

**MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL
WAIHI BEACH COMMUNITY BOARD MEETING NO. WBC23-4
HELD IN THE WAIHI BEACH COMMUNITY CENTRE, 106 BEACH ROAD, WAIHI BEACH
ON MONDAY, 19 JUNE 2023 AT 6.30PM**

1 PRESENT

Chairperson R Goudie, Deputy A Kurtovich, Member H Guptill, Member D Simpson, and Cr A Henry.

2 IN ATTENDANCE

G Allis (Deputy Chief Executive Officer/General Manager Infrastructure), A Hall (Roading Engineer West) and C Irvin (Senior Governance Advisor).

OTHERS IN ATTENDANCE

Mayor J Denyer
Deputy Mayor J Scrimgeour
Councillor D Thwaites
Councillor R Joyce

One member of the press.

3 APOLOGIES

APOLOGY

RESOLUTION WBC23-4.1

Moved: Chairperson R Goudie

Seconded: Member H Guptill

That the apology for absence from Cr Sole be accepted.

CARRIED

4 CONSIDERATION OF LATE ITEMS

Nil

5 DECLARATIONS OF INTEREST

Nil

6 PUBLIC EXCLUDED ITEMS

Nil

7 PUBLIC FORUM

7.1 SUE HOPE – WAIHI BEACH STORM WATER ACTION TEAM (SWAT)

- SWAT was an action team that focused on resolving storm water issues for Waihi Beach, and had been actively engaging with Council for some years.
- SWAT had delved deeply into these issues and had come up with projects and solutions that had been included in the 2015–2025 Long Term Plan (LTP).
- It appeared that some plan changes in the LTP had not been notified by Council as required.
- There had been three serious floods since February this year. There was depression, anger, and anxiety in the community. Waihi Beach was now a community that worried every time it rained, as there were at risk people such as the elderly, children and mobility impaired.
- It was very concerning that the residents of the pensioner flats had to flee the building, and residents of the Tasman Holiday Park had to be evacuated during the most recent flooding, with health risks rising and some people losing all their possessions.
- It was felt that, because Waihi Beach was built on a swamp area, and therefore vulnerable, it should have the best possible infrastructure in place.
- Managing the dam before and after storm events was critical.
- The history of flooding had been well documented at Waihi Beach. Measures needed to be implemented and SWAT urged Council to engage with Bay of Plenty Regional Council to explore options.

7.2 MICHELE CARMINE – RESOURCE MANAGEMENT PLANNER/PLANNING CONSULTANCY DIRECTOR

- Ms Carmine took her email that was distributed to the Board on 6 June 2023 as read.
- An audit was needed to confirm that storm water and flooding was being adequately addressed.
- It was felt that, as part of best practice in terms of complexity and sensitivity, all sub-catchments in the most sensitive areas should be peer reviewed by a qualified stormwater engineer.
- Any improvement in the standard of reporting and peer review inspections for developments should be communicated to the community and the consultants on what the level of expectation was.
- There needed to be a more integrated and holistic approach to the management of stormwater and its affects. The wider overarching aspects, such as non-tangibles (i.e., policies and education), were just as important.

- This was a large, complex issue where Council departments needed to work together and review their systems and processes to get this sorted for the future.
- Council needed to ensure that it put the reasons for deferring a project/works in the LTP.

7.3 WENDY A'BEAR – WAIHĪ BEACH RESIDENT

- A subdivision had been created quite some time ago behind Ms A'Bear's property, after she had purchased the property, and the civil works were still not completed. The rezoning of the property meant it was now in a 'flood zone'.
- The land had now been filled with compacted rock to compact the water table, which had recontoured the land so that it now had no ability to soak in water, creating serious flooding problems. Water was also flooding onto neighbouring properties, killing native trees, amongst other things.
- Ms A'Bear queried what could be done in a situation like this. Why was development happening on known swamp land, especially without consideration of existing properties and because of the affect it was having on the Waihi Beach area?

7.4 STUART BROWN – RETURNED SERVICEMEN'S ASSOCIATION (RSA)

- The RSA looked after the welfare of people, including providing approximately 1000 meals from Thursday to Sunday night. They were looking at running a soup kitchen one day a week through the winter for pensioners.
- It had been suggested that the RSA take over the pensioner flats and repair them from the flood damage. The first step was to put this proposal to the Board who could then put it forward to Council.

7.5 MIKE HICKEY – WAIHĪ BEACH RESIDENT – PETITION

- The ratepayers of Waihi Beach wanted their extreme concern regarding the stormwater flooding to be known.
- Mr Hickey presented the petition, signed by 66 residents, to the Chairperson.

The Board accepted the petition, as presented by Mr Hickey on 19 June 2023.

