



# **MINUTES**

**Ordinary Council meeting  
Monday, 26 August 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, 26 AUGUST 2024 AT 9.30AM**

**PRESENT:** Mayor Mahé Drysdale (Chairperson), Deputy Mayor Jen Scoular (Deputy Chairperson), Cr Hautapu Baker, Cr Glen Crowther, Cr Rick Curach, Cr Steve Morris, Cr Marten Rozeboom, Cr Kevin Schuler, Cr Rod Taylor

**IN ATTENDANCE:** Marty Grenfell (Chief Executive), Paul Davidson (Chief Financial Officer), Barbara Dempsey (General Manager: Community Services), Nic Johansson (General Manager: Infrastructure), Christine Jones (General Manager: Strategy, Growth & Governance), Alastair McNeill (General Manager: Corporate Services), Sarah Omundsen (General Manager: Regulatory and Compliance), Gareth Wallis (General Manager: City Development & Partnerships), Peter Bahrs (Manager: Water Services), Ross Hudson (Manager: Strategic Planning and Partnerships, Spaces and Places), Mike Seabourne (Head of Transport), Jason Spencer (Transport Programme Manager: Major Projects), Chris Farnsworth (Senior Project Manager: Major Projects), Shawn Geard (City Centre Infrastructure Lead), Reece Wilkinson (Parking Strategy Manager), Coral Hair (Manager: Democracy & Governance Services), Anahera Dinsdale (Acting Team Leader: Governance Services), Caroline Irvine (Governance Advisor), Aimee Aranas (Governance Advisor)

**EXTERNAL:** Robert Coe, Dr Alana Ratna, Jodie Bruning, Jan Gyngge, Peter Bourke (via Zoom) and Amy Bourke (via Zoom)

## **1 OPENING KARAKIA**

Cr Hautapu Baker opened the meeting with a mihi followed by a karakia.

## **2 APOLOGIES**

### **APOLOGY**

#### **RESOLUTION CO18/24/1**

Moved: Deputy Mayor Jen Scoular  
Seconded: Cr Steve Morris

That the apology for absence received from Cr Sydney be accepted. He has a leave of absence until December 2024.

**CARRIED**

### 3 PUBLIC FORUM

#### 3.1 Robert Coe, Dr Alana Ratna. Jodie Bruning - Fluoridation of Tauranga's city water supply

Attached items include a tabled document on harms of fluoride and J Bruning's PowerPoint presentation.

##### Key points

- Mr Coe addressed the meeting noting that there was no intention by the Director of Health to take any Council to court that did not fluoridate their water supply.
- Concerned at the statements in the report on reclaiming funding, noting that as the Council had yet to receive any funding there was nothing to repay.
- In relation to the Health and Safety at Work Act 2015, Councillors were Officers of Council with the obligation for duty of care and to eliminate risks to health and safety so far as practical or minimise the risk.
- Mr Coe noted the risks with the highly caustic chemicals in fluoride, the damage it could cause if spilt or taken orally and the gas it emits when coming into contact with other elements and surfaces.
- Provided evidence of fluoride harm in Washington where an overdose had resulted in the death of a 65 year old on dialysis and 7 others became violently ill. Other instances were also noted.
- Wellington had to dump a whole reservoir of water due to malfunctioning dosing equipment resulting in the fluoride levels being too high for human consumption.
- Dr Alana Ratna addressed the meeting noting that fluoride was a neuro toxin that was equivalent or worse in danger than lead.
- Requested Council to act now and not knowingly harm another generation of children.
- An eight year study by the US Toxicology Department had just been published comparing the intelligence of children throughout the world in fluoridated and non-fluoridated areas with a conclusion that children in fluoridated areas consistently had an average decrease of IQ of 7 points. The dosage of 0.7 to 1 mg within New Zealand would likely reduce the IQ in some children.
- A Ministry of Health report showed no modern reliable evidence that fluoridation reduced dental decay and no evidence that it had any beneficial effect on teeth at all. There was evidence that drinking too much fluoridated water could harm teeth and cause other harmful medical conditions.
- Fluoridating water was not common practice with most countries not doing so, and there was evidence that those residents did not have declining tooth decay.
- A safer approach was good dental hygiene and good dietary habits.
- It was not OK to follow government orders to poison children and asked that Tauranga be the leading Council to stop it as other councils were waiting for a leader.
- Ms Bruning provided a presentation which was tabled and attached to the minutes.
- Noted the review carried out by the OPMSA (Office of the Prime Minister Chief Science Advisor) and the manner this was conducted, especially in relation to no risk assessment for fluoride dosage in water.
- The public had been written out of any capacity to critique the Ministry of Health's advice as they considered it was not within the subject matter of the Bill.
- Peer reviewers were oral/dental health experts rather than toxicology experts.
- Under 8 year olds were most at risk due to the amount of fluoride retained within their bones.
- Summarised the Local Government Act 2002 in relation to public health risks and public safety and the ability to make a bylaw for this purpose.
- The EPA had never carried out a risk assessment for fluoride HFA emissions to water from Wellington, Auckland or Dunedin.

