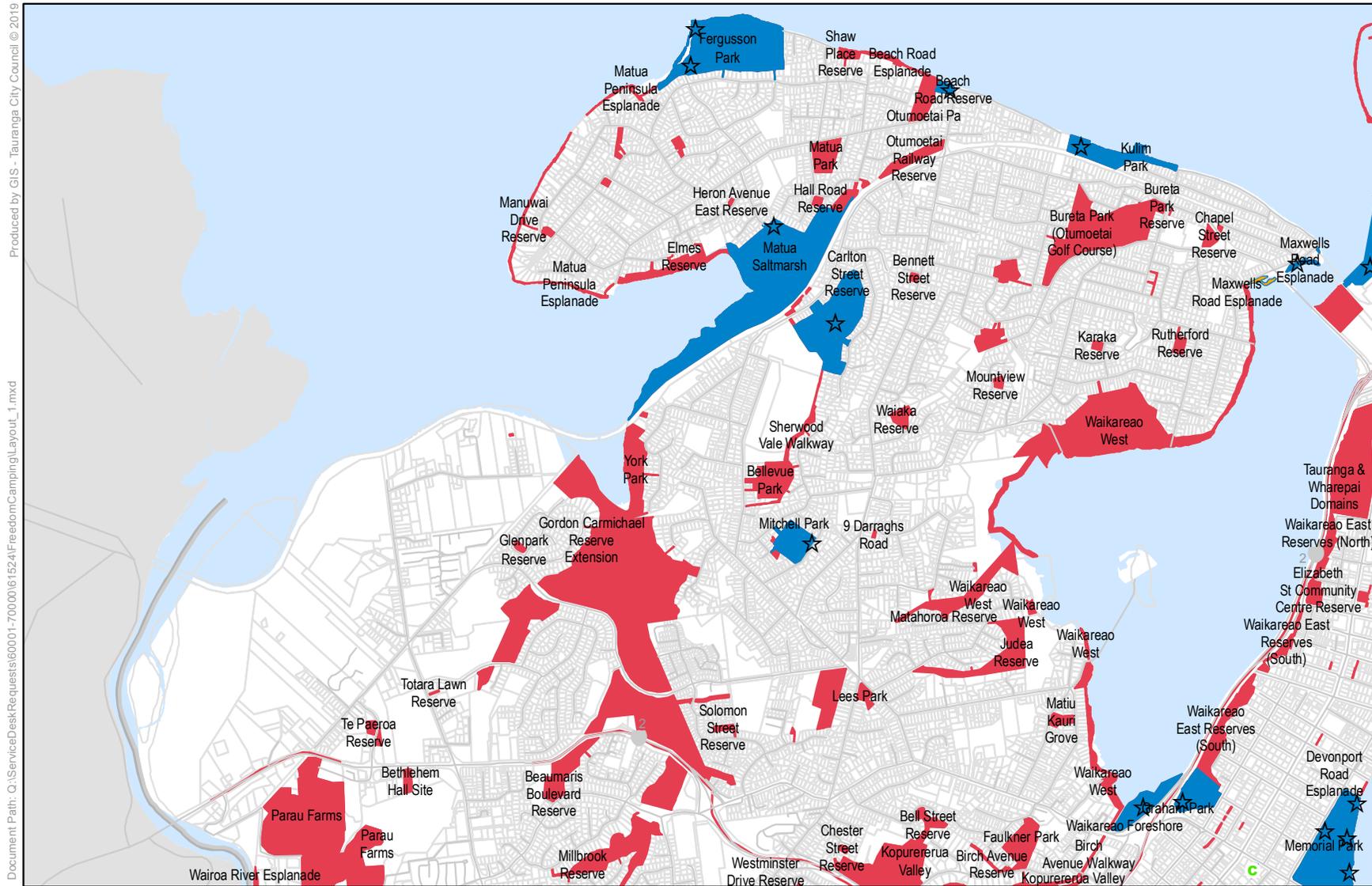
- Permitted Freedom Camping
- Prohibited Freedom Camping
- C Permitted Freedom Camping in Car Park



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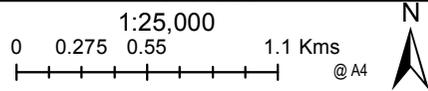


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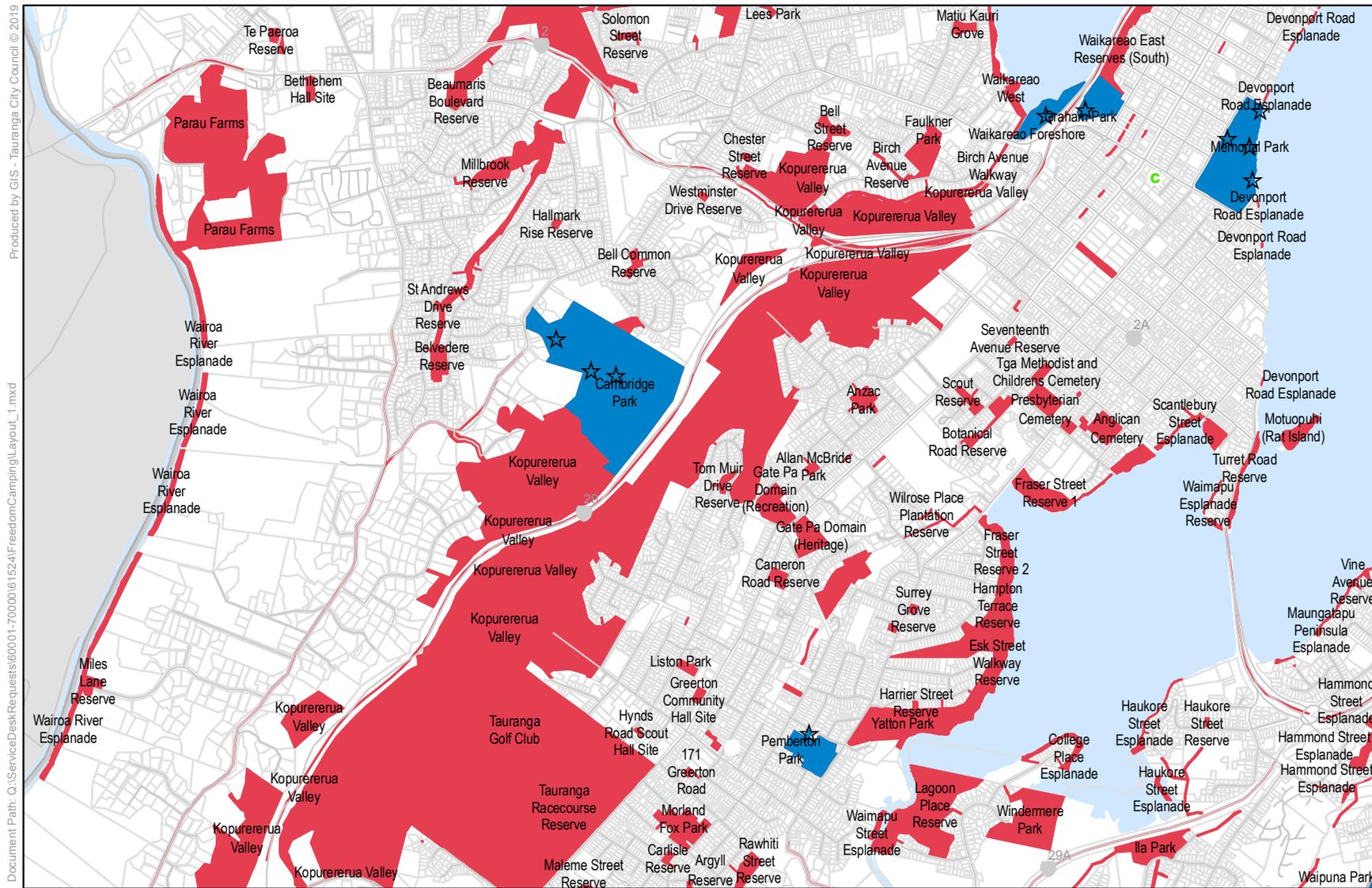
Freedom Camping Bylaw Map 2

- Permitted Freedom Camping
- Prohibited Freedom Camping
- ★ Indicative Designated Areas for Freedom Camping
- C Permitted Freedom Camping in Car Park



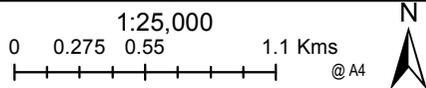
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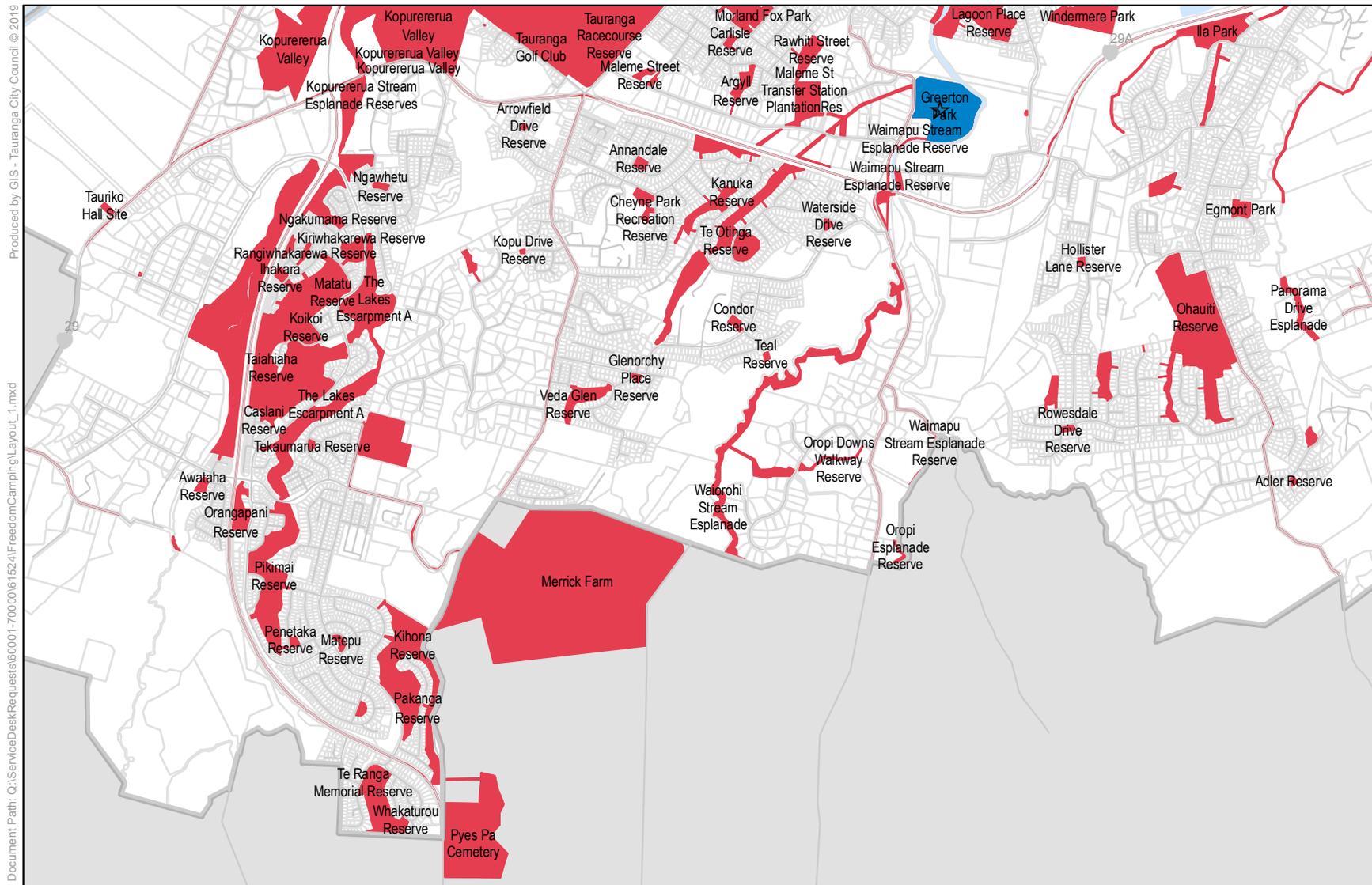
Freedom Camping Bylaw Map 3

- Permitted Freedom Camping
- Prohibited Freedom Camping
- Indicative Designated Areas for Freedom Camping
- Permitted Freedom Camping in Car Park



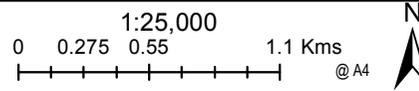
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Freedom Camping Bylaw Map 4

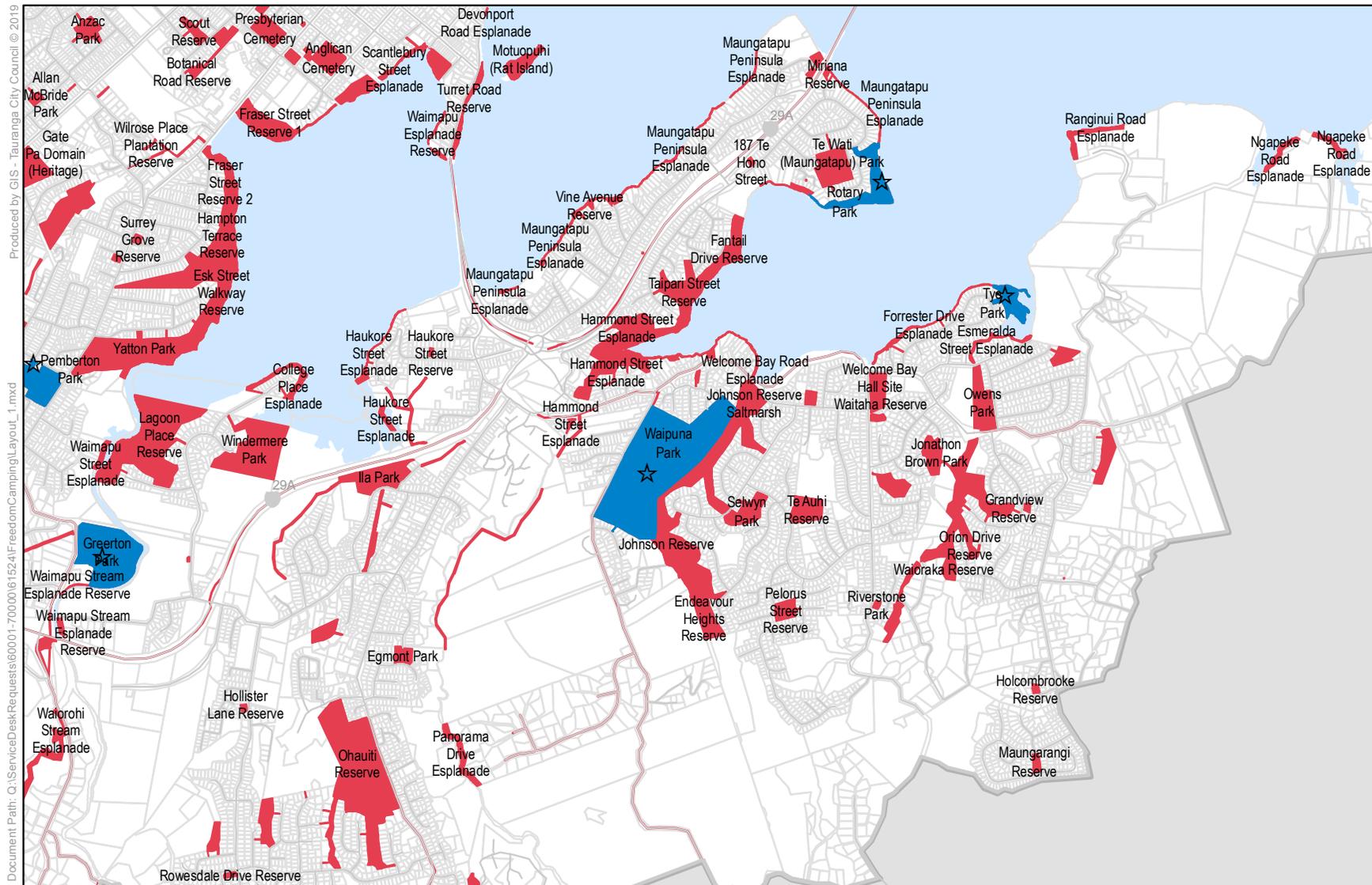
- Permitted Freedom Camping
- Prohibited Freedom Camping
- ☆ Indicative Designated Areas for Freedom Camping
- C Permitted Freedom Camping in Car Park



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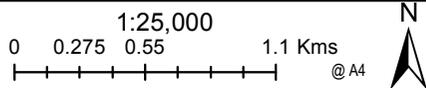


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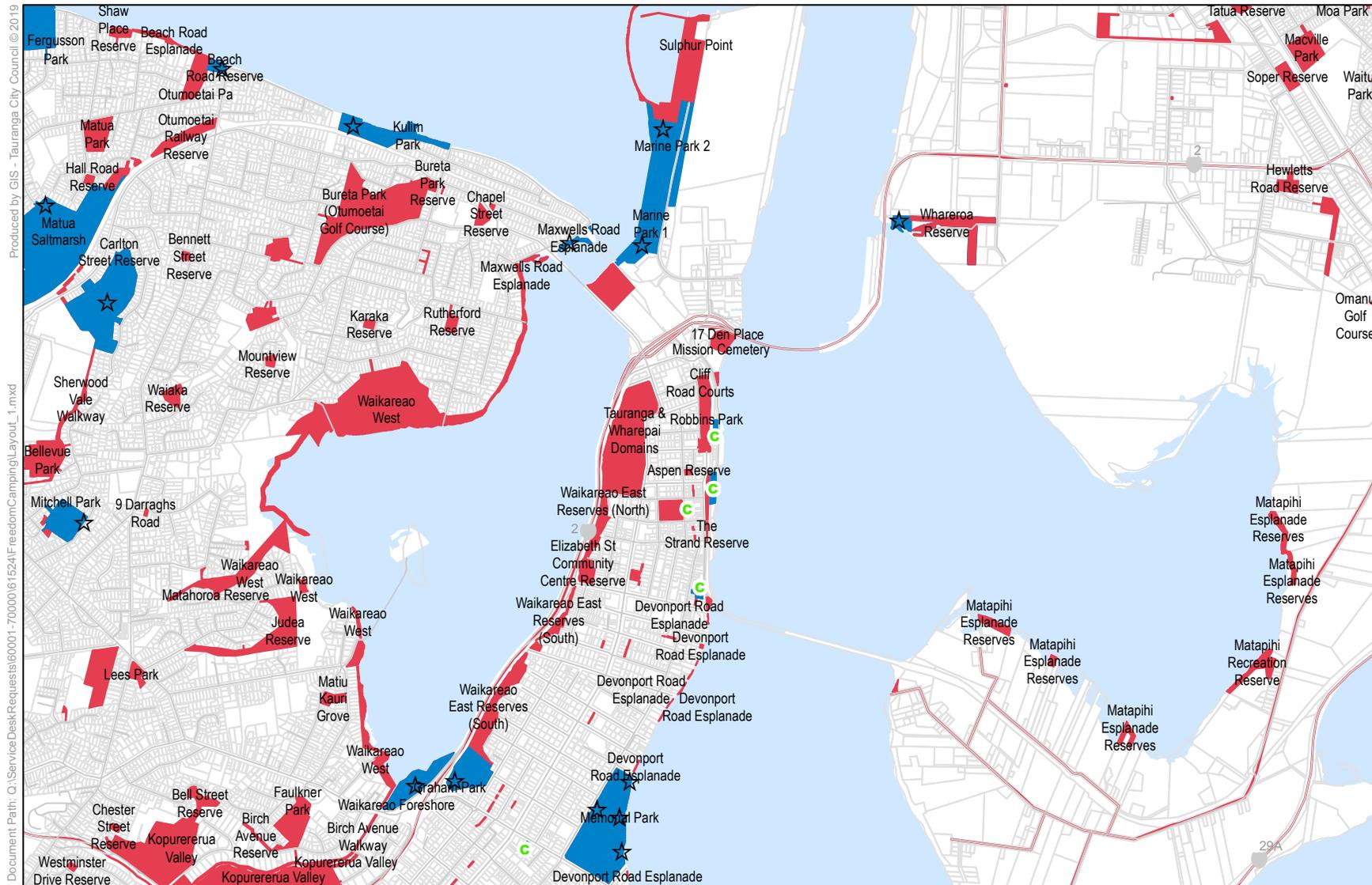
Freedom Camping Bylaw Map 5

