



MINUTES

**Ordinary Council meeting
Monday, 13 May 2024**

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**MINUTES OF TAURANGA CITY COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE BAY OF PLENTY REGIONAL COUNCIL CHAMBERS,
REGIONAL HOUSE, 1 ELIZABETH STREET, TAURANGA
ON MONDAY, 13 MAY 2024 AT 9AM**

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

IN ATTENDANCE: Marty Grenfell (Chief Executive), Paul Davidson (Chief Financial Officer), Nic Johansson (Head of Transport), Christine Jones (General Manager: Strategy, Growth & Governance), Alastair McNeill (General Manager: Corporate Services), Gareth Wallis (General Manager: City Development & Partnerships), Wally Potts (Acting General Manager: Infrastructure), Carlo Ellis (Manager: Māori Strategic Engagement), Mike Naude (Director of Civic Developments), Graeme Frith (Team Leader: Legal & Business Support), Ross Hudson (Manager: Strategic Planning and Partnerships, Spaces and Places), Karen Hay (Team Leader: Active Modes), Neil Mason (Programme Director: Major Projects), Tom McEntyre (Principal Investment Advisor: Transport), Anne Blakeway (Manager: City Partnerships), Coral Hair (Manager: Democracy & Governance Services), Caroline Irvine (Governance Advisor), Aimee Aranas (Governance Advisor), Janie Storey (Governance Advisor)

1 OPENING KARAKIA

Commissioner Shadrach Rolleston opened the meeting with a karakia.

2 APOLOGIES

Nil

3 PUBLIC FORUM

Nil

4 ACCEPTANCE OF LATE ITEMS

4.1 Acceptance of late item

RESOLUTION CO10/24/1

Moved: Commissioner Bill Wasley

Seconded: Commissioner Shadrach Rolleston

That the Council:

- (a) Accepts the following public excluded late items for consideration at the meeting:
 - Bay Venues Ltd Board Appointments May 2024 and Six-Monthly Report to 31 December 2023 (public excluded).

Not all of the information relating to this item was available in time to go out with the original agenda, and discussion cannot be delayed until a subsequent meeting as the appointments are required to be made.

CARRIED

5 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN

Nil

6 CHANGE TO THE ORDER OF BUSINESS

Item 11.1 – Civic Whare Guidelines and Item 11.3 - Memorial Park Aquatic Facility Project Update, will be considered later in the meeting.

7 CONFIRMATION OF MINUTES

7.1 Minutes of the Council meeting held on 22 April 2024

RESOLUTION CO10/24/2

Moved: Commissioner Shadrach Rolleston

Seconded: Commissioner Bill Wasley

That the minutes of the Council meeting held on 22 April 2024 be confirmed as a true and correct record.

CARRIED

7.2 Minutes of the Council meeting held on 29 April 2024

RESOLUTION CO10/24/3

Moved: Commissioner Bill Wasley

Seconded: Commissioner Shadrach Rolleston

That the minutes of the Council meeting held on 29 April 2024 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

11.2 City Centre Development Incentive Fund 2023/2024

Staff Gareth Wallis, General Manager: City Development & Partnerships

In response to questions

- The basketball court and northern grass space was to be completed by early November 2024, with the first of the events being booked in mid-November 2024.
- The Cargo Shed was busy with 3-4 events booked each week and was quite heavily booked from September onwards.

Discussion points raised

- Include in recommendation (b) the provision of more than 100 beds, to provide a clear threshold on what was to be achieved.

RESOLUTION CO10/24/4

Moved: Commissioner Bill Wasley

Seconded: Commissioner Shadrach Rolleston

That the Council:

- (a) Receives the report "City Centre Development Incentive Fund 2023/2024".
- (b) Delegates to the Chief Executive, the authority to negotiate the details of \$200,000 of financial support from the City Centre Development Incentive Fund, over three years, to ensure the delivery of a key city centre student accommodation development and the provision of over 100 beds.

