

**I give notice that  
an Ordinary Meeting of Council will be held on:**

<b>Date:</b>	<b>Thursday, 31 January 2019</b>
<b>Time:</b>	<b>1.30pm</b>
<b>Location:</b>	<b>Council Chamber 107 Heuheu Street Taupō</b>

# **AGENDA**

## **MEMBERSHIP**

**Chairperson** Mayor David Trewavas

**Deputy Chairperson** Cr Rosie Harvey

**Members**

- Cr John Boddy
- Cr Barry Hickling
- Cr Rosanne Jollands
- Cr Tangonui Kingi
- Cr Anna Park
- Cr Christine Rankin
- Cr Maggie Stewart
- Cr Kirsty Trueman
- Cr John Williamson

**Quorum** 6

**Gareth Green**  
**Chief Executive Officer**

## Order Of Business

<b>1</b>	<b>Apologies</b>	
<b>2</b>	<b>Conflicts of Interest</b>	
<b>3</b>	<b>Confirmation of Minutes</b>	
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**3.1 ORDINARY COUNCIL MEETING - 11 DECEMBER 2018**

**Author:** Shainey James, Democratic Services Officer

**Authorised by:** Tina Jakes, Head of Democracy, Governance and Venues

**RECOMMENDATION(S)**

That the minutes of the Council meeting held on Tuesday 11 December 2018 be confirmed as a true and correct record.

**ATTACHMENTS**

1. Council Meeting Minutes - 11 December 2018

**4.1 PETITION - LOWER SPA ROAD**

**Author:** Tina Jakes, Head of Democracy, Governance and Venues

**Authorised by:** Gareth Green, Chief Executive Officer

**PURPOSE**

To formally receive a petition relating to lower Spa Road, Taupō (attached).

**DISCUSSION**

In December 2018 His Worship the Mayor, David Trewavas was presented with a petition signed by approximately 60 local retailers and other regular users of lower Spa Road, requesting some measures to ensure the safety of pedestrians in the area. The text of the petition is as follows:

*“All the signatures request that you consider the dangers presented by speeding cars and the total lack of a safe place for pedestrians to cross. There are a number of primary school children crossing near Countdown hence although they, being minors haven’t signed, the primary school teachers have on their behalf. Ever increasing volumes of traffic are feeding into Spa Road from Nukuhau, Oruanui, Runanga, Gascgoine and Ruapehu Streets and that’s just lower Spa Road. There’s also the traffic from the college and roads Taniwha, Titiraupenga, Motutaiko, Opepe which feed into lower Spa Road from below the college. Repeated requests to the council have drawn delayed responses and no assistance. This is the reason for the petition.”*

Ms Jil Richardson will present the petition at this meeting in accordance with Council’s Standing Orders.

**CONCLUSION**

It is recommended that Council formally receives the petition.

**RECOMMENDATION(S)**

That Council receives the petition relating to lower Spa Road, Taupō (A2392603).

**ATTACHMENTS**

1. Petition - Lower Spa Road (A2392603)

**4.2 TENDER FOR CONTRACT TDC/1718/240 POIHIPI & TIROHANGA ROAD SEAL WIDENING 2019**

**Author:** Bryan Ferguson, Senior Engineering Officer - Transportation Operations  
**Authorised by:** Kevin Strongman, Head of Operations

**PURPOSE**

This report is to seek the approval to award the tender for TDC/1818/240 Poihipi & Tirohanga Road Seal Widening and to bring forward 2019/20 Poihipi Road Seal Widening funding to the 2018/19 financial year.

**EXECUTIVE SUMMARY**

Tenders for this contract closed on 21 December 2018. Two tenders were received with Schick Civil Construction Ltd being the lowest priced conforming tenderer.

There is insufficient funding in the current 2018/19 budget allocation to fully complete the proposed Poihipi Road length of widening (900m) in one construction establishment. It is proposed to bring forward allocated funds from the 2019/20 Poihipi Road Widening budget funding to enable this length's full completion in one site establishment.

**RECOMMENDATION(S)**

1. That Council accepts the Tender for Contract TDC/1718/240 for Poihipi & Tirohanga Road Seal Widening 2019 submitted by Schick Civil Construction Ltd for the sum of \$926,800.97 [excl. GST] and authorises His Worship the Mayor and the Chief Executive to sign the Contract Document(s) and attach the Council's Common Seal to them.
2. That Council approves \$200,000 from the allocated 2019/20 Poihipi Road Seal Widening funding to be brought forward to the 2018/19 financial year to enable the full completion of the contracted length in one site establishment.

