

**MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL
PERFORMANCE AND MONITORING MEETING NO. PM22-1
HELD IN THE COUNCIL CHAMBERS, BARKES CORNER, TAURANGA
AND VIA ZOOM UNDER COVID-19 TRAFFIC LIGHT RED AND LIVESTREAMED
ON THURSDAY, 10 FEBRUARY 2022 AT 9.30AM**

1 PRESENT

Cr D Thwaites (Chairperson), Mayor G Webber, Cr M Dean, Cr J Denyer, Cr M Grainger, Cr A Henry, Cr M Murray-Benge, Deputy Mayor J Scrimgeour and Cr A Sole.

VIA ZOOM

Cr G Dally, Cr M Gray and Cr K Marsh.

2 IN ATTENDANCE

J Holyoake (Chief Executive Officer), J Graham (Acting Group Manager Finance and Technology Services), D Jensen (Finance Manager), O McVicker (Manager Corporate Services and Business Improvement), P Watson (Reserves and Facilities Manager), J Paterson (Transportation Manager), H Wi Repa (Governance Technical Support) and C Irvin (Senior Governance Advisor).

VIA ZOOM

J Pedersen (Group Manager People and Customer Services), G Payne (Strategic Advisor), B Williams (Strategic Property Manager), K Little (Operations Manager), S Parker (Reserves and Facilities Asset Systems Manager), E Thiant (Financial Business Advisor), Allan Carey (Financial Business Advisor), G Benn (Resource Management - Research and Monitoring Analyst), and J Osborne (Governance Support Administrator).

3 APOLOGIES

APOLOGY

RESOLUTION PM22-1.1

Moved: Cr J Denyer

Seconded: Cr M Grainger

That the apology for lateness from Cr G Dally be accepted.

CARRIED

4 CONSIDERATION OF LATE ITEMS

Nil

5 DECLARATIONS OF INTEREST

Nil

6 PUBLIC EXCLUDED ITEMS

Nil

7 PUBLIC FORUM

A. Frank Aldridge and Chrissy Arnold – Snodgrass Road Residents

Mr Aldridge spoke to the Committee regarding speeding issues on Snodgrass Road and the proposed container park on Te Puna Station Road.

Speeding Issues on Snodgrass Road

- Mr Aldridge and Ms Arnold had moved to Snodgrass Road in May last year and became immediately aware of how dangerous the road was. They felt the speed limit of 80 kilometres per hour was inappropriate. They had experienced constant 'near misses' along the road, as had the surrounding neighbours, visiting friends and trades people (working at their house), some of whom had expressed not wanting to drive along the road.
- There were constant 'near misses' due to the nature of the road (rises and falls) and numerous blind spots when people were leaving their driveways, were out walking, and school children on the side of the road waiting for busses.
- Mr Aldridge, along with other residents of Snodgrass Road, had written to Council, Waka Kotahi (NZTA), Simon Bridges and Todd Muller who all understood the situation and the danger of the road. They had also spoken to Cr Murray-Benge who had been very helpful.
- Mr Aldridge had received a response from the Western Bay of Plenty District Council (WBOPDC) Transportation Manager, which was greatly appreciated, indicating the changes pending in terms of the speed limit setting regulation.
- There had been a death on Snodgrass Road about eleven years ago due to speeding and blind spots, and many years before a pedestrian had been killed. It was unbelievable that the speed limit remained at 80 kilometres per hour.
- Mr Aldridge and the surrounding residents believed the speed limit should be reduced to 60 kilometres per hour, more of a rural-residential speed limit. This would be consistent with the Snodgrass Road end, past the Borell Road intersection.
- Many State Highways were now 80 kilometres per hour. Mr Aldridge believed the speed limit should not be 80 kilometres per hour in a semi-rural residential area, with its high residential density and dangerous undulations, when the Napier-Taupo Road was 80 kilometres an hour along a straight stretch of road.

