

Te Manawataki o Te Papa Limited

Statement of Intent
to Tauranga City Council

2024-2027



Table of Contents

Foreword	3
1 Introduction	4
2 Nature, scope and purpose	4
3 Vision	4
4 Goals	5
5 Approach	6
6 Key Project Actions	6
7 Performance measures and targets	9
8 Governance	12
9 Governance principles	12
10 Board composition	12
11 Reporting	13
12 Statement of intent	13
13 Quarterly reporting	13
14 Half-year reporting	13
15 Full-year reporting	13
16 Shareholder meetings	14
17 Briefings	14
18 No surprises approach	14
19 Publication of reports	14
20 Financial performance	14
21 Compensation from Council	15
22 Accounting policies	15
23 Contact details	15

Foreword

Te Manawataki o Te Papa "Te Papa mana whenua, Te Papa Houkura, Te Papa o ngā waka, Te Papa kainga o te iwi"

"The heartbeat of Te Papa – the deep springs, the richness of the land, the landing of many canoes, the home of the people"

The Te Manawataki o Te Papa civic development project is the realisation of the Tauranga community's long-held vision and aspirations for the city centre.

As set out in the Tauranga Civic Precinct Masterplan (revised and approved by Tauranga City Council's Commission in December 2021), the civic development project will feature a progressive new library and community hub with a research and archives facility, café, children's section and community meeting rooms; a new civic whare (public meeting space); and a museum and exhibition gallery that will offer direct access to the city's taonga and heritage collection. The new Civic Precinct is being complemented with a suite of Council-led developments and development opportunities including a redeveloped Public Realm and Waterfront, Memorial Park Aquatics / Recreational hub, Indoor Courts facility and Council offices at 90 Devonport Road. These are intended to establish the City centre as the commercial, civic and cultural heart of Tauranga.

The facilities and activities planned will draw people in from near and far, helping to add vibrancy and breathe life into the city. The benefits of the City centre projects will be felt by communities right across Tauranga, its wider region, and those who choose to visit, work, invest and live in the city centre.

The projects will promote opportunities for welcoming and expression, learning and discovery, appreciating our past and shaping our future, and places for entertaining and enjoyment.

This statement is presented in accordance with the requirement of section 64(1) of the Local Government Act 2002 and incorporates the expectations of Tauranga City Council as outlined in its Letter of Expectations dated 13 April 2023. It outlines Te Manawataki o Te Papa Limited's objectives, nature and scope of activities undertaken, and the performance targets by which we will be measured for the years 1 July 2024 to 30 June 2027.

We look forward to updating you during the year as we progress throughout the design and construction phases of the Te Manawataki o Te Papa civic development project.

*Kim Wallace
Chair
Te Manawataki o Te Papa Limited*

1 Introduction

Te Manawataki o Te Papa Limited (**TMoTPL**) is the Council's company responsible for governing the delivery of a suite of projects across Tauranga city. This includes the Te Manawataki o Te Papa civic precinct; redevelopment of the Public Realm and Waterfront; the Memorial Park Aquatics/Recreational hub; the Indoor Courts facility and the fitout of 90 Devonport Road offices (collectively the **Programme**).

TMoTPL is a council-controlled organisation (**CCO**) for the purposes of the Local Government Act 2002 (**LGA**) and a public benefit entity for financial reporting and tax purposes. The company is 100% owned by the Tauranga City Council (**Council**). TMoTPL was registered and began operations in February 2023.

This Statement of Intent (**SOI**) is prepared by TMoTPL in accordance with section 64(1) of the LGA and in response to Council's Letter of Expectation dated 13 April 2023. It covers the tendering, design and construction phases. It includes information on key deliverables, financial information and performance measures and targets to enable organisational accountability and transparency.

The SOI is a public and legally required document which is reviewed and agreed annually with the Council, as TMoTPL's sole shareholder. This SOI covers the period from 1 July 2023 to 30 June 2026.