7.6 MRS JILL DELL – TWO MILE CREEK – TABLED ITEM 1 – SIGNED LETTER

- Mrs Dell spoke on behalf of all the landowners upstream from the planned termination point of the rock revetment for Two Mile Creek.
- Ms Dell Tabled Item 1, a letter signed by these landowners, proposing that the rock revetment works be extended immediately upstream from 47 Edinburgh Street and 34 Wilson Road, to continue on both sides of Two Mile Creek, and down to the walk bridge by the hotel.
- Residents were becoming increasingly concerned due to the frequency of flooding, and the raging effects on water flows which caused increased bank erosion.

- Completion of the rock revetment downstream would narrow the river, resulting in a build up of water which would create backwash and overflow on these properties.
- It was felt this situation needed to be dealt with now as there was a risk of loss of residents land and homes.

The Board accepted the signed letter, as presented by Mrs Dell on 19 June 2023.

7.7 KEITH HAY – STORM WATER CORRECTION

- Mr Hay made the following correction to his comment made earlier in the afternoon:
 - Western Bay of Plenty District Council (WBOPDC) did not require attenuation for the seven four-storey residential apartments next to the church. The consent was granted without public notification.
- The wall along Two Mile Creek made neighbouring properties more vulnerable.

7.8 ROBERT HOPE – ROCK REVETMENT – TWO MILE CREEK

- Mr Hope queried whether the walk bridge across to Edinburgh Street still going to be built?

The Chairperson advised the Board would be in a position to advise on this in approximately one months' time.

7.9 KANE TITCHENER – MEMBER TE AWAMUTU AND KHIKIHI COMMUNITY BOARD (WAIPA DISTRICT COUNCIL) – FLUORIDATION

- Currently, there was no requirement for public consultation on fluoridation, but Mr Titchener believed there should be.
- On Monday 12 June 2023, legal proceedings were filed by New Health New Zealand against Ministry of Health directives to make local councils fluoridate their water supplies. WBOPDC could choose to join these proceedings to enforce an injunction on fluoridation starting.
- There were many researched findings on the adverse affects of fluoridation on the human body.

8 PRESENTATIONS

8.1 PRESENTATION ON THE TAURANGA MOANA FRESHWATER MANAGEMENT UNIT – KEN SHIRLEY – BAY OF PLENTY REGIONAL COUNCIL

The Board considered a presentation from Mr Shirley, who was in attendance on behalf of the Bay of Plenty Regional Council (BOPRC) to speak on the Fresh Water Reforms.

Key points:

- The reform was introduced by Central Government through the National Freshwater Policy Statement in 2020. This instructed regional councils across New Zealand (NZ) to undertake action to protect and restore freshwater in the country.
 - Alongside this, the National Environment Standards for Freshwater was passed in 2022 by Central Government. This was tied in with 'Te Mana o te Wai', which referred to the vital importance of the health of NZ's freshwater, and the integration of management for freshwater across the country.
 - BOPRC had divided the region from the East Cape through to Waihi Beach into 13 freshwater management units. One of which, included all sub-catchments (including the Wairoa River) that drained into the Tauranga Harbour.
 - As part of the framework from Central Government, Regional Council's had been tasked with five key actions:
 - Protect existing inland and coastal wetlands.
 - Protect urban and rural streams from infilling.
 - Extensive connectivity of fish habitats.
 - Set minimum requirements for feedlots and other stock holding areas.
 - Improve all practices in terms of winter grazing and forage crops.
 - BOPRC needed to update the Regional Policy Statement for water quality and land user chapters.
 - There was clear instruction from Central Government to increase Tangata Whenua involvement within regional councils, which was to be notified by December 2024.
 - Rivers, lakes, and streams within New Zealand were feeling the pressure of intensive farming, development, growing population, and land use changes. This was affecting fish and aquatic life, and how we used water.
 - National direction for freshwater management was for BOPRC to review and update the Bay of Plenty Natural Resources Regional Plan, which became operative in 2008. This would notify changes that implemented the National Policy Statement for Freshwater Management.
 - BOPRC had several drop-in sessions around the region in the past months, to provide information and answer public questions.
 - Formal submissions and hearings would start in 2024, noting that Tangata Whenua and the community would be involved throughout the whole process.
 - The issues that BOPRC had identified in the Tauranga/Western Bay management unit are: sedimentation, associated ecological decline (especially in estuaries), high-nutrient levels, localised swimming water quality decline caused by high bacterial loads, poor aquatic life, possible over-allocation into the Tuapiro sub-catchment, Boyd Stream, and Uretara Stream, and general sensitivity of Tauranga Harbour (in terms of kaimoana).
 - Per capita, the Tauranga Harbour was in a better state than many harbours in NZ, and there was a need to ensure it did not deteriorate.
 - A large contaminant load reduction was required, with a goal of reducing E. coli bacteria by 65% in waterways.
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- There would be changes occurring in terms of water quality, including: tighter restrictions on some land uses, a focus on catchments affecting estuaries or lakes, improved freshwater accounting, limits more rigorously applied, and better allocation of water.
- Regional councils across NZ had concerns with the costs involved with the reforms, as the decision on whether to implement the reforms did not lie with them. Mr Shirley was of the belief that regional councils had better overview of what was needed for their area, and the direction from Central Government was a 'one size fits all' approach.
- It was believed that the legislation could potentially impact community groups that were involved in environmental projects.
- There were a number of regulations that were yet to be received by BOPRC, including Freshwater Farm Plan Regulations, Drinking Water Standards, National Environment Standards, and Regulations for Plantation Forestry.
- The farming industry was concerned with the financial impact these reforms would have.
- It was requested that there be some additional drop-in information sessions scheduled for the Katikati-Waihi Beach area. Mr Shirley noted that he would endeavour to schedule and facilitate these.
- Some parts of NZ had soil types that eroded easier than others, and regulations for farmers was dependent on the region.
- As the operative date for Freshwater Farm Plan Regulations was not until 2024, and the regulations were still under development, no specifics could be provided on how the regulation would be rolled out to farmers.

