

**MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL  
PERFORMANCE AND MONITORING MEETING NO. PM22-3  
HELD IN THE COUNCIL CHAMBERS, BARKES CORNER, TAURANGA  
AND VIA ZOOM UNDER COVID-19 TRAFFIC ORANGE AND LIVESTREAMED  
ON THURSDAY, 5 MAY 2022 AT 9.30AM**

## **1 PRESENT**

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

### **VIA ZOOM**

Cr M Murray-Benge

### **ABSENT**

Cr K Marsh

## **2 IN ATTENDANCE**

J Holyoake (Chief Executive Officer), G Allis (Deputy CEO/General Manager Infrastructure Group), G Payne (Strategic Advisor), O McVicker (Manager Corporate Services and Business Improvement), P Watson (Reserves and Facilities Manager), J Paterson (Transportation Manager), A Curtis (Acting Regulatory Services General Manager), D Elvin (Acting Compliance and Monitoring Manager), C Ertel (Asset and Capital Manager), W Henderson (Three Waters Engineer), H Wi Repa (Governance Technical Support), J Osborne (Governance Support Administrator) and C Irvin (Senior Governance Advisor).

### **VIA ZOOM**

R Davie (General Manager Strategy and Community), J Graham (Acting General Manager Corporate Services), C Nepia (Strategic Kaupapa Māori Manager), A Curtis (Acting Regulatory Services General Manager), R Barnett (Senior Business Analyst), A Carey (Financial Business Advisor), E Thiart (Financial Business Advisor), R McKeagg (Financial Accountant), R Sumeran (Engineering and Special Projects Manager), S Bedford (Financial Controller).

## **COMMUNITY BOARDS**

### **VIA ZOOM**

Member J Clements (Katikati Community Board)

### **OTHER ATTENDEES**

Waka Kotahi

A Crean (Project Director)

C Farnsworth (Senior Project Manager)

Collier Consultants

A Collier (Planner/Director)

Supermac Holdings

A Michel (Chief Executive Officer)

Nine Katikati Residents

## MEDIA

One member of the press

### 3 APOLOGIES

Nil

### 4 CONSIDERATION OF LATE ITEMS

NIL

### 5 DECLARATIONS OF INTEREST

NIL

### 6 PUBLIC EXCLUDED ITEMS

NIL

### 7 PUBLIC FORUM

#### A. Mr Francis Young – Katikati – Yeoman Walkway to Park Road Reserve Pathway

- Mr Young was speaking on behalf of a number of residents in Katikati, who all appreciated the natural beauty of the reserve and interacted with the people who used it.
- Three years ago, he attended a meeting at Council where he believed staff had given verbal assurance that they would engage with local residents on this project, and felt this had not happened.
- The reserve was used by a cross-section of the community, both young and old, with plenty of cyclists, and was popular because it was the only trail around the estuary in the Katikati urban area.
- It was difficult to understand why staff felt it was necessary to lay down a concrete path, when it was felt by himself and residents that this was a 'problem' that did not exist. However, residents had been, and would be, supportive of improvements made to hazardous sections of the walkway.

**B. Keith Gregor – Katikati – Yeoman Walkway to Park Road Reserve Pathway**

- Mr Gregor spoke to a power point presentation and, along with the majority of people he had spoken to, were opposed to putting a concrete path along the reserve.
- It was a beautiful natural green space, with some parts being recognised as a significant ecological feature.
- Improvements to parts of the walkway were definitely supported, but a continuous concrete pathway was not, as it was felt it would ruin something special.
- Council was asked to stop progress/construction of the path and undertake consultation with the community.
- Mr Gregor confirmed the three prime reasons for not constructing a concrete path were the natural character of the reserve, the environment and access issues.