- Request Council to set up a process to further review the options.

### **Discussion points raised**

- There was no update on a Judicial Conference which was to have been held on 9 August 2024. It was noted later in the meeting that this did not take place.
- Mayor Drysdale thanked the group for their presentation.

### **Attachments**

- 1 Presentation 2024-08-26 Fluoride PPT TCC PSGR Policy and legislation with respect to Fluoridation
- 2 Tabled Document Public Forum Item 3.1 Fluoridation of Tauranga City's Water Supply

## **3.2 Jan Gyngé – My Stance on “No Democracy No Rates”**

### **Key points**

- Ms Gyngé spoke to the Council about her stance on No Democracy, No Rates, making a stand in 2022 with the appointment of the Commissioners and refused to pay her rates.
- Democracy was the cornerstone of the Local Government Act and the stand was about democracy under the Act.
- Highlighted what she considered were breaches of the Act noting her democracy was being denied.
- Questioned the legitimacy of the Long-Term Plan 2024-34, the consultation process and the adopting of it prior to the Council being elected.
- She formally requested that Council write off her rate arrears, penalties, fees and costs and stop the legal action against her.
- The submitter noted that now that the Council had been elected she would commence paying her rates and offered to pay the equivalent of the unpaid sum to a local charity.

### **Discussion points raised**

- In response to how to get over the issue of setting a precedent for others not to pay their rates, Ms Gyngé considered that her rights had been taken away from her and continually denied and the right thing to do was to pay her rates to charity. She noted that there was no precedent set in the Court system about the Act being breached and the continuing right of Council to collect rates without democracy.
- Ms Gyngé noted there was no guarantee that a court would accept the claim but advised that she would go to court if she had to, to stand up for democracy and for the Council to abide by the Act as they were required to do.
- Mayor Drysdale thanked Ms Gyngé for addressing Council and noted that rates were the fundamental basis of Council to pay for all amenities and services that the Council provided and there was a need to enforce that they be paid.

## **3.3 Peter Bourke and Amy Bourke – Hauraki Express Limited on Ferry Proposal (via Zoom Link)**

### **Key points**

- Ms Bourke addressed the Council and expressed support for the Hauraki Express Ferry Proposal with a trial using a fleet of small, fast ferries that did not require any additional infrastructure to commence operating.
- Provided reasons for the introduction of the ferry service noting the harbour should be looked at as an opportunity as a transport means and not an obstacle.
- While in the past some ferry services had not proved financially viable, the numbers for what they propose do to by providing a link between the city and Mount, links to cycleways and a service for all manner of travellers was feasible.