The presenter responded to questions as follows:

- Consultation processes needed to be reviewed and the community informed a lot earlier through briefings or other appropriate means.

RESOLUTION WBC23-4.2

Moved: Cr A Henry

Seconded: Member H Guptill

That the presentation from Ken Shirley on 19 June 2023 regarding 'The Tauranga Moana Freshwater Management Unit', be received.

CARRIED

9 MINUTES FOR CONFIRMATION

9.1 MINUTES OF THE WAIHI BEACH COMMUNITY BOARD MEETING HELD ON 27 FEBRUARY 2023

RESOLUTION WBC23-4.3

Moved: Deputy A Kurtovich

Seconded: Cr A Henry

1. That the Minutes of the Waihi Beach Community Board Meeting held on 27 February 2023 as circulated with the agenda be confirmed as a true and correct record.
2. That the Chairperson's electronic signature be inserted into the confirmed minutes.

CARRIED

9.2 MINUTES OF THE WAIHI BEACH COMMUNITY BOARD MEETING HELD ON 24 APRIL 2023

RESOLUTION WBC23-4.4

Moved: Member D Simpson

Seconded: Member H Guptill

1. That the Minutes of the Waihi Beach Community Board Meeting held on 24 April 2023 as circulated with the agenda be confirmed as a true and correct record.
2. That the Chairperson's electronic signature be inserted into the confirmed minutes.

CARRIED

10 REPORTS**10.1 WAIHI BEACH COMMUNITY BOARD CHAIRPERSON'S REPORT – JUNE 2023**

The Board considered a report from the Chairperson. The report was taken as read with further comments on the below:

The Deputy CEO/General Manager Infrastructure responded to questions as follows:

Two Mile Creek:

- There would be a shut down period between August and November 2023 for the fish passage. Council staff had queried if this shut down period could be relaxed.
 - There was also the question of whether or not the consent could be extended further up the creek and what funding would be required to do this. This was a process that needed to be worked through.
 - Work would nevertheless commence within the existing consent requirements.
 - In terms of the four properties not signed up, two already had rock protection and the other two properties were likely to be okay. It would be possible to work past
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them. It would be necessary to have a design where the water flow down the creek did not affect other properties.

Stormwater:

- Staff would take all the feedback from tonight, and over the last three weeks, and use this to put a maintenance plan together, as well as carry out staff inspections with locals at various sites.
- The forward works programme would be reviewed to see what could be changed in terms of timing. Some of this would depend on existing consents or if new consents were needed, and some would require more design assessment. Works could not be done in isolation, as everything that was done affected a neighbouring property.
- Council staff would work together with SWAT to try and get these things done.
- Council could do emergency responses under section 330 of the Resource Management Act 1991.
- With reference to the pensioner housing, the cost of refurbishing them needed to be considered, as well as how much would be covered by insurance, what the likelihood of an event like this happening again would be and the risk to life, whether risks could be mitigated by doing stormwater works down past the pensioner houses (without impacting other properties), and/or could the flats potentially be lifted, versus building new.
- The intention was to set up a list of maintenance projects, where progress or completed work information could be fed back to the community.

The Waihi Beach Community Board expressed their appreciation to the Deputy CEO/General Manager Infrastructure and his team for the stormwater information session held today, and for putting together a possible timeline and project that they would identify with various parties at Waihi Beach.

RESOLUTION WBC23-4.5

Moved: Chairperson R Goudie

Seconded: Member D Simpson

1. That the Chairperson's report dated 19 June 2023 titled 'Waihi Beach Community Board Chairperson's Report – June 2023' be received.
2. That the Waihi Beach Community Board approve \$49.00 for the Survey Monkey fee in relation to community feedback collected to inform Waihi Beach Community Board Annual Plan submission. This will be funded from the Waihi Beach Community Board Contingency Account.

