



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

<b>Date:</b>	<b>Tuesday, 24 April 2018</b>
<b>Time:</b>	<b>1.30pm</b>
<b>Location:</b>	<b>Council Chamber 107 Heuheu Street Taupō</b>

# **AGENDA**

## **MEMBERSHIP**

<b>Chairperson</b>	Mayor David Trewavas
<b>Deputy Chairperson</b>	Cr Rosie Harvey

<b>Members</b>	Cr John Boddy Cr Barry Hickling Cr Rosanne Jollands Cr Tangonui Kingi Cr Anna Park Cr Christine Rankin Cr Maggie Stewart Cr Kirsty Trueman Cr John Williamson
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<b>Quorum</b>	6
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**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>	
3.1	Ordinary Council Meeting - 27 March 2018 .....	3
<b>4</b>	<b>Receipt of Minutes</b>	
4.1	Ordinary Taupō Airport Authority Committee Meeting - 19 February 2018 .....	4
4.2	Ordinary Audit & Risk Committee Meeting - 6 March 2018 .....	5
<b>5</b>	<b>Policy and Decision Making</b>	
5.1	Ordinary Kinloch Representative Group Meeting - 22 March 2018 .....	6
5.2	Tender Contract TDC/1718/224 Omori / Te Puke / Pihanga Road Intersection Layout Improvement .....	7
5.3	Request for extension of Effluent Disposal Farm Harvesting Contract TDC/1516/163 .....	10
5.4	Jolly Outfitters Ltd Sub-Lease .....	13
5.5	Reserve exchange final decision- 1/31 Irwin Place, Kinloch .....	17
5.6	Replacement Power of Attorney for Execution of Deeds .....	21
5.7	Receipt & Review of Draft Statements of Intent from Council Controlled Organisations .....	24
5.8	Cultural precinct project - approval of master plan scope .....	28
5.9	Council's March Performance Report .....	33
5.10	Council submission to the Waikato Regional Council's consultation document for the 2018-28 Long-term Plan .....	35
5.11	Adoption of the Dangerous and Insanitary Buildings Policy .....	37
5.12	Draft Speed Limit Bylaw adoption for public consultation .....	39
5.13	Proposal to establish a working group to Assess the preferred future State for Turangi Wastewater discharge .....	45
5.14	Changes to Delegations .....	50
5.15	Elected Member Remuneration - Additional Responsibilities Allowance for Chairperson of Kinloch Representative Group .....	54
5.16	Council Engagements May 2018, Appointments and Conference Opportunities .....	57
5.17	Members' Reports .....	59
<b>6</b>	<b>Confidential Business</b>	
6.1	Confirmation of Confidential Portion of Ordinary Council Minutes - 27 March 2018 .....	60
6.2	Receipt of Confidential Portion of Minutes - Taupō Airport Authority Committee - 19 February 2018 .....	60
6.3	Receipt of Confidential Portion of Minutes - Audit & Risk Committee - 6 March 2018 .....	61

**3.1 ORDINARY COUNCIL MEETING - 27 MARCH 2018**

**Author:** Shainey James, Democratic Services Officer

**Authorised by:** Tina Jakes, Head of Democracy, Governance and Venues

**RECOMMENDATION(S)**

That the minutes of the Council meeting held on Tuesday 27 March 2018 be confirmed as a true and correct record.

**ATTACHMENTS**

1. Council Meeting Minutes - 27 March 2018 

**4.1 ORDINARY TAUPŌ AIRPORT AUTHORITY COMMITTEE MEETING - 19 FEBRUARY 2018**

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

**Authorised by:** John Ridd, Head of Economic Development and Business Transformation

**RECOMMENDATION(S)**

That Council receives the minutes of the Taupō Airport Authority Committee meeting held on Monday 19 February 2018.

