



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

Date:	Tuesday, 26 September 2017
Time:	1.30pm
Location:	Nukuhau Marae Pitiroi Street 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**

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3.1 ORDINARY COUNCIL MEETING - 29 AUGUST 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 29 August 2017 be confirmed as a true and correct record.

ATTACHMENTS

1. Council Meeting Minutes - 29 August 2017 [⇒](#) 

3.2 EXTRAORDINARY COUNCIL MEETING - 14 SEPTEMBER 2017

Author: Raeleen Rihari, Democratic Services Support Officer

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

RECOMMENDATION(S)

That the minutes of the Council meeting held on Thursday 14 September 2017 be confirmed as a true and correct record.

ATTACHMENTS

1. Council Meeting Minutes - 14 September 2017 

4.1 EXTRAORDINARY TURANGI RESERVES MANAGEMENT PLAN COMMITTEE MEETING - 28 AUGUST 2017

Author: Raeleen Rihari, Democratic Services Support Officer

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

RECOMMENDATION(S)

That Council receives the unconfirmed minutes of the extraordinary Turangi Reserves Management Plan Committee meeting held on Monday 28 August 2017.

ATTACHMENTS

1. Turangi Reserves Management Plan Committee Meeting Minutes - 28 August 2017 

4.2 ORDINARY TURANGI/TONGARIRO COMMUNITY BOARD MEETING - 12 SEPTEMBER 2017

Author: Raeleen Rihari, Democratic Services Support Officer

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

RECOMMENDATION(S)

That Council receives the unconfirmed minutes of the Turangi/Tongariro Community Board meeting held on Tuesday 12 September 2017.

ATTACHMENTS

1. Turangi/Tongariro Community Board Meeting Minutes - 12 September 2017 

5.1 TENDER FOR CONTRACT TDC/1718/204 - TAHARUA ROAD SEAL EXTENSION

Author: Bryan Ferguson, Senior Engineering Officer - Transportation

Authorised by: Kevin Strongman, Group Manager, Operational Services

PURPOSE

This report is to seek the approval to award the tender for TDC/1718/204 Taharua Road Seal Extension 2017.

EXECUTIVE SUMMARY

Tenders for this Contract closed on Friday 8 September 2017.

RECOMMENDATION(S)

That the Tender for Contract TDC/1718/204 for Taharua Road Seal Extension 2017 submitted by Inframax Construction Ltd from Te Kuiti for the sum of \$443,325.59 [excl. GST] be accepted and that His Worship the Mayor and the Chief Executive be authorised to sign the Contract Documents and attach the Council's Common Seal to them.

BACKGROUND

The proposal has not been presented previously.

Selection of Taharua Road has come from the Seal Extension Matrix (Objective A350632) where the section of Taharua Road proposed for seal extension (Route Position 17.5km to 19.8km) presently rates highest on the matrix, largely scored through traffic volumes which numbers an average of 202 vehicles per day (recorded Aug 2017) and the high frequency of maintenance. Sealing of this section will complete chip seal surfacing of Taharua Road to the end of the public road.

Taharua Road is located in the Rangitaiki area and is a local road branching off of State Highway 5. It is intend to complete construction works by early December 2017 with the second coat seal applied before 15th March 2018.

DISCUSSION

Tenders for Contract TDC/1718/204 Taharua Road Seal Extension were advertised on Tenderlink and closed at 1.00pm on Friday 8 September 2017.

Four tenders were received:

1. Higgins Contractors Ltd (Taupo)
2. Inframax Construction Ltd (Te Kuti)
3. Schick Civil Construction (Hamilton)
4. Seay Earthmovers Ltd (Taupo)

Tender prices ranged from \$443,325.59 to \$725,749.80 plus GST.

The Engineers estimate was \$491,620.90 plus GST.

TENDER EVALUATION

Tenders were evaluated according to the Lowest Price Conforming Tender Method as described in the Taupo District Council's procurement policy.

The lowest priced conforming tender was that of Inframax Contraction Ltd at \$443,325.59.

The second coat seal component of the tendered price is \$57,007.48, this will be funded from the Subsidised Pavement Surfacing Renewals budget which has a budget of \$800K for 2017/18. The balance will be funded from the Seal Extension budget.

Inframax Construction Ltd has successfully carried out a number of projects for Taupō District Council in particular seal extension and currently holds registration on TDC Health & Safety Preferred Contractors listing.

OPTIONS

Option 1. Do not accept the tender

Advantages	Disadvantages
<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> Unable to achieve the desired outcome

Option 2. Accept the tender

Advantages	Disadvantages
<ul style="list-style-type: none"> Able to achieve the desired outcome of sealing a 2.3km section of Taharua Road 	<ul style="list-style-type: none"> None

CONSIDERATIONS

Financial Considerations

The financial impact of the proposal is estimated to be \$386,318.11 drawn from the Seal Extension budget & \$57,007.48 drawn from the Pavement Surfacing Renewals budget.

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

Being constructed largely of pumice fill the site will be exposed to erosion until stabilised by the chip seal over the carriageway surface and rock armouring of watertables. Erosion & Sediment control measures will be implemented as part of the contract works to mitigate against this risk.

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

Once the tender has been approved, residents will be advised accordingly.

CONCLUSION

Seal Extension is an activity budgeted for in the 2017/18 Annual Plan, Taharua Road has been selected from the rating matrix for inclusion in this financial year's contract, tenders closed on 8 September 2017. Inframax Construction Ltd were the lowest priced conforming tender with the tender price for the Seal Extension component of the contract within the budgeted funding value of \$400K and the Second Coat Sealing component within the budgeted funding value of \$800K.

ATTACHMENTS

Nil

5.2 ADOPTION OF THE 2016-17 ANNUAL REPORT

Author: Jane Budge, Senior Policy Advisor

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

PURPOSE

This report seeks Council adoption of the Annual Report 2016/17 and its summary.

EXECUTIVE SUMMARY

Section 98 of the Local Government 2002 requires Council to formally adopt the Annual Report 2016/17. The Annual Report is the key public accountability document that compares Council's actual performance for the year against its forecast in the Annual Plan.

Council must adopt its Annual Report 2016/17 within four months of the end of the financial year 30 June 2017.

A workshop was held on 14 September 2017 to allow Council the opportunity to review the draft Annual Report and receive an update on the information contained in the report.

The Annual Report 2016/17 has been audited and there is now no longer an opportunity to amend the document.

The Annual Report 2016/17 and draft Summary Annual Report 2016/17 were circulated separately prior to this meeting.

RECOMMENDATION(S)

That Council

1. Adopts the Annual Report 2016/17 and approves its release to the public.
2. Adopts the Summary Annual Report 2016/17 and approves its release to the public.

CONSIDERATIONS**Financial Considerations**

This is Council's record of performance for the financial year 1 July 2016 to 30 June 2017.

Legal Considerations

Council must adopt its Annual Report 2016/17 in accordance with s98 and Schedule 10 part 3 of the Local Government Act within four months of the end of the financial year 30 June 2017. Council is on track to meet this timeframe.

Policy Implications

There are no policy implications with this report.

Risks

There are no risks associated with this report. However, Council is at risk of not meeting its legal obligations to adopt an Annual Report if it chooses not to.

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 an assessment of the matters in clause 11 of the Significance and Engagement Policy, and are of the opinion that this proposal is of low significance.

ENGAGEMENT

Council is required to formally adopt its Annual Report 2016/17 under section 98 of the LGA and no formal engagement is required.

COMMUNICATION/MEDIA

The Annual Report and Summary will be published and made available to the community on the Council website. A limited number of hard copies will also be available.

Highlights of the report will be published in the Taupō Weekender/Chronicle and Taupō Times. Media releases will be made available advising that the Annual Report has been adopted and when and where the report is available.

CONCLUSION

Council is asked to adopt the Annual Report 2016/17 and the Summary Annual Report 2016/17 and approve their release to the public.