CARRIED

11.4 Waste Management and Minimisation Bylaw Controls

Staff Wally Potts, Acting General Manager: Infrastructure

In response to questions

- In response to a query as to how the enforcement of the bylaw would be carried out it was noted that the main objective was around educating users on the correct use of the bins.
- It was also in response to accommodate multi use developments, making rooms for bins on the road side and to audit the contents so that waste was managed and put in the right receptacles so that it did not end up in the landfill.
- The first instance was a notice of non-compliance left on the bin and an education opportunity as to what was needed to get it collected on the next collection date.
- Enforcement opportunities were avoided as much as possible, the owner would receive a visit from staff who would educate the user and provide additional bins if needed.

RESOLUTION CO10/24/5

Moved: Commissioner Shadrach Rolleston

Seconded: Commissioner Bill Wasley

That the Council:

- (a) Receives the report "Waste Management and Minimisation Bylaw Controls".
- (b) Pursuant to clause 9 of the Waste Management and Minimisation Bylaw 2022, makes the controls specified in Attachment 1 to support the implementation of the Bylaw, to become effective on 1 June 2024.

CARRIED

11.5 Transport Resolutions Report No.51

Staff Nic Johansson, Head of Transport
Ross Hudson, Manager: Strategic Planning and Partnerships, Spaces and Places

Key points

- The report covered two parts, the first was in relation to traffic and safety.
- The second was the implementation of boat ramp parking fees and enabling the bylaw for when this was to be introduced. There was still work to be done, but was being introduced now so that it was in place when it was ready to be implemented to minimise any disruptive flow on the effect.

In response to questions

- In response to a query as to how staff would manage the flow on effect of users parking elsewhere once the bylaw was introduced, it was noted that as staff were unsure of extent of that at this stage, staff would come back to Council if it was causing concern in the area. The roll out was based on a heavy educational and communication phase and needed to be agile and able to be changed based on how people reacted.
- There was also a charge for parking on the reserve areas.
- Enforcement was within the Land Transport Act and would be the same as the balance of the city, with a \$60 non-payment fee being imposed.
- The Parking Enforcement team would be using a number of methods of communication including fliers on vehicle windscreens. A pre-communications programme was planned to ensure that everyone was clear from the first day as to where they could and could not park. There would also be an introduction time with warnings to cover use by visitors.
- It was noted that the emphasis placed on the fee being a boat ramp fee collecting money via the parking to go towards the maintenance and upkeep of the boat ramp. This would be included in the communications to users which included the fishing club and relevant Facebook page links.
- If there were delays in the line marking of the area the warning period would continue for longer as everything on the ground needed to be in place before implement.

RESOLUTION CO10/24/6

Moved: Commissioner Stephen Selwood
Seconded: Commissioner Shadrach Rolleston

That the Council:

- (a) Receives the report "Transport Resolutions Report No.51".

General Updates

- (b) Adopts the proposed traffic and parking controls as per Attachment A relating to minor changes for general safety, operational or amenity purposes, to become effective on or after 14 May 2024 subject to appropriate signs and road markings being installed.

Boat Ramp Charging Fees

- (c) Adopts the bylaw controls in Attachment B to introduce charges for use of boat ramps via parking charges for trailers in areas adjacent to the Whareroa Reserve boat ramp, Pilot Bay boat ramp, and Marine Park boat ramps from 1 July 2024 in accordance with decisions made in the Long Term Plan 2024-34.
- (d) Agrees that the residents annual boat ramp parking pass be available (per trailer) for those who live, own property, or operate a business, club or organisation in Tauranga City Council boundaries.

