



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

Date:	Tuesday, 1 August 2017
Time:	1.30pm
Location:	Council Chamber 72 Lake Terrace Taupo

AGENDA

MEMBERSHIP

Chairperson Mayor David Trewavas

Deputy Chairperson Cr Rosie Harvey

Members

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

Quorum 6

Gareth Green
Chief Executive Officer

Order Of Business

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3.1 ORDINARY COUNCIL MEETING - 27 JUNE 2017

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 27 June 2017 be confirmed as a true and correct record.

ATTACHMENTS

1. Council Meeting Minutes - 27 June 2017 

4.1 ORDINARY MANGAKINO/POUAKANI REPRESENTATIVE GROUP MEETING - 20 JUNE 2017

Author: Tina Jakes, Democracy & Community Engagement Manager

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

RECOMMENDATION(S)

That Council receives the minutes of the Mangakino/Pouakani Representative Group meeting held on Tuesday 20 June 2017.

ATTACHMENTS

1. Mangakino/Pouakani Representative Group Meeting Minutes - 20 June 2017 

4.2 ORDINARY TAUPO AIRPORT AUTHORITY COMMITTEE MEETING - 26 JUNE 2017

Author: Tina Jakes, Democracy & Community Engagement Manager

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

RECOMMENDATION(S)

That Council receives the minutes of the Taupo Airport Authority Committee meeting held on Monday 26 June 2017.

ATTACHMENTS

1. Taupo Airport Authority Committee Meeting Minutes - 26 June 2017 

5.1 RECEIPT OF WAIKATO PLAN JOINT COMMITTEE MINUTES - 19 JUNE 2017

Author: Tina Jakes, Democracy & Community Engagement Manager

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

PURPOSE

To receive the unconfirmed minutes of the Waikato Plan Joint Committee meeting held on 19 June 2017.

RECOMMENDATION(S)

That Council receives the unconfirmed minutes of the Waikato Plan Joint Committee meeting held on 19 June 2017.

ATTACHMENTS

1. Waikato Plan Joint Committee minutes - 19 June 2017 

5.2 RECEIPT OF LAKE TAUPO PROTECTION PROJECT JOINT COMMITTEE MINUTES - 20 JUNE 2017

Author: Tina Jakes, Democracy & Community Engagement Manager

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

PURPOSE

To receive the unconfirmed minutes of the Lake Taupō Protection Project Joint Committee meeting held on 20 June 2017.

RECOMMENDATION(S)

That Council receives the minutes of the Lake Taupō Protection Project Joint Committee meeting held on 20 June 2017.

ATTACHMENTS

1. Lake Taupo Protection Project Joint Committee minutes - 20 June 2017 (A2000039) 

5.3 RECEIPT OF FINAL STATEMENT OF INTENT DOCUMENTS FROM COUNCIL CONTROLLED ORGANISATIONS

Author: Sue Shaw, Business Development Coordinator

Authorised by: John Ridd, Group Manager: Business and Technology

PURPOSE

For Council to receive the final Statements of Intent from its Council-Controlled Organisations [CCOs]: Taupō Airport Authority [TAA]; Waikato Local Authority Shared Services [WLASS]; Bay of Plenty LASS [BOPLASS]; Destination (Great) Lake Taupō [DGLT] and New Zealand Local Government Funding Agency Limited [LGFA].

EXECUTIVE SUMMARY

This item is being presented to Council to formally receive the final 2017/18 SOIs for Taupō Airport Authority [TAA]; Waikato Local Authority Shared Services [WLASS]; Bay of Plenty LASS [BOPLASS]; Destination (Great) Lake Taupō [DGLT] and New Zealand Local Government Funding Agency Limited [LGFA].

The draft SOIs were received by Council at the 28 March 2017 meeting and Council provided feedback on these at the 26 April meeting which were then passed on to the various CCOs.

The CCOs have considered this feedback and have forwarded the final documents to Council for receipt at this meeting.

To fulfil our legislative requirements under the Local Government Act 2002 Council is obliged to receive these items.

NB: Lake Taupō Protection Trust (LTPT)

The Lake Taupō Protection Project Joint Committee received the final Lake Taupō Protection Trust SOI for the 2017-2018 year at their meeting on 7 June 2017.

RECOMMENDATION(S)

That Council receives the final 2017/18 Statements of Intent for:

- a. Taupō Airport Authority;
- b. Waikato Local Authority Shared Services;
- c. Bay of Plenty Local Authority Shared Services;
- d. Destination (Great) Lake Taupō; and
- e. Local Government Funding Agency Limited.

BACKGROUND

This item is being presented to Council to formally receive the final 2017/18 SOIs for Taupō Airport Authority [TAA]; Waikato Local Authority Shared Services [WLASS]; Bay of Plenty LASS [BOPLASS]; Destination (Great) Lake Taupō [DGLT] and New Zealand Local Government Funding Agency Limited [LGFA].

The draft SOIs were received by Council at the 28 March 2016 meeting and Council provided feedback on these at the 26 April meeting which were then passed on to the various CCOs.

The CCOs have considered this feedback and have forwarded the final documents to Council for receipt at this meeting.

To fulfil our legislative requirements under the Local Government Act 2002 Council is obliged to receive these items.