2 Nature, scope and purpose

The scope of the Programme under the governance of the TMoTPL includes:

- Te Manawataki o Te Papa Precinct including the new Library and Community Hub (ComHub), Civic Whare, Exhibition and Museum (CWEM), refurbishment of the Baycourt Community Theatre, refurbishment of the Tauranga Art Gallery, the development of Masonic Park and the Civic Precinct including adjacent road pedestrian footpaths.
- The Tauranga Moana Waterfront Development including the development and upgrade of reserves, facilities and marine structures from Dive Crescent to the Mataphi Bridge and including The Strand
- Memorial Park Aquatic Centre development and the refurbishment of 483 Cameron Road as an Indoor Court facility.
- Fit out of the new Tauranga City Council offices at 90 Devonport Road.

TMoTPL is responsible for the governance of the delivery of the Programme, including execution, monitoring, and control, through to completion of construction, in a way that provides the best community outcomes possible and in accordance with the Tauranga Civic Precinct Masterplan (December 2021), the Tauranga Moana Masterplan September 2022 and the Memorial Park Aquatic Centre (December 2023).

TMoTPL will actively identify, quantify, and mitigate risks in a timely manner to the Council, as the agency responsible for delivering the Programme including (without limitation) financial risk, delivery risk and reputational risk. It will also advocate with the Council to maximise opportunities to obtain third party contributions to the Programme.

TMoTPL's purpose is to deliver the Programme for and with the community, on behalf of the Council to achieve the expected outcomes, rather than to operate a business for profit.

3 Vision

The vision of TMoTPL is to transform the heart of the city, the Tauranga Waterfront and Memorial Park Aquatic Centre into a place where people will want to live, work, play, learn and visit.

Achievement of this vision will enable the following objectives set by Council for this Programme to be delivered:

- Promote opportunities for welcoming and expression, learning and discovery, appreciating our past and shaping our future, and places for entertaining and enjoyment.
- Stimulate the region's economy, including attracting domestic and international visitors, experiences and events.
- Enable the region to host a range of events and activities, including art exhibitions, museum displays, entertainment activities and other community and business events.
- Promote opportunities for recreation and play.
- Increase the vibrancy of the civic precinct and support the connection of central Tauranga with the surrounding region.
- Provide confidence to the investment markets to invest further in the city centre area.
- Enhance the region's social, cultural, entertainment and artistic reputation and identity.

4 Goals

To achieve its purpose and vision, TMoTPL will work towards the following key deliverables:

- Ensure everyone involved in the Programme are kept safe and well.
- TMoTPL will oversee completion of the preliminary design to developed and detailed design with the appointed consultants.
- Oversee the procurement for construction of the Library and Community Hub, Civic Whare, Exhibition, Gallery and Museum building, and associated landscaping in accordance with the Tauranga Civic Precinct Masterplan and any further approvals or variations advised by Council.
- Oversee the development of the Tauranga Moana in accordance with the Tauranga Moana Waterfront Masterplan (September 2022).
- Oversee the development of the Memorial Park Aquatic Centre and Indoor Courts at 483 Cameron Road.
- Oversee the fit out of Tauranga City Council's offices at 90 Devonport Road.
- Ensure that the total capital project cost does not exceed approved budgets and appropriately balance the capital cost of initial construction, the cost of operation, and the cost of refurbishments over the lifetime of the delivery Programme.
- Meet contracted delegations, New Zealand legislation and regulations, and New Zealand construction industry best practice, including adopting/exceeding New Zealand construction industry best practice standards for health, safety, and wellbeing of all involved in the Programme.
- Deliver a sustainable approach to the design and construction of the Projects, including consideration of 6 Green Star sustainability and WELL certifications for the buildings associated with the Project.
- Provide cost / benefit analysis to deliver a positive result.
- Ensure that the Programme engages with, recognises, and reflects the inherent connection with mana whenua.
- Respect the name gifted by mana whenua representatives from Otamataha Trust for the Project being Te Manawataki o Te Papa for the Civic Precinct Programme.
- Ensure the design fundamentals are met to provide an uplifting, enjoyable experience for those enjoying the civic precinct, waterfront and facilities at Memorial Park area for recreation, enjoyment, and business, and for those bringing events or experiences to the precinct.

- Ensure that the precinct, waterfront and facilities at Memorial Park provides universal access for all. Both within the built facilities and across the entire precinct site and waterfront.
- Minimise the disruption to stakeholders from the project delivery activities.
- Keep stakeholders well informed of all project delivery activities.
- Work with TCC to build excitement around the benefits of the new facilities.