**ATTACHMENTS**

1. Taupō Airport Authority Committee Meeting Minutes - 19 February 2018 

**4.2 ORDINARY AUDIT & RISK COMMITTEE MEETING - 6 MARCH 2018**

**Author:** Shainey James, Democratic Services Officer

**Authorised by:** Tina Jakes, Head of Democracy, Governance and Venues



**RECOMMENDATION(S)**

1. That Council receives the minutes of the Audit & Risk Committee meeting held on Tuesday 6 March 2018.
2. That Council approves recommendation AR201803/09 that “review and approval of Conflicts of Interest Policy” be added to point 8 of the Audit & Risk Committee Terms of Reference.

At the Audit & Risk Committee meeting held on 6 March 2018, members made a recommendation to Council that the Committee’s Terms of Reference be amended to include “review and approval of Conflicts of Interest Policy”.

It is recommended that Council receives the minutes and considers the Committee’s recommendation. The current Terms of Reference are attached for information.

**ATTACHMENTS**

1. Audit & Risk Committee Meeting Minutes - 6 March 2018 
2. Audit & Risk Committee Terms of Reference 2016-19 

**5.1 ORDINARY KINLOCH REPRESENTATIVE GROUP MEETING - 22 MARCH 2018**

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

**Authorised by:** Tina Jakes, Head of Democracy, Governance and Venues

**PURPOSE**

To receive the minutes of the ordinary Kinloch Representative Group meeting held on 22 March 2018.

The minutes will be separately circulated or tabled at the meeting.

**RECOMMENDATION(S)**

That Council receives the minutes of the ordinary Kinloch Representative Group meeting held on 22 March 2018.

**ATTACHMENTS**

Nil

**5.2 TENDER CONTRACT TDC/1718/224 OMORI / TE PUKE / PIHANGA ROAD INTERSECTION LAYOUT IMPROVEMENT**

**Author:** Woinshet Hailesilassie, Engineering Officer

**Authorised by:** Kevin Strongman, Head of Operations

**PURPOSE**

This report is to provide Council with an update on the tender for TDC/1718/224 Omori / Te Puke / Pihanga Road Intersection Layout Improvement.

**EXECUTIVE SUMMARY**

Tenders for this contract closed on 9 March 2018. Higgins was the only tenderer and is the lowest priced conforming tenderer.

**Option 1**

1. That Council accepts the Tender for Contract TDC/1718/224 for Omori / Te Puke / Pihanga Road Intersection Layout Improvement submitted by Higgins for the sum of \$275,556.05 (excl. GST) and authorises His Worship the Mayor and the Chief Executive to sign the Contract Document(s) and attach the Council's Common Seal to them.
2. That Council approves unbudgeted expenditure of \$193,000 for this project.

**Option 2**

That council does not accept the tender and the Omori / Te Puke / Pihanga Road Intersection Layout Improvement project is deferred until such time there is future development and the traffic volume increased in the area.

**BACKGROUND**

The proposal was considered by the Turangi/Tongariro Community Board at a meeting held on 14 March 2017, at which the Community Board recommended to Council "that the implementation of the proposed changes to the intersection at Omori be approved". This recommendation was subsequently adopted by Council on 28 March 2017 (resolution TDC201703/03.4).

The project was previously tendered in January 2018 with one tender received and a price 40% above estimate. The tender was declined and the project retendered.

**DISCUSSION**

The project was planned to be implemented under minor improvement projects which is co funded by NZTA and the allocated budget under minor improvement project was originally estimated to be \$170,000, with \$86,700 to be funded by NZTA.

Following detailed design a higher cost estimate was determined due to reconstructing of the pavement being required. This was only determined during the final detailed pavement investigation and design stage.

NZTA has reviewed our minor improvement programme and determined that they would not invest in this project due to lack of any crash history in the past 10 years, and the slow speed environment. They advised that improvements to the intersection would be considered in the future as further subdivisions occur in Omori and Te Puke Road area and traffic volume increased.

The tender price has come in 10% higher than the engineers estimate of \$258,247 for the intersection improvement.

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

1. Accept the tender and award the contract to Higgins Taupō Ltd.

2. That council does not accept and the project is deferred until such time there is future development and the traffic volume increased in the area.

