

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

|                  |  |
|------------------|--|
| <b>Date:</b>     | <b>Thursday, 30 January 2020</b>                       |
| <b>Time:</b>     | <b>1.00pm</b>  |
| <b>Location:</b> | <b>Council Chamber<br/>107 Heuheu Street<br/>Taupō</b> |

# **AGENDA**

## **MEMBERSHIP**

**Chairperson** Mayor David Trewavas

**Deputy Chairperson** Cr Christine Rankin

**Members**

- Cr John Boddy
- Cr Kathy Guy
- Cr Tangonui Kingi
- Cr Kylie Leonard
- Cr John Mack
- Cr Anna Park
- Cr Kevin Taylor
- Cr Kirsty Trueman
- Cr Yvonne Westerman
- 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>   |    |
| 3.1      | Ordinary Council Meeting - 10 December 2019 .....  | 3  |
| <b>4</b> | <b>Receipt of Minutes</b>  |    |
| 4.1      | Ordinary Turangi/Tongariro Community Board Meeting - 3 December 2019.....  | 4  |
| <b>5</b> | <b>Policy and Decision Making</b>  |    |
| 5.1      | Notice of Motion - Napier Road Intersection .....  | 5  |
| 5.2      | Contract TDC/1920/297 - Retaining Walls at Acacia Bay Road & Wily Terrace .....  | 6  |
| 5.3      | Tender TDC/1819/316: Taupo Water and Wastewater Pipe Renewals 2020-21 .....  | 11 |
| 5.4      | Licence to Occupy - Disc Golf at Spa Thermal Park .....  | 15 |
| 5.5      | Request from Taupo Saleyards Limited for new lease .....   | 20 |
| 5.6      | Adoption of the 2019-22 Triennial Agreements with Regional Councils.....   | 25 |
| 5.7      | Mayoral Delegation to China and Japan, May 2020 .....  | 29 |
| 5.8      | Adoption of Report on Dog Control Policy and Practices .....   | 34 |
| 5.9      | Local Declaration of State of Emergency or Notice of Transition into Recovery -<br>Appointment of Designated Elected Members ..... | 35 |
| 5.10     | Adoption of Code of Conduct for the 2019-2022 Triennium .....  | 38 |
| 5.11     | Council Engagements February 2020 and Conference Opportunities .....   | 41 |
| 5.12     | Members' Reports .....   | 43 |
| <b>6</b> | <b>Confidential Business</b>   |    |
| 6.1      | Appointment of External Representatives to Council Committees .....  | 44 |
| 6.2      | Potential Purchase of 71 Rangatira Drive, Mangakino .....  | 44 |
| 6.3      | Cypress Capital Limited - Appeal to the Environment Court .....  | 44 |

**3.1 ORDINARY COUNCIL MEETING - 10 DECEMBER 2019**

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

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

**RECOMMENDATION(S)**

That the public and confidential portions of the minutes of the Council meeting held on Tuesday 10 December 2019 be confirmed as true and correct records.

**ATTACHMENTS**

1. Council Meeting Minutes - 10 December 2019
2. Confidential Portion of Council Meeting Minutes - 10 December 2019

**4.1 ORDINARY TURANGI/TONGARIRO COMMUNITY BOARD MEETING - 3 DECEMBER 2019**

**Author:** Raeleen Rihari, Democratic Services Support Officer

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

**RECOMMENDATION(S)**

That Council receives the minutes of the Turangi/Tongariro Community Board meeting held on Tuesday 3 December 2019.

**ATTACHMENTS**

1. Turangi/Tongariro Community Board Meeting Minutes - 3 December 2019

**5.1 NOTICE OF MOTION - NAPIER ROAD INTERSECTION**

**Author:** David Trewavas, Mayor

**Authorised by:**

**PURPOSE**

To consider a Notice of Motion relating to the Napier Road / Kiddle Drive / Arrowsmith intersection.

**DISCUSSION**

The Notice of Motion is attached.

**RECOMMENDATION(S)**

The Notice of Motion will be moved at the meeting.

**ATTACHMENTS**

1. Notice of Motion - Napier Road intersection

**5.2 CONTRACT TDC/1920/297 - RETAINING WALLS AT ACACIA BAY ROAD & WILY TERRACE**

**Author:** Colin Giles, Transport and Projects Manager

**Authorised by:** Kevin Strongman, Head of Operations

**PURPOSE**

The purpose of this report is to seek Council approval to award the tender for Contract TDC/1920/297 – Construction of Retaining Walls at Acacia Bay Road & Wily Terrace.

**EXECUTIVE SUMMARY**

Tenders for this Contract closed on Friday 29<sup>th</sup> November 2019.

Five tenders were received.

The tenders were evaluated using the weighted attributes method.

Camex Civil from Cambridge were evaluated as having the highest overall score.

**RECOMMENDATION(S)**

That Council accepts the Tender for Contract TDC/1920/297 for Construction of Retaining Walls at Acacia Bay Road and Wily Terrace submitted by Camex Civil from Cambridge for the sum of \$1,080,657.66 [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.

**BACKGROUND**

There have been issues regarding the stability of the slope along this section of Acacia Bay Road and Wily Terrace for a number of years. There are obvious signs of work previously carried out to help stabilise the bank including rock wall structures.

The first concrete crib was constructed in about 2000.

Investigations and assessment of the slope stability were carried out by Opus in 2003.

Two further concrete crib walls were constructed in about 2006.

The extension of Wakeman Road was constructed in 2008 to provide an alternative access to Acacia Bay Road.

The first timber crib wall was constructed in 2018.

Further investigation was carried out recently and 18 sites were identified above and below Acacia Bay Road adjacent to Wily Terrace where work was recommended to address stability issues. The main faults were tension cracks and subsidence.

These 18 sites were prioritised as:

High Priority – 5 sites

Medium Priority – 4 sites

Low Priority – 9 sites.

The scope in the tender document identified the 5 high priority sites where stability was a significant concern as well as one low priority site (Site 18) where there were safety issues particularly for pedestrians.

The proposal has not been presented previously.

**DISCUSSION**

This is a measure and value contract to supply all plant, labour and materials required to construct 6 retaining walls at Acacia Bay Road & Wily Terrace in Taupō.

The Contract includes the following works:

- Minor earthworks formation, compaction and site reinstatement including top-soiling and grass establishment.
- Construction of 3 timber crib walls.
- Construction of 1 mechanically stabilised earth wall. (MSE wall)
- Construction of 2 steel cantilever walls.
- Provision for surface drainage.
- Erection and maintenance of erosion and sediment control structures.
- Mitigation measures against cement and pumice entering the stormwater systems and environment.
- Construction of footpaths and kerb & channel.
- Construction of balustrades and guardrails.

**TENDERS RECEIVED**

Tender documents were issued for a proposed contract on 24<sup>th</sup> October 2019. Tenders closed on Friday 29<sup>th</sup> November 2019. Five conforming tenders were received from the following organisations:

- Camex Civil Ltd from Cambridge
- Higgins Contractors Ltd from Taupō
- Schick from Te Rapa, Hamilton
- Taylor Long Construction Ltd from Taupō
- Waiotahi Contractors Ltd from Whakatane

Tender prices ranged from \$1,044,251.22 to \$1,779,528.13 plus GST.

The project was estimated at \$1,227,006.48 plus GST.

**TENDER EVALUATION**

Tenders were evaluated on a weighted attributes method based on the following attributes:

- Relevant Experience – 10%
- Management – 20%
- Track Record – 10%
- Methodology – 20%
- Health & Safety – 15%.
- The Price made up the remaining 25%

**RECOMMENDED CONTRACT PRICE**

The tender submitted by Camex Civil Ltd being \$1,080,657.66 plus GST.

**OPTIONS**

Council may choose to accept the preferred tender or not. If the tender is not accepted the concerns with the instability of the banks below Wily Terrace and Acacia Bay Road will not be addressed.

Analysis of Options

Option 1 – Cancel the project

| Advantages  | Disadvantages  |
|---|--|
| <ul style="list-style-type: none"> <li>• No cost</li> </ul> | <ul style="list-style-type: none"> <li>• No improvements to significant roading asset used by many Acacia Bay residents and visitors to Taupō for access.</li> <li>• Risk that the banks below Wily Terrace and/or Acacia Bay Road could subside and prevent access to dwellings.</li> </ul> |

|  |  |
|--|--|
|  | <ul style="list-style-type: none"> <li>• Risk that the banks below Wily Terrace and/or Acacia Bay Road could subside and damage utility services in the road corridor. These services include sewer, stormwater, water, power and communications.</li> </ul> |
|--|--|

Option 2 – Approve the project as tendered

| Advantages   | Disadvantages  |
|--|--|
| <ul style="list-style-type: none"> <li>• Significant security, usability, safety and erosion benefits gained</li> <li>• Ensures the protection of the TDC infrastructure adjacent to the Lake.</li> <li>• The tender price is competitive and is also less than the Engineers estimate.</li> </ul> | <ul style="list-style-type: none"> <li>• Retendering at a later date could result in a lower price.</li> </ul> |

Analysis Conclusion:

The preferred option is to approve the tender as received for the original scope.

**CONSIDERATIONS**

**Financial Considerations**

The financial impact of the proposal is estimated to be \$1,080,657.66 plus GST.

Long-term Plan/Annual Plan

The expenditure outlined is currently budgeted for in the 2019/20 Annual Plan.

**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. That section of the Act states that the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. It is considered that environmental is of relevance to this particular matter.

