



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

Date:	Tuesday, 7 February 2017
Time:	2.00pm
Location:	Council Chamber 72 Lake Terrace Taupo

AGENDA

MEMBERSHIP

Chairperson Mayor David Trewavas

Deputy Chairperson Cr Rosie Harvey

Members

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

Quorum 6

**Gareth Green
Chief Executive Officer**

Order Of Business

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3.1 ORDINARY COUNCIL MEETING - 13 DECEMBER 2016

Author: Tina Jakes, Democracy & Community Engagement Manager

Authorised by: Brian Fox, Group Manager: Corporate and Community

RECOMMENDATION(S)

That the minutes of the Council meeting held on Tuesday 13 December 2016 be confirmed as a true and correct record.

ATTACHMENTS

1. Council Meeting Minutes - 13 December 2016 

4.1 KINLOCH LAKEFRONT RESERVE

Author: Nick Carroll, Policy Manager

Authorised by: Alan Menhennet, Group Manager: Finance and Strategy

PURPOSE

This report provides Council with a further 173 submissions which relate to a decision-making process affecting vehicle access to the esplanade reserve at Kinloch.

EXECUTIVE SUMMARY

The management of the esplanade reserve at Kinloch has been the subject of over two years of investigation by Council. The initial concerns related to a conflict between the Reserve Management Plan and the District Plan. While the Management Plan provides for vehicle access, the District Plan requires vehicles to be kept away from the poplar trees on the Reserve.

Throughout the consultation process, a range of other issues have emerged which require consideration. These include protecting the foreshore from ongoing erosion risk, managing car parking demand, concerns about safety and the conflict between people and vehicles, and the growing demand for quality recreational space at the Lakefront for a fast growing community.

The views and preferences of the community have been collected throughout the process. These have previously been presented to Council to aid in the decision-making. Unfortunately, 173 submissions were not presented to Council at the meeting on 13 December 2016. They represent a wide range of views that should be considered by Council.

RECOMMENDATION(S)

That Council receives the 173 additional submissions related to the Kinloch Lakefront Reserve.

BACKGROUND

Taupō District Council has been considering issues regarding the management of the esplanade reserve at Kinloch. During that decision-making process, the Council has considered a wide range of information including technical reports, advice from officers, and the views and preferences from the community. Written submissions were provided in July 2015 and hearings were held in October 2015.

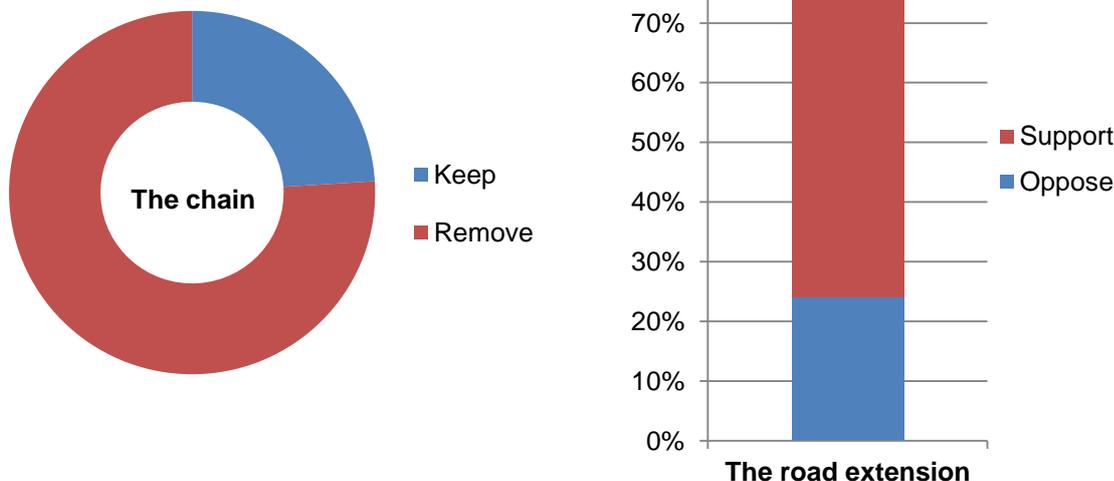
Following those hearings, Council decided to investigate one potential option and directed officers to prepare a design for improvements to the Reserve. Consequently there was consultation with the community on that design in June 2016. The report presented to Council at its meeting on 13 December 2016 identified that 62 submissions had been received from the community on the potential design option which were largely supportive of keeping the current bollards and chain in place, and largely opposed the extension of the road any further i.e. continuation of the status quo.

A SUBSTANTIAL NUMBER OF SUBMISSIONS HAVE NOT BEEN CONSIDERED BY COUNCIL

In addition to the initial 62 submissions (from the second round of consultation) there should have been a further 173 submissions presented to Council. Those 173 submissions were received online and were not correctly processed. As a result, the reporting officers were not made aware of them, they were not considered by Council, and therefore those views and preferences were not considered in the Council's decision-making process.

Those 173 additional submissions have been attached to this report for Council's consideration. As with all of Council's decision-making processes, the purpose of seeking submissions is to gauge the views and preferences of the community, and to better understand the consequences of the practicable options. The additional submissions have provided many comments clarifying why people hold their respective views.

When the total 235 submissions are considered, it is clear that the majority of submitters who answered "yes" or "no" to the consultation questions support the removal of the chain and the extension of the road. This is illustrated by the diagrams below:



MATTERS FOR CONSIDERATION

The report to Council on 13 December provided an assessment of the matters which officers believed Council needed to focus on in the decision-making process. Those matters remain relevant to any decision now to be made following receipt and consideration of the additional submissions.