**C. Tessa Blackett – Katikati – Yeoman Walkway to Park Road Reserve Pathway**

- Tessa Blackett spoke to a power point presentation and was also speaking on behalf of other regular trail users who were dissatisfied with Council's process and communication related to this project.
- Several petitions had been presented to Council opposing the concrete path.
- A 2018 feasibility report from Council was missing important considerations such as the natural landscape and beauty of the area, the feel of the surface for walkers and runners and safety issues relating to speed. From that report a resolution was passed to spend \$50,000 on hazardous sections of the walkway, but did not include a concrete pathway.
- People were not happy with the current survey report and how the results had been summarised. It was felt this report was misleading, inaccurate and provided a distorted summary of the survey results that did not accurately represent the views of the community.
- Council was asked to stop the process, to reconsider the decisions, and that the content of the survey feedback report were not used to form these decisions. Instead, Council was asked to conduct more meaningful consultation with the community that took into consideration their concerns and communicated more with the public.

**D. Jacqui Knight – Katikati Trail Development Group – Yeoman Walkway to Park Road Reserve Pathway**

- Some people were concerned about the development of trails in their areas. However, feedback had been received from many people that, once the trails were put in place, they had been very well used.
- The development of good quality trails supported social development, and increased economic development.

- Acknowledging the feedback from Katikati residents who had spoken today, Council was asked to remember that this was a group of 78 people who opposed the concrete footpath, which was about 1.5% of the Katikati population. This meant the remaining percentage of the population was happy to see the development of the path, welcoming the opportunity to make it accessible to everyone.
- The long, wet/soggy grass was an issue for walkers in winter. Without a concrete path, it was definitely more of a 'gumboot' trail.

**E. Helen Potter, Tracey Wallace-Hutchins and David Lenton – Residents of No. 1 Road - Te Puke**

- Multiple complaints had been submitted to Council over many years regarding lower No. 1 Road, Te Puke. A substantial file of evidence was submitted in 2017.
- The 50 kilometre per hour speed limit was welcomed, as were other commercial businesses. However, it was expected that 23 million trays of Kiwifruit were to be produced this season, up from four million eight years ago.
- The economic growth and development equated to exponential growth, which meant more heavy trucks/vehicles along the road. This was being experienced by residents who had the following concerns/requests:
  - A walkway/cycleway was needed and when was the project going to proceed?
  - Road surfacing rehabilitation was needed to reduce noise for residents. The road had deteriorated considerably this year.
  - The current signage and road markings for the 50 kilometres per hour zone were inefficient and too small. They needed to be changed/made bigger and warning systems/signs installed.
  - There were safety concerns at entrances and exits for school children and elderly residents crossing the road to get to their mailboxes.
- Residents had spoken to WestLink who thought the signage that was in place was adequate.
- Questions to Council:
  - Was it possible for Council and/or the Police to monitor the speed of vehicles on the road?
  - Was surface rehabilitation going to be done on the road and when?
  - Would surface rehabilitation be incorporated with the paper road from Cannell Farm Drive through to No. 1 Road? How long would residents have to wait to have this done?
  - What was No. 1 Road's classification regarding its vehicle volumes?
  - Could the road have signage like No. 2 Road?
  - Were residents or Council responsible for monitoring the roads?

The Transportation Manager provided the following comments:

- Council did not have the ability to restrict traffic at certain times of the day, or days of the week.
- Speed limit signs had been moved further up the hill, but it was a possibility to have larger and advance warning, 50 kilometre per hour signs.
- Council policy dictated that repair work was done on pavements only when they were worn out.
- It was acknowledged that the road was getting old and tired. There had to be sufficient available funding to upgrade the road.
- The community had asked Council for a cycleway on the side of the road from Te Puke up to Trevelyan's Pack and Cool property. Council was trying to undertake a business case where it may be able to secure a national funding contribution for this cycleway. However, when implementing this, the road would have to be widened and there would be competition for space. Ideally, in a rural environment, the cycleway should be separated from the road/traffic. There were also constraints in terms of residents private property entrances.
- Council was working towards getting this done. It was continuing to maintain the road to retain a level of service and safety.

Presenters responded to questions as follows:

- The number one issue was more and better signage to control speeding along the road.
- Police cars had not been seen on the road monitoring speed.
- It was felt that deterioration of the road was responsible for the noticeable increase in vibration felt by residents along the road when traffic went past.

## 8 CHANGE TO ORDER OF BUSINESS

### 8.1 CHANGE TO ORDER OF BUSINESS

The Chairperson requested that the next item of business be open Agenda item no. 9.1: 'Yeoman Walkway to Park Road Reserve Pathway' in order to allow for Public Forum speakers to be present during the discussion of the report.

