



**I give notice that  
a Mangakino/Pouakani Representative Group Meeting will be held on:**

<b>Date:</b>	<b>Tuesday, 17 October 2017</b>
<b>Time:</b>	<b>10.00am</b>
<b>Location:</b>	<b>Boardroom Mangakino Service Centre Mangakino</b>

# **AGENDA**

## **MEMBERSHIP**

<b>Chairperson</b>	Cr Kirsty Trueman
<b>Deputy Chairperson</b>	Cr Barry Hickling
<b>Members</b>	Mayor David Trewavas Cr Tangonui Kingi Mrs Lisa de Thierry Mr Mark Seymour Miss Memory Te Whaiti
<b>Quorum</b>	3

**Gareth Green  
Chief Executive Officer**

## Order Of Business

<b>1</b>	<b>Apologies</b>	
<b>2</b>	<b>Conflicts of Interest</b>	
<b>3</b>	<b>Confirmation of Minutes</b>	
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<b>5</b>	<b>Confidential Business</b>	
	Nil	

**3.1 MANGAKINO/POUAKANI REPRESENTATIVE GROUP MEETING - 22 AUGUST 2017**

**Author:** Raeleen Rihari, Democratic Services Support Officer

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

**RECOMMENDATION(S)**

That the minutes of the Mangakino/Pouakani Representative Group meeting held on Tuesday 22 August 2017 be confirmed as a true and correct record.

**ATTACHMENTS**

1. Mangakino/Pouakani Representative Group Meeting Minutes - 22 August 2017 

#### 4.1 COMMUNITY GRANTS 2017/18

**Author:** Rose Prisk, Community Development Coordinator

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

#### PURPOSE

To consider applications for funding from the Mangakino/Pouakani Community Grants Fund for the 2017/18 financial year.

#### EXECUTIVE SUMMARY

The Group has \$16,355.83 excluding GST available to allocate to community groups and organisations. The increase from the usual grants fund amount of \$12,500 is due to the rollover of unallocated funds from previous funding rounds. Funds can be rolled over to the March 2018 funding round however, all funds must be fully expended in that round.

#### RECOMMENDATION(S)

That the Mangakino/Pouakani Representative Group approves/declines the following applications for the 2017/18 financial year:

1. \$\_\_\_\_\_ \* to Mangakino Area School for touch uniforms.
2. \$\_\_\_\_\_ \* to Mangakino Central Charitable Trust for six months shop rent for the Arts Cooperative.
- 3.
4. \$\_\_\_\_\_ to Mangakino Community Festival Committee to cover the Christmas event shortfall.
- 5.
6. \$\_\_\_\_\_ \* to Mangakino Golf Club for ongoing improvements and maintenance.
7. \$\_\_\_\_\_ \* to Mangakino Health Service for the Mangakino Cosy Homes initiative.
8. \$\_\_\_\_\_ to Mangakino Rugby League Club for club equipment.
9. \$\_\_\_\_\_ to Marotiri Hall Trust to purchase chairs for the hall.
10. \$\_\_\_\_\_ \* to Marotiri School to replace the sandpit and shade sail.
11. \$\_\_\_\_\_ \* to Whakamaru School to contribute to the Lakes Ranch Camp.

*Note: \* denotes GST registered organisation*

#### PURPOSE

To consider applications for funding from the Mangakino/Pouakani Community Grants Fund for the 2017/18 financial year.

#### BACKGROUND

The Group has \$16,355.83 excluding GST available to allocate to community groups and organisations. The increase from the usual grants fund amount of \$12,500 is due to the rollover of unallocated funds from previous funding rounds. Funds can be rolled over to the March 2018 funding round however, all funds must be full expended in that round.

Community grants are for groups and/or organisations that provide a service on behalf of Council or, for one-off events, projects or capital projects.

## APPLICATIONS

Nine applications were received (see Attachment 1 'Summary Table' and bound compilation of applications for further details).