**BACKGROUND**

The proposal has not been presented previously.

**DISCUSSION**

The seal widening of both Poihipi and Tirohanga Roads has been combined into a single contract to gain greater contract interest, efficiencies in work volume, economies of scale and reduced supervision costs.

The contract period is to span two financial years, with the intent to complete widening on both roads late summer 2019, fully completing the proposed Poihipi Road length and continuing with the widening of Tirohanga Road in the Spring of 2019 to expend the 2019/20 allocated budget for Tirohanga Road Seal Widening.

***Poihipi Road***

The Annual Plan currently budgets annually for progressive widening of Poihipi Road between Wairakei Drive and Whangamata Road with those sections of greatest priority and benefit being undertaken as funding allows. This year the section between the Oruanui and Mapara Road intersection has been selected, a length of 900m. This section requires for the Chorus cables to be relocated away from the present edge of seal. This work is currently in progress, being undertaken by Chorus Contractors at the request of Taupō District Council. This work will utilise a third of the allowed budget in the 2018/19 financial year meaning there is insufficient funding to fully complete the proposed 900m length of seal widening in one site establishment and works would have to be suspended and completed in the 2019/20 financial year when that funding comes available.

Rather than stage the works over two financial years it is proposed to bring forward funding from the 2019/20 financial year to enable its full completion in one construction establishment. This would mitigate against having a short section of road length not widened for a time length of approximately 7 months between

construction seasons. It also gains efficiencies for both Council and the Contractor and minimises disruption to the travelling public.

The widening involves increasing the current road width, which is currently as narrow as 6.0m to 10m and includes for the necessary formation works and drainage improvements to allow this. The tendered works also includes for areas of pavement maintenance adjacent to the widening works to prepare the road length for a full reseal in the Reseal Season of 2019/20.

### ***Tirohanga Road***

The Annual Plan has budgeted over a two financial year period for widening of a length of Tirohanga Road at the Atiamuri (SH1) end of the road, this being both narrow and windy. The request for this has come from the Tirohanga Settlers Association through Annual Plan submissions and has been recognised by Council as a hazardous length of road that would benefit from widening.

The widening involves increasing the current road width to a standard 7.4m width over a length of 1.9km. The tendered works also includes for areas of full road width pavement rehabilitation and maintenance adjacent to the widening works to prepare the road length for a full reseal in the reseal season of 2019/20.

### **TENDERS RECEIVED**

Contract tender documents were issued on 3/12/18 and tenders closed on 21/12/18. Two conforming tenders were received from the following organisations:

- Inframax Construction Ltd, Te Kuiti
- Schick Civil Construction Ltd, Hamilton

The project was estimated at \$873,091.25

Both tenderers are prequalified with Sitewise Taupō District Council's Health and Safety scheme of choice.

### **TENDER EVALUATION**

Tenders were evaluated on a lowest price conforming on a pass/fail attributes basis.

Attributes considered are:

- Relevant Experience
- Track Record
- Technical Skills
- Resources
- Management Skills
- Methodology

### **RECOMMENDED CONTRACT PRICE**

The tender submitted by Schick Civil Construction Ltd being \$926,800.97 over the two financial year contract term.

### **OPTIONS**

Council may choose to accept the preferred tender or not. If the tender is not accepted the projected widening of both Poihipi and Tirohanga Road for 2018/19 financial year will not proceed and funding will need to be carried forward to the 2019/20 financial year and the obligations projected in the 2018/19 Annual Plan for Transportation will not be met.

Council may choose to bring forward the required 2019/20 budgeted funding for Poihipi Road Seal Widening to the 2018/19 financial year to enable the full length of the proposed widening to be completed in one Construction establishment. Alternatively, the works can be completed in two Construction establishments, one late summer 2019 and the other spring 2019.

## CONSIDERATIONS

### Financial Considerations

The financial impact of the proposal is estimated to be \$926,800.97.

#### Long-term Plan/Annual Plan

The expenditure outlined is currently budgeted for under the 2018/19 (\$300,000 for Poihipi Road and \$300,000 for Tirohanga Road) with the same amount and split in 2019/20 Transportation programme. \$200,000 of the 2019/20 budget will be required to complete Poihipi Road in the 2018/19 year. Funding from the Poihipi Road Widening, Tirohanga Road Widening, Sealed Road Rehabilitation, Sealed Road Maintenance and Drainage Improvement budgets will also be utilised.

### Legal Considerations

#### Local Government Act 2002

The matter comes within scope of the Council's lawful powers, including satisfying the purpose statement of Section 10 of the Local Government Act 2002. The matter will enable the Council to meet the current and future needs of communities for good quality local infrastructure. (i.e. efficient, effective and appropriate to present and anticipated future circumstances).