#### RESOLUTION PM22-3.1

Moved: Mayor G Webber

Seconded: Cr A Sole

That the next item of business be item no. 9.1: 'Yeoman Walkway to Park Road Reserve Pathway' in order to allow for Public Forum speakers to be present during the reading of the report.

**CARRIED**

## 9 REPORTS

## 9.1 YEOMAN WALKWAY TO PARK ROAD RESERVE PATHWAY

The Committee considered a report dated 5 May 2022 from the Reserves and Facilities Manager who spoke to a power point presentation summarising the following:

- Background;
- Community Engagement;
- Katikati Shared Path Proposal – Feedback Analysis;
- Feedback Analysis;
- Postcard Distribution Area;
- Feedback – Pros & Cons;
- Worn Desire Line;
- Need for Concrete Pathway;
- Existing Desire Line of Current Users;
- Worn Desire Line;
- Mobility Scooters on Park Road Footpath;
- Existing Narrow Path Along Park Road Esplanade Reserve;
- Electric Scooters;
- Existing Pathway Around Summerset Village;
- Strava Heat Map; and
- Resolution.

Staff responded to questions as follows:

- Council could trial green tinted concrete.
- The reserve was categorised as 'Type D' for mowing (up to 30–90 millimetres). The levels of service were outlined in the Reserve Management Plan. The area was similar to the Ōmokoroa Peninsula where property owners mowed some areas as well. There was a lot of growth and mowing was also on a performance basis. There had been some service issues lately due to COVID-19. The wet areas along the path restricted mowing in winter.
- Council had recently completed a lot of work removing weed species and had constructed the rock retaining around the bridge.

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### MOTION

The Chairperson accepted a request for an additional recommendation from the floor. The motion was moved and seconded.

Moved: Cr Denyer

Seconded: Cr Dean

1. That the Reserves and Facilities Manager's report dated 5 May 2022 titled 'Yeoman Walkway to Park Road Reserve Pathway' 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, having considered the feedback received through the community engagement programme, the Performance and Monitoring Committee confirms that the concrete shared pathway between the Yeoman Walkway and Park Road Reserve project proceeds.
4. That a decision story be prepared and made available to the public.

#### **AMENDMENT**

That numbers 1, 2, 3 and 4 remain the same.

That the following be added as recommendation 5:

5. That Council gives consideration to using green tinted concrete for the path.

A division was called and recorded as followed:

In Favour: Crs D Thwaites, G Webber, G Dally, M Dean, J Denyer, M Grainger, M Gray, A Henry, A Sole and J Scrimgeour  
Against: Cr M Murray-Benge

**CARRIED 10/1**

The motion was declared carried.

#### **SUBSTANTIVE MOTION**

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##### **RESOLUTION PM22-3.2**

Moved: Cr J Denyer

Seconded: Cr M Dean

1. That the Reserves and Facilities Manager's report dated 5 May 2022 titled 'Yeoman Walkway to Park Road Reserve Pathway' 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, having considered the feedback received through the community engagement programme, the Performance and Monitoring Committee confirms that the concrete shared pathway between the Yeoman Walkway and Park Road Reserve project proceeds.
  4. That a decision story be prepared and made available to the public.
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5. That Council gives consideration to using green tinted concrete for the path.

**CARRIED**

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## 10 PRESENTATIONS

### 10.1 WAKA KOTAHI (NZTA) TAKITIMU NORTHERN LINK STAGES 1 & 2 AND STATE HIGHWAY 2 SAFETY WORKS UPDATE AND PRESENTATION

The Committee considered a report dated 5 May 2022 from the Executive Assistant infrastructure. The chairperson introduced Angela Crean and Chris Farnsworth from Waka Kotahi and Tabled Item 1: 'Waihi to Omokoroa Safety' Improvements.

Angela Crean spoke to a power point presentation summarising the following:

#### State Highway 2 - Waihi to Tauranga:

- Takitimu Northern Update;
- Summarised programme;
- Cambridge Road;
- Cambridge Road update;
- New Harrison Road;
- State Highway 29 Access Road;
- Wairoa Awa (River) Overbridge;
- Wairoa Road;
- Wairoa Road Overbridge;
- Shared walking and cycling path;
- Archaeology and Ecology; and
- Cultural, social and community outcomes.