ATTACHMENTS

Nil

5.3 COUNCIL'S AUGUST PERFORMANCE REPORT

Author: Gareth Green, Chief Executive Officer

Authorised by: Gareth Green, Chief Executive Officer

PURPOSE

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

RECOMMENDATION(S)

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

HIGHLIGHTS, EMERGING CHALLENGES AND OPPORTUNITIES

Relocation of our staff out of the Lake Terrace office is now complete. The new customer service centre on Horomatangi Street has been received well by both staff and visitors and there has been a lot of positive feedback from the community. We are continuing to investigate site options for the rebuild and hope to get a decision on this in October.

The refit of the new Council Chamber at 107 Heuheu Street is underway and is being designed to offer our community a much better experience when it comes to participating in democracy. While it is only a temporary chamber, we have managed to source a quality wireless sound system that is mobile and can be easily relocated once the permanent location is established. We hope the fit out will be complete in time for the October council meeting.

This month we were fortunate to receive two lots of funding towards the work we are doing with youth across the district. We received \$30,000 from the Ministry of Youth Development to go towards the Rangatahi Collective Hub we are helping co-ordinate in Turangi. The fund will have a specific focus on facilitating a volunteer programme that upskills young people between the ages of 17-25 to provide children's after-school and holiday activities. We also received funding of \$10,000 to run the Youth in Emergency Services programme in Turangi and Mangakino and \$5000 for a youth in Civil Defence programme in Taupō.



The 2017 Waitangi Tūwharetoa Ki Pukawa Festival, hosted by Pukawa Marae with support from the Community Engagement team, is a finalist in the 2017 New Zealand Events Awards for the Best Community Event category. This is the second year running that an event from the Taupō District has been named as finalist with Safe Turangi taking out the Best Community event category for the 2015 Turangi Christmas in the Park and 50th Jubilee. This year's winners will be announced at an awards ceremony in Auckland on October 11.

The Turangi by-election for a council and community board position is drawing to a close with voting papers having been sent out and voting closing on Friday, October 6. We hope to be able to confirm the preliminary result that afternoon.

Preliminary discussions have been held with Ministers of the Crown regarding the potential for investment to improve the facilities at Taupō Airport. Indications before the election were that an application for a 50/50 share of funding would be looked on favourably.

Initial work has begun at looking at traffic flows in and out of the CBD from the northern entrance to Taupō town. A meeting is being held with the Chamber of Commerce and other key stakeholders to get feedback to further inform the work being carried out.

ATTACHMENTS

1. August 2017 Project and Service Council performance Report (A2036913) 
2. Treasury Report August 2017 (A2039880) 

5.4 CLASS 4 GAMBLING AND TAB VENUES POLICY REVIEW

Author: Hilary Samuel, Senior Policy Advisor

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

PURPOSE

This report seeks Council's adoption of a draft Class 4 Gambling and TAB Venue Policy for consultation and also enables a Special [Ad Hoc] Committee of Council to be constituted to hear and consider submissions on the draft Class 4 Gambling and TAB Venue Policy.

EXECUTIVE SUMMARY

The Gambling Act 2003 and Racing Act 2003 require Council to have policies on Class 4 Gambling (gaming machines) and TAB venues. These are required to be reviewed every three years. The Council has combined these policies into one and they are due for review by December 2017.

Gaming machines have significant social costs and benefits to the community. On one hand funds are generated for community and sporting groups, but on the other there can be substantial harm to individuals and their loved ones. The social impacts need to be considered when making policy decisions such as the number of gaming machines permitted district wide, per venue and the location of gambling venues.

It is proposed that the 2014 Policy be amended with a reduction in the cap on machines from 225 to 192. This cap is an attempt to balance the benefits of community funding raised by gaming machines while limiting the opportunities for harm from gambling. The application of the policy is also proposed to be amended to ensure consistency with the legislation.

RECOMMENDATION(S)

1. That Council adopts in accordance with the Gambling Act 2003 and the Racing Act 2003, the draft Class 4 Gambling and TAB Venue Policy [A2014485] and Statement of Proposal for consultation and that the public be invited to make submissions.
2. That the submissions on the draft Class 4 Gambling and TAB Venue Policy be heard and considered in combination with the Easter Sunday Trading Policy.

BACKGROUND

The proposal has been before Council previously in 2014 at the last review stage.

At that time the reviewed policy was adopted, with the previous 2011 cap reduced from 250 to 225 machines permitted in the District.

The policy is required to be reviewed every three years, which means that the review needs to be completed by December 2017.

DISCUSSION

Currently the policy does not apply to venues licenced prior to 2001. This is not consistent with the legislation, so this section is proposed to be amended to ensure it applies to all venues.

Class 4 gambling and TAB venues can be established within the Taupō, Turangi and Mangakino town centres under the current policy. The venues can relocate provided they remain within the defined town centre areas. The policy states that the maximum number of gaming machines in the Taupō District shall not exceed 225 along with stipulating the maximum number of gaming machines that can be operated at a venue. Since 2014 the number of machines in the district has dropped from 208 machines to 175.

Consent requirements, such as requiring a venue to have a statement of how it proposes to minimise the risks of problem and underage gambling at the venue, are also included in the policy. The policy sets out the

TAB venue consent requirements and states the primary activity of a TAB venue must be for providing racing betting and sports betting services.

Each time a review of the Policy is undertaken a social impact assessment of the harm caused by problem gambling needs to be completed. Council officers have undertaken this review and the assessment is attached.

The Social Impact Assessment shows:

- Although the number of venues and machines have declined, both at a National and District level, the overall spend on gambling has increased.
- The Taupō District has a relatively high loss per head on gaming machines (17th highest loss per head of population out of 67 Territorial Authority areas, equating to \$85 lost per head of usually resident population for the March quarter 2017).
- The Taupō District has an increasing number of interventions per year (where people have sought help for problem gambling).

The District benefitted by approximately \$1.3 million in 2016 in grants allocated from gaming machine profits. This figure needs to be kept in perspective with the money lost on gaming machines (\$8.23 million in the 15/16 financial year alone).

Recent research from Australia (please refer to the Social Impact Assessment) shows that the economic benefit of gaming machines is far outweighed by the losses, and that communities would benefit (economically and socially) far more if there were no gaming machines. There is also evidence of funds being lost from the most deprived areas, and being granted back to more wealthy areas.

There are limited options provided by the legislation to manage gaming machines and therefore the related harm. The main things that Council can control are:

- The number of gaming machines in the District (usually by a cap or sinking lid approach) and per venue
- The location of gaming machine venues in the District.

There is already some control on locations of gaming machines in the Taupō District through the Policy (relocations are limited to the town centres). A suggestion which was raised during engagement with stakeholders was that relocations be limited adjacent to sensitive land uses. This approach has the potential to become quite difficult to monitor and enforce. Defining a “sensitive” landuse is considered very subjective and managing subsequent location of sensitive landuses next to an existing gambling venue would require a change to the District Plan.

The main variable that the policy can control is the number of machines in the District. Based on this information it is considered that there are three options.

OPTIONS

Analysis of Options – Gaming Machines Numbers

Option 1. Keep the current cap of gaming machines at 225

Advantages	Disadvantages
<ul style="list-style-type: none"> • Allows the opportunity for new venues to open with gaming machines. • May increase grant funding. 	<ul style="list-style-type: none"> • Potentially increases the number of gaming machines and therefore opportunities for harm from gambling.

Option 2. Reduce the cap of gaming machines to just above the current consented number (182).

Advantages	Disadvantages
<ul style="list-style-type: none"> • Means limited new gaming machines operating in the District and therefore opportunities for gambling harm. • Allows some opportunity for business growth. 	<ul style="list-style-type: none"> • Potentially increases the number of gaming machines and therefore opportunities for harm from gambling.

