

# Western Bay of Plenty District Council

**Minutes of Meeting No. OP14 of the Operations and Monitoring Committee  
held on 13 September 2018 in the Council Chamber, Barks Corner, Tauranga  
commencing at 9.30am**

## **Present**

Councillor D Thwaites (Chairperson), Councillors G Dally, M Dean, M Lally, P Mackay, D Marshall, M Murray-Benge, J Palmer, J Scrimgeour, M Williams and His Worship the Mayor G J Webber

## **In Attendance**

M Taris (Chief Executive Officer), G Allis (Deputy Chief Executive), K Perumal (Chief Financial Officer), R Davie (Group Manager Policy, Planning and Regulatory Services), K Hill (Utilities Manager), P Watson (Reserves and Facilities Manager), B Williams (Strategic Property Manager), J Paterson (Transportation Manager), R Sumeran (Development Engineering Manager), F Begley (Community Relationships Manager), E Watton (Policy and Planning Manager), S Stewart (Policy Analyst), M Leighton (Senior Policy Analyst), R Woodward (Communications Advisor), A Alty (Democracy Advisor), and F Sweeney (Democracy Management Advisor)

## **Community Boards**

A Sole (Chairperson, Waihi Beach Community Board)

## **Others**

As listed in the minutes and six members of the public.

## **Apologies**

An apology for absence was received from Councillor Marsh.

**Resolved:** Murray-Benge / Lally

*THAT the apology for absence from Councillor Marsh be accepted.*

## Public Forum

**Resolved:** Scrimgeour / Murray-Benge

*THAT the meeting adjourn for the purpose of holding a public forum.*

### **Beautification of Jellicoe Street and Decline of Freshwater Fish and Degradation of the Fish Food Chain in the Ocean.**

Mr Don Paterson was in attendance and spoke to a powerpoint presentation in regard to Jellicoe Street, the Maketu Estuary spit height and noted that surrounding districts had flowers to make their towns attractive, but Te Puke had concrete strips and nothing beautiful.

He said that Council should imagine Te Puke beautified with flowers which would attract shoppers, particularly women, to Te Puke.

He also expressed his concern about the degradation of the Maketu Estuary, and his concern at the fishery destruction, which he had researched. He advised Councillors to look at his website which gave history noting the destruction of the food chain (particularly whitebait and inunga) which was affecting the fisheries, as was the effluent and run-off going into the harbour.

He suggested a low cost water treatment plant in Te Puke would assist in restoring the wetlands. He also expressed concern that the Kaituna River diversion would not improve the Estuary, but proposed instead raising Maketu Road which would be much cheaper in restoring health to the Estuary which would happen naturally.

**Resolved:** Mayor Webber / Dean

*THAT the meeting be reconvened in formal session at 9.45am.*

## Decisions

### OP14.1 **Kauri Point Reserve - Road Slip Update**

The Operations and Monitoring Committee considered a report from the Reserves and Facilities Manager dated 30 August 2018 as circulated with the agenda. Accompanying the Reserves and Facilities Manager were Nick Russ and Guy McDougall from Tonkin and Taylor to give a powerpoint presentation on the geotechnical issues involved in repairing the road slip on the access to the Kauri Point Reserve.

Debbie Duncan of the Kauri Point Residents Association was in attendance and was invited to join staff for this presentation.

The Reserves and Facilities Manager gave a verbal summary of the report and then Nick Russ of Tonkin and Taylor gave a powerpoint presentation about the geotechnical nature of the site.

In response to questions the Tonkin and Taylor advised as follows:

- The slope stabilisation at Omokoroa was still experimental, but the situation at Omokoroa was different from the Kauri Point situation in terms of geology.
- The mechanically stabilised earth wall was the most expensive option.
- It is possible to build a narrower road width but this would not improve the safety factor.
- The work proposed would not adversely affect other parts of the road, but would not improve other weak points in the road.
- Surface water could be controlled through swale drains.
- The reason for the width of the carriageway was the safety factor provided, but this could be reviewed.
- A high level construction cost estimate was based on current market rates.
- The design had not yet been completed in detail, as at this stage the design was high level.