## **TENDERS RECEIVED**

Tender documents were issued for a proposed contract on 20 February 2018. Tenders closed on 9 March 2018 and one tender was received from Higgins Taupō Ltd. The tender price was \$275,556.05. The project was estimated at \$258,247.

## **TENDER EVALUATION**

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

## **RECOMMENDED CONTRACT PRICE**

The tender submitted by Higgins Taupō Ltd. being \$275,556.05 over the 8 weeks contract term.

## **OPTIONS**

1. Accept the tender and award the contract to Higgins Taupō Ltd.
2. That council does not accept and the project is deferred until such time there is future development and the traffic volume increased in the area.

Council may choose to accept the preferred tender or not.

## **CONSIDERATIONS**

### **Financial Considerations**

The financial impact of the proposal is estimated to be \$275,556.05

#### Long-term Plan/Annual Plan

The expenditure outlined would need to be fully funded by council with NZTA declining to invest in the project. This will require an amount of \$193,000 unbudgeted expenditure to be approved.

### **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**

Known risks are the undertaking of road construction in unfavourable weather conditions mitigated by programming the work to be undertaken in the warmer and drier summer months.

Cost of the project is considerably higher than first estimated.

## **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**

A general media release will be made to notify the public of the proposed works.  
If the decision is not to proceed with the project, the Omori/Kuratau area residents would need to be advised of the outcome.

### **CONCLUSION**

Based on the fact that there is no crash history for the past 10 years along with the low traffic volume at the intersection and NZTA's decision to decline funding the project should be deferred until the traffic volume increases.

### **ATTACHMENTS**

1. TDC Pihanga Rd\_Omori Rd Intersection Improvements Tender Drawings R2 

**5.3 REQUEST FOR EXTENSION OF EFFLUENT DISPOSAL FARM HARVESTING CONTRACT TDC/1516/163**

**Author:** Kevin Sears, Manager - Water & Wastewater

**Authorised by:** Kevin Strongman, Head of Operations

**PURPOSE**

To seek approval for the extension of the Effluent Disposal Farm Harvesting Contract TDC/1516/163

**EXECUTIVE SUMMARY**

The Effluent Farm Harvesting Contract is a vital part of running the Effluent Land Disposal System for the treated effluent from the Taupō Wastewater Treatment Plant. The contract is a 2 +1+1+1 contract and its first two year period expires on 31 July 2018. It was written like this to give TDC flexibility to be able to re-tender early as bale sales were uncertain at the time of tendering. This uncertainty has now passed and the bale orders/sales has returned to previous years and are sold out for this season and it is expected that next season will be the same.

The contract was awarded in June 2016 for a period of two years commencing on 1 August 2016 at a value of \$817,804.00 per annum or a total of \$1,635,608.00, with the option to extend for three further one-year periods, subject to satisfactory contractor performance. The contract is a measure and value contract and has cost escalations applied.

As the contract is due for expiry in July 2018 it is now necessary to either plan for re-tendering or approve an extension of the contract to manage the harvesting of the grass and Lucerne crop at TDC's View Rd & Rakaunui Rd farms.

The preferred option is to extend the contract for a further one-year period. The reasons for this are the contractor has not sought an increase of the tendered price based on CPI and has carried out its obligations under the contract professionally and efficiently with no major failures or Health & Safety breaches.

**RECOMMENDATION(S)**

That Council accepts the Extension for Contract TDC/1516/163 for the Effluent Disposal Farm Harvesting submitted by Pritchard Agricultural Contracting Services Ltd for the sum of \$817,804.00 per annum increasing the total value of the contract to \$2,453,412.00 [excl. GST].

**BACKGROUND**

The farm harvesting has been put out to contract since the Rakaunui Rd farm was established in 1995 and has been tendered every three to five years since that date. In 2008 the View Rd farm was commissioned and included into the contract. The harvesting work is a specialist area and needs investment in equipment that is valued in the millions of dollars. It was originally, and still is, believed that to contract this work is the most efficient and effective way of producing a saleable crop from TDC's effluent disposal farms.