5 Approach

TMoTPL is dedicated to the Programme and to delivering a uniquely local civic precinct, waterfront and aquatic experience that provides the best community outcomes possible for Tauranga, and delights those who visit the city centre.

TMoTPL commits to upholding the intent of Te Tiriti o Waitangi (The Treaty of Waitangi). TMoTPL acknowledges tangata whenua and will commit to working with mana whenua and other local stakeholders in the delivery of the Programme, and in building the narrative and symbols at, surrounding, and leading to the Programme, such as: the visual connection from the Civic Whare through to the moana (ocean); the waharoa where prospective manuhiri (guests) may be formally welcomed onto the site; and the concepts of paparanga ngahere (the forest layer) and ahi kaa (past and present occupation of the site), all of which form an important part of the design of the programme.

An important principle entities recognised within this Statement of Intent is the Tangata Whenua way partnership between Tauranga City Council entities, TMoTPL and Otamataha Trust (mana whenua / tangata whenua) to deliver Te Manawataki o Te Papa civic precinct programme, Tauranga Moana Waterfront Masterplan, Memorial Park Aquatic and Indoor Courts at 483 Cameron Road.

It is critical that TMoTPL work closely with Council to ensure that the Programme is delivered in a way that meets operational effectiveness and efficiency, both currently and in terms of the foreseeable future. This will mean TMoTPL must adopt a "whole of life" cost approach balancing capital costs, operating costs, and periodic refurbishment costs.

The partnership must be effective and underpinned by trust, commitment, understanding and shared values.

6 Key Project Actions

To achieve the goals, vision and purpose as set out in this SOI, the Company will take the following key actions:

Health, safety and wellbeing

- Develop and implement a Health, Safety and Wellbeing system with Council employees, contractors, sub-contractors, and advisors working on the Project that ensure a commitment to achieving no harm incidents and wellness for all during the delivery of the Project.
- The safety and wellbeing of all people connected with the Project, including the Project team, visitors and third-party stakeholders, is a paramount principle underpinning all decisions associated with the Project.
- Ensure all hazards are identified and effective controls are implemented to eliminate or effectively manage those hazards.

Partnerships

- The Te Manawataki o Te Papa Limited Board and Otamataha Trust / mana whenua will formally meet regularly to ensure that there is a close relationship and continued alignment of the two entities.

- Foster ongoing and effective collaboration with Willis Bond (development managers for TMoTP) and other major contractors to enhance overall performance and ensure success of the Programme.
- Foster ongoing and effective collaboration with Bay Venues Limited (BVL), Tourism Bay of Plenty, Priority One to enhance engagement and contribution to the programme.
- Proactively engage with TCC Departments and in particular with the GM Community Services Department as a key client.

Governance

- Clearly define, and agree with Council, the delegation's hierarchy between Council, TMoTPL, and key project contractors.
- Provide expert advice to Council in relation to its entering into design and construction contracts.
- Identify, and mitigate or manage, works connected with both the design and construction phases of the Programme, including reporting regularly to the Council on the health and safety, scope, budget, programme and the management of significant risks.
- Develop and manage processes to provide assurance that the Programme is progressing according to all expectations and ensure regular reporting by project management to the TMoTPL Board.
- Convene robust processes to use external project auditors, probity auditors, and peer reviewers as necessary to provide an agreed level of independence to the Council.
- Support the Council strategic framework outcomes of a liveable city, resilient communities, healthy environment, and prosperous economy.

Creating a vibrant precinct

- Ensure the developed design creates a vibrant inner-city precinct for the Tauranga community and visitors to the city.
- Evaluate 'value-add' opportunities against the Project budgets and on a cost benefit basis, before adopting or recommending to Council for a budget revision.

Project management

- Prepare detailed project plans that identifies activities, timelines, and financial budgets from the inception of the projects to completion of the Programme.
- Provide review and oversight of all contracts, expenditure, and progress during the construction of the Programme.
- Ensure compliance with all legislation, Council procurement policies, and codes of practice of public sector entities during the Programme.
- [Proactively engage with Tauranga City Council consenting team to ensure an effective approach is co-adopted in support of successful delivery of the Programme of projects.](#)
- Provide local procurement opportunities where practical and commercially feasible, for local stakeholders including mana whenua.
- Consult with key stakeholders to ensure the developed design specifications will deliver the goals set out in this SOI.
- Ensure the Projects are delivered to specification, within the approved budgets, within the agreed timelines, and to a quality that meets the goals set out in this SOI. All material changes to significant risks or new significant risks, will be communicated to Council as early as possible.