The Local Government Act 2002 places three key accountability requirements on CCOs as follows:

1. A six monthly report on operations – due by 1 March each year
2. An annual report – due within 3 months of the end of the financial year i.e. by 30 September
3. A Statement of Intent – draft due by 1 March each year and finalised by 30 June each year

The purposes of these reports are as follows:

1. Six monthly report on operations:

The report is required to include information relating to the CCO’s achievement against its performance targets as stated in its Statement of Intent.

2. Annual report

This report must include the following:

- Information that is required by its Statement of Intent;
- Information that is necessary to enable an informed assessment of the operations of the organisation. Including a comparison of the performance of the organisation with the statement of intent and an explanation of any material variances between the performances and the statement of intent. It must also state the dividend, if any, authorised to be paid or the maximum dividend proposed to be paid by that organisation for its equity securities (other than fixed interest securities) for the financial year ;
- Audited consolidated financial statements for that financial year; and
- An auditors report on those financial statements and the performance targets and other measurers by which performance was judged in relation to the organisation’s objectives.

3. Statement of Intent – for the following year

The draft is due by 1 March to allow Council time to provide feedback and comments by 1 May. Having considered any comments from Council, the CCOs must then deliver their final SOIs to Council before 30 June. The SOI must cover the aspects listed in Attachment 1.

DISCUSSION

The purpose of this report is to formally receive the final SOIs as outlined above. To fulfil our requirements under the Local Government Act 2002 Council is obliged to do so.

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

OPTIONS

Analysis of Options

Option 1 - **Receive the final SOIs**

Advantages	Disadvantages
<ul style="list-style-type: none"> • Complies with our obligations as a CCO shareholder under the Local Government Act 2002. 	<ul style="list-style-type: none"> • Nil

Option 2 - **Do not receive the final SOIs**

Advantages	Disadvantages
<ul style="list-style-type: none"> • Nil 	<ul style="list-style-type: none"> • Would not comply with our obligations as a CCO shareholder under the Local Government Act 2002.

Analysis Conclusion:

Option 1 is considered the preferred option as this fulfils Council’s requirements under the Local Government Act.

Not receiving the final SOIs would not comply with our obligations as a CCO shareholder under the Local Government Act 2002.

CONSIDERATIONS

Financial Considerations

Long-term Plan/Annual Plan

The expenditure outlined is currently budgeted for under the 2015/25 Long-term Plan.

Legal Considerations

Local Government Act 2002

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

Policy Implications

All CCOs are included in Council long-term strategy as outlined in the 2015/25 Long Term Plan.

Risks

If not formally received the Council will not be following the Local Government Act 2002 obligations as a CCO shareholder.

SIGNIFICANCE OF THE DECISION OR PROPOSAL

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

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

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








ENGAGEMENT

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

COMMUNICATION/MEDIA

No communication/media is required.

ATTACHMENTS

1. Items To Be Covered in CCO Statements of Intent (under separate cover) ⇒ 
2. TAA Final SOI 2017-18 (under separate cover) ⇒ 
3. WLASS Final SOI 2017-18 (under separate cover) ⇒ 
4. BOPLASS Final SOI 2017-18 (under separate cover) ⇒ 
5. DGLT Final SOI 2017-18 (under separate cover) ⇒ 
6. LGFA Letter to Shareholders (under separate cover) ⇒ 
7. LGFA Final SOI 2017-18 (under separate cover) ⇒ 

5.4 COUNCIL'S JUNE PERFORMANCE REPORT

Author: Gareth Green, Chief Executive Officer

Authorised by: Gareth Green, Chief Executive Officer

PURPOSE

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

There is no service delivery or financial reporting for the month of June as it marks the end of the 2016/17 financial year. Officers are currently preparing the financial information and performance with regard to the projects and service delivery targets for the Annual Report.

The next service and financial performance report will be presented at the September Council meeting for the month of August. The Treasury Management Report for June is attached.

RECOMMENDATION(S)

That Council notes the information contained in the Council Performance report for the month of June 2017.

HIGHLIGHTS FROM THE PAST MONTH

Two of our teams have been named finalists in the ServiceIQ Great Lake Taupō Business Awards. The AC Baths Swim School is a finalist in the Zest Brokers Excellence in Business – Medium Business, Enterprise Great Lake Taupo Excellence in Innovation and the Quality Print Excellence in Sustainability categories. Taupo Emergency Management, consisting of the Civil Defence, Rural Fire and Community Engagement teams has been nominated in the Wairakei Resort Excellence in Leadership and the Vine Eatery and Bar Excellence in Community Contribution categories. The awards evening is being held at Wairakei Resort this Friday, August 4. We wish both our teams well.

The relocation of teams from our Lake Terrace office has begun. Last Friday, the consents and regulatory, business support, information systems and technology and property and land teams moved into a temporary premises in Heuheu Street. Other teams will be relocated each week now until the beginning of September with the new customer services centre at 46 Horomatangi Street due to officially open on Monday, August 28.

The refit of the Turangi Service Centre is about to get underway in preparation for our new tenants. Our customer service team will be relocated to Turangi Library for a few weeks while the work is undertaken. It is intended for Department of Conservation staff to be relocated late October or early November.

EMERGING CHALLENGES AND OPPORTUNITIES

Nominations are open to fill the vacant seats in the Turangi-Tongariro Ward as a result of resignations from former councillor Zane Cozens and community board member Sally Nelson. Nominations close at noon on Friday, 10 August. At the time of writing this report, no vacancies had been received.

