

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

<b>Date:</b>	<b>Tuesday, 25 February 2020</b>
<b>Time:</b>	<b>1.00pm</b>
<b>Location:</b>	<b>Council Chamber 107 Heuheu Street 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

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**3.1 ORDINARY COUNCIL MEETING - 30 JANUARY 2020**

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

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

**RECOMMENDATION(S)**

That the minutes of the Council meeting held on Thursday 30 January 2020 be confirmed as a true and correct record.

**ATTACHMENTS**

1. Council Meeting Minutes - 30 January 2020 [↗](#)

**4.1 ORDINARY TURANGI/TONGARIRO COMMUNITY BOARD MEETING - 5 FEBRUARY 2020**

**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 Wednesday 5 February 2020.

**ATTACHMENTS**

1. Turangi/Tongariro Community Board Meeting Minutes - 5 February 2020 [🔗](#)

**4.2 ORDINARY MANGAKINO/POUAKANI REPRESENTATIVE GROUP MEETING - 11 FEBRUARY 2020**

**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 Mangakino/Pouakani Representative Group meeting held on Tuesday 11 February 2020.

**ATTACHMENTS**

1. **Mangakino/Pouakani Representative Group Meeting Minutes - 11 February 2020** [↗](#)

**5.1 DELEGATION OF AUTHORITY TO CHIEF EXECUTIVE AND MAYOR FOR ACCEPTANCE OF TENDER CONTRACT TDC/1819/272 MIRO STREET, TAUPŌ REHABILITATION**

**Author:** Bryan Ferguson, Senior Engineering Officer - Transportation Operations

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

**PURPOSE**

To delegate authority to the Chief Executive and Mayor to award the tender for Contract TDC/1819/272 Miro Street, Taupō Rehabilitation which closed in the tender box on 21 February 2020 and is currently being evaluated by Council Engineering staff.

**EXECUTIVE SUMMARY**

Tenders for Miro Street, Taupō Rehabilitation closed on 21 February 2020 and are currently being evaluated by Council Staff. In order for the works to commence as soon as possible, allowing construction to be undertaken before the on-set of winter weather it is being recommended that Council approve delegated authority to the Chief Executive and Mayor to award the tender.

**RECOMMENDATION(S)**

That Council delegates authority to the Chief Executive and Mayor to award the Tender for Contract TDC/1819/272 for Miro Street, Taupō Rehabilitation once tender evaluation is completed 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**

The proposal has not been presented previously.

**DISCUSSION**

Miro Street located in the industrial area of Taupō was originally constructed in 1964 with a granular pavement depth of 200mm, the road length has in recent years deteriorated in condition to a point that reconstruction is necessary to provide a more economical and longer term life pavement than to continue with maintenance patching and/or resurfacing.

Investigation of the pavement and its service requirements has determined that for the traffic volumes and number of heavy vehicles it carries (Average Daily Traffic Count of 5331 vehicles per day, with 18.2% being Heavy Vehicles) the granular pavement depth is insufficient for present day requirements. This is currently evident in potholing, extensive surface cracking and deep rutting in the wheel paths.

The design requirement is to increase the granular depth of the pavement to 420mm and surface with a 60mm layer of Asphaltic Concrete. This requires digging out the current pavement to a depth of 480mm and replacing this depth with:

- 200mm depth of aggregate salvaged from the existing pavement to act as a subbase layer over in-situ pumice
- 50mm depth of additional subbase aggregate sourced locally
- 170mm depth of new Basecourse aggregate to NZTA specified requirements
- A membrane chip seal followed by 60mm of Asphaltic Concrete Surfacing

While the full length of Miro Street does require rehabilitation in this manner this contract will focus on the length of current greatest need between property no's 31 to 86 Miro Street (442m length, mid-block) with a view of letting a further contract in the 2021/22 financial year as further rehabilitation funding comes available.

Other works included in this current contract are:

- Geometric improvement to the carriageway cross-fall in the location of the Matai Street intersection to remove the current negative chamber thus reducing localised stress on the pavement
- Renewal of sections of broken kerb and channel

As the works will have a large impact on both motorists and businesses in the Miro Street area tenders are being evaluated heavily on the Contractors proposed methodology with the view that much of the work will be undertaken outside of normal business hours to minimise disruption i.e. during the night.

Council's Communications team have put together a communication plan, with businesses in the surrounding area already advised of the pending works explaining the need for it. Further communication with effected parties will be on going leading up to commencement of work and throughout construction.

A critical factor in completing the contract with expediency will be the weather, a start on the work immediately following the Ironman event of which Miro Street is utilised in the cycle leg is the ideal to ensure better weather conditions are experienced. Therefore, it is essential that the tender is let as soon as possible with this report requesting that the Chief executive and Mayor be delegated authority to award the tender rather than waiting until the 31 March Council meeting.

### **TENDERS RECEIVED**

Tender documents were issued for a proposed contract on 31 January 2020. Tenders closed on 21 February 2020.

The number of tenders received, or prices is unknown at the time of preparing this report.

The project was estimated at \$920,765.

### **TENDER EVALUATION**

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

Attributes considered are:

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

### **OPTIONS**

Chief Executive/Mayor delegation may choose to accept the preferred tender or not. If the tender is not accepted extensive maintenance works will be required to ensure that Miro Street remains in a serviceable state over the winter months and is in an acceptable condition for the World Half Ironman Competition in November 2020.

### **CONSIDERATIONS**

#### **Financial Considerations**

The financial impact of the proposal is estimated to be \$920,765.

#### Long-term Plan/Annual Plan

The expenditure outlined is currently budgeted for under the 2019/20 Transportation programme.

#### **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 well-being is of relevance to this particular matter.

Authorisations are not required from external parties.

### **Policy Implications**

There are no known policy implications.

### **Risks**

The greatest risk is engaging a Contractor that fails to understand the requirements of the Contract in terms of maintaining or arranging alternative access to businesses affected by the works and these businesses seek compensation from Council. Tender evaluation will focus heavily on methodology and how this is proposed to be managed.

Wet weather could delay the work making it essential that the contract be let at the earliest convenience in order to have work completed before the late autumn months.

Traffic Management is a risk that will be managed through best practices by implementing an approved traffic management plan.

### **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 and wider communication will be carried out with the community.