Financial management

- Ensure the Programme is properly costed with appropriate allowance for both cost escalation over the life of the Projects, and contingencies for variations during the life of the Programme.
- Ensure in establishing the initial capital expenditure and cash flow, whole of life costs are considered to minimise the total costs of the Programme.
- Ensure the Projects remain within the budgets agreed with Council. Where there is risk that the budget will be exceeded, disclose and discuss this with Council prior to any approval for such additional expectation is given.
- Ensure that the overheads and administration costs of TMO TPL are appropriately budgeted and agreed with Council and are managed within that budget.
- Work with the design engineers and construction management to identify areas where costs may be saved to the Programme (without compromising other outcomes set for the Project).
- Advocate / promote with Council to identify and bring opportunities for third party contributions to the funding of the Programme.

Sustainability

- Establish clear standards in respect of the various dimensions of sustainability that are to be achieved during the Programme design and delivery phases. Demonstrate delivery of those sustainability standards.

Shareholder relationships

- Prepare and agree with Council, a programme of regular reporting and dialogue which ensures council, as Programme owner, is fully informed in a timely manner, on all material risks, progress against plan and opportunities for further enhancement.
- Nurture a respectful and open relationship in the best interests of Tauranga and continue to develop a close and collaborative partnership.
- Keep the Council fully informed of all material matters and operate on a 'no surprises' basis.

Stakeholder engagement

- Ensure all significant stakeholders in the Programme – the Council, key regular users and visitors to the precinct, mana whenua, and the community – regularly receive factual project delivery updates.
- Establish a lessons-learnt process to enable strengthening of outcomes and approaches over the lifetime of the programme.
- Support the delivery of an integrated communications plan that builds excitement and pride of ownership among the people of Tauranga.
- Ensure the developed design recognises Te Manawataki o Te Papa being the name gifted for the whenua surrounding and within the precinct.

Future proof

- Future proof as best as possible, the venues to ensure they are fit for purpose for a changing events landscape.

Regional Impact

- Where possible and underpinned by commercial viability, procure Projects services and products from the Bay of Plenty region.
- Deliver the Programme to enable long-term direct economic contribution to the region.

7 Performance measures and targets

Objective and Strategy	Performance Measure		
	2024 - 2025	2025 - 2026	2026-2027
Health, safety and wellbeing			
<i>Establish a health, safety and wellbeing system to ensure all involved with the Project are kept safe and well</i>	Comply with health, safety and wellbeing system.	Comply with health, safety and wellbeing system.	Comply with health, safety and wellbeing system.
<i>Critical hazards are managed effectively</i>	For all work, the programme of critical risk inspections carried out on schedule and report that the critical controls are in place and are effective.	For all work, the programme of critical risk inspections carried out on schedule and report that the critical controls are in place and are effective.	For all work, the programme of critical risk inspections carried out on schedule and report that the critical controls are in place and are effective.
<i>Baseline lead and lag indicators are monitored to ensure safety for all</i>	No harm incidents during both the PCS and D&C phases.	No harm incidents during the PCS and D&C phases.	No harm incidents during the PCS and D&C phases.
<i>Develop and maintain with the Consultants, TCC and Contractors a Risk Register identifying all potential risks that could negatively affect the projects.</i>	TRIFR less than 10.0 per 1,000,000 hours worked on the Project.	TRIFR less than 10.0 per 1,000,000 hours worked on the Project.	TRIFR less than 10.0 per 1,000,000 hours worked on the Project.
Assurance			
<i>Delegations</i>	Comply with delegations' hierarchy.	Comply with delegations' hierarchy.	Comply with delegations' hierarchy.
<i>Independence</i>	Comply with the Assurance Programme.	Comply with the Assurance Programme.	Comply with the Assurance Programme.
Programme/Project management			
<i>Recommend Project delivery to Council</i>	Recommend developed and detailed design following stakeholder consultation for each project within the broader Programme of projects.	Recommend developed and detailed design following stakeholder consultation for each project within the broader Programme of projects.	Recommend developed and detailed design following stakeholder consultation for each project within the broader Programme of projects.