<ul style="list-style-type: none"> Some opportunity for grant funding to increase. 	
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Option 3. Implement a sinking lid cap (cap would fall to 182 and continue to sink as venues closed)

Advantages	Disadvantages
<ul style="list-style-type: none"> Potentially reduces the opportunities for gambling related harm through preventing any new gaming machines in the District. 	<ul style="list-style-type: none"> No opportunities for new businesses to establish. May reduce grant funding.

Analysis Conclusion:

In order to balance the social costs and benefits of gaming machines in the Taupō District it is considered that Option Two be implemented and the limit of gaming machines in Taupō be dropped to 191. This is consistent with the approach that Council took as part of the previous review in 2014.

Analysis of Options – Relocations

Option 1. Keep the current relocation policy (venues can relocate into the town centres only)

Advantages	Disadvantages
<ul style="list-style-type: none"> Allows business to move and maintain their machine numbers. Maintains grant funding levels. 	<ul style="list-style-type: none"> Does not decrease the number of machines and therefore opportunities for harm from gambling.

Option 2. Adopt a no relocation policy

Advantages	Disadvantages
<ul style="list-style-type: none"> Means that if venues move those gaming machines cannot be replaced. Reduces opportunities for harm from gambling. 	<ul style="list-style-type: none"> May limit grant funding.

Option 3. Adopt a sensitive use relocation policy

Advantages	Disadvantages
<ul style="list-style-type: none"> May provide greater protection from gambling harm for vulnerable people (children, mentally ill etc). 	<ul style="list-style-type: none"> Difficult to define sensitive land uses. Controlling sensitive land uses moving next to existing gambling venues would require a plan change, and would still be very difficult to control.

Analysis Conclusion:

It is recommended that the relocations policy remain as per the 2014 policy (option 1).

CONSIDERATIONS

Financial Considerations

The financial impact of the proposal is estimated to be limited to the costs involved with carrying out consultation which is already budgeted for within the Annual Plan.

Legal Considerations

The Gambling Act 2003 (Gambling Act) requires all territorial authorities to have a gambling venue policy, while the Racing Act 2003 (Racing Act) requires a policy on standalone TAB venues. They are both required to be reviewed every three years in accordance with the special consultative procedure in section 83 of the Local Government Act 2002.

Policy Implications

There are no known additional policy implications.

Risks

Gambling is an issue with considerable social costs and benefits for sections of the community. There are therefore strong views both for and against gaming machines. This means that there is risk of media attention and potentially controversy over Council decisions on this policy.

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 significant.

ENGAGEMENT

Engagement has been undertaken with key interest groups on this issue. Essentially these groups can be broken into pro and anti-gambling. The viewpoints received from these groups are listed below:

Stance	Groups	Position	Rationale
Pro gaming machines	<ul style="list-style-type: none"> • New Zealand Community Trust • New Zealand Racing Board 	<ul style="list-style-type: none"> • Keep current cap • Keep relocation provisions as per existing policy 	<ul style="list-style-type: none"> • If cap is reduced funding for community groups is potentially reduced. • There is no correlation between gambling harm and machine numbers (there is conflicting research on this). • If gaming machine opportunities are reduced it can increase to more online gambling where there is less monitoring.
Anti-gaming machines	<ul style="list-style-type: none"> • Problem Gambling Foundation • Toi Te Ora 	<ul style="list-style-type: none"> • Adopt a sinking lid approach to gaming machines • No relocations 	<ul style="list-style-type: none"> • There is a correlation between increased problem gambling and increased machine numbers (there is conflicting research on this). • The negative outcomes of gambling outweigh the positive impacts of community funding. • If relocations remain permitted a

			clause should be inserted regarding the location next to sensitive land uses.
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Other groups that were contacted but have not provided any formal feedback at this stage are:

- Ngāti Tuwharetoa
- Addictions Resource Centre
- Women's Refuge
- The Lion Foundation
- Clubs NZ

COMMUNICATION/MEDIA

The special consultative procedure will be undertaken to consult on the draft policy including:



- Public notification
- Social media and website
- One on one meetings as requested.

CONCLUSION

The Class 4 Gambling and TAB Venue Policy requires review by December 2017. The application of the policy is proposed to be reviewed to ensure consistency with the legislation.

There are considerable social costs and benefits of gaming machines and these need to be considered when reviewing the policy. It is recommended that the cap on District wide gaming machines be dropped from 225 to 191. This allows for continuation of existing venues and the growth of one more venue. This cap seeks a balance between the benefits gained through community funding while limiting the opportunities for gambling harm to occur.

ATTACHMENTS

1. Class 4 Gambling Social Impact Assessment 
2. Statement of Proposal - Class 4 Gambling and TAB Venues 
3. Draft 2017 Class 4 Gambling and TAB Venue Policy

5.5 DRAFT EASTER SUNDAY SHOP TRADING POLICY

Author: Hilary Samuel, Senior Policy Advisor

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

PURPOSE

For the Council to consider the adoption for consultation of a Draft Easter Sunday Shop Trading Policy.

EXECUTIVE SUMMARY

Historically the Taupō town centre has had an exemption to allow shops to open between 10am and 3pm on Easter Sunday. In 2016 an amendment to the Shop Trading Hours Act 1990 allowed Territorial Authorities to create a local policy to permit shops to open on Easter Sunday either in parts or across the District.

In order to create a consistent situation across the District it is recommended that a Policy be developed to allow shops to open District wide.

RECOMMENDATION(S)

1. That Council adopts for consultation, in accordance with the Shop Trading Hours Act 1990, the draft Easter Sunday Shop Trading Policy [A2020677] and that the public be invited to make submissions.
2. That a Special [Ad Hoc] Committee of Council be constituted, as per the attached terms of reference, to hear and consider submissions on the draft Easter Sunday Shop Trading Policy in combination with the Class 4 Gambling and TAB Venue Policy.
3. That Cr _____, Cr _____ and Cr _____ plus the Mayor ex-officio are appointed to the Special [Ad Hoc] Committee of Council.

BACKGROUND

The proposal has not been presented previously.

In 2016 an amendment to the Shop Trading Hours Act 1990 allowed Territorial Authorities to create a local policy to permit shops to open either in parts or across the District on Easter Sunday. Although the Taupō town centre has an exemption to allow shops to open between 10am-3pm on Easter Sunday, a policy can allow all shops within the entire District or an extended part of the District to open, and for hours that retailers choose.

DISCUSSION

In 2016 Foodstuffs wrote to every council in New Zealand expressing a desire for Easter Sunday shop trading policies to be put in place enabling them to trade prior to Easter Sunday, 16 April 2017. Due to timing constraints it was decided that it wasn't practical to pursue putting a policy in place for 2017, but that it would be investigated further in 2017 for Easter 2018.

Initial informal conversations have been held with various stakeholders including:

- Town Centre Taupō
- Enterprise Great Lake Taupo
- Destination Great Lake Taupo
- Chamber of Commerce
- Go Tongariro
- Mangakino/Pouakani Representative Group
- Turangi Tongariro Community Board

At this stage there has been a favourable response to put a policy in place which allows shops to open district wide on Easter Sunday.

OPTIONS

Analysis of Options

Option 1. Develop an Easter Sunday Shop Trading Policy to allow shops to open across the District

Advantages	Disadvantages
<ul style="list-style-type: none"> • Consistent approach district wide • Flexibility of hours for all shops • Economic benefits of allowing additional shops to open 	<ul style="list-style-type: none"> • May be seen as commercialisation of Easter Sunday.

Option 2. Status Quo – those shops with exemptions and the town centre can continue to operate

Advantages	Disadvantages
<ul style="list-style-type: none"> • No further commercialisation of Easter Sunday. 	<ul style="list-style-type: none"> • Inconsistent approach across the district • Set hours for the town centre • Some shops/areas are missing economic benefits of being able to open on Easter Sunday.

Analysis Conclusion:

A consistent approach district wide, which allows all shops the economic benefits of opening (if they choose) on Easter Sunday is considered a fair approach. It is recommended that this policy approach be tested with the community through the Special Consultative Procedure.