- Mr Aldridge understood Council was aware of the 'rat-run', which was not going away with the delays on Stage 1 of the Northern Link and the cancellation of Stage 2.
- A traffic review was required to monitor traffic volumes at peak times between 7.30am and 9am, when school children were being picked up, which was also the peak time of the 'rat-run'.
- Interim measures could be put in place that would make a difference to the safety of residents and drivers using Snodgrass Road. This could include signs indicating children and school buses and warning drivers about speeding and hidden driveways.
- Mr Aldridge called the Police just before Christmas 2021 to inform them that he was putting road cones out on the road, would put speed bumps in at his own cost and erect signs along the road. Within an hour the Police arrived at his house. Road cones were put out, and made a difference for one day, but then the speeding continued. A few days later a Police car was stationed down the road to monitor the situation (it was Friday which was a little quieter). A car was measured driving at 116 kilometres per hour. It was not possible to stop at this speed if a car was pulling out of a driveway or a child was on the road.
- Mr Aldridge had three children and he was very passionate about this issue. This was an urgent request for action to occur on Snodgrass Road.

Proposed Container Park at Te Puna Station Road

- Mr Aldridge had attended a Te Puna community meeting around the proposed container park at Te Puna Station Road the night before, where the Mayor and several Councillors were present.
- Obviously, the community was not happy with 500 trucks per day, 24 hours a day seven days a week. This would come under serious scrutiny.
- The roads were inadequate and not fit for purpose. Key intersections with State Highways were unsafe, there was high pedestrian usage of existing roads, the roads were not serviced by footpaths, and there were bus stops and many children.
- There was to be no form of traffic relief until 2026.
- The community was forming an action plan and engaging lawyers regarding the container park, which he was happy to help fund.

9:38am Cr Dally joined the meeting via Zoom

Mr Aldridge answered questions of clarification as follows:

- Mr Aldridge had considered installing speed bumps on the road, and at his own cost. However, the Police had advised him not to do this. He had also been approached by the Bay of Plenty Times as they had become aware of these concerns.
- Mr Aldridge was aware of a clause in legislation that allowed councils to look at speed limits at any time. The WBOPDC Transportation Manager had advised him Council could review and change non state highway speed limits.

- It would be preferable to have a combination of both a reduced speed limit (to 60 kilometres per hour) and better road signage.

8 PRESENTATIONS

Nil

9 REPORTS

9.1 GROUP MANAGER FINANCE AND TECHNOLOGY SERVICES' REPORT

The Committee considered a report dated 10 February 2022 from the Group Manager Finance and Technology Services. The report was taken as read.

Staff responded to questions as follows:

- The CEO advised that it was not unusual at this time of year to be sitting at 25% to 30% of budget. Council had a number of restrictions and/or constraints that would start impacting it such as costs, work force, Covid-19, supply chains, and inflation increases. Council was planning to do a more in depth dive into this at an appropriate level before the next Council meeting.
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RESOLUTION PM22-1.2

Moved: Deputy Mayor J Scrimgeour

Seconded: Cr A Sole

That the Group Manager Finance and Technology Services' report dated 10 February 2022 titled 'Group Manager Finance and Technology Services' Report be received.

CARRIED

9.2 SCHEDULE OF PAYMENTS FOR THE MONTH OF NOVEMBER AND DECEMBER 2021

The Committee considered a report dated 10 February 2022 from the Financial Controller. The report was taken as read.

RESOLUTION PM22-1.3

Moved: Cr M Grainger

Seconded: Cr M Dean

That the Financial Controller's report dated 10 February 2022 titled 'Schedule of Payments for the Months of November and December 2021' be received.

CARRIED

9.3 CIVIC FINANCIAL SERVICES STATEMENT OF INTENT 2022

The Committee considered a report dated 10 February 2022 from the Finance Manager. The report was taken as read.

RESOLUTION PM22-1.4

Moved: Mayor G Webber

Seconded: Cr M Murray-Benge

1. That the Finance Manager's report dated 10 February 2022 titled 'Civic Financial Services Statement of Intent 2022', be received.
2. That the Performance and Monitoring Committee receive the Civic Financial Services Statement of Intent 2022.

CARRIED

9.4 PAHOIA SCHOOL HALL

The Committee considered a report dated 10 February 2022 from the Strategic Property Manager, who took the report as read, noting the following:

- Council had received a letter from the Pahoia School Hall Committee saying they had struggled for some time to get more assistance and committee members. It had been unsuccessful.
- The main issue for discussion today was the \$80,000 of investment the Committee held and what was to be done with it.
- The Hall Committee had expressed it would like the money to go to Pahoia School for maintenance.