- There were also additional opportunities to connect Omokoroa, Otūmoetai, Maungatapu and other areas that were accessible along the harbours edge.
- In relation to the private contribution and the contribution sought from Council, Mr Bourke noted that they proposed to build two purpose-built ferries and commit them to the route. An initial two-year trial was proposed to get the community to respond to it. The fares collected were not expected to cover the cost, but they were confident that it would succeed, expand and become a feature of Tauranga and the harbour.
- Only 1.8% of commuters use public transport compared to 4.2% nationally, active travel was also less and up to 90% were single occupant vehicles with a national average of 67%. Tauranga had ambitious goals to reduce carbon emissions by 2050 and if Council wanted to change transport behaviour, it must give travellers a reason not to get in the car and the use of the blue highway was one way to do this.
- Tauranga was behind in their shift to zero emissions and should not rely on hard asphalt as the medium for transport when the ferry was here and ready to go to assist and they asked that the Council embrace it.
- Mayor Drysdale thanked Mr and Ms Bourke for addressing the Council.

#### **4 ACCEPTANCE OF LATE ITEMS**

The Chairperson noted a Supplementary Agenda in Public Excluded was circulated on Wednesday 21 August 2024 on the “Western Bay of Plenty Sub-region City Deals”.

#### **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**

Deputy Mayor Scoular noted a governance role she had considered with the Environmental Protection Agency but did not consider that there was an interest at this stage to declare.

Mayor Drysdale declared a conflict of interest in a Public Excluded item 13.1 and would address that interest in the Public Excluded session.

#### **9 DEPUTATIONS, PRESENTATIONS, PETITIONS**

Nil

#### **10 RECOMMENDATIONS FROM OTHER COMMITTEES**

Nil

#### **11 BUSINESS**

##### **11.1 Fluoridation of Tauranga City's Water Supply**

**Staff** Nic Johansson, General Manager: Infrastructure  
Peter Bahrs, Manager: Water Services

**Key points.**

- Option One was recommended to continue existing work to fluoridate the city's water supply in compliance with legal direction given to Council.
- The existing directions to fluoridate remained valid in the interim, while the legal challenge by groups opposing fluoridation is ongoing, unless, or until, revoked by the Director-General of Health.

**In response to questions**

- There had been no fluoride added to Tauranga's water supply to date.
- Paragraph 47 of the report addressed the unlikelihood of being granted an extension by the Director-General of Health and if fluoride was not added, Council would be operating outside the law.
- Staff would need to commission testing in late September 2024 to ensure that each of the individual plants were operating correctly and were ready for continuous fluoridation on 1 November 2024.
- In response to a query as to whether any of the comments received in the public forum had changed the stance on fluoridation it was noted that the report was based on the Ministry of Health directive.
- It was noted that access to un-fluoridated water would come with a cost to users and staff were currently working on the estimated cost.
- The Chief Executive advised that he was confident that the health and safety of staff involved with the fluoridation of the water supply was being met.

**Discussion Points Raised**

- The Council had not heard from other voices in favour of fluoridation.
- Mindful that there was a risk that substantial costs may be incurred by not complying with the law, in terms of fines and repaying the capital costs, and these costs would fall on the ratepayers.

At 11.17am the meeting adjourned.

At 11.44am the meeting reconvened.

- A foreshadowed motion was provided that requested a further extension to defer fluoridation of Tauranga's water supply be sought from the Director-General of Health and that assurance also be sought on whether Council would be fined if fluoride was not added to the water.
- It was considered it would be more appropriate to wait until the results of the Judicial Review Court Process currently been undertaken were received prior to a decision being made.

**A MOTION WAS PROPOSED**

Moved by Cr Curach

Seconded by Cr Baker

That the Council:

- (a) Receives the report "Fluoridation of Tauranga City's Water Supply".
- (b) Notes that fluoride will begin to be added to Tauranga's water supply by mid-September, with full fluoridation of the water supply by the end of October, to allow for compliance with the direction from the Director-General of Health and the conditions of the funding agreement with the Ministry of Health.
- (c) Authorises staff to complete further investigation of options to provide a non-fluoridated water supply for those who choose it.

- (d) Notes that staff will return to Council with a report in December 2024 outlining options for a non-fluoridated water supply for those who choose it. This report will provide information on costs, risks and feasibility.