CARRIED

11.6 Draft GPS Alignment and LCLR project delivery

Staff Nic Johansson, Head of Transport
Karen Hay, Team Leader: Active Modes

Key points

- The draft government Policy Statement (GPS) was signalling a direction which was different to the planning and design of projects that were underway.
- The projects needed to be dealt with on a case by case basis due to the draft GPS to still attract funding from NZTA.
- The programme signals funding for low cost low risk (LCLR) works in communities for safety around schools, walking, cycling and the like.
- Some specific situations had challenges around areas with the disabled and younger children as they were unable to gauge the gap in traffic and the speed of vehicles. Staff were seeking flexibility with caution, on a case by case basis, especially in those high risk communities.

In response to questions

- In response to a query as to whether the crossings still needed to be raised, it was noted that a range of needs were undertaken on each of the corridors and different solutions used as no one size fitted all.
- A raised zebra crossing costs approximately \$150-250,000 which mostly related to drainage issues and a signalised crossing was approximately \$400,000 which also included providing power supply to the connections. All solutions were applied on a best value for money with the best outcome.

Discussion points raised

- Include a further recommendation endorsing the proposed approach on a case by case basis taking safety into account.

RESOLUTION CO10/24/7

Moved: Commission Chair Anne Tolley

Seconded: Commissioner Bill Wasley

That the Council:

- (a) Receives the report "Draft GPS Alignment and LCLR project delivery".
- (b) Endorses the proposed approach of a case by case basis taking safety into account.

CARRIED

11.7 Connecting Mount Maunganui IBC Update report (VOS Committee Outcomes and Impact)

Staff Neil Mason, Programme Director: Major Projects
Tom McEntyre, Principal Investment Advisor: Transport

Key points

- Update summary brief of previous report to Council on keeping Mt Maunganui and the impacts of the VOS (Value Outcome and Standards) committee of NZTA who reviewed, issued guidance, advice and direction to the project team.
- Recommends that Council proceed to pre-implementation work as it pertained to the local road network connections and permeability within the project scope boundaries. There were a number of cul-de-sacs which were used by trucks and trailers and this would allow them the means to go through these reducing congestion and providing effectiveness of the use of these roads.

- Summary of the VOS committee noted the importance of connecting Mount Maunganui to the Arataki and Wairakei suburbs and the performance of the wider local network and state highway connections including the port and impacts around freight efficiency to it. Also noted was that Connecting Mount Maunganui was facing funding risks with a current low BCR of between 0.3 and 0.6. This would normally be over 1 to obtain funding, but was subjective against the BCR of the projects that Council were competing against for funding with roads in the national significance programme.
- The VOS committee required more detail around the staged delivery of standalone components while seeking to balance the delivery time line and risk and had requested the Project team to provide options in further detail to the NZTA Board on the staged approach. The project team compared the current recommended option against other options considered in the IBC (Indicative Business Case) with a lower cost around specific components in total or could be reconsidered in a staged approach to provide outcomes at various times. If a new option was to be put forward, the IBC was to be adapted and resubmitted to the VOS committee for reconsideration.
- Early implementation around the local road components relates to Horizon 1 as noted in the previous report and was part of the current staged approach. This could potentially see Council proceed with works to reduce congestion pressure on Hewletts Road completing the connection of Te Maire Street to Newton Street as an alternate through put route. The land required was already owned by Council. The amending of intersections at Maru Street and Aerodrome Road would limit turning movements and provide increased green light time on State Highway 2 to improve efficiency of movement heading east/west or west/east.
- Funding was not confirmed as yet by NZTA, and was expected to be between \$3-5M. Approval was expected for works relating to Horizon 1 would be sought when a revised IBC submitted to the NZTA Board. It was hoped that this would then allow Council to keep moving ahead with local road improvements while the remainder or the detail phase of the IBC was completed by NZTA. This would mean Council and NZTA were in agreement about co-funding the phases and both committed to moving ahead of time to get some good outcomes rather than waiting for full process to be completed.
- The detailed next step from the VOS committee was for the NZTA project team to prepare a detailed scope of work for the actions as soon as possible. Work was underway now and once scoped and confirmed any cost scope adjustment would be provided to the committee. Advice from NZTA was that there was enough budget in current allocation to proceed with the work as detailed by the VOS committee. Once the program was confirmed the project update reports would be resubmitted to VOS committee.
- The programme was still well aligned with the draft GPS for land transport.
- A further report would be provided to Council when the updated IBC was presented to the VOS committee and with update briefs to follow pending the decisions of the committee and the NZTA Board.