The following authorisations are required for the proposal:

- ✓ Resource Consent                      ✓ Building Consent                       Environmental Health
- Liquor Licencing                       Licence to occupy

Authorisations are required from external parties; in particular Waikato Regional council due to the proximity of the project within the foreshore protection zone and Tūwharetoa Māori Trust Board (TMTB) as a neighbouring affected party.

**Policy Implications**

The proposal has been evaluated against the Long-term Plan, Annual Plan, Taupō District Plan and the Waikato Regional Plan. The key aspects for consideration with regards to this proposal are as follows:

There are no known policy implications.

**Risks**

Traffic Management, communication and weather related risks are obvious concerns. These can be managed and mitigated through best practices by implementing approved traffic management plans, clear



communication to residents and road users and installation of erosion and sediment control measure to Waikato Regional Council guidelines.

A Building Consent has been applied for and granted by the Taupō District Council.

A Resource Consent has been applied for from the Waikato Regional Council. Processing of this consent is on hold until a formal response has been received from Tūwharetoa Māori Trust Board. (TMTB)

### **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 Māori 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.

Communication has occurred with:

- Tūwharetoa Māori Trust Board.
- Nukuhau Marae.

Contact has been made with Raukawa, Te Kotahitanga O Ngati Tūwharetoa and the Acacia Bay Residents Committee.

A communications plan will be prepared in consultation with the communications team.

### **COMMUNICATION/MEDIA**

Once the Contractor's programme and methodology has been confirmed, notification will be provided to residents and road users regarding disruptions, detours and road closures during construction.

Direct communication has been/will be carried out with affected parties/key stakeholders but no wider communication is considered necessary.

### **CONCLUSION**

Acacia Bay Road and Wily Terrace provide access to a number of properties therefore it is important this access continues to be safe and reliable by addressing subsidence which could threaten the roads.

Camex Civil based in Cambridge is a relatively new Contractor working in Taupō.

Recent projects include:

- Dixon Heights, Glenview, Hamilton – Timber retaining walls
- Waipa District Council Settlers Track Slip Repairs – Timber retaining wall.
- Onelink Project for Waikato Health Board – 120 metre long duramesh retaining wall.
- Longlands Retirement Village in Matamata.
- Transland Subdivision involving significant concrete retaining wall construction.
- Rangitahi Peninsula subdivision bordering on Raglan Harbour

- Williamson Street – 3 waters upgrade for Waipa District Council.
- Te Awamutu Wastewater Treatment - Civil Works.
- Azimuth Estate subdivision earthworks & drainage near Tairua Harbour.
  
- Recently completed the In berm parking in Tūwharetoa Street in Taupō.
- Recently completed the construction of pedestrian refuge islands in Lake Terrace and in Turangi.
- Recently completed civil improvement works at Napier Road/Arrowsmith/Kiddle Intersection.
- Recently awarded the construction of the Great Lake Pathway Upgrade in Taupō
- Recently awarded Ruapehu Street Intersection Upgrade in Taupō.
- Recently awarded Turangi WWTP treatment improvements.

**ATTACHMENTS**

1. Locality Plans

**5.3 TENDER TDC/1819/316: TAUPO WATER AND WASTEWATER PIPE RENEWALS 2020-21**

**Author:** Tom Swindells, Asset Manager Water  
**Authorised by:** Kevin Strongman, Head of Operations

**PURPOSE**

The purpose of this report is to seek Council approval to

- award the tender for Contract TDC/1819/316 Taupō Water and Wastewater Pipe Renewals 2020-21, and
- bring forward up to \$0.5M from 2021/22 water renewals budgets into prior years (2019/20 and 2020/21) as required to complete the project.

**EXECUTIVE SUMMARY**

This contract is for the renewal of water mains and rider mains in Taupō and Bonshaw Park, and renewal of wastewater rising mains in Taupō over a two year period. The pipelines require replacement due to reaching the end of their useful life.

Tenders closed for the contract at 1pm on Friday 17th January 2020. 7 tenders were received, and these were evaluated using the weighted attributes process. The highest scoring tender was that of Waiotahi Contractors Ltd with a tender price of \$2,944,399.00.

**RECOMMENDATION(S)**

1. That Council accepts the Tender for Contract TDC/1920/316 for Taupo Water and Wastewater Pipe Renewals 2020/21 submitted by Waiotahi Contractors Limited for the sum of \$2,944,399.00 [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 funds of up to \$0.5M to be brought forward from 2021/22 water renewals budgets into prior years (2019/20 and 2020/21) as required to complete the project.

**BACKGROUND**

The proposal has not been presented previously.

This contract is for the renewal of water mains and rider mains and renewal of wastewater rising mains in Taupō and Bonshaw Park. General layout plans are appended to this document. A decision was made to combine the pipeline renewals for two years into one tender to improve attractiveness for contractors and to reduce tendering, project management and construction costs for Council. It is also expected that stakeholder management by the contractor will improve with greater familiarity of Council processes.

The project is budgeted for within the water and wastewater service areas of the 2018-28 Long Term Plan. Water renewals budgets are set at \$2M per year for 10 years and include pipeline renewals contracts as well as renewals completed by Downer, TDCs 3 water maintenance contractor.

**DISCUSSION**

The water mains and rider mains planned for renewal in Taupō are constructed of asbestos cement or galvanised steel. The water mains planned for renewal in Bonshaw Park are constructed of PVC. All pipelines are at the end of their useful life, are at high risk of failure, and so will be replaced with new PE pipelines.

The pipelines planned for renewal were selected based on age and material of construction, pipeline criticality, history of pipeline failures, and proximity to the 2020 Ironman World Championship course. Grouping of pipelines into distinct renewal areas was completed to minimise disruption to the community ie dig the street up once approach. Scheduling of the work was completed with consideration to roading renewals also planned in Miro Street.

The resulting work packages do now challenge the available renewals budget over the next 2 years, but not when considering future years i.e. water renewals budgets in the LTP are set at \$2M per year for 10 years. These budgets allow for major pipeline renewals contracts as well as minor renewals e.g. toby replacements, completed by TDCs 3 water maintenance contractor. Flexibility in these budgets (by way of moving funding forward and back between years) is considered necessary to allow efficient packaging of work programmes, and fluctuations in market pricing.

Renewal of these pipelines will improve resilience, reduce water loss, and prevent disruption to the community caused by main burst and leaks.

The existing asbestos cement wastewater mains are also at the end of their useful life. Wastewater mains of similar age and material in the district have had a history of failure causing wastewater spillage to the surrounding area. Funding is available within wastewater renewals budgets. Renewal of these mains will improve resilience and prevent wastewater spills.

Based on this information there are two options:

1. Status quo, do nothing. Pipeline failure frequency likely to increase, leading to more service disruption, environmental impacts, water loss, complaints, health and safety risks and community unrest.
2. Renewal of pipelines. Network resilience improved with corresponding reduction in impact to the community and environment.

## **TENDERS RECEIVED**

Tender documents were issued for a proposed contract on 27<sup>th</sup> November 2019. Tenders closed at 1pm on Friday 17<sup>th</sup> January 2020. 7 conforming tenders were received from the following organisations:

- Camex Civil, Cambridge
- Civtec Limited, Hamilton
- Doing Good Infrastructure Limited, Tauranga
- Downer NZ Limited, Taupo
- E & J Contractors, Taupo
- Hickey Contractors Limited, Rotorua
- Waiotahi Contractors Limited, Tauranga

Tender prices ranged from \$2,944,399 to \$4,183,984.

The quantum of renewals in the contract scope was estimated at \$3,885,317.50.

## **TENDER EVALUATION**

Tenders were evaluated on a weighted attributes basis.

The highest scoring tender was that of Waiotahi Contractors Ltd with a tender price of \$2,944,399.00.

## **RECOMMENDED CONTRACT PRICE**

The tender submitted by Waiotahi Contractors Ltd being \$2,944,399.00 over the 2 year contract term.

## **OPTIONS**

Council may choose to accept the preferred tender or not. If the tender is not accepted Council will need to determine another way to improve resilience of the water and wastewater networks. Retendering is not recommended as the outcome is unlikely to change, and costs would be expected to increase.

## **CONSIDERATIONS**

### **Financial Considerations**

The financial impact of the tender is estimated to be \$2,944,399.00 split as follows:

- Water Renewals \$2,728,119.11 including \$300,000 contingency

- Wastewater Renewals \$216,279.89 including \$50,000 contingency

The costs of project and contract management of the project need to be considered in addition to the contract price. These are estimated as follows:

- Water Renewals \$135,000 based on 5% of contract price.
- Wastewater Renewals \$11,000 based on 5% of contract price.

The project will be completed over the 2019/20 and 2020/21 financial years.

Long-term Plan/Annual Plan

The expenditure outlined is currently budgeted for under the 2019/20, 2020/21 and 2021/22 water and wastewater network renewals budgets.