**DECLARED LOST**

## **RESOLUTION CO18/24/2**

Moved: Deputy Mayor Jen Scoular

Seconded: Mayor Mahé Drysdale

That the Council:

- (a) Receives the report "Fluoridation of Tauranga City's Water Supply".
- (b) Requests of the Director-General of Health:
  - (i) A further extension to defer fluoridation of Tauranga's water supply until such time as the judicial review court process on this matter is completed.
  - (ii) Assurance that Tauranga City Council will not be subject to financial penalty should it not proceed to fluoridate the water until such time as the judicial review court process is completed and the consequences understood.
- (c) Does not proceed with fluoridation of the water supply until the completion of the judicial review court process, regardless of whether the extension in (b)(i) is granted.
- (d) If the Director-General of Health does not provide assurance re financial penalty requested in (b)(ii) above, that the matter be reported back to Council for further decision.
- (e) If following the Judicial review process councils are required to fluoridate then Tauranga's water supply will be fluoridated.
- (f) Authorises staff to complete further investigation of options to provide a non-fluoridated water supply for those who choose it.
- (g) Notes that staff will return to Council with a report in December 2024 outlining options for a non-fluoridated water supply for those who choose it. This report will provide information on costs and who pays those costs, risks and feasibility.

**CARRIED**

## **11.2 Boat Ramp Parking Fees**

**Staff** Barbara Dempsey, General Manager: Community Services  
Ross Hudson, Manager: Strategic Planning and Partnerships, Spaces and Places  
Reece Wilkinson, Parking Strategy Manager

Boat ramp costs 2014-24 attached.

### **Key points**

- Parking fees for boat trailers were introduced at Marine Park, Whareroa and Waikorire (Pilot Bay) as a proxy for boat ramp use as a means to recover costs associated with boat ramps.
- It was noted that over 1,400 boat ramp users had already paid user fees since the implementation of the fees on 1 July 2024 and feedback from those users was included in the report as amendments to the regime.

### **In response to questions**

- It was requested that additional information on boat ramp costs from 2014-15, provided to Members be tabled for information.
- The added cost to rates for ramp maintenance if no fee was charged was estimated to be \$3.50 per rate payer per year.



- In response to a query as to whether the dredging of the harbour was exacerbated by the Port it was noted that Council had not had a discussion with the Bay of Plenty Regional Council on this matter. The dredging was to allow use of the Pilot Bay boat ramp therefore was a cost to that activity and not a direct cost to the physical component of the ramp.
- The petitioner Mr Harrington was advised of the meeting and he was present at the meeting.
- The passes could be purchased through the PayMyPark App and after some initial problems this was working well.
- Exemptions for customary fishing rights could be implemented through the Ministry of Primary Industries processes. While there was an exemption for community services card holder, this had not been considered for gold card holders, but this could be reviewed.
- Feedback received from users indicated that annual passes should be offered to all users not just local residents. Options could include a discount rate for residents of Tauranga.
- Trailor parking along the street and on berms at Pilot Bay was being monitored until the end of October. Consideration of providing a bigger parking area for these vehicles was included in the Long-Term Plan.

### Discussion points raised

- Boat ramp parking fees for trailers at these locations at this stage was considered fair and reasonable and on a par with other locations like Taupo and the Coromandel.
- Going forward would like to see a thorough review of all user fees and charges as part of the annual plan.
- Understand that the introduction of these fees had given rise to a feeling of unfairness by boat ramp users relating to the lack of consultation undertaken with the boating community and the level of the fees.
- Other councils had a much lower level of fees than Tauranga City Council and would like to see a reduction in these fees.
- Removing these fees would set a precedent.
- Boat ramp users were individuals, not generally part of clubs, and expected services to be provided by the Council. A more inclusive consultation process was required to be undertaken before introducing this type of fee.

### A MOTION WAS PROPOSED:

Moved: Cr Rick Curach

Seconded: Cr Hautapu Baker

That the Council:

- (a) Leaves the report to sit on the table until it reconsiders the matters in the context of a user-fee review that takes into account the disparity that exists between recreational activities for adult users and, in the meantime, turn off the parking machines at boat ramps and not accept Annual Pass purchases.