### **CONCLUSION**

The rehabilitation of the proposed length of Miro Street in the Industrial area of Taupō is an essential Transportation project for the 2019/20 financial year in that should it not proceed extensive and costly maintenance works will be required to provide serviceability of Miro Street through the winter months.

Investigation and design works have determined that the only economical method of repair is to replace the present pavement depth with one of greater depth to provide the required strength to cope with present day traffic loadings.

It is essential that the contract tender be let at the earliest convenience to enable the works to be completed prior to the onset of winter weather hence the requirement for delegated authority to award the tender be given to the Chief Executive and Mayor.

### **ATTACHMENTS**

Nil



**5.2 CONTRACT TDC/1920/311 - MANGAKINO SEWER RELINING 2020-21**

**Author:** Michael Cordell, Asset Manager Water and Waste

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

**PURPOSE**

The purpose of this project is to seek Council approval to award a contract for the Mangakino Sewer Relining project.

**EXECUTIVE SUMMARY**

Sewer cleaning and CCTV condition assessment of the entire sewer network in Mangakino (approximately 18.5 kilometres) was undertaken in 2015/16 due to known problems with highly degraded and broken pipework, a history of sewer blockages, high infiltration and exfiltration rates causing operational problems at the wastewater treatment plant, and leaching of effluent to the environment.

The renewal plan was put in place and the first stage of relining was completed in 2018. This project is the second and final stage of the major network renewals for Mangakino. There will also be some future work related large septic tanks within the Mangakino reticulation.

A registration of interest (ROI) process was undertaken to shortlist three companies to tender for a contract to carry out relining of the sewer lines in Mangakino. Tenders for the Contract TDC/1920/311 for the Mangakino Sewer Relining project closed on 7 February 2020 and three tenders were received.

The highest scoring tenderer is Interflow (NZ) Limited.

**RECOMMENDATION(S)**

That Council accepts the Tender for Contract TDC/1920/311 for Mangakino Sewer Relining submitted by Interflow (NZ) Limited for the sum of \$1,603,955.84 [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**

The Mangakino Township was established in the late 1940's as a Ministry of Works village to house construction workers and their families, employed on hydro-electricity schemes on the Waikato River.

It was intended that the village should be dismantled at the completion of the construction and therefore much of the infrastructure in the town was constructed with a short lifespan in mind. The layout of the sewer mains was not designed to be serviceable being temporary so many of the sewer mains run through sections and under properties with the bulk of the pipework in the town being earthenware.

There has been a history of sewer blockages, high infiltration and exfiltration rates causing operational problems at the wastewater treatment plant, and risk of leaching of effluent to the environment.

CCTV condition assessments carried out on the whole town showed that 60% of the network was in dire need of renewal within the next 1-5 years.

A two-stage renewal plan was developed with the first stage being completed in 2018. This project is the second and final stage of the major network renewals for Mangakino. There will also be some future work related large septic tanks within the Mangakino reticulation.

Approximately 6km of pipe and associated manholes are being relined and refurbished as required.

**TENDERS RECEIVED**

Tenders closed on 7 February 2020 conforming tenders were received from the following organisations:

- Reline NZ

- Interflow (NZ)
- Pipeworks

Conforming tender prices ranged from \$1,681,223.28 to \$1,953,573.80.

Interflow (NZ) also submitted a non-conforming of \$1,603,955.84 Tender that sought to better optimize the project scheduling.

Each of the Tenders received include a 10% contract contingency.

The project was estimated at \$1,400,000; cost has increased due to an increase in pipe relining cost compared to previous stage of work.

## **TENDER EVALUATION**

Tenders were evaluated on a weighted attributes basis and the highest scoring Tender was from Interflow (NZ) Limited. Interflows (NZ) non-conforming Tender is the preferred Tender.

The non-conforming tender proposed changes to the installation programme. We have assessed these changes and determined that they are acceptable and can provide cost savings.

## **RECOMMENDED CONTRACT PRICE**

The Tender submitted by Interflow (NZ) Limited being \$1,603,955.84 over the 6-month contract term.

## **OPTIONS**

Council may choose to accept the preferred tender or not. If the tender is not accepted the renewal work will not be completed and the issues related to poor pipe condition will remain.

## **CONSIDERATIONS**

### **Financial Considerations**

The financial impact of the proposal is estimated to be \$1,603,955.84.

Other associated external costs related to project auditing and contract management of up to \$80,000.

#### Long-term Plan/Annual Plan

The expenditure outlined is currently budgeted for under wastewater network renewals and spread over two financial years 19/20 and 20/21.

### **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 well-being is of relevance to this particular matter.

Authorisations are not required from external parties.

### **Policy Implications**

There are no known policy implications.

### **Risks**

There is a risk that despite the extensive CCTV investigations undertaken to develop the scope of works there may be unforeseen cost that are encountered during construction. To mitigate this risk a 10% contingency is included within the contract sum.

**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 and wider communication will be carried out with the community.

A communications plan will be developed prior to commencing the works.

The project is scheduled for April to October 2020 to avoid peak holiday times and to reduce disruption.

**CONCLUSION**

The highest scoring tender has been submitted by Interflow (NZ) Limited who also submitted a non-conforming tender that included adjustment to the delivery schedule. The non-conforming tender offers a reduced cost and is acceptable.

That Council accepts the Tender for Contract TDC/1920/311 for Mangakino Sewer Relining submitted by Interflow (NZ) Limited for the sum of \$1,603,955.84 [excl. GST]

**ATTACHMENTS**

Nil

**5.3 KIDDLE DRIVE / NAPIER ROAD / ARROWSMITH AVENUE INTERSECTION**

**Author:** Bryson Huxley, Senior Engineering Officer

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

**PURPOSE**

To provide option analysis with a solution to improve the safety of all modes at Kiddle Drive / Napier Road / Arrowsmith Ave. This report will also provide high-level costs for the Short-listed options.

Council will need to consider the benefits and disadvantages of the preferred options, the costs and the timing of the delivery.

**EXECUTIVE SUMMARY**

During the previous Council meeting on 30 January 2020, a motion was passed for council to review and provide options and costs for improving safety of the intersection of Kiddle Drive / Napier Road / Arrowsmith Ave. Council has engaged an independent consultant to provide a report to assess options for safety improvements.

The consultant report identified several options with two preferred options short listed; roundabout control and signal control. Both options provide significant safety benefits to the intersection. The signal controlled intersection better improves the safety for of pedestrians and cyclists. The roundabout controlled intersection provides better safety to motor vehicles.