On behalf of residents Debbie Duncan advised as follows:

- Residents were keen to have the cheapest option put in place.
- They needed their access back.
- It was part of the community emergency response plan.
- Disabled people needed access, as did vehicles for boat launching.
- The wider community also used the jetty regularly for fishing and launching boats and needed access.
- They definitely did not want no road access as it was a vital part of their community.
- The cheapest option was promoted as best for ratepayers but they needed a long term fix.

The Deputy Chief Executive then summarised the options available including consideration of the safety factors, noting that there were elements of risk with all options.

In discussion of the options the following matters were noted:

- The jetty was important to the community and had been for many years.
- It was a beautiful area and access should be maintained.
- With limited access to the harbour every access was important.
- When the final solution was engineered it should be fit for purpose.
- There was a concern that in regard to the coastal erosion policy this may be contrary to the policy.

**Resolved:** Williams / Mackay

1. *THAT the Reserve and Facilities Manager's report dated 30 August 2018 and titled Kauri Point Reserve - Road Slip Update be received.*
2. *THAT the report relates to an issue that is considered to be of medium significance in terms of Council's Significance and Engagement Policy.*

3. *THAT the Operations and Monitoring Committee, having considered the updated options based on the geotechnical information for the remediation of the Kauri Point Reserve Road Slip, recommends to Council that it directs staff to implement the following option, provided it be engineered fit for purpose.*

<i>Option A:</i>	<i>Cost (ex GST)</i>	<i>Funding Source</i>
<i>Rock Buttress Account</i>	<i>\$1,528,696.00</i>	<i>General Rate Reserve Account</i>

## OP14.2

**Wilson Park - Community Garden Lease Renewal**

The Operations and Monitoring Committee considered a report from the Reserves and Facilities Manager dated 29 August 2018 as circulated with the agenda. The Reserves and Facilities Manager gave a verbal summary of the report, noting that the final decision would need to be a recommendation to Council.

On behalf of the community gardens committee Jane Broughton was in attendance and she spoke on behalf of the committee noting the following:

- The vision of the committee was to have people of all ages from the community involved and that it would serve an educational purposes including composting, beekeeping, grafting workshops.
- The unsightly kiwifruit boxes were to be removed and replaced with garden beds.
- The location was in a corner at the base of a hill and it was a good location for the garden.

The Chairperson of the Community Board was in attendance and noted his concerns in relation to process. In response to this issue the Reserves and Facilities Manager clarified that Waihi Beach Events and Promotions had been involved in consultation over the original lease, and the Community Board had also supported the concept. It was also noted that this was not a new lease, and Council had gone through due process as required under the Reserves Act 1977 in 2015 when the original lease was first agreed to as identified in an attachment to the report.

In response to a further question Council was advised that in response to concerns raised in the community about the safety of the beehive and the standard of the boxes the issues had been raised with the community garden committee and progress was being made to remedy the issues raised, including a meeting tomorrow to organise the removal of the deteriorating kiwifruit boxes. It was also noted that as per the lease the community garden group must be given a reasonable time frame within which to meet any conditions to tidy the lease area.

**Resolved:** Williams / Murray-Benge

1. *THAT the Reserves and Facilities Manager's report dated 29 August 2018 and titled Wilson Park- Community Garden Lease Renewal 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.*

*THAT it be recommended to Council*

3. *THAT Council agrees to renew the existing lease for the Wilson Park community garden for a further five years.*
4. *THAT subject to Council approval to renew the existing lease, then approval be granted to proceed with the proposed garden initiatives suggested by the Community Garden Group (Attachment A) to this report;*
6. *THAT the petition organiser be provided a copy of the Committee's adopted resolution.*

Councillor Marshall voted against the motion and requested his vote be recorded.

10.45am The meeting adjourned for morning tea.  
11.05am The meeting reconvened.

The Chairperson advised there would be a change to the order of business in order to release guests in attendance for the item in regard to the Tahataharoa Reserve item.