**DISCUSSION**

Approval is now being sought for the extension of this contract for the first of three possible extensions of one year each. The value of this extension is \$817,804.00. This value has been derived from an estimate of the expected bale production and negotiation with the contractor. As a result there is no change in the proposed annual amount for the first one year extension.

Pritchard Agricultural Contracting Services Ltd is one of the main providers for agricultural work in our area and has many years of experience in contracting and dairy farming. They have held this contract for three tender periods and have worked with us to maximise production and quality of the crop. TDC now produces on average 17,000 wrapped bales for sale per year and is one of the largest suppliers of supplementary feed in the Waikato and Bay of Plenty.

Pritchard's performance is monitored continually and they have met a high standard of performance across the whole period of this contract.

Based on this information it is considered that there are two options to either accept a one year extension or re-tender the contract.

**OPTIONS**Analysis of Options**Option 1. Approve an extension of contract**

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• Able to achieve the desired outcome of continuing the effluent farm harvesting operation to the current standard and continue to receive income from the crop.</li> <li>• Utilise the efficiencies Pritchard Agricultural Contractors have developed through the previous years of the contract periods.</li> </ul>	<ul style="list-style-type: none"> <li>• No current test of the market for price.</li> </ul>

**Option 2. Public tender**

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• Would allow TDC to test the market.</li> </ul>	<ul style="list-style-type: none"> <li>• The tendered price could be higher than the current price and budgets.</li> <li>• If the contractor changed TDC could lose of efficiencies and experience built up cropping TDC's irrigated grass. There are some differences in doing this to a normal crop.</li> </ul>

**CONSIDERATIONS****Financial Considerations**

The financial impact of the proposal is will be \$817,804.00 per annum making the total contract value \$2,453,412.00.

Long-term Plan/Annual Plan

The expenditure outlined is currently budgeted for under 2018/19 Annual Plan.

**Legal Considerations**Local Government Act 2002

The matter comes within scope of the Council's lawful powers, including satisfying the purpose statement of Section 10 of the Local Government Act 2002. The matter will enable the Council to meet the current and future needs of communities for good quality 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 harvesting operation is a critical part of the process to meet TDC's resource consents for the Effluent Land Disposal Systems. This is carried out by the irrigation of the rye grass crop, which takes up into the plant the majority of nitrogen applied to land in the treated effluent. This then is cut and baled and sold outside of the lake and river catchment removing the nitrogen and meeting TDC's resource consents.

The following authorisations are in place and this proposal meets the requirements of these:

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

No communication/media is required.

**CONCLUSION**

Pritchard Agricultural Contracting Services Ltd is an experienced contractor with the required resources to be successful in the continued delivery of this contract. Based on the current level of crop production, it is anticipated that if this extension to the contract is approved the value will not be exceeded and the income from the sale of the crop will continue at similar levels to the current situation.

**ATTACHMENTS**

Nil

**5.4 JOLLY OUTFITTERS LTD SUB-LEASE**

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

**Authorised by:** Kevin Strongman, Head of Operations

**PURPOSE**

To decide on the request by Chris Jolly Boats Ltd to enter into a sublease with Jolly Outfitters Ltd on land that Chris Jolly Boats leases from Taupō District Council.

**EXECUTIVE SUMMARY**

Chris Jolly Boats Ltd hold a lease agreement with Taupō District Council (TDC) for council administered land at 14 Rauhotu St, Taupō. Chris Jolly Boats Ltd have sold their charter business to Jolly Outfitters Ltd. To this end Chris Jolly Boats Ltd have requested that Council approve a sublease of part of the premises to Jolly Outfitters Ltd (attachment 1). It is recommended that Council approve this request.

**RECOMMENDATION(S)**

That Council approves the request from Chris Jolly Boats Ltd to enter into a sub-lease with Jolly Outfitters Ltd for part of the premises they lease on Council administered land at 14 Rauhotu Street, Taupō.

**BACKGROUND**

The proposal has not been presented previously.