The Volcanic Activity Centre has closed its doors in Taupō in preparation for its move to the Turangi i-Site. We have been working closely with its owner and have undertaken some planned remedial works on the iSite in anticipation of its increased occupation. The relocation of the centre is an exciting opportunity for Turangi as it will provide a unique destination point for both residents and visitors.

Continued erosion in several parts of the district is providing its challenges. Our team is working closely with Waikato Regional Council and other key stakeholders in an attempt to find successful mitigation measures.

Ngāti Tūwharetoa Iwi completed their comprehensive settlement, with every claim inside the Tūwharetoa rohe now deemed settled. The Tūwharetoa comprehensive Deed of Settlement was signed at Waitetoko Marae on Saturday, July 8. This marked the final chapter of settlements for the Taupō District. Once finalised, we will undoubtedly be part of a new conversation that focusses on the future and shapes a pathway towards iwi ambitions for both current and future generations. Council will have a direct role engaging with the post-settlement governance entity Te Kotahitanga, in conjunction with Waikato Regional Council, for the formation of the Taupō catchment committee Te Kōpua Kānapanapa.

ATTACHMENTS

1. Treasury Report June 2017 

5.5 TREASURY MANAGEMENT POLICY

Author: Neil Ward, Finance Manager
Authorised by: Alan Menhennet, Group Manager: Finance and Strategy

PURPOSE

This report seeks Council’s adoption of minor changes to the Treasury Management Policy June 2015 (TMP) to align with recent updates across the sector.

EXECUTIVE SUMMARY

It is recommended that Council adopts the minor changes to the TMP in order to keep the policy current with recent changes to Treasury Management Policies in the sector.

RECOMMENDATION(S)
 That Council adopts the Treasury Management Policy June 2017 [A2007024], effective 1 July 2017.

BACKGROUND

The proposal has not been presented previously.

Section 102(2)(b) of the Local Government Act 2002 (LGA) requires Council to adopt a policy on liability management. Section 104 sets out what must be included in this policy.

Section 102(2)(c) of the LGA requires Council to adopt a policy on investment management. Section 105 sets out what must be included in this policy.

The TMP encompasses both the liability and investment management policies.

Section 102(5)(a) and (b) of the LGA states that Council is not required to consult on the Investment Management and Liability Management policies.

DISCUSSION

TDC engages PWC as our treasury advisors. A part of that engagement is to review our TMP on a regular basis to ensure it is kept up to date with best practice Treasury policies. Following a recent review PWC has recommended some minor changes to our TMP to bring it in line with recent changes in the sector.

These changes our shown in blue in the attached document.

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

OPTIONS

The two options Council has are to either adopt the amendments to the Treasury Management Policy 2015, or not. It is preferred that Council adopts the amendments to the policy (option 2) to reflect recent changes in sector TMP’s.

Option 1. Do not adopt minor changes to TMP

Advantages	Disadvantages
<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • Does not update TMP to recent sector amendments which will lead to the policy becoming outdated in time.

Option 2. Adopt minor changes to TMP

Advantages	Disadvantages
<ul style="list-style-type: none"> • Updates and aligns TMP to recent sector amendments 	<ul style="list-style-type: none"> • None

CONSIDERATIONS

The financial, legal and policy implications of the Treasury Management Policy 2015 were considered during the development of the policy. There is no impact as a result of these minor changes.

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. This is because the proposal is for minor amendments only to the TMP.

ENGAGEMENT

No further engagement with the community is required.

COMMUNICATION/MEDIA

The updated Treasury Management Policy will be provided on the website.

CONCLUSION

It is recommended that Council adopts the minor changes to the TMP in order to keep the policy current with changes to sector TMP’s.

ATTACHMENTS

- 1. Treasury Management Policy 2017 

5.6 FREEDOM CAMPING BYLAW ADOPTION

Author: Jane Budge, Senior Policy Advisor

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

PURPOSE

The purpose of this report is to make the Freedom Camping Bylaw in accordance with the Freedom Camping Act 2011.

EXECUTIVE SUMMARY

Council has been considering a potential Freedom Camping Bylaw to manage the adverse effects of freedom campers throughout the district. The review has undertaken various workshops with stakeholders, surveys, a special consultative procedure and sought legal advice to ensure that a thorough process has been undertaken.

Of concern was the legal threat of judicial review if the draft freedom camping bylaw was not amended to bring it in line with the Freedom Camping Act 2011 (the Act). Council considered a potential amended bylaw that brought it more in line with the Act and directed officers at the deliberations, on 22 June 2017, to incorporate the following:

- Non-self contained (everything other than self-contained) restricted to Reid's Farm and a few select sites at Mangakino and Whakamaru.
- Restricted to self-contained vehicles across the district except for prohibited areas.
- Lakeshore prohibition area, 100m from the Nui-A-Tia boundary which includes the Ferry Road area currently utilised for freedom camping. Urban area prohibition across small settlements other than Taupō.
- Three night/four day maximum limit per site as per the draft bylaw to be maintained.