OP14.3

### **Tahataharoa Reserve - Proposed Ownership Structure**

The Operations and Monitoring Committee considered a report from the Deputy Chief Executive officer dated 30 August 2018 as circulated with the agenda. In attendance for this item were Rawiri Kuka, Tommy Wilson and Julie Shepherd from the Pirirakau Incorporated Society. The Chairperson gave a brief mihi of greeting and the Deputy Chief Executive Officer gave a powerpoint presentation explaining the proposal. In response to questions he advised as follows:

- There had been complex negotiations in terms of land ownership to achieve the option of saltmarsh restoration in this area.
- Negotiations were ongoing with the current landowner for future cycleway paths and land exchange.
- Public access would be protected by way of an easement, and other options such as bylaws.
- Pirirakau would also provide funding to the restoration project.
- The key principles were to acquire the land and put in place the right management structure.

Rawiri Kuka was then invited to speak on behalf of Pirirakau and he opened his address with a reference to Maori language week and a mihi to

Council, recognising those who had passed on, and thanking Council for the opportunity provided today. He noted the huge importance of the site to Pirirakau, paying tribute to those who had struggled in the past to protect this area against development. He noted that it was where their ancestor Tuterangi was buried at his own request to be able to hear the music of the sea.

There had been multiple submissions from Pirirakau to protect the site, including turning down an offer of \$5million for the site, and a number of environmental court proceedings. The desire of the people was to restore the wetlands to assist in cleaning the harbour. Pirirakau wished to assure public access and information to all who visited the site of its significance and history. Pirirakau looked forward to working with this Council and the Regional Council on this land into the future.

The Mayor acknowledged Pirirakau and noted that this journey had taken a long time and more was to come but it was significant in restoration of the wetlands around the harbour. Other members spoke in support of the project, noting its outstanding opportunities for the environment, culture and education for the community.

Julie Shepherd advised that there was an intention to form a local care group involving all of the community for this project, and thanked Council for its support.

**Resolved:** Mayor Webber / Mackay

1. *THAT the Deputy Chief Executive's report dated 30 August 2018 and titled "Tahataharoa Reserve - Proposed Ownership Structure" 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 the following ownership and management structure for the Tahataharoa land purchase be approved in principle:*
  - *Landowner: Pirirakau Incorporated Society or similar Trust or entity*
  - *Covenant/Agreement for public access*
  - *Joint Management Pirirakau and Council*
  - *Reserve Status*

#### OP14.4

#### **Kiwi Camp Facility**

The Operations and Monitoring Committee considered a report from the Reserves and Facilities Manager dated 3 September 2018 as circulated with the agenda. It was noted that Council had been advised that this project would need to be resolved today or the opportunity for funds from the Government may be lost.

The Reserves and Facilities Manager then gave a powerpoint presentation in regard to the report, noting that the Government had chosen this Council and two others had been funded on the proviso that the projects were in place by this summer, and if this could not be agreed today another Council would be allocated the funding.

In response to questions the Committee was advised as follows:

- As long as there was a year trial and measures taken of the effects of it on the community Council would have the ability to relocate the toilet facility.
- It was possible to add shower facilities to current toilet facilities (for example at Commerce Lane).
- The facility would be relocatable but relocation did have associated costs.
- Proceeding with the Waihi Beach proposal would allow time to assess options for relocation.
- The final agreement would need to be in place by the end of September, and the issue was to manage the impact of freedom camping.

In discussion of the report the following issues were noted:

- These facilities needed to be somewhere where there were no facilities rather than Waihi Beach where a number of camping facilities were already in place.
- Something that could be located at Waihi Beach over the summer (peak period) and relocating for the kiwifruit season to the Te Puke area could be of great value.
- Council should proceed with this project with potential great future value.
- Concern was expressed that there had been no community consultation in Waihi Beach on this proposal, and that costs for connection may escalate.

**Resolved:** Murray-Benge / Dally

1. *THAT the Reserves and Facilities Manager's report dated 3 September 2018 and titled Kiwi Camp Facility 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 it be recommended to Council that the implementation of a Kiwi Camp Facility be approved on the following basis:*
  - a. *Trial Location*                      *Waihi Beach Community Centre*
  - b. *Council cost*                        *\$40,000 from General Rate Reserve Account*

Councillor Williams voted against the motion and requested that his vote be recorded.

12.30pm

The meeting adjourned for lunch.