Chris Jolly Boats Ltd entered into an agreement to lease with Council for council owned land at 14 Rauhotu St, Taupō in 2011. This agreement expires on 31 July 2026. In 2014, following a number of attempts by the tenant to renegotiate the terms of this agreement, the lease was signed by both parties in 2014.

In November 2017, the solicitor representing Chris Jolly Boats Ltd informed Council that his client had sold the charter boat business to Jolly Outfitters Ltd. They advised that the premises have been subleased and provided a deed of sublease for execution by Council.

The existing signed lease between the head tenant, Chris Jolly Boats Ltd and Taupō District Council provided that the tenant shall not sublet without first obtaining written consent of the landlord. The tenant must also prove to the landlord's reasonable satisfaction that the subtenant is respectable, responsible and able to meet the commitments under the lease.

The tenants appear to have entered into a sublease prior to obtaining Council's permission to do so. However, the solicitor for Chris Jolly Boats Ltd sent the following information as support for the sublease:

*"The Jolly family has been successfully operating boat charters on Lake Taupo for over 40 years and are well known identities in the area. I am confident that David Trewavas will be only too happy to vouch for them if necessary. Simon and Katie Jolly took over the operation last year by way of the implementation of a family succession plan."*

Simon and Katie Jolly are the sole shareholders of the Jolly Outfitters Ltd business.

Council's solicitors have reviewed the supporting information and the draft sublease provided; and have confirmed that it is in order for signing (subject to Council approval).

As the land proposed to be subleased is a mix of recreation reserve (part of Rangatira A131 Block classified as recreation reserve and contained in SA1765/82) and commercial land at Pier 87 (part of Lot 2 Deposited Plan South Auckland 47174 contained in SA40D/261), Council rather than the FRReD Committee are required to make a decision on this matter.

The land is part of the industrial marine area on the Waikato River opposite Tongariro Domain. The area impacted by the lease/sublease is identified below. The proposed sublease is for the entire area currently leased by Jolly Outfitters Ltd excluding the building and immediate curtilage subleased by Chris Jolly Boats Ltd to Taupo Boats Limited.

NUKUHAU BOAT RAMP AREA RESERVE MANAGEMENT PLAN JUNE 2005





## DISCUSSION

Given that the subtenants are part of a family succession programme, have previously been involved in the existing business and appear to have the support of the head tenant; Council officers are satisfied that the subtenant is capable of meeting their responsibilities under the lease.

Based on this information it is considered that there are two options, approve or decline the sublease.

## OPTIONS

### Analysis of Options

#### Option 1. Approve the sublease request

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>Meets the desires of the existing leaseholder and helps ensure continued viability</li> </ul>	<ul style="list-style-type: none"> <li>None</li> </ul>

#### Option 2. Decline the sublease request

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>None</li> </ul>	<ul style="list-style-type: none"> <li>Would inhibit the development of a long standing local business</li> </ul>

### Analysis Conclusion:

The preferred option is to approve the request for a sublease from Chris Jolly Boats Ltd to Jolly Outfitters Ltd.

## CONSIDERATIONS

### Financial Considerations

The financial impact of the proposal is estimated to be nil.



**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 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 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**

No communication/media is required.

**CONCLUSION**

While the head tenant has not strictly followed the prescribed process, the request for a sublease to a business owned by family members will help to ensure the continued operation of a long-standing local business. There are no apparent reasons to decline the request and a number of potential positive outcomes in approving the request.

**ATTACHMENTS**

1. Sub Lease request Chris Jolly Boats 



**5.5 RESERVE EXCHANGE FINAL DECISION- 1/31 IRWIN PLACE, KINLOCH**

**Author:** Ella Howie, Solicitor - Property

**Authorised by:** Brian Fox, Head of Regulatory and Risk

**PURPOSE**

The reason for this report is to allow Council to make a decision:

- a) As administering body, to exchange part of the Marina Terrace Recreation Reserve for part of the adjoining property at 1/31 Irwin Place, Kinloch.
- b) Pursuant to a delegation from the Minister of Conservation, to authorise the exchange of reserve by publication of a notice in the New Zealand Gazette.