Angela Crean responded to questions as follows:

- Waka Kotahi had digital tools used to record what it was working on. They were presently considering what to do with this information, and how they could present it once the project was finished.
- Waka Kotahi was responsible for all maintenance of planted areas. This included weed control.
- Drone footage was being undertaken by Waka Kotahi. They currently had aerial photographs on their website.
- Waka Kotahi had partnerships with local companies to source native plant seeds.

Chris Farnsworth spoke to a power point presentation summarising the following:

#### Stage 2 – Te Puna to Omokoroa

- Route protection programme;
  - Stage Two – Alignment Drawing;
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- Project Overview; and
  - 'Waihi to Ōmokoroa Safety' Improvements.
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### RESOLUTION PM22-3.3

Moved: Mayor G Webber

Seconded: Cr A Henry

That the Executive Assistant's report dated 5 May 2022 titled 'Waka Kotahi (NZTA) Takitimu North Stages 1 & 2 and State Highway 2 Safety Works Update and Presentation' be received.

**CARRIED**

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11:24 The meeting adjourned

11:24 Cr Murray-Benge withdrew from the meeting/Zoom

11:49 The meeting reconvened

## 11 REPORTS

### 11.1 CHANGE TO ORDER OF BUSINESS

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The Chairperson requested that the next item of business be open Agenda item no. 10.2: 'Connection of Te Puna Springs Business Park to Ōmokoroa Wastewater Transfer Pipeline' in order to allow for Public Forum speakers to be present during the discussion of the report.

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### RESOLUTION PM22-3.4

Moved: Cr J Denyer

Seconded: Cr M Grainger

That the next item of business be open Agenda item no. 10.2: 'Connection of Te Puna Springs Business Park to Ōmokoroa Wastewater Transfer Pipeline' in order to allow for Public Forum speakers to be present during the discussion of the report.

**CARRIED**

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### 11.2 CONNECTION OF TE PUNA SPRINGS BUSINESS PARK TO ŌMOKOROA WASTEWATER TRANSFER PIPELINE

The Committee considered a report dated 5 May 2022 from the Asset and Capital Manager. The report was taken as read.

The Chairperson introduced Aaron Collier of Collier Consultants Ltd and Annaliese Michel of Supermac Holdings.

Staff responded to questions as follows:

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- Extensive wastewater capacity modelling had been undertaken for the Ōmokoroa transfer pipeline. This proposal only added nine and a half cubic metres per day.
- The Te Puna Hall had Council approval and staff were currently in the process of connecting it to the same system.

Aaron Collier responded to a question as follows:

- Because this was a plan change, long term users had not been confirmed at this point. However, there were existing long term users, for example at the Café across the road.

Annaliese Michel responded to questions as follows:

- A large New Zealand retailer, who was looking at the entire right hand section of the site, had approached Supermac Holdings. This retailer was environmentally friendly. Longevity was important, the land was not planned to be sold.
- The Te Puna community had been vocal. Supermac Holdings was working hard to work with the community and had undertaken significant engagement with them.

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### RESOLUTION PM22-3.5

Moved: Deputy Mayor J Scrimgeour

Seconded: Mayor G Webber

1. That the Asset and Capital Manager's report dated 5 May 2022 titled 'Connection of Te Puna Springs Business Park to Ōmokoroa Wastewater Transfer Pipeline' 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, subject to Plan Change 93 – Te Puna Springs Commercial Zone proceeding, Council **approves** the connection of the Te Puna Springs Commercial Zone into the Ōmokoroa transfer pipeline.

And

4. That Te Puna Springs Business Park be charged a volumetric capital connection charge of \$3,658 per household equivalent, and this be built into the FINCO schedule for the park.

**CARRIED**

Councillor Henry voted against the motion and requested that her vote be recorded.

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12:29 The meeting adjourned

1pm The meeting reconvened

### **11.3 FINANCIAL PERFORMANCE AND MONITORING COMMITTEE UPDATE AS AT 31 MARCH 2022**

The Committee considered a report dated 5 May 2022 from the Chief Financial Officer who took the report as read and provided a brief summary of its contents.