CARRIED

10.1.1 APPROVAL OF ANNUAL PLAN SUBMISSION

RESOLUTION WBC23-4.6

Moved: Chairperson R Goudie

Seconded: Member D Simpson

That the Waihi Beach Community Board approve the Annual Plan submission as completed by the Community Board members on 4 May 2023.

CARRIED

10.1.2 TIMELINE OF ISSUES AND PROJECTS

- The Deputy CEO/General Manager Infrastructure was to meet with his team this week to work on their approach to the stormwater issues.
 - There would be a presentation at the next Projects and Monitoring Committee on 8 August 2023 regarding changes in the programmes and what the response/direction would be to prioritise stormwater issues.
 - There would be 30 to 40 different things to work on. The time frames for collating information and responses might be different depending on situations and individuals.
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RESOLUTION WBC23-4.7

Moved: Chairperson R Goudie

Seconded: Member H Guptill

That the Deputy CEO/General Manager Infrastructure puts together a possible timeline of existing issues and projects regarding stormwater and housing that they will identify with various parties at Waihi Beach

CARRIED

10.2 WAIHI BEACH COMMUNITY BOARD COUNCILLOR'S REPORT - JUNE 2023

The Board considered a report from Councillor Henry, who spoke to her report, summarising the main points.

Coast Care Community Planting Days:

- Further dates had been struck for this year and were all on Sundays beginning at 10am.
 - These events were advertised on the Waihi Beach Community Facebook pages and Coast Care website.
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RESOLUTION WBC23-4.8

Moved: Cr A Henry

Seconded: Member D Simpson

That the Councillor's report dated 19 June 2023 titled 'Waihi Beach Community Board Councillor's Report – June 2023' be received.

CARRIED

10.3 ADOPTION OF WAIHI BEACH COMMUNITY BOARD STANDING ORDERS FOR THE 2023-2025 TRIENNIUM

The Board considered a report from the Senior Governance Advisor. The report was taken as read.

RESOLUTION WBC23-4.9

Moved: Deputy A Kurtovich

Seconded: Member H Guptill

1. That the Senior Governance Advisor's report dated 19 June 2023 titled 'Adoption of Waihi Beach Community Board Standing Orders for the 2022-2025 Triennium' 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, pursuant to Clause 27 of Schedule 7 of the Local Government Act 2002, the Waihi Beach Community Board adopts the Western Bay of Plenty District Council Community Board Standing Orders for the 2022-2025 triennium as per **Attachment 1** of this report by a vote in support of not less than 75% of members present and voting.

CARRIED

10.4 INFRASTRUCTURE GROUP REPORT - WAIHI BEACH COMMUNITY BOARD - JUNE 2023

The Board considered a report from the Executive Assistant, Infrastructure Group. The report was taken as read with further discussion on the below:

- At the upcoming workshop, senior Council staff would be present to discuss issues such as the town centre development, Two Mile Creek and Wilson Road. There would also be a site visit to the Wilson Road car park. The Board requested that Boffa Miskell be in attendance at this workshop to answer their questions.
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RESOLUTION WBC23-4.10

Moved: Chairperson R Goudie

Seconded: Cr A Henry

That the Executive Assistant, Infrastructure Group's Report, dated 19 June 2023 titled 'Infrastructure Group Report – Waihi Beach Community Board – June 2023' be received.

CARRIED

10.5 WAIHI BEACH COMMUNITY BOARD – FINANCIAL REPORT APRIL 2023

The Board considered a report from the Financial Business Advisor. The report was taken as read.

Councillor Henry suggested that, at a future workshop, the Board should go through the financial report to ensure that it was understood by all members and look at any outstanding/longstanding items that could be deleted.

RESOLUTION WBC23-4.11

Moved: Chairperson R Goudie

Seconded: Cr A Henry

That the Financial Business Advisor's reports dated 19 June 2023 and titled 'Waihi Beach Community Board – Financial Report April 2023', be received.

CARRIED

10.6 WAIHI BEACH COMMUNITY BOARD OPERATIONAL REPORT – JUNE 2023

The Board considered a report from the Senior Governance Advisor. The report was taken as read.

RESOLUTION WBC23-4.12

Moved: Chairperson R Goudie

Seconded: Member D Simpson

That the Senior Governance Advisor's report dated 19 June 2023 titled 'Waihi Beach Community Board Operational Report – June 2023', be received.

:CARRIED

The Meeting closed at 8.38pm.

Confirmed as a true and correct record at the Waihi Beach Community Board meeting held on 14 August 2023.



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Chairperson R Goudie

CHAIRPERSON