Clarification is sought on a couple of issues that were discussed at the deliberations, including:

- the 100m prohibition from the Nui-a-Tia boundary that includes Lake Taupō, its tributaries and finishes at the control gates on the Waikato River. There appeared to be some discussion of this ending at Huka Falls. Officers wish to highlight some issues with this prohibition if it were to be extended to Huka Falls as this would include an extensive part of Hipapatua/Reid's Farm Recreation Reserve where we do intend to keep freedom camping. It is recommended that the Nui-a-Tia boundary be maintained;
- the overnight time limit of three nights/four days was also discussed however, the New Zealand standard limit for self-containment of two nights/three days (incorporated in the draft bylaw) was also discussed and clarification is sought on which time limit is preferred; and
- our Compliance team also highlighted that campers could take liberties with the nightly limit and recommended that a clause be added requiring campers to move on and suggested 500m.

The lowest risk moving forward would be for Council to re-consult with the community on the proposed amended bylaw due to the significant departure from what was consulted on. Council has indicated that it has a good understanding of the views of the community. However, the proposed amendments better align with the purpose of the legislation and re-consulting is deemed unnecessary.

Therefore it is recommended that Council either considers making the Freedom Camping Bylaw in accordance with section 11 of the Freedom Camping Act 2011 including the proposed amendments agreed at the meeting; or considers another round of formal consultation on the amended draft Bylaw.

RECOMMENDATION(S)

That Council:

1. makes the Freedom Camping Bylaw (as amended) in accordance with section 11 of the Freedom Camping Act 2011;
2. directs officers to publically notify the date on which the Freedom Camping Bylaw comes into

- force, being 1 September 2017; and
3. directs officers to draft letters to the Ministers of Conservation and Internal Affairs outlining the Bylaw provisions and requesting that they also consider the 100m lakeshore prohibition on land administered by the Departments of Conservation and Internal Affairs;
- OR
4. not adopt the draft Freedom Camping Bylaw that was approved for consultation in February 2017;
 5. amends the draft Freedom Camping Bylaw in the manner as attached to this resolution; and
 6. undertakes formal consultation on the amended draft Bylaw.

BACKGROUND

The Freedom Camping Act 2011 (the Act) permits freedom camping in any local authority area unless it is restricted or prohibited through a bylaw or another enactment. The Act allows a local authority to make a freedom camping bylaw, which can restrict or prohibit freedom camping from an area within the district if it is satisfied that one of the following reasons is met:

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

PROCESS TO DATE

Council directed officers, at its May 2016 Meeting (Resolution TDC201605/09), to investigate a potential freedom camping bylaw under the Act and establish a working group of stakeholders to consider the issue. The process to date has included:

- Established a working group of stakeholders and undertook four workshops considering the issues and potential solutions
- A survey over June 2016 to better understand the issues with 196 responses. About two thirds of the respondents acknowledged that freedom campers provide some benefit to the community
- Informal engagement with interested parties
- A survey over November 2016 considering potential areas for freedom camping that received 223 responses. This survey highlighted the complexity and polarising nature of the issue
- Council considered potential areas and solutions at the meeting in December 2016 and directed officers to draft a freedom camping bylaw based on the areas identified (Resolution TDC201612/05)
- Council adopted the draft freedom camping bylaw and statement of proposal for public consultation in accordance with section 83 of the LGA at the February 2017 meeting (Resolution TDC201702/09). Council also resolved that the freedom camping bylaw was:
 - the best mechanism to protect an area, the health and safety of persons and access to an area (section 11(2)(a))
 - the best mechanism to address the issues associated with freedom camping (section 11(2)(b)); and
 - not inconsistent with the NZ Bill of Rights Act (section 11(2)(c)).
- Formal consultation was undertaken between 17 February and 18 April 2017 on the draft freedom camping bylaw and 137 submissions were received. Hearings were held on 8 May and 10 May.
- Deliberations were undertaken on the 22 June 2017. Council directed officers to incorporate the following in an amended Freedom Camping bylaw to manage the adverse effects of freedom camping, including to protect day user access and environmental concerns:
 - Non-self contained (everything other than self-contained) restricted to Reid's Farm and a few select sites at Mangakino and Whakamaru.
 - Restricted to self-contained vehicles across the district except for prohibited areas.

- Lakeshore prohibition area, 100m from the Nui-A-Tia boundary which includes the Ferry Road area currently utilised for freedom camping. Urban area prohibition across small settlements other than Taupō.
- Three day/night maximum limit per site as per the draft bylaw to be maintained.
- Council indicated that they were aware of the community's position on this issue and that further consultation was not required. Council directed officers to make the changes and for the amended draft bylaw to be brought before the 1 August Council meeting.
- Council directed officers to talk to the Departments of Conservation, and Internal Affairs, and the New Zealand Motor Caravan Association on what had been agreed at the deliberations meeting. Officers have undertaken this engagement. The Departments were happy with the direction Council is taking and look forward to working in collaboration in the future particularly regarding enforcement.
- Council directed officers to consider providing adequate funding for infrastructure and enforcement and recommended projects be included as part of its Long-term Planning. Officers will also make applications to the Government's new Tourism Infrastructure Fund where appropriate.

DISCUSSION

Clarification is sought on a couple of issues that were discussed at the deliberations meeting on the 22 June.

The 100m prohibition from the Nui-a-Tia boundary includes Lake Taupō, its tributaries and finishes at the control gates on the Waikato River. There appeared to be some confusion at the deliberations meeting as to where the Nui-a-Tia boundary ended. Some present were talking about it ending at Huka Falls although this was incorrect and the boundary finishes at the control gates.