### Policy Implications

There are no known policy implications.

### Risks

Traffic management and weather related risks are the greatest concern with both managed and mitigated through best practices by implementing an approved traffic management plan and installation of erosion and sediment control measures to Waikato Regional Council guidelines.

## SIGNIFICANCE OF THE DECISION OR PROPOSAL

Council's Significance and Engagement policy identifies the following matters that are to be taken into account when assessing the degree of significance of proposals and decisions:

- a. The level of financial consequences of the proposal or decision;
- b. Whether the proposal or decision will affect a large portion of the community or community of interest;
- c. The likely impact on present and future interests of the community, recognising Maori cultural values and their relationship to land and water;
- d. Whether the proposal affects the level of service of an activity identified in the Long Term Plan;
- e. Whether community interest is high; and
- f. The capacity of Council to perform its role and the financial and other costs of doing so.

Officers have undertaken a rounded assessment of the matters in clause 11 of the Significance and Engagement Policy (2016), and are of the opinion that the proposal under consideration is of low importance.

## ENGAGEMENT

Taking into consideration the above assessment, that the decision is of a low degree of significance, officers are of the opinion that no further engagement is required prior to Council making a decision.

The widening of both Poihipi and Tirohanga Road is in response to the communities' desire through public submissions to the Long Term Plan for improved road safety.

## COMMUNICATION/MEDIA

Prior to commencement of the contract works a media release will be made, with those affected land owners and residents living adjacent to the works contacted individually.

**CONCLUSION**

Two tenders were received and assessed: the tender of Schick Civil Construction Ltd for \$926,800.97 was the lowest priced conforming tender and is the preferred tender.

There is sufficient funding contained within the Transportation Cost Centres to fund the Contract Works. The ideal would be to bring forward the required 2019/20 funding for Poihipi Road Seal Widening to combine with the 2018/19 Poihipi Road Seal Widening budget to enable the proposed lengths full completion in one Construction establishment.

**ATTACHMENTS**

Nil

**4.3 PLAN CHANGE 34 - FLOOD HAZARD UNBUDGETED EXPENDITURE**

**Author:** Sue Mavor, Senior Policy Advisor

**Authorised by:** Alan Menhennet, Head of Finance and Strategy

**PURPOSE**

To enable Council to consider whether to approve unbudgeted expenditure for the hearing, deliberations and preparation of the recommendations report for Plan Change 34 - Flood Hazard.

**DISCUSSION**

Council notified Plan Change 34 – Flood Hazard on 20 October 2017. The purpose of PC34 is to update the District Plan spatial extent of the flood hazard areas identified on the planning maps and introduce a new risk-based approach (through the introduction of objectives, policies and rules) to address development in flood hazard areas.

Council appointed a Hearings Panel of Dr Jeff Jones (chair), Mr Steven Wilson and Councillor Rosanne Jollands to hear the submissions, deliberate and make a recommended decision on Plan Change 34 – Flood Hazard. A hearing was held on 23 October 2018 and deliberations on 24 October 2018.

The Hearings Panel made their recommended decision and endorsed the planning officer's section 32AA report in November 2018. At its December meeting Council adopted the Commissioner's recommended decision for Plan Change 34 – Flood Hazard and the Section 32AA report and agreed to public notify the decision on the plan change as soon as practicable. The decision was notified on 21 December 2018.

While the development of the plan change was included within existing budgets, the costs associated with the expert witnesses, hearings and independent Commissioners are funded through unbudgeted expenditure. Council has a practice of not budgeting for such expenditure, given the difficulty of anticipating likely costs well in advance of the hearings. These costs can change significantly based on the number and nature of the submissions and the corresponding expert evidence that is required.

Unbudgeted expenditure is required for the following costs:

- Preparation of evidence by Dr Jack McConchie (Council's flooding expert)
- Legal advice and review of planning officer and Council flooding expert's evidence by Simpson Grierson
- Preparation, hearing, deliberating and preparing a recommended decision by Dr Jeff Jones (chair) and Mr Steven Wilson (independent commissioner).
- Revision of flood hazard GIS mapping layer to comply with the adopted decision by Opus Consultants.

These costs amounted to \$60,000.00 exclusive of GST.