### A Division was called:

**In Favour:** Crs Glen Crowther and Rick Curach

**Against:** Mayor Mahé Drysdale, Deputy Mayor Jen Scoular, Crs Hautapu Baker, Steve Morris, Marten Rozeboom, Kevin Schuler and Rod Taylor

**DECLARED LOST 2/7**

### RESOLUTION CO18/24/3

Moved: Cr Steve Morris

Seconded: Cr Marten Rozeboom

That the Council:

- (a) Receives the report "Boat Ramp Parking Fees".

- (b) Acknowledges the petition against the fees that was received by the previous Council on 10 June 2024.
- (c) Removes all fees for trailer parking adjacent to the Marine Park, Whareroa and Waikorire (Pilot Bay) boat ramps; resolves to refund residents who have purchased annual passes; and remove the relevant sections from the User Fees & Charges schedule 2024/2025 and rescinds the relevant bylaw controls under the Traffic & Parking Bylaw 2023.

#### **A division was called**

**In Favour:** Crs Glen Crowther, Rick Curach, Steve Morris, Marten Rozeboom and Kevin Schuler

**Against:** Mayor Mahé Drysdale, Deputy Mayor Jen Scoular, Crs Hautapu Baker and Rod Taylor

**CARRIED 5/4**

#### **Attachments**

- 1 Tabled Boat Ramp Costs 2014-24 - item 11.2 - 2024-08-26

### **11.3 Update on Local Water Done Well**

**Staff** Christine Jones, General Manager: Strategy, Growth & Governance  
Stephen Burton, Transformation Lead: Water Services

#### **Key points**

- An update report on the Council's work programme based on the decisions that the government had made since the Commissioners preferred decision to work towards setting up a Council Controlled Organisation (CCO).

#### **In response to questions**

- Staff were still holding conversations with the Western Bay of Plenty District Council and staff at both councils were keen to leave the options open to join at the start or at a later date or time. No political decision had been made by the Western Bay District Council at this stage.
- Staff were continuing to work on the principles of Te Manawa to Wai working with hapū and iwi partners.
- Speculation on what the government would implement was hard, with staff approaching it as a water first way. The wording of the legislation was still to be decided.
- The business case would be designed to be flexible to allow other councils to join or not, and the five service delivery models as set out by the Department of Internal Affairs would be used as a basis to assess options.
- The modelling being done at present was to understand the debt and equity mixes as a lot of funding had already been invested in the three waters activity.

#### **RESOLUTION CO18/24/4**

Moved: Cr Rod Taylor

Seconded: Cr Marten Rozeboom

That the Council:

- (a) Receives the report "Update on Local Water Done Well".
- (b) Notes that legislation to implement Local Water Done Well is still in development.
- (c) Notes that Council will follow the Indicative Business Case approach, guided by the Treasury Better Business Case model, to explore future service delivery options under the Local Water Done Well framework.

**CARRIED**

## 11.4 Fifteenth Avenue to Welcome Bay Single Stage Business Case

**Staff** Nic Johansson, General Manager: Infrastructure  
Chris Farnsworth, Senior Project Manager: Major Projects  
Mike Seabourne, Director: Transport  
Jason Spencer, Transport Programme Manager: Major Projects

Presentation attached.

### Key points

- The single stage business case had been completed to send to New Zealand Transport Agency Board seeking approval for co-funding of Stage 1 only.
- Long list of options for solutions had been considered and consulted on to alleviate the history of congestion, poor levels of service, access and safety issues and to utilise the corridor more efficiently.
- Provided a presentation giving an overview of the project, the development of the business case, the key features, the risks and the processes undertaken to come up with the preferred option.

