



Minutes

of the

Mercury Bay Community Board

Ordinary Meeting

Date	12 June 2019
Venue	Mercury Bay Community Board Room 10 Monk Street Whitianga

Present

Rekha Giri-Percival, Deli Connell, Tony Fox, Murray McLean, Bill McLean

In attendance

Jennifer Mahon, Allan Tiplady, Donna Blick, Georgina Bond

Meeting commenced 09:00

Adjournments and absences

Adjournment	Start	Finish	Reason
Chairperson	10:25	10:40	Morning tea

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1 Meeting conduct

1.1 Apologies

All members were present.

1.2 Public forum

Mr David Haynes raised concern about road safety near the Whenuakite School. He noted that despite the 40km/h school zone being in place, the rule was rarely adhered to by motorists. He requested that the Community Board write a letter to support the implementation of a 60km/h zone at all times in the area. The Community Board members shared that they had already written to NZTA about this matter and that they would continue to support improved safety.

Six stakeholders voiced their opinions about the suggested resolution of item 2.1 Commercial Use of Ferry Landing Wharf. Paul Hopkins, Ken Hindmarsh, Mark Jones, Steve Miller and Linda Bird all noted their dissatisfaction with the report's recommendation. They explained that good relationships had existed between tour operators and the ferry operator for many years and that they would continue to work safely with the ferry for passenger pick-up and drop-offs at the wharf.

Whitianga Ferry owner Jeremy Lomas noted the use of the wharf by tour boat operators had increased with the number of tourists visiting Whitianga. He explained that as tour boats loaded and unloaded passengers, the ferry had to position itself just off the Ferry Landing Wharf. This created a safety risk as it was difficult to keep the ferry stationary in tidal flows during this wait time. Mr Lomas said sharing the wharf facility at peak holiday times, when there could be up to 74 pick-up/drop-offs made by 8 tour boats increased the hazard.

Trevor Knight and Don Bates expressed concern about The Palms development next to the Mercury Bay Bowling Club at 92 Cook Drive. Both men were concerned about the drainage impact from the development on club land which was leased from Council. Mr Bates tabled a personal submission which highlighted a specific issue with a development retaining wall. He said the project raised the ground beyond the consented 900mms and as a consequence rain water now ran onto the green. Staff advised that this matter was being investigated.

43/19 Resolved

MBCB

That the Mercury Bay Community Board receives David Haynes, Paul Hopkins, Ken Hindmarsh, Jeremy Lomas, Mark Jones, Steve Miller, Trevor Knight, Don Bates and Linda Bird as speakers in the public forum.

Moved/seconded by: Fox/McLean

1.3 Items not on the agenda

There were no items added to the agenda.

1.4 Conflict of interest

There were no conflicts of interest declared.

1.5 10 April 2016 – Mercury Bay Community Board Minutes for confirmation

44/19 Resolved

MBCB That the Mercury Bay Community Board confirms the minutes of its 10 April 2019 meeting as a correct record of proceedings.

Moved/seconded by: Fox/McLean

1.6 Mercury Bay Community Board Correspondence

The Community Board was asked to receive correspondence from the Mercury Bay community. A further 4 pieces of correspondence were tabled at the meeting:

1. Commercial Use of Ferry Landing Wharf from Pauanui Information Centre
2. Berthing ferry landing from Sheree@hotwaterbeachtop10.co.nz
3. Ferry Landing operations from Ken Hindmarsh
4. State Highway 25: Whenuakite School Road Safety Concerns from NZ Transport Agency

The TCDC Property Department was requested to investigate the Mercury Bay Enabling Good Lives Trust's proposal.

45/19 Resolved

MBCB That the Mercury Bay Community Board:

1. Receives the 'Mercury Bay Community Board correspondence' report dated 23 May 2019.
2. Receives the attached and/or tabled documents.

Date Received	From	Subject	Type	Update
16/04/2019	Mercury Bay Enabling Good Lives Trust	Request use of Council land for community assist housing	Letter	This letter and the acknowledgement letter have been shared with the Community Board via the Extranet
23/04/2019	Mercury Bay Boating Club	Thank You - Rates On-charging for Community Groups Leasing Council Land	Letter	This letter has been shared with the Community Board via the Extranet

Moved/seconded by: Fox Connell

2 Community Management

2.1 Commercial Use of Ferry Landing Wharf

The Mercury Bay Community Board was asked to consider the ongoing use of Ferry Landing Wharf for commercial (tourist) operators.