The wastewater renewals budget is sufficient for project completion. A breakdown of the proposed cost versus budget follows:

Wastewater

|   | 2019/20      |
|---|--------------|
| Tender Price                                    | \$216,279.89 |
| Estimated Project and Contract Management Costs | \$11,000.00  |
| Total Cost                                      | \$227,279.89 |

|              | 2019/20   |
|--------------|---|
| Total Budget | \$0.4M allocated to this project from \$3.2M overall renewal budget |

Water

The water renewals budgets are sufficient for project completion however, renewal funding needs to be brought forward from the 2021/22 year to allow the project to proceed. Renewals are funded from reserves and so there will be no impact on rates. A breakdown of the proposed funding versus expected spend follows:

|   | 2019/20        | 2020/21        | 2021/22 |
|---|----------------|----------------|---------|
| Tender Price                                    | \$1,021,550.38 | \$1,706,568.73 |         |
| Estimated Project and Contract Management Costs | \$50,000.00    | \$85,000.00    |         |
| Total Estimated Cost                            | \$1,071,550.38 | \$1,791,568.73 |         |

|        | 2019/20   | 2020/21   | 2021/22   |
|--------|---|---|---|
| Budget | \$0.9M remaining out of \$2.0M network renewal budget | \$1.5M allocated to this project from \$2.0M network renewal budget | \$0.5M to be brought forward from \$2.0M network renewal budget |

Approval is requested to bring forward up to \$0.5M from 2021/22 into prior years (2019/20 and 2020/21) as required.

**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. That section of the Act states that the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities;

and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

### **Policy Implications**

There are no known policy implications.

### **Risks**

Financial / Construction Risk: A risk with all construction projects is construction cost increases due to unforeseen items that the contractor cannot be expected to have allowed for. Risk items on this contract include possible archaeological finds, and ground conditions including hot ground. An appropriate contingency of \$350,000 has been included in the contract price. This is equivalent to 10% of the engineers estimate.

### **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.

### **COMMUNICATION/MEDIA**

Direct communication has been/will be carried out with affected parties/key stakeholders but no wider communication is considered necessary.

### **CONCLUSION**

Renewal of water and wastewater pipeline assets is necessary to prevent failures and the resulting environmental and social impacts. A tender process has been completed and the tender by Waiotahi Contractors Limited for the value of \$2,944,399.00 is the preferred tender.

The existing LTP budgets for wastewater renewals is sufficient to complete the project.

The existing LTP budget for water renewals is insufficient to complete the project. It is recommended to bring forward up to \$0.5M from 2021/22 water renewals budgets to allow completion of the project.

### **ATTACHMENTS**

1. Water and Wastewater Renewals - General Layout Plans

**5.4 LICENCE TO OCCUPY - DISC GOLF AT SPA THERMAL PARK**

**Author:** Nathan Mourie, Senior Reserves Planner

**Authorised by:** Kevin Strongman, Head of Operations

**PURPOSE**

To determine the suitability of a licence to occupy for the purposes of constructing a disc golf course on Council administered reserve land at Spa Thermal Park.

**EXECUTIVE SUMMARY**

Council have been approached with a proposal to install a disc golf course on Council administered reserve land in Spa Thermal Park. Council are being asked to consider a licence to occupy for the desired use.

It is recommended that a licence is granted to David Keane for the purpose of establishing a disc golf course at Spa Thermal Park.

**RECOMMENDATION(S)**

That Council approves the granting of a licence to occupy to David Keane for the purposes of establishing a disc golf course on Council administered reserve land at Spa Thermal Park as identified in this report for a term of five (5) years at a peppercorn rental of \$1 per annum.

**BACKGROUND**

The proposal has not been presented previously.

Council has had a few, infrequent requests over the previous decade for installation of a permanent disc golf facility at Spa Thermal Park. None of these proposals were followed through to a stage where approval could be provided.

Last year Council was again approached by David Keane with a proposal for installation of a permanent course. Following discussions about the proposal and evaluation of the plans provided as a result of these talks; officers are of the opinion that a disc golf course can be installed on site which would minimise potential conflicts with other park users while providing a quality disc golf experience for participants.

Disc golf follows the basic golf principles of starting from a 'tee' area, and throwing a flying disc towards a 'hole'. The basic equipment needed is fairly simple; with a disc, a durable tee and a metal goal for each hole.

The proposal indicates nine baskets initially, with a longer term goal of installing a full 18 basket course. In addition the course would also require some signage (one rule board and information posts at each tee) and tee boxes/starting plates. Any LTO would specifically make provision for these items. A typical disc golf basket and tee are pictured below. Although these are not necessarily representative of what may be installed at Spa Thermal Park – they do indicate the general requirements for the activity.

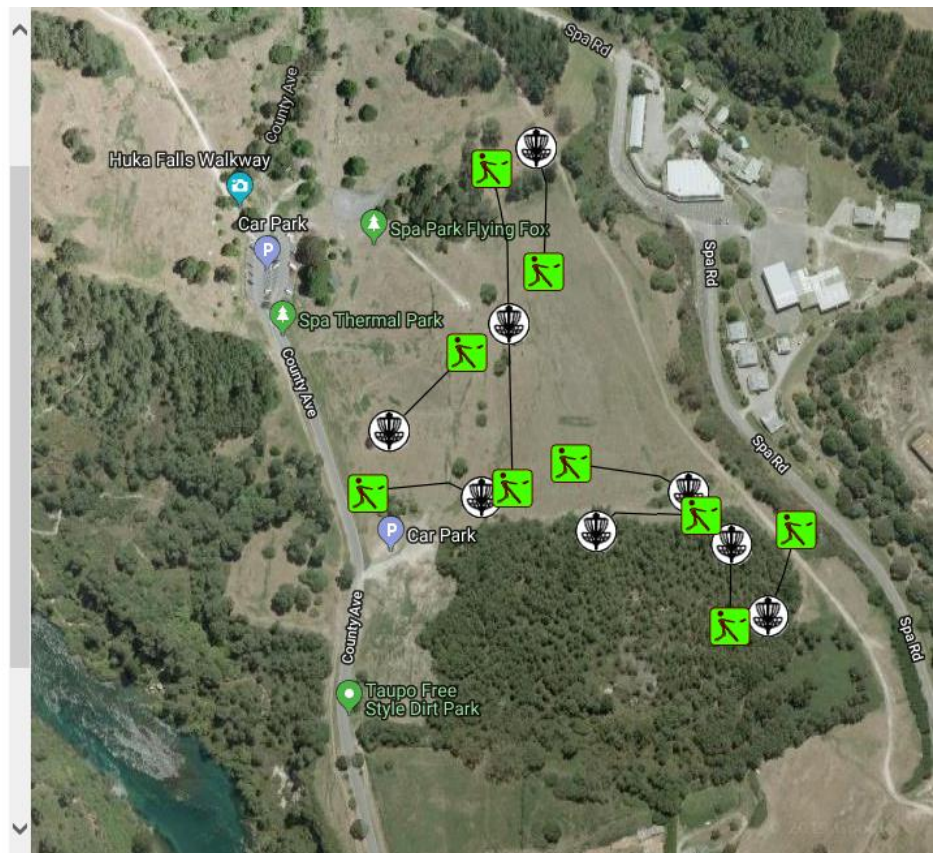


**DISCUSSION**

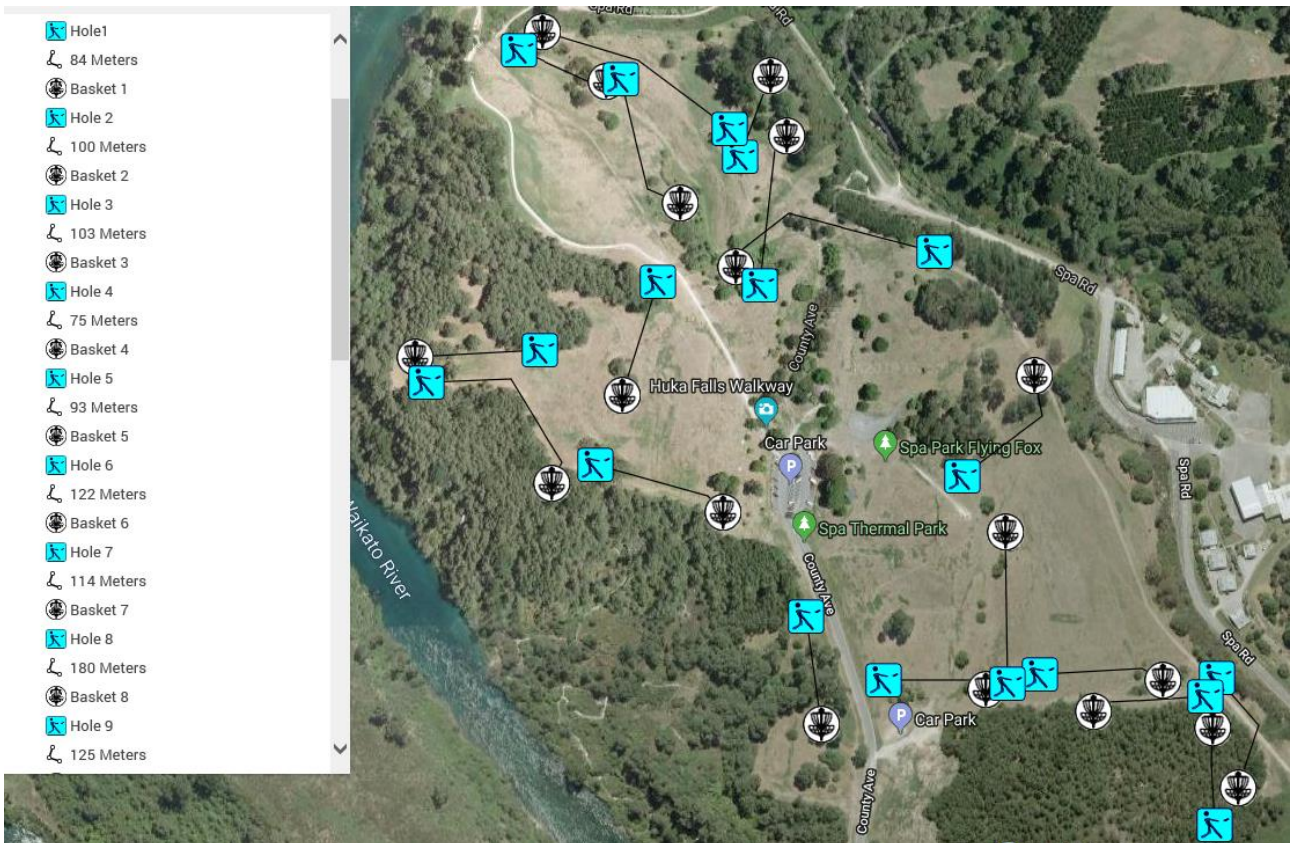
David Keane has worked hard to get external support for the proposed activity, and has been very willing to work with staff to come up with a course design that maximises activity opportunities while addressing potential conflicts with other park users.