### In response to questions

- The cost to provide four lanes on the Hairini bridge would be excessive and would cost \$200m. Turret Road and the Hairini bridge were proposed to be three-lanes. In the future there would be an opportunity to build a new bridge with four-laning, using the existing bridge for multimodal purposes or provide a clip on. NZTA would probably not contribute the 51% subsidy to increase the causeway to four lanes.
- The level of service capacity with the improvements was likely to run out in 20 years and beyond if the city continued to grow and people continued to use their cars to get to work.
- T2 lanes had been tested and from an operational perspective would likely receive Council endorsement earlier to provide time to understand the infrastructure required to enforce T2 and once decisions were obtained it would be part of the construction phase and done as quickly as possible. It was a significant piece of the scope that still needed to be confirmed as viable.
- The design process for T2 was being worked on and once it was 75% complete would be brought back to Council for consideration and then again at 100% with a final opportunity for decision prior to it going to contract.
- Surveys of the current state and use of the road were used to model the design going forward, including understanding how the use of the lane for its purpose was enforced. Overall reliability on the corridor would increase and travel time decrease.
- The team were working on providing options to alleviate traffic disruption during the project, including not scheduling other works along the alternate routes to ensure traffic flow, a continual communication plan and to incentivise the management of traffic in a better way.

### Discussion points raised

- Reiterate the importance of this project in improving the bottleneck in this location.
- Four-laning option would slow this project due to the difficulty from a consenting perspective and it was better to get on and put the business case for a three-laning option.
- Acknowledgement was made of Mark Wassung who presented to Council regarding the tidal flow proposal a number of years ago.
- Emphasise the need to communicate and work with businesses on 15<sup>th</sup> Avenue to minimise disruption.
- Suggestion was made to utilise the expertise of Dr Ian McLean, Ornithologist, regarding the tern colony located at the Turret Road bridge.

**RESOLUTION CO18/24/5**

Moved: Mayor Mahé Drysdale

Seconded: Deputy Mayor Jen Scoular

That the Council:

- (a) Receives the report "Fifteenth Avenue to Welcome Bay Single Stage Business Case". Endorses the Single Stage Business Case submission to NZTA Board for approval.
- (b) Notes that the co-funding request is for Stage 1 only.
- (c) Notes that endorsement of the Single Stage Business Case does not commit TCC/NZTA to implementation or funding. A further decision-making gate will occur to outline affordability and request.
- (d) Notes that the Stage 1 project costs are within current 2024-2034 Long Term Plan.
- (e) Notes that the Single Stage Business Case needs to be submitted to NZTA no later than 26<sup>th</sup> August 2024 to ensure a NZTA Board decision by October 2024. Any submission after this date will push the NZTA Board decision to later 2024/early 2025.

**CARRIED**

**Attachments**

- 1 Presentation - Item 11.4 - 15th Ave to Welcome Bay SS Business Case

**11.5 Activation of Cameron Road Bus Lanes**

**Staff** Nic Johansson, General Manager: Infrastructure  
Shawn Geard, City Centre Infrastructure Lead

**In response to questions**

- It was estimated that a general vehicle would travel one minute quicker than a bus along the corridor.
- The bus lane would assist with traffic flow especially when pulling out from the stops. There were no statistics on how much bus travel time would be saved with the proposal.
- While there was communication with the businesses prior to construction, there had been no further engagement. This was planned to occur once a decision had been made.
- The restriction on the southbound bus lane from 4-6pm was to allow the carparks to be used by clients to the businesses along Cameron Road for as much of the weekday as possible. Staff would monitor the effectiveness of these times and report back.
- The public feedback was that the line marking and signage was confusing.
- The roadway was the spine through the Te Papa peninsula where housing intensification was planned. At some point need to signal that the adjacent use of the Cameron Road corridor needed to shift with the times to incorporate that intensification.
- Northbound and southbound peak time bus lanes could be implemented separately.

**Discussion points raised**

- Concern was expressed that consultation had not been undertaken with business owners prior to a decision being requested.
- Introducing the southbound peak time bus lane in the afternoon could be included as an option.
- Saving a minute was not considered significant enough to activate the bus lanes.
- Further information and data needed to be obtained before a decision was made on activating the bus lanes and potentially these could be activated once Cameron Road Stage 2 was completed.
- Intensification along Cameron Road would take years and at this stage there was not a problem to be solved.