The presentation of the additional 173 submissions through this Report has introduced extra information regarding the views and preferences of persons who will or may be affected by, or have an interest in the Council’s decision. Accordingly, Council should have regard to those additional submissions and consider whether there is any new information that might require the decision of 13 December 2016 to be revisited.

HAS THE ADVICE OF OFFICERS CHANGED?

The additional 173 submissions have helped to clarify that many submitters wish to see unrestricted vehicle access to the Reserve. However, the nature of the issues has not changed since the officer advice was presented in the report on 13 December 2016.

The advice of officers has been intended to achieve the following objectives:

1. Protect the foreshore of the Reserve from the risk of ongoing erosion;
2. Manage the Reserve so that it continues to meet its purpose as an esplanade reserve;
3. Provide a lakefront area for people to recreate in a variety of ways;
4. Provide a safe environment where people can picnic, play, cycle and walk and which activities are prioritised over vehicles; and
5. Protect the vegetation on the Reserve so that it can continue to provide, shade, amenity and protection from erosion.

Officers are still of the opinion that the objectives set out above are most efficiently and effectively achieved by closing the Reserve to vehicles. If Council wishes to achieve different objectives, then officers may need to review the advice previously provided.

CONCLUSION

Council has been considering the management of the esplanade reserve at Kinloch for the last two years. It has become apparent that an additional 173 submissions were not presented to the Council at its meeting on 13 December 2016 which now need to be considered as part of the decision-making process.

ATTACHMENTS

1. Kinloch Lakefront Reserve submissions 63 to 235 (under separate cover) [⇒](#) 

4.2 PETITION - KINLOCH LAKEFRONT RESERVE

Author: Tina Jakes, Democracy & Community Engagement Manager

Authorised by: Brian Fox, Group Manager: Corporate and Community

PURPOSE

To receive a petition on the topic of the "Kinloch Lakefront Reserve".

DISCUSSION

It is understood that a petition on the topic of the Kinloch Lakefront Reserve is being prepared and will be presented to Council for formal receipt at this meeting. The relevant extract from Council's current Standing Orders providing guidance on petitions is set out below.

16. Petitions**16.1 Form of petitions**

Petitions may be presented to the local authority or any of its committees, local boards or community boards. Petitions must contain at least 20 signatures and consist of fewer than 150 words (not including signatories). They must be received by the chief executive at least 5 working days before the date of the meeting at which they will be presented.

Petitions must not be disrespectful, use offensive language or include malicious statements (see standing order 19.9 on qualified privilege). They may be written in English or te reo Māori. Petitioners planning to make a petition in te reo Māori or sign language should advise the relevant Chairperson at least two working days before the meeting to enable the petition be translated and reprinted, if necessary.

16.2 Petition presented by petitioner

A petitioner who presents a petition to the local authority or any of its committees and subcommittees, local boards or community boards, may speak for 5 minutes (excluding questions) about the petition, unless the meeting resolves otherwise. The Chairperson must terminate the presentation of the petition if he or she believes the petitioner is being disrespectful, offensive or making malicious statements.

Where a petition is presented as part of a deputation or public forum the speaking time limits relating to deputations or public forums shall apply. The petition must be received by the chief executive at least 5 working days before the date of the meeting concerned.

16.3 Petition presented by member

Members may present petitions on behalf of petitioners. In doing so, members must confine themselves to presenting:

- (a) the petition;*
- (b) the petitioners' statement; and*
- (c) the number of signatures.*

CONCLUSION

It is recommended that Council receives the petition.

RECOMMENDATION(S)

That Council receives the Kinloch Lakefront Reserve petition.

ATTACHMENTS

Nil

4.3 KINLOCH LAKEFRONT RESERVE - RECEIPT OF ACTION GROUP INFORMATION

Author: Tina Jakes, Democracy & Community Engagement Manager

Authorised by: Brian Fox, Group Manager: Corporate and Community

PURPOSE

To receive information from the Kinloch action group in relation to the Kinloch Lakefront Reserve.

DISCUSSION

The Kinloch action group has provided information relating to the Kinloch Lakefront Reserve. This item enables that information to be formally received.

CONCLUSION

It is recommended that Council receives the information.

RECOMMENDATION(S)

That Council receives the information provided by representatives of the Kinloch action group.

ATTACHMENTS

1. Kinloch Lake Front Rserve's Action Group Submission 

4.4 NOTICE OF MOTION - KINLOCH LAKEFRONT RESERVE

Author: Tina Jakes, Democracy & Community Engagement Manager

Authorised by: Brian Fox, Group Manager: Corporate and Community

PURPOSE

To consider a notice of motion signed by four Councillors requesting the revocation of a resolution of Taupō District Council dated 13 December 2016 relating to the Kinloch Lakefront Reserve.

DISCUSSION

A notice of motion has been received from four Councillors and is attached for consideration. The notice of motion proposes revocation of resolution TDC201612/01 in its entirety, however it is recommended that part 1 (receipt of submissions) be retained.

In that case the motion would be that Council revokes parts 2. and 3. of resolution number TDC201612/01 of 13 December 2016 in relation to vehicles accessing the Kinloch Lakefront Reserve which are set out below:

That Council:

[...]

2. *Agrees to close the reserve to vehicles once additional parking has been created.*
3. *Agrees to make the consequential changes to the reserve management plan to reflect the closure of the reserve to vehicles.*

CONCLUSION

It is recommended that Council considers the notice of motion.