The District Manager North reported staff had been working with stakeholders to resolve this issue for some time but that no formal agreement had been reached thus far. He clarified that Council had a legal contract with the Ferry operator. The contract allowed the operator exclusive rights to provide ferry service between Whitianga and Ferry Landing giving the

operator priority at both wharves. The District Manager further clarified that while the Council did not currently have a Marine Facilities Manager employed, the role and its accompanying responsibilities would be delegated to the current TCDC Infrastructure Manager.

It was raised that at one stakeholder meeting attended by Councillor Fox, an informal agreement had in fact been reached between parties. It was understood by all in attendance that tourist operators had to clear the wharf as quickly as possible for the ferry. It was noted that this informal agreement had been in place and no complaints had been received by the Community Board thus far.

It was noted that the ferry operator raised this issue to highlight a concern about boat congestion and how it contributed to a health and safety problem for all. There was no mal intent to harm other operators or to single out a particular rogue operator for bad behaviour.

The Community Board requested that staff continue to work further with the ferry operator and tour board operators to see if they could come to a mutually agreeable solution for shared use of the wharf.

46/19 Resolved

MBCB

That the Mercury Bay Community Board:

1. Receives the 'Commercial use of Ferry Landing Wharf' report, dated 20 May 2019.

Moved/seconded by: McLean/Connell

2.2 Street Flags – Whitianga Town

The Mercury Bay Community Board was asked to consider the purchase and installation of a new flag track system and flags for Whitianga CBD.

47/19 Resolved

MBCB

That the Mercury Bay Community Board:

1. Receives the 'Street Flag – Whitianga Town' report, dated 3 May 2019.
2. Approves in principle the concept of a new 40 pole flag track system in Albert Street and Campbell Street.
3. Requests that the street flags be considered further following approval of the 2019/20 Annual Plan.

Moved/seconded by: Fox/Connell

2.3 Alteration to Community Grant

The Mercury Bay Community Board was asked to consider a request from Ron Morgan, to transfer a portion of the allocated community grant of \$500 for the Whitianga Home Coming Weekend event, from printing and publicity costs to venue hire.

48/19 Resolved

MBCB

That the Mercury Bay Community Board:

1. Receives the Alteration to Community Grant report, dated 10 May 2019.
2. Approves the request from Ron Morgan to change the use of the allocated community grant of \$500 for the Whitianga Home Coming Weekend to include venue hire.

Moved/seconded by: Connell/Fox

2.4 Nomination of Trustee – Mercury 250th Anniversary Trust

The Mercury Bay Community Board was asked to appoint a Trustee to the Mercury 250th Anniversary Trust.

50/19 **Resolved**

MBCB

That the Mercury Bay Community Board:

1. Receives the Nomination of Trustee – Mercury 250th Anniversary Trust” report, dated 7 May 2019.
2. Appoints Gary Fitzsimons as a Trustee to the Mercury 250th Anniversary Trust in accordance with Clause 5.3 of the Charitable Deed of Trust.

Moved/seconded by: Fox/McLean

3 Legal, Audit and Risk Group

3.1 Right of Renewal and Rent Review - Mercury Bay Rugby & Sports Club Inc

The Mercury Bay Community Board was asked to consider recommending to Council to approve a right of renewal and rent review between the Thames-Coromandel District Council and the Mercury Bay Rugby & Sports Club Inc for the land located at 86D Albert Street, Whitianga.

Amendments to the report were tabled and included clarification around the length of time the club had been leasing the premises and a further change to reflect a correct length of term.

51/19 **Resolved**

MBCB

That the Mercury Bay Community Board:

1. Receives the report ‘Right of Renewal and Rent Review – Mercury Bay Rugby & Sports Club Inc’, dated 13 May 2019.
2. Recommends to Council to approve a right of renewal of five years, effective from 1 July 2019, between the Thames-Coromandel District Council and Mercury Bay Rugby and Sports Club Inc., for the premises located over part of 86D Albert Street, Whitianga, at the community rental of \$350.00 plus GST per annum.