**EXECUTIVE SUMMARY**

Council has already agreed in principle to the proposed exchange as the most cost effective and appropriate means to resolve a historic driveway encroachment with no net loss of land from the reserve.

The statutory consultation has been carried out as required under the Reserves Act 1977. No submissions were received for or against the proposed exchange.

Keys Valuers Limited has carried out a valuation of the equal sized 36m<sup>2</sup> parcels proposed to be exchanged and has found that there is no difference in value of the parcels.

The recommended option is for Council as administering body to resolve to exchange the reserve land, and for Council as Minister's delegate to resolve to authorise the exchange of reserve land.

**RECOMMENDATION(S)**

1. That Council as Administering Body of Marina Terrace Recreation Reserve resolves to exchange 36m<sup>2</sup> of Marina Terrace Recreation Reserve for 36m<sup>2</sup> of land at 1/31 Irwin Place, Kinloch.
2. That pursuant to section 15 of the Reserves Act 1977 and to a delegation from the Minister of Conservation dated 12 June 2013, Council hereby authorises the exchange of 36m<sup>2</sup> of Marina Terrace Recreation Reserve being part Lot 4 DP 472177, for 36m<sup>2</sup> of land at 1/31 Irwin Place, Kinloch being part Lot 1 DPS 65823 subject-
  - (a) to a formal agreement to that effect being entered into with the registered owners of Lot 1 DPS 65823;
  - (b) to payment of \$1 (GST inclusive if any) by the owners of Lot 1 DPS 65823;
  - (c) to payment of all costs associated with the exchange process and land transaction being paid by the owners of Lot 1 DPS 65823.

**BACKGROUND**

The proposal has been considered by the Fences, Roothing, Reserves & Dogs Committee at its October 2017 meeting and the following resolution was made:

**FRD201710/08 RESOLUTION**

Moved: Cr Anna Park

Seconded: Cr John Williamson

That the Fences, Roding, Reserves &amp; Dogs Committee recommends that Council:

1. agrees in principle to the exchange of part of Lot 4 DP 472177 (Marina Terrace Recreation Reserve, Kinloch) for part of Lot 1 DPS 65823 (private land at 1/31 Irwin Place);
2. gives approval for public notification of the intent to pass a resolution authorising the exchange in accordance with the requirements of section 15 of the Reserves Act 1977; and
3. agrees that the Fences, Roding, Reserves & Dogs Committee deal with any written objections made pursuant to the Reserves Act 1977 process as provided by its terms of reference.

**CARRIED**

Council approved the Fences, Roding, Reserves & Dogs Committee's recommendation outlined above [FRD201710/08] at its 31 October meeting.

On Tuesday 20 February, a public notice advising of the intent to pass a resolution authorising the exchange was published in the Taupō Times. The submission period closed on 20 March 2018 and no submissions were received. The proposal was also advertised on the consultation page of the Council website.

**DISCUSSION**

Council has agreed in principle to the proposed exchange as the most cost effective and appropriate means to resolve a historic fence/driveway encroachment with no net loss of land from the reserve.

Following final approval from Council to proceed with the exchange, Council will need to enter into an Agreement for Sale and Purchase with the owner of 1/31 Irwin Place, conditional upon the completion of the exchange process, and the owners paying all costs associated with the exchange process and land transaction (e.g. valuation cost, legal, survey, public notice, gazette notice, resource consent, rectification of fence etc).

A valuation of the equal sized parcels proposed to be exchanged has concluded that there is no difference in equality of the exchange; both parcels of land are valued at \$6,300 inclusive of GST (if any). A nominal \$1 payment for the exchange is therefore considered appropriate.

The owners of 1/31 Irwin Place have an agreement to sell their property conditional upon the reserve exchange process/boundary realignment being completed by 1 August 2018.

A survey defining the parcels proposed to be exchanged is attached at Attachment 1.