RECOMMENDATION(S)

That Council considers the attached notice of motion.

ATTACHMENTS

1. Notice of Motion dated 22 December 2016 

4.5 PETITION - KURATAU-OMORI EROSION

Author: Tina Jakes, Democracy & Community Engagement Manager

Authorised by: Brian Fox, Group Manager: Corporate and Community

PURPOSE

To receive a petition on the topic of "Kuratau Omori Erosion". The petition will be presented by Mr Michael Bowie, President of the Omori Kuratau Ratepayers Association and Mr Rod Neveltsen of the Kuratau Omori Preservation Society on the topic of "Kuratau Omori Erosion".

DISCUSSION

A petition on the topic of Kuratau Omori Erosion has been provided which includes supporting information and is presented to Council for formal receipt. The relevant extract from Council's current Standing Orders providing guidance on petitions is set out below.

16. Petitions**16.1 Form of petitions**

Petitions may be presented to the local authority or any of its committees, local boards or community boards. Petitions must contain at least 20 signatures and consist of fewer than 150 words (not including signatories). They must be received by the chief executive at least 5 working days before the date of the meeting at which they will be presented.

Petitions must not be disrespectful, use offensive language or include malicious statements (see standing order 19.9 on qualified privilege). They may be written in English or te reo Māori. Petitioners planning to make a petition in te reo Māori or sign language should advise the relevant Chairperson at least two working days before the meeting to enable the petition be translated and reprinted, if necessary.

16.2 Petition presented by petitioner

A petitioner who presents a petition to the local authority or any of its committees and subcommittees, local boards or community boards, may speak for 5 minutes (excluding questions) about the petition, unless the meeting resolves otherwise. The Chairperson must terminate the presentation of the petition if he or she believes the petitioner is being disrespectful, offensive or making malicious statements.

Where a petition is presented as part of a deputation or public forum the speaking time limits relating to deputations or public forums shall apply. The petition must be received by the chief executive at least 5 working days before the date of the meeting concerned.

16.3 Petition presented by member

Members may present petitions on behalf of petitioners. In doing so, members must confine themselves to presenting:

- (a) the petition;*
- (b) the petitioners' statement; and*
- (c) the number of signatures.*

CONCLUSION

It is recommended that Council receives the petition.

RECOMMENDATION(S)

That Council receives the Kuratau-Omori Erosion petition.

ATTACHMENTS

1. 2017 Kuratau-Omori Erosion Petition [A1851598] 

2. Supporting Information - Inflows & Outflows of Lake Taupo - 2 January 2017 [A1851599] 
3. Supporting Information - Erosion Extent Kuratau at sections 10 & 11 of Cheal Monitoring Reports 2 Janaury 2017 [A1851602] 
4. Supporting Information - Lake Taupo levels - Mervury Graph - 2 January 2017 [A1851605] 
5. Supporting Information - Lake Taupo levels - 5 years 2012 to 2017 [A1851606] 

4.6 ADOPTION OF DRAFT FREEDOM CAMPING BYLAW FOR CONSULTATION

Author: Jane Budge, Senior Policy Advisor

Authorised by: Alan Menhennet, Group Manager: Finance and Strategy

PURPOSE

The purpose of this paper is to adopt a freedom camping statement of proposal and a draft Freedom Camping Bylaw for public consultation.

EXECUTIVE SUMMARY

Freedom camping is an issue that requires managing. A Freedom Camping Bylaw can restrict and prohibit freedom camping from areas across the district.

Council agreed at its meeting on 13 December 2016 the areas to be included in a draft freedom camping bylaw. Further to those areas proposed at the meeting officers have included some minor changes in line with the pre-consultation, including:

- restricting Horomatangi Street to in at 7:00pm and out at 7:00am;
- reducing and restricting AC Baths site to in at 7:00pm and out at 7:00am, and
- reducing the Rickit Street area.

Council can either adopt the draft Freedom Camping Bylaw and statement of proposal for consultation or not.

It is preferred that Council adopt the Freedom Camping Bylaw and statement of proposal for public consultation. This ensures that we are adequately managing the adverse affects from freedom camping and introduces access to the instant infringement regime under the Freedom Camping Act 2011. It also ensures that Council is future proofing the management regime for an issue that is only going to continue growing-

It is recommended that Council adopt the draft Freedom Camping Bylaw and statement of proposal for formal consultation.

The formal consultation will be undertaken between 17 February and 18 April 2017. The hearings will occur between 8-10 May 2017 and deliberations 6 June 2017.

RECOMMENDATION(S)**That Council**

1. **Agrees, in accordance with section 11(2)(a) of the Freedom Camping Act 2011, that a Freedom Camping Bylaw is the best mechanism to protect an area, the health and safety of persons and access to an area.**
2. **Agrees, in accordance with section 11(2)(b) of the Freedom Camping Act 2011, that the Freedom Camping Bylaw is the best mechanism to address the issues associated with freedom camping.**
3. **Agrees, in accordance with section 11(2)(c) of the Freedom Camping Act 2011, that the Freedom Camping Bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990.**
4. **Adopts, in accordance with section 83 of the Local Government Act 2002, the Statement of Proposal on freedom camping and the draft Freedom Camping Bylaw for consultation and invite the public to make submissions.**

BACKGROUND

Freedom camping is an accommodation option for both domestic and international tourists while travelling around New Zealand. New Zealand has a long history of freedom camping, and many New Zealanders freedom camp for a variety of reasons. Of those that freedom camp they do so in different types of vehicles and for different reasons. However, freedom camping can, at peak times, place pressure on our communities.