CONSIDERATIONS

Financial Considerations

There are minimal costs in undertaking the special consultative procedure. These are minimised by combining with the Class 4 Gambling Policy review. The expenditure is included within existing budgets.

Legal Considerations

Council has the ability under the Shop Trading Hours Act 1990 to develop a policy on shop hours for Easter Sunday. There is also the ability to continue to rely on the historical exemption for Taupo town.

Policy Implications

There are no known policy implications.

Risks

There are no known significant risks.

SIGNIFICANCE OF THE DECISION OR PROPOSAL

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 given the historical practice of shops opening on Easter Sunday.

ENGAGEMENT

The Special Consultative Procedure is required to be undertaken to develop this policy. This report seeks approval to carry out this consultation.



COMMUNICATION/MEDIA

Appropriate communications will occur as part of the Special Consultative Procedure including a public notice, social media and a media release. One on one meetings will be held as required.

CONCLUSION

In order to create a consistent approach for Easter Sunday Shop Trading across the Taupō District it is recommended that a Policy be developed to allow shops the choice to open on Easter Sunday. It is recommended that this policy be tested with the community through the Special Consultative Procedure.

ATTACHMENTS

1. Statement of Proposal - Easter Sunday Shop Trading [⇒](#) 
2. Draft Easter Sunday Shop Trading Policy [⇒](#) 
3. Ad Hoc Committee Terms of Reference

5.6 PLAN CHANGE 34 FLOOD HAZARD

Author: Sue Mavor, Senior Policy Advisor

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

PURPOSE

To seek Council approval to notify Plan Change 34 – “Flood Hazard” to the Taupō District Plan as per Schedule 1 of the Resource Management Act 1991.

EXECUTIVE SUMMARY

The Taupō District Plan (the operative District Plan), which was made operative in 2007, includes mapped flood hazard areas and associated provisions managing development within these flood hazard areas. These areas were based on flood hazard assessments done in the 1980's and 1990's. There are a number of issues with the operative provisions:

- The operative District Plan does not identify all of the known flood hazard areas associated with rivers and Lake Taupō
- New modelling information shows that some of the flood hazard areas in the operative District Plan are no longer expected to be affected by future flood events
- The current flood hazard information doesn't consider the future effects of climate change and tectonic subsidence
- Recent changes to the Waikato Regional Policy Statement now impose a risk based approach to managing flood hazards which is not mirrored in the operative District Plan
- The operative District Plan provisions do not provide sufficient control over development in high hazard flood areas
- The operative District Plan provisions impose unnecessary regulatory costs on those with a low level of hazard.

Plan Change 34 – flood hazard addresses these issues as it will:

- Ensure that people are aware of flooding risks from rivers and Lake Taupō as it will identify the extent and depth of flooding in a 1% Annual Exceedance Probability (AEP) event
- Exclude areas that are currently identified as subject to flood hazards in the operative District Plan that are no longer expected to be affected by future flood events
- Include the future effects of climate change and tectonic subsidence
- Implement a risk based approach to managing flood hazards as required by the Waikato Regional Policy Statement
- Ensure that development is managed in high flood hazard areas and intensification does not occur in these areas
- Ensure that there is no unnecessary regulatory costs on landowners with a low level of hazard. (i.e. in the medium and low flood hazard areas).

To progress this plan change it needs to be publically notified in accordance with the requirements of Schedule 1 of the Resource Management Act (RMA).

RECOMMENDATION(S)

That Council approves Plan Change 34 – Flood Hazard and the Section 32 report, and directs the plan change to be publically notified in accordance with Schedule 1 of the Resource Management Act 1991.

BACKGROUND

The Taupō District Plan (the operative District Plan), which was made operative in 2007, includes mapped flood hazard areas and associated provisions managing development within these flood hazard areas. These areas were based on flood hazard assessments done in the 1980's and 1990's

In 2009 Taupō District Council and Waikato Regional Council adopted the Lake Taupō Erosion and Flood Strategy, to guide the management of the erosion and flood risks around the Lake Taupō foreshore. As part of the strategy development, Opus International Consultants (Opus) were commissioned to prepare a series of reports to determine the extent of the flood hazard risks for Lake Taupō. They were subsequently engaged to prepare similar reports for the major tributaries into the lake.

Plan Change 34 helps Council meet their responsibilities to identify flood hazards and manage development to mitigate risks to people and property. Those responsibilities stem from the Waikato Regional Policy Statement and the Resource Management Act 1991.

Plan Change 34 has been prepared to address the following resource management issues:

- Flooding from several rivers and Lake Taupō poses risks to people's safety and property
- The operative District Plan does not identify all of the known flood hazard areas associated with rivers and Lake Taupō
- New modelling information shows that some of the flood hazard areas in the operative District Plan are no longer expected to be affected by future flood events
- The current flood hazard information doesn't consider the future effects of climate change and tectonic subsidence
- Recent changes to the Waikato Regional Policy Statement now impose a risk based approach to managing flood hazards which is not mirrored in the operative District Plan
- The operative District Plan provisions do not provide sufficient control over development in high hazard flood areas
- The operative District Plan provisions impose unnecessary regulatory costs on those with a low level of hazard.

The proposal has been presented to Council a number of times over the last 7 years. Most recently at a workshop on 28 February 2017, where staff updated the Council on the progress of the project and outlined the details of the draft plan change, including the proposed approach for addressing extreme wave overtopping. Since this workshop, the Plan Change and Section 32 report have been finalised and have had a full review of legal aspects by Simpson Grierson and technical aspects by Opus Consultants.

This item seeks approval from Council to notify Plan Change 34 – "Flood Hazard" to the Taupō District Plan in accordance with Schedule 1 of the Resource Management Act 1991.

DISCUSSION

The Plan change proposes updating the planning maps with the new flood hazard data which shows the flood hazard class (high, medium or low) for flooding in a 1% AEP flood event for the following waterbodies:

- Hinemaiaia River;
- Tauranga-Taupō River;
- Tongariro River;
- Tokaanu Stream;
- Kuratau River,
- Whareroa Stream; and
- Lake Taupō.

Defended areas are also proposed to be added to the district plan maps. These are areas that are protected from flooding by a flood scheme and would be at risk of flooding if the stop banks failed. The mapping of the defended areas will ensure that individuals and communities are aware of a potential flood risk from a breach in a stop-bank that may affect their personal safety, and the safety of their buildings and property. No rules to manage subdivision, use and development are proposed for the defended areas

The plan change proposes adding two objectives, associated policies and rules to the natural hazards section of the District Plan. These objectives, policies and rules relate to those properties within the new flood hazard areas on the planning maps.

The overarching objectives of the plan change relate to keeping people safe and protecting buildings and infrastructure. These new objectives are specific to flood hazards and sit separately to the generic natural hazard objectives.

The plan change provisions reflect the risk based approach in the Waikato Regional Policy Statement. This requires Council to avoid increasing the exposure of people and buildings to flood risks in the high flood hazard areas. Conversely, there is also an emphasis on minimising regulatory costs for those properties in the low or medium flood hazard areas.

CONSULTATION

Over 1000 properties are affected by the new flood hazard areas with about 260 properties, currently in the flood hazard area in operative District Plan, no longer affected by new flood hazard data. Because of the numbers of properties affected, the complexity of the flood hazard information and the potential effect of regulation in these flood hazard areas, two rounds of engagement with affected landowners and stakeholders have been undertaken.

The focus of the initial engagement was on sharing the information around the extent of the flood hazard and the nature of the risk. It extended from November 2015 for several months and enabled interested people to meet with council officers to better understand how the flood hazard was identified and what it might mean for them. We had responses from 25 people and about 25 people attended the open day in Turangi. We also consulted with a wide range of stakeholder groups including ratepayer groups, energy companies, the harbour master, infrastructure providers and real estate agents. The feedback from the community and stakeholders assisted with the development of draft plan provisions.