In response to questions

- Commissioner Tolley noted that the most critical issue was that the big roundabout was dangerous so whatever decision was made to assist that, Council could not give up the overpass from Totara Street and needed to keep saying that. NZTA examined a large number of alternatives and that was the best option to meet the objectives of the business case. Council should not allow a cheaper option due to lack of funding and needed to be firm that an overpass was needed.
- Commissioner Tolley asked why a T2 or T3 was not included in the existing bus lane on Hewletts Road as Council had been talking to NZTA for 3.5 years and would make a tremendous difference to the movement of traffic down that line. The other issue was the lights at the marina entrance which also stops the traffic and asked why that was not included in stage 1 as the triggers had been met.
- In response to a query regarding the time frames, it was noted that Council needed to go back to NZTA to confirm the funding for the local network connections if seeking to share the costs under the umbrella of the Connecting Mount Maunganui project. They were unsure of the

timeline as it would come from rescoping programme that the project team were currently undertaking to confirm back to the VOS committee for confirmation of that program and resubmittal of the IBC which would include a request for funding related to the Horizon 1 local network components.

- The Te Maire Street land was purchased in anticipation of the project four years ago and provided the ability to bring that part of the works forward in the programme, but unless Council were going to proceed with that at 100% local share, they need to wait until the NZTA share to co-fund.
- Commissioner Tolley noted that it was critical that Council take control for next stage and be able to focus on meeting the requirements of the GPS, with economic growth and getting traffic in and out efficiently from the port which currently comes out onto a major arterial linking 70% of employment and was used by large majority of residents to get to and from work, home and school. While walking, cycling and mode shift were part of it the emphasis needed to be Council led on economic growth otherwise the BC would never be up high enough and would not meet the GPS requirements.
- It was noted that the pre-implementation was an opportunity to lead those components and deliver some positive outcomes for the community ahead of time rather than waiting for approval for the major state highway works inclusive of the two major components at each end of Hewletts Road, the Totara Street intersection and the dual roundabouts with the railway line.
- In response to a request to include the investigation of including T2 and T3 use of bus lane in Hewletts Road, it was noted that there was every chance of including it.
- Mr Mason noted that Jess Andrews from NZTA was unable to attend. He noted that they were aligned and NZTA were on board supporting the Horizon approach and the order of works in the IBC. They also agreed that the delivery of early Horizons could be led by Council, however, as all of the money Council spent would be of benefit to the state highway network and to get it to perform better they were anticipating that NZTA would contribute all of the cost including for the land.
- The only way to the NZTA Board was when the VOS committee's requests had been met and they were wanting to reaffirm that all affordable options for a solution had been considered. Following the process was the fastest way for big items of separation and safety improvements.
- Council would lead on moving the Te Maire Street link and the local road improvements based on affordability but as these were not ringfenced in the LTP at present, it would require Council to move internal funding priorities around and have NZTA make a contribution to those fairly in order to get network benefit rather than just local roading benefit.
- While there was still a bit of work to do, if Council do not go through the VOS committee, it would not get to the NZTA Board and would not get to NLTF. The team would drive to have the early works ready to go when Council were in a position to make a call on how much to contribute locally and to get it moving.
- Adding in the T2 and T3 bus lane was a network strategy which was already being considered and had all of the elements of multi model. These could be noted with Council support for Horizons and how they were presented.
- In response to a query as to what was inhibiting the proper recognition of the economic and wider benefits in the IBC which would make a difference to the BCR, it was noted that from the last discussions if Council were to bring in fresh resources and specialists, but found that Council already had their own. Ms Andrews confirms that the BCR was a reassurance process not change of report process as it was expected that the wider benefits would still put the project as priority 1. Council need to reassure VOS committee that the information was correct. It would take a lot of time to get the BCR increased, when the project stood on its own right. Time would be better spent getting the Horizons accelerated as pre-implementation scope and follow process.
- Council need to wait for the NLTP and NLF to be confirmed to receive funding, and seek NZTA agreement that any work undertaken in advance receives applicable co-funding subsidy of at least 51%. In order for this to accelerate Council would need to take risk on the outcome of the scheme and get into discussions regarding retrospective funding again. Under the NZTA