- Option B provided for the current bus delay constraints at intersections in a way that allowed for parking where these delays were less pronounced.

**A MOTION WAS PROPOSED:**

Moved: Cr Rod Taylor  
 Seconded: Cr Steve Morris

That the Council:

- (a) Approves Option B – to provide bus queue jumps at traffic signals which allows buses through queued traffic near intersections and which can be changed to bus lanes in the future.

**A division was called:**

**In Favour:** Crs Hautapu Baker and Steve Morris

**Against:** Mayor Mahé Drysdale, Deputy Mayor Jen Scoular, Crs Glen Crowther, Rick Curach, Marten Rozeboom, Kevin Schuler and Rod Taylor

**DECLARED LOST 2/7**

**RESOLUTION CO18/24/6**

Moved: Cr Rod Taylor  
 Seconded: Cr Rick Curach

That the Council:

- (a) Receives the report “Activation of Cameron Road Bus Lanes.
- (b) Leaves the report to lie on the table in order to gather further data on all options and hold consultation with businesses and bus users.
- (c) That a further report be provided to Council in February 2025.

**CARRIED**

**12 PUBLIC EXCLUDED SESSION**

**Resolution to exclude the public**

**RESOLUTION CO18/24/7**

Moved: Deputy Mayor Jen Scoular  
 Seconded: Cr Kevin Schuler

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
<b>13.1 - Litigation Report</b>	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons  s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege	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

	s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	reason for withholding would exist under section 6 or section 7
<b>13.2 - Western Bay of Plenty Sub-region City Deal</b>	s7(2)(i) - The withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
<b>Confidential Attachment 1 - 11.6 - Ferry Proposal</b>	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  s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	s48(1)(a) the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
<b>Confidential Attachment 2 - 11.6 - Ferry Proposal</b>	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  s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	s48(1)(a) the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
<b>Confidential Attachment 3 - 11.6 - Ferry Proposal</b>	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  s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	s48(1)(a) the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
<b>Confidential Attachment 4 - 11.6 - Ferry Proposal</b>	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  s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	s48(1)(a) the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

**CARRIED**

**Resolution to Continue the Meeting****RESOLUTION CO18/24/8**

Moved: Cr Rick Curach

Seconded: Cr Rod Taylor

That the Council:

- (a) Continues the meeting past the eight hour deadline in order to complete all of the items of business.

**CARRIED**

**11. BUSINESS** *(continued)***11.6 Ferry Proposal**

**Staff** Nic Johansson, General Manager: Infrastructure  
Mike Seabourne, Head of Transport

**Key points**

- The request had come from Hauraki Express to operate a ferry service, with both councils requested to underwrite the proposal.
- The Bay of Plenty Regional Council (BOPRC) had deferred a decision on their underwriting until the Tauranga City Council (TCC) confirmed their support.

**In response to questions**

- If TCC did not contribute the BOPRC would be requested to pay the total amount sought.
- The notion of a joint partnership and trial was proposed at a Joint Public Transport Committee where it was acknowledged that while a passenger bus service was the most cost effective, there was value in operating a tourist market as well as responding to a public transport need.
- Fares of \$6 would be charged and go towards revenue to offset the subsidy costs to each Council. The ferries needed to be 60% full to recover the cost to Council. The trial period was to be able to ascertain the demand and how much people were prepared to pay to use the service.
- It was difficult to forecast the demand as this was a new type of service and the BOPRC was not able to get subsidy from NZTA for this as a public transport service.
- In the context of the wider construction on the network with its resultant disruption, the trial of a ferry service became more attractive.
- The operational detail had not yet been fully discussed and would be carried out once the councils had made a decision on whether to subsidise the operation.