Issues will arise if Council extends this prohibition to Huka Falls due to the 100 metres crossing over into the camping areas at Reid's farm. Quite an extensive area of the parts of the reserve that are to be designated for all camping would be impacted if the 100 metre prohibition were to be applied. It is recommended that Council maintain the Nui-a-Tia boundary definition for clarity and limit the 100m prohibited area to the margins of Lake Taupō only.

The other issue discussed where Council's direction is unclear was the time limit on how long a freedom camper can stay at a site. Many of those present talked about a three night (therefore a four day) limit although others were talking about the self-containment requirements of the New Zealand Standard which is two nights and three days. Clarification is sought as to the limit that Council intended to be included in the bylaw. The two night limit is in line with the New Zealand Standard although the three night limit is in line with the requirement for Reid's Farm which ensures consistency across the district.

Discussions with our Compliance team highlighted that campers could take liberties with the nightly limit control and not move on from the initial site. Accordingly, the Compliance team recommended that a clause be added requiring campers that are requested to move on be made to move on by a specified distance - 500m was suggested as an acceptable distance.

CONSIDERATIONS

Financial Considerations

There are potential financial implications possible and these will be included in the 2018-28 LTP process for both new infrastructure and enforcement.

Legal Considerations

(a) Freedom Camping Act 2011

The Freedom Camping Act allows the development of a Freedom Camping Bylaw and requires the Council to use the special consultative procedure set out in section 83 of the Local Government Act 2002 when making a bylaw under section 11 of the Act.

(b) 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 (LGA).

A special consultative procedure has been used in accordance with section 83 of the Local Government Act (LGA).

The Council should now consider whether:

- (i) having gone through a consultation process; and
- (ii) after taking into account everything learned and having modified the original proposal on which it consulted a further round of consultation needs to be undertaken?

Risks

There is the threat by NZMCA indicating that they are likely to judicially review Council if the draft bylaw is not amended. This risk could potentially continue. However, amending the draft bylaw to be more in line with the intention of the Act may minimise this as agreed at the deliberations meeting.

There also continues to be 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.

Council decided to amend the draft bylaw to bring it more in line with the requirements of the Act. Officers have advised that the lowest risk option for Council would be to re-consult the community on any amendment considered to be a significant departure from the bylaw that was consulted on. Council indicated at the deliberations that it has a good understanding of the views of the community, that the proposed amendments would better achieve the purpose of the legislation and that further consultation was unnecessary.

Policy Implications

There are no policy implications associated with this paper.

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 matters covered in this paper affect a large portion of the community, and it is considered a significant decision. A special consultative procedure has been followed in accordance with section 83 of the Local Government Act (LGA).

CONSULTATION/ENGAGEMENT

If Council makes the bylaw at this meeting officers will send out reply letters to submitters advising of the Council's decision.

To ensure consistency across the district it is recommended that Council write to the Ministers' of Conservation and Internal Affairs to ask them to also observe the 100m lakeshore prohibition to assist with managing the adverse effects of freedom camping.

If the Council decides to undertake further consultation, then the special consultative procedure under the LGA will be used. This requires consultation for one month (the previous consultation period was two months to align with the Reid's Farm reserve management plan) and would still enable an operative Bylaw to be in force in time for the summer months.

COMMUNICATION/MEDIA

This matter is of significant public interest and officers will ensure the decision and ongoing processes are clearly communicated through the appropriate channels.

CONCLUSION

Council is unlikely to mitigate some deeply held perceptions associated with freedom camping and will have to balance the expectations of parts of the community and the intent of the Act which is very permissive. A thorough review has been undertaken to help Council manage this very polarising issue and best meet the needs of both the community and visitors.

Council either:

1. makes the Freedom Camping Bylaw in accordance with section 11 of the Freedom Camping Act 2011 and include the amendments agreed at the meeting; or
2. undertakes another round of formal consultation on the amended draft Bylaw.

ATTACHMENTS

1. 2016 Draft Freedom Camping Bylaw (A1726302) 

5.7 ADOPTION OF THE WAIKATO PLAN

Author: Nick Carroll, Policy Manager

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

PURPOSE

This report seeks a decision from Council on whether to adopt the Waikato Plan as recommended by the Waikato Plan Joint Committee.

EXECUTIVE SUMMARY

Council has been working with other councils in the Waikato region to develop the Waikato Plan. The Plan is intended to articulate a region wide view on strategic issues. It is also intended to support advocacy by local government to other agencies, including government departments such as the New Zealand Transport Agency.

The development of the Waikato Plan has been managed by the Waikato Plan Joint Committee who have undertaken a special consultative procedure and are now proposing that the partner councils adopt the Waikato Plan and a related summary document.

The Joint Committee is also recommending that the Waikato Plan Leadership Group, a joint committee, is appointed to manage the ongoing implementation of the Waikato Plan. Taupō District Council has not made any budget provision towards implementation and has signalled that there is no intention to do so in the future. Despite this, Taupō District Council can still be represented on the Waikato Plan Leadership Group via the Southern Waikato Group – a combination of South Waikato, Otorohanga, Waitomo and Taupō District Councils.

It is recommended that Council adopts the Waikato Plan and associated summary document, and that the establishment of the Waikato Plan Leadership Group is supported.