Over the 2015-16 summer there was significant national media coverage on freedom camping around New Zealand. In the Taupō District, there was a noticeable increase in the presence of freedom campers, and this raised concerns about whether there is appropriate management in place.

The Freedom Camping Act 2011 (the Act), permits freedom camping on Council controlled and managed land unless it is restricted through a bylaw or another enactment. A Freedom Camping Bylaw made under the Act can restrict or prohibit freedom camping from any area within the district. However, a Freedom Camping Bylaw must not completely prohibit freedom camping in all areas of the district.

The presumption under the Reserves Act 1977 is that camping is prohibited on reserves unless specifically provided for through a reserve management plan. There are currently four reserves within the district where camping is allowed under their reserve management plans. These are the Reid's Farm Recreation Reserve, Mangakino Recreation Reserve, Whakamaru Domain and Whakamaru Recreation Reserve.

There is also currently off-street parking on Ferry Road for the purpose of overnight stays, which is currently restricted to self-contained vehicles and a maximum of two nights. However, because there is currently no Freedom Camping Bylaw in place they can effectively freedom camp anywhere on council controlled and managed land.

There are a number of emerging issues associated with freedom camping, including:

- growing visitor numbers and freedom campers;
- pressure on places where freedom camping is allowed;
- an increasing number of complaints; and
- extreme pressure on Reid's Farm and its growing issues with disorderly behaviours, conflicts with day users, and risks to people's health and safety.

At its May 2016 meeting, Council directed officers to establish a working group of stakeholders and Councillors, and to investigate the issues with freedom camping and consider potential solutions. The councillors on the working group included, Cr Williamson, Cr Stewart and Cr Chrustowski. This working group was established as a think tank to help officers with their analysis and suggested to Council that freedom camping does place pressure on our community and recommended various areas allowing freedom camping. It was also generally recognised that the issues associated with freedom camping need to be managed and a key part of that management is an easy and effective enforcement regime which comes with a freedom camping bylaw.

A review of the Reid's Farm's Reserve Management Plan under the Reserves Act 1977 is currently been undertaken alongside the bylaw review due to its strong links. Reid's Farm is currently the only freedom camping site near Taupō township that provides for non-self contained campers.

At its meeting on 13 December 2016, Council agreed to formally consult on the areas identified by the working group and council officers. Council also directed officers to develop a draft Freedom Camping Bylaw and statement of proposal based on these areas. The areas included:

- Reid's Farm – all camping
- Ricket Street – self contained
- Horomatangi Street – self contained
- County Avenue carpark – self-contained
- Kaimanawa Street – self-contained
- Roberts Street – self-contained
- Turangi Town Centre carpark – self-contained
- Atiamuri Boat Ramp– self-contained
- Lake Maraetai Area 1 – self-contained
- Lake Maraetai Area 2 – all camping
- Mangakino Recreation Reserve – all camping
- Whakamaru Domain Area 1 – all camping
- Whakamaru Domain Area 2 - – all camping
- Whakamaru Recreation Reserve – all camping

- County Avenue carpark – self-contained

Following the meeting officers have included some further minor changes in line with the pre-consultation, which includes:

- restricting Horomatangi Street to in at 7:00pm and out at 7:00am;
- restricting AC Baths site to in at 7:00pm and out at 7:00am and reducing its size to in front of the Taupo Events Centre, and
- reducing the Rickit Street (recognising the potential lost opportunity cost of this site).

DISCUSSION

Council can either adopt the draft Freedom Camping Bylaw and statement of proposal for consultation or not.

If Council chooses not to adopt for consultation it is likely to receive criticism from the community for not addressing a recognised problem. Council could also be criticised for missing the opportunity of “bundling” the bylaw and the Reid’s Farm RMP reviews to ensure an efficient and effective use of resources.

It is preferred that Council adopt the Freedom Camping Bylaw and statement of proposal for public consultation. This ensures that we are adequately managing the adverse affects from freedom camping and introduces access to the instant infringement regime under the Act. It also ensures that Council is incorporating most of the community’s views into a draft freedom camping bylaw. It also ensures that Council is future proofing the management regime for an issue that is only going to continue growing.

CONSIDERATIONS

Financial Considerations

There are costs associated with the development, consultation and enforcement of this proposal. The development of a potential Freedom Camping Bylaw has been included in the Annual Plan 2016-17 work programme and will be met through existing budgets. These costs have also been minimised through “bundling” the bylaw review with the Reid’s Farm RMP review.

It is important to note that putting additional regulation in place only works if it is effectively enforced. As such, Council needs to be mindful that any increased enforcement may come with increased resourcing and financial costs. Council will need to be thinking about these possible consequential financial implications.

There will also be costs associated with new facilities and the exact nature of these costs is difficult to determine at this time. This will likely be driven by the areas that Council chooses as part of any final bylaw and the level of popularity those areas have with freedom campers. Council again needs to be mindful of the need for increased resourcing and financial costs for infrastructure.

Legal Considerations

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 (LGA).

The Freedom Camping Act allows the development of a Freedom Camping Bylaw under section 11 of the Act. Under section 11(2) of the Act; a local authority must be satisfied that a Freedom Camping Bylaw is necessary for one or more of the following purposes:

- a. to protect an area;
- b. to protect the health and safety of people who may visit the area; and
- c. to protect access to an area.