	Recommend contracts for each project within the broader Programme of projects.	Recommend contracts for each project within the broader Programme of projects.	Recommend contracts for each project within the broader Programme of projects.
<i>Contract management and legal compliance</i>	Provide oversight of all contracts, expenditure and progress during all phases of the Project in 100% compliance with all standards.	Provide oversight of all contracts, expenditure and progress during all phases of the Project in 100% compliance with all standards.	Provide oversight of all contracts, expenditure and progress during all phases of the Project in 100% compliance with all standards.
<i>Source local</i>	Demonstrate local procurement opportunities identified, assessed and procured (where commercially feasible).	Demonstrate local procurement opportunities identified, assessed and procured (where commercially feasible).	Demonstrate local procurement opportunities identified, assessed and procured (where commercially feasible).
<i>Lesson Learnt</i>	Complete and review lessons learnt to ensure effective uptake across the lifetime of the Programme.	Complete and review lessons learnt to ensure effective uptake across the lifetime of the Programme.	Complete and review lessons learnt to ensure effective uptake across the lifetime of the Programme.
<i>Risk Management</i>	Proactive risk management through timely risk workshops and leadership of all delivery risks through the Civic Development Assurance Group (CDAG).	Proactive risk management through timely risk workshops and leadership of all delivery risks through the Civic Development Assurance Group (CDAG).	Proactive risk management through timely risk workshops and leadership of all delivery risks through the Civic Development Assurance Group (CDAG).
<i>Delivery on time, within budget and at expected quality</i>	Ensure that the Programme is delivered within specification, approved budget, and agreed timelines.	Ensure that the Programme is delivered within specification, approved budget, and agreed timelines.	Ensure that the Programme is delivered within specification, approved budget, and agreed timelines.
	Future deviations to be communicated to Council at the earliest opportunity.	Future deviations to be communicated to Council at the earliest opportunity.	Future deviations to be communicated to Council at the earliest opportunity.
Financial management			
<i>The Programme is delivered on or below budget</i>	Capital and whole of life costs optimised. Operational implications considered.	Capital and whole of life costs optimised. Operational implications considered.	Capital and whole of life costs optimised. Operational implications considered.

<i>Reporting and consultation</i>	Any risk of budget being exceeded must be disclosed to and discussed with Council prior to any approval for increased budget.	Any risk of budget being exceeded must be disclosed to and discussed with Council prior to any approval for increased budget.	Any risk of budget being exceeded must be disclosed to and discussed with Council prior to any approval for increased budget.
<i>Advocate efforts by Council or other opportunities for third party contributions and funding partners</i>	Third party funding opportunities advocated.	Third party funding opportunities advocated.	Third party funding opportunities advocated.
Shareholder relationship and stakeholder engagement			
<i>Prepare and agree regular reporting programme which ensures Council is fully informed in a timely manner of all major issues, Project progress against PMP and opportunities for further enhancement</i>	100% compliance with reporting requirements outlined in SOI and major issues are raised on a no surprises basis.	100% compliance with reporting requirements outlined in SOI and major issues are raised on a no surprises basis.	100% compliance with reporting requirements outlined in SOI and major issues are raised on a no surprises basis.
<i>Nurture a respectful and open relationship in the best interest of the city and develop close and collaborative relationships</i>	Ensure all stakeholders, key regular users, tangata whenua and community receive regular updates on progress towards completion of the Programme.	Ensure all stakeholders, key regular users, tangata whenua and community receive regular updates on progress towards completion of the Programme.	Ensure all stakeholders, key regular users, tangata whenua and community receive regular updates on progress towards completion of the Programme.
	Evaluate, review and adhere to communications plan and strategy.	Evaluate, review and adhere to communications plan and strategy.	Evaluate, review and adhere to communications plan and strategy.
<i>Cultural connection</i>	Engage with mana whenua to ensure cultural narrative incorporated into design.	Consult with mana whenua that cultural design has been delivered.	Consult with mana whenua that cultural design has been delivered.
Sustainability, kaitiakitanga and the environment			
<i>Clear sustainability standards developed for the Project during the PCS and D&C phases</i>	Monitor Programme sustainability outcomes on project delivery.	Best practice sustainability building standards, long-term operational sustainability delivered.	Best practice sustainability building standards, long-term operational sustainability delivered.