	<b>Applicant</b>	<b>Funds required for...</b>	<b>Amount Requested</b>
1	Mangakino Area School	Touch uniforms	\$ 825.00
2*	Mangakino Central Charitable Trust	Six months shop rent for the Arts Co-operative	\$3,750.00
3*	Mangakino Community Festival Committee	Shortfall of funds for Christmas event	\$2,100.00
4	Mangakino Golf Club	Ongoing improvement and maintenance	\$3,000.00
5	Mangakino Health Services	Mangakino Cosy Homes initiative	\$4,100.00
6	Mangakino Rugby League Club	Club equipment	\$2,984.25
7	Marotiri Hall	Purchase chairs for hall	\$7,935.00
8	Marotiri School	Replace sandpit and shade sale	\$1,926.00
9	Whakamaru School	Lakes Ranch Camp	\$1,500.00

*Note: \* denotes GST registered organisation*

## CONSIDERATIONS

### Financial Considerations

The financial impact of the proposal is estimated to be \$16,355.83 excluding GST.

### 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 **Choose an item.** (i.e. efficient, effective and appropriate to present and anticipated future circumstances).

### Policy Implications

The proposal has been evaluated against the Long-term Plan, Annual Plan, and Grants & Partnership Policy.

### 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 making a decision.

### **COMMUNICATION/MEDIA**

Requests for applications were advertised through the Dam City Advertiser, Weekender and Taupō Times during September 2017 as well as Council's website, with the closing date 22 September 2017.

Applicants will be advised of the outcome of their applications by letter and details of grant allocations will be posted on Council's website.

### **CONCLUSION**

The Group has \$16,355.83 excluding GST available to allocate to community groups and organisations, however if applications do not meet the criteria set out in the new Grants and Partnerships Policy, there is no requirement to allocate the full amount at this time.

Any unused funds can be held over to next funding round in March 2018.

### **ATTACHMENTS**

1. Summary Table of Applications (2054864) 

**4.2 CURRENT ACTION POINTS UPDATE**

**Author:** Tina Jakes, Democracy & Community Engagement Manager

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


**PURPOSE**

To provide an update to members on outstanding items from the previous meetings of the Mangakino-Pouakani Representative Group.

**RECOMMENDATION(S)**

That the Mangakino/Pouakani Representative Group receives the current action points update.

**ATTACHMENTS**

1. 2017 MPRG Action Sheet (A1866533) 

**4.3 PROPOSAL FROM POUAKANI MARAE TO TAKE OVER OWNERSHIP OF THE TE AWHINA HALL**

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

**Authorised by:** Kevin Strongman, Group Manager, Operational Services

**PURPOSE**

To consider a proposal from Pouakani Marae to take over ownership of the Te Awhina Hall and surrounding land.

**EXECUTIVE SUMMARY**

Pouakani Marae representatives have approached Council requesting that they be granted a lease for the Te Awhina Hall and old bowling club grounds in Mangakino. The land is a recreation reserve under the Reserves Act 1977 and the land and building are both owned and administered by Taupō District Council. The building is not currently used and the land is infrequently used, although it is designated as an official freedom camping area.

It is recommended that the lease not be granted and the building is demolished.

**RECOMMENDATION(S)**

That the Mangakino/Pouakani Representative Group:

1. declines to offer a lease to Pouakani Marae for the land and building identified in Attachment 1 to this report;
2. approves the demolition of the old Mangakino Bowls Club building to make the site safe for general public use.

**BACKGROUND**

The proposal has not been presented previously.

Some time ago, Pouakani Marae approached Council requesting that ownership of the Te Awhina Hall at the old bowling club be transferred to them. A valuation undertaken in 1996 estimated that the building was constructed in 1956.

Council officers met at Pouakani Marae on 16 May to recommence discussions with marae representatives after earlier discussions held more than a year ago with them had ceased. At this meeting, a proposal was resubmitted to officers whereby the marae requested to take ownership of the Te Awhina Hall and the surrounding land up to the boundary of the marae. This land is immediately adjacent to Pouakani Marae.

The former bowling club land is owned and administered by Taupō District Council as a recreation reserve under the Reserves Act 1977.

Pouakani Marae opened in 1972. Unfortunately in 2007 the Pouakani Marae buildings burnt down in an arson attack. Te Awhina Hall was used as a temporary meeting place for the marae while the marae buildings were reconstructed over a period of about five years.

The historical ownership of the hall is slightly confused. However, the basic understanding is that the building was initially owned by the bowling club, who leased the land until 2007. Ownership was transferred to Sport and Leisure Association Mangakino [SLAM] in March 2007. SLAM were granted a lease of the land from January 2008 for a period of seven years. SLAM had planned to upgrade the building for community use and then seek permission to develop the land as a campground. However, they ceased operating as an incorporated society in June 2014 and subsequently terminated their lease agreement with Council in May 2014. At that point, the building became the responsibility of Council.