- Permitted Freedom Camping
- Prohibited Freedom Camping
- Indicative Designated Areas for Freedom Camping
- Permitted Freedom Camping in Car Park



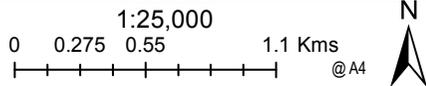
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Freedom Camping Bylaw Map 6

- Permitted Freedom Camping
- Prohibited Freedom Camping
- Indicative Designated Areas for Freedom Camping
- Permitted Freedom Camping in Car Park



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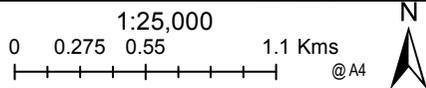
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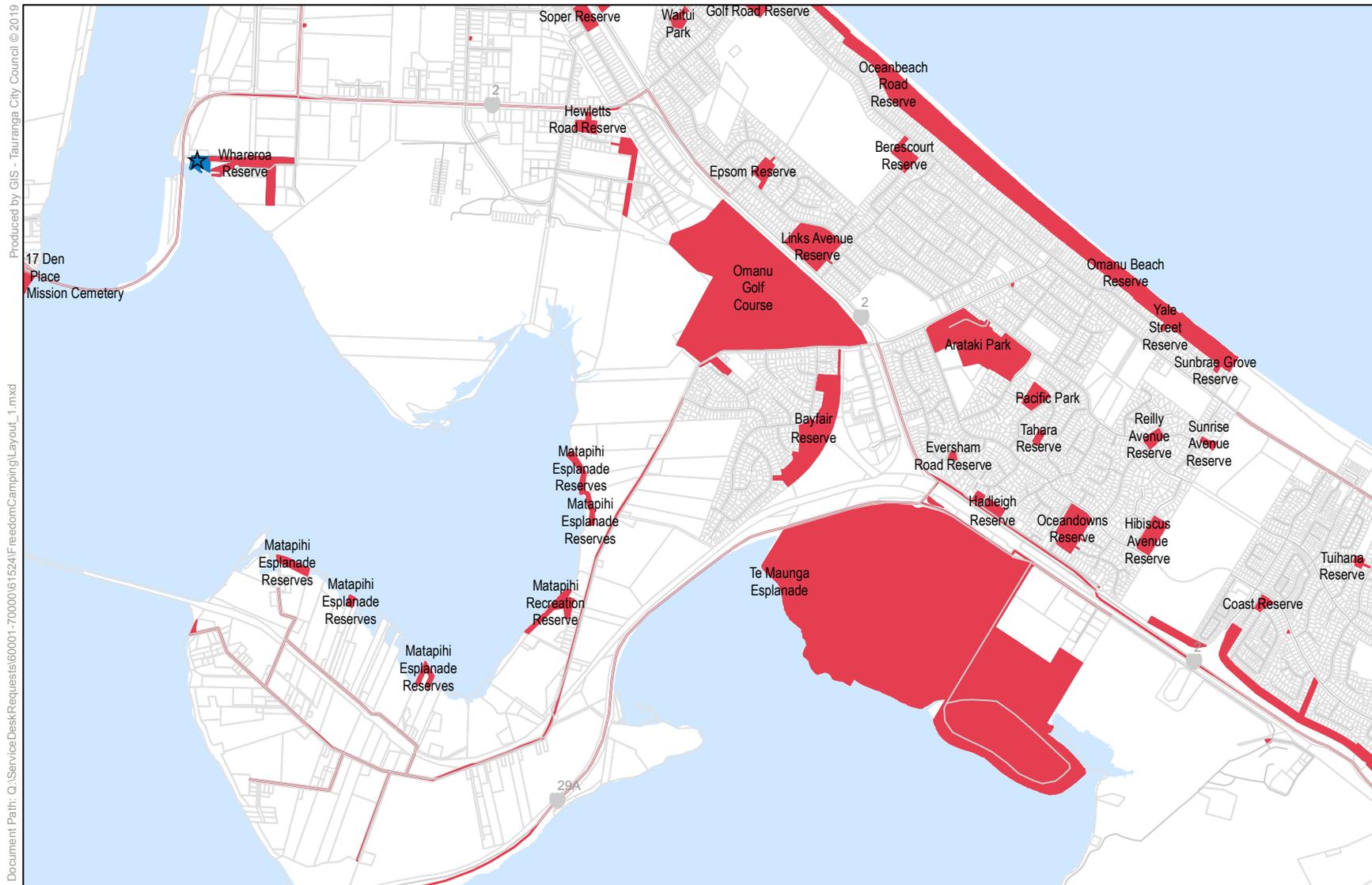
Freedom Camping Bylaw Map 7

- Permitted Freedom Camping
- Prohibited Freedom Camping
- ★ Indicative Designated Areas for Freedom Camping
- C Permitted Freedom Camping in Car Park



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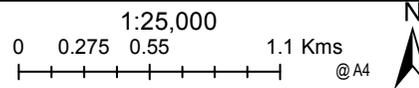


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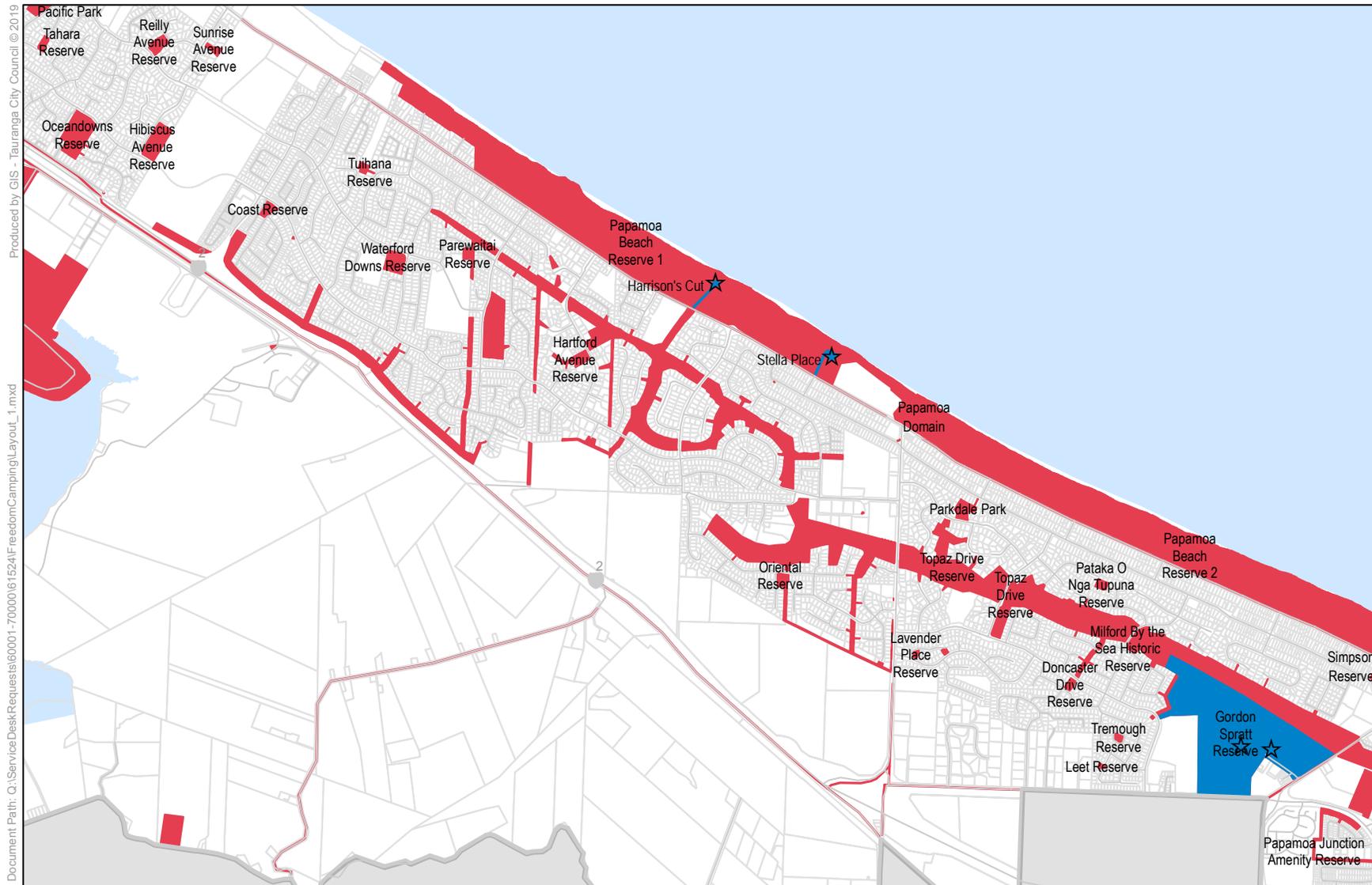
Freedom Camping Bylaw Map 8

- Permitted Freedom Camping
- Prohibited Freedom Camping
- ★ Indicative Designated Areas for Freedom Camping
- C Permitted Freedom Camping in Car Park



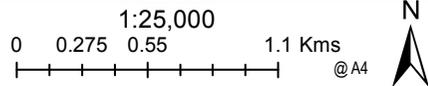
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Freedom Camping Bylaw Map 9

- Permitted Freedom Camping
- Prohibited Freedom Camping
- ★ Indicative Designated Areas for Freedom Camping
- C Permitted Freedom Camping in Car Park



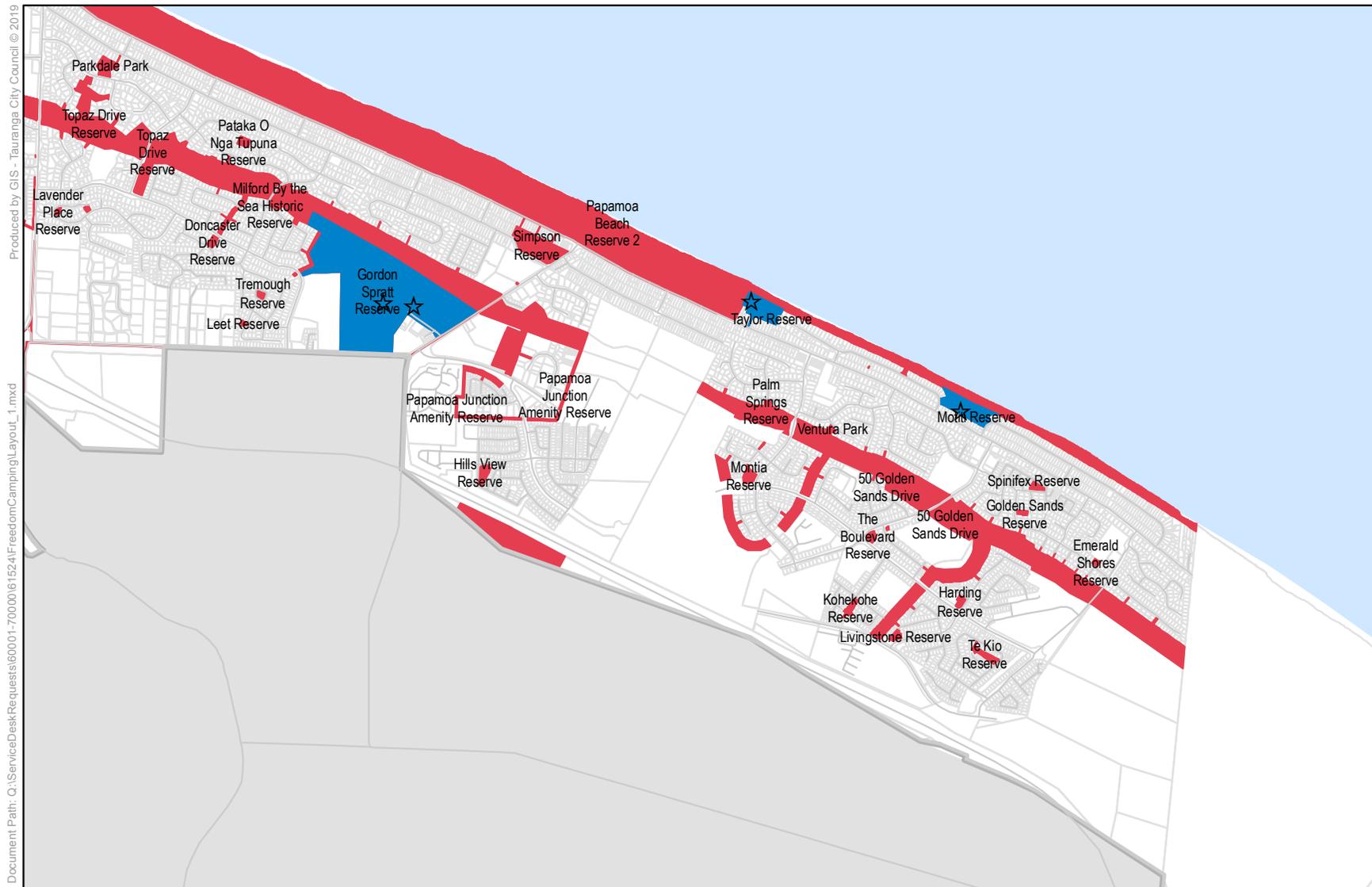
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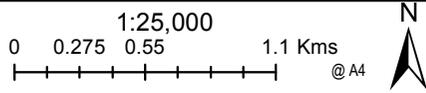
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Freedom Camping Bylaw Map 10

- Permitted Freedom Camping
- Prohibited Freedom Camping
- Permitted Freedom Camping in Car Park
- ☆ Indicative Designated Areas for Freedom Camping



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11.4 Use of oxadiazon and pendimethalin on active reserves

File Number: A14476488

Author: Emma Joyce, Open Space and Community Facilities Planner

Authoriser: Barbara Dempsey, General Manager: Community Services

PURPOSE OF THE REPORT

1. To report back on the use of oxadiazon and pendimethalin (the two products) on selected sports fields over Summer 2022/2023.
2. To approve the permanent addition of oxadiazon and pendimethalin to the Schedule of Approved Products (the schedule) to the Use of Toxic Agrichemicals for Vegetation Management Policy (the policy).

RECOMMENDATIONS

That the Council:

- (a) Receives the report "Use of oxadiazon and pendimethalin on active reserves".
- (b) Notes that the use of oxadiazon and pendimethalin on selected sports fields over Summer 2022/2023 did not achieve the desired results (potentially due to significantly higher than average rainfall and the application methodology).
- (c) Approves the permanent addition of oxadiazon and pendimethalin to the Schedule of Approved Products to the Use of Toxic Agrichemicals for Vegetation Control Policy for use on grass sports turf only.

EXECUTIVE SUMMARY

3. In approving the two products for use on selected sports fields over Summer 2022/2023 at its August 2022 meeting, Council requested staff report back on the products' effectiveness, compliance with signage, and any other problems within 12 months (resolution CO15/22/3).
4. The use of pendimethalin (Pendi-Pro) did not have the desired result to inhibit the growth of warm season grass weed species. Feedback from the manufacturer suggests this was likely the result of the unseasonably wet weather, rather than operational error. Oxadiazon has been successfully used on other Tauranga active reserves in past years and during different weather conditions. Both products are also used elsewhere in New Zealand as good practice operational sports turf maintenance without governance oversight.
5. There were no issues with signage compliance or other problems noted with the use of the two products over the past summer.
6. Staff request approval to permanently add the two products to the schedule. Use of these products assists the condition and resilience of preferred sports turf species, enabling more hours of use of our existing sports fields.

BACKGROUND

Use of oxadiazon and pendimethalin Summer 2022/2023

7. Oxidiazon was used at Morland Fox Park and Links Ave Reserve over the summer of 2022/23 as part of the grow in of new turf following field development, including new drainage systems. Pendimethalin was used at Blake Park and Tauranga Domain as a maintenance input to prevent the germination of unwanted turf species in sports field turf.

The use of the two products was intended to suppress undesirable species enabling the growth of preferred warm season grasses. This would improve the resilience and drought tolerance of the grass sports turf allowing for greater use. Unfortunately, it is likely that significant rain over the summer period resulted in the products not having the desired effect.

8. The table below comments on the matters requested by Council in approving the temporary use of the two products.

Effectiveness	<p>The product did not have the desired result with warm season weed grasses still thriving post-application.</p> <p>As this was a surprising result (oxadiazon has previously been successfully used elsewhere in Tauranga), staff sought feedback from the manufacturer who indicated that it is highly likely that the wet weather experienced over Summer 2022/2023 reduced the effectiveness of the agrichemical or created good conditions for weed growth (or both). We received exceptionally higher than normal rainfall with much of this rainfall arriving after agrichemical application¹⁰. The New Zealand Sports Turf Institute also noted that the choice to use the granular (rather than liquid) application may also be a reason for the ineffectiveness.</p>
Compliance with process of signage	Signage that application was in progress was in place at all reserves during application and removed two days after application.
Any other problems	One complaint was received from a person who seeing a sign between the sports field and playground misinterpreted the signage as indicating we were using the product on a playground. The sign specifically stated the product had been applied to the sports field surface only. No other issues were noted.