Moved/seconded by: Connell/WD McLean

4 Reports

4.1 Actions Schedule from 10 April 2019 Mercury Bay Community Board meeting

The Community Board was provided an update on the actions arising from, and since, the last Board meeting held on 10 April 2019.

52/19 **Resolved**

MBCB

That the Mercury Bay Community Board receives the Actions Schedule for the Mercury Bay Board report dated 24 May 2019.

Moved/seconded by: Fox/Connell

4.2 Mercury Bay Community Board 2018/2019 Work Programme

The Mercury Bay Community Board was provided an update on the 2018/2019 Work Programme. The District Manager reported that most of the major projects were close to completion as the end of the financial year approached and he highlighted the following:

Whitianga Transfer Station

Updated concept plans were nearly finished.

Sheriff's Block

Development of a master plan for the area and the adjacent wastewater treatment plant was progressing.

Hahei Tourism Infrastructure Project – toilet replacement and walkways

Details on the provision of a safe pedestrian pathway from the Hahei shops to the beach were being finalised.

53/19
MBCB

Resolved

That the Mercury Bay Community Board:

1. Receives the 'Mercury Bay Community Board 2018/2019 Work Programme update' report, dated 14 May 2019.

Moved/seconded by: Connell/ WD McLean

4.3 Members' reports

Councillor Fox requested an update on various items including the status of the replacement photo frame, confirmation on security options for the new playground and some follow up information on some requests for service.

Councillor McLean spoke about an example of a waste minimisation process currently used in Ontario, Canada.

Board Member McLean noted he had been approached by residents about concrete vehicle parking barriers which were breaking down. He explained he would investigate the matter further to establish specific locations and report back.

Board Member Connell noted she had investigated the pick-up and drop-off ferry matter in advance of the meeting. She attended the TCDC information session for members of the public and elected members. She requested that staff investigate alternatives to using Round Up for vegetation control.

Chairperson Giri-Percival requested staff investigate the implementation of CCTV cameras in the community and report back. She noted her attendance at the TCDC information session for members of the public and elected members. She also noted her visit to the Mercury Bay Area School to discuss students' work on establishing a community icon.

54/19
MBCB

Resolved

That the Mercury Bay Community Board receives the Members' reports.

Moved/seconded by: Fox/McLean

7 Public excluded

55/19 **Resolved**

MBCB

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

General Subject of Each Matter to be Considered	Reason for Passing this Resolution	Ground(s) Under Section 48(1) for the Passing of the Resolution
<p>5.1 Public excluded minutes for confirmation</p>	<p>(7)(2)(i) - Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiation (including commercial and industrial negotiations).</p> <p>7(2)(b)(i) – Protect information where the making available of the information would disclose a trade secret.</p> <p>(7)(2)(j) – Prevent disclosure or use of official information for improper gain or improper advantage. Ground(s) Under Section 48(1) for the Passing of the Resolution</p>	<p>(48)(1)(a)(i) - That the public conduct of the whole or 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. Where the local authority is named or specified in the First Schedule to this Act, under section 6 or section 7 (except section 7(2) (f) (1) of this Act.</p> <p>(48)(1)(b)(i) - That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information the public disclosure of which would be contrary to the provisions of a specified enactment.</p>
<p>5.2 Public excluded Action Scheduled for 10 April 2019 Mercury Bay Community Board meeting</p>	<p>(7)(2)(i) – Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p>	<p>(48)(1)(a)(i) – That the public conduct of the whole or 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. Where the local authority is named or specified in the First Schedule to this Act, under section 6 or section 7 (except section 7(2)(f)(i) of this Act.</p>

Moved/seconded by: Fox/McClean

58/19 **Resolved**

MBCB

That the public be re-admitted to the meeting and resolutions taken with the public excluded be confirmed in the public session except for the following items which are to remain in the public excluded minute book.

Item Description

5.1 Public excluded minutes for confirmation

5.2 Public excluded Action Schedule for 10 April 2019 Mercury Bay Community Board
Moved/seconded by: Fox/WD McLean

Meeting closed at: 11:25

The foregoing minutes were certified as being a true and correct record of the meeting of the Mercury Bay Community Board held on 12 June 2019.

Chairperson _____ **Date** _____