**OPTIONS**Analysis of OptionsOption 1. ***Authorise the exchange of reserve land***

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• Consistent with earlier resolution.</li> <li>• Allows the resolution of a long standing encroachment issue.</li> <li>• Private land owner satisfied.</li> </ul>	

Option 2. ***Decline to authorise exchange***

Advantages	Disadvantages
	<ul style="list-style-type: none"> <li>• Inconsistent with earlier decision.</li> <li>• Encroachment will remain unresolved.</li> </ul>

The recommended option is for Council as administering body to exchange the reserve land, and for Council as Minister's delegate to authorise the exchange of reserve land.

## CONSIDERATIONS

### Financial Considerations

The financial impact of the proposal is estimated to be \$nil. There is no difference in value between the parcels proposed to be exchanged and the owner of 1/31 Irwin Place will be covering all costs associated with the reserve exchange and land transaction.

### Legal Considerations

#### Local Government Act 2002

This decision is made as part of Council's regulatory functions in relation to its statutory management of reserve land as local community infrastructure.

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:

Section 15(1) of the Reserves Act 1977 provides for the Minister of Conservation to authorise an exchange of reserve lands by notice in the New Zealand Gazette following the passing of a resolution requesting the exchange by the administering body. The power of the Minister has in this case been delegated to Council as the land was vested in Council as a result of subdivision. Council therefore has the power as the Minister's delegate to authorise the exchange and publish the notice to that effect in the Gazette.

This decision is made as part of Council's regulatory functions in relation to its statutory management of reserve land as local community infrastructure.

The following authorisations are required for the proposal:

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

The owner of lot 1/31 Irwin Place will be responsible for obtaining resource consent for the reserve exchange.

### Policy Implications

There are no policy implications to this decision.

### Risks

There are no foreseeable risks to this decision.

## 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

The statutory consultation has been carried out as required under the Reserves Act 1977. No submissions were received for or against the proposed exchange.



**COMMUNICATION/MEDIA**

The parties will be advised of the Council's final decision.

**CONCLUSION**

It is recommended that Council proceeds to complete the exchange of reserve lands by passing the recommended resolution.

**ATTACHMENTS**

1. Survey Plan showing parcels proposed to be exchanged (Lot 4 522356 and Lot 2 LT 522356, each 0.0036ha) 
2. Map showing parcels proposed to be exchanged 

**5.6 REPLACEMENT POWER OF ATTORNEY FOR EXECUTION OF DEEDS**

**Author:** Ella Howie, Solicitor - Property

**Authorised by:** Brian Fox, Head of Regulatory and Risk

**PURPOSE**

The purpose of this report is to authorise a replacement Power of Attorney for the execution of deeds that incorporates the recent changes to Senior Leadership Team roles.

**EXECUTIVE SUMMARY**

Council has previously resolved to authorise the Senior Leadership Group Managers (when acting as CEO) and the CEO to execute Deeds on the Council's behalf under a Power of Attorney, together with one elected member.

Following recent changes to Senior Leadership Team roles, there is the need to update the existing Power of Attorney for the execution of deeds to incorporate the changes to SLT. The proposed new Power of Attorney adds the new SLT members (Dylan Tahau, Lisa Nairne, and Tina Jakes), and updates the SLT titles referred to in the power of attorney.

The preferred option is to agree to update the power of attorney to ensure that deeds are signed in accordance with legal requirements.

**RECOMMENDATION(S)**

That Council:

1. Revokes the existing Power of Attorney dated 7 November 2017 and simultaneously replaces it with the new Power of Attorney attached at Attachment 1 to this report (with tracked changes to be accepted), effective on execution of the new Power of Attorney.
2. Authorises the Mayor and Deputy Mayor to execute the new Power of Attorney attached at Attachment 1 to this report (with tracked changes to be accepted).

**BACKGROUND**

In October 2017, Council authorised the existing Power of Attorney dated 7 November 2017 to be entered into. The Power of Attorney was made to ensure Council meets the Property Law Act 2007 requirements regarding the execution of Deeds. Section 9 of the Act requires deeds to be executed "by not fewer than two directors of a body corporate". In relation to a body corporate, a director is defined as a person occupying a position of the body corporate that is comparable with that of a director of a company. In the case of a local authority, the view is that a director equates to a Councillor.