In February 2016 a second letter and a copy of the draft provisions were sent to affected ratepayers and stakeholders for consideration and feedback. This second period of engagement was open for two months from March 2016, 63 responses were received and 20 people attending the open day. Of those responses, five property owners indicated that they believed there were differences between the digital terrain model underpinning the flood modelling and the current ground levels of their properties. This information was reviewed by Opus and resulted in a number of changes to the flood hazard information on these properties.

During this second period of engagement we also contacted those ratepayers whose properties were identified in the defended areas. The defended areas were identified through modelling by Waikato Regional Council to establish which properties would be at risk of flooding if flood stop banks were to fail. There is no intention to impose rules on the use of that land given the uncertainty around the level of risk associated with the hazard.

Consultation with representatives from Tūwharetoa Maori Trust Board has been ongoing through the development of the plan change.

SECTION 32 REPORT

Clause 5 of Schedule 1 of the RMA requires the Council to prepare “*an evaluation report for the proposed plan change in accordance with section 32.*” The purpose of the Section 32 report is to show that Council has undertaken a rigorous and comprehensive assessment of policy and plan proposals. The Section 32 report for this plan change is attached to this report. It has been reviewed by our lawyers, by our technical expert Jack McConchie from Opus Consultants and staff at Waikato Regional Council.

Clause 5 of Schedule 1 of the RMA also requires the Council “*to have particular regard to that report when deciding whether to proceed with the statement or plan; and then publically notify it.*” The Ministry for the Environment guidance on this provision of the RMA is that decision-makers have enhanced responsibilities under the RMAA 2013. They must have particular regard to the evaluation report when deciding to proceed with the notification of proposed statement or plan and they must have particular regard to a further evaluation when making a decision on a proposal. So Council must consider the Section 32 report when considering whether to notify the plan change.

OPTIONS

Three options for addressing the resource management issues have been analysed in the Section 32 report. These are:

Option 1 – Create specific objectives and policies and apply a risk based approach with provisions based on the level of risk to people and property.

Option 2 – Identification of new flood hazard areas and retain existing operative District Plan provisions.

Option 3 – Identification of new flood hazard areas and manage the design of buildings and flood risk through the Building Act 1991.

ANALYSIS OF OPTIONS

Option 1. Create specific objectives and policies and apply a risk based approach with provisions based on the level of risk to people and property. This option would introduce a specific objective, policy and rule framework for flood risk management. The objectives, policies and rules relate to those properties identified as being affected by the flood hazard modelling data provided by Opus. This data identifies low, medium and high flood hazard areas. The rules use the hazard classification to apply different levels of regulation depending on the likely risks.

Advantages	Disadvantages
<ul style="list-style-type: none"> • Implements Waikato Regional Policy Statement as it uses a risk based approach to manage people and property within low, medium and high flood hazard areas • Will achieve the sustainable management purpose of the RMA by giving effect to the Waikato Regional Policy Statement and meet the Council’s obligations under section 31(1)(b)(i) and section 6(h) of the RMA. • The new risk based framework will provide more certainty for communities and developers and avoid inappropriate development within flood hazard areas. • Avoids intolerable risk and the potential for greater costs to these affected communities and Taupō ratepayers. • More equitable as this approach is more responsive to the likely level of risk than the current blanket control of development in flood hazard areas. 	<ul style="list-style-type: none"> • Cost of undertaking the plan change

Option 2. Identification of new flood hazard areas and retain existing operative District Plan provisions. This would retain the operative District Plan objectives, policies and rule framework, but with the planning maps being updated with the new flood modelling data provided by Opus.

Advantages	Disadvantages
<ul style="list-style-type: none"> • More certainty for communities and developers as they will know the scale of the flood hazard for each property. (low, medium and high hazard flood areas). 	<ul style="list-style-type: none"> • Cost of undertaking a plan change • Would not give effect to the Waikato Regional Policy Statement, as the plan change would not use the risk based approach or respond to the need to avoid intolerable risk. • More landowners would be subject to regulatory costs i.e. resource consents, as the blanket approach to regulation would be retained but more flood hazard areas would be identified.

Option 3. Identification of new flood hazard areas on the District Plan maps and manage the design of buildings in flood hazard areas through the Building Act 1991. This would involve the removal of the existing flood hazard rules from the district plan, identification of new flood hazard areas on the District Plan Maps and the reliance on the Building Act to manage buildings in these flood hazard areas.

Advantages	Disadvantages
<ul style="list-style-type: none"> • Ability to manage minimum floor levels in flood hazard areas for housing, communal residential and communal non-residential buildings under the Building Act. • Remove regulatory costs for landowners affected by flood hazards, as resource consents would no longer be required. 	<ul style="list-style-type: none"> • Cost of undertaking a plan change • No ability to manage minimum floor levels in flood hazard areas for commercial or industrial buildings under the Building Act • No ability for Council to prevent activities from establishing within low, medium or high flood hazard areas where effects would be more than minor. • Would not give effect to the Waikato Regional Policy Statement, as the plan change would not use the risk based approach or respond to the need to avoid intolerable risk.

Analysis Conclusion:

Option 1 is the preferred option because it will implement the requirements of the Waikato RPS and therefore the RMA, will provide more certainty for people who own land within the flood hazard areas, and is more equitable as it responds to the likely level of risk.

CONSIDERATIONS

Financial Considerations

The expenditure required for the notification process has been included in the 2017/18 budget. The consultant and legal costs associated with the hearings are expected to be funded through unbudgeted expenditure. This reflects Council’s historic practice and is a reasonable response to the uncertainty of workload prior to receiving submissions.

Legal Considerations

The proposal has been evaluated against a range of legislation. The key legislation applicable to the proposal is the Resource Management Act and the relevant matters for consideration are as follows:

Section 5 requires Council to promote the sustainable management of natural and physical resources. The plan change promotes sustainable management as it manages use and development in the flood hazard areas in a manner that enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while avoiding, remedying, or mitigating any adverse effects of activities on the environment.

Section 6(h) requires that the Council *“in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for.....the management of significant risks from natural hazards”*. This section of the Act emphasises the management of the significant risks from natural hazards. The Waikato RPS also requires a risk management approach to be taken to development in flood hazard areas. The plan change uses a risk based approach to manage people and property within low, medium and high flood hazard areas.

Section 7 requires that the Council *“in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to.....the effects of climate change.”* The revised flood hazard areas were mapped based on a modelling of a 1% Annual Exceedance Probability flood, allowing for climate change and tectonic deformation.

Section 31(1)(a) requires the Council to establish, implement and review *“objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and*

associated natural and physical resources of the district.” This plan change updates the flood hazard provisions of the District Plan and the flood hazard areas on the planning maps.

Section 31(1)(b)(i) requires Council to control “*any actual or potential effects of the use, development, or protection of land, including for the purpose of the avoidance or mitigation of natural hazards.*” The plan change provisions reflect the risk based approach in the Waikato Regional Policy Statement, to avoid increasing the exposure of people and buildings to flood risks in the high flood hazard areas. It also minimises regulatory costs for those properties in the low or medium flood hazard areas. This is a more appropriate mechanism than the current blanket approach to managing development in flood hazard areas.

Schedule 1 sets out the process that must be followed when making a change to a district plan. In particular clause 3B requires Council to consult with iwi authorities about the plan change, enables those iwi authorities to identify resource management issues of concern to them, and indicate how those issues have been or are to be addressed. Consultation with Tūwharetoa Maori Trust Board has been ongoing through the development of the plan change. Their feedback and how Council has addressed the issues raised by the Tūwharetoa Maori Trust Board is outlined in the Section 32 report.

Policy Implications

There are no known policy implications. The regulatory teams are already using the new flood data while processing resource and building consents.