Addition of oxadiazon and pendimethalin to schedule one

9. As noted in the table above, staff elected to use a granular rather than liquid application of pendimethalin and oxadiazon recognising community concern over spray use. As well as the wet weather, it is possible that this choice to use a granular application saw the products not working as intended. As such, we would like to pursue using the same two active ingredients again this summer but using a spray application methodology (and in hopefully better weather conditions). The long range forecast for this summer is for drier conditions and possible drought, contrasting with the experience over Summer 2022/2023. However, as we need to manage the unwanted grasses in our sports turfs, we would continue with the programme should rain be expected. The active reserves work programme notes that optimisation of grass sports fields is dependent on being able to undertake appropriate turf management, including agrichemical use. Increasing capacity in our existing network would have a direct community benefit for current users.
10. There were no operational issues with the two products during the trial at Blake Park 1, Tauranga Domain, Links Avenue Reserve and Morland Fox Park. It is appropriate that the two products be added to schedule one of the policy in order for our active reserves management programme to deliver optimal use of our sports turf surfaces, and consistent with that delivered elsewhere.
11. As required by the policy, an assessment of the two products against the criteria included in the policy is provided in the table below.

¹⁰ Metservice recorded 381.9mm of rain in January 2023 compared to a historical average of 67.8mm. Source: <https://www.metservice.com/towns-cities/locations/tauranga/past-weather> accessed 26 July 2023.

Criteria		Assessment	Risk Mitigation
(a)	Potential human health effects	<p><u>Pendimethalin</u> EPA hazard classification notes potential allergic response following skin contact (skin sensitisation) and risks with repeated exposure.</p> <p><u>Oxadiazon</u> EPA hazard classification notes reproductive toxicity, carcinogen and risks with repeated exposure Both products can be harmful if swallowed and guidance is to avoid direct contact with skin and eyes. The Oxidiazon is spread in granular form and, as per the manufacturers' instructions, the product is watered into the soil profile straight after application. The Pendimethalin will come as the Liquid product "Stomp" and will be applied through spraying.</p>	<p>All application of the two products will be undertaken by appropriately trained persons in accordance with approved guidance.</p> <p>Access to the area will be restricted (fenced off) when oxadiazon is in use to avoid public coming into contact with the product or residue.</p> <p>The risk to the public during application is considered low.</p> <p>Following the spray application the product "Stomp" is washed into the soil immediately upon application. We will ensure that signage is appropriate to advise people that agrichemicals have been applied, including field closure signs.</p>
(b)	Potential effects on the wider environment	The use of the two products provides for the growth of sports turf grasses while suppressing undesirable species. Both products can be hazardous in aquatic environments, however, they will not be used near water.	The products will not be used near water.
(c)	Intended use	The intended use is to encourage the growth of warm season grasses while suppressing the germination of undesirable grass species.	Access to the sports fields will be restricted during the application and grow-in period (December to April). Restrictions on use and location reduces the likelihood of the public coming into contact with the products.
(d)	Intended location	The use would be restricted to grass sports turf.	
(e)	Application method	<p>Pendimethalin "Stomp" comes in liquid form and requires a spray application.</p> <p>Oxidiazon, Oxi-Pro comes in a granular form and is applied using a seed spreader.</p> <p>By design there should be no bioaccumulation of either product</p>	
(f)	Effectiveness of the agrichemical	<p>Earlier trials at Blake Park and Ocean Downs Reserve have shown the product works as predicted.</p> <p>Alternative methods such as glyphosate can be used as a "knock back". However, spot spraying of weeds is labour intensive and kills everything in contact with the spray, including the preferred sports turf species (i.e. couch grasses).</p>	Not applicable

STRATEGIC / STATUTORY CONTEXT

- 12. The Environmental Protection Agency (EPA) is mandated to approve all agrichemicals for use in New Zealand. The two products are both approved for use in New Zealand.
- 13. The Use of Toxic Agrichemicals for Vegetation Control Policy acknowledges the need to protect public health and the importance of effective vegetation management on Council-maintained land. All products must be approved by Council and added to the schedule following consideration against the criteria outlined above prior to their use in Tauranga.
- 14. Seeking to increase the capacity of existing sports fields is consistent with the principle of the Active Reserves Level of Service Policy. Without the use of pre-emergents we risk not being able to provide the expected level of service for all sports played on grass turfs.

OPTIONS ANALYSIS

- 15. Council could decide to permanently add the two products to the schedule (recommended), allow for temporary use following future review, or not approve any further use of the two products. The advantages and disadvantages of each option are outlined in the table below

Option	Advantages	Disadvantages
1 Add oxadiazon and pendimethalin to schedule one for use on grass sports turf only (recommended)	<ul style="list-style-type: none"> • Provides for anticipated increased use of grass sports turf • Maintain agreed level of service and meet community expectations for sports turf • Acknowledges the likelihood of drier summers in the future impacting on turf quality • Consistent with recommended practice for grass sports turf management. 	<ul style="list-style-type: none"> • Nil
2 Add oxadiazon and pendimethalin to schedule one for use on selected active reserves	<ul style="list-style-type: none"> • Provides for limited best practice management of grass sports turf at chosen sites 	<ul style="list-style-type: none"> • Does not address the long-term and ongoing need to ensure quality sports turf across the city • Restricts staff ability to prioritise and undertake good operational maintenance.
3 Do not add oxadiazon and pendimethalin to schedule one	<ul style="list-style-type: none"> • Nil 	<ul style="list-style-type: none"> • Limits our ability to increase capacity of existing sports fields • Potential for ongoing degradation of sports turf • Management practices not cognisant of potential climate change impacts (ie. likelihood of droughts) • Increased costs associated with increased mowing requirements and additional water use • Inconsistent with management practices recommended by

			<p>sports bodies and Sports Turf Institute</p> <ul style="list-style-type: none"> • Other less effective methods used. (This does not reduce the amount of agrichemicals used or employ less toxic methods)
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FINANCIAL CONSIDERATIONS

16. The cost for application of the two products is within existing operational budgets. Long-term, the promotion of warm season grasses through the use of the two products may reduce cost to renew surfaces between winter and summer sports seasons.

LEGAL IMPLICATIONS / RISKS

17. There are no legal implications arising from the recommendations.
18. As with all agrichemicals, there are potential safety risks to using the two products. However, the EPA issues guidance for the safer use of all agrichemicals approved for use in New Zealand. Application of the two products will be undertaken by trained and experienced providers.

CONSULTATION / ENGAGEMENT

19. As required by the policy, staff sought feedback from the Toxic Agrichemicals Advisory Forum (TAAF) on the application to add the two products to the schedule. TAAF oppose the addition of the two products to the schedule or their use on sports fields. TAAF note that the two products are categorised as carcinogenic with pendimethalin also potentially being an endocrine inhibitor.
20. TAAF’s full feedback is appended at attachment 1. While this feedback does refer to the product Pendi-Pro and not Stomp, pendimethalin is the active ingredient in both.
21. No other consultation or engagement was undertaken.

SIGNIFICANCE

22. 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.
23. 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.
24. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the decision is of low significance. However, it is noted that the wider matter of agrichemical use is of high importance to many Tauranga residents.

ENGAGEMENT

25. 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

26. Subject to decisions at this meeting, application of the two products will be undertaken on sports fields this summer.

ATTACHMENTS

1. **Feedback from Toxic Agrichemicals Advisory Forum on oxadiazon and pendimethalin - A14887774** [↓](#) 

EXTERNAL REVIEW OF PROPOSED USE BY TOXIC AGRICHEMICAL ADVISORY FORUM (TAAF)

Comments on the suitability of this proposed change:
<p>Oxa Pro (active ingredient Oxadiazon)</p> <p>Oxa Pro is a combination pre-emergent herbicide containing:</p> <ul style="list-style-type: none"> • a slow-release mix of nitrogen, phosphate and potassium (NPK) fertiliser • trace sulphur • a pre-emergent herbicide (2%) • a polybutene solvent (1%) <p>The NPK component provides for eight weeks of feeding and the herbicide suppresses seed germination for up to 10 weeks (for longer control, the manufacturer recommends re-application 7-10 weeks after initial application). The active ingredient in Oxa Pro is oxadiazon. It is a synthetic broad spectrum pre-emergent or early post-emergent herbicide used to control weeds in food and non-food situations. It has contact action on seeds, causing irreversible cell membrane damage.</p> <p>Control examples include ryegrass, crowfoot, oxalis, dandelion, dock, willow weed, mallows, plantain, black nightshade. Example applications include turf and sports fields, ornamental grass, playgrounds, roadsides, cemeteries, fruit crops, shelterbelts.</p> <p>Approved for use in the USA. Currently not approved for use in the UK or any EU countries with the exception of Spain, Italy and Portugal.</p> <p>Does not control established weeds.</p> <p>This product has been used in trial treatment on active reserve development/ re-development in the past two years. TAAF agreed with the limited trials to explore the value of Oxadiazone for developing new sports turfs. Results of the trials were variable. Anecdotal feedback from recent trials was that contractors found oxadiazone application assisted in the development of preferred turf species in new developments.</p> <p>Potential impacts on health and environment</p> <p>Repeated use can contribute to resistance – resistant plants can dominate the weed population if this product is used repeatedly; subsequently, resistant weeds will not be controlled by this product or other herbicides in the oxadiazole group.</p> <p>Harmful if swallowed or inhaled, will irritate eyes and skin 1. Majority of risk to handlers likely to occur during re-entry, provided personal protective equipment is used during application.</p> <p>Toxicological concern indicator is high for non-cancer health issues, based on chemical structure and in the absence of experimental data 3. Oxadiazon is a possible liver toxicant 3. No concerns about neurotoxicity - oxadiazon does not belong to a chemical group known to induce neurotoxicity.</p> <p>Carcinogen</p> <p>Defined as a PAN bad actor due to findings in the State of California that oxadiazon is a carcinogen. USEPA categorises oxadiazon as a probable human carcinogen. Oxadiazon is documented in the UK as a possible human carcinogen. EU research suggests the mechanism causing cancer in mammal tests is not present in humans and therefore oxadiazon may not present a cancer risk to humans.</p> <p>Product contains trace amounts of crystalline silica, a potential human carcinogen.</p> <p>Endocrine Disrupter</p> <p>No data available – research gaps.</p> <p>Reproductive Developmental Toxicity</p> <p>Reproductive/ developmental effects noted in UK records and EU research. Recognised developmental toxin by State of California and the USEPA.</p>

Eco-toxicity
 Contaminant for waterways and is difficult to mitigate run off. Label stipulates no application should occur where risk of storm runoff within several days to water bodies has been identified. Buffer zones of 20m recommended to avoid oxadiazon entering waterways.
 Acute toxicity for herbivorous birds and fish/aquatic organisms when exposed to product, which is unlikely to occur through intended use. Low acute toxicity for honey bees, moderate acute and chronic toxicity for earthworms and a high risk assessment for earth-worm eating birds and potentially other earth-worm eating animals. Fish reproduction is affected by exposure to oxadiazon.
 Mixed findings on bioaccumulation, varies in crops, animals, soils and water. Oxadiazon has a bioconcentration tendency of concern in fish, aquatic invertebrates and aquatic plants. Product not known to bioaccumulate in mammals. Oxadiazon is persistent to very persistent in soils under aerobic conditions (90-330 days in field trials). In light it breaks down moderately fast, but in wet/ an aerobic conditions and low light it is very persistent.
 In dark conditions at 20°C, metabolite AE0608022 persists for 120+ days in soil and has potential to contaminate ground water where prolonged anaerobic conditions occur. Modelling suggests repeat annual use of oxadiazon in aerobic conditions would lead to soil concentrations remaining below the EU regulatory limit, and unlikely to lead to contamination of remote areas through transport above or below ground. Bioassays of non-target plant species nearby application areas showed reduced vigour in some species and a recommended 10m buffer is advisable.
TAAF recommends:
 1. that *OxaPro* and other oxadiazon products not be used on any active reserves;
 2. that no oxadiazon products be added to schedule 1.
 The above is an extract from the TAAF Assessment of proposed new agrichemicals for schedule 1, July 2022 which is attached, This will be further expanded on when TAAF addresses TCC Commissioners

Does TAAF agree or disagree with the proposal for this proposed change?			
AGREE		DISAGREE	TAAF Disagrees
Signed by Chair(s)		Date	24-06-23

EXTERNAL REVIEW OF PROPOSED USE BY TOXIC AGRICHEMICAL
ADVISORY FORUM (TAAF)

Comments on the suitability of this proposed change:			
<p>Pendi Pro (active ingredient Pendimethalin) Potential impacts on health and environment Pendimethalin is considered of low acute toxicity for humans by the USEPA, except by inhalation, which is considered to be a primary health risk for handlers. Additional safety requirements were put in place in 2007 as a consequence of handler data relating to cancers following chronic exposure.</p> <p>Carcinogen/ Endocrine Disrupter There is research data indicating that pendimethalin is carcinogenic and endocrine disrupting, with specific health implications for thyroid function. Pendimethalin is listed as a category III endocrine disruptor by the EU (category III: persistent in the environment, not enough data available at present to fully assess risk). Research on pendimethalin and its metabolites has shown contamination with nitrosamine during manufacture, which strengthens the likelihood of this herbicide being carcinogenic.</p> <p>Reproductive Developmental Toxicity No data available – research gaps.</p> <p>Eco-toxicity Pendimethalin is moderately toxic to most land animals and highly toxic to aquatic organisms. Pendimethalin bioaccumulates predominantly in the aquatic environment.</p> <p>TAAF recommends: 1. that <i>Pendi Pro</i> and other pendimethalin products not be used on any active reserves; 2. that no pendimethalin products be added to schedule 1.</p> <p>The above is an extract from the TAAF Assessment of proposed new agrichemicals for schedule 1, July 2022 which is attached, This will be further expanded on when TAAF addresses TCC Commissioners</p>			
Does TAAF agree or disagree with the proposal for this proposed change?			
AGREE		DISAGREE	TAAF disagees
Signed by Chair(s)		Date	24-06-23

Assessment of proposed new agrichemicals for schedule 1, July 2022

Summary

Two new agrichemicals have been proposed for addition to schedule 1 of the *Use of Toxic Agrichemicals for Vegetation Management* policy. TAAF makes the following recommendations:

1. Andersons Oxa Pro Fertiliser 15-2-8 with Herbicide – don't approve for use on active reserves
2. Andersons Pendi Pro – don't approve for use on active reserves

Introduction

Two new agrichemicals were requested for addition to Schedule 1 of the *Use of Toxic Agrichemicals for Vegetation Management* policy in June 2022. One of the active ingredients has been evaluated previously by TAAF.

This report gives a brief summary and TAAF's recommendation on each of the agrichemicals proposed by TCC staff (or contractors).

Assessments

Oxa Pro (active ingredient Oxadiazon)

Oxa Pro is a combination pre-emergent herbicide containing:

- * a slow-release mix of nitrogen, phosphate and potassium (NPK) fertiliser
- * trace sulphur
- * a pre-emergent herbicide (2%)
- * a polybutene solvent (1%)

The NPK component provides for eight weeks of feeding and the herbicide suppresses seed germination for up to 10 weeks (for longer control, the manufacturer recommends re-application 7-10 weeks after initial application).

The active ingredient in Oxa Pro is oxadiazon. It is a synthetic broad spectrum pre-emergent or early post-emergent herbicide used to control weeds in food and non-food situations. It has contact action on seeds, causing irreversible cell membrane damage.

Control examples include ryegrass, crowfoot, oxalis, dandelion, dock, willow weed, mallows, plantain, black nightshade. Example applications include turf and sports fields, ornamental grass, playgrounds, roadsides, cemeteries, fruit crops, shelterbelts.

Approved for use in the USA. Currently not approved for use in the UK or any EU countries with the exception of Spain, Italy and Portugal.

Does not control established weeds.

This product has been used in trial treatment on active reserve development/ re-development in the past two years. TAAF agreed with the limited trials to explore the value of Oxadiazon for developing new sports turfs. Results of the trials were variable. Anecdotal feedback from recent trials was that contractors found oxadiazon application assisted in the development of preferred turf species in new developments.

Potential impacts on health and environment

Repeated use can contribute to resistance – resistant plants can dominate the weed population if this product is used repeatedly; subsequently, resistant weeds will not be controlled by this product or other herbicides in the oxadiazole group.

Harmful if swallowed or inhaled, will irritate eyes and skin 1. Majority of risk to handlers likely to occur during re-entry, provided personal protective equipment is used during application.

Toxicological concern indicator is high for non-cancer health issues, based on chemical structure and in the absence of experimental data 3. Oxadiazon is a possible liver toxicant 3. No concerns about neurotoxicity - oxadiazon does not belong to a chemical group known to induce neurotoxicity.

Carcinogen

Defined as a PAN bad actor due to findings in the State of California that oxadiazon is a carcinogen. USEPA categorises oxadiazon as a probable human carcinogen. Oxadiazon is documented in the UK as a possible human carcinogen. EU research suggests the mechanism causing cancer in mammal tests is not present in humans and therefore oxadiazon may not present a cancer risk to humans.

Product contains trace amounts of crystalline silica, a potential human carcinogen.

Endocrine Disrupter

No data available – research gaps.

Reproductive Developmental Toxicity

Reproductive/ developmental effects noted in UK records and EU research. Recognised developmental toxin by State of California and the USEPA.

Eco-toxicity

Contaminant for waterways and is difficult to mitigate run off. Label stipulates no application should occur where risk of storm runoff within several days to water bodies has been identified. Buffer zones of 20m recommended to avoid oxadiazon entering waterways.

Acute toxicity for herbivorous birds and fish/aquatic organisms when exposed to product, which is unlikely to occur through intended use. Low acute toxicity for honey bees, moderate acute and chronic toxicity for earthworms and a high risk assessment for earth-worm eating birds and potentially other earth-worm eating animals. Fish reproduction is affected by exposure to oxadiazon.

Mixed findings on bioaccumulation, varies in crops, animals, soils and water. Oxadiazon has a bioconcentration tendency of concern in fish, aquatic invertebrates and aquatic plants. Product not known to bioaccumulate in mammals. Oxadiazon is persistent to very persistent in soils under aerobic conditions (90-330 days in field trials). In light it breaks down moderately fast, but in wet/ an aerobic conditions and low light it is very persistent.

In dark conditions at 20°C, metabolite AE0608022 persists for 120+ days in soil and has potential to contaminate ground water where prolonged anaerobic conditions occur. Modelling suggests repeat annual use of oxadiazon in aerobic conditions would lead to soil concentrations remaining below the EU regulatory limit, and unlikely to lead to contamination of remote areas through transport above or below ground. Bioassays of non-target plant species nearby application areas showed reduced vigour in some species and a recommended 10m buffer is advisable.

TAAF recommends:

1. that *OxaPro* and other oxadiazon products not be used on any active reserves;
2. that no oxadiazon products be added to schedule 1.

Pendi Pro (active ingredient Pendimethalin)

Pendi Pro is a selective residual herbicide that prevents germination of seeds. The active ingredient pendimethalin is a systemic dinitroaniline herbicide, and the chemical inhibits germination and seedling development.

Control examples include annual summer and winter grasses, crab grass, crowfoot. Example applications include turf and sports fields, ornamental grass, playgrounds, roadsides, cemeteries, fruit crops, shelterbelts.

Tauranga City Council staff and TAAF opposed the addition of Pendi Pro to schedule 1 in September 2015; elected members agreed with the recommendations and Pendi Pro was not approved for use on TCC maintained land and was therefore not added to schedule 1.