David proposes two courses, one 18 hole competition course and one nine hole 'family course'. The family course being designed to be slightly easier and more accessible for casual or beginners use.

- Tee 1
- Basket 1
- Hole 1
- Tee 2
- Hole 2
- Basket 2
- Tee 3
- Hole 3
- Basket 3
- Tee 4
- Hole 4
- Basket 4
- Tee 5
- Hole 5
- Basket 5
- Tee 6
- Hole 6
- Basket 6 & 8
- Tee 7
- Hole 7
- Basket 7
- Tee 8
- Hole 8
- Tee 9
- Hole 9
- Basket 9







It is likely that in order to gain funding for the course, that sponsorship from local businesses will be required. It is anticipated that it is possible that each basket may have a small sponsor sign attached to the basket for a minimum period following installation.

It is possible that at the end of the licence term, if the activity is a success, that Council may take over maintenance and renewal of the facilities.

The facilities will be open to all park users to take advantage of without charge. Disc golf etiquette (to be advised at the first tee information board) dictates that players give way to all other park users where a potential conflict may occur.

Based on this information it is considered that there are two options.

**OPTIONS**

Analysis of Options

Option 1 – Approve an LTO for Disc Golf

| Advantages  | Disadvantages  |
|---|--|
| <ul style="list-style-type: none"> <li>• New use of an under-utilised reserve</li> <li>• Additional activity for residents and visitors</li> <li>• Potential for national tournaments to be held</li> </ul> | <ul style="list-style-type: none"> <li>• Potential conflicts with other users</li> </ul> |

Option 2 – Decline an LTO for Disc Golf

| Advantages   | Disadvantages  |
|--|--|
| <ul style="list-style-type: none"> <li>• None</li> </ul> | <ul style="list-style-type: none"> <li>• Missed opportunity</li> </ul> |

Analysis Conclusion:

The activity has occurred semi-regularly at Spa Park in the past, being set up with temporary facilities. The supporters of the activity believe that a permanent course would be beneficial to the park and the wider disc golf community. Officers agree that the activity would make good use of the Spa Park environment, complementing existing activities and adding additional use to what has been a somewhat under-utilised

reserve. While the layout has been planned to minimise potential conflicts with other users, effects and use will be monitored and the final layout may change slightly if it needs to in order to get the best outcome.

## CONSIDERATIONS

### Alignment with Council's Vision

Council's vision is 'to be the most prosperous and liveable district in the North Island by 2022'. This is accompanied by a core set of values to underpin decision-making, the following of which are relevant to this particular proposal: World Class, Authentic, Charming, Vibrant, Quality and Value.

### Financial Considerations

The financial impact of the proposal is estimated to be nil.

Council anticipates a peppercorn rental for the activity and the installation costs for the equipment is to be covered by the applicant.

### 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. That section of the Act states that the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. It is considered that social and economic well-beings are of relevance to this particular matter.

The proposal has been evaluated with regards to a range of legislation. The key legislation applicable to the proposal has been reviewed and the proposal is not inconsistent with these documents.

Authorisations as follows are required for the proposal:

- Resource Consent     Building Consent     Environmental Health
- Liquor Licencing     Licence to occupy

Authorisations are not required from external parties.

### Policy Implications

There are no known policy implications.

The Spa Thermal Park Reserve Management Plan allows for outdoor recreation activities which do not adversely effect the present values of the reserve. This activity fits within this criteria, and as a free activity does not fall under commercial activity considerations.

### Māori Engagement

Council is bound by various Acts to consult and/or engage with Māori, including a duty to act reasonably and in good faith as a Te Tiriti o Waitangi partner. Equally, Council has a responsibility to develop and proactively foster positive relationships with Māori as key stakeholders in our district, and to give effect to the principles of Te Tiriti o Waitangi including (but not limited to) the protection of Māori rights and their rangatiratanga over tāonga. While we recognise Māori in general, we also need to work side by side with the three ahi kaa/resident iwi of our district.

Although good faith does not necessarily require consultation, it is a mechanism for Council to demonstrate its existence and commitment to working together as district partners. Appropriately, the report author acknowledges that they have considered the above obligations including the need to seek advice, guidance, feedback and/or involvement of Māori on the proposed recommendation/s, objective/s, project/s or service/s outlined within this report.

### Risks

There are no known risks.

## 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.

#### **COMMUNICATION/MEDIA**

No communication/media required. It is anticipated that communication will be carried out to advise users prior to installation and to let the public know upon completion of the facilities.

#### **CONCLUSION**

The activity appears to fit with the reserves principles and would enhance the public's use and enjoyment of the reserve without unduly detracting from any other uses. It will provide a fun, free activity in the township which is unavailable anywhere else in town.

Officers believe that it is a good addition to our recreation network and a licence should be approved to install a disc golf course at Spa Thermal Park.

#### **ATTACHMENTS**

Nil

**5.5 REQUEST FROM TAUPŌ SALEYARDS LIMITED FOR NEW LEASE**

**Author:** Ella Howie, Legal Counsel

**Authorised by:** Brian Fox, Head of Regulatory and Risk

**PURPOSE**

The purpose of this report is for Council to consider a request from Taupō Sale Yard's Limited for a new lease of Council land at 14 Oruanui Road for saleyard purposes for a term of 10+10 years.

**EXECUTIVE SUMMARY**

Taupō Saleyards Limited ("Taupō Saleyards") lease Council land at 14 Oruanui Road for saleyard purposes. The lease has a final expiry date of 31 December 2021.

Council subleases back from Taupō Saleyards part of the leased land for a truck wash and stock effluent dump facility. The sublease is also due to expire on 31 December 2021.

Taupō Saleyards has requested Council grant a new lease for a term of 10 + 10 years, as it wishes to invest in upgrading improvements on the land.

The main issue for Council to consider is whether it wishes to continue the status quo by granting a new lease to Taupō Saleyards.

The preferred option is that Council grant a new lease for a term of 10 + 10 years. It is also recommended that Council enter into new sublease for the area of land used as a stock effluent dump/truck wash facility for the same 10+10 year term.

**RECOMMENDATION(S)**

That Council agrees to:

1. Grant Taupō Saleyards Limited a new lease of 14 Oruanui Street for saleyards and associated purposes for a term of 10 +10 years at an annual rental of \$12,000.00 plus GST per annum with market rent reviews every 5 years, to commence simultaneously with the surrender of the existing lease that expires on 31 December 2021.
2. Sublease from Taupō Saleyards Limited the area of land at 14 Oruanui Street outlined in Attachment 1 to this report for stock effluent dump/truck wash facility purposes for a term of 10+10 years at an annual rental of 28% of the headlease annual rental, to commence simultaneously with the surrender of the existing sublease that expires on 31 December 2021.

**BACKGROUND**Existing lease to the Taupō Sale Yard's Limited

The existing ground lease to Taupō Saleyards commenced on 1 January 2005 and expires on the 31 December 2021 ("the Lease").

Taupō Saleyards Limited is a NZ limited company formed in 1972.

The Lease is for 16.184 hectares of fee simple Council owned land at 14 Oruanui Road (located on the corner between Oruanui and Pohipi Road) as shown outlined in blue on the attached plan at Attachment 2 ("the Property").

The Lease permits Taupō Saleyards to use the Property and buildings and structures located on it for the purposes of "conducting the business of a saleyard for the disposal by auction of livestock farm produce and all property both real and personal incidental to the farming industry".

The lease also permits Taupō Saleyards to carry out grazing and make available the property to other users for purposes incidental to the farming industry and for the benefit of the community generally, provided the conduct of the business of a saleyard is not interfered with. The Oruanui Pony Club, and the Taupō Western

Riding Club currently occupy areas of the leased land. A private local contractor also uses the deer shed for the storage of agriculture equipment.

Under the lease, Taupō Saleyards is responsible for maintaining the land and all improvements on it in good condition. Taupō Saleyards is further responsible for rates and outgoing associated with the Property, and currently pays \$3,640.00 plus GST per annum in rental.

#### Existing sublease from the Taupō Saleyards

Taupō District Council subleases back from the Taupō Saleyards an area of the Property for the purpose of a stock effluent dump, and truck wash facility operated by Central Transport. The sublease has a final expiry date of 21 December 2021. If Council decides to grant a new lease to Taupō Saleyards it is recommended that Council also secure a new sublease for the same term.

Annual rental under the existing sublease is 28% of the annual headlease rental.

The proposal has not been presented previously.

### **DISCUSSION**

#### Request for new lease

Taupō Saleyards has requested a new lease for a term of 10 + 10 years. The formal request is attached at Attachment 3 to this report. Taupō Saleyards wish to secure a new lease so that it can redevelop its stock holding paddocks and install secure fencing adjacent to the saleyards. The proposed security fenced area is intended to be used by stock trucks as a secure place to park overnight where stock can rest in the adjacent pens.