This is the first review of the natural hazards section of the District Plan since it was made operative. As such, it is the first time we have incorporated the risk based approach as required by the Waikato RPS. Through the review of the District Plan we will be applying the risk based approach to the management of use and development in other areas affected by natural hazards.

Risks

As with any plan change there is always the risk that the decision is appealed. This would result in significant costs to defend the appeal in the Environment Court. However the risk of appeal has been minimised through the following measures:

- Extensive consultation has been undertaken with affected landowners and stakeholders and little feedback has been received.
- The technical data has been peer reviewed by NIWA and there is agreement that the assumptions and methodologies used in the flood hazard reports are the most appropriate for the purpose. This review process, combined with Waikato Regional Council’s technical review of the Opus reports, ensures that the technical information underlying the plan change is robust.
- The Section 32 report and plan change have had a full legal review by Simpson Grierson and technical aspects checked by Opus Consultants and Waikato Regional Council.

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 a decision whether to notify Plan change 34 has a medium level of importance as the decision will affect landowners in the new flood hazard areas.

ENGAGEMENT

The Resource Management Act sets out the legal requirements on engagement with the community for the notification of a plan change. In fulfilling the requirements under Schedule 1 of the RMA Council will also meet the more generic requirements of the Local Government Act 2002. Given that two rounds of engagement has already occurred with affected property owners and stakeholders, and little feedback was received, no further engagement is considered necessary prior to Council making a decision on notification of the plan change.

COMMUNICATION/MEDIA

Consultation will occur in accordance with the Schedule 1 of the RMA which requires:

- Notification for 20 working days. Given the complexity of the issue it is recommended that this plan change is open for a longer period than the statutory 20 working days for submissions. A period of 40 working days is recommended.
- Notification for further submissions (2018).
- Hearings (timing will be dependent on the number and nature of submissions).

Decisions made by Council should be communicated in the appropriate manner. Public notification should be undertaken via the following methods:

- Public notice in the Taupō Times, Weekender
- Letters sent to all directly affected landowners
- A press release to local media
- Material on the Council website

CONCLUSION

Plan Change 34 – “Flood Hazard” addresses the identified resource management issues relating to flood hazards. Namely it will:

- Ensure that people are aware of flooding risks from rivers and Lake Taupō as it will identify the extent and depth of flooding in a 1%AEP
- Exclude areas that are currently identified as subject to flood hazards in the operative District Plan that are no longer expected to be affected by future flood events
- Include the future effects of climate change and tectonic subsidence
- Implement a risk based approach to managing flood hazards as required by the Waikato Regional Policy Statement
- Ensure that development is managed in high flood hazard areas and intensification does not occur in these areas.
- Ensure that there is no unnecessary regulatory costs on landowners with a low level of hazard. (i.e. in the medium and low flood hazard areas).

ATTACHMENTS

1. Section 32 Report September 2017 (A2024253) 

5.7 ANNIVERSARY CELEBRATIONS WITH JAPAN

Author: Sue Shaw, Business Development Coordinator

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

PURPOSE

For Council to discuss 30th anniversary celebrations with Hakone, Japan and 20th anniversary celebrations with Kitashiobara, Japan.

EXECUTIVE SUMMARY

2017 sees the 30th anniversary with Hakone, sister city to Taupō and the 20th anniversary with Kitashiobara, friendship city to Turangi. These are important milestones in the history of these long-term relationships.

The Taupō District has received an official invitation from Hakone to attend anniversary celebrations in November 2017.

It is proposed Taupō District accepts this invitation and agrees to send an official delegation to Hakone and Kitashiobara to celebrate these anniversaries.

RECOMMENDATION(S)

1. That Council sends a delegation to attend anniversary celebrations in Japan in November 2017.
2. That Council approves the attendance of the Mayor or Deputy Mayor; and one other Councillor and/or Turangi/Tongariro Community Board member on the delegation.

BACKGROUND

The proposal has not been presented previously.

The relationship between Taupō and Hakone was established in October 1987 and is based on the shared attributes of geothermal activity, tourism and their lakeside and mountainous locations.

Hakone is part of the Fuji-Hakone-Izu National Park, located 80km west of Tokyo in the Ashigarashimo District of the Kanagawa Prefecture, Japan. Hakone is a mountainous town known for hot springs resorts, Mt. Fuji views and world-class art museums. Hakone has been one of Japan's most popular hot spring resorts for centuries, with an estimated 19 million tourists travelling each year to enjoy its many geothermal hot spring resorts. It has a population of approximately 13,500.

Incoming exchanges in the past have included hosting a Mayoral delegation from Hakone for the 20th celebrations in 2008. Ms Makishima, an MP for Hakone, visited the Taupō District in June 2016, as part of the New Zealand Prime Minister's Fellow Programme. Outgoing exchanges included a Taupō Mayoral visit in 2007 and several visits from Taupō colleges to Japan and Hakone. In the last few years there has been limited active contact with Hakone.

The friendship city agreement between Turangi and Kitashiobara was signed in November 1997 by Turangi Tongariro Community Board chairman Tim Hurley, former Mayor Joan Williamson, and Mayor of Kitashiobara Tsutae Takahashi. Both share the backdrop of a lake and mountains and have a similar population base.

Kitashiobara is located in the Northern Yama District, Fukushima, Japan, 304km from Tokyo. A short distance away is Lake Hibara, which was formed as a result of the 1888 eruption of Mount Bandai. A tourist industry has built up around Lake Hibara, offering hiking trails, pleasure cruises, campgrounds and other lodging. The village has an estimated population of around 3,000.

Previous exchanges with Turangi have been culturally focused, often involving local schools. There have been ongoing conversations but there has been no recent exchanges between Turangi and Kitashiobara. This has also been impacted by the Fukushima accident in March 2011, which is in the same district.

Following a major earthquake, a 15-metre tsunami disabled the power supply and cooling of three Fukushima Daiichi reactors, causing a nuclear accident.

DISCUSSION

In 2017 Taupō District celebrates its 30th anniversary with Hakone, Japan and Turangi celebrates its 20th anniversary with Kitashiobara, Japan.

The Taupō District has received an official invitation from Hakone to attend anniversary celebrations between 1-4 November 2017.

Officers have been working with the tourism office in Hakone on ways to celebrate the 30th anniversary and there is an expectation that a delegation will be received, due to the importance of the milestone in the relationship.

Anniversary celebrations will be centred around a popular festival on 3 November called “Hakone Daimyo's Procession”. This is an annual tourist event held on Culture Day (a national holiday), at Yumoto Onsen, Hakone. A procession of people dressed as samurai warriors and princesses parade over a distance of 6km through the hot spring town. Costumes will be prepared for the delegation to take part in the possession.

The visit would include a welcome meeting, ceremony with declaration signing, exchange of gifts and memorial tree planting.

We are proposing the official visit would also include to visit Kitashiobara in the Fukushima Prefecture, friendship city to the Turangi Tongariro Community Board (TTCB) to celebrate the 20th anniversary of their relationship. Details on this schedule are being worked on.

The objectives of the visit are focused on civic engagement:

- Celebration of the 30th anniversary between Taupō and Hakone (2017)
- Celebration of the 20th anniversary between Turangi and Kitashiobara (2017)

It is envisaged that the delegation would include the Mayor or Deputy Mayor; one other Councillor or Turangi/Tongariro Community Board member; and support staff.

A gift exchange will be part of the celebrations. Taupō District Council are working with local weaver Nella Stebbing who will create two traditional Maori cloaks. These culturally significant pieces will be created to represent the individual history of each relationship and be part of anniversary ceremonies.