programme the detailed business case was not due to start until later in the year after the decisions were made around the funding. The VOS committee were requesting a double check that there were no cheaper alternatives that had been missed. Mr Mason recommended that Council not do too much on the Te Maire Street link until they received some assurance that all of the costs, including the design would be covered.

- In response to a query on the funding and possibly invoking the Crown as to how it could be funded, Mr Mason noted that Ms Andrews had agreed to the funding for the Te Maire Street and letting Council deliver it. Council had to go through this process, a letter of best endeavours would not get honoured unless the NZTA Board underwrite the business case and that had to be achieved before the letter could be initiated. .
- In answer to a query as to Council spending funds before knowing the amount of the share of NZTA funding, it was noted that the project was still operating within the approved budget at present. The budget was subject to co-investment, with the FAR applying to that under the banner of the IBC phase. This had got the Council to the BBC submission of the next major milestone and does not take into consideration the cost of accelerating the Te Maire Street link which would need to be renegotiated. It would get the Council to the next known landmark which starts the DBC process in November 2024. Staff would be looking to allow Council to accelerate other services ahead of that in acknowledgement of the VOS committee agreeing that all affordable options had been explored.
- Mr Mason noted that he and Ms Andrews agreed that through a change in the organisational structure, Council were able to get some of the physical works done, and would like the opportunity to lead by example providing the costs were agreed.

RESOLUTION CO10/24/8

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the Council:

- (a) Receives the report "Connecting Mount Maunganui IBC Update report (VOS Committee Outcomes and Impact)".
- (b) Notes the recommendations from the NZTA VOS committee as outlined in this report.
- (c) Approves progressing with pre-implementation and implementation of Horizon 1 activities including the Te Maire Link to Newton Street and intersection optimisation at Maru Street and Aerodrome Road, subject to confirming NZTA co-funding of at least 51% FAR for delivery of these works.

CARRIED

11.8 Final Council-Controlled Organisations' Statements of Intent for 2024-2027

Staff Gareth Wallis, General Manager: City Development & Partnerships
Anne Blakeway, Manager: City Partnerships

Key points

- Recommendation (h) to include Directors increase from \$40,000 to \$45,000 and the Chair from \$80,000 to \$90,000

Discussion points raised

- Commissioners note the additional work that was being carried out by the Board with regard to Memorial Park and the Aquatic Centre and considered that it was good value for what the Council were receiving.

RESOLUTION CO10/24/9

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the Council:

- (a) Receives the report "Final Council-Controlled Organisations' Statements of Intent for 2024-2027".
- (b) Receives and approves Bay Venues Limited's final Statement of Intent 2024 to 2027 (Attachment 1).
- (c) Receives and approves Tauranga Art Gallery Trust's final Statement of Intent 2024 to 2027 (Attachment 3).
- (d) Receives and approves Tourism Bay of Plenty's final Statement of Intent 2024 to 2027 (Attachment 5).
- (e) Notes that Western Bay of Plenty District Council, as joint shareholder, has already received and approved Tourism Bay of Plenty's final Statement of Intent 2024 to 2027 at their Council meeting on 4 April 2024.
- (f) Receives and approves Te Manawataki o Te Papa Limited's final Statement of Intent 2024 to 2027 (Attachment 7).
- (g) Receives and approves Te Manawataki o Te Papa Charitable Trust's final Statement of Intent 2024 to 2027 (Attachment 9).
- (h) Approves a minor board member remuneration increase for the Te Manawataki o Te Papa Limited's Directors from \$40,000 to \$45,000 and Chair from \$80,000 to \$90,000.