Given the administrative inefficiency of requiring two elected members to sign deeds on behalf of Council, Council opted to grant Power of Attorney to the CEO and Acting CEO (if applicable) to sign deeds on behalf of Council together with one elected member of Council (usually the Mayor). This enabled Council to continue its current practice of signing deeds while ensuring that the legal requirements were met.

**DISCUSSION**

The new Power of Attorney is required to incorporate the recent changes to SLT. The proposed changes to the replacement Power of Attorney are shown in tracked at Attachment 1 and incorporate the new titles and add new SLT managers; Dylan Tahau, Tina Jakes and Lisa Nairne.

The changes are considered appropriate to enable Council to operate efficiently and meet the legal requirements for signing of deeds.

**OPTIONS**Analysis of Options

Option 1. Agree to authorise the new Power of Attorney

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>Power of Attorney is up to date;</li> <li>Legal requirements for signing of deeds will be met.</li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>

Option 2. Decline to authorise the new Power of Attorney

Advantages	Disadvantages
<ul style="list-style-type: none"> <li></li> </ul>	<ul style="list-style-type: none"> <li>Where a new SLT member is acting CEO the Council will be unable to rely on the existing Power of Attorney for signing of deeds;</li> <li>Legal requirements for signing of deeds may not be able to be met.</li> </ul>

Analysis Conclusion:

The preferred option is to update the Power of Attorney to reflect the changes to SLT and to ensure that Council is in a position where it can meet the Property Law Act requirements for signing of deeds.

## CONSIDERATIONS

### Financial Considerations

There are no known financial considerations.

### Legal Considerations

The current Power of Attorney will be revoked and replaced with a new one.

### Policy Implications

There are no known policy implications.

### Risks

There are no known risks to the proposal. There is only a risk that the legal requirements for the signing of deeds are not met if the replacement Power of Attorney is not put in place.

## SIGNIFICANCE OF THE DECISION OR PROPOSAL

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

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

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

**ENGAGEMENT**

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


**COMMUNICATION/MEDIA**

No communication/media is required.

**CONCLUSION**

The existing Power of Attorney needs replacing to incorporate changes to Senior Leadership Team roles.

**ATTACHMENTS**

1. New Power of Attorney (changes to existing Power of Attorney shown tracked) 

**5.7 RECEIPT & REVIEW OF DRAFT STATEMENTS OF INTENT FROM COUNCIL CONTROLLED ORGANISATIONS**

**Author:** Sue Shaw, Business Development Coordinator

**Authorised by:** John Ridd, Head of Economic Development and Business Transformation

**PURPOSE**

For Council to receive the draft Statements of Intent [SOI] from its Council-Controlled Organisations [CCOs], review and provide comment.

**EXECUTIVE SUMMARY**

The Local Government Act 2002 requires Council Controlled Organisations [CCOs] to produce Statements of Intent [SOIs] annually. Part of the process, as set out in the Act, requires Council to formally receive these and provide comment on the drafts. Elected Members are now asked to review officer's comments, after which time the CCOs will finalise the documents for the financial years covering 2018-21.

**RECOMMENDATION(S)**

- 1) That Council receives the draft Statements of Intent [SOI] from its Council Controlled Organisations [CCOs].
- 2) That Council makes the following feedback on its Council Controlled Organisations [CCOs] draft 2018-21 Statements of Intent [SOIs]:
  - WAIKATO LOCAL AUTHORITY SHARED SERVICES LIMITED [WLASS]  
Council is satisfied with the draft SOI; no feedback to be sent to WLASS.
  - BAY OF PLENTY LOCAL AUTHORITY SHARED SERVICES LIMITED [BOPLASS]  
Council is satisfied with the draft SOI; no feedback to be sent to BOPLASS.
  - DESTINATION GREAT LAKE TAUPŌ [DGLT]  
Council is satisfied with the draft SOI; no feedback to be sent to DGLT.