Pendimethalin is approved for use in the USA, Australia, the UK and most EU countries. This agrichemical is an EU candidate for substitution due to its status as a persistent-bioaccumulative toxin.

Potential impacts on health and environment

Pendimethalin is considered of low acute toxicity for humans by the USEPA, except by inhalation, which is considered to be a primary health risk for handlers. Additional safety requirements were put in place in 2007 as a consequence of handler data relating to cancers following chronic exposure.

Carcinogen/ Endocrine Disrupter

There is research data indicating that pendimethalin is carcinogenic and endocrine disrupting, with specific health implications for thyroid function. Pendimethalin is listed as a category III endocrine disruptor by the EU (category III: persistent in the environment, not enough data available at present to fully assess risk). Research on pendimethalin and its metabolites has shown contamination with nitrosamine during manufacture, which strengthens the likelihood of this herbicide being carcinogenic.

Reproductive Developmental Toxicity

No data available – research gaps.

Eco-toxicity

Pendimethalin is moderately toxic to most land animals and highly toxic to aquatic organisms. Pendimethalin bioaccumulates predominantly in the aquatic environment.

TAAF recommends:

- 1.that *Pendi Pro* and other pendimethalin products not be used on any active reserves;
2. that no pendimethalin products be added to schedule 1.

Conclusion

In the past 20 years there has been a huge increase in our ability to access and share independent research relating to agrichemical impacts on human and environmental health. The globalisation of information and free access via the internet mean that research findings can more quickly inform policy and alert the public to health and environmental risks than ever before.

The complexity of assessing toxicity is such that TAAF are unable – even with the best available research findings – to give a precise quantifiable risk associated with the use of any agrichemicals in Tauranga-Moana; that includes the products discussed above. Despite this, evidence of risks does strongly lean towards avoiding the use of these products where anyone could be exposed to residues. The above-mentioned products have been requested for active sports reserves where children of all ages could be playing in bare feet and summer-weight clothing – bare skin, exposed to residues. We urge Commissioners to hold the precautionary principle as the highest priority when considering the inclusion of these agrichemicals on schedule 1.

References

Andersons Safety Data Sheet: Oxa-Pro 15+2+8 Fertiliser with Pre-emergent Herbicide. March, 2016.

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ChemSpider, Royal Society of Chemistry, UK; <http://www.chemspider.com/About.aspx>

Council to consider use of more toxic agrichemicals, Bay of Plenty Times, 14 Sept 2015; <https://www.nzherald.co.nz/bay-of-plenty-times/news/council-to-consider-use-of-more-toxic-agrichemicals/DRJLLWFDGO3FT6JYWABC5IBCHQ/>

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European Food Safety Authority (EFSA) (2010): Conclusion on the peer review of the pesticide risk assessment of the active substance oxadiazon. EFSA Journal 2010; 8(2): 1389. Accessed: https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=2ahUKEwiwsv3Eg_3dAh_WUPXAKHXYkBe8QFjAAegQIHRAB&url=https%3A%2F%2Fefsa.onlinelibrary.wiley.com%2Fdoi%2Fpdf%2F10.2903%2Fj.efsa.2010.1389&usq=AOvVaw34a3OKLAL19-bMBcRJKGeO

NZ Chemical Suppliers Database; <https://www.nzchemicalsuppliers.co.nz/list/search?search=oxadiazon>

Pesticide Database: Pesticide Action Network North America; <http://www.pesticideinfo.org/>

Pesticide Properties Database: Agriculture & Environment Research Unit (AERU) at the University of Hertfordshire; <https://sitem.herts.ac.uk/aeru/ppdb/en/>

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11.5 CCO Final Statements of Intent 2023/24 to 2025/26

File Number: A14654332

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PURPOSE OF THE REPORT

1. The purpose of this report is to provide the final Statements of Intent 2023/24 to 2025/26 for Tauranga City Council's seven council-controlled organisations: Bay Venues Limited, Tauranga Art Gallery Trust, Tourism Bay of Plenty, Te Manawataki o Te Papa Limited, Te Manawataki o Te Papa Charitable Trust, Bay of Plenty Local Authority Shared Services, and Local Government Funding Agency, as required by the Local Government Act (2002).

RECOMMENDATIONS

That the Council:

- (a) Receives the report "CCO Final Statements of Intent 2023/24 to 2025/26".
- (b) Receives and approves Bay Venues Limited's final Statement of Intent 2023/24 to 2025/2026 (Attachment 1).
- (c) Receives and approves Tauranga Art Gallery Trust's final Statement of Intent 2023/24 to 2025/26 (Attachment 3).
- (d) Receives and approves Tourism Bay of Plenty's final Statement of Intent 2023/24 to 2025/26 (Attachment 5).
- (e) Notes that Western Bay of Plenty District Council, as joint shareholder, will receive the final Statement of Intent 2023/24 to 2025/26 for Tourism Bay of Plenty at their Council meeting on 30 August 2023.
- (f) Receives and approves Te Manawataki o Te Papa Limited's final Statement of Intent 2023/24 to 2025/26 (Attachment 7).
- (g) Receives and approves Te Manawataki o Te Papa Charitable Trust's final Statement of Intent 2023/24 to 2025/26 (Attachment 8).
- (h) Receives and approves Bay of Plenty Local Authority Shared Services' final Statement of Intent 2023/24 to 2025/26 (Attachment 9).
- (i) Receives and approves Local Government Funding Agency's final Statement of Intent 2023/24 to 2025/26 (Attachment 10).

EXECUTIVE SUMMARY

2. Bay Venues Limited (Bay Venues), Tauranga Art Gallery Trust (TAGT), Tourism Bay of Plenty (TBOP), Te Manawataki o Te Papa Limited (TMOTPL), Te Manawataki o Te Papa Charitable Trust (TMOTPCT), Bay of Plenty Local Authority Shared Services Limited (BOPLASS), and the Local Government Funding Agency (LGFA) are council-controlled organisations and as such, are required to prepare a Statement of Intent (SOI) and provide a copy to their shareholder, Tauranga City Council (TCC), by 30 June each year.
3. Draft SOI for Bay Venues, TAGT, TBOP, BOPLASS, and LGFA were considered by Council on 3 April 2023 and feedback was provided to the Bay Venues, TAGT and TBOP boards.
4. After receiving and considering Council's feedback on their draft SOI, the boards of Bay Venues, TAGT, and TBOP have adopted their final SOI for 2023/24 to 2025/26.

5. As both BOPLASS and LGFA have a large number of council shareholders, it is not expected that TCC provides feedback to their draft SOI, unless there are areas of significant concern.
6. An analysis of each council-controlled organisation's final SOI was undertaken. For Bay Venues, TAGT and TBOP, this was done with reference to the shareholder feedback provided in April to assess whether Council's suggestions were considered further.
7. TMOTPL and TMOTPCT were only registered as a company and charitable trust respectively in early 2023, and have provided their first and final SOI. There has been insufficient time to receive drafts by the required deadline and provide shareholder feedback. Commentary is therefore only provided on their final versions.
8. The final SOI for TBOP will also be considered by their joint shareholder Western Bay of Plenty District Council at their Council Committee meeting on 30 August 2023.
9. All seven council-controlled organisations' SOI meet the statutory requirements as outlined in Schedule 8, Section 9 of the Local Government Act (2002).

BACKGROUND

Consideration of SOI

10. In accordance with the Local Government Act 2002, council-controlled organisations are required to provide their draft SOI to Council by 1 March each year. This document is intended to cover the next three financial years.
11. Council considered the draft SOI for Bay Venues, TAGT, TBOP, BOPLASS, and LGFA at a Council meeting on 3 April 2023, and the shareholder's feedback was provided to each council-controlled organisation's board.
12. The council-controlled organisations are required to consider Council's comments on the draft SOI prior to submitting their final SOI by 30 June each year.
13. TBOP, TMOTPL, TMOTPCT, BOPLASS and LGFA met the 30 June 2023 deadline and statutory requirements outlined in Schedule 8, Section 9 of the Local Governance Act (2002). Bay Venues and TAGT reports were received on 4 and 17 July 2023 respectively.

Changes from draft to final SOI

14. A discussion of the key changes from the draft to final SOI are outlined in paragraphs 15 to 34 below. The relevant council-controlled organisations have updated parts of their SOI to reflect the feedback from Council.

Bay Venues Limited (Bay Venues)

15. Staff are satisfied that the Bay Venues Board have responded appropriately to Council's shareholder feedback in their final SOI, noting:
 - **Social Return on Investment (SROI)**
Bay Venues have clearly outlined their intention to adopt a SROI model to enable them to measure and report on their activities, and to use this data to create positive storytelling opportunities.
 - **Sustainability Action Plan**
Further details on information collection for this plan have not been included.
 - **Tauranga Events Action and Investment Plan**
Bay Venues have adopted Council's recommendation to highlight their intention to actively participate in implementing this Plan several times in their final SOI.
 - **Opportunities to increase accessibility**
Bay Venues have included in their *Strategic Focus Areas*, "we provide facilities for our community that are welcoming, accessible, and inclusive." They also acknowledge Council's request for "increasing community access and participation for diverse

groups, demonstrating cultural awareness to ensure people of all ages and from all backgrounds are welcome, and progressing social return on investment reporting.”

16. In the *Key Areas of Focus for the Year Ahead*, Bay Venues have acknowledged Council’s request for them to ensure:
- financial reporting is clear and transparent, and summaries of Board meeting discussions and decisions are made publicly available;
 - more information about what Bay Venues does and how it operates is published online for the community to access, and it engages the community through joint storytelling opportunities; and
 - greater alignment and operational efficiencies through shared services collaboration with TCC.
17. Bay Venues’ final SOI is provided at Attachment 1, and a copy of Council’s shareholder feedback letter at Attachment 2.

Tauranga Art Gallery Trust (TAGT)

18. Staff are satisfied that the TAGT Board have responded appropriately to Council’s shareholder feedback in their final SOI, noting:
- **Te Manawataki o Te Papa project involvement and commitment**
TAGT have highlighted their partnership role with Council in this civic development project, alongside the notable opportunities and financial investment involved. The *Letter of Introduction* and *Assumptions* sections of their SOI highlight this role and detail the financial arrangements which support TAGT’s commitment across the project phases.
 - **Corporate sustainability planning**
TAGT have included two performance targets around sustainability and resource use, however there is an opportunity for TAGT to discuss corporate sustainability further.
 - **Social Return on Investment (SROI)**
TAGT notes their need to continue to communicate the value of the Gallery to current and new stakeholders. Further developing on the first phase of their SROI work will be beneficial to the Gallery and its ongoing fundraising initiatives. Two performance targets have been identified in relation to the SROI.
 - **Strategic Māori Engagement Plan**
TAGT have included several performance targets which demonstrate awareness of the need to partner with iwi and mana whenua. TAGT have taken on Council’s recommendation, confirming that their *Māori Engagement Framework* is in its final stages of development and will be implemented over the coming year. They note the framework “reflects Tikanga Māori, enabling us to build stronger relationships with mana whenua and enabling wider engagement with Māori.”
 - **Council’s Action and Investment Plans (AIPs)**
TAGT have added a performance target in their final SOI, which addresses Council’s AIP feedback:
“Collaborate with TCC, through assisting with developing the Council city brand, Tauranga Events, Accessible Tauranga, Arts Culture and Heritage Action and Investment Plans, and participating in Governance-to-Governance meetings.”
19. TAGT’s final SOI is provided at Attachment 3, and a copy of Council’s shareholder feedback letter is provided at Attachment 4.

Tourism Bay of Plenty (TBOP)

20. Staff are satisfied that the TBOP Board have responded appropriately to Council’s shareholder feedback in their final SOI, including:
- **Tauranga Events Action and Investment Plan**
TBOP have successfully executed Council’s request for them to highlight their

responsibilities under this Plan. On page 13 of their final SOI, TBOP discuss their key actions to deliver.

- **Flavours of Plenty Festival**

TBOP have noted they are working towards transitioning the Festival to become an independent entity by June 2025, demonstrating a review of the current model.

- **Accessible tourism offerings**

Under TBOP's *Significant Areas of Activity*, they have added a section on Accessible Tourism, in response to Council's recommendation to explore opportunities in this area. TBOP notes that they will:

- Continue to update their website with wayfinding and accessibility options in the western bay region.
- Continue to encourage operators to look at universal design options.

21. In TBOP's *Approach to Governance* section, they have noted that they will continue to keep their website information about what they do updated. TBOP will also "consider the online publication of minutes of public sections of Board meetings."
22. TBOP's final SOI is provided at Attachment 5, and a copy of Council's Shareholder Feedback letter is provided at Attachment 6.

Te Manawataki o Te Papa Limited (TMOTPL)

23. TMOTPL was established, registered as a company, had a board appointed and began operations in early 2023. They have submitted their first SOI (Attachment 7), which outlines their intentions for governing the delivery of the Te Manawataki o Te Papa civic development project.
24. TMOTPL highlight their significant role in revitalising the heart of Tauranga city centre and sets out performance targets for how this will be achieved.
25. TMOTPL states that their key project actions include: health, safety and wellbeing, partnership, governance, creating a vibrant precinct, project and financial management, sustainability, shareholder relationships, stakeholder engagement, future proofing, and regional impact.

Te Manawataki o Te Papa Charitable Trust (TMOTPCT)

26. TMOTPCT, the joint land ownership of Te Manawataki o Te Papa between Council and the Otamataha Trust, has submitted its first SOI (Attachment 8).
27. The SOI confirms TMOTPCT's purpose is to:
 - Own the land referred to as Site A of the civic precinct – the land bounded by Willow Street, Wharf Street, Durham Street, and Hamilton Street.
 - Support and encourage the development of Site A of the civic precinct, including (but not limited to) a library, civic whare, museum and exhibition centre and the beautification of surrounding areas.
28. Key deliverables and three performance measures are included, and they support the Trust's core objective of restoring mana of the whenua to hapū and iwi and provide certainty for how the land will be used in the future for the community.

Bay of Plenty Local Authority Shared Services (BOPLASS)

29. BOPLASS' final SOI was received on 27 June 2023. There are no significant changes between the draft and the final document (Attachment 6).
30. On 23 June 2023, the Board approved the BOPLASS Ltd SOI for circulation to the shareholders.
31. The BOPLASS Ltd SOI for 2023-2024 has been circulated to shareholding councils and is published on the [BOPLASS website](#).

32. The Board has appreciated the support received from Council in the past year and looks forward to another successful year.

Local Government Funding Agency (LGFA)

33. LGFA's final SOI is provided at Attachment 7.
34. The following points regarding LGFA's final SOI 2023-2024 are worth noting, referred to in the LGFA letter to shareholders (Attachment 8):
- Climate Action Loans targets have been added into their Environmental and Social Responsibility section.
 - There is a forecast increase in Net Operating Profit compared to prior years. This is due to an increase in forecast Net Interest Income arising from a larger amount of lending to Councils and CCOs. LGFA have assumed an additional \$1 billion of council and CCO borrowing in each of the next three financial years compared to the Draft SOI forecasts.
 - Base on-lending margins are unchanged.
 - There remains some uncertainty within the SOI forecasts relating to the amount of both council loans and LGFA bonds outstanding as this depends upon the magnitude and timing of council borrowing. They have based their forecasts on the Long-Term Plans (LTPs) of their seventy-seven council and three council-controlled organisation members and the LTPs forecast a significant increase in borrowing in each of the next three years. The actual amount of borrowing will be influenced by the ability of councils to deliver on the capex projections in their LTPs, any cost increases as we well as the amount of central government assistance in funded capex delivery.
 - The Affordable Waters Reform programme has assumed the establishment of the ten new Water Services Entities ("WSE") will take place from 1 July 2024 and be concluded by 1 July 2026.

STRATEGIC / STATUTORY CONTEXT

35. The SOI is a key governance and planning document. Engaging with each council-controlled organisation throughout the development of the annual SOI is one of the ways Council can influence the entity across its work programme.
36. The SOI development and feedback process is a key mechanism for Council to ensure alignment with its strategic community outcomes.

FINANCIAL CONSIDERATIONS

37. Budgets for Bay Venues, TAGT and TBOP, including Tauranga City Council's contributions, are included in the final SOI.

LEGAL IMPLICATIONS / RISKS

38. Each of the council-controlled organisations has met their legislative requirements outlined in Schedule 8, Section 9 of the Local Governance Act (2002).
39. Staff believe that there is no strong justification for Council to require additional changes to the SOI that have been signed off by the boards as their final documents.

CONSULTATION / ENGAGEMENT

40. It is not required or expected to consult on a SOI under the Local Government Act.

SIGNIFICANCE

41. 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.

42. 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.
43. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the decision is of medium significance. In accordance with the considerations above, criteria and thresholds in the Significance and Engagement Policy, it is considered that the decision is of medium significance as the adoption of the SOI and the activities of council-controlled organisations would have an impact on a sub-group of people within the city, and it is likely these documents will be of moderate public interest.

ENGAGEMENT

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

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

NEXT STEPS

45. Following approval from Council, a copy of the resolutions from this meeting will be provided to the seven council-controlled organisations.
46. The approved SOI will be made available to the public via the Tauranga City Council website.
47. Western Bay of Plenty District Council, as joint shareholder, will receive the final SOI 2023/24 to 2025/26 for TBOP at their Council meeting on 30 August 2023.

ATTACHMENTS

1. **2023-24 Bay Venues Final Statement of Intent - A14901989 (Separate Attachments 1)** 
2. **Bay Venues Ltd - Shareholder Feedback to the Draft Sol 23-24 to 25-26 - A14902003 (Separate Attachments 1)** 
3. **2023-24 TAGT Final Statement of Intent (A14865797)_Optimized - A14921728 (Separate Attachments 1)** 
4. **TAGT - Shareholder Feedback to Draft SOI 23-24 to 25-26 - A14902001 (Separate Attachments 1)** 
5. **2023-24 TBOP Final Statement of Intent - A14840082 (Separate Attachments 1)** 
6. **TBOP - Shareholder Feedback to Draft SOI 23-24 to 25-26 - A14902002 (Separate Attachments 1)** 
7. **2023-24 TMOTPL Final Statement of Intent - - A14901993 (Separate Attachments 1)** 
8. **2023-26 TMOTP Charitable Trust - Final Statement of Intent - A14860868 (Separate Attachments 1)** 
9. **2023-26 BOPLASS Final Statement of Intent - A14901992 (Separate Attachments 1)** 
10. **2023-24 LGFA Final Statement Of Intent - A14901991 (Separate Attachments 1)** 
11. **2023-26 LGFA letter to stakeholders to accompany Final SOI - A14901990 (Separate Attachments 1)** 

11.6 Proposed Plan Change to Rezone Lower Belk Road

File Number: A14928095

Author: Janine Speedy, Team Leader: City Planning
Phillip Martelli, Project Leader: Urban Planning

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

PURPOSE OF THE REPORT

1. The purpose of this report is to seek confirmation to proceed with the preparation of a plan change to rezone lower Belk Road area.

RECOMMENDATIONS

That the Council:

- (a) Receives the report "Proposed Plan Change to Rezone Lower Belk Road".
- (b) Approves to proceed with the development of a plan change to rezone land at lower Belk Road.