8 Governance

The TMOtPL Board of Directors are responsible for the oversight and performance of TMOtPL, and ensuring decisions are made in the interests of Council and the people of Tauranga and the Bay of Plenty region.

The Board recommends TMOtPL's SOI to Council as shareholder, and is accountable for delivering the purpose, vision, objectives and strategies set out in this SOI, complying with its constitution and the provisions of the Companies Act and the LGA.

The Board is committed to a high standard of corporate compliance in guiding the company's activities and providing expert governance and financial control of the delivery of the Project. The Board guides and monitors the business and affairs of TMOtPL. It draws on relevant corporate governance best practice principles to assist and contribute to the performance of the company. All directors are required to comply with a formal code of conduct which is based on New Zealand Institute of Directors' Code of Proper Practice for Directors.

Board performance review will be undertaken by an independent entity every two years, alternating between a Board-led review and a Council-led review. The first review will be undertaken by the Board in July/August 2025, with results reported to Council. The report will provide assessment on the Board's performance within:

- Chair and individual director effectiveness
- Board policies and procedures/effectiveness
- Overall Board effectiveness, dynamics and connectivity to stakeholder and community.

9 Governance principles

The following principles are required for a strong governance relationship between Council and TMOtPL:

- **Leadership:** Council is responsible for clearly and proactively setting strategic direction for the city of Tauranga and communicating how TMOtPL is expected to give effect and contribute to these strategic aspirations via the Letter of Expectations and other mechanisms. While TMOtPL will show leadership in its area of expertise, this must be consistent with Council expectations and obligations.
- **Community focus:** TMOtPL directors must ensure they behave in a manner that is consistent with having a community focus and require the same from their executives. This requires them to be cognisant with the fact that the Project is ultimately owned by Council, and to ensure opportunities are provided for facility users to engage with TMOtPL.
- **Empowerment:** TMOtPL directors must be empowered to fulfil their statutory, constitutional and LOE responsibilities. If they are unnecessarily constrained, they cannot fulfil their obligations and are unable to add value.
- **Compliance:** TMOtPL directors must be aware of their duty to comply with legislative obligations, including but not limited to the Companies Act, the LGA, the Health and Safety at Work Act 2015 and the Resource Management Act 1991 and all relevant amendments.
- **Accountability:** TMOtPL directors are accountable for meeting the objectives of the company's sole shareholder (Council) as specified in this SOI, being a good employer, and exhibiting a sense of social and environmental responsibility. Their decision-making must recognise and reflect that Council is held to account by the public for its use of ratepayer funding and for their stewardship of Council-owned assets.
- **Transparency:** Transparency requires a high level of visibility to ensure that funding has been used for intended public good outcomes.
- **Trust:** Productive relationships require a culture of cooperation and trust. The "no surprises" approach is a critical part of this and ensures that TMOtPL and Council keep each other informed before matters are in the public arena.

10 Board composition

The Board of Directors comprises up to five directors, all appointed by the Council. Director appointments are for the period determined by Council as shareholder but will not be for longer than two terms (or six years), as per Council's [Appointment of Directors to Council Organisations Policy](#).

11 Reporting

TMoTPL is governed by the LGA which requires, among other things:

- *TMoTPL to provide a draft SOI to Council*
- *Half-year and full year reporting against SOI performance targets*
- *Quarterly reporting has been sought by the shareholder against SOI performance targets*
- *SOI letter of expectations and period accountability reports and project reports are published on the Tauranga City Council website.*

12 Statement of intent

Each year TMoTPL will deliver its draft SOI for the following year to the Council as shareholder. It will be in the form required by clause 9(1) of Schedule 8 and section 64(1) of the LGA and will be delivered by 1 March each year.

The Board, when developing its SOI and work programme, will consider the Letter of Expectation issued by Council as shareholder.

Having considered any comments received from the Council, the Board will deliver the completed SOI to the Council as shareholder on or before 30 June each year.