RECOMMENDATION(S)

That Council:

1. Adopts the “Waikato Plan” (A1992369) and “Waikato Plan: A Summary – Building champion communicates, together” (A1992356).
2. Approves the Agreement to establish the Waikato Plan Leadership Group as a Joint Committee (A1992497).
3. Appoints the Waikato Plan Leadership Group as a Joint Committee, conditional on approval of the agreement by all other local authorities or public bodies that are to appoint members.
4. Appoints Mayor Brian Hanna from Waitomo District Council as Council’s representative on the Waikato Plan Leadership Group.

BACKGROUND

The Mayoral Forum endorsed the development of a Waikato Plan in 2013. The development of the Waikato Plan has gone through the following stages over the last four years:

- Evidence base development
- Stage 1: Project scope, priorities and strategic direction
- Stage 2: Wider plan structure and agreement of the strategic direction
- Stage 3: Plan development and adoption of strategic direction and drafting of full plan and summary document

The draft Waikato Plan was prepared and adopted by the Waikato Plan Joint Committee on 27 February 2017 for public consultation under the Special Consultative Procedure of the Local Government Act 2002. It followed extensive discussions between councils, government agencies, iwi and other stakeholders.

The draft Waikato Plan was publicly notified on 10 March 2017. Hearings were held at the Waikato Regional Council on 21 April 2017. A total of 31 submissions were received to the draft Plan. The Waikato Plan Joint

Committee considered all submissions received. All submitters who indicated they wished to appear were given the opportunity to do so, and 15 submitters presented their submissions to the Joint Committee.

The Waikato Plan Joint Committee deliberated on staff recommended changes in response to submissions on 30 May 2017. The recommendations were approved subject to a number of minor changes. The final Plan was approved by the Joint Committee on 19 June 2017 and a recommended to partner councils for adoption.

WAIKATO PLAN PRIORITY AREAS AND ACTIONS

The Waikato Plan has five priority areas and 10 key actions which are outlined in the diagram below.



VALUE PROPOSITION OF THE WAIKATO PLAN

The Waikato Plan allows the Waikato to have the ‘regional conversations’ about large scale issues and opportunities and ‘talk’ with one voice to our key audiences - central government, key decision makers and funders. This is the first time this has been achieved in the Waikato; it is a milestone agreement.

The Plan will be used in sub-national or national negotiations to leverage additional resourcing and funding for our regional needs and development priorities. Other Waikato organisations and businesses will be supported to actively contribute to the agreed priorities of the Plan. The Government is our single largest investor, where for every \$1 local government invests in the Waikato Region, central government invests \$9. This is why engagement on priority outcomes and service delivery is critical.

The Waikato Plan allows us to:

- Effectively engage with central government
- Emphasise growing the regional economy to assist with the implementation of the Government’s Business Growth agenda
- Address effective delivery of rural social services to support population retention and ongoing economic Development.
- Potentially align the Waikato Plan needs with Government’s budget priorities

ADOPTION PROCESS

The project timeline requires all partner Councils to consider the final Waikato Plan for adoption by August 2017. Following adoption, the Plan will be launched in August/September 2017.

When adopting the Plan, if there are particular areas which a partner council would like reviewed, partner councils may wish to recommend matters for the new Leadership Group to consider when drawing up the implementation plan. Changes cannot be made to the current Plan without these being referred back to the Joint Committee.

IMPLEMENTATION

Provision for an implementation project structure has been made. The structure will constitute a Waikato Plan Leadership Group (Joint Committee), comprising local government, business / community, iwi, and government agencies. This will be supported by a Chief Executives' steering group, a Strategic Partners' Forum and a technical reference group.

Waikato Plan actions will be implemented through various avenues such as:

- Waikato Plan Leadership Group
- Mayoral Forum programme of work
- Waikato Means Business programme of work
- Other key partners programmes of work

At this point in time Taupō District Council has not committed any funding toward implementation and has signalled that this is unlikely to change.

WAIKATO PLAN LEADERSHIP GROUP

An agreement and associated terms of reference have been prepared in order to establish the Joint Committee that will oversee implementation of the Waikato Plan. This Agreement, and the associated Terms of Reference, is a requirement of Clause 30A, Schedule 7 of the Local Government Act 2002.

The purpose of the Agreement is to provide for a Joint Committee of the partner councils (noting that some are still to confirm whether they wish to participate in implementation), tāngata whenua, business and the wider community and government agencies to implement the Waikato Plan. This joint committee will be known as the 'Waikato Plan Leadership Group'.

The membership will be as follows:

- Independent Chairperson (non-elected member)
- Local Government – five representatives
- Tāngata whenua – up to six representatives
- Business / Community – up to four representatives
- Government Agencies – up to four representatives (non-voting)

The Mayoral Forum, subsequently confirmed by the Joint Committee, has agreed to a sub-regional approach to Local Government representation with five members being appointed in total. One member will represent each of the following:

- Future Proof Group (Hamilton City Council, Waipa District Council, Waikato District Council)
- Eastern Waikato Group (Hauraki District Council, Matamata-Piako District Council, Thames-Coromandel District Council)
- Southern Waikato Group (Otorohanga District Council, South Waikato District Council, Taupō District Council, Waitomo District Council)
- Waikato Regional Council
- Hamilton City Council

There have been discussions about potential appointments for the Southern Waikato Group with the other relevant councils and agreement has been reached on the nomination of Mayor Brian Hanna from Waitomo District Council.