CARRIED

11.1 Civic Whare Guidelines

Staff Christine Jones, General Manager: Strategy, Growth & Governance
Carlo Ellis, Manager: Strategic Māori Engagement

Discussion points raised

- Commissioner Tolley noted that as a female leader she had always been well supported and the position respected at all times and was confident that this would be the same for any successive female Mayor. It was requested that the word female be removed from the guidelines.
- It was requested that an introduction setting out that the Civic Whare was a multi-cultural and multi-purpose venue precede the guidelines.
- Add (c) to carry out a review after 12 months to determine how it was working for the Mayor and Councillors.

RESOLUTION CO10/24/10

Moved: Commissioner Stephen Selwood

Seconded: Commissioner Bill Wasley

That the Council:

- (a) Receives the report "Civic Whare Guidelines".
- (b) Endorses the proposed guidelines (**attachment 1**), with the additional of an introduction summarising paragraphs 3-6 in the accompanying report to be utilised to guide planning for and use of the Civic Whare once completed and

- (c) that the guidelines be reviewed 12 months from implementation.

CARRIED

12 DISCUSSION OF LATE ITEMS

Nil

13 PUBLIC EXCLUDED SESSION

Resolution to exclude the public

RESOLUTION CO10/24/11

Moved: Commissioner Bill Wasley

Seconded: Commissioner Shadrach Rolleston

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 29 April 2024</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)(ii) - 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 otherwise to damage the public interest</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 - Memorial Park Aquatic Facility Procurement Update</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>13.3 - Appointment of Hearings Panel for Variation 1 (Tauriko West) to Proposed Plan Change 33, Proposed Plan Change 34 (Belk Road Rural Residential) and Proposed Plan Change 35 (Tauriko Business Estate Stage 4)</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>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>13.4 - Development Feasibility and Optioneering for Residual Papamoa East Interchange Land</p>	<p>s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p>	<p>s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
<p>13.5 - Airport Precinct Close out Report</p>	<p>s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p>	<p>s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
<p>13.6 - Exemption from Open Competition</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>13.7 - Cameron Road Stage 2 - Procurement and Programme Progression</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</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</p>

	position of the person who supplied or who is the subject of the information	which good reason for withholding would exist under section 6 or section 7
13.8 - Bay Venues Ltd Board Appointments May 2024 and Six-Monthly Report to 31 Dec 2023	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

CARRIED

11 BUSINESS *(continued)*

11.3 Memorial Park Aquatic Facility Project Update

Staff Marty Grenfell, Chief Executive
 Mike Naude, Director of Civic Developments
 Graeme Frith, Team Leader: Legal & Business Support

External Craig Jones – Visitor Solutions
 Mark Bates – HDT

Presentation attached.

Key points

- Provided an update on the aquatic centre, business case and enhanced concept design.
- The geotechnical investigations had been completed and the NGO engineer was currently analysing the results to inform the foundation design for the facility. The RFP (request for proposal) would be assessed in the coming weeks.
- The specifications for the supply of the pool tanks, filtration and hydro slides had been finalised and were seeking submissions from suitable suppliers to initially provide information to inform the final design.
- The project had strong strategic alignment with four problem statements and six objectives being put together for the projects including high community participation, a broad participation profile attracting others to the facility, the covering of aquatic network gaps, the park and centre would leverage off one another, diverse revenue streams and ensuring it met sustainability and environmental resilience goals.
- A detailed option assessment had been undertaken with a short list being provided, a financial analysis and design optimisation work had been undertaken.
- Since the preferred option had been determined, work had been carried out to simplify the building form, a draft cultural narrative had been developed to be shared and approved with iwi and hapu groups. Plant areas had been consolidated along the northern side to provide efficient services for both the indoor and outdoor pool. The gross floor area had been redesigned with 400m² being added to the fitness centre.
- Development of the indoor and outdoor pool designs had been undertaken and documentation suitable for filtration, tanks and hydro slide prepared. These items amount to 10-15% of the overall cost.
- A peer review had been completed and comments made would be taken on board as the project proceeded.
- Improved the visual connection between the fitness and aquatic components, improved studio provision and 24 hour access and control to the fitness centre. Also keeping the ability for the areas to be expanded as needed once greater certainty on the bigger budget packages were known.