**Discussion points raised**

- Concerned that there were more priorities for funding of public transport at the moment and the time for a ferry service would be in the future when Te Manawataki o Te Papa was in place.
- Thank the Burke's for putting forward a practical and realistic ferry service proposal.
- Tauranga was a harbour city, and the blue highway was an opportunity to change the mode of transport within the city. Alternative public transport modes were required to manage the congestion and demand.
- The proposal from a private operator, with their expertise and resources, took away some of the costs and risks of a trial. The operators would be incentivised to make it work and this was the best opportunity presented to the council.



**RESOLUTION CO18/24/9**

Moved: Cr Rod Taylor

Seconded: Deputy Mayor Jen Scoular

That the Council:

- (a) Receives the report "Ferry Proposal".
- (b) Confirms its support for Resolution CO11/24/8:
  - (i) Underwrites up to 50% of the funding required to trial ferry operations up to a maximum amount of \$1.4M payable over the first two years of the trial (i.e. \$700K per annum) of rate funded expenditure.
  - (ii) Notes:
    - (1) This underwrite is conditional on the other 50% being funded by Bay of Plenty Regional Council.
    - (2) For the 2025 financial year Council staff will seek to identify savings throughout the year to fund this amount if required. If the underwrite is required and savings cannot be achieved this will be funded by an increase in debt for that year.
    - (3) For the second year of the trial in 2026, the underwrite will be included in the 2026 Annual Plan and/or rate setting process.
- (c) The attachments can be transferred into open following completion of the trial.
  - (a) **Attachment 1** can be transferred into the open at the end of the ferry trial.
  - (b) **Attachment 2** can be transferred into the open at the end of the ferry trial.
  - (c) **Attachment 3** can be transferred into the open at the end of the ferry trial.
  - (d) **Attachment 4** can be transferred into the open at the end of the ferry trial.

**A division was called:**

**In Favour:** Mayor Mahé Drysdale, Deputy Mayor Jen Scoular, Crs Hautapu Baker, Steve Morris, Kevin Schuler and Rod Taylor

**Against:** Crs Glen Crowther, Rick Curach and Marten Rozeboom

**CARRIED 6/3**

**11.7 Transport Resolutions Report No.52**

**Staff** Nic Johansson, General Manager: Infrastructure  
Shawn Geard, City Centre Infrastructure Lead  
Reece Wilkinson, Parking Strategy Manager

**In response to questions**

- The traffic and parking control guidelines would be provided to Elected Members.
- While the bylaw would become effective from the date of the decision, drivers would be educated for a period before tickets would be issued.
- The restrictions were generally safety driven.

**RESOLUTION CO18/24/10**

Moved: Cr Rod Taylor

Seconded: Cr Marten Rozeboom

That the Council:



- (a) Receives the report "Transport Resolutions Report No.52".
- (b) Resolves to adopt the proposed traffic and parking controls, as per Attachment A of this report, relating to minor changes for general safety, operational or amenity purposes, to become effective on or after 27 August 2024 subject to appropriate signs and road markings being installed.

**CARRIED**

**11.8 Elected Members Pecuniary Interests Register and Appointment of Registrar**

**Staff** Coral Hair, Manager: Democracy & Governance Services

**RESOLUTION CO18/24/11**

Moved: Cr Rick Curach

Seconded: Cr Steve Morris

That the Council:

- (a) Receives the report "Elected Members Pecuniary Interests Register and Appointment of Registrar".
- (b) Delegates to the Chief Executive the decision to appoint the Registrar to compile and maintain the Tauranga City Council's Elected Members Pecuniary Interests Register.
- (c) Notes that updated provisions relating to the Pecuniary Interests Register will be included in the draft Code of Conduct for Elected Members which will be considered at a later Council meeting.

**CARRIED**

**13 DISCUSSION OF LATE ITEMS**

Nil

**14 CLOSING KARAKIA**

Cr Baker closed the meeting with a karakia.

**The meeting closed at 5:54pm.**

**The minutes of this meeting were confirmed as a true and correct record at the Ordinary Council meeting held on 29 October 2024.**

.....  
 Mayor Mahé Drysdale  
**CHAIRPERSON**