EXECUTIVE SUMMARY

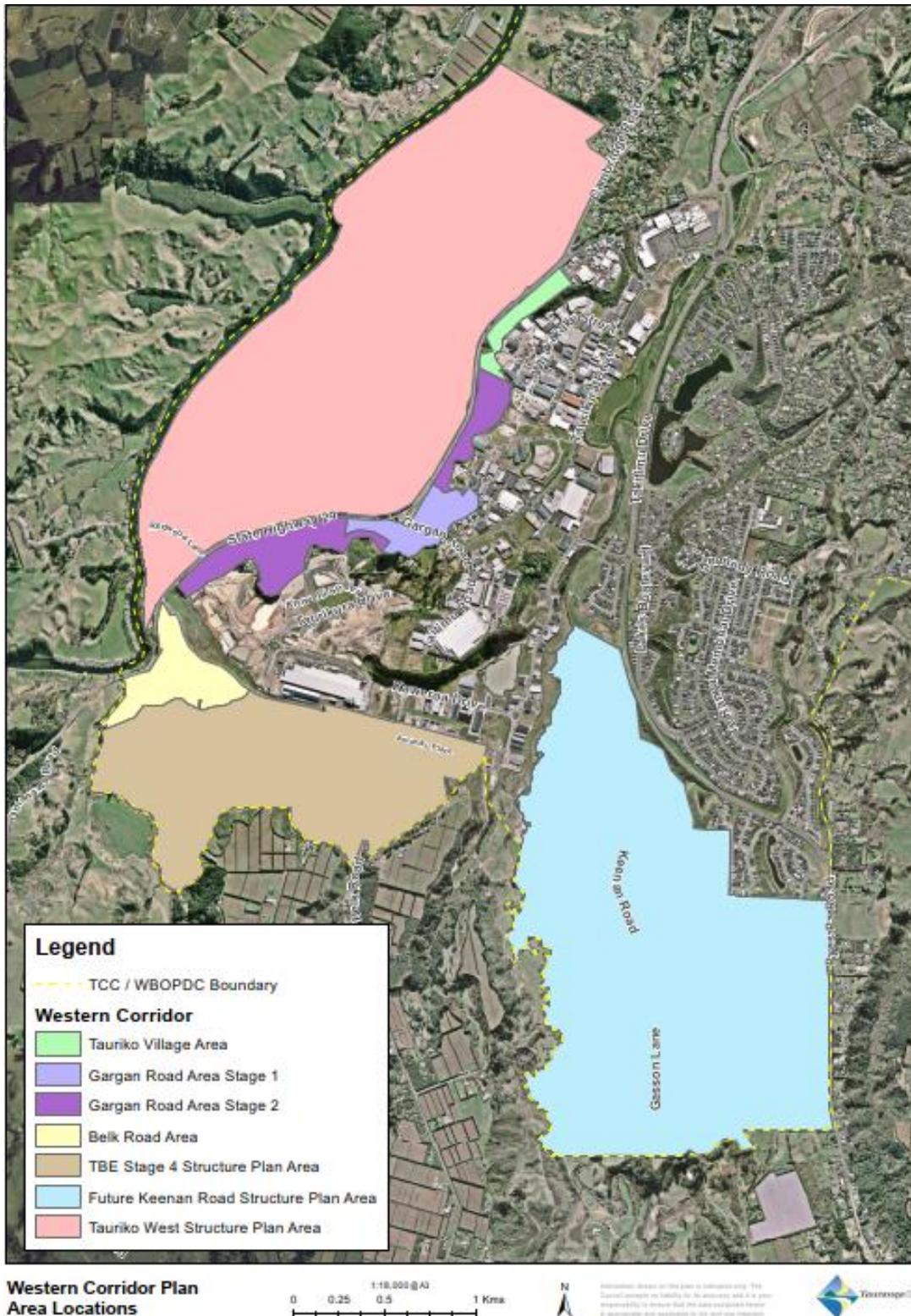
2. The Local Government Commission approved the boundary alteration of land bordering the Tauriko Business Estates at Belk Road. The majority of this land is proposed to be rezoned through a private plan change to progress the Stage 4 of the Tauriko Business Estate.
3. There is a portion of land on lower Belk Road that is not part of the private plan change, that will still be zoned Rural in the Western Bay of Plenty District Plan.
4. A plan change is required to rezone this portion of land into the Tauranga City Plan.

BACKGROUND

5. On 27 November 2020, the Local Government Commission approved a boundary alteration for approximately 150 hectares of land bordering the Tauriko Business Estate at Belk Road. A private plan change is now being progressed for the Stage 4 extension of the Tauriko Business Estate off Belk Road. A consequence of this private plan change is that there would remain residual land in our jurisdiction off Belk Road, that will still have a Rural Zone under the Western Bay of Plenty District Plan.
6. Lower Belk Road is a knoll of rural residential properties.
7. Figure 1 below illustrates the Belk Road area that requires rezoning into the Tauranga City Plan and the Stage 4 extension of the Estate. As outlined in the 6 June quarterly update to the Strategy, Finance & Risk Committee, we have commenced investigating appropriate zoning for the Belk Road area not included in the Stage 4 extension.
8. The private plan change for Tauriko Business Estate Stage 4 will apply to all of the existing Rural Zone inherited from Western Bay of Plenty District, bounded by State Highway 29, the Omanawa River and the existing Tauriko Business Estate, except for the lower Belk Road land referred to above. It is therefore considered logical that all the land be rezoned at the same time. There is also a requirement to notify the plan change by April 2024, in accordance with the reorganisation implementation scheme for boundary alterations between Tauranga City and the Western Bay of Plenty District.
9. Tauriko Business Estate is no longer proposing to use the Streamlined Planning Process for its private plan change and instead will use the standard Schedule 1 RMA process. The rezoning of the residual properties be done in parallel using that same process.

- Both plan changes will need approval from Council for notification. Expected timing for lodging the private plan change application to rezone the Tauriko Business Estate Stage 4 with Council for consideration is late September or October this year. The Lower Belk Road plan change will be considered at the same time.

Figure 1: Western Corridor Plan Areas



STRATEGIC / STATUTORY CONTEXT

11. A plan change is required to rezone lower Belk Road in accordance with the Local Government Commission reorganisation implementation scheme between Tauranga City and the Western Bay of Plenty District.

FINANCIAL CONSIDERATIONS

12. The cost associated with preparing a plan change will be met within existing budgets. All costs associated with the Tauriko Business Estate Stage 4 private plan change will be borne by the applicant.

LEGAL IMPLICATIONS / RISKS

13. The plan change will be progressed in accordance with the standard Resource Management Act 1991 Schedule 1 process.

CONSULTATION / ENGAGEMENT

14. Engagement for the Lower Belk Road area has occurred with landowners, Tauriko Business Estate, Waka Kotahi and tangata whenua, and there is support to proceed with a plan change.
15. Engagement with key stakeholders and landowners will continue through preparation of the Belk Road plan change. Once the plan change is notified, formal notification of the plan change will occur, with an opportunity to make submissions.

SIGNIFICANCE

16. 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.
17. 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.
18. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the decision to progress with the preparation of a plan change 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 consultation and engagement will be undertaken in accordance with the requirements of the Resource Management Act 1991.

NEXT STEPS

20. Staff will commence with plan change preparation to rezone the lower Belk Road area.
21. Once the plan change preparation is complete, staff will report to Council to seek adoption of the plan change for public notification.

ATTACHMENTS

Nil

11.7 Executive Report

File Number: A14837219

Author: Nic Johansson, General Manager: Infrastructure
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: City Development & Partnerships

Authoriser: Marty Grenfell, Chief Executive

PURPOSE OF THE REPORT

1. To provide updates on key projects and activities.

RECOMMENDATIONS

That the Council:

- (a) Receives the "Executive Report".
- (b) Notes that due to the lack of available Audit New Zealand resources to concurrently complete the audits of the Long Term Plan Consultation Document and the 2023 Annual Report, Tauranga City Council will technically breach section 98(3) of the Local Government Act by not adopting the Annual Report within statutory timeframes.
- (c) The Annual Report 2023 will be adopted by the end of November 2023, no more than one month after the statutory deadline of 31 October 2023. This timeframe has been agreed with Audit New Zealand and the appropriate government departments will be notified.

INFRASTRUCTURE

Sustainability Plan Update

2. The Sustainability Approach Implementation Plan was approved by the Executive on 13 July. The plan includes close to 40 actions that will be delivered in the short- to medium-term to make TCC a more sustainable organisation – aspiring to be kaitiaki for a better tomorrow. The internal launch and roll-out of the plan will take place over the next few months, including a detailed programme and meetings with different Council teams to discuss what it means to them.

Sub-Regional Circular Economy Project

3. Progress has been made on the circular economy project we are conducting, in partnership with WBOPDC and BOPRC, with support from Priority One.
4. Specialists will investigate three key sub-regional waste sectors (Construction & Demolition, healthcare and food & beverage manufacturing).
5. The project will identify actions and deliverables that will support better resource recovery in the sub-region, across a long-term horizon, and support the transition to a circular economy.

Resource Wise Community Fund

6. The Resource Wise Community Fund (RWCF) is an annual contestable fund for the community to apply for projects which minimise waste to landfill. The most recent funding round closed on 9 June.
7. Of the \$100,000 available, we have awarded \$97,035.91 to seven applicants. The projects awarded funding include: STEM WANNA trust for their [Repair Café](#); [One Earth Technologies](#) for a plastic recycling machinery upgrade; [Sustainable Options](#) for a Building Material repurposing project; OUTLAST - a start-up company recycling denim into new products; [Reuse Aotearoa](#) leading the reusable packaging journey with packaging system workshops; and [Mount Maunganui Toy Library](#) for the ongoing growth of their membership and circular toy system.
8. The funding for this grant comes from the Waste Levy fund that council receives from the Ministry for the Environment.

Kingswood Road – Traffic Calming - works completed in July

9. A petition was received from the Kingswood Road community seeking a safer environment as part of the last Council long-term plan process. The submission described anti-social driving behaviour, including extreme speed, sustained loss of traction (burnouts) and dangerous manoeuvres along the street. The residents requested council install speed calming measures. We have recently completed the installation of five speed humps along the street, with street light upgrades at each location.
10. We have already received feedback from residents that the traffic calming interventions have made a positive difference to the neighbourhood and the safety of the street.

13th Ave/St Mary's school - work completed in April

11. Work has been completed that included a new raised crossing in front of St. Mary's School, along with a new footpath along 13th Avenue and tree planting. The new raised crossing is better positioned for the school and will improve safety in for students going to and from school.

Area B - Consultation closed on 12 July

12. Consultation on the Area B Accessible Streets project which will improve walking and cycling opportunities for the residents in the west of the city included door-to-door engagement with approximately 750 residents / businesses, using fact sheets. We received more than 980 pieces of feedback. The high level of interest from the community is appreciated. This project will provide a 12.5km, safe cycle network that connects to Cameron Road. In addition to the walking and cycling measures, it will improve safety at a number of key intersections and provide better trip reliability for bus services traveling through this part of the city.

Cameron Road Stage 1

13. We have been working with the joint venture contractor delivering the project to address concerns from Commissioners and the wider public regarding the traffic management along Cameron Road. Good progress has been achieved with the removal of over 2km of orange, water-filled barriers which reduces the visual blockage of businesses, increases the number of available carparks and improves flow along the corridor.
14. A revised traffic management approach has been adopted throughout the project, at Council's request.
15. Additional stakeholder consultation has also been put in place around intersection areas, with good feedback from those involved.
16. Final projected completion date: December 2023.

Papamoa East Interchange (PEI)

17. The construction of the preload is well-advanced and expected to be complete in late-August. Settlement of the soft ground under the new bridge abutment will occur during the 2024 calendar year, to allow construction of the interchange in 2025/2026. Construction of the next section of Te Okuroa Drive and the Sands Intersection is underway. Site stripping has been completed and underground services installation is currently being undertaken. Construction is planned to be completed in November 2023.

**Professional Services and Construction Panels**

18. Infrastructure Services is seeking to be closer to the supply chain for the delivery of design and construction services, to assist more-effective development of the city. This process involves major pre-engagement with professional services and contractors to ensure that the right blend of people and resources is available in the market prior to putting out a Request for Tender. Following feedback from the market, it was decided to adopt two supplier panels – professional services and construction companies.
19. The tender process has started with City Waters projects, with the opportunity to expand to other infrastructure areas in the future. The response from the market has been superb and we are presently embedding a new way of working into the project delivery teams. Our challenge now is to get work packages to market in the way we promised and continually improve our performance as a supply chain leader. The next stages of the procurement process are:
- An engagement workshop with all the panel members
 - Contract negotiations
 - Execution of Documents
 - Framework Management Plan implementation.
20. The aim is to have the two panels in operation by the end of September.

COMMUNITY SERVICES

The items below refer to the most relevant community outcome, however many of the activities involved do contribute to the other outcomes.

Tauranga Matarauui – An inclusive city

21. The Community Services Group facilitated several events to celebrate Matariki as follows:
- Libraries - A significant schedule of Matariki events was undertaken, with 17 events on offer through July. A number of these sessions were delivered in a mixture of Te Reo Māori and English and some were delivered solely in Te Reo. The sessions included noted speakers such as New Zealander of the year, Professor Rangī Matamua, Dr Ngahuia Murphy and Pā Ropata QSM. Members of the community also delivered a range of workshops and some sessions and talks were fully-booked within 24 hours.



- Te Manawataki o Matariki - To celebrate Matariki, the Museum team developed a temporary exhibition called 'E Tipu Ana me Matariki / Growing with Matariki', which can be viewed at He Puna Manawa, Tauranga CBD library until August.



- A month-long celebration, 'Matariki at the Village', took place at The Historic Village, with all tenants encouraged to be involved in theming their spaces, selling Matariki-themed products and being involved in the Matariki whānau market day on 17 June. A collaborative approach was adopted by Village management, The Incubator and Turning Point to make this event a success for the community and celebrate te ao Māori. The Matariki Whānau Day was a success, with 1,500 gate entries for the day, supporting The Historic Village to exceed its target of 225,000 entries for the year.

22. Education and outreach - The Hands on Tauranga education programme (run by our Museum team) has 40 schools registered to use the service. The service is promoted at school staff meetings, on social media, in newsletter communications and in professional development sessions for teachers. Outreach sessions have been very popular and have been in high demand, especially through the April-June period, with 1,073 students receiving programmes. Outreach sessions have covered a range of topics including Aotearoa/New Zealand histories on Te Tiriti o Waitangi in Tauranga, the Kiwi, the Kororā (Little Blue Penguin), the Rena Disaster, and Te Taiao (the natural environment).
23. Digitisation Project - Te Putanga o ngā Taonga (connecting artefacts with our communities) is the museum's digital platform, with 14,919 objects currently available to view online: <https://view.taurangaheritagecollection.co.nz/explore>



Blacksmith shop belonging to Charlie Haua, which was located on Grey Street.

24. Creative New Zealand - Staff attended a workshop convened by CNZ to develop recommendations for changes to the way it funds arts organisations and programmes in regional centres. The workshop was hosted at Creative Waikato and was attended by sector leaders from Hamilton, Whangarei, Whanganui, Rotorua, Dunedin and Invercargill. A key theme of the workshop was the call for CNZ to invest in the development of new work in regional centres - a proposed change to the current funding model which largely supports regional touring of works created in Auckland or Wellington. It was also noted that local authorities currently carry all the costs of management and programming of performing arts venues in regional centres, with limited resourcing to develop producing and presenting capability. This is a gap that CNZ could help to close if funding was made available to Council-operated venues. The workshop resulted in a set of recommendations for regional investment which the arts board of CNZ will consider, with any resulting changes to the funding model due to be announced in late-2023.
25. Public Art - A new public art installation, *Kowhai Grove*, by Mount Maunganui-based artist Bobbie Gray, opened in June in the Grey Street arcade. The project was developed from the *After Dark* light festival run by Creative Bay of Plenty in 2022. The new work is comprised of 16,000 repurposed single-use plastic bottles, collected by a range of Tauranga Community Groups, who worked with the artist to transform the bottles into Kowhai flowers. The work is illuminated by LEDs and is designed to bring light and colour to the dark arcade leading to the carpark building.
26. Tauranga Museum volunteers play a vital role in bringing value to the museum collection through their dedication, expertise and passion for preserving and recording the cultural heritage associated to our taonga/artefacts. Volunteers learn how to apply proper handling techniques, including box making, to ensure the longevity of objects, and also contribute to research on specific artefacts or historical events in our city.



Museum volunteers researching the collections

27. The Emergency Management team has been working closely with the Community Development team on a project aimed at creating some easy-to-read resources to help promote inclusivity and emergency preparedness for groups with disabilities. The Disability Special Interest Group, combined with the Western Bay of Plenty Disability Support Trust,

has been very welcoming of the project and has provided valuable insight into what resources and messaging is needed in their community.

28. On 19 July, Tauranga City Council and Bay Oval welcomed the Oranje Leeuwinnen, the Netherlands Women's Football team, to the city after collaboration with FIFA. Tauranga was chosen by the team as their base camp during the group stage matches of the FIFA Women's World Cup. Representatives from mana whenua and Tauranga City Council welcomed the Netherlands team at the Bay Oval with a pōhiri by kapa haka group Tūtara Kauika ki Rangataua, with support from Te Kura o Matapihi. After the formalities, an open practice session took place, where 500 members of our community gathered to watch the Oranje Leeuwinnen on the field. Media coverage from the day was very positive, with eight stories across prominent New Zealand media and more coverage from the Dutch media.



29. Following its 40th anniversary celebrations, Baycourt partnered with the NZ Youth Choir to deliver a free community lunchtime concert on 13 July. The 55-strong youth choir of 18- to 25-year-olds entertained almost 400 people in the Addison Theatre, providing a world-class, family-friendly school holiday arts experience. The popularity of the concert demonstrates the community appetite for free and accessible daytime performances, which will be taken into consideration when programming future opportunities under the 'Baycourt Presents' umbrella.
30. The Event Facilitation team recently completed its annual customer satisfaction survey with event organisers who have gone through the event approval process to use one of Council's public open spaces as their event venue. All of the respondents were 'somewhat satisfied' (10%) or 'extremely satisfied' (90%) with the service they received from their event facilitator. This was an excellent result considering the extreme weather challenges of last summer.
31. Libraries are trialling Online Author Talks, a service that allows customers to view author talks from around the world, either live or as a recording. The range of authors includes adult and young adult writers of both fiction and non-fiction. Access is available through the library website at <https://libraryc.org/taurangalibrary/upcoming>.
32. Greerton Library hosted a NZ sign language taster session, giving people an introduction to NZ sign. The session was a full immersion class, with no speaking allowed. This was an informative and humbling experience, with many participants enquiring about further learning.
33. A wide range of school holiday events took place at the beginning of July with over 600 children taking part. This included two sessions designed for the specific needs of children on the autism spectrum and with sensory processing needs. Children on the spectrum can miss out on school holiday activities, due to the bustling and over-stimulating environments involved, so it was especially satisfying to see these sessions come to fruition.
34. Food parcels - The rising cost of living affects us all, but our older community are bearing the brunt of these challenging times and many are going short on food. We have provided funding support to a community-led initiative, enabling it to improve the wellbeing of the older community. The pilot initiative aimed to reach people aged 65-plus and who are struggling to afford food. The initiative is a collaboration between several community organisations: Tauranga Community Foodbank, Good Neighbour, Age Concern, and Here 2 Help U.