**RECOMMENDATION(S)**

1. That Council approves unbudgeted expenditure of \$80,000 [GST exclusive] to begin detailed design and investigation for the appropriate solution AND to put a further \$1,720,000 [GST exclusive] in the 2020/21 annual plan for the completion of the design and construction of Kiddle Drive/Napier Road/Arrowsmith Avenue intersection.
2. That council directs council staff to explore all opportunities with NZTA for co-funding of the preferred solution.

**OR**

That Council continues to plan for the implementation of the appropriate solution at Kiddle Drive / Napier Road / Arrowsmith Ave as it stands in the long term plan for 2026/27 and 2027/28.

**BACKGROUND**

The priority was changed in October 2019 so that Kiddle Drive /Arrowsmith Drive becomes the major route. This was done to improve safety at the intersection and allow a safer route for cyclist and pedestrian to cross Napier Road. Since the change there have been several vehicle crashes at the intersection. The causation of these crashes has yet to be reviewed as the full crash data is not available yet.

During the previous Council meeting on 30 January 2020, a motion was passed for council to review and provide options and costs for improving safety of the intersection of Kiddle Drive / Napier Road / Arrowsmith Ave. Council has engaged an independent consultant to provide a report to assess options for safety improvements.

**DISCUSSION**

Attached is an intersection optioneering report from our consultant which identifies through the safe system approach that a "Safe System Transformation Works" is required at this intersection. This was based off analysis before and after the priority change which identified that the current risk of the intersection as a **High Personal Risk**<sup>1</sup> and **Medium-High Collective Risk**<sup>2</sup>.

The attached report determined a long list of 6 options for this intersection;

- Option 1 – Do minimum: Reshape the road camber to make the intersection more self-explaining and to provide more speed management on approaches
- Option 2 – Roundabout: Fit a Single lane roundabout with speed management on approaches

- Option 3 – Signal Control: Reshape the road camber and install full set of traffic signals with speed management
- Option 4 – Grade Separation of pedestrians: Install a grade separated crossing for all vulnerable users.
- Option 5 – Closure of one Leg: Closure of the western end of the Napier road to create a T-Intersection
- Option 6 – Staggered T Intersection: Reshape the road camber and stagger Napier road to create two T intersections

A Multi Criteria Analysis (MCA) of the long-listed options was completed base on motorist safety, vulnerable road user safety and accessibility (Pedestrians and cyclists), cost to build, time to build, and network context and impact. Based on this information, two options were identified as providing more desirable outcomes.

**OPTIONS**

Analysis of Options

Further analysis of the two short listed options was completed and the below advantages and disadvantages were identified. The costs of each option are based on a concept level of design and further detailed design may increase this cost further. Because of this we have presented the likely costs as a range.

Option 1 – **Roundabout Control** – \$1,600,000 to \$1,800,000

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• Roundabouts are considered the safest form of intersection for motor vehicles. A single lane roundabout reduces conflict points for all users and are self-explaining.</li> </ul>	<ul style="list-style-type: none"> <li>• Cyclist crash rates at roundabouts are generally higher than other intersection forms. A single lane roundabout however does mitigate this.</li> </ul>
<ul style="list-style-type: none"> <li>• A lower operating speed compared to other intersection forms which generally reduces the severity of any crash that occurs.</li> </ul>	<ul style="list-style-type: none"> <li>• Pedestrian will be required to walk 15m -20m from the intersection on each leg to allow for a safe place to cross which could detract from uptake and use.</li> </ul>
<ul style="list-style-type: none"> <li>• Low operating costs compared to signal controlled</li> </ul>	
<ul style="list-style-type: none"> <li>• Provides a high level of service for motor vehicles and is modelled to have minimal delays both now and in future years</li> </ul>	

Note:

1. Personal Risk is the risk of death or serious injuries per 100 million vehicle kilometres travelled within 50 metres of an intersection.
2. Collective Risk is measured as the total number of fatal and serious crashes or estimated deaths and serious injuries within 50 metres of an intersection in a crash period.

Option 2 - **Signal Control** - \$1,500,000 to \$1,700,000

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>High level of service to pedestrians and cyclists where their safety will greatly improve.</li> </ul>	<ul style="list-style-type: none"> <li>High severity of crashes could occur on running a red light, especially if speed is not controlled on approaches</li> </ul>
<ul style="list-style-type: none"> <li>Signal lights provide an early cue to drivers that there is an intersection ahead</li> </ul>	<ul style="list-style-type: none"> <li>High operational costs</li> </ul>
	<ul style="list-style-type: none"> <li>Risk of signal failure which reverts intersection back to current operation and causes confusion</li> </ul>
	<ul style="list-style-type: none"> <li>'Corridor/avenue' affect could still be present. The corridor affect is where the road environment is the same on sides of the intersection causing people to not recognise an intersection ahead of them</li> </ul>

Analysis Conclusion:

Both intersection options provided overall safety benefits for the intersection.

If the priority is to connect communities and schools through creating safe walking and cycling connections along Kiddle Drive and Arrowsmith Ave, a signal controlled intersection would be more appropriate.

If the priority is to improve the safety of the intersection with providing a high level of service for motor vehicles.

**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; Quality; Resilient and Value.

**Financial Considerations**

The financial impact of the proposal is estimated to be \$1,500,000 to \$1,800,000. If Council decides to commence the project to improve the intersection, then \$80,000 would be required to begin detailed design and investigations and the balance of \$1,720,000 to be put into the 2020/21 Annual Plan for the completion of the design and construction. Currently the long term plan for 2026/27 and 2027/28 contains funding of \$2,332,000 for treatment of this intersection (excluding design costs).

**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 / environmental and / or cultural is 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:

**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**

Three main risks have been identified:

- Securing NZTA funding – At this stage it is unknown if we would be able to gain NZTA funding for design and construction. However, we are investigating all possible NZTA funding that could be available for this project
- Timing of construction and contractor availability – The construction of this project would need to consider effects on major events, which could be difficult to programme. There could be a possibility that this project could impact Iron Man November 2020. If this has the potential to happen, then the construction should be delayed to after the event.

### **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 and wider communication will be carried out with the community.

### **CONCLUSION**

From the attached report, both short listed options provide overall safety benefits for improving the safety at Kiddle Drive / Napier Road /Arrowsmith Avenue intersection.