It is considered that the proposed Freedom Camping Bylaw is the most appropriate and proportionate way to address the issues associated with freedom camping and is likely to encourage more appropriate behaviours. It is also likely to address the identified access issues to the lakefront by outlining the areas where freedom camping can be undertaken.

The ability to camp on public land is not a ‘right’ under the New Zealand Bill of Rights Act 1990 (NZBORA). However, the limitations proposed by the Freedom Camping Bylaw only seek to impose justifiable and reasonable limits on people to ensure the safety of the community and minimise any incidences of public disturbance. The Freedom Camping Bylaw also seeks to protect access to areas within the district and is therefore not inconsistent with the NZBORA.

In the event land proposed to be used for freedom camping is required in the future for alternative uses, amendments to the bylaw can be implemented via a bylaw review process.

Policy Implications

The proposal has been evaluated against other Council Policy. Any new bylaws, RMPs and policy form part of Council’s overall operating procedures and are consistent with existing policy.

Risks

There are risks associated with not meeting our legislative obligations under the Freedom Camping Act and the LGA if this work is hastily developed. A thorough review has been undertaken to minimise any of these concerns.

There is also a possible risk of judicial review if a bylaw is introduced and the correct processes are not followed. The NZMCA has previously sought a judicial review of the legality of the Thames-Coromandel District Council's Freedom Camping Bylaw and noted their intention to do so in other districts if they believe due process has not been followed correctly. This risk has been minimised by including the NZMCA as a member of the working group.

There is a risk that parts of the community could criticise Council for not adequately taking into consideration their views. However, this has been mitigated by undertaking both a pre-engagement process seeking the community's views on the issues associated with freedom camping and a pre-consultation on potential areas and sites. Further individual engagement has occurred with affected parties and at stakeholder meetings.

There is a continuing risk of insufficient areas to cater for the number of freedom campers wanting to come to the district. Officers recognise that the Freedom Camping Bylaw is unlikely to meet all our needs and that it is likely that it will require revision in the future.

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.

The matters covered in this paper affect a large portion of the community, and it is considered a significant decision in accordance with Council's policy.

Formal consultation will be undertaken in accordance with section 83 of the LGA. A Statement of Proposal on freedom camping will also be adopted outlining the issues associated with the problem and the possible solutions. Hearings will be held between 8-10 May 2017 (morning 9 May in Turangi if required) and deliberations on 6 June (and 7 June if required).

CONSULTATION

A pre-engagement survey was undertaken between 20 June and 1 July 2016 and 196 responses were received. About two-thirds of the responders recognised the contribution that freedom campers make to the District. However, it was overwhelmingly seen that they should be close to town and away from residential areas.

Feedback from the community was also sought on the proposed sites to help guide the development of a draft freedom camping bylaw. The pre-consultation occurred between 14-25 November and 192 submissions were received. Various interested parties also sent submissions via the freedom camping email and 31 were received via this method.

Formal consultation will occur between 17 February and 18 April 2017. It is intended to hold a number of consultation opportunities around the district to engage people in the conversation about freedom camping and encourage them to give feedback.

COMMUNICATION/MEDIA

A press release will be prepared once the proposed bylaw is adopted for consultation. There will be additional media coverage including in the council's weekly Connect page in the Taupō Times, on social media, radio, and on the council's website. Out-of-town ratepayers will be notified of this and a number of

other upcoming consultation opportunities via a postcard or email if they have opted in to receive their correspondence digitally.

CONCLUSION

It is recommended that Council adopts the draft Freedom Camping Bylaw and its statement of proposal for public consultation.

ATTACHMENTS

1. 2016 Draft Freedom Camping Bylaw 
2. Draft Freedom Camping Bylaw 2017 Statement of Proposal 

4.7 CHIEF EXECUTIVE OFFICER'S REPORT

Author: Gareth Green, Chief Executive Officer

Authorised by:

PURPOSE

This report provides elected members with an overview of the Council's financial performance to the end of December 2016.

DISCUSSION

Due to staff being on leave over the holiday period, a full Chief Executive Officer's report has not been provided for this meeting. Financial information to the end of December 2016 is available however and has been attached for receipt.

A full Chief Executive Officer's report will be provided to the 28 February 2017 Council meeting.

CONCLUSION

It is recommended that Council receives the information.

RECOMMENDATION(S)

That Council notes the information contained in the Chief Executive Officer's report for the month of December 2016.

ATTACHMENTS

1. Financial Report to 31 December 2016 
2. Project Report 
3. Treasury Management Report to 31 December 2016 

4.8 GREAT LAKE TAUPŌ HOCKEY CLUB - REQUEST FOR FINANCIAL ASSISTANCE FOR REPLACEMENT OF ARTIFICIAL TURF

Author: Tina Jakes, Democracy & Community Engagement Manager
Authorised by: Brian Fox, Group Manager: Corporate and Community

PURPOSE

This report seeks Council’s consideration to fund \$104,140 (excl gst) from Council’s renewal budget towards the cost of replacement of the artificial turf at the Great Lake Hockey Club.

EXECUTIVE SUMMARY

Great Lake Hockey Club are proposing to replace the artificial turf at their grounds at Hickling Park. The total cost of the project is \$255,540 (exclusive of GST), with Club contributing \$151,400 towards the project.

The artificial turf is a Council asset and although the obligation is on the Club to fund the replacement, they have not been able to secure the total amount required and indeed feel that they have been let down by funders who had indicated greater support. Given that the turf is a Council asset, the balance, although not specifically budgeted can be met from within Council’s total renewal budget for the 2016/17 annual plan year.