- The outdoor pool and manu pool would connect to the park and leverage off the benefits that the park offered. It would also attract segments of the market that would not normally use such a facility, including Maori and Pacifica groups.
- The outdoor pool would be geothermally heated for use all year to provide additional benefits and revenue streams, with the fitness centre, hydroslide and indoor pool environment making it a year round attraction.
- There were 10 different procurement models that were currently being assessed.
- A conservative financial model had been set, with the facility not being forecast to operate profitably. An approximation of a \$733,000 subsidy per annum being required to operate, with the position likely to improve. .
- There was not sufficient return to cover debt, interest payments or satisfactorily contribute toward depreciation and fund replacement. The estimate was a cost to Council of \$12.5M pa over the first 30 years.
- The processes for the management case had largely been established and were underway.

In response to questions

- In relation to a question seeking clarification of Opex costs being included in the LTP it was noted that this should have been picked up but staff would confirm this had been done.
- In response to a query relating to comparability with levels of subsidies for other similar facilities nationwide, it was noted that one such facility had been \$100,000 pa more mainly due to this facility having the benefit of geothermal.
- Visitation numbers of 250,000 had been set at a conservative level, with the expectation that these would likely be exceeded.
- The day to day operational cost were compatible with Baywave which was used as a base model.
- The outdoor pool area had not changed with the green space remaining the same with the outdoor experience, picnic area and manu pool still in the scheme. The intention was that people would could come for an outdoor aquatic and recreation experience and stay for 3-4 hours.
- Value engineering would be carried out as the process goes through the design stages, with the possibility of seeking outside funding from community funders for some of the components such as the hydro slides.

Discussion points raised

- Include an additional recommendation noting that any increased opex costs would need to be addressed in future annual plans.
- Commissioners acknowledged that the facility had a wider scope and use to what was currently there and the ability to provide for this community throughout the year would become a key facility for the city.
- Having facilities on both sides of the harbour spreads them throughout the city and provided offerings to residents and those from neighbouring communities.
- The city was built around the sea, therefore adequate city wide facilities were needed to teach children how to survive in the waters that surrounds them.
- Commissioners noted their appreciation for all of the work undertaken.

RESOLUTION CO10/24/12

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the Council:

- (a) Receives the report "Memorial Park Aquatic Facility Project Update";
- (b) Receives the Memorial Park Aquatic Facility Design Update & Memorial Park Aquatic Facility Business Case 7 May 2024 attached to this report;

- (c) Notes the enhanced design contained in the Memorial Park Aquatic Facility Design Update; and
- (d) Endorses the Memorial Park Facility project to:
 - (i) progress the three design stages (Preliminary/Developed/Detailed) and then construction, providing that the project is delivered within the approved budget and;
 - (ii) to complete the ECI (Early Contract Involvement) /PCSA (Pre-construction Services Agreement) then novated Design and Build contract, subject to the project be delivered within the approved budget at each design stage gate.
- (e) Notes that any increased opex costs would need to be addressed in future annual plans.

CARRIED

Attachments

- 1 Presentation - Memorial Park Aquatic Facility

14 CLOSING KARAKIA

The closing karakia would be given at the conclusion of the Strategy, Risk and Assurance Meeting.

The meeting closed at 11.47 am.

The minutes of this meeting were confirmed as a true and correct record at the 10 June 2024 meeting

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Commission Chair Anne Tolley
CHAIRPERSON