#### Taupō Saleyards compliance with existing lease conditions

Taupō Saleyards has kept the grounds and improvements on the land in good and tidy condition. Photos taken at a site inspection in December 2019 are attached to this report at Attachment 4 and 5.

There are no outstanding lease fees owing and no outstanding breaches of other existing lease conditions.

#### Benefits of the Taupō Saleyards activity

The Taupō Saleyards benefits the rural community by providing a local facility where stock can be sold and stored.

Council receives a small amount of financial income in rental for the Lease (\$3,640.00 plus GST per annum).

Council also receives the benefit of having Taupō Saleyards maintain the land.

#### Rental recommendation

The current annual rental of \$3,640.00 plus GST per annum has not been increased since the commencement of the existing lease in 2005.

A rental recommendation on the land carried out by Keys Valuers Limited in December 2019 valued the recommended rental at \$12,000.00 plus GST per annum. This rental recommendation was assessed taking into consideration the limited commercial return on the activities that occur on the land and was based using a rural grazing type method (rather than return on value) noting there is limited comparable lease sites available. The rental is a recommendation rather than valuation given the limited comparable lease sites.

Taupō Saleyards has been provided with a copy of the rental valuation report and has expressed some concern at the rental recommendation of \$12,000.00 plus GST. It should be noted that 28% of this rental would be paid back to the Taupō Saleyards by Council under Council's sublease for the land used for the truck wash/stock effluent dump facility.

It is proposed that the new lease contain a provision that provides for market rent reviews every 5 years.

#### Alternative uses for the land

Council may wish to explore and investigate alternative uses for the land or selling the land (to confirm whether this is a feasible option and the process), instead of continuing the status quo by granting a new lease to Taupō Saleyards. These options would require further investigation.

### **OPTIONS**

#### Analysis of Options

Option 1. Agree to grant a new lease to Taupō Saleyards

| Advantages   | Disadvantages  |
|--|--|
| <ul style="list-style-type: none"> <li>The rural community continue to receive the benefit of a saleyards.</li> <li>Council will receive lease fees.</li> <li>Council will continue to have a good tenant to maintain the land.</li> </ul> | <ul style="list-style-type: none"> <li>None known</li> </ul> |

Option 2. Decline to grant a new lease to the Taupō Saleyards

| Advantages  | Disadvantages   |
|---|---|
| <ul style="list-style-type: none"> <li>None known.</li> </ul> | <ul style="list-style-type: none"> <li>Rural community lose a saleyards facility.</li> <li>Council will be responsible for maintaining the land.</li> <li>Council will not receive lease fees.</li> </ul> |

Analysis Conclusion:

The preferred option is to continue the status quo by granting a new lease to the Taupō Saleyards for the requested term of 10+10 years.

**CONSIDERATIONS**

**Alignment with Council’s Vision**

Council’s vision is ‘to be the most prosperous and liveable district in the North Island by 2022’. This is accompanied by a core set of values to underpin decision-making, the following of which are relevant to this particular proposal: World Class; Authentic; Charming; Vibrant; Quality; Resilient and Value.

**Financial Considerations**

Council will receive a small financial return from the lease.

**Legal Considerations**

Local Government Act 2002

The decision to grant a new lease to the Taupō Saleyards comes within scope of the Council’s lawful powers, including satisfying the purpose statement of [section 10](#) of the Local Government Act 2002. That section of the Act states that the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. It is considered that social and economic wellbeings are of relevance to this particular matter.

Land Status

The land is held in fee simple by the Taupō District Council and comprises of 16.1844 hectares. The land was purchased by the Council in 1970 from the Crown and the contract included the following condition:

“That the area be used for saleyards, or associated purposes, and if the saleyards are not established the land is to be returned to the Crown at the same purchase price plus the cost of survey.”

There is a deed dated 6 March 1998 between the Council and the Crown which records that the above condition had been satisfied with the construction of the saleyards on the property in or around 1970/1971. The deed further records that the Crown agrees that any obligation or liability that exists or may have existed in favour of the Crown pursuant to the contract or condition was wholly extinguished as at the date of satisfaction of the condition, and that all legal and equitable rights and interest in the Property now reside with the Taupō District Council.

There are no interests registered on the title that affect the ability of the Council to lease this land for the proposed purpose or for an alternative purpose.

Council may lease the land to Taupō Saleyards pursuant to Council’s power of general competence under section 12(2) of the Local Government Act 2002.

Authorisations as follows are required for the proposal:

- Resource Consent    Building Consent    Environmental Health  
 Liquor Licencing    Licence to occupy

The proposal does not involve any new buildings, and it is understood that all existing buildings are consented.

Authorisations are not required from external parties.

### **Policy Implications**

The proposal has been evaluated against the following plans:

- Long Term Plan 2018-2028    Annual Plan    Waikato Regional Plan  
 Taupō District Plan    Bylaws    Relevant Management Plan(s)

There are no known policy implications. The land is zoned Rural Environment under Council's District Plan. The Saleyards is outside of the Taupō catchment and it is therefore understood that no regional resource consents are required.

### **Māori Engagement**

Council is bound by various Acts to consult and/or engage with Māori, including a duty to act reasonably and in good faith as a Te Tiriti ō Waitangi partner. Equally, Council has a responsibility to develop and proactively foster positive relationships with Māori as key stakeholders in our district, and to give effect to the principles of Te Tiriti ō Waitangi including (but not limited to) the protection of Māori rights and their rangatiratanga over tāonga. While we recognise Māori in general, we also need to work side by side with the three ahi kaa / resident iwi of our district.

There are no known culturally significant sites on the land and therefore consultation with Maori has not been carried out in terms of this decision.

### **Risks**

There are no known risks associated with the decision to grant a new lease. The Taupō Saleyards is a valued rural community facility so there is likely to be some public pressure from the rural community should Council decide not to grant a new lease.

### **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.

### **COMMUNICATION/MEDIA**

Communication of the decision will be carried out after consultation with Council's Communications Team.

**CONCLUSION**

It is recommended that Council continue to support the Taupo Saleyards by granting a new lease for a term of 10 +10 years, and enter into a new sublease for the existing truck wash/stock effluent facility for the same term.

**ATTACHMENTS**

1. Area subleased from the Taupo Saleyards for a truck wash and stock effluent dump facility
2. Taupo Saleyards Lease Area
3. Formal request from Taupo Saleyards for new lease
4. Photos of truck wash down and stock effluent dump facility
5. Photos of Taupo Saleyards



**5.6 ADOPTION OF THE 2019-22 TRIENNIAL AGREEMENTS WITH REGIONAL COUNCILS**

**Author:** Temi Allinson, Policy Advisor  
**Authorised by:** Alan Menhennet, Head of Finance and Strategy

**PURPOSE**

The purpose of this report is to adopt the Regional Council Triennial Agreements for the 2019-2022 Triennium.

**EXECUTIVE SUMMARY**

The Local Government Act 2002 (LGA) requires all local authorities within each region to enter into a Triennial Agreement (the Agreement) for the period until the next triennial general election. The Agreements must be entered into not later than 1 March after each election.

The Taupō district is within the Waikato, Bay of Plenty, Horizons (Manawatu-Whanganui) and Hawkes Bay regions.

Each of these regions has an agreement process which Council is required to participate in. The proposed Agreements for three of the regions are attached. We are awaiting the final draft of Hawkes Bay's Agreement and it will be presented to Council at the February meeting. Council acts as either a primary signatory or non-primary signatory depending on the region.

The proposed amendments to the Agreements are to ensure continued compliance with the changes to section 15 of the LGA and are only considered minor and in line with the intent of the agreements.

If Council also chooses to make any amendments the affected Triennial Agreement would need to be taken back to the Triennial Meeting for approval by all local authorities before it could be adopted and signed. This would not meet the 1 March deadline and would likely receive criticism from the other councils.

It is recommended that Council adopt the 2019-2022 Triennial Agreements.

**RECOMMENDATION(S)**

That Council adopts the Triennial Agreements for:

1. the Waikato Region as a primary signatory
2. the Bay of Plenty Region as a primary signatory
3. the Horizons Region as a non-primary signatory

**BACKGROUND**

The Local Government Act 2002 (LGA) requires all local authorities within each region to enter into a Triennial Agreement for the period until the next triennial general election. This Agreement must be entered into not later than 1 March after each election.

These Agreements contain protocols for communication and co-ordination amongst the authorities until the next triennial general election of members. Each Agreement must also include a statement of the process for consultation of proposals for new regional council activities.

The Agreements are intended to maximise efficiency, promote wellbeing collaboratively, and increase cooperative approaches to local governance.

The Taupō district is within the Waikato, Bay of Plenty, Horizons (Manawatu-Whanganui) and Hawkes Bay regions.

Each of these regions has a Triennial Agreement process which Council is required to participate in. Council acts as either a primary signatory or non-primary signatory depending on the region.

Copies of the proposed agreements are attached.

a) Primary Signatory Triennial Agreements

The majority of the Taupō district comes under the jurisdiction of the Bay of Plenty and Waikato Regions. Taupō District Council is a primary signatory on the Triennial Agreements of both of these regions and will have full participation in the Triennial Agreement processes.