Staff responded to questions as follows:

- The school had indicated that it would remain as the booking agent for the Hall however, Council did not have anything in writing at this stage. There were still conversations to be had with the school regarding this and the Hall maintenance.
 - There was no 'Sunset Clause' (a cessation date) in the Memorandum of Understanding with the Secretary of Education as to community entitlement to accessing the Hall. Access would continue until such time as the Hall was no longer there.
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RECOMMENDATION

1. That the Strategic Property Manager's report dated 10 February 2022 titled 'Pahoia School Hall' be received.
 2. That the report relates to an issue that is considered to be of low significance in terms of Council's Significance and Engagement Policy.
 3. Council staff request direction as to the following options:
 - a. That Council assists with dissolution of the Society and disbursement of the Society's funds and enter into an agreement securing public access with the Board of Trustees.

OR

 - b. That Council continues to assist in trying to find officers for the Society to continue and engage with the School Board to try and find new members.
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MOTION

The Chairperson accepted the following request from the floor to amend the recommendations.

The motion was moved and seconded.

The Chairperson put the following motion:

Moved: Mayor G Webber

Seconded: Cr A Henry

- That numbers 1 and 2 remain the same.
- That recommendation number 3 becomes:
 - That Council assists with dissolution of the Society and disbursement of the Society's funds and enter into an agreement securing public access with the Board of Trustees.

And

- That an additional recommendation be added as number 4:
 - That staff complete a transfer agreement for the outstanding Pahoia School Hall maintenance fund.
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MOTION

The Chairperson accepted a further request from the floor to amend the recommendations:

The motion was moved and seconded.

The Chairperson put the following motion:

Moved: Cr Henry

Seconded: Cr Murray-Benge

- That Council maintain a presence on behalf of the community, until the community has the capacity to participate in the Memorandum of Understanding between Pahoia School Board of Trustees and the local community area of benefit, and that the \$80,000 the Hall community group has be held in trust with WBOPDC until such time.

A division was called and recorded as follows:

In Favour: Crs G Dally, M Dean, M Grainger, A Henry, K Marsh and M Murray-Benge

Against: Crs D Thwaites, G Webber, J Denyer, M Gray, A Sole and J Scrimgeour

EQUAL

The Chairperson then exercised his casting vote and voted against the motion.

The motion was declared **lost** on the casting vote.

MOTION

The Chairperson then revisited the first amended recommendations he had accepted earlier. The recommendations were put to the Committee.

A division was called and recorded as follows:

In Favour: Crs D Thwaites, G Webber, G Dally, M Dean, J Denyer, M Grainger, M Gray, A Sole and J Scrimgeour

Against: Crs A Henry, K Marsh and M Murray-Benge

CARRIED 9/3

SUBSTANTIVE MOTION

RESOLUTION PM22-1.5

Moved: Mayor G Webber

Seconded: Cr A Henry

1. That the Strategic Property Manager's report dated 10 February 2022 titled 'Pahoia School Hall' be received.
 2. That the report relates to an issue that is considered to be of low significance in terms of Council's Significance and Engagement Policy.
-

3. That Council assists with dissolution of the Society and disbursement of the Society's funds and enter into an agreement securing public access with the Board of Trustees.
4. That staff complete a transfer agreement for the outstanding Pahoia School Hall maintenance fund.

CARRIED

10 INFORMATION FOR RECEIPT

Nil

10:25 The meeting adjourned

10:45 The meeting reconvened

11 RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION PM22-1.6

Moved: Cr A Henry

Seconded: Cr M Murray-Benge

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
11.1 - Council Contracts Awarded or Renegotiated for the months of November and December 2021	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	s48(1)(a)(i) - 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

	<p>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>exist under section 6 or section 7</p>
<p>11.2 - Operational Risk Report February 2022 Confidential</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)(i) - 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		

The Meeting closed at 11:11am.

Confirmed as a true and correct record by Council on 6 April 2022.