- 35. International Day of Older Persons - We recently hosted a workshop for 14 community organisations to plan and commit to delivering a community-led celebration for the International Day of Older Persons (IDOP). This special day has been celebrated worldwide for 30 years and serves as a vital initiative to recognise older people's positive impact on society. Our initiative aims to deliver a week-long series of community events and activities dedicated to our older population.
- 36. Work on the *Gordon Spratt Skatepark* is nearing completion, with the final concrete pours being undertaken. The local skating community has been involved with the development and build of the skatepark, working with construction contractors to ensure the finer details of the park will work for users. It is anticipated that construction will be completed at the end of August and plans are underway for a community celebration in September.



Gordon Spratt Skatepark Under Construction *Local Skaters Dan and Garth advising skatepark constructors*

- 37. The next phase of construction is underway at the *Destination Skatepark* with the skatepark constructor AMC, establishing onsite. In the coming months, the community will see the shape of the skatepark starting to appear, with the flow bowl currently under construction.

Tauranga Taurikura – A city that values, protects and enhances our environment

- 38. Libraries have worked with their primary book vendor, Wheelers, to move to a plant-based covering for paperback books, replacing the traditional plastic covering.
- 39. The Libraries winter warmers event series kicked off with sustainability the focus for the first event, a clothing swap. The event was well-attended and appreciated.



- 40. Work was completed in advance of Matariki celebrations on Mauao as part of the *Mauao Placemaking* project. Work included installation of the final bundle of signage, stone sculptures installed at significant points of interest, and seating installation. The celestial compass was also completed, with the outer rings installed. The outer rings have been designed to complement the central plinth which now completes the summit feature.



Celestial Compass installation was completed on the summit of Mauao, in time for Matariki.

41. Last summer, the *sports fields at Links Avenue Reserve* were upgraded with the addition of sand slit drainage and a sand carpet, combined with the growing-in of a more resilient and drought-resistant couch turf cover. The unseasonably wet summer resulted in delays to the earthworks and by the time it came to planting the turf, the anticipated summer heat was already fading. We have worked with the contractor and a very patient Tauranga AFC to get the best possible outcome throughout this work programme. The first game, a Northern League fixture against Ellerslie AFC, was played on the new surface on 14 July, Matariki Day, with great feedback received from players and spectators.



Tauranga - Tātai Whenua – A well planned city

42. The Emergency Management (EM) team has developed our annual training plan for new and existing Emergency Operations Centre (EOC) staff – to be known as Monthly EOC Stand-ups. The aim of the training plan is to offer more regular information updates and training opportunities to help maintain EOC staff skills and confidence for real-time activations. The sessions are held every 3rd Wednesday of the month at Spring Street in our EOC Space.



43. Customer Service desks opened at the Papamoa and Greerton Libraries in mid-June. It is expected that daily customer numbers will continue to increase as local neighbourhoods become more aware of this service. The service provided in libraries will mean people have access to Council’s Customer Service team in, or closer to their community.

Tauranga Ara Rau – A city that we can move around easily

- 44. Work is progressing on the *Papamoa Shared Path* construction, with construction teams working east from Papamoa Domain to Alexander Place, and west from Alexander Place towards Parton Road. Concrete rest areas at Allan Place and Douglas Place have been poured and sections of inground timber boardwalk under existing Pohutukawa trees have been installed.



Construction progress on the Papamoa Shared Path.

- 45. The second stage of the *Pyes Pa Connections* project has been completed. This stage saw the creation of the connection from Te Otinga Place to Cheyne Road, linking to stage one, which provided a connection from Cheyne Road to Condor Drive.



New pathway connection from Te Otinga Place to Cheyne Road.

- 46. The first 1km of the *Marine Parade Coastal Path* has been completed, with the construction team’s focus now moving onto the construction of the timber boardwalk sections through the dune environment. The construction work is proceeding well and is currently on schedule to open this summer.



Timber section by Cenotaph.



Work on Marine Parade.

Tauranga a te kura – A city that supports business and education

- 47. In conjunction with Tourism Bay of Plenty (TBOP), five local tourism operators and a US-based tourism marketing organisation recently presented an Historic Village webinar to North

American inbound tour operators and travel wholesalers. We had seven minutes to get key selling points across on tourism product in Tauranga and wider Bay of Plenty, so we can be included in tourist travel itineraries. 50 travel wholesalers dialled in for the presentation and it was recorded for those that couldn't attend.

48. The Venues and Events team held an industry publicity capability-building session in June and had around 60 industry members attend. This was a large turnout and shows that the sessions delivered by Council are well-valued by the events industry.
49. Baycourt's website users, social media followers and email database subscriptions have increased significantly over the past 12 months. Comparing data recorded in June 2023 to June 2022, individual website users increased 122% (2,345 to 5,200 users), Instagram and Facebook followers grew 25% (1,616 to 2,023 followers) and 16% (5,045 to 5,842 followers) respectively, and email newsletter subscriptions rose 8% (12,000 to 13,000 subscribers). This increase can be attributed, in large part, to Baycourt's 40th anniversary promotional campaign, which actively sought to raise the venue's profile in the community through a nine-day programme of events.
50. From 20-27 June, Tauranga City Libraries had the opportunity to host Tūhura Otago Museum's travelling exhibition Tūhura Tuarangi: Aotearoa in Space. The exhibition, created by Dr Andrew Mills, focuses on Aotearoa's involvement in the space industry and includes many exciting interactive elements and real-life artefacts able to be handled. He Puna Manawa proved the perfect location. It allowed us to invite school groups through on facilitated visits and the exhibition was open for the general public to visit afternoons, and all day over the weekend. 18 school groups from eight different schools and three homeschool clusters visited, with students ranging in age from 5 to 13 years old. Two of the sessions (Te Kura o Matapihi classes) were facilitated completely in te reo Māori. Classes also did exchange visits with Tinkd Makerspace (STEMWana Trust) on Durham Street, organised by us. This was the first time we had done group exchanges with Tinkd. It was beneficial for us to see that it worked, and an opportunity to strengthen our positive relationship with this community organisation. According to He Puna Manawa's people counter statistics, almost 200 people more per day visited during the exhibition. On the busiest day there were 1,321 visitors to He Puna Manawa.



51. We are noticing increased awareness in the community and in the wider library/archive sector about Pae Korokī and the library archives. Recently, one of our Heritage Specialists was asked to speak to the Arataki Coastal Club about our collections and share more information about the history of Tauranga:



52. A recently published booklet, *Kikini o te Rehutai*, promoting Pae Korokī and Tauranga Library Archives, has been circulated to schools and various community groups. A video promoting our collections also screened at Tauranga Airport for a few weeks in June/July.

CHIEF FINANCIAL OFFICER

Tauranga Airport

Airport Operations

53. There were 2,728 flights operated by Air New Zealand during the final quarter of FY 2023, carrying 133,120 passengers.
54. Pioneer Aviation, an Australian air charter company, has operated two Embraer 190 Jet flights ex Tauranga carrying the Netherlands women's football team, with two more scheduled for the first week of August.

Airport Development

55. Building consents have been lodged for the first six of 16 new hangars.
56. The building consent for the new fire house has been issued, with builders commencing construction on 1 August.
57. 50% of the pavement for the new short-term car parks is ready for asphaltting.
58. Final design for the new overnight aircraft gates is complete, with construction to commence in the next month.

Finance

Audit of the Annual Report and Long Term Plan Consultation Document

59. Recently we have been advised by Audit New Zealand that due to resourcing issues, they are unable to complete the audit of the 2023 Annual Report within the statutory deadline of 31 October, as well as the audit of the Long-term Plan Consultation Document by 5 November, prior to it going to consultation in November this year. Tauranga is in the unique position of consulting early on the Long-term Plan, to enable its early adoption by the end of April 2024 ahead of the planned election in July next year. Whilst this has been flagged with Audit New Zealand for some time, Audit New Zealand has signalled that it is unable to fully resource these two audits concurrently.
60. An alternative has been provided to ensure Council has an audited Long-term Plan Consultation Document which can go for consultation in November this year and allow sufficient time for the community to be consulted on for this important plan. While the Annual Report will be prepared and be ready for adoption, it will not be able to be audited prior to the statutory deadline and instead will be audited and adopted in final form prior to the end of November. This approach ensures that the Annual Report is signed off prior to Christmas, while ensuring that the Long-term Plan remains on-track to be consulted on prior to Christmas and finalised by the end of April 2024.

STRATEGY, GROWTH AND GOVERNANCE

Local Government Commission report on a governance education strategy for local government

61. In June, the Local Government Commission (LGC) released a [report](#) to the Minister of Local Government (the Minister) on a Governance education strategy for local government.
62. The aim of the strategy is to provide consistent and ongoing professional development of governance skills by elected members and council officers who advise them. The report highlights the challenge for producing a framework that meets the needs of diverse councillors and councils, as well as addressing the current resistance to professional development, and concludes that working towards alignment would be a positive move.
63. The LGC in 2021 reported on Codes of Conduct and one of the issues discussed in that report was the role of governance education as an essential foundation for good governance behaviour. In response to that report, the Minister endorsed the recommendation that the LGC establish and lead a working group to identify a sector-specific education framework.
64. The LGC recognised that the Review into the Future for Local Government would be released at the same time and believes their report is sufficiently broad to support improved governance education in any future context.
65. Council will be developing a comprehensive induction and professional development programme of governance skills for incoming elected members in 2024.

LGOIMA Regional Hui

66. The Democracy Services team organised and hosted a regional hui on 19 July, attended by staff from Bay of Plenty councils who are responsible for local government official information requests. The Ombudsman's Office attended and discussed its role. Various case studies were shared, including our recent experience of the Ombudsman's practice audit.

Takawaenga Maori Unit

67. Mānawatia a Matariki! - The 30-year anniversary of Te Kura Kaupapa Māori o Otepou reviving the matariki celebrations in Tauranga 1993 was marked with an early morning trek up the Kopukairoa Mountain. Through the sharing of knowledge and relationships by those such as Navigator Jack Thatcher, the Tauranga Moana celebrations have grown to involve a packed calendar of workshops, activities, festivals, seminars and everything in between for our whole Community. Matariki hunga nui – Matariki the great gatherer of people!
68. It has been a key focus for Commissioners to visit all the Marae Council have relationships with, to provide opportunities for wider engagement with our Māori communities through joint standing committees, kaitiaki advisory groups and projects. This was achieved in June when the Tangata Whenua/TCC Committee met at Whakaue Marae in Maketu and heard how their iwi/community-led Climate Change Plan was developed in partnership with their community and subsequently won the NZPI Supreme Practice Award.

CORPORATE SERVICES

Community Relations

69. The Media Impact Score rose to 2.2 in June. Transport, including parking, featured heavily. Recreation & environment themes also remained common and included discussion on the proposed community stadium - a topic of mixed views including criticism, but mostly positive on balance. Extensive reporting on the hearings early in the month also emphasised the genuineness of council's consultation and the transparency of the process.
70. Following on from the launch of the new engagement portal in May, there have been 19,000 new users to the site since 1 June, 7.9k of these visited the Community Stadium page, 3.8k visited the Accessible Streets page and 2.6k visited the 'More ways to Move' page. There was a peak in visits every time a newsletter went out (the most recent reaching 2,000

visitors). We are continuing to build the number of people receiving the engagement newsletter and improving the tools available on the engagement portal site.

Digital Services

71. Environmental Planning in SAP has successfully gone live, closing out a period of dedicated support provided by Digital Services. Early indications have been positive, with several applications having now been entered into the live system. A total of 143 applications have been entered (90 New Resource Consents, 20 RMA & Associated Approvals, 23 Post-subdivision Approvals, and 10 Variations), of which 39 have been completed. This is an important step in the larger Regulatory and Compliance automation programme to enable an efficient and data-rich Regulatory and Compliance function.
72. Digital and the Property leasing team have achieved another significant milestone by successfully moving lease contracts and related revenue into SAP, marking another successful transition from our legacy systems, and providing the leasing team with a modern system to manage our leases. This work included migration of 700+ lease contracts and 670 customer contracts, with revenue of \$11.3 million.
73. Digital has been working closely with the new City Operations function to develop digital tools to support efficient operations including:
 - Provision of mobile devices and mobile field applications to allow workers to receive and complete jobs in the field and input directly to our asset management system;
 - Software to allow office-based staff to dispatch jobs to the field and manage and report on workloads;
 - Provision of connectivity and IT equipment to support the depot.

Legal, Risk & Procurement

74. No additional update from last quarter.

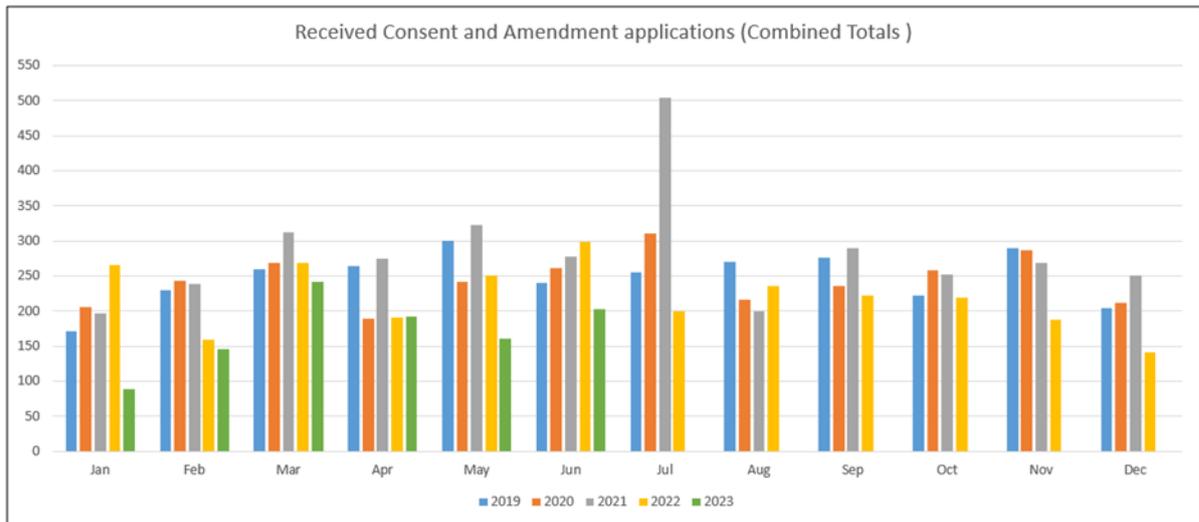
People, Performance and Culture & Health, Safety and Wellbeing

75. Our current staffing number is 1,137 people. Turnover remains steady at 14.5%.
76. There are some great collaboration opportunities happening between departments for internal secondments, rather than going to the external market.
77. The 2023 remuneration review was completed on 19 July, resulting in an increase in the median position in range (PIR) for the organisation from 98% to 100%. The overall median remuneration increase was 5.4%.
78. A minor staffing reorganisation for the recruitment team has now been finalised, with new team members commencing mid-August.
79. My Team Pulse commenced on 24 July, with results expected mid-August.
80. The bullying and harassment and disciplinary policies/procedures have been reviewed and will be sent to the Executive for final approval over the next few weeks. The diversity and inclusion policy was finalised recently.
81. The Drug and Alcohol policy was approved recently. We are currently consulting with the union before working on a communication plan with staff.
82. The safety and wellbeing team has increased its on site safety support for project managers with regard to safety pre-starts and site inspections. Safety reporting education is underway to increase our statistics, which are relatively low for the size of the organisation.
83. Employee Central (Success Factors) is progressing well. System Integration Testing will be implemented in early-August with User Acceptance Testing directly following. Two parallel pay runs are scheduled prior to the Go Live date. The payroll team has made significant progress improving business processes to support payroll compliance and execution.

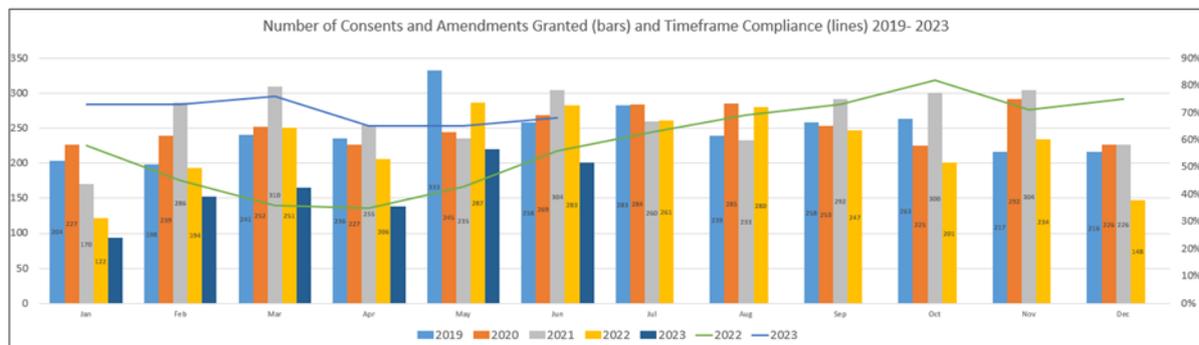
REGULATORY AND COMPLIANCE

Building Consents

84. We received 203 Building Consent and Amendment applications in June, for a total of 2,235 applications in the last financial year. That total is down between 25 and 30% compared with the previous three years. This is most apparent in the residential consents, which are approximately 45-50% down compared with previous years, whereas the more complex commercial consents (rated as C2 and C3) are 10-15% down on previous years. Anecdotally, this is in line with what the other metro councils are experiencing.



85. We granted 201 consents and amendments in June, for a total of 2,342 in the last financial year. The volume of consents granted is clearly also down compared with previous years, reflecting the reduced number of applications received. Our reliance on external contractors has reduced, but roughly half of all applications granted are still processed by contractors.