### **ATTACHMENTS**

1. Napier Road / Kiddle Drive /Arrowsmith Avenue Intersection Optioneering Report [↗](#)

**5.4 LABORATORY AND SAMPLING SERVICES CONTRACT**

**Author:** Nicola Hancock, Senior Monitoring and Compliance Officer

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

**PURPOSE**

This report is to seek Council approval to award the contract for Laboratory and Sampling Services for a term of five years, commencing 8 June 2020.

**EXECUTIVE SUMMARY**

This contract is for the provision of laboratory testing and sampling services for three waters and solid waste for a 5-year term, with two potential two-year extensions, commencing 8 June 2020.

The existing Testing Service Agreement with MB Century expires 7 June 2020. Council will need to ensure an effective contract is in place to continue the testing service in order to meet its legislative requirements, protect public and environmental health and provide support for infrastructure project delivery.

Request for Proposals (RFP's) were issued to three service providers following a Registration of Interest (ROI) process with a closing date of 20 December 2019. These were evaluated using weighted attributes. The highest scoring proposal was that of Eurofins-ELS Ltd with a contract price of \$2,637,929.60 plus allowances of \$163,095.75 for cost escalation and \$140,051.27 for contingencies over 5 years, excluding GST.

**RECOMMENDATION(S)**

That Council accepts the Proposal for Contract TDC/1920/300 for Laboratory and Sampling Services submitted by Eurofins-ELS Ltd for the sum of \$2,941,076.57 [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**

The proposal has not been presented previously.

TDC'S Testing Services Agreement with MB Century became effective on 27 February 2013 alongside the sale of Council's environmental monitoring laboratory. The original contract term was approved for five years followed by two contract extensions, giving an ultimate contract end date of 7 June 2020.

MB Century leases the laboratory facility (located at the Taupō WWTP) from TDC and provides IANZ Accredited testing services for routine testing and a portion of sampling services.

As part of the contract renewal process, TDC has worked through several stages and work packages including:

1. Laboratory service review and gap analysis
2. Section 17a Review of laboratory services (including a Multi Criteria analysis of the best possible options for Council)
3. Development of a Procurement Plan:  
A procurement process was set up to investigate both use of a Local Authority Shared Service (LASS) approach and a more traditional market approach for the delivery of laboratory and sampling services.
4. Registration Of Interest (ROI) for the open market or a shared services approach:  
A strong response to the ROI was received which confirmed a market approach as being the best option for Council.



## 5. Request for Proposal (RFP)

RFP's were provided directly to the three top ranking participants in the ROI process November 2019. All three parties submitted strong proposals and demonstrated they could clearly work with TDC and meet the required level of service, including providing a local testing facility at the existing Taupō WWTP laboratory.

### DISCUSSION

Monitoring services undertaken under the existing Testing Services Agreement are an essential component of TDC meeting its 3 waters legislative requirements, namely, resource consent compliance and compliance with the Drinking Water Standard for New Zealand (2018). The service is also necessary to support infrastructure project delivery and monitoring components of water quality incidents, as seen recently following the Lake Terrace mains break. The need for the delivery of timely, accurate and cost-effective data is becoming more essential as the expectations in the three waters sector and in the community increase.

The current contractor undertakes all 3 waters testing and provides some field monitoring and sample collection services, mostly related to groundwater bores. The contractor operates from the Council owned building at the Taupō wastewater treatment plant. The review of laboratory services undertaken at the start of the contract renewal process revealed several key opportunities for improving the level of service in a new agreement including:

- Comprehensive field monitoring and sample collection services across 3 waters and solid waste:  
Compliance sampling is currently shared approximately 70/30 between TDC operations staff and the current contractor with solid waste sampling sub-contracted to a third party. Having all sampling undertaken by a single party provides a range of benefits, including consistency with sampling methodologies, quality assurance and health and safety. A 'one stop shop' for sampling and testing services also provides enhanced service for other areas of TDC operations (such as pool water testing) and the community, should it be requested.
- Requirement for IANZ Accredited sampling as well as testing:  
To date, IANZ Accreditation has covered laboratory testing only. The future scope of accreditation will be extended to sampling to ensure a high level of quality assurance throughout the chain of custody process (point of sample collected to reported test result).
- Expanded scope of testing services  
Large testing laboratories and their networks can provide extensive testing options and back up support if required.
- Improved reporting systems:  
Reporting of future field and test data will be largely automated and compatible with TDC's reporting software.
- A more cost-effective testing option

A range of options were explored in order to meet the desired level of service, including the use of a Local Authority Shares Service (LASS) arrangement and a more traditional market approach.

Seven ROI submissions were received and evaluated using weighted attributes in accordance with the Procurement Plan. RFP's were issued directly to the three highest scoring service providers, November 2019. The RFP and TDC vision for services was presented to all three parties December alongside a laboratory site visit. Proposals were evaluated using weighted attributes. All three parties presented their submissions to the TDC evaluation team on 16 January after which evaluation scores were finalised and financial information assessed. All three parties provided strong proposals and could clearly deliver the required level of service across 3 waters and solid waste. The recommendation for service provider is therefore based on sound analysis of options.

### PROPOSALS RECEIVED

Of the submissions received, three scored significantly higher, demonstrating their considerable experience in 3 Waters and Local Government services, a solid understanding of TDC's requirements in this area and a commitment to the Taupō District by maintaining a local presence:

- Eurofins-ELS Ltd, Lower Hutt,

- SiteCare Ltd, Taupō
- Watercare Services, Auckland

Proposal prices ranged from \$527,585.92 to \$964,008 per annum, including all scheduled routine sampling and testing costs and a provisional sum for non-routine and extra services. Prices are exclusive of lease costs which will effectively be re-invoiced to TDC.

### **PROPOSAL EVALUATION**

Proposals were evaluated on a weighted attributes basis.

The highest scoring proposal was that of Eurofins-ELS Ltd, being \$527,585.92 per annum with an inflation adjustment of 3% per annum.

### **RECOMMENDED CONTRACT PRICE**

A 5-year contract term is proposed with 2 potential 2-year extensions.

The recommended contract price is **\$2,941,076.57** which allows for a 3% per annum cost fluctuation of \$163,095.70 and a 5% per annum contingency of \$140,051.27 over the 5 year contract term.