The bowling club has not been in regular use for a number of years and the Te Awhina Hall has fallen into a state of some disrepair.



## DISCUSSION

Due mainly to the time Te Awhina Hall was used as a substitute marae building during the marae re-build, Pouakani Marae representatives feel that there is a strong connection between the marae and the Te Awhina hall. They would like the opportunity to bring the building back into the wider marae facility. In addition, Wairarapa Moana feel a strong connection to the land on which the hall is sited. Being dispossessed of their ancestral lands around Lake Wairarapa by the Crown in 1896, and being given lands next to Lake Maraetai as “compensation” in 1915, the marae representatives have strong feelings about what the land means to them. In the 1940’s, the Crown once again acquired a portion of Pouakani land under the Public Works Act for the hydroelectric scheme.

Discussions around the building and any ownership being taken by Pouakani Marae primarily centred on the possibility of a lease being granted in the first instance, and if granted, what the possible costs and implications might be. Council would not be looking to contribute any resources towards maintenance or upgrading of the building. It is the opinion of officers that the building is of no current public benefit, and there is nothing to be gained by spending public funds on it. If the building was not wanted by a specific group for use, it is likely that it would be recommended for demolition in the future.

Council commissioned an independent visual building inspection to determine the approximate extent of the degradation of the building (attachment 2). This inspection identified a large number of issues with the building, some cosmetic, but many of them requiring significant work to remediate. Nearly every part of the structure has experienced significant degradation, from the foundations, the walls and right up to the roof. There is evidence of water damage throughout the building from ongoing water ingress. There are also some basic issues such as apparently inappropriate heating and hearths and non-compliant fire exit provision.

It is estimated that it would require at least \$200,000 to repair the building to a standard suitable for occupation. It is not considered that the extent of the damage can be repaired with cosmetic fixes or a ‘working bee’ of willing, but unskilled, volunteers. The building requires much more than a clean and a lick of paint to make it safe.

As a communal non-residential building under the Building Act 2004, the building faces a number of additional requirements to make it suitable for public use, including provision for improved accessibility.

Under the Building Act it is also likely to be classified as an insanitary building. Any building is insanitary under the act:

- (a) if is offensive or likely to be injurious to health because—
  - i. of how it is situated or constructed; or
  - ii. it is in a state of disrepair; or
- (b) has insufficient or defective provisions against moisture penetration so as to cause dampness in the building or in any adjoining building; or
- (c) does not have a supply of potable water that is adequate for its intended use; or
- (d) does not have sanitary facilities that are adequate for its intended use.

If Council is satisfied that the building is insanitary it may restrict access to the building through barriers and/or notices as well as restrict entry to particular people. If Council has classified the building as insanitary and carried out steps to restrict or notify of restricted access; no person may use or occupy the building, or allow and other person to use or occupy the building. It is an offense to do so, and offenders are liable to a fine not exceeding \$200,000 and a further fine of up to \$20,000 per day that the offense continues.

If the building ownership is given over to Pouakani Marae, any responsibility for rates, building maintenance and/or any other requirements which might be necessary to bring the building up to a suitable standard for public use [e.g. BWOFF standard] should be borne by the marae.

It appears unlikely that the Marae would have the resources to bring the building up to a standard which would be compliant for public use, and it is not recommended that Council put any resources into this building which has no realistic, identified public benefit or use.

This building should not be allowed to be used or occupied until it has been repaired to a standard compliant with the Building Act and Building Code. Therefore, even if ownership was transferred to Pouakani Marae, it would be unavailable for use until the marae addressed the current building issues.

If however, it was decided to approve transfer of ownership to the building to Pouakani Marae it is proposed that a transition period be established over the course of four years to ease the transition period and some of the occupation costs. Council would gradually introduce appropriate reserve rental charges and, relinquish maintenance of the grounds. It is proposed that the final reserve rental amount be similar to other

comparable users around the district e.g. the Taupō Bowling Club rental which is currently \$1,450 plus GST per annum.