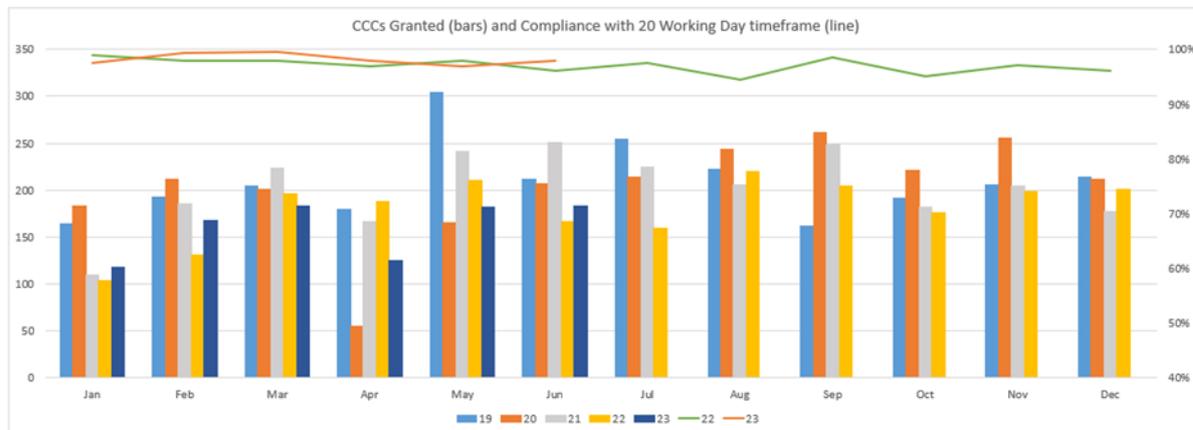
86. Compliance with statutory timeframes went up slightly, with 68% of consents and amendments being issued within 20 working days in June. We are working to allocate more consents to our contractors and have recently seen a number of our Trainee BCOs achieve their first competency, which will increase internal productivity for them and their supervisors. In June, the limiting factor was the availability of specialist resources, particularly engineers, rather than the available processing resource. We are, however, experiencing resource difficulties in our Development Engineering and Structural Engineering teams.

87. We have brought on additional contractors to assist in this space, as well as utilising other engineers from across the wider TCC whanau, but this remains a pinch point. We have a project underway to investigate the causes of delays (other than pure resource challenges), and hope to be able to identify system and process improvements that will assist.

88. Inspection wait times for standard (45-minute) inspections have remained low, generally around 1-2 days which is a significant improvement on the wait times of 6-18 days

experienced in 2021. The wait time for our most complex inspection types (for instance R3 Finals) has been around 5 days throughout June. Inspection numbers are roughly 20% down on previous years, with between 400 and 450 inspections completed most weeks. Because wait times are low, there is reduced demand for our remote and weekend inspections.

- 89. We issued 183 code compliance certificates (CCCs) in June, for a total of 2,118 in the last financial year. The number of CCCs issued this year is slightly down on previous years. Compliance with statutory timeframes is consistently high, with 98% in June.



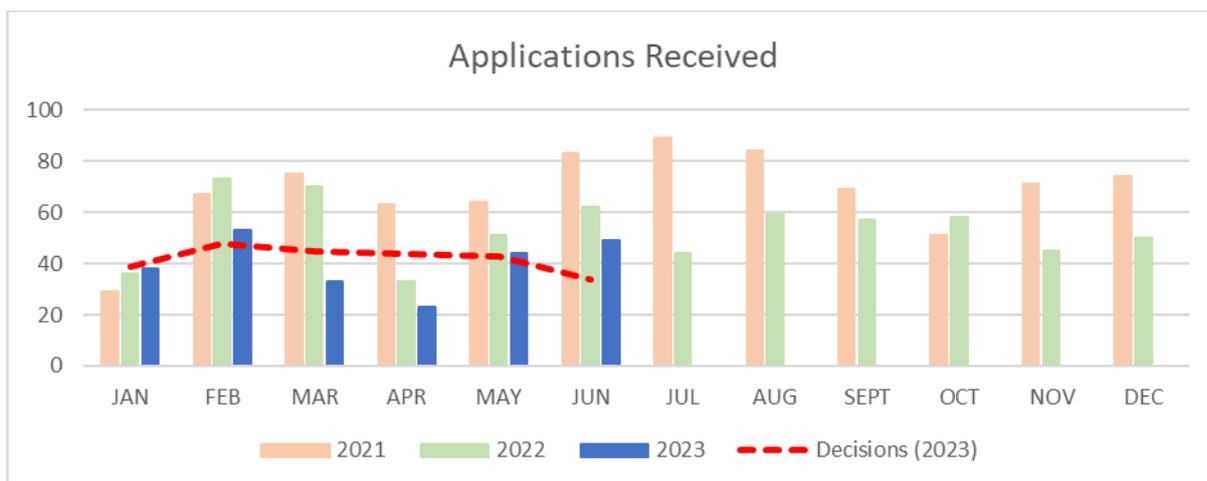
- 90. Our next IANZ assessment has been confirmed for 25 September to 6 October. The outcome of this assessment will confirm whether we can maintain accreditation and continue to receive, process, issue and inspect building consents. We are confident of a successful assessment and are proud of our efforts over the past few years to improve our systems, procedures and processes. The assessment will involve several technical experts from IANZ and MBIE

Matters of Interest

- 91. Our Engineering team has been assisting other BCAs, MBIE and Engineering NZ with an inquiry and response to allegations about improperly signed-off engineering documents, as well as reviewing consents in our district. It has been alleged that an Engineering Technologist, Jonathan (Jon) Beau Hall, director of Kodiak Consulting Limited, has completed and signed documents using others' identities and credentials, without their permission. The documents include producer statements, which provide assurance to councils that a design meets Building Code and consenting requirements when signed by a Chartered Professional Engineer.
- 92. We have reviewed the 13 applications in Tauranga that are known to be associated with this company and have identified that there is a low risk for consents in our area. The majority of the applications were reviewed by our structural engineers during consent processing and any deficiencies resolved. As such, limited weight was placed on producer statements that may have been completed incorrectly. Those that weren't reviewed during the consent process have now been reviewed and consist of low-risk items that we are satisfied are not of concern. We are liaising with affected consent holders to inform them of the situation.

Environmental Planning

- 93. 566 Resource Consent applications were received in the 2022/23 financial year, with 121 of those received in the fourth quarter.



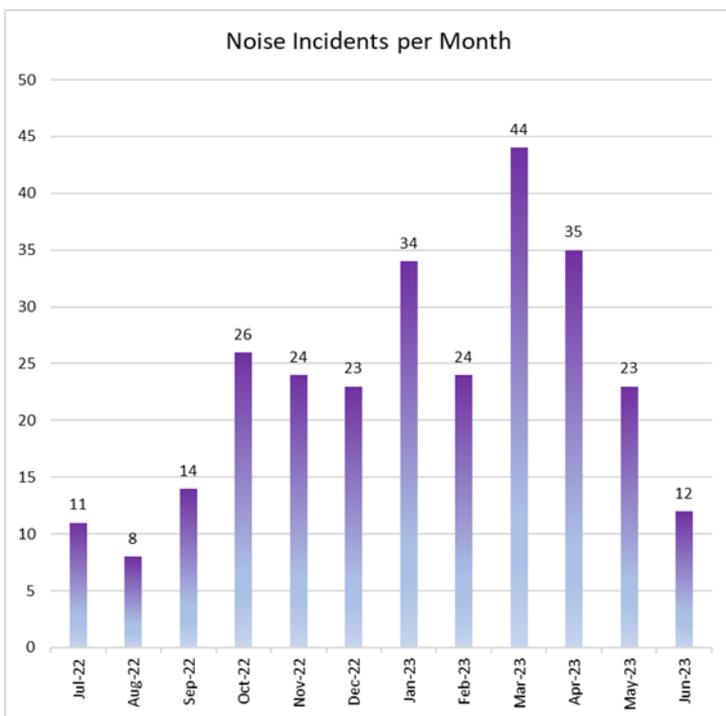
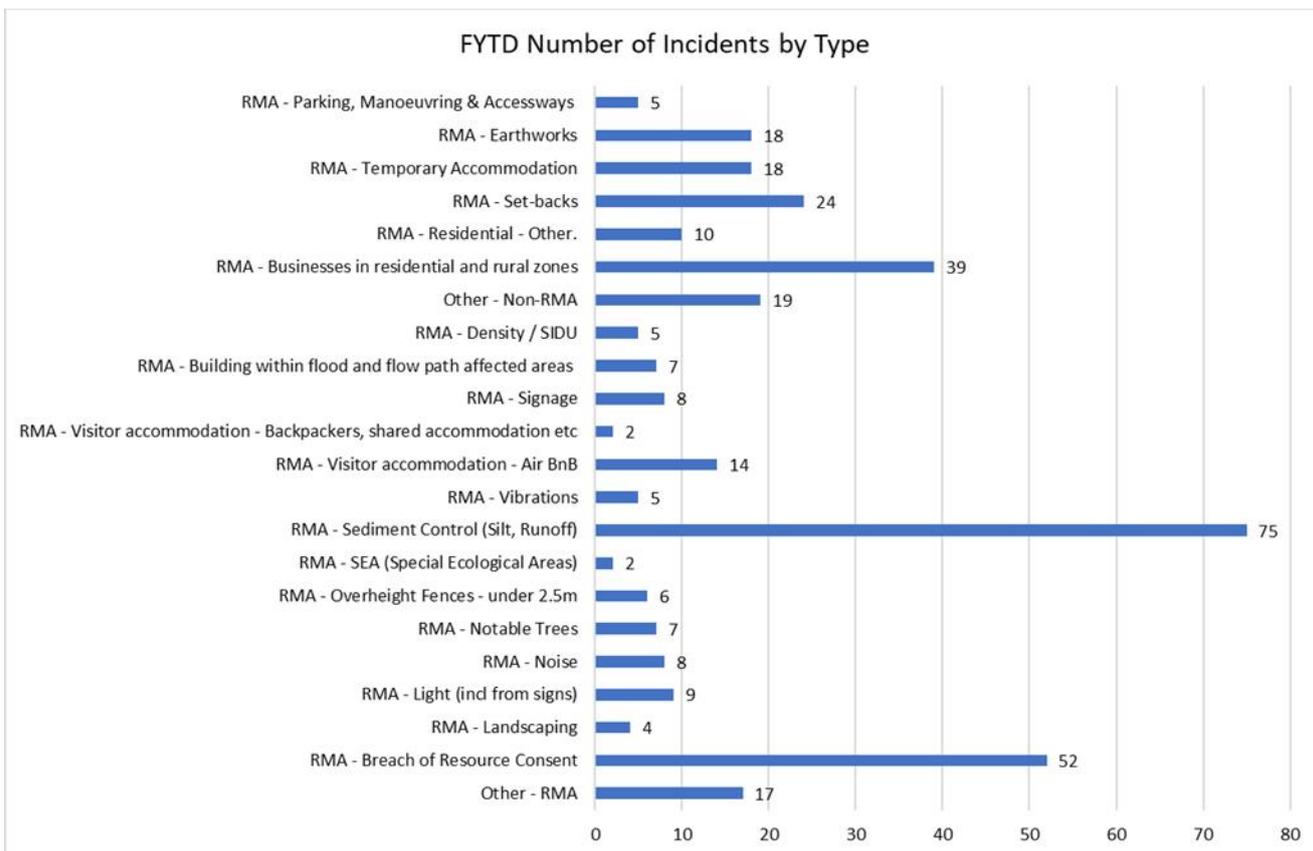
- 94. Resource consent timeframe compliance for new consent applications was 72% in Q4, which continues an improving trend across the year. Overall timeliness performance for 2022/23 was 69%. Although resourcing continues to present a challenge, we are currently implementing a programme to improve efficiency and timeliness.
- 95. Among other things, consenting decisions have continued to provide for delivery of increased housing density, with over 150 future townhouses provided for as part of Comprehensively Designed Developments during 2022/23.
- 96. Council’s resource consenting function has transitioned from Ozone to SAP C4C, with all new resource consents now being processed in the new system. Although there have been some challenges associated with the transition, a collaborative approach to the design and implementation has helped to minimise disruption as much as possible, particularly for customers and stakeholders. The new system will provide a more efficient basis for consent processing, while also providing better reporting tools for improved oversight and administration of applications.
- 97. As part of the system transition, it was identified that there are a significant number of deferred consent applications which were lodged prior to 2022/23, many of which were placed on hold by the applicant or are still waiting for further information to be completed, with some dating back as far as March 2019. We have begun a dedicated project to engage with applicants to determine whether or not they intend to continue with these applications.

Development Contributions

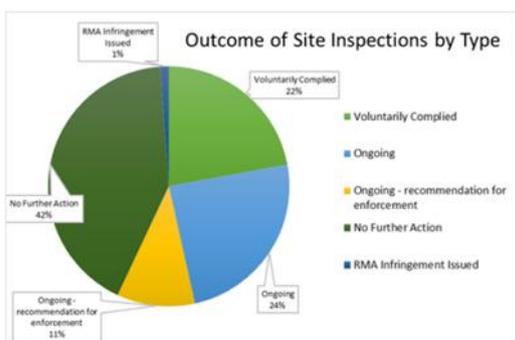
- 98. During Q4, 146 building consents have been assessed for citywide Development Contributions, with estimated contributions totalling \$6.4 million. In total, Council levied \$31.1 million of development contributions across 1,734 consents in 2022/23.

Environmental Monitoring

- 99. Throughout 2022/23, we undertook monitoring for 730 resource consents and responded to 354 incidents. The majority of incidents relate to sediment control, breaches of resource consents and businesses operating in residential or rural zones.
- 100. We continue to receive a large volume of complaints relating to noise incidents, responding to a total of 278 in 2022/23, with numbers peaking through the summer and autumn months. Following a request from Commissioners, complaints associated with construction noise at night are now responded to on a first-call basis.



- 101. In May, our team focused on sediment and erosion control, making proactive visits to various construction and works sites around the city to identify any risks around sediment control and provide education to ensure sites are being properly managed in the lead-up to the winter season.
- 102. Of the 86 sites visited, the majority needed no further action, with only 12% likely to require enforcement to ensure compliance.



Matters of Interest

103. We are currently processing the following applications for significant projects:

- (a) Pukepoto Dam - Major stormwater management/improvement project for the lower Ohauti Catchment, enabling TCC to deliver on its stormwater obligations;
- (b) Nanako Dam 5 – A revised design which will provide stormwater management capacity, which was previously preventing catchment objectives from being achieved;
- (c) Haumoana Hospital - A Multi-level (>25m) private specialist hospital development above the Historic Village, which will include a 260-space car park building;
- (d) Tauranga Airport - Outline Plan of Works: An application to reconfigure and futureproof the Airport, including internal access and parking;
- (e) Tauranga Hospital Designation Alteration – An application to remove maximum height Limits and car parking minimums;
- (f) Papamoa East Interchange – Outline Plan of Works - Final design approval to enable construction of the Interchange.

104. The Minister for the Environment has confirmed that an application for a retirement village at 53-61B Pitau St would be referred to an expert consenting panel under the CoVID-19 Recovery (Fast-Track Consenting) Act 2020. This application has continued to draw significant public and media interest. The Ministry for the Environment is the lead agency and is managing that interface.

Environmental Regulation

Alcohol Licensing

105. From 29 May to 21 July, the Alcohol Licensing Team forwarded 165 various alcohol licensing applications to the District Licensing Committee for consideration and determination. A breakdown of the applications is provided below.

Applications forwarded to the District Licensing Committee	
Application Type	Number
OFF Licence (New)	1
OFF Licence (Renewal)	2
ON Licence (New)	5
ON Licence (Renewal)	15
Club Licence (New)	
Club Licence (Renewal)	1
Temporary Authorities (ON & OFF)	5
Manager (New)	42
Manager (Renewal)	58
Special Licence	36
Total:	165

106. The team also completed 33 premises inspections within that period, ensuring that licensed premises were being operated and managed as required under legislation. For the most part, all premises were compliant, but several ‘infringeable offences’ were noted and enforced – see below.
107. There were 10 applications prepared by the Alcohol Licensing Team and scheduled for District Licensing Hearings. Of the 10, three were granted, and seven were declined for suitability reasons or due to non-appearance.

Licence Type	Status	Opposed by	Premises	Applicant	District Licensing Committee Decision
OFF	Renew	MOH	Papamoa Beach Liquor Centre	Nsv Wine & Spirits Limited	Granted
OFF	Renew	MOH	Thirsty Liquor Papamoa	Domain Liquor Limited	Granted
ON	Temporary Authority License	Inspector/Police	Greerton Sports Bar	Holdpride Hospitality Group Limited	Declined
ON	Temporary Authority License	Inspector/Police	Salva D’OR	Nand D Limited	Granted
Manager	New	Inspector		Susmita GC	Declined
Manager	New	Inspector		Rawinia Kepa	Declined
Manager	New	Inspector		Ethan Cowley	Declined
Manager	New	Inspector		Emma Sargent	Declined
Manager	New	Inspector		Bikramjit Singh	Declined
Manager	Renew	Police/Inspector		Parminder Singh	Declined

108. Resourcing has been an issue this year. Two new Alcohol Licensing Inspectors are working through their training competencies under the guidance of the Alcohol Licensing Inspector and Team Leader. This process can be time-consuming when learning from scratch and it will take several months before the new inspectors are fully-competent in their new roles.
109. Since the last report, the team has held two further “Duty Managers – Discussion and Questionnaire Sessions”, with another three scheduled over the next month. This new process has assisted greatly with the large number of applications received for new duty managers and sessions are tailored to the specific type of premise an applicant is working at (i.e., on-, off- or club licence). It has been positive for both the inspectors and prospective managers to ensure that applicants understand how important their roles are on licensed premises.

Enforcement

110. The Alcohol Licensing team currently works with Police to issue infringement notices to licensees or duty managers who breach any conditions on the respective premises licences. We will be investigating having the ability to issue our own infringements this year. Since the last reporting period, the team has had three infringements issued on our behalf by Police.

These offences related to premises not having a certified duty manager on the premises when inspected. The fines were \$250 each.

Environmental Health

	1 July to 26 July	YTD	
Verifications of Food businesses	21	21	
<p>Of the 21 verifications conducted in this period, one received an ‘unacceptable outcome’. The business concerned is on Step 2 (6-monthly) verifications (the second most frequent in the verification ‘step’ method).</p> <p>An unacceptable outcome means that the business has got a number of non-conformance (or a non-compliance) requirement/s that need to be resolved, and the business’s verification frequency will increase until more compliance is achieved.</p> <p>When a food business receives an unacceptable outcome, they must gain two acceptable outcomes before their verification frequency can be decreased (e.g. from 6 months to 9 months).</p>			
Food Registrations - New	11	11	
Food Registrations - Renew	26	26	
Health Registrations – New	0	0	
Health Registrations - Renew	0	0	These are generally renewed August, September, October
Food complaints and investigations	2	2	2 investigations
Service Requests (complaints, queries etc)			
Customer queries	5	5	
Health miscellaneous	2	2	
Food applications	5	5	

Matters of interest

- 120. The Environmental Health team is now fully-staffed, with a new food verifier starting on 24 July. The team is starting the year with a backlog of overdue verifications (333) due to resourcing issues over the last couple of years, and another 381 due this year, making a total of 714 verifications. There have been some delays with contractors becoming active, but this has been addressed and we expect more consistent performance in August. The team is looking at ways to streamline work practices to ensure we can deal with the workload.
- 121. MPI has developed an updated Food Control Plan that all food businesses must implement by February 2024. The team has contacted all businesses about the changes and intends to undertake a series of stakeholder meetings throughout Tauranga in August, to help businesses understand the changed requirements.