### **OPTIONS**

Council may choose to accept the preferred tender or not. If the tender is not accepted Council will need to retender the contract for laboratory services and negotiate an extension to the existing contract with MB Century.

### **CONSIDERATIONS**

#### **Financial Considerations**

The financial impact of the proposal is estimated to be \$570,584.17 per annum or \$2,941,076.57 over the 5 year contract term, including 3% price escalation and 5% contingency and excluding GST.

The estimated cost of the existing service is \$823,636 for 2019/20, excluding Operations labour costs for compliance sampling, estimated at 1 FTE, and exclusive of swimming pool test costs which are included in the proposal.

#### Long-term Plan/Annual Plan

The expenditure outlined is currently budgeted for under the 2019/20, 2020/21 and 2021/22 budgets at the existing service fee.

#### **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 well-being is of relevance to this particular matter.

#### **Policy Implications**

There are no known policy implications.

#### **Risks**

A low risk to this proposal is that the schedule of testing may change considerably, exceeding the 5% contingency fee allocated to account for evolving monitoring requirements. The allocated contingency fee is expected to be more than adequate to account for monitoring adjustments.

### **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 the Laboratory and Sampling Services Contract is necessary to ensure compliance with relevant legislation, protect public and environmental health and provide infrastructure project support. A robust contract renewal process has been followed and completed in accordance with the approved Procurement Plan. The proposal submitted by Eurofins-ELS for the value of \$2,941,076.57 for a five-year term is the preferred option.

The existing LTP budgets across 3 waters and solid waste will cover this contract as it represents a significant cost savings on the current service delivery.

#### **ATTACHMENTS**

Nil

**5.5 LICENCE TO OCCUPY - FLY-LINE AT HIPAPATUA RESERVE**

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

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

**PURPOSE**

To finalise a decision on the licence to occupy request for the Fly-Line activity at Hipapatua Reserve.

**DISCUSSION**

An application to operate a commercial activity at Hipapatua reserve has been the subject of Council investigation for around 12 months. The application was to operate a fly-line and café at the Council owned and administered reserve next to the Waikato River. A brief outline of the process to date is given below.

- February 2019 – Council approves a 10 year LTO subject to successful resolution of a public consultation process
- April 2019 – Council confirms approval of the LTO following public consultation. 34 submissions were received, with the majority being from neighbouring properties in opposition to the proposal
- September 2019 – Following ongoing discussion with iwi, who felt excluded from the public consultation process, and negotiation of licence terms with the applicant, Council chose to table a report with the final licence terms until consultation with hapū was completed
- October/December 2019 – Formal hapū consultation was carried out with Nukuhau Marae. Hapū representatives wrote to the applicant outlining multiple concerns with the proposal.
- January 2019 – The applicant responds to Nukuhau Marae advising that they are withdrawing from proceeding with the project.
- February 2019 – Council's Senior Reserves Planner is advised of this notification from the applicant

Council has received advice from 4nature confirming the decision to cease pursuing a concession for the Fly-Line and Café activity.

In order to complete the process and tidy up any potential loose ends, Council is being asked to formally revoke previous resolutions granting the licence to occupy and to approve a new resolution declining the licence to occupy at Hipapatua Reserve.

At the Ordinary Council Meeting of 30 April 2019 the resolution TDC201904/13 was passed. Council are being asked to revoke this resolution, and to approve a new resolution declining the application for a licence to occupy at Hipapatua Reserve. The complete resolution from 30 April is included below for elected members reference.

**TDC201904/13 RESOLUTION**

Moved: Cr Barry Hickling  
 Seconded: Cr John Williamson

1. That Council, acting as the Ministers delegate, receives the recommendation from the Fences, Reserves, Roding, and Dogs Committee:

*acting as the administering body of Hipapatua Reserve, pursuant to section 54(1)(d) of the Reserves Act 1977 and subject to consent of the Minister of Conservation, approve a licence to occupy to be granted to 4nature Limited for a site at the southern end of Hipapatua/Reid's Farm for:*

- (a) The purposes of carrying out the Fly-line activity and a small café;*
- (b) A term of ten (10) years;*
- (c) The area identified in Attachment 1 to the officer's report; and*
- (d) Licence fees to be on a "commercial fair market value" basis.*

*That the Fences, Roding, Reserves & Dogs Committee recommends that Council, acting under delegated authority from the Minister of Conservation, consents to the grant of the licence to occupy to 4nature Limited on behalf of the Minister of Conservation.*

*That the Fences, Roding, Reserves & Dogs Committee, approves the tabled attachment (A2449169) for the purposes of providing Council with a summary of all objections and comments received by it and a statement as to the extent to which they have been allowed or accepted or disallowed or not accepted so that Council can make a decision on whether to consent to the licence under delegation from the Minister of Conservation.*

2. That Council, acting as the Ministers delegate, receives from the Fences, Reserves, Roding and Dogs Committee the summary of all objections and comments received on the licence proposal from 4nature NZ Ltd and a statement as to the extent to which they have been accepted or not accepted.
3. That Council pursuant to section 54 (1)(d) of the Reserves Act 1977 and to a delegation from the Minister of Conservation, consents to the granting of a licence over part of Hipapatua/Reid's Farm Reserve to 4 nature NZ Ltd for a term of 10 years for the purposes of operating a Fly-Line tourism activity and a small café, subject to negotiation of a mutually acceptable licence agreement and that the terms of the licence to occupy be referred back to Council for final approval.

**CARRIED**

Note: *When the above motion was put, a division was called, and*

*His Worship the Mayor, David Trewavas and Crs Rosie Harvey, Barry Hickling, Anna Park, Maggie Stewart, Kirsty Trueman and John Williamson voted in favour of the motion;*

*Crs John Boddy, Rosanne Jollands and Tangonui Kingi voted against the motion; and*

*Cr Christine Rankin was not present at the meeting.*

*His Worship the Mayor declared the motion carried seven votes to three.*

**CONCLUSION**

There has been widespread dissatisfaction from the neighbouring residents and multiple concerns expressed by local iwi around the activity. Given the difficulties around the proposal and the ultimate withdrawal of the proposal from the applicant, it is recommended that Council revokes previous decisions and makes a new resolution to decline the application for a Fly-Line and Café commercial activity at Hipapatua Reserve.