Staff responded to questions as follows:

- TECT Park forestry revenue remained within TECT Park. Due to different types of operations, it was difficult to predict 18 months ahead to when harvesting would occur.
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#### **RESOLUTION PM22-3.6**

Moved: Cr M Grainger

Seconded: Cr J Denyer

That the Chief Financial Officer's report dated 5 May 2022 titled 'Financial Performance and Monitoring Committee Update as at 31 March 2022' be received.

**CARRIED**

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### **11.4 THREE WATERS CROWN INFRASTRUCTURE PARTNERS FUNDING SUMMARY**

The Committee considered a report dated 5 May 2022 from the Asset and Capital Manager who spoke to a power point presentation summarising the following:

- Introduction;
  - Challenges;
  - Marae Wastewater and Water Projects;
  - Successful partnerships;
  - Multiple Pans Policy;
  - Tawhitinui Marae;
  - Matakana Island;
  - Te Puna Marae;
  - Makahae Marae;
  - Te Rereatukahia Wastewater;
  - Te Rereatukahia Water;
  - Tukotahi Marae (Council Owned);
  - Ōmokoroa Stormwater Bund;
  - Wastewater Extension not Reserves;
  - Te Puna Village;
  - Muttons WTP UV Upgrade;
  - Improved Asset Data and Other Operational Improvements; and
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- Summary.

The Strategic Kaupapa Māori Manager provided the following comment:

- Infrastructure costs were usually beyond what could be managed on a day-to-day basis by Marae. Crown Infrastructure Funding had allowed these projects to be addressed and completed. Feedback from the Marae was that this was of huge benefit and had made an overall significant difference. Council's combined effort with other entities on delivering these services was acknowledged.
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### **RESOLUTION PM22-3.7**

Moved: Cr M Grainger

Seconded: Cr A Sole

That the Asset and Capital Manager's report dated 5 May 2022 titled 'Three Waters Crown Infrastructure Partners Funding Summary' be received

**CARRIED**

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## **11.5 WAIHĪ BEACH SEASONAL COMPLIANCE MONITORING REPORT 2021-2022**

The Committee considered a report dated 5 May 2022 from the Acting General Manager Regulatory Services. The report was taken as read. The Acting Regulatory Services General Manager spoke to a power point presentation summarising the following:

### Freedom Camping – 2021/2022 Seasonal Monitoring – Infringement Statistics

- 2021/2022 Infringements Issued by Location;
- 2021/2022 Infringements Issued by Month; and
- Infringements Issued by Month – 2021/2022 and 2020/2021 Comparison.

Staff responded to questions as follows:

- Council had a different security contract to the security staff who monitored the central bus station in Tauranga.
  - Freedom Camping was monitored on ANZAC Day, nightly over the weekends, and Labour Weekend through to Easter.
  - When Council received reports of illegal camping, contractors were sent to the site to investigate. A priority going forward was to have CCTV cameras installed to monitor this.
  - The number of infringements had increased at Waihī Beach because Council's security contractors/Ambassadors were better at their jobs due to experience gained from previous years, and people had not been able to leave the country, so there were more visitors. The Motor and Caravan Association had had a significant national increase in the sale of freedom camper vehicles. This meant
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that a lot of people were new to freedom camping and travelling a lot more than previously.

### RESOLUTION PM22-3.8

Moved: Cr M Gray

Seconded: Cr A Sole

That the Acting General Manager Regulatory Services. report dated 5 May 2022 titled 'Waihi Beach Seasonal Compliance Monitoring Report 2021-2022' be received.

**CARRIED**

## 12 INFORMATION FOR RECEIPT

Nil

## 13 RESOLUTION TO EXCLUDE THE PUBLIC

### RESOLUTION TO EXCLUDE THE PUBLIC

#### RESOLUTION PM22-3.9

Moved: Cr M Grainger

Seconded: Cr J Denyer

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 - Chief Executive Officer Operations Update Report	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  s7(2)(c)(ii) - the withholding of the information is	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>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>	
<b>CARRIED</b>		

**The Meeting closed at 2.32pm.**

**Confirmed as a true and correct record by Council on 29 June 2022.**