**Bay of Plenty**

The Bay of Plenty Triennial Agreement 2019-2022 is based on the 2016-2019 Agreement with one minor change to membership. After one triennium, South Waikato District Council has resigned its membership as a party to the BOP Triennial Agreement and on this basis has been removed from the proposed Triennial Agreement. A further review of the Agreement and administrative responsibilities may be undertaken in 2020 on the direction of the members.

At the Bay of Plenty triennial meeting on 15 November 2019 the Mayors/Chairman endorsed the Agreement.

**Waikato**

The Waikato Triennial Agreement has undergone minor amendments including expanding the purpose section to detail out the relevant legislative provisions of s15 of the LGA. A 2017 review of regional collaboration identified potential priorities for improved communication, collaboration, coordination and shared services across local government in the Waikato. This realisation has been reflected in further minor amendments such as the deletion of paragraph 2 under the Principles section, as other paragraphs in the section also emphasise the need for collaboration; along with an insertion of paragraph 6 under the Communication and Coordination Protocols section.

The Waikato Mayoral Forum has endorsed this Agreement with its minor amendments.

b) Non-Primary Signatory Triennial Agreements

Only a small area of the Taupō district comes under the jurisdiction of the Horizons and Hawkes Bay regions. Taupō District Council is considered a non-primary signatory on these Triennial Agreements, meaning that Council need only be involved with the agreement when an area under its jurisdiction is affected.

**Horizons**

The content and layout of the Horizons Triennial 2019-22 Agreement remains unchanged as from the last triennium. The only noteworthy amendment is the inclusion of a Climate Change Memorandum of Understanding (MoU) that has been signed and adopted by the primary signatory councils. Taupo District Council is not a signatory to this memorandum.

In keeping with the terms of the MoU, one key regional focus area for this triennium will be to develop a region-wide climate change response action plan.

**DISCUSSION/OPTIONS**

Council can either adopt the Agreements, make amendments, or not. The proposed amendments to the Agreements are to ensure compliance with the changes to section 15 of the LGA and are only considered minor and in line with the intent of the Agreements.

If Council chooses not to adopt the Triennial Agreements, it will not be meeting its legal obligations under section 15 of the LGA.

If Council also chooses to make any amendments the affected Agreement would need to be taken back to the Triennial Meeting for approval by all local authorities before it could be adopted and signed. This would make it difficult to meet the 1 March deadline and would likely receive criticism from the other councils.

It is recommended that Council adopt the 2019-2022 Triennial Agreements.

**CONSIDERATIONS**

**Financial Considerations**

There are no financial implications associated with this decision.

**Legal Considerations**

Section 15 of the LGA sets out the minimum requirements for triennial agreements and was replaced in August 2014. The Triennial Agreement for the period 2019 to 2022 will be the second to be formed in accordance with the updated requirements of section 15. The requirements for triennial agreements include:

- i. Not later than 1 March after each triennial general election of members, all local authorities within each region must enter into an agreement which complies with section 15 of the LGA for the period until the next triennial general election of members.
- ii. Each agreement must include:
  - a. Protocols for communication and coordination among local authorities,
  - b. A statement of the process for consultation on proposals for new regional council activities, and
  - c. A protocol and process in regard to funding facilities and services of significance to more than one district.
- iii. Each agreement may include joint committee information including terms of reference.
- iv. All local authorities within each region may agree to amendments to the protocols.
- v. An agreement remains in force until replaced by another agreement.
- vi. Each agreement must include a process to be followed if a decision of a local authority is or is expected to have consequences that will be significantly inconsistent with the agreement. The process includes the local authority identifying the inconsistency, the reason for the inconsistency, and any intention for the local authority to seek an amendment to the agreement. There are also notice provisions that must be included in the agreement.

### **Policy Implications**

There are no policy implications associated with this paper.

### **Risks**

There is a risk if Council chooses not to adopt the triennial agreements of not meeting their legal obligations under the LGA. If Council chooses to make any amendments, it would make it difficult to meet the deadline of 1 March and Council is likely to receive some criticism from the other councils.

### **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.

### **COMMUNICATION/MEDIA**

No communication/media is required.

### **CONCLUSION**

The proposed amendments to the Triennial Agreements are to ensure compliance with the changes to section 15 of the LGA and are only considered minor and in line with the intent of the agreements.

It is recommended that Council adopt the 2019-2022 Triennial Agreements.

**ATTACHMENTS**

1. Draft Bay of Plenty Triennial Agreement
2. Draft Waikato Triennial Agreement
3. Draft Horizons Triennial Agreements

**5.7 MAYORAL DELEGATION TO CHINA AND JAPAN, MAY 2020**

**Author:** Jessica Simpson, Economic Relationship Manager

**Authorised by:** John Ridd, Head of Economic Development and Business Transformation

**PURPOSE**

For Council to resolve to send a Mayoral delegation to Suzhou to deliver the reciprocal 10<sup>th</sup> Anniversary gift to the Mayor, attend the Shaoxing International Friendship Cities Conference in Shaoxing, attend the New Zealand China Mayoral Forum 2020 hosted by LGNZ in Chengdu and visit our sister city in Hakone, Japan to belatedly celebrate the 30<sup>th</sup> year of our sister city relationship.

**EXECUTIVE SUMMARY**

LGZ and the Chinese People's Association for Friendship with Foreign Countries (CPAFFC), put expressions of interest out for the New Zealand China Mayoral Forum 2020 in 2019. The theme for the conference is "Sustainable Economic Future" and an opportunity to discuss environmental protection as well as educational co-operation. A delegation from Taupō attended this biannual event in 2016 in China and again in Wellington in late 2018. This year's event will be held from the 18-20 May in Chengdu, in the Sichuan province.

Taupō and Suzhou have enjoyed a sister city relationship since 2008. We have attended a Mayoral forum in China as the guest of the Mayor, had cultural exchanges and celebrated the ten-year anniversary of this relationship in 2018 with the Taupō Winter Festival events. Suzhou presented Taupō with a gift of a stone archway and the Suzhou Museum exhibited a priceless artefact exhibition at the Taupō museum in August 2018. To honour the relationship and reciprocate with a return exhibition and anniversary gift, planning and investment is required.

As indicated in the paper to councillors in 2018, when approving the initial acceptance of the gift and the unbudgeted expenditure for the archway installation, a reciprocal exhibition and anniversary gift to Suzhou is an investment in the relationship with Suzhou. It provides an opportunity for the Taupō Museum and artists from Ngāti Tūwharetoa to foster international relations and deliver a world class cultural exhibition on an international stage. The return exhibition is currently in the planning stages with a group of Ngati Tuwharetoa artists and the Suzhou Museum. (this has been budgeted for)

In late 2019 we received an invitation from the Foreign Affairs office of the Shaoxing Municipal Peoples Government to attend the 3<sup>rd</sup> Shaoxing International Friendship Cities Conference 27-29 May 2020. At this conference in 2016, Mayor Trewavas signed the 1000 Tourist Agreement and confirmed the opening of the No1 China Restaurant in Taupō. There is significant interest from the Shaoxing Business Association in educational cooperation between the two cities and will be an opportunity to have several of the principals of local schools attend this part of the trip to meet with their counterparts in Shaoxing.

In 2018, our relationship with Hakone reached its 30<sup>th</sup> year. While we did not send a delegation to Japan at that stage, this is a great opportunity to reignite the relationship and celebrate the milestone.

**RECOMMENDATION(S)**

1. That Council approves a Mayoral delegation to visit China and Japan for the purpose of attending the 3<sup>rd</sup> Shaoxing International Friendship Cities Conference; the New Zealand China Mayoral Forum 2020 in Chengdu; and Hakone City, Japan.
2. Council approves the attendance of His Worship the Mayor and Councillors \_\_\_\_\_, \_\_\_\_\_.

**BACKGROUND**

The proposal has not been presented previously.

In previous trienniums, the sister city and international relationships have not been considered a priority for Council. As we move forward with our international ties becoming stronger through exports and tourism, it is becoming increasingly important to have good relationships that we can leverage from.

In April 2015, a Mayoral delegation visited China, Suzhou and Shaoxing, to explore business and cultural exchange opportunities. Over the years, we have enjoyed a warm friendship with our sister city, with several visits from various entities from Suzhou, culminating in the celebrations here in Taupō in 2018 of the 10<sup>th</sup> anniversary of the sister city relationship.

To ensure the ongoing relationship and the long-term economic and cultural benefits, including the success of the outgoing Ngati Tuwharetoa exhibition Ko Taupō Te Moana to Suzhou in April 2021, a delegation will be required to visit Suzhou this year to deliver our reciprocal 10<sup>th</sup> Anniversary gift.

## DISCUSSION

Sisters Cities are an important part of any regional growth plan, not only for the economic outcomes, but in our evolving society to strengthen ties and reciprocal learning to promote a truly global culture of inclusion. Continuity of contact and time spent establishing trust and building personal relationships is vital to maximising the long-term economic benefits from our sister city relationships. Diversity strengthens our community and is important now more than ever.

The Sister Cities concept is unique: It is two-way; the give and take is shared by both sides; it provides for planned and continuous contact between the cities involved and their citizens; it brings together both municipalities' volunteer resources at the local level; it offers a mechanism at the community level for anyone or organisation to become involved in international relations.

The establishment of sister city and friendship city relations stimulates interaction between people of different countries and cultures on a people-to-people basis. The aim is to foster international understanding and friendship, to encourage exchange of education, culture and sport, and to promote, where possible, tourism and trade. These concepts are globally recognised as a catalyst for economic growth.