1.05pm The meeting reconvened.

OP14.5 **Sand Dune Access Coast, Access, Sand Ladders - Our Approach**

The Operations and Monitoring Committee received a presentation from the Reserves and Facilities Manager regarding Council's approach to sand dune access coast, access and sand ladders.

In commenting on the presentation the following matters were noted:

- A mechanism for communicating this information to the public may assist.
- Council annually funded \$15,000 to coast care.

**Resolved:** Mayor Webber / Williams

*THAT the presentation from the Reserves and Facilities Manager dated 13 September 2018 be received.*

OP14.6 **Omokoroa to Tauranga Cycle Trail**

The Operations and Monitoring Committee considered a report from the Deputy Chief Executive Officer dated 30 August 2018 as circulated with the agenda. Scoping of the connection between Waihi Beach and Katikati had begun, and the Waihi Beach to Tauranga trail was a two day bike ride.

**Resolved:** Mackay / Dean

*THAT the Deputy Chief Executive's report dated 30 August 2018 and titled Omokoroa to Tauranga Cycle Trail be received.*

OP14.7 **Seal Extension Funding and Budget Update**

The Operations and Monitoring Committee considered a report from the Deputy Chief Executive Officer dated 30 August 2018 as circulated with the agenda.

In response to questions the Deputy Chief Executive Officer advised as possible:

- He was not sure how Rotorua District Council got funding from New Zealand Transport Agency based on the use of the Maniatutu Road as a bypass in case of accidents, diversion etc.
- Full funding was now in place to allow the full list to be achieved within the three years.
- Traffic volumes are measured every year then averaged over three years.

In discussion of this report it was noted that the programme should be maintained as stated and information provided that funding had been secured.



**Resolved:** Scrimgeour / Murray-Benge

*THAT the Deputy Chief Executive's report dated 30 August 2018 and titled "Seal Extension Funding and Budget Update" be received.*

OP14.8 **Transportation Emergency Works Summary**

The Operations and Monitoring Committee considered a report from the Transportation Manager dated 30 August 2018 as circulated with the agenda.

**Resolved:** Dally / Dean

*THAT the Transportation Manager's report dated 30 August 2018 and titled "Transportation Emergency Works Summary" be received.*

**Monitoring**

OP14.9 **Infrastructure Services Briefing - September 2018**

The Operations and Monitoring Committee considered a report from the Deputy Chief Executive officer dated 29 August 2018 as circulated with the agenda.

The open section of the Operations and Monitoring Committee Information Pack No. OP14 dated 13 September 2018 had been circulated separately with the agenda.

2.00pm Councillor Lally withdrew from the meeting.

The Deputy Chief Executive, Utilities Manager, Strategic Property Manager, Reserves and Facilities Manager, and Development Engineering Manager provided powerpoint updates on the projects and issues contained in the report.

2.20pm Councillor Marshall withdrew from the meeting.

**Resolved:** Palmer / Scrimgeour

- 1. THAT the Deputy Chief Executive's report dated 29 August 2018 and titled Infrastructure Services Briefing September 2018 be received.*
- 2. THAT the Open Section of the Operations & Monitoring Committee Information Pack No. OP14 dated 13 September 2018 be received.*

3. *THAT the report relates to an issue that is considered to be of low significance in terms of Council's Significance and Engagement Policy.*

## **Local Government Official Information and Meetings Act**

### **Exclusion of the Public**

#### **Schedule 2A**

**Resolved:** Mayor Webber / Williams

*THAT the public be excluded from the following part of this meeting namely:*

- *Infrastructure Services Briefing – September 2018 - In Confidence*

*The general subject to 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(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:*

<b><i>General subject of each matter to be considered</i></b>	<b><i>Reason for passing this resolution in relation to each matter</i></b>	<b><i>Ground(s) under Section 48(1) for the passing of this resolution</i></b>
<i>Infrastructure Services Briefing - September 2018 - In Confidence</i>	<i>THAT the public conduct of the relevant part of the proceedings of the meeting would likely result in the disclosure of information for which good reason for withholding would exist.</i>	<i>For reasons previously stated on the relevant minutes.</i>