**RECOMMENDATION(S)**

1. That Council revokes resolution **TDC201904/13** which consents to grant a licence to occupy to 4nature Limited for 10 years for the purposes of carrying out a Fly-Line and Café activity at Hipapatua Reserve.
2. That Council declines the application from 4nature for the purposes of carrying out a Fly-Line and Café activity at Hipapatua Reserve.

**ATTACHMENTS**

Nil

**5.6 CONFIRMATION OF CIVIC BUILDING DESIGN SCOPE - CAFÉ AND BUS FACILITIES**

**Author:** Philip King, Building Project Manager

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

**PURPOSE**

To confirm that the design scope for the new council administration building will not include a café or bus facilities.

**DISCUSSION**

On 25 June 2019, Council adopted an amended Long-term Plan 2018-28. The amended Long-term Plan included \$37.5 million (plus GST) for the new council administration building at 61 and 67 Tūwharetoa Street, including two levels of underground car parking, IL4 (importance level 4) standard for the entire building and floor space for alternate uses such as a café and bus facilities.

Funding was also included for 80 in-berm car parks, which have been constructed in close proximity to the site of the new council administration building.

On 10 December 2019, Council resolved to amend the design scope for the new council administration building to include only one level of car parking. This change to the scope will lead to a saving of approximately \$5 million.

Following further consideration, Council now confirms that the council administration building will not include a café or bus facilities. While this option was available following the amendment of the Long-term Plan, it is no longer considered appropriate for the council administration building to have these two uses included within it.

This will lead to a potential reduction in the gross floor area of the building, although the scale of that reduction and any associated cost savings will need to be determined as the design process progresses.

The Transport Strategy, which Council will adopt later in 2020, will determine the most appropriate location for bus facilities.

**RECOMMENDATION**

That Council confirms that the design scope for the new council administration building will not include a café or bus facilities.

**ATTACHMENTS**

Nil

**5.7 ADOPTION OF THE 2019-22 TRIENNIAL AGREEMENT WITH HAWKE'S BAY REGIONAL COUNCIL**

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

**PURPOSE**

The purpose of this report is to adopt the Hawke's Bay Regional Council Triennial Agreement 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 agreements for three of the regions were agreed to and adopted by Council at the January 25 meeting - at that time the Hawke's Bay agreement was not ready. This report is for the adoption of Hawke's Bay Triennial Agreement. Council acts as a non-primary signatory for this 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 amendment the 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 Agreement.

**RECOMMENDATION(S)**

That Council adopts the Triennial Agreement for the Hawke's Bay 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.

A copy of the proposed agreement is attached.

a) Non-Primary Signatory Triennial Agreements

Only a small area of the Taupō district comes under the jurisdiction of the Hawke's Bay region. Taupō District Council is considered a non-primary signatory on this Triennial Agreement meaning that Council need only be involved with the agreement when an area under its jurisdiction is affected.

**Hawke's Bay**

The content and layout of the Hawke's Bay Triennial 2019-22 Agreement remains unchanged as from the last triennium. The only noteworthy amendment is the of a strategic priorities chapter that details out existing and future areas of priority cooperation. There has also been an increase in the frequency of mayoral meetings from quarterly to monthly; and review of the Triennial Agreement from annually to quarterly – although these meetings are principally for Mayors from the primary signatory councils.

## DISCUSSION/OPTIONS

Council can either adopt the Agreement, make amendments, or not. The proposed amendment to the Agreement is 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 Agreement, it will not be meeting its legal obligations under section 15 of the LGA.

If Council also chooses to make any amendments, the 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 Hawke's Bay 2019-2022 Triennial Agreement.

## 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 Agreement.

#### **ATTACHMENTS**

1. Hawke's Bay Regional Council 2019-22 Triennial Agreement [⇒](#)

**5.8 COUNCIL'S JANUARY PERFORMANCE REPORT**

**Author:** Gareth Green, Chief Executive Officer

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

**PURPOSE**

This report provides Council with an overview on the performance of the organisation.

**RECOMMENDATION(S)**

That Council notes the information contained in the Council Performance report for the month of January 2020.

Water restrictions remain in place across the district with a level two sprinkler and fixed watering ban in Kinloch, and level one alternate days across the rest of the district. We have seen a number of other North Island councils move to similar restrictions over the past few weeks as well due to the prolonged dry spell and drought declaration for some parts of the North Island. Some form of water demand management is required under our resource consent to take water from the lake, and an application of that consent renewal is currently sitting with Waikato Regional Council. The renewal of the consent is likely to come with tighter requirements about managing water demand and we will need to review our current plans as a result.

The effects of the ban on Chinese visitor entry and ports being closed to Chinese export vessels due to coronavirus are being felt around the region. The negative economic impact is being borne by exports of services (tourism and education), but there are also many goods exports affected by changes in Chinese consumer demand, e.g. Timber exports are expected to slow as construction growth in China is likely to slow during the outbreak. Calculations also suggest the reduction to international visitor numbers to New Zealand post-ban could exceed 10 per cent. This estimate is based on Chinese visitor restrictions only and does not take into consideration risk-averse visitors from other countries delaying or cancelling travel, which could push the end effect higher. While Chinese visitors to the Taupō District make up a small percentage of our overall international visitation, we can expect to see an effect on smaller commercial accommodation providers and a flow on effect to our agricultural and forestry sectors.

This month we welcomed Rhys Frearson to the role of General Manager of Taupō Airport. Rhys has a wealth of knowledge in the aviation sector and prior to his appointment, he managed operations at Rotorua Airport.

We have begun a two year work programme to renew water mains and wastewater rising mains in some high profile areas in Taupō which includes phased works along parts of Tauhara Road, Puia Street, Rifle Range Road, Konini Street, Taharepa Road, Crown Road, Miro Street, Chad Street, Mere Road, Titiraupenga Street and Caroline Drive in Bonshaw Park. The work is valued at \$2.94 million and follows a similar programme of work carried out in Turangi and Tokaanu that began last year.

The Request for Proposal process for the building of the Tongariro Domain Playground has been completed and a suitable contractor has been identified. Letters have been dropped to neighbouring properties and key users of the playground, noting closure of the playground and engagement opportunities for children and their parents. Signs have also been erected at each entry point to the playground. We will be holding a day where people can pop down and can contribute to the detailed design process.

We are continuing to carry a number of vacancies in the building management area but are actively recruiting and attracting some quality applicants. The vacancies have resulted in some changes to our service delivery times but we are working hard to ensure the right contingencies in place to lessen the effect on our customers where possible.