The tangible benefits we have seen so far from our sister city relationships have been:

- Digital and print media exchanges, Chinese Language Week and Chinese New Year celebrations in Taupō
- A Chinese restaurant in Taupō
- Turangi delegation exchanges and school exchanges with Kitishiobara in Japan
- A business trade delegation in 2015
- Graffiato hosting an art professor from Suzhou, completing a wall in the CBD
- Multiple inbound delegations
- 1000 High Net Worth Tourists agreement with Shaoxing
- Inbound Suzhou Museum exhibition
- 10<sup>th</sup> Anniversary Sculpture/Carving gift exchange and various cultural events.
- International education opportunities for local schools including student exchange

The gift itself will be commissioned specifically for this purpose by a local Ngati Tuwharetoa artist.

In China, a fundamental dynamic exists called Guanxi (*guanshee*). This describes the personalized social networks of power (which can be best described as the relationships individuals cultivate with other individuals) and is a crucial system of belief in Chinese culture.

Guanxi plays an essential role within the Confucian doctrine, which sees the individual as part of a community and a set of family, in hierarchical and friendly relationships. There is a focus on tacit mutual commitments, reciprocity, and trust, which are the grounds of guanxi and guanxi networks and a moral obligation to maintain a relationship, and the idea of "face" which refers to social status, propriety, prestige, or a combination of all three.

From the Western point of view, trust is treated as shared unwavering quality, constancy, and correspondence. Instead, from the Eastern point of view, trust is additionally synonymous with obligation, where guanxi is required to be kept up through persistent long-haul affiliation and connection. To maintain our relationship with Suzhou, it is imperative that we display guanxi to preserve our mana in the reciprocal relationship to ensure that we continue the warm and genuine relations.

It is important that a senior member of our Council deliver the gift to their counterparts in Suzhou.

Based on this information it is considered that there are 2 options.

**OPTIONS**

Analysis of Options

Option 1. Resolve to send a Mayoral delegation China and Japan.

| Advantages  | Disadvantages  |
|---|--|
| <ul style="list-style-type: none"> <li>Reciprocate with a gift to acknowledge and celebrate our ten-year anniversary with Suzhou.</li> <li>Strengthen the relationship with Suzhou, Shaoxing and Hakone</li> <li>Guarantee the welcome of the Ko Taupō Te Moana exhibition in 2021.</li> <li>Participate in the LGNZ NZ China Mayoral Forum.</li> </ul> | <ul style="list-style-type: none"> <li>None</li> </ul> |

Option 2. Resolve to not send a Mayoral delegation to China and Japan.

| Advantages   | Disadvantages  |
|--|--|
| <ul style="list-style-type: none"> <li>Cost saving.</li> </ul> | <ul style="list-style-type: none"> <li>Lose 'guanxi' (guanshee) or face with our sister city by not acknowledging the relationship anniversary in a formal way.</li> <li>Cannot guarantee the welcome of the Ko Taupō Te Moana exhibition in Suzhou.</li> <li>The relationship with Hakone will be further damaged.</li> <li>Potential loss of opportunity for professional development for the museum and project staff.</li> </ul> |

Analysis Conclusion:

The preferred option is 1. Resolve to send a Mayoral delegation to China and Japan.

**CONSIDERATIONS**

**Alignment with Council's Vision**

Council's vision is 'to be the most prosperous and liveable district in the North Island by 2022'. This is accompanied by a core set of values to underpin decision-making, the following of which are relevant to this proposal: World Class; Authentic; Vibrant.

**Financial Considerations**

The financial impact of the proposal is estimated to be \$20,000.

\$5000.00 for the commissioned gift for the exchange in Suzhou.

\$15,000.00 budgeted for travel, accommodation, translation services and sundries (eg. Visas) for the delegation. This is an approximate cost only as our expectation that most of the on-ground expenses, accommodation, meals etc will be covered by our hosts.

Long-term Plan/Annual Plan

The expenditure outlined is currently budgeted for under the Sister Cities projects in the Long-Term Plan.

## 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. That section of the Act states that the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. It is considered that social, economic and cultural well-beings are of relevance to this particular matter.

## Policy Implications

The proposal has been evaluated against the following plans:

- Long Term Plan 2018-2028     Annual Plan     Waikato Regional Plan  
 Taupō District Plan             Bylaws             Relevant Management Plan(s)

There are no known policy implications.

## Māori Engagement

Council is bound by various Acts to consult and/or engage with Māori, including a duty to act reasonably and in good faith as a Te Tiriti o Waitangi partner. Equally, Council has a responsibility to develop and proactively foster positive relationships with Māori as key stakeholders in our district, and to give effect to the principles of Te Tiriti o Waitangi including (but not limited to) the protection of Māori rights and their rangatiratanga over tāonga. While we recognise Māori in general, we also need to work side by side with the three ahi kaa / resident iwi of our district.

Although good faith does not necessarily require consultation, it is a mechanism for Council to demonstrate its existence and commitment to working together as district partners. Appropriately, the report author acknowledges that they have considered the above obligations including the need to seek advice, guidance, feedback and/or involvement of Māori on the proposed recommendation/s, objective/s, project/s or service/s outlined within this report.

## Risks

There are no known risks.

## 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 deciding.

## COMMUNICATION/MEDIA

No communication/media required.



**CONCLUSION**

When the formal process of sister cities became official in 1947, after World War II, it was intended that sister cities would lead to global friendships and allied nations who could aid one another in times of crisis. Over time though, this has extended significantly. Today, sister cities are paired to forge relationships which outlast military or political ties (or have little to do with politics at all), more so focusing on having a stronger impact on a cultural level, encouraging peace, trust and understanding and knowledge.

Sister Cities programmes foster communications across borders – a mutual exchange of ideas, people and materials in cultural, educational, youth, sports, municipal, professional and technical projects.

**ATTACHMENTS**

Nil

**5.8 ADOPTION OF REPORT ON DOG CONTROL POLICY AND PRACTICES**

**Author:** Ross McDonald, Compliance Team Leader

**Authorised by:** Brian Fox, Head of Regulatory and Risk

**PURPOSE**

To adopt the 2018/19 report on the administration of Taupō District Council's Dog Control Policy and its dog control practices.

**DISCUSSION**

Section 10A of the Dog Control Act 1996 requires the Council, in respect of each financial year, to report on the administration of:

1. its dog control policy adopted under section 10 of the Act; and
2. its dog control practices.

**CONCLUSION**

The report for the 2018/19 financial year is attached for adoption, following which public notice of the report will be given, and a copy sent to the Secretary for Local Government.

**RECOMMENDATION(S)**

That Council adopts the Annual Dog Control Report 2018/19 [A2622637].

**ATTACHMENTS**

1. Taupo District Council Annual Dog Control Report 2018/19 [A2622637]

**5.9 LOCAL DECLARATION OF STATE OF EMERGENCY OR NOTICE OF TRANSITION INTO RECOVERY - APPOINTMENT OF DESIGNATED ELECTED MEMBERS**

**Author:** Brian Fox, Head of Regulatory and Risk

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

**PURPOSE**

This report is to obtain Council's approval on who has authorisation to make a local declaration of state of emergency and/or give notice of transition into recover, if the Mayor is not available.

**EXECUTIVE SUMMARY**

The formal appointment of the Deputy Mayor and the Chairperson of the Emergency Management Committee will ensure that in the Mayor's absence or unavailability, Council can make a local declaration of state of emergency and/or give notice of transition into recovery

**RECOMMENDATION(S)**

That Council approves firstly the Deputy Mayor and secondly the Chairperson of the Emergency Management Committee as the designated elected members who can make a local declaration of state of emergency and/or give notice of transition into recovery in the Mayor's absence or unavailability.

**BACKGROUND**

The proposal has not been presented previously.

It has been generally accepted that the Deputy Mayor can give a local declaration of state of emergency and/or notice of transition into recovery in the Mayor's absence.

The Waikato Emergency Management Group Plan, states that each territorial authority must designate who, in the Mayor's absence, can make a local declaration of state of emergency and/or give notice of transition into recovery.

Council does not have this in place at the present time.

**DISCUSSION**

During times of Council requiring a local declaration of state of emergency and/or notice of transition period and the Mayor is not contactable or able to physically sign the document, for whatever reason, two designated alternatives would be required to ensure Council can still undertake these tasks.

The Mayor has indicated that the following councillors should be considered by Council to make a local declaration of state of emergency and or notice of transition period in his absence.

First alternative – Deputy Mayor

Second alternative - Chairperson of the Emergency Management Committee

Appropriate training will be provided on the declaration process and notice of transition period to ensure they are skilled and confident in this role if called upon to exercise it.

**OPTIONS**

These appointments will formalise what has been accepted practice previously.

**CONSIDERATIONS****Alignment with Council's Vision**

Council's vision is 'to be the most prosperous and liveable district in the North Island by 2022'. This is accompanied by a core set of values to underpin decision-making, the following of which are relevant to this particular proposal: Resilient

## Financial Considerations

The financial impact of the proposal is estimated to be Nil.

## 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. That section of the Act states that the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. It is considered that social, environmental and cultural well-being are of relevance to this particular matter.

The proposal has been evaluated with regards to a range of legislation. The key legislation applicable to the proposal has been reviewed and the relevant matters for consideration are as follows:

Civil Defence and Emergency Management Act 2002, section 25(5) allows for the appointment of the Mayor or a designated elected member of the territorial authority in the absence of the Mayor to make local declarations within all or part of a territorial authority area. Section 25 (1) (b) is the applicable section in relation to notice of transition period.

## Policy Implications

There are no known policy implications.