- Year One          Peppercorn Rental          100% Council maintenance
- Year Two          \$450 Rental                                  66% Council maintenance
- Year Three        \$900 Rental                                  33% Council maintenance
- Year Four         \$1,350 Rental                                0% Council maintenance

Using the current fees and charges amount of \$2.13 m<sup>2</sup> applied to reserve rentals for community and sports leases outside of Taupō (Taupō being \$2.34m<sup>2</sup>), the possible rental charge could be \$31,084 per annum. The 2016/17 rates for this property are \$2,152.85, which the marae would also be expected to pay if they took over the land. If they only took over the Te Awhina Hall, Council would continue to pay the rates on the property and the reserve rental on an area the size of the hall (approx. 234m<sup>2</sup>) would be \$498 per annum.

Part of the former bowling club land is also currently designated as a freedom camping area. Freedom campers however almost never use the site as they mainly congregate either on Matekuri [commonly known as Dead Dog Island] or the lakefront reserve. Camping is not legally permitted on the lakefront reserve and Matekuri is owned by Mercury Energy, although Council has an informal understanding with Mercury to undertake basic maintenance of the area. If at any time Mercury or Council decide to enforce their rights and remove camping from these areas, there will be a lack of suitable locations if the currently designated official freedom camping site is not available. That said, the former bowling club site is not altogether desirable for freedom camping as evidenced by its lack of use.

It is undesirable for Council to approve transfer of building ownership with the current knowledge we hold about the unsafe nature of the building; knowing that the building could possibly be used and accessed by the marae and their guests while the building is in an unsafe condition. Therefore the only realistic options are to repair the building prior to transfer of ownership, or demolition of the building and making the site safe for public use and access.

This issue is symptomatic of a burgeoning problem that is most obviously represented by the Te Awhina Hall and the Tūrangitukua Sports Park clubrooms and changing rooms. What has historically happened, and is likely to happen at an increasing rate in the future, is that when clubs fold who have erected buildings on Council administered land, they invariably 'donate' the building to Council. In most cases, the club has declined over a number of years and folded due to lack of membership and resources. Consequently the buildings which they own have typically declined and deteriorated over the same period as the club has declined. What this means is that Council is left with a building which is more of a liability than an asset, often with many years of deferred maintenance, and being unfit for any other community purpose. The community purpose for which the building would have been most suitable having abandoned it, and the building requiring significant investment to make it safe and/or suitable for any other use.

In other cases, organisations struggling in buildings which are an onerous cost and liability to them can come 'cap-in-hand' to Council looking for funding to prop up their unsustainable model of running their activity. It has become increasingly evident that most clubs and community groups, even if they are capable of raising the capital to construct a building, are unable to support the repair, maintenance, running costs and depreciation of their buildings and facilities (e.g. Taupō Hockey Turf). Not only is this leading to weaker organisations, who are unable to carry out their main activities due to the burden of building and fixed asset ownership; but it is leading to situations where Council becomes obliged to pick up those burdens, either directly through inheriting asset ownership, or indirectly through funding grants.

Before making a decision on this building elected members are encouraged to think about the capability of the requesting organisation to take on the responsibilities of owning this building, as well as the precedent and message it sends to other organisations in the future about how Council will approach the issue of failing buildings on Council administered land. Particularly with regard to Hickling Park with all of the licences and leases expiring in 2029 on this land, and the fast deteriorating buildings on various Turangi reserves.

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

## OPTIONS

### Analysis of Options

Option 1. Grant a 10 year lease to Pouakani Marae for the land and building

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• Pouakani Marae would gain use of a building and area which they would like to</li> </ul>	<ul style="list-style-type: none"> <li>• Public access to the land may be restricted</li> <li>• Freedom camping will not be able to take</li> </ul>

administer <ul style="list-style-type: none"> <li>The building may be improved and maintained</li> </ul>	place on the land, requiring an update to the proposed Freedom Camping Bylaw and current information <ul style="list-style-type: none"> <li>Future development is restricted during the term of the lease</li> <li>Incorporation of the land into the wider marae may limit public accessibility and create a future precedent whereby the land is never considered suitable for open public use even upon expiry of the lease as there could be a sense of Marae ownership of the land.</li> </ul>
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#### Option 2. Grant a 10 year lease to Pouakani Marae for the building only

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>Pouakani Marae would gain use of a building that they would like to administer</li> <li>The building may be improved and maintained</li> </ul>	<ul style="list-style-type: none"> <li>The marae will still have to access the building across the public lands</li> </ul>

#### Option 3. Decline to grant a lease to Pouakani Marae for either the land or building

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>The space is kept available for public and freedom camping use</li> <li>Any form of future development is still possible</li> </ul>	<ul style="list-style-type: none"> <li>Pouakani Marae will be unhappy</li> <li>Building will continue to deteriorate without maintenance or demolition</li> </ul>

#### Analysis Conclusion:

The preferred option is to decline the request by Pouakani Marae to lease the land and take ownership of the building. It is recommended that the building be demolished and the grounds returned to a state which is safe for public use and access.