Next weekend we will welcome the largest contingent of Ironman competitors we have seen to date with a number of them competing for one of 82 spots available for the 70.3 World Championships here in November. This year marks the 36<sup>th</sup> year of IRONMAN and the 21<sup>st</sup> event in Taupo. There has been a route change for the cycle leg which will make access into the CBD easier for residents and visitors. The residents and businesses within the affected route were notified by letter, hand delivered earlier this month. Another 9500 letter drop will be made to all Taupō households prior to the event.

We have had a bumper summer in the Taupō District this year with events in Taupō, Turangi and Mangakino. The Taupō Summer Concert celebrated its 10th anniversary with a sell-out crowd of 15,000 and other highlights included the co-hosting of the Waitangi Day Festival with Nukuhau Marae, Safe Turangi Christmas in the Park, the Mangakino Summer Concert and Kinstock in Kinloch. The event calendar remains busy for the next few months culminating with Easterfest and the New Zealand Water Ski Racing Association Trans Tasman challenge at Lake Maraetai in April.

Phase one of the Technology One CiAnywhere implementation of the Human Resources and Payroll modules successfully went live to all staff and Council Controlled Organisations in November. The feedback has been extremely positive and this marks a significant milestone and change for our organisation with new automated processes and for many the beginning of a journey from paper to digital ways of working. Work is now continuing on the deployment and enhancement of several other HR modules (recruitment and training) alongside the initiation of Phase 2 – Finance, Regulatory and Document management which is expected to go live in early 2021.

## **ATTACHMENTS**

1. February Project and Service Council Performance Report (A2633337) [⇒](#)
2. Treasury Report January 2020 [⇒](#)

**5.9 PROPOSED AMENDMENT TO MANGAKINO/POUAKANI REPRESENTATIVE GROUP TERMS OF REFERENCE**

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

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

**PURPOSE**

This paper seeks Council's adoption of an amendment to the Mangakino/Pouākani Representative Group [MPRG] Terms of Reference to increase the membership.

**EXECUTIVE SUMMARY**

Under the current terms of reference for the MPRG (attached), the membership is made up of the following:

- One MP Councillor
- Two other Councillors
- Two community representatives
- One Marae representative
- Mayor

It is recommended that Council adopts the amended MPRG Terms of Reference to include one additional member – Māori representative.

**RECOMMENDATION(S)**

That Council adopts the amended Terms of Reference for the Mangakino/Pouākani Representative Group [A \_\_\_\_\_] to increase the membership to include one Māori representative, noting that this will be in addition to one Marae representative.

**BACKGROUND**

In November 2019 Council established and set the Terms of Reference for a number of Council committees, some of which included the appointment of external representatives.

The positions were advertised during December 2019 and January 2020 in local newspapers and on the Council's website and considered at the 30 January 2020 council meeting with various appointments made to Council committees.

The original Terms of Reference for the three Representative Groups included the membership of one Marae representative.

Subsequently, a meeting was held with Iwi leaders to help guide the process for the external appointment of the Māori/Marae representative to the various committees. This included discussion regarding the Marae representative on the Representative Groups to be broadened, given the complexities, ie there was no Marae in Kinloch and that the other two groups had numerous Marae within their area.

Role descriptions were then developed for all the committees and representative group based on the above for a Māori representative.

Council amended, at the 30 January meeting, the Terms of Reference for both the Kinloch and Taupō East Rural Representative Groups to reflect this ie membership changed from one Marae representative to Māori representative.

**DISCUSSION**

In relation to MPRG and given the underlying iwi/hapu/marae complexities, members requested a review of the Terms of Reference to consider the membership on the Group to include one Marae and one Māori representative. The latter is in line with the rest of the Taupō District who have now appointed a Maori Interest Representative to their committee.

The Mangakino township has a number of families who connect to Ngāti Kahungunu ki Wairarapa and have resided in the town for a number of years. Their occupation of the lands is acknowledged however Raukawa

holds the mana whenua iwi status. Council has obligations to both groups as Maori but also needs to engage Raukawa as a Waikato River Iwi.

**OPTIONS**

Analysis of Options

**Option 1. Amend the membership of MPRG for the Marae representative to Māori representative MPRG.**

This option would reflect the change as a result of the iwi partners meeting and bring MPRG in line with the two other Representative Groups.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>Consistent membership across the three Representative Groups.</li> </ul>	<ul style="list-style-type: none"> <li>Does not reflect the unusual circumstances surrounding the Mangakino township and links with Pouākani Marae.</li> </ul>

**Option 2. Amend the membership of MPRG to include one Māori representative**

This option would reflect the interests of both Māori in the wider ward and the Pouākani Marae.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>The interests of both Māori in the wider MP ward and the Pouākani Marae would be addressed.</li> </ul>	<ul style="list-style-type: none"> <li>None</li> </ul>

**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: Vibrant; Quality; and Resilient.

**Financial Considerations**

External members appointed to Council committees will be eligible for a meeting allowance [\$200 per meeting] and vehicle mileage allowance. There will be additional costs with an increase in membership of approximately \$800 per year.

**Legal Considerations**

Appointments to Council committees can be made in accordance with Schedule 7, clause 31 of the Local Government Act 2002.

**Policy Implications**

The Terms of Reference for Council committees provides for the appointment of external representatives.

The Appointment and Remuneration Policy adopted by Council on 26 November 2019 guides the selection and appointment process.

**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 five 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.

A meeting held with Iwi leaders guided the process for the external appointment of the Māori representative to the various committees. This included discussion regarding the Marae representative on the Representative Groups to be broadened (become Māori representatives).

**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**

Communication with Pouākani Marae and existing applicants will occur if the change is approved.

**CONCLUSION**

It is recommended that Council adopts the amended MPRG Terms of Reference (refer Attachment 1).

**ATTACHMENTS**

1. Amended Terms of Reference - Mangakino-Pouakani Representative Group [A2641882] [⇒](#)

**5.10 ADOPTION OF TAUPO DISTRICT COUNCIL LOCAL GOVERNANCE STATEMENT 2019-2022 TRIENNIUM**

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

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

**PURPOSE**

To present the Local Governance Statement prepared in accordance with Section 40 of the Local Government Act 2002 (LGA) for adoption.