## Māori Engagement

Council is bound by various Acts to consult and/or engage with Māori, including a duty to act reasonably and in good faith as a Te Tiriti ō Waitangi partner. Equally, Council has a responsibility to develop and proactively foster positive relationships with Māori as key stakeholders in our district, and to give effect to the principles of Te Tiriti ō Waitangi including (but not limited to) the protection of Māori rights and their rangatiratanga over tāonga. While we recognise Māori in general, we also need to work side by side with the three ahi kaa / resident iwi of our district.

Although good faith does not necessarily require consultation, it is a mechanism for Council to demonstrate its existence and commitment to working together as district partners. Appropriately, the report author acknowledges that they have considered the above obligations including the need to seek advice, guidance, feedback and/or involvement of Māori on the proposed recommendation/s, objective/s, project/s or service/s outlined within this report.

## Risks

There are no known risks.

## 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.

**COMMUNICATION/MEDIA**

Waikato Civil Defence Group will be advised of the appointments.

**CONCLUSION**

It is recommended that Council formally designate, in the absence of the Mayor, two elected members to make a local declaration of state of emergency and/or give notice of transition into recovery

**ATTACHMENTS**

Nil

**5.10 ADOPTION OF CODE OF CONDUCT FOR THE 2019-2022 TRIENNIUM**

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

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

**PURPOSE**

The purpose of this report is to formally review Council's existing Code of Conduct and either amend or re-adopt it for the 2019-2022 triennium.

**EXECUTIVE SUMMARY**

Schedule 7 of the Local Government Act 2002 requires each local authority to adopt a Code of Conduct. Once adopted, all elected members are required to comply with the code. The code of conduct provides guidance on the standards of behaviour that is expected from the Mayor and elected members of Taupō District Council.

At least 75% of the members present must adopt this replacement code (and any necessary amendments).

**RECOMMENDATION(S)**

1. That Council adopts the Code of Conduct for the 2019-2022 triennium [A2621954] and notes that all members will be required to sign the declaration on page 22 of the Code.
2. That Council notes that the Code of Conduct will also apply to community members and appointed or co-opted members to Council committees.

**BACKGROUND**

The proposal has been presented to Council at a workshop on 10 December 2019.

The attached draft Code of Conduct is based on the 2019 LGNZ Code of Conduct template and as a result there are a number of changes to the previous Code of Conduct which was adopted for the 2016-2019 triennium.

The Code provides guidance on the standard of behaviour expected of all elected members (mayor, councillors and community board members), and includes appointed or co-opted members.

It applies when members have dealings with;

- each other
- the chief executive
- all staff employed by the chief executive
- the media
- the general public

It also highlights the importance of achieving 'good local government', effective and inclusive decision-making, strengthened community credibility and a culture of trust and mutual respect within the local authority.

**DISCUSSION**

The new Code includes a range of changes which include: -

- The ability of Mayors to address minor and frivolous complaints by making an initial assessment of complaints that they are not involved in (Clause 12.1)
- Addition of a section on social media (Clause 6)
- Removal under the roles and responsibilities of the descriptive for Mayor and Deputy Mayor (Clauses 4.2 & 4.3)

- Changes to the wording in relation to Confidential information (Clause 7.1) and information received in the capacity as an elected member (Clause 7.2)

A further decision that Council will need to make relates to the inclusion or not of a clause that relates to undischarged bankrupts (Clause 10.1 & LGA Schedule 7, Clause 15(5)).

The Code of Conduct should be read in conjunction with, and does not replace, the obligations set out in the Local Government Act, the Local Government Official Information and Meetings Act 1987, any other relevant Acts and Council Standing Orders.

Council must have a Code of Conduct. Note that, in order to amend the Code, 75% of the members present must vote in support of this replacement Code.

All members will need to sign the declaration on page 22 of the Code.

Based on this information it is considered that there are two options.

## **OPTIONS**

It is mandatory for Council to have an adopted Code of Conduct; the decision is whether to adopt an amended Code of Conduct or not

## **CONSIDERATIONS**

### **Alignment with Council's Vision**

Council's vision is 'to be the most prosperous and liveable district in the North Island by 2022'. This is accompanied by a core set of values to underpin decision-making, the following of which are relevant to this particular proposal: World Class

### **Financial Considerations**

The financial impact of the proposal is estimated to be nil.

### **Legal Considerations**

#### Local Government Act 2002

The Code is required by Section 40 and Section 15 of Schedule 7 of the Local Government Act 2002. At least 75% of the members present must adopt or amend the Code. The Code of Conduct cannot be revoked without replacement.

### **Policy Implications**

There are no known policy implications.

### **Māori Engagement**

Council is bound by various Acts to consult and/or engage with Māori, including a duty to act reasonably and in good faith as a Te Tiriti o Waitangi partner. Equally, Council has a responsibility to develop and proactively foster positive relationships with Māori as key stakeholders in our district, and to give effect to the principles of Te Tiriti o Waitangi including (but not limited to) the protection of Māori rights and their rangatiratanga over tāonga. While we recognise Māori in general, we also need to work side by side with the three ahi kaa / resident iwi of our district.

Although good faith does not necessarily require consultation, it is a mechanism for Council to demonstrate its existence and commitment to working together as district partners. Appropriately, the report author acknowledges that they have considered the above obligations including the need to seek advice, guidance, feedback and/or involvement of Māori on the proposed recommendation/s, objective/s, project/s or service/s outlined within this report.

### **Risks**

There are no known risks.

**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.

**COMMUNICATION/MEDIA**

No communication/media is required.

The adopted Code of Conduct will be displayed on the Taupō District Council Website.

**CONCLUSION**

Under the Local Government Act 2002, Council must have a Code of Conduct which should be reviewed at the beginning of each triennium and either amend or re-adopt.

**ATTACHMENTS**

1. Code of Conduct 2019-2022 Triennium [A2621954]



**5.11 COUNCIL ENGAGEMENTS FEBRUARY 2020 AND CONFERENCE OPPORTUNITIES**

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

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

**Engagements**

| ENGAGEMENT  | DAY       | DATE   | TIME         |
|---|-----------|--------|--------------|
| Turangi/Tongariro Community Board meeting (Boardroom, Turangi Service Centre)   | Wednesday | 5 Feb  | 1pm-4pm      |
| Emergency Management Committee meeting (Council Chamber)                        | Monday    | 10 Feb | 11am-1pm     |
| Mangakino/Pouakani Representative Group meeting (Mangakino Service Centre)      | Tuesday   | 11 Feb | 10am-noon    |
| Taupō Airport Authority Committee meeting (Taupō Airport, ANZAC Memorial Drive) | Monday    | 17 Feb | 10.30am-noon |
| Performance Monitoring Group meeting (closed) (Council Chamber)                 | Tuesday   | 18 Feb | 1pm-2pm      |
| Public forum (Council Chamber)  | Tuesday   | 25 Feb | 12.30pm-1pm  |
| Council meeting (Council Chamber)   | Tuesday   | 25 Feb | 1pm-4pm      |

**Conference and Professional Development Opportunities**

To approve, either prior or retrospectively, elected member attendance at conferences and professional development courses.

Council may wish to enrol a number of councillors on the *Making Good Decisions* foundation course, to enable them to become accredited to make decisions on applications lodged under the Resource Management Act 1991. The foundation course costs \$2198.00 and is administered by Opus on behalf of the Ministry for the Environment.

For further information visit <https://training.opuseducation.co.nz/upcoming-courses>

Dates and locations for *Making Good Decisions* foundation course 2020 are as follows:

- 1 Tuesday, 10 Mar 2020 9:00 AM – 11 Mar 2020 5:00 PM  
Auckland
- 2 Tuesday, 7 Apr 2020 9:00 AM – 8 Apr 2020 5:00 PM  
Wellington
- 3 Tuesday, 21 Apr 2020 9:00 AM – 22 Apr 2020 5:00 PM  
Christchurch
- 4 Wednesday, 20 May 2020 9:00 AM – 21 May 2020 5:00 PM  
Dunedin

**RECOMMENDATION(S)**

1. That Council receives the information relating to engagements for February 2020.
2. That Council approves the attendance of Cr(s) \_\_\_\_\_ on the *Making Good Decisions* foundation course.

**ATTACHMENTS**

Nil

**5.12 MEMBERS' REPORTS**

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

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

**PURPOSE**

This item permits members to provide any updates relating to their particular portfolios and report on recent meetings/functions/conferences they have attended as Council's representative. Portfolios are as follows:

- Economic and Business – Deputy Mayor Christine Rankin and Cr Kathy Guy
- Sport and Recreation – Cr Kevin Taylor
- Youth – Cr Anna Park
- Older Persons – Cr John Boddy
- Arts & Culture – Cr Yvonne Westerman
- Environment – Crs John Mack and John Williamson
- Mangakino – Cr Kirsty Trueman
- Community Safety – Crs Tangonui Kingi and Kevin Taylor
- International Relations – Cr Anna Park

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

## 6 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  |
|---|---|---|
| <b>Agenda Item No: 6.1</b><br>Appointment of External Representatives to Council Committees | Section 7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons   | 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 |
| <b>Agenda Item No: 6.2</b><br>Potential Purchase of 71 Rangatira Drive, Mangakino           | Section 7(2)(h) - the withholding of the information is necessary to enable [the Council] to carry out, without prejudice or disadvantage, commercial activities<br><br>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) | 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 |
| <b>Agenda Item No: 6.3</b><br>Cypress Capital Limited - Appeal to the Environment Court     | Section 7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege  | 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 |

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]*.