Animal Services

122. Actions taken in relation to Animal Services complaints received for June and July.

	Warnings / Notice	Abatement Notices	Dangerous / Menacing Classifications	Infringements Issued	Prosecutions Commenced
June 2023	Barking 32 Roaming 13 Aggression 1	1	Dangerous 0 Menacing 0 Section 62 Muzzle 0	20	0
July 2023	Barking 16 Roaming 14 Aggression 2	2	Dangerous 0 Menacing 0 Section 62 Muzzle 0	30	1

Dog Registrations

- 123. Registration of dogs commenced for the 2023/2024 year on 7 June (there was a slight delay from the usual 1 June date as registration fees were still being finalised). There has been a slight increase in basic registration fees this year from \$97 to \$100 (and \$147 to \$150 for 'late' registrations).
- 124. As at 27 July, 74.1% of all known dogs had been registered, which is down from previous years at this time, when this number would be expected to be around 85%. There is little difference in the four geographical 'dog areas' across city, with each ranging from 73% - 75.1% of known dogs registered.
- 125. From 1 August, registration fees increase to \$150 and text reminders have been sent out to all known dog owners who have not registered their dogs, as well as Facebook posts encouraging registration. As a result, it is expected that there will be an increase in registrations before 1 August. Infringements will be issued to dog owners who have unregistered dogs after 1 August (once the dogs are sighted by staff).

Pound upgrade

- 126. Recent increased cost estimates for the intended upgrade and refurbishment of the pound facility have meant that some of these plans have had to be revisited, with a view to the most essential changes taking priority. A project manager is assisting with this process and it is anticipated that a building consent will be applied for shortly. The focus is now on the reception/office area, dog exercise yard and vet facilities, to enhance health and safety of staff and visitors to the pound, along with animal welfare.

Parking and Bylaws

- 127. An increase in incidents of aggression and hostility towards our 'in the field' parking and bylaws staff has been evident recently and we are working with the Health & Safety team to find suitable solutions and strategies to keep/make staff feel safe and supported. While these incidents have not become physical to-date, some had the potential to do so, had staff not removed themselves from the situation. This trend is reflected in other teams within the regulatory group and may relate to the current economic and social climate.
- 128. We have successfully filled three out of four vacant roles in the last two months, involving both Parking Officers and Technicians. We are still managing disputes within a reasonable timeframe, with over 14,000 infringements issued in May and June for parking, bus lane and freedom camping offences.
- 129. The number of parking complaints continues to increase, with a 16% increase seen in May to June, compared with last year.
- 130. On 7 June, the Self-contained Motor Vehicles Legislation Act became law. The key changes include:

- (a) making freedom camping in a non-self-contained vehicle illegal, unless a local authority bylaw permits it
 - (b) Strengthening the self-containment standards, meaning vehicles with portable toilets are no longer able to be certified self-contained
 - (c) Changes to infringement fees, increasing \$200 infringements to \$400, with further increases up to \$800 (for damaging an area or depositing waste), which came into effect on 13 July
 - (d) Any person experiencing homelessness is now exempt from the Freedom Camping Act and any local bylaws.
131. For Tauranga, the main change will be the increased infringement fees, which have already been adjusted to reflect the law change. As freedom camping was only permitted in self-contained vehicles, this change does not impact our bylaw. Our approach to managing homelessness is also unchanged, as we were following direction from central Government prior to the law change, in that the Freedom Camping Act was not used as a tool for managing homelessness.
132. Some minor administrative changes are required to our Freedom Camping bylaw to align with these changes, but these do not impact the legality of our bylaw in its current form. These changes will come to Council for consideration shortly.

Key Account Management

133. Our Key Account Management function continues to support the delivery of good regulatory outcomes, primarily operating across the Environmental Planning and Building Services teams, while working closely with Infrastructure, providing a single point of contact for engagement and communication with applicants and their teams.
134. Key projects include the Civic Precinct redevelopment, 2 Devonport Road, 90 Devonport Road, Haumoana private hospital, Bethlehem Shores, MetlifeCare, Northern Quarter, Ministry of Education, Bluehaven developments, Fosters Construction, Wolfbrook Residential Limited, Fosters Construction, Ministry of Justice, Group Home Builders and capital projects undertaken by Council.

Events & Communications

135. Building Services hosted its second successful Plumbing and Drainage Industry Night on 15 June, where a guest speaker from Tonkin and Taylor provided information and further clarity on the bedding and backfill of drainage pipework and its importance.
27. In August, we have our second Planning and Consultants forum for the year; the Q3 Group Home Builders forum; and the annual Careers Expo at Mercury Arena. Plans have also kicked-off for our annual Bark in the Park 2023 event.

CITY DEVELOPMENT AND PARTNERSHIPS

City Partnerships

136. As part of the fundraising initiatives for Te Manawataki o Te Papa, we are developing a corporate sponsorship and individual donor programme, as well as a programme of key events. We have already received confirmation of two significant donations.
137. An Expression of Interest for the Museum was submitted to the Ministry for Culture and Heritage for Round 8 of the Regional Culture and Heritage Fund, which is a signal to the Government of Council's intent to apply to this "fund of last resort" at a later stage.
138. Funding applications have been submitted to various Gaming Trusts to complete the Destination Skate Park Zones 3 and 4, and to build the Multi-Sport Pavilion at Gordon Spratt Reserve. We are also progressing funding applications to assist with the Tauranga Art Gallery redevelopment as part of the Masonic Park project, as well as the Links Avenue Reserve Upgrade Project (Home of Football).

139. Bay Venues, with support from Council, has completed a Cost Benefit Analysis model with Fresh Info, which will be incorporated into Bay Venues' quarterly reporting. In future, the model could potentially be adapted for other council-controlled organisations and Council departments.
140. GOVN365, a board governance organisation, has been appointed to undertake this year's Council-led board performance reviews of Bay Venues, Tauranga Art Gallery Trust and Tourism Bay of Plenty, commencing in October.
141. We have supported the Tauranga Art Gallery team with the recent relocation to the Pop Up Gallery, and continue to support their plans for the Art Gallery redevelopment as part of the Masonic Park project.
142. Conversations are continuing with Tourism Bay of Plenty and relevant agencies around the 2023/24 Tauranga cruise ship season.
143. The City Partnerships Specialist has been supporting the Mainstreet organisations with finalising their annual plans and budgets, which will be presented to the Strategy, Finance and Risk Committee in September. The Mainstreet organisations have been notified of the cancellation of their current Agreements with Council and we are working with them to move them to the new agreement in the next few weeks. The recent [collaborative digital advertising campaign](#), showcasing the four Mainstreet areas and supported by TCC, was a success, receiving 17,999 pageviews and 3257 clicks on the article links.
144. Recent presentations by our General Manager: City Development and Partnerships to city centre business owners (hosted in conjunction with Downtown Tauranga), city centre landlords and Priority One members were well received, with 70-100 attendees at each. Presentations will continue with major stakeholders through August and September.
145. The City Partnerships Specialists have worked closely with our partners to develop a business support package for city centre businesses. This package is delivered through Tauranga Business Chamber and promoted through Downtown Tauranga. Business owners can access a "Business Navigator" to assist them and direct them to resources to build capability within their business. A raft of options is available through individual and group training sessions. This includes access to some wellbeing support through an online module called First Steps. Mentoring support is also available. These support options have been funded through the City Centre Development Incentive Fund.
146. The City Partnerships Specialist has engaged with a large number of city centre retail and hospitality businesses during the last two months. Pain points reported are mainly around transport, parking and safety and security, with some positive ideas and solutions emerging. We are working with Downtown Tauranga and other partners on activations and increasing foot traffic through a number of initiatives supported by the City Centre Development Incentive Fund, including vacant shop activations and events.
147. The secondment of Paul Mason into the City Partnerships team has received a hugely positive response from the city centre business community. Outcomes are already being seen through more police interaction and visibility, plus opportunities for collaboration with city centre stakeholders. The team is working in collaboration with Community Development to shape what a potential City Ambassador programme might look like.

Te Manawataki o Te Papa – Civic Precinct

148. PowerCo has commenced the relocation of the high-voltage cable and transformer within the Civic Precinct. The work programme consists of laying the new conduit to support the installation of the new cable. The trenching for the conduit is being completed under the supervision of a cultural monitor.
149. LT McGuinness is finalising the physical works programme for the preconstruction phase of the project. The potholing that occurred in July around the site has provided some certainty over the location of third-party utility services. Further work is being undertaken to confirm

the exact location of the HV cable along the lower section of Wharf Street to ensure its location in relation to the boundary of the Library & Community Hub.

The Strand Reserve

150. The developed and detailed designs and cost estimates for the Waterfront Reserve have been finalised.
151. A Request for Proposal (RFP) for the construction of The Strand North Reserve and Sea Wall closes on 10 August.
152. Concept options for the Waterfront Destination Playground have been received and are currently being reviewed by the Spaces & Places Team and the Public Realm & Waterfront Steering Group.

Te Hononga ki Te Awanui (Harbour Link) Stage 1: Boardwalk & Underpass

153. A viewing area has been constructed on the harbour side of the railway underpass to allow public access to the harbour while the boardwalk is under construction.
154. Additional geotechnical investigations have been scheduled to determine ground conditions and the pile lengths required for the structure. This information will inform the final structural design requirements.
155. A Letter of Intent has been issued to HEB Construction Ltd relating to the award of the contract. Construction is scheduled to commence late in September.

Masonic Park

156. 100% Detailed Design has been received and construction is scheduled to commence in early-October.
157. Engagement is ongoing to coordinate physical works with nearby food and beverage outlets and the Tauranga Art Gallery.

Dive Crescent Carpark

158. Significant progress has been made in the last month to complete the first phase of the Dive Crescent Car Park development, including the completion of the pavement and installation of lighting. The pedestrian crossings, completion of the landscaping at the northern tip and installation of signage, meters and road markings are scheduled to be completed by the first week in August.
159. The design of Stage 2 – Dive Crescent South is underway, including the Road Safety Audit and stormwater design for the facility.
160. The second phase of the construction is scheduled to begin in early-September. The existing basketball court will be disassembled and relocated to a new position on The Stand.



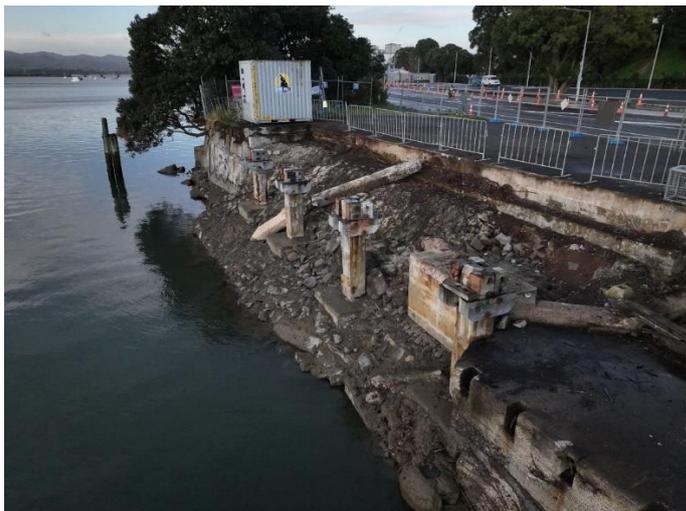
Crossroads commence the laying of bitumen.



Dive Crescent awaiting bitumen.

Beacon Wharf

161. The demolition of the main wharf and wooden piles has been successfully completed and the concrete piles are scheduled to be removed in August. The seawall construction is expected to commence in October. Geotechnical assessment of the harbour floor substrate has been rescheduled to August, to suit the availability of a specialised survey barge. The results from this study will inform the structural design of the new wharf. Divers have also been actively clearing debris from the harbour floor and capturing video footage of the undermined toe of the existing sea wall as well as recording the condition of blue sponge at the southern end of the old wharf location.
162. HEB Construction Ltd has been appointed as the ECI contractor and is currently working on the delivery programme and initial project costs, based on the current design.



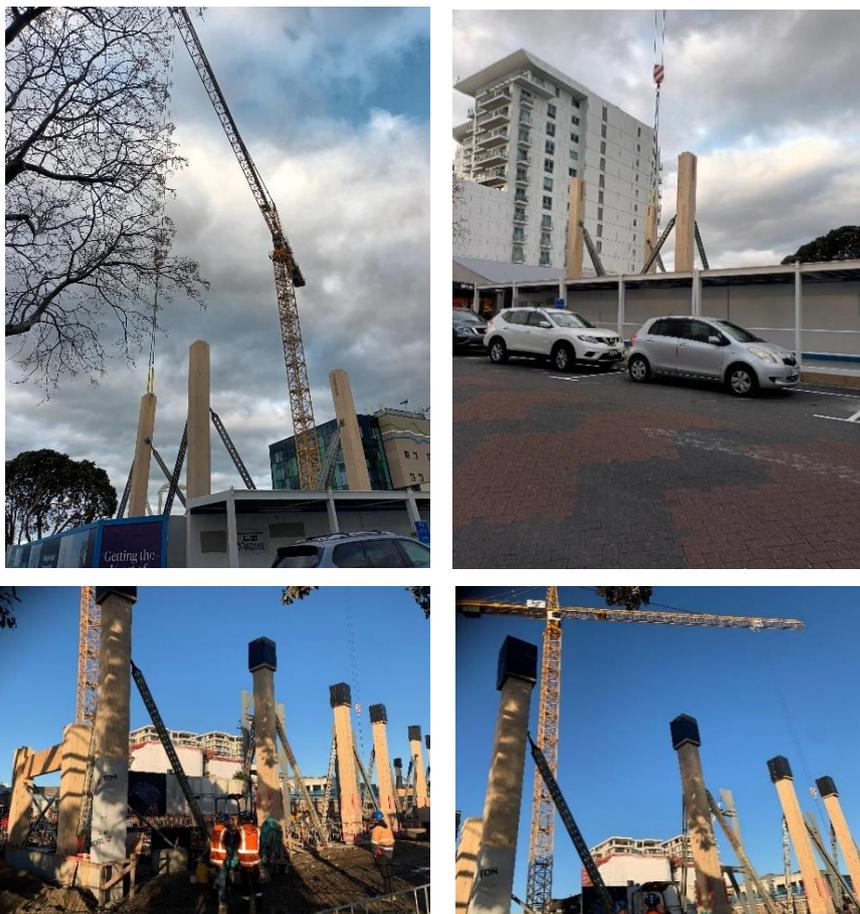
Demolition of the wooden wharf structure complete. Concrete piles awaiting removal.

Spring Street Carpark Seismic Strengthening

163. Despite ongoing complexities, works are progressing well with the contractors now working in the upper levels of the carpark building.
164. Naylor Love is managing the works to keep as many parking spaces available to the public as possible, without impacting the programme.
165. The strengthening works are still on-track for completion by the end of September.

90 Devonport Road (Civic Administration Building Fitout)

166. The base build superstructure building consent has now been approved. LT McGuinness is assessing the impact of the consenting delay on the overall construction programme.
167. Warren and Mahoney is due to deliver the 90% Fitout Detailed Design package in early-August and is on track for their 100% Detailed Design milestone of 30 August.
168. The security brief and design has progressed, with Beca providing a draft TCC Electronic Security Guideline document for review.
169. The integration of the base build services contract and the fitout requirements has been approved.



90 Devonport Road structural columns on the northern side of the site - part of the Base Build contract.

Elizabeth Street East/Tunks Reserve

- 170. Communications are underway with stakeholders, local businesses and residents.
- 171. The traffic management plan (TMP) for the Elizabeth Street East end has been approved and is in place. Initial works in the road corridor include the installation of a new watermain that connects Elizabeth Street to The Strand.
- 172. Retaining wall construction is advancing on Tunk’s reserve, with large piles in position and timber retaining underway.
- 173. The project programme is on-track and due to completed by the end of December.



Memorial Park

174. The project scope includes development of new aquatic facilities, a wellness centre and indoor court facilities. Refinement of the scope is ongoing with Bay Venues, mana whenua and stakeholders for a combined Memorial Park Recreation Hub.
175. Procurement of the project team has gone well and we are nearing or have signed contracts with an Architectural-led, multidisciplinary engineer, project manager, quantity surveyor, business case author, ECI contractor and a masterplan designer.
176. The project team is actively working on programme and communication strategies.
177. The intent is to report back by the end of 2023 with a concept design for the Memorial Park Recreation Hub. This will also include costing and construction programming. In parallel, engagement on the masterplan for the park will be undertaken with key stakeholders and a preferred option also presented.

160-176 Devonport Road car park

178. Acquisition of the properties has been completed and we are working with existing tenants to vacate.
179. Design of the temporary car park is underway, including opportunities for cycle parking, working closely with the Transportation team to ensure this is incorporated in the existing network.
180. Demolition is planned from mid-October, with construction of the car park to follow.

Communications and engagement

181. A 'look and feel' for signage, hoardings and other collateral that will support the transformation of the city centre has been approved and is in the process of being rolled-out. This will start to appear at sites such as Masonic Park and Tunk's Reserve in the coming weeks. We also plan to work with private developers to see if there is appetite to tie-in with this approach.



Example of hoarding to be erected at Masonic Park in August.

182. Last month's decision to move ahead with the development of Te Manawataki o Te Papa was supported by a range of pro-active communications activity to ensure news of the decision is shared widely and understood. Some of the highlights include:
 - A high level of engagement on our Facebook and LinkedIn posts – with over 500 reactions on Facebook, 230 comments and 17 shares so far. On LinkedIn, there have been 620 reactions, 25 reposts and 18 comments to date. This equates to some of the highest (and positive) reactions we have had on Council social media posts.
 - Reporting across local and national sources leading up to and after Monday's Council meeting.
 - Content was provided to partners and other key connectors in the community so they can share the news via their own channels, such as social media and newsletters.
 - In-person events were held with key stakeholders and partners across Tauranga in the days following, with news of the decision warmly-received.

183. With transformational work along the waterfront set to ramp-up in the coming months, a key focus for the communications and engagement team is to ensure the community and local businesses are kept updated on timelines and plans, to ensure disruption is minimised.
184. Communications and engagement activity for the suite of projects taking place in the city centre are well underway, ensuring there is a co-ordinated approach and the wider transformation story is shared. This includes working with our partners such as Downtown Tauranga, University of Waikato and Priority One, as well as the private sector, to ensure any joint communications and engagement activities are leveraged.

ATTACHMENTS

Nil

12 DISCUSSION OF LATE ITEMS

13 PUBLIC EXCLUDED SESSION

Resolution to exclude the public

RECOMMENDATIONS

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
<p>13.1 - Public Excluded Minutes of the Council meeting held on 24 July 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)(c)(i) - The withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied</p> <p>s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege</p> <p>s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) - The withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
<p>13.2 - Exemption from open competition - Election Services</p>	<p>s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p>	<p>s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist</p>

		under section 6 or section 7
13.3 - Exemption from Open Competition - Supply and Commission of new Cemetery Cremator	<p>s7(2)(b)(i) - The withholding of the information is necessary to protect information where the making available of the information would disclose a trade secret</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>	s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
13.4 - Variation to contract - Maunganui Road Safety Improvements	s7(2)(i) - The withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
13.5 - Backflow Prevention Device Physical Delivery Procurement	s7(2)(i) - The withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

14 CLOSING KARAKIA