**EXECUTIVE SUMMARY**

Within 6 months of each triennial election Councils must adopt a Local Governance Statement containing the information set out within Section 40 of the Local Government Act. Staff have updated the previous triennium Governance Statement with tracked changes showing (Attachment 1). This can be adopted with any amendments necessary.

**RECOMMENDATION(S)**

That Council adopts the draft Taupō District Council Local Governance Statement for the 2019 – 2022 Triennium [A2578226]

**BACKGROUND**

The proposal has not been presented previously.

Every local authority is required, under Section 40 of the Local Government Act 2002, to prepare and make publicly available a local governance statement. It must be completed within 6 months of the triennial election and must include the information identified in section 40 of the LGA [see Discussion section].

Staff have updated the Governance Statement prepared in 2016 following the Triennial Election.

**DISCUSSION**

A Local Governance Statement must include information on the following:

- (a) the functions, responsibilities, and activities of the local authority; and
- (b) any local legislation that confers powers on the local authority; and
- (ba) the bylaws of the local authority, including for each bylaw, its title, a general description of it, when it was made, and, if applicable, the date of its last review under section 158 or 159; and
- (c) the electoral system and the opportunity to change it; and
- (d) representation arrangements, including the option of establishing Māori wards or constituencies, and the opportunity to change them; and
- (e) members' roles and conduct (with specific reference to the applicable statutory requirements and code of conduct); and
- (f) governance structures and processes, membership, and delegations; and
- (g) meeting processes (with specific reference to the applicable provisions of the Local Government Official Information and Meetings Act 1987 and standing orders); and
- (h) consultation policies; and
- (i) policies for liaising with, and memoranda or agreements with, Māori; and
- (j) the management structure and the relationship between management and elected members; and
- (ja) the remuneration and employment policy, if adopted; and
- (k) equal employment opportunities policy; and

- (l) key approved planning and policy documents and the process for their development and review; and
- (m) systems for public access to it and its elected members; and
- (n) processes for requests for official information.

The proposed Local Governance Statement for this triennium has remained similar to the last Governance Statement. Minor amendments include:

- Updates to legislation references
- Updates to Council and Governance Structure

## **OPTIONS**

Council is required to adopt a local governance statement.

## **CONSIDERATIONS**

### **Financial Considerations**

There is no financial impact.

### **Legal Considerations**

#### Local Government Act 2002

Section 40, Local Government Act 2002 dictates that Council must prepare and make publicly available a local governance statement.

### **Policy Implications**

There are no known policy implications.

### **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, however, once approved the document will be publicly available and on Council's website.



**CONCLUSION**

Within 6 months of each triennial election Council must adopt a Local Government Statement containing the information set out within Section 40 of the Local Government Act. Staff have updated Governance Statement from the previous triennium with tracked changes showing (Attachment 1). This can be adopted with any amendments necessary.

**ATTACHMENTS**

1. Draft Taupo District Council Local Governance Statement [A2578226] [⇒](#)

<b>5.11 COUNCIL ENGAGEMENTS MARCH 2020; APPOINTMENT TO RISK &amp; ASSURANCE COMMITTEE; AND CONFERENCE OPPORTUNITIES</b>
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**Author:** Tina Jakes, Head of Democracy, Governance and Venues

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

### Engagements

ENGAGEMENT	DAY	DATE	TIME
Workshops	Tuesday	3	10am-3.30pm
Turangi/Tongariro Community Board public forum (Boardroom, Turangi Service Centre)	Wednesday	4	1.30pm-2pm
Turangi/Tongariro Community Board meeting (Boardroom, Turangi Service Centre)	Wednesday	4	2pm-3.30pm
Risk and Assurance Committee meeting	Tuesday	10	10am-noon
Taupō Reserves and Roding Committee meeting (River Road Community Hall, River Road, Reporoa)	Tuesday	10	1pm-4pm
Tour of Taupō	Tuesday	17	
Tour of Turangi-Tongariro and visit to Hirangi Marae	Wednesday	18	
Taupō East Rural Representative Group meeting	Friday	20	10am-noon
Workshops	Tuesday	24	10am-3.30pm
Kinloch Representative Group meeting (Kinloch Community Hall, Mata Place)	Thursday	26	3pm-4.30pm
Public forum	Tuesday	31	12.30pm-1pm
Council meeting	Tuesday	31	1pm-4pm

### Appointments

An additional member is required to be appointed to Council's Risk & Assurance Committee in accordance with the terms of reference and delegations to committees which was adopted following the October 2019 elections. The appointment is for one of the two councillor positions (in addition to Turangi-Tongariro ward councillor, Cr John Mack).

### Conference and Professional Development Opportunities

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

- *Zone 2 meeting being hosted by Bay of Plenty Regional Council, 9.30am, Friday 28 February 2020 at the University of Waikato-Tauranga CBD Campus, Durham Street, Tauranga.*
- *Sister Cities New Zealand 2020 Conference, 30 April – 2 May 2020, Ashburton Trust Event Centre.*

**RECOMMENDATION(S)**

1. That Council receives the information relating to engagements for March 2020.
2. That Council appoints Cr \_\_\_\_\_ to the Risk and Assurance Committee for the remainder of the 2019-22 Triennium.
3. That Council approves the attendance of Cr(s) \_\_\_\_\_ at the Zone 2 meeting being hosted by Bay of Plenty Regional Council, 9.30am, Friday 28 February 2020 at the University of Waikato-Tauranga CBD Campus, Durham Street, Tauranga.
4. That Council approves the attendance of Cr(s) \_\_\_\_\_ at the Sister Cities New Zealand 2020 Conference being held in Ashburton on 30 April – 2 May 2020.

**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 wards or 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
<p><b>Agenda Item No: 6.1</b> Confirmation of Confidential Portion of Ordinary Council Minutes - 30 January 2020</p>	<p>Section 7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</p> <p>Section 7(2)(h) - the withholding of the information is necessary to enable [the Council] to carry out, without prejudice or disadvantage, commercial activities</p> <p>Section 7(2)(i) - the withholding of the information is necessary to enable [the Council] to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>Section 48(1)(a)(i)- the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 7</p>
<p><b>Agenda Item No: 6.2</b> Appointment of Community Representatives to the Taupo East Rural Representative Group</p>	<p>Section 7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p>	<p>Section 48(1)(a)(i)- the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 7</p>

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