As referenced above, this SOI is written to cover the period from [2024 to 2028 until the completion of the project \(no later than 30 June 2029\)](#) and the decommissioning of TMoTPL as the project delivery company – anticipated to be during the 2027 calendar year. This SOI therefore covers a three-year period.

13 Quarterly reporting

The Board of TMoTP will meet with representatives of the Council governance body quarterly in a confidential, informal workshop setting to discuss and review issues of common interest.

14 Half-year reporting

TMoTPL will provide Council as shareholder with a half-year report by the end of February each year (being within two months after the end of the first half of the financial year), complying with section 66 of the LGA. The half-yearly report must include the information required by this SOI including the following unaudited financial statements:

- Statement of comprehensive income
- Statement of financial position
- Report on non-financial KPIs year to date
- Commentary on performance year to date
- Commentary on expected performance for the next 6 months.

15 Full-year reporting

To comply with section 67 of the LGA, TMoTPL will provide Council as shareholder with a draft annual report by the end of August each year (being within two months after the end of the financial year) and make the report available to the public at that time.

The annual report must include the information required by this SOI and sections 68 and 69 of the LGA, including audited financial statements prepared in accordance with NZGAAP and that also comply with Public Benefit Entity Standards.

The annual report shall also contain an Auditor's Report on both those financial statements and the performance targets and other measures by which performance was judged in relation to TMoTP's objectives.

The annual report is to be presented in the format prescribed by Council to enable consolidation into the Council group, if required.

16 Shareholder meetings

The Board may hold an annual general meeting (**AGM**) between 30 September and 30 November each year to present the annual report to Council as shareholder. If no AGM is held, then the Council as shareholder will consider, and if thought fit, pass any required resolutions.

17 Briefings

TMoTPL will also attend and participate in Council meetings, workshops and briefings in respect of the project as requested by TMoTPL or Council. This may include:

- Briefings sought by TMoTPL;
- Briefings sought by the Council; or
- Attendance at Council and/or committee meetings.

18 No surprises approach

It is expected that TMoTPL will keep Council advised of any issues that may generate public interest – this is referred to as the "no surprises" approach. A failure to keep Council informed on significant issues at appropriate times will be viewed as a governance failure.

Council expects TMoTPL to:

- Present a unified front on issues that affect both Council and TMoTPL. Where TMoTPL and Council have divergent opinions on an issue, the expectation is that both parties will work together to find common ground before the issue enters the public arena.
- Be aware that the Council has interests that are wider than those of TMoTPL.
- Be cognisant of wider Council policy issues as part of their decision-making.
- Be aware of the potential implications of TMoTPL-specific issues on the Council and/or its balance sheet.
- Be cognisant of demand for accountability and transparency placed on councillors from residents and ratepayers of Tauranga.
- Ensure that Council is informed in a timely manner of any issue that may generate significant public interest, as it unfolds. Likewise, Council commits to ensuring issues relating to TMoTPL are communicated with TMoTPL staff and governance (as appropriate) in a timely manner and before issues enter the public arena.

19 Publication of reports

The SOI, Letter of Expectation, periodic accountability reports and Project reports are published on the Tauranga City Council website.

20 Financial performance

TMoTPL aims to operate in a financially sustainable manner. As a CCO governing the delivery of the project, long-term financial performance and position is sustainable where planned deliverables are met without unplanned increases in funding or cuts in deliverables.

Indicative financial performance targets:

- Capital expenditure and the project delivery costs are consistent with the agreed budget.
- TMoTPL has supported TCC advocating to raise \$151.5 million from external sources.

Compensation from Council

TMoTPL expects to receive funding from the Council for the financial year beginning 1 July 2024.

The activity undertaken in exchange for the compensation is set out in the Tauranga City Council Long-term Plan, as per the levels of service and the outcomes in this SOI.

21 Accounting policies

Financial statements will be prepared in accordance with generally accepted accounting practice (GAAP), NZ International Financial Reporting Standards, Companies Act 1993, Local Government Act 2002 and Financial Reporting Act 1993.

22 Contact details

Contact details for the Chair and Directors are as follows:

Address: 306 Cameron Road, Tauranga, 3110

Registered office: 306 Cameron Road, Tauranga, 3110

Chair: Kim Wallace

Directors: Barry Bragg

Peter Neven

Nathan Speir

Website: www.tauranga.govt.nz