The intention is to review the membership of the Waikato Leadership Group after one year with the intention of trying to reduce the total number of members down to 12. It is unclear what this would mean for Taupō District Council's ongoing representation on the Waikato Plan Leadership Group.

REPORTING AND MONITORING

A key aspect of the implementation arrangements will be the Waikato Plan Leadership Group reporting to partners on a regular basis. This will involve regular reporting to the Mayoral Forum, Chief Executives, Strategic Partners Forum and technical staff. This will be a critical success factor. Reporting is to be based on formal reporting against KPI's that are outlined in the final Waikato Plan.

OPTIONS

Council can either adopt the Waikato Plan as proposed by the Joint Committee or refer the Waikato Plan back to the Joint Committee with clear direction on the aspects which should be reconsidered. Officers recommend that Council adopts the Waikato Plan as proposed by the Joint Committee.

Similarly, officers recommend that Council approve the agreement to establish the Waikato Plan Leadership Group as a joint committee of Council.

CONSIDERATIONS

Financial Considerations

No funding has been identified by Taupō District Council for the implementation of the Waikato Plan, and furthermore the project team has been advised that Council does not intend to make any provision for future funding. Council can review this position in the future if there is a desire to take a more active role in the implementation of the Waikato Plan.

Legal Considerations

The Waikato Plan has been developed in accordance with the decision making and consultation requirements of the Local Government Act 2002. The Plan has no statutory basis but is expected to inform development of statutory plans in the future such as district plans and long-term plans.

Before the Waikato Plan Leadership Group can be appointed, Council must reach an agreement with every other local authority that will appoint members to the joint committee. The agreement must specify:

- a) the number of members each local authority or public body may appoint to the committee; and
- b) how the chairperson and deputy chairperson of the committee are to be appointed; and
- c) the terms of reference of the committee; and
- d) what responsibilities (if any) are to be delegated to the committee by each local authority or public body; and
- e) how the agreement may be varied.

A copy of the proposed agreement is attached (A1992497).

Policy Implications

The Waikato Plan can be considered by Council when preparing new policy or reviewing existing policy such as the District Plan or the Long-term Plan. It is intended to provide weight to advocacy, particularly on regional scale issues.

Risks

The most significant risk for the ongoing implementation of the Waikato Plan is declining commitment from local authorities.

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 adoption of the Waikato Plan and the establishment of the Waikato Plan Leadership Group is of reasonably low importance. This is because:

- There is no direct financial consequence

- Not many in the community will be affected
- The impacts are limited and more likely to be expressed through later decision making such as on the long-term plan
- Levels of service will not be affected
- There has been virtually no community interest
- There are no impacts on Council's ability to perform its role

ENGAGEMENT

The draft Waikato Plan has been the subject of a special consultative procedure and no further engagement is considered necessary.

COMMUNICATION/MEDIA




The launch of the Waikato Plan is being managed centrally through the project team to ensure a consistent approach across the partner councils.

CONCLUSION

Council has been part of the project to develop the Waikato Plan. A joint committee of the partner councils was formed to oversee that process and that committee is now recommending that Council adopt the proposed Waikato Plan and related summary document.

The joint committee is also preparing for implementation of the Waikato Plan has recommended that the partner councils appoint a new joint committee to oversee the implementation called the Waikato Plan Leadership Group.

ATTACHMENTS

1. Waikato Plan (under separate cover) [⇒](#) 
2. Waikato Plan summary document (under separate cover) [⇒](#) 
3. Waikato Plan Leadership Group agreement and terms of reference (under separate cover) [⇒](#) 

5.8 EXTRAORDINARY VACANCIES - COUNCIL AND TURANGI-TONGARIRO COMMUNITY BOARD

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

PURPOSE

To update Council on the process for the Turangi-Tongariro By-election and to approve unbudgeted expenditure as a result of the vacancies created on Council and the Turangi/Tongariro Community Board.

EXECUTIVE SUMMARY

Two extraordinary vacancies have occurred for the Turangi-Tongariro Ward as a result of the resignation of Councillor Cozens and Ms Nelson which were received by the Chief Executive on 4 July 2017.

The Electoral Officer, Warwick Lampp and Deputy Electoral Officer have made arrangements for the By-election process, with the issue of the first public notice and nominations opening on Thursday 13 July 2017 and closing on Thursday 10 August 2017.

Council needs to approve unbudgeted expenditure of \$21,000 [excluding GST].

RECOMMENDATION(S)
 That Council approves unbudgeted expenditure of \$21,000 + GST to conduct a By-election for the Turangi-Tongariro Ward and Community Board.

BACKGROUND

On 4 July 2017 Cr Cozens and Ms Nelson provided the Chief Executive with letters of resignation, which took immediate effect and has resulted in the creation of two extraordinary vacancies.

There is a statutory requirement set out in section 117 of the Local Electoral Act 2001 [LEA] on receiving notice of an extraordinary vacancy.

DISCUSSION

In this instance, as the vacancy has occurred more than 12 months before the next triennial general election, the vacancies must be filled by an election under the Act [S117 (1)].

Under the provisions of section 120 (1) (b) the election must be held not later than 82 days after the date on which the electoral officer receives notice of the vacancies.