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

OPTIONS

Analysis of Options

Option 1 – To send a delegation to Japan to attend anniversary celebrations

Advantages	Disadvantages
<ul style="list-style-type: none"> • Foster sister city and friendship city relationships • Celebration of the long-term history between our towns and communities • Encourages cultural exchanges between our communities with a chance to share and learn • Promotion of our district • Opportunities to explore educational, cultural and economic prospects 	<ul style="list-style-type: none"> • There are costs associated with the official visit (This is a budgeted expense)

Option 2 – Not to send a delegation

Advantages	Disadvantages
<ul style="list-style-type: none"> • Cost savings 	<ul style="list-style-type: none"> • Will not progress the relationships between communities • Will not develop cultural exchanges and the leanings that come from this • Lost opportunity to promote our district • Lost chance to explore future opportunities

Analysis Conclusion:

Option 1 is considered the preferred option as it allow us to celebrate the long-term relationship between the communities, helps foster these relationships and encourage future opportunities.

CONSIDERATIONS

Financial Considerations

The financial impact of the proposal is estimated to be \$16,000.

Long-term Plan/Annual Plan

The expenditure outlined is currently budgeted for under the Long-term plan.

Legal Considerations

Local Government Act 2002

The matter comes within scope of the Council's lawful powers, including satisfying the purpose statement of Section 10 of the Local Government Act 2002. 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).

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

Policy Implications

There are no known policy implications.

Risks

There are risks with international travel. All necessary steps will be taken to ensure the safety of the group while away.

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

It is considered that communication should be undertaken via the following methods: social media and local papers – to inform and educate the public on our sister/friendship cities, the history of the relationships and to share in the celebrations of both anniversaries.

CONCLUSION

The 30th anniversary with Hakone and 20th anniversary with Kitashiobara are significant milestones in a long relationship and should be acknowledged. It is recommended Council send a small delegation to Hakone and Kitashiobara to show our commitment to the relationships and to celebrate our histories together.

ATTACHMENTS

1. Hakone Official Invitation 2017 

5.8 AMENDMENT TO FENCES, ROADING, RESERVES & DOGS COMMITTEE TERMS OF REFERENCE - LOCAL GOVERNMENT ACT 1974 PART 21

Author: Ella Howie, Solicitor - Property
Authorised by: Brian Fox, Group Manager: Corporate and Community

PURPOSE

This paper seeks Council’s adoption of the amended Fences, Roading, Reserves and Dogs Committee (FRReD) Terms of Reference to include exercising Council’s statutory regulations functions on roading, service lane, and accessway matters under Part 21 of the Local Government Act 1974.

EXECUTIVE SUMMARY

Under the current terms of reference for the FRReD Committee (attached), the power to make decisions on roads, service lane, and accessway matters under Part 21 of the Local Government Act 1974 is not a delegated power and therefore Council is required to make decisions on such matters. The most common example of a matter under Part 21 of the Local Government Act 1974 requiring a Council decision is the power to grant licences to occupy for road.

Officers have recognised that it would be more administratively efficient for the FRReD Committee to consider and make decisions on such matters. The FRReD Committee is considered to be an appropriate committee to consider roads, service lane, and accessway matters under Part 21 of the Local Government Act 1974 particularly as it already makes decisions other roading matters under the Land Transport Act 1998.

It is recommended that Council adopts the amended FRReD Committee Terms of Reference to include Part 21 of the Local Government Act 1974 (refer Attachment 1).

RECOMMENDATION(S)
 That Council adopts the amended Terms of Reference for the Fences, Reserves and Dogs Committee [Attachment 1] to include Part 21 of the Local Government Act 1974.

BACKGROUND

A decision from full Council is currently required before decisions can be made on particular matters under Part 21 of the Local Government Act 1974. For example, decisions on the granting of licences for street side dining in the CBD, temporary licences to occupy of legal road by adjoining businesses, encroachment licences, and road stopping are matters requiring a Council decision.

DISCUSSION

Officers have recognised that it would be more administratively efficient for the FRReD Committee to consider and make decisions on such matters, particularly as it already makes decisions on roading matters under the Land Transport Act 1998.

OPTIONS

Analysis of Options

Option 1. Status quo- Council agenda item

This option would see the current practice continue where an agenda item is presented to Council for decisions required on roading, service lane, and accessway matters under Part 21 of the Local Government Act 1974.

Advantages	Disadvantages
<ul style="list-style-type: none"> • Meets the Act’s legal requirements • Does not open us to legal challenge • Council meets monthly 	<ul style="list-style-type: none"> • Inefficient use of full Council’s time and resources

Option 2. Amend the FRRoD Committee terms of reference to include Part 21 of the Local Government Act 1974

This options sees the terms of reference of the FRRoD Committee being amended to exercise Council’s power under Part 21 of the Local Government Act 1974.

Advantages	Disadvantages
<ul style="list-style-type: none"> • Meets the Act’s legal requirements • Does not open us to legal challenge • A specialist committee can consider the decision • Efficient use of Elected Member time and resources 	<ul style="list-style-type: none"> • FRRoD only meets every two months

CONSIDERATIONS

Financial Considerations

There are no financial implications associated with this paper.

Legal Considerations

Clause 32(1) of the Local Government Act 2002 provides Council may delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority any of its responsibilities, duties, except for certain powers listed in section 32 (1)(a)-(h).

The recommended resolution, to adopt the amended FRRoD Terms of Reference is in accordance with Council’s wide powers of delegation pursuant to clause 32(1) of the Local Government Act 2002. The FRRoD Committee’s power to act under delegated authority is subject to Council acting within the requirements of the Local Government Act 2002.

Policy Implications

If Council agrees that this work is to be carried out by the FRRoD Committee then its terms of reference will require amending.

Risks

There is a risk that approval for a roading, service lane or access way matter is required urgently and the FRRoD Committee only meets every two months. Officers will do their utmost to manage these circumstances and can always go to direct to Council.

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


There are no communications required for this paper.

CONCLUSION

To ensure the most efficient use of Elected Members' time and resources it is recommended that Council delegate the FRRReD Committee the statutory regulatory functions under the Part 21 of the Local Government Act 1974.

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

ATTACHMENTS

1. Updated Terms of Reference - Fences, Roothing, Reserves & Dogs Committee [↗](#) 

5.9 ESTABLISHMENT OF A COMMITTEE OF COUNCIL - KINLOCH REPRESENTATIVE GROUP

Author: Tina Jakes, Democracy & Community Engagement Manager

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

PURPOSE

For the Council to decide if it wishes to establish a new committee of Council as requested by the Kinloch Community Association. If Council does wish to establish a new committee it will need to determine its terms of reference and its membership.

EXECUTIVE SUMMARY

The preferred option for the Kinloch Community Association is a new Council committee. The terms of reference would be based on those of the Mangakino/Pouakani Representative Group and comprise 3 representatives from the Kinloch community and 3 Councillors. A new Council committee, when considered against the other options, is the most appropriate mechanism to ensure the needs of that community are met.

RECOMMENDATION(S)

1. That Council creates a new committee of Council for the Kinloch community named Kinloch Representative Group.
2. That the new committee is comprised of six members being, 3 representatives from the Kinloch community and 3 Councillors.
3. That Councillors _____ and _____ and _____ be appointed to this committee.
4. That the three representatives from the Kinloch community be paid a meeting allowance fee of \$100 and travel for their attendance at the new committee meetings.

BACKGROUND

The proposal has not been presented previously.

Attached is a letter from the Kinloch Community Association (attachment 1) which has been facilitating this process and sets at request by that organisation on behalf of the Kinloch community to establish a Committee of Council (CoC) for that community.

Staff have presented to the Association the different options available for representation, those being the establishment of a Ward, a Community Board or a Committee of Council.

The Association have conducted a survey regarding the options available and consider that a Committee of Council would be the most effective, both in terms of cost and ease of establishment.

DISCUSSION

There are three options available to Council and the Kinloch community in relation to representation.

1. No Formal Structure – ie status quo
2. Consider representation as part of the of the upcoming Representation Review process. This is a formal review process that Council needs to undertake in time for the 2019 triennial elections and the establishment of Wards and Community Boards are considered as part of this review. This process is subject to a public consultation process and potentially final sign off by the Local Government Commission. This process would give no certainty to the Kinloch community regarding representation and if a Ward and/or Community Board were establishment it would not come into effect until October 2019.