RECOMMENDATION(S)
 That Council approves expenditure of \$104,140 [excl GST] from Council’s renewal budget to replace of the artificial turf at the Great Lake Hockey Club grounds.

BACKGROUND

The artificial turf at the Great Lake Hockey Club grounds is programmed for replacement in time for the beginning of the 2017 season in May. The total cost of the project is \$255,540, with the Club contributing \$151,400. As outlined in the attached letter from the Club, the replacement of the turf is critical to ensure the continuation of local, regional and international competitions. The new turf will be to Olympic standard enabling the continuation of international games in Taupō.

In 2002 Council provided a grant for \$800,000 to fund the artificial turf facility. On completion the ownership of the turf was transferred back to Council (become an asset of Council) with the Hockey Club paying a lease on the grounds and facilities. The Great Lake Hockey Turf Charitable Trust has ongoing responsibility for repairs and maintenance to the playing surface and were obligated to establish a fund to pay for the replacement of the artificial surface at the end of its life.

Council acted as loan guarantor to build the new Hockey and Rugby League Pavilion Building in September 2005. This was the Great Lake Taupō Hockey Club and Council’s guarantee exposure was limited to \$50,000 on lending not to exceed \$40,000 with all requirements being met. The loan has since been repaid.

DISCUSSION

It is considered that there is only one viable option available to allow for the replacement of the artificial turf in time for the 2017 hockey season.

OPTIONS

Analysis of Options

Option 1. – Funding balance from renewals budget

Advantages	Disadvantages
<ul style="list-style-type: none"> • Artificial turf will be replaced • Local, regional and national competitions will continue • Funding is available from renewals budget 	<ul style="list-style-type: none"> •

CONSIDERATIONS

Financial Considerations

The funding for the renewal of the Hockey turf can be met within Councils overall renewals budget for the current financial year.

Annual Plan

The expenditure outlined is currently not included in the 2016/17 Annual Plan.

Legal Considerations

Local Government Act 2002

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

Policy Implications

There are no known policy implications.

Risks

That the Club would not have a hockey turf this coming season for its membership and to participate in competitions. The current impetus of the club will be lost and this would be to the detriment of the community as a whole.

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

The decision will be communicated to Great Lake Hockey Club. No other communications are envisaged.

CONCLUSION

The replacement of the artificial turf is needed as it has reached the end of its useful life and needs to be replaced prior to the hockey season which starts in May 2017. The Great Lake Taupō Hockey Club has secured external funding to assist with replacement of the artificial turf.

ATTACHMENTS

1. Letter from Great Lake Taupo Hockey Club dated 26 January 2017 

4.9 WAIKATO PLAN FUNDING

Author: Nick Carroll, Policy Manager

Authorised by: Alan Menhennet, Group Manager: Finance and Strategy

PURPOSE

This report seeks approval of unbudgeted expenditure to support the completion of the Waikato Plan project.

EXECUTIVE SUMMARY

Council has partnered with most of the other councils in the Waikato region to develop the Waikato Plan. The plan is intended to provide a single voice on issues that affect the region. It has been in development since 2013 and is nearing completion in a draft format.

The independent advisors to the project have informed the Waikato Regional Chief Executive Group that additional funding is required to finalise the draft plan and take it through the consultation phase to completion. The Chief Executives Group has supported additional funding of \$150,000, however this is subject to Council approval.

It is recommended that Council approve Taupō District Council's share of \$13,500 as unbudgeted expenditure. This reflects the significant investment in the preparation of the plan over the last three years, the nature of the collaborative approach to the project across the Waikato, and the risk of undermining the established relationships with key partners, particularly Government departments.

RECOMMENDATION(S)

That Council approves unbudgeted expenditure of \$13,500 (exclusive of GST) for the purpose of preparing and consulting on the Waikato Plan.

BACKGROUND

The development of the Waikato Plan has been underway for 3 years. It is a collaborative effort between the councils of the Waikato region and is intended to provide a vehicle to ensure that the region can provide a single voice to the government on significant issues.

The project is governed by the Joint Committee which includes the mayors from the councils, the chair of the regional council and a number of independent representatives. At this point the Joint Committee has progressed the project to the point where there is a draft version of the Waikato Plan and a much shorter summary document. In the next two months the Joint committee is expected to finalise the draft version of the Plan and recommend to the member councils that it is adopted for consultation.

PROJECT FUNDING

The project is jointly funded by the member councils with the funding shares relative to the respective populations. The one exception is Hamilton City Council who have capped their financial contribution and instead provided direct officer support to the project.

The project budget is \$1,195,000 over the life of the project (2013-2016). As of September 2016 there was \$59,667 left. The independent advisors to the project - Ken Tremaine and Bill Wasley - reported to the Waikato Regional Chief Executives Group on 25 November 2016, advising that there were insufficient funds to take the Waikato Plan through the consultation process and to finish the plan.

They noted that there were a range of reasons for the funds not being available to complete the plan including:

- The initial work required on three priority areas in order to provide the Joint Committee with a level of comfort that work was underway and that something was happening.
- The development of an early summary document so that the Joint Committee could see where the draft plan was heading and to sustain their interest while drafting on the main document was being completed.