Turangi-Tongariro Ward and Community Board By-election

CEO notification to EO	Monday 10-Jul-17	Election must be held within 89 days of notification
Compile preliminary roll		Residential info from EEC on request
Public notice of election, call nominations, inspect roll	Thursday 13-Jul-17	No later than 28 days before close of nominations
Nominations open, rolls open		No later than 28 days before close of nominations
Nominations close	Thursday 10-Aug-17	Noon on 57th day prior to polling day
Rolls close		Close of business 50 days prior to polling day
Receive final roll from EEC	Friday 11-Aug-17	

<i>If only one candidate and election not required then:</i>		
Public Notice (2a) declaring result of election	Tuesday 15-Aug-17	As soon as practicable after close of nominations
<i>If more than one candidate and election required then:</i>		
Public Notice (2b) day of election, candidates names etc	Tuesday 15-Aug-17	As soon as practicable after close of nominations
EO certifies final roll	Monday 11-Sep-17	Before 25th day before polling day
Delivery of voting papers starts	Thursday 14-Sep-17	22.5 days - 17 days before polling closes
last day for delivery of voting papers	Tuesday 19-Sep-17	
Appointment of scrutineers	Thursday 05-Oct-17	Not less than 24 hours before close of polling
Polling Day	Friday 06-Oct-17	Voting closes at 12 noon
Announce preliminary results	Friday 06-Oct-17	As soon as practicable after voting closes
Declaration/public notice of results	Monday 09-Oct-17	As soon as practicable after count completed
Secure & deposit all electoral records at District Court		As soon as practicable after count completed
Return of electoral expenses & donations	Sunday 03-Dec-17	Within 55 days from date of decl. (public notice)

CONSIDERATIONS

Financial Considerations

The financial impact of the By-election is estimated to be \$21,000.

Long-term Plan/Annual Plan

The expenditure outlined is currently unbudgeted.

Legal Considerations

The Local Electoral Act 2001 and Local Electoral Regulations 2001 apply.

Policy Implications

There are no known policy implications.

Risks

There are no known risks.

SIGNIFICANCE OF THE DECISION OR PROPOSAL

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

- a. The level of financial consequences of the proposal or decision;
- b. Whether the proposal or decision will affect a large portion of the community or community of interest;

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

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

ENGAGEMENT

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

COMMUNICATION/MEDIA

The required public notices will be made and public information will be available as necessary in relation to the By-election.

CONCLUSION

Two extraordinary vacancies have occurred for the Turangi-Tongariro Ward and Community Board which must be filled by election. Council needs to approve unbudgeted expenditure of \$21,000 [GST exclusive] to conduct the By-election.

ATTACHMENTS

Nil

5.9 COUNCIL ENGAGEMENTS AUGUST 2017; CONFERENCE OPPORTUNITIES; AND APPOINTMENT TO TUTEMOHUTA RESERVE TRUST COMMITTEE

Author: Tina Jakes, Democracy & Community Engagement Manager

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

Engagements

ENGAGEMENT	DAY	DATE	TIME
Vermicomposting site visit and presentation (View Road, Taupō)	Tuesday	1	9am-10am
Workshop (post Robyn McCulloch workshop)	Tuesday	1	10am-12noon
Public forum	Tuesday	1	1pm-1.30pm
Council meeting	Tuesday	1	1.30pm-5pm
Turangi/Tongariro Community Board meeting (Tongariro Hall/Senior Citizens Hall, Ohuanga Road, Turangi)	Tuesday	8	1pm-4pm
Turangi Reserves Management Plan Committee meeting (Tongariro Hall/Senior Citizens Hall, Ohuanga Road, Turangi)	Monday	14	9am-11am
Diligent Training for Elected Members	Tuesday	15	2pm-4pm
Emergency Management Committee meeting	Monday	21	11am-12noon
Mangakino/Pouakani Representative Group meeting (Mangakino Service Centre)	Tuesday	22	10am-12noon
Safe Drinking Water Supplies Seminar	Tuesday	29	10.30am-12.30pm
Public forum	Tuesday	29	1pm-1.30pm
Council meeting	Tuesday	29	1.30pm-5pm

Conference and Professional Development Opportunities

To approve, either prior or retrospectively, Councillor attendance at conferences and professional development courses – none to consider at the time of agenda printing.

Appointment to Tutemohuta Reserve Trust Committee

Councillor Barry Hickling has resigned from his position on the Tutemohuta Reserve Trust Committee. A replacement Council representative is sought.

RECOMMENDATION(S)

1. That Council receives the information relating to engagements for August 2017.
2. That Council appoints Cr _____ to the Tutemohuta Reserve Trust Committee for the remainder of the 2016-19 Triennium.

ATTACHMENTS

Nil

5.10 MEMBERS' REPORTS

Author: Tina Jakes, Democracy & Community Engagement Manager

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

PURPOSE

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

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

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

CONCLUSION

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

RECOMMENDATION(S)

That Council receives the reports from members.

ATTACHMENTS

Nil

6 CONFIDENTIAL BUSINESS

RESOLUTION TO EXCLUDE THE PUBLIC

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
<p>Agenda Item No: 6.1 Confirmation of Confidential Portion of Ordinary Council Minutes - 27 June 2017</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: 6.2 Receipt of Confidential Portion of Minutes - Taupo Airport Authority Committee - 26 June 2017</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>

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]*.