## CONSIDERATIONS

### Financial Considerations

The financial impact of the proposal is estimated to be minimal if Council approves the lease request without repairing the building. There will be minor financial gains from reduced maintenance costs and the lease rental estimated at approximately \$5,000 [to be confirmed].

### 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).

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:

The following authorisations may be required for the proposal:

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Resource Consent | <input type="checkbox"/> Building Consent             | <input type="checkbox"/> Environmental Health |
| <input type="checkbox"/> Liquor Licencing | <input checked="" type="checkbox"/> Licence to occupy |   |

Authorisations are not required from external parties.

**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**

As the land in question is a Reserve under the Reserves Act 1977; all new leases for occupation of reserve land are required to be publicly notified for one month prior to the lease being confirmed.



**CONCLUSION**

Pouakani Marae desire to lease and administer this land and building and therefore would be responsible for maintenance of the land and building. Pouakani Marae have an existing relationship with the land and building, and their administration could possibly provide the building with the maintenance it needs in order to avoid being demolished.

This land is not otherwise well used as a recreation reserve, or for its designated freedom camping use. There are no other currently anticipated uses for this building by either Council or any other community group. If Pouakani Marae do not occupy the building, it is likely that it will continue to remain unused and/or demolished. However if the land and building are leased, it may be difficult to reconcile Council's legal ownership with the occupation and perceived ownership of the marae which could make it problematic to end any lease relationship upon expiration or termination of the lease.

There are also significant issues with the building which is currently unsafe and unfit for occupation. There is also uncertainty as to whose responsibility it is for making it safe.

**ATTACHMENTS**

1. Mangakino Bowling Club Building Report 2017 
2. Map of Pouakani Marae and the old bowling club 

**4.4 UPDATE ON THE REPRESENTATION REVIEW**

**Author:** Tina Jakes, Democracy & Community Engagement Manager

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

**PURPOSE**

A report from the Democracy & Community Engagement Manager on the Representation Review was provided to the Group at its 22 August 2017 meeting.

This item is for the Democracy & Community Engagement Manager to provide a further update on that Review.

**RECOMMENDATION(S)**

That the Mangakino/Pouakani Representative Group receives the update on the Representation Review.

**ATTACHMENTS**

Nil

**4.5 UPDATE FROM THE MANGAKINO COMMUNITY COORDINATOR**

**Author:** Tina Jakes, Democracy & Community Engagement Manager

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

**PURPOSE**

It was requested at the 22 August 2017 Representative Group meeting that the Community Coordinator provide regular updates at future meetings.

This item is for the Community Coordinator to provide an update on any developments since the last Representative Group meeting relating to her role as community coordinator.

A copy of her report is attached for your information.

**RECOMMENDATION(S)**

That the Mangakino/Pouakani Representative Group receives the report from the Mangakino Community Led Development community coordinator.

**ATTACHMENTS**

1. Community Coordinator Report - October 2017 (A2055491) 

**4.6 COMMUNITY ISSUES**

**Author:** Tina Jakes, Democracy & Community Engagement Manager

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

**PURPOSE**

This item allows for discussion on community issues within the Mangakino-Pouakani area.

**DISCUSSION**

Matters that are of an operational and maintenance nature [e.g. road potholes, leaking water valves, trees, etc.] should be reported to staff for investigation and action in the first instance.

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

**RECOMMENDATION(S)**

That the Mangakino/Pouakani Representative Group receives the information relating to community issues.

**ATTACHMENTS**

Nil

**4.7 MEMBERS' REPORTS**

**Author:** Tina Jakes, Democracy & Community Engagement Manager

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

**PURPOSE**

This item permits members to provide feedback on any items of interest arising from meetings/conferences/seminars they have attended over the past month.

**RECOMMENDATION(S)**

That the Mangakino/Pouakani Representative Group receives the information on members' reports.

**ATTACHMENTS**

Nil