**CONCLUSION**

Council has a practice of not budgeting for expenditure incurred for hearing, deliberating and preparing a recommended decision for plan changes. This is due to the difficulty of anticipating likely costs well in advance of receipt of submission and the hearings. The hearings panel heard, deliberated and prepared a recommended decision on submissions to Plan Change 34 – Flood Hazard in October and November 2018. Unbudgeted costs were incurred for this. It is recommended that Council approves this unbudgeted expenditure required to cover the costs of the hearing, deliberations and preparation of the recommended decision.

**RECOMMENDATION(S)**

That Council approves unbudgeted expenditure of \$60,000.00 exclusive of GST for the purpose of hearing, deliberating and preparing a recommended decision for Plan Change 34 – Flood Hazard.

**ATTACHMENTS**

Nil

**4.4 COUNCIL ENGAGEMENTS FEBRUARY 2019 AND CONFERENCE OPPORTUNITIES**

**Author:** Tina Jakes, Head of Democracy, Governance and Venues

**Authorised by:** Gareth Green, Chief Executive Officer

**Engagements**

ENGAGEMENT	DAY	DATE	TIME
Workshop - Cultural Precinct Project: Consideration of civic administration building site options & business case	Tuesday	5	10am-1pm
Emergency Management Committee meeting	Monday	11	11am-12.30pm
Extraordinary Council meeting – Civic administration building site options	Monday	11	1pm-3pm
Turangi/Tongariro Community Board meeting (Boardroom, Turangi Service Centre)	Tuesday	12	1pm-4pm
Taupō Airport Authority Committee meeting (Taupō Airport, ANZAC Memorial Drive)	Monday	18	10.30am-noon
Fences, Roding, Reserves & Dogs Committee meeting	Tuesday	19	10am-noon
Performance Monitoring Group meeting (closed)	Tuesday	19	1.30pm-2.30pm
Workshop – District Plan review	Tuesday	26	11am-noon
Police briefing	Tuesday	26	12.30pm-1pm
Public forum	Tuesday	26	1pm-1.30pm
Council meeting	Tuesday	26	1.30pm-5pm
Kinloch Representative Group public forum (Kinloch Community Hall, Mata Place, Kinloch)	Thursday	28	2.30pm-3pm
Kinloch Representative Group meeting (Kinloch Community Hall, Mata Place, Kinloch)	Thursday	28	3pm-4.30pm

**Conference and Professional Development Opportunities**

To approve, either prior or retrospectively, Councillor attendance at conferences and professional development courses:

- Zone 2 meeting, Friday 1 March 2019, 1pm-4pm

**RECOMMENDATION(S)**

1. That Council receives the information relating to engagements for February 2019.
2. That Council approves the attendance of Cr(s) \_\_\_\_\_ at the Zone 2 meeting being held on 1 March 2019, 1pm-4pm.

**ATTACHMENTS**

Nil

**4.5 MEMBERS' REPORTS**

**Author:** Tina Jakes, Head of Democracy, Governance and Venues

**Authorised by:** Gareth Green, Chief Executive Officer

**PURPOSE**

This item permits members to report on meetings/functions they have attended as Council's representative, or on behalf of Council, since the last Council meeting.

The item also provides an opportunity for members to report back, either verbally or by way of tabled information, specifically on conferences, seminars and professional development courses that they have attended.

No debate and/or resolution is permitted on any of the reports.

**CONCLUSION**

Members' reports will be presented at the meeting for receipt.

**RECOMMENDATION(S)**

That Council receives the reports from members.

**ATTACHMENTS**

Nil

## 5 CONFIDENTIAL BUSINESS

### RESOLUTION TO EXCLUDE THE PUBLIC

I move 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(1) 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(1) for the passing of this resolution
<p><b>Agenda Item No: 5.1</b> Confirmation of Confidential Portion of Ordinary Council Minutes - 11 December 2018</p>	<p>Section 7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>Section 7(2)(h) - the withholding of the information is necessary to enable [the Council] to carry out, without prejudice or disadvantage, commercial activities</p> <p>Section 7(2)(i) - the withholding of the information is necessary to enable [the Council] to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>Section 48(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 7</p>
<p><b>Agenda Item No: 5.2</b> Consideration of update to Area B EUL Land Area and Purchase Price</p>	<p>Section 7(2)(h) - the withholding of the information is necessary to enable [the Council] to carry out, without prejudice or disadvantage, commercial activities</p> <p>Section 7(2)(i) - the withholding of the information is necessary to enable [the Council] to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>Section 48(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 7</p>
<p><b>Agenda Item No: 5.3</b> Legal update- Cultural Precinct</p>	<p>Section 7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</p>	<p>Section 48(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 7</p>

I also move that *[name of person or persons]* be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of *[specify]*. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because *[specify]*.