- The draft plan was meant to be notified in 2016 however the Joint Committee extended the timeframes and notification is now in 2017. While having more time to complete the draft has been beneficial it also puts more pressure on the budget.
- A significant amount of effort has gone into discussing the proposed actions with partners to build relationships for effective implementation.
- Additional costs incurred trying to engage with kiwi and secure kiwi representation.
- Costs incurred in obtaining the services of communications experts Sage Public Relations Group who produced the summary document as well as the edited draft plan. This has been excellent value but was not a cost that was anticipated.
- The development of a comprehensive draft document that is nearly in a state ready to be consulted on. The Joint Committee were very comfortable with where things have got to and seem happy with the product.
- Work has already begun on implementation, including the structures required to support effective implementation and how the actions will be delivered. It is necessary to think about implementation at this point although it does require extra resource.

AN ADDITIONAL \$150,000 FUNDING IS REQUIRED

The independent advisors have suggested to the Chief Executives Group that an additional \$150,000 is required to take the draft plan through consultation to a final version. That money is expected to be split:

- \$75,000 for ongoing administration and finalising the plan. This will include minor changes to the draft requested by the Joint Committee, meeting attendance, payments to governance, communicating the plan back to the member councils.
- \$75,000 for a special consultative process with hearings. This is expected to include an updated website, use of individual council's annual plan processes to advertise the draft plan as a concurrent project, advertising in the New Zealand Herald and Waikato Times, email notification to potential project partners, hearings in Hamilton with some or all of the Joint Committee members, technical support for the submissions and hearing processes.

The additional funds are expected to be split in the same way that the original project budget was set, with the contributions identified in the table below:

Council	Funding
Taupō District Council	\$13,500
Hamilton City Council	\$18,000
Hauraki District Council	\$6,000
Matamata-Piako District Council	\$10,500
Otorohanga District Council	\$4,500
South Waikato District Council	\$6,000
Waikato District Council	\$19,500
Waipa District Council	\$15,000
Waikato Regional Council	\$54,000
Waitomo District Council	\$3,000
Total	\$150,000

CHIEF EXECUTIVES GROUP RECOMMENDS APPROVING THE FUNDS

The Chief executives considered the merits of the proposed additional funding and agreed that providing the additional funds was sensible. This reflected the significant investment in the project to date, the importance of taking the plan through a consultation process and the risk of undermining the relationships built with key partners like the Government.

It was acknowledged that some councils will need to approve the additional expenditure by resolution, Taupō District Council being one of those.

OPTIONS

Council's options are to choose whether or not to contribute toward the additional funding being sought.

It is recommended that Council does approve the additional expenditure on the basis that:

- Taupō District Council has been a partner and active member of the Joint Committee throughout the process. The project is intended to solidify the collaborative approach across the region.
- The significant investment in the project to date is likely to be lost if the councils do not fund the completion of the project.
- There has been substantial engagement with a number of Government departments through the development of the draft plan and a failure to complete the plan is likely to undermine their confidence in the councils and the region. This could impact future funding arrangements.

HOW WILL THIS BE FUNDED?

This additional operational cost would be unbudgeted expenditure.

RISKS

The risks associated with this project are spread across the partner councils. Having substantially completed the draft plan document the risks of not funding the project to completion are largely around the undermining of relationships with key partners and particularly Government departments. In short, this would likely be viewed as an example of local government failing to work collaboratively and deliver a coherent and coordinated view.

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 provision of the additional funding is of low significance. This reflects the relatively small sum of money being requested and the low level of public interest to date.

ENGAGEMENT

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

COMMUNICATION/MEDIA

It is not anticipated that there would be any media communications regarding this decision by Council. Any media enquiries would proceed through the communications protocols already in place for the project.

CONCLUSION

Council has partnered with most of the other councils in the Waikato region to prepare the Waikato Plan. This project is governed by the Joint Committee and has been ongoing since 2013. With the draft document nearing completion the independent project advisors have identified the need for additional funding to complete the project.

The Chief Executives Group has reviewed this request and is supportive of providing the additional money. For Taupō District Council this equates to \$13,500 (GST exclusive) of unbudgeted expenditure in the 2016/17 year.

ATTACHMENTS

Nil

4.10 LOCAL GOVERNMENT EXCELLENCE PROGRAMME

Author: Neil Ward, Finance Manager
Authorised by: Gareth Green, Chief Executive Officer

PURPOSE

For Council to consider involvement in the Local Government Excellence Programme

EXECUTIVE SUMMARY

Local Government New Zealand has developed an excellence programme that will see independent assessments of council performance and a grading given to individual councils. This programme could prove useful in creating trust and confidence in the community that Council is delivering value. In addition it is expected that the programme will highlight where Council has weaknesses against the 91 measure used thus providing an opportunity for continuous improvement against those measures.

The programme is administered by an Independent Assessment Board and independent assessors will review council performance in four priority areas. The assessment process is expected to be driven by a series of qualitative prompts rather than quantitative measures. Council receive an overall score based on a nine point scale ranging from C to AAA and a short narrative describing the things that council is doing exceptionally well and any perceived areas for improvement.

Feedback from the pilot Council's suggests that the excellence programme does have the potential to help Council to build a sense of community confidence and trust, with regard to the value of the services that Council provides. The programme will also expose areas of weakness in Council which will assist in targeting continuous improvement programmes in those areas identified.

Based on the feedback received from the Pilot Council's regarding the amount of staff and Councillor commitment required and a review of Council's current work plan and staff commitments we recommend that should Council choose to continue with the programme that we move from being a foundation Council (which would require the assessor visiting Council in March 2017) to the second tranche of Councils which begins in the second half of this Calendar year.