3. Establishment of a Committee of Council. This can be established by Council and come into effect immediately. Council has an existing CoC, the Mangakino/Pouakani Representative Group which provides representation for those communities in the northern part of the District.

As outlined in the Association’s letter there are two main reasons why that community would like to develop a more active and formal relationship with Council.

1. The recent unprecedented growth of the population in that community and the resulting concerns around town planning and infrastructure, traffic and safety, parks and recreation, business investment, and education.
2. The demonstrated keen interest from the community to be involved in creating a strategy and vision from the community plan which can feed into the District plan and Ten Year planning of Council.

The suggestion is that if a CoC is established that the geographical boundary of the Kinloch community would broadly encompass Kinloch Village, eastwards along Whangamata road to the Poihipi Road junction and west to Kawakawa road.

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

OPTIONS

Analysis of Options

Option 1. No formal structure – status quo

Advantages	Disadvantages
<ul style="list-style-type: none"> • No costs to set up. • No formal notification of meetings or minute taking requirements. 	<ul style="list-style-type: none"> • No formal decision making powers. • No ability for the Kinloch community to provide formal input in relation to that community.

Option 2. Consider as part of the Representation Review process

Advantages	Disadvantages
<ul style="list-style-type: none"> • Any decision on Ward and/or Community Board is set for six years • Membership would be elected rather than appointed (as in option 3) 	<ul style="list-style-type: none"> • Would not come into effect (if agreed) until later 2019, concerns resulting from growth in Kinloch are current • No guarantee that the review will establish representation by either the way of Ward or Community Board for Kinloch • Additional cost to the Kinloch residents if Community Board were to established • If a Ward only was established, then ability to vote for only one elected member.

Option 3. Establish a Committee of Council

Advantages	Disadvantages
<ul style="list-style-type: none"> • Can feed into the decision making of Council • Councillor membership/representation on the Committee will gain a good understanding of the community • Community representation from the Kinloch community able to provide community voice and actively participate in future plans. 	<ul style="list-style-type: none"> • Community members appointed by Council as opposed to being voted on by the community • Additional (minimal) cost to the district

Analysis Conclusion:

Option 3 Committee of Council is the preferred option. The reasons for this are that this structure allows the Kinloch community and Council to work together on various of areas of interest to the Kinloch community and provide the opportunity for feedback from that community into the decision-making process.

Financial Considerations

The financial impact of the proposal is estimated to be minor. There will be a requirement for Council staff to service the committee which will take additional time for the democratic services department. Also there will be catering and advertising costs for meetings.

It is proposed that each Kinloch community representative on the committee is paid a meeting allowance fee of \$100 and travel for attendance at committee meetings. This is consistent with Council's policy on the Appointment and Remuneration of Directors 2017.

Long-term Plan/Annual Plan

The expenditure outlined is currently unbudgeted.

Legal Considerations

Local Government Act 2002.

Section 30 of Schedule 7 of the Local Government Act states that "A local authority may appoint the committees, subcommittees, and other subordinate decision-making bodies that it considers appropriate..."

Section 31 (3) of Schedule 7 outlines the membership of committees. It states that "The members of a committee may, but need not be, elected members of the local authority, and a local authority or committee may appoint to a committee a person who is not a member of the local authority if, in the opinion of the local authority, that person has the skills, attributes, or knowledge that will assist the work of the committee" Subsection 31(4) states that "Despite subclause (3) at least 1 member of a committee must be an elected member of the local authority". Clause 31 (6) states that the minimum number of members is 3 for a committee.

Section 23 of Schedule 7 states that a quorum for a committee shall be "not fewer than 2 members of the committee (as determined by the local authority or committee that appoints the committee); and (ii) in the case of a committee must include at least 1 member of the local authority.

So under the Local Government Act Council can appoint a new committee which must have at least three members. Council can appoint persons who are not members of Council to the committee as long as the committee contains at least one elected member. The quorum for the committee shall be no less than two committee members, one of which must be a Councillor.

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

Council's decision will be advised to the Kinloch Community Association and if a CoC is established expressions of interest will be sought for the community representative positions.

CONCLUSION

The Kinloch Community Association has indicated that the setting up of a Committee of Council is their preferred structure to support representation of that community.

It is considered that a new Council committee is the most appropriate mechanism to provide a structure that will support the Kinloch community and council working actively together and provide representation for that community.

ATTACHMENTS

1. Kinloch Community Association - Request for Committee of Council 
2. Draft Terms of Reference - Kinloch Representative Group

5.10 COUNCIL ENGAGEMENTS OCTOBER 2017; CONFERENCE OPPORTUNITIES; AND APPOINTMENTS
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Author: Tina Jakes, Democracy & Community Engagement Manager

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

Engagements

ENGAGEMENT	DAY	DATE	TIME
Fences, Roothing, Reserves & Dogs Committee meeting (East Wing, Great Lake Centre, Taupō)	Tuesday	3	10am-12noon
Workshop – Māori Representation (East Wing, Great Lake Centre, Taupō)	Tuesday	3	1.30pm-2.30pm
Turangi/Tongariro Community Board meeting (Senior Citizens Hall, Turangi)	Tuesday	10	1pm-4pm
Workshop – Presentation of Council Controlled Organisations/Agencies' Annual Reports 2016-17 (East Wing, Great Lake Centre, Taupō)	Monday	16	1.30pm-3.30pm
Mangakino/Pouakani Representative Group meeting (Mangakino Service Centre)	Tuesday	17	10am-12noon
Workshop – Long-term Plan policies (Clubroom, Owen Delany Park, Taupō)	Wednesday and Thursday	18-19	10am-3pm
Workshop – Long-term Plan policies (Council Chamber, 107 Heuheu Street, Taupō)	Tuesday	24	11am-1pm
Audit & Risk Committee meeting (Council Chamber, 107 Heuheu Street, Taupō)	Monday	30	10am-12noon
Public Forum (Council Chamber, 107 Heuheu Street, Taupō)	Tuesday	31	1pm-1.30pm
Council meeting (Council Chamber, 107 Heuheu Street, Taupō)	Tuesday	31	1.30pm-5pm

Conference and Professional Development Opportunities

To approve, either prior or retrospectively, Councillor attendance at conferences and professional development courses – New Zealand-China Mayoral Forum in Wellington, 3-4 December 2017.

Appointments

There is currently a vacancy on Council's Fences, Roothing, Reserves & Dogs Committee. Deputy Mayor, Cr Rosie Harvey would like to fill the vacancy for the remainder of the 2016-19 Triennium of Council, therefore Council approval is sought for this appointment.

There is also a vacancy on the Tutemohuta Reserve Trust Committee for a Community Representative. An Expressions of Interest process was run recently and in response, one expression of interest was received from Mrs Debbie Hotene. It is recommended that Council approves the appointment of Mrs Hotene to the Committee.

RECOMMENDATION(S)

1. That Council receives the information relating to engagements for October 2017.
2. That Council approves the attendance of His Worship the Mayor and Cr(s) _____ at the New Zealand-China Mayoral Forum in Wellington, 3-4 December 2017.
3. That Council appoints Cr Rosie Harvey to the Fences, Roothing, Reserves & Dogs Committee for the remainder of the 2016-19 Triennium of Council.

4. That Council appoints Mrs Debbie Hotene to the Tutemohuta Reserve Trust Committee as Council's Community Representative.

ATTACHMENTS

Nil

5.11 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 - 29 August 2017</p>	<p>Section 7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>Section 7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</p> <p>Section 7(2)(h) - the withholding of the information is necessary to enable [the Council] to carry out, without prejudice or disadvantage, commercial activities</p> <p>Section 7(2)(i) - the withholding of the information is necessary to enable [the Council] to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>Section 48(1)(a)(i)- the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 7</p>

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]*.