RECOMMENDATION(S)

That Council:

1. Agrees to join the LG Excellence Programme in the second tranche intake.
- Or
2. Declines to join the LG Excellence Programme

BACKGROUND

The proposal has been before Council at a prior meeting on the 2nd August 2016, refer item number 13 and the following resolutions were made:

TDC20160802/16 RESOLVED that Council:

- 1. Agrees in principle to be actively involved in the development of the Local Government Excellence Programme, and**
- 2. Will assess whether to join the programme once the learnings from the initial pilot programme are known.**

Jollands/Stewart

As a result of this meeting further investigation has been undertaken, with Council staff receiving a debriefing from two of the Council's involved in the pilot programme.

DISCUSSION

Local Government New Zealand (LGNZ) has formally launched the Local Government Excellence Programme. This programme is intended to build community trust and confidence in the work that councils do for their communities. It grew in response to previous survey work that LGNZ undertook, which indicated that communities had a low opinion of the value of work that councils did.

The programme is administered by an Independent Assessment Board and independent assessors will review council performance in four priority areas. The assessment process is expected to be driven by a series of qualitative prompts rather than quantitative measures. Council receive an overall score based on a nine point scale ranging from C to AAA and a short narrative describing the things that council is doing exceptionally well and any perceived areas for improvement.

Feedback from the two Pilot Council's that we contacted was consistent in that the assessment framework has now been significantly improved post the pilot programme which has addressed many of the concerns that we initially had.

There is a significant amount of preparation work required by Council on a self-assessment basis (Pilot Council's recommend allowing one month) and documented evidence must be supplied to the independent assessment team two weeks prior to their site visit.

The pilot Council's formed a project team of about a dozen staff across the organisation with a heavy reliance on the executive team and senior third tier managers.

The assessors spent two very full days interviewing staff and Councillors.

Feedback from the pilot Council's suggests that the excellence programme does have the potential to help Council to build a sense of community confidence and trust, with regard to the value of the services that Council provides. The programme will also expose areas of weakness in Council which will assist in targeting continuous improvement programmes in those areas identified.

Based on the feedback received from the Pilot Council's regarding the amount of staff and Councillor commitment required and a review of Council's current workplan and staff commitments we recommend that should Council choose to continue with the programme that we move from being a foundation Council (which would require the assessor visiting Council in March 2017) to the second tranche of Councils which begins in the second half of this Calendar year.

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

OPTIONS

Analysis of Options

Option 1 – Withdraw from the LG Excellence programme

Advantages	Disadvantages
<ul style="list-style-type: none"> • No financial cost will be incurred by Council for the programme 	<ul style="list-style-type: none"> • No opportunity for an independent assessment of Council's performance

<ul style="list-style-type: none"> No Staff resource required for the assessment programme 	<p>against the 91 measures of the programme.</p> <ul style="list-style-type: none"> No opportunity to identify continuous improvements opportunities relative to the programmes measures No ability to be part of a National Programme
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Option 2 – Commit to the LG Excellence Programme

Advantages	Disadvantages
<ul style="list-style-type: none"> An opportunity for an independent assessment of Council's performance against the 91 measures of the programme. An ability to identify continuous improvement opportunities relative to the programmes measures Being part of an independent National Programme of excellence An opportunity to build trust and confidence with the community 	<ul style="list-style-type: none"> A financial cost will be incurred by Council for the programme, estimated at \$15k per annum Significant Staff resource required for the assessment programme

Analysis Conclusion:

The preferred option is option 2.

CONSIDERATIONS

Financial Considerations

The financial impact of the proposal is estimated to be \$15,000 per annum which can be funded from within existing budgets.

Legal Considerations

Local Government Act 2002

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

Policy Implications

Through the workshop process, LGNZ clarified that the excellence programme is not intended to replicate Council's existing framework, of performance measures in the long-term plan and reporting functions in the annual report. Instead it is intended to be an additional assessment process measuring things that are important for demonstrating that Council is delivering value.

Risks

At present none of the significant metro councils are represented in the programme. LGNZ have acknowledged that this will need to be rectified if the programme is to have long term credibility.

SIGNIFICANCE OF THE DECISION OR PROPOSAL

Council's Significance and Engagement policy identifies the matters that are to be taken into account when assessing the degree of significance of proposals and decisions. Officers have undertaken an assessment of the matters in clause 11 and 12 of the Significance and Engagement Policy (2016), and are of the opinion that a decision to be involved with the excellence programme is of a low degree of significance.

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

The programme was officially launched on the evening of Monday 18 July 2016 with associated communications. Further communications are expected to be developed by LGNZ and rolled out in conjunction with the foundation councils.

On completion of each round of assessments the ratings will be published. Further communication and engagement with our community will be required at that time.

CONCLUSION

Local Government New Zealand has developed an excellence programme that will see independent assessments of council performance and a grading given to individual councils. This programme could prove useful in creating trust and confidence in the community that Council is delivering value. In addition it is expected that the programme will highlight where Council has weaknesses against the 91 measure used thus providing an opportunity for continuous improvement against those measures.

It is recommended that Council commit to the second tranche of the LG Excellence programme, currently estimated to be in the later half of this calendar year. This will enable Council time to establish a project team and prepare all the required information for the independent assessors.

ATTACHMENTS

Nil

5 CONFIDENTIAL BUSINESS

RESOLUTION TO EXCLUDE THE PUBLIC

I move that the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the local government official information and meetings act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
<p>Agenda Item No: 5.1 Confirmation of Confidential Portion of Ordinary Council Minutes - 13 December 2016</p>	<p>Section 6(a) - the making available of the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial</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 6</p>
<p>Agenda Item No: 5.2 Appointment of Community Representatives to the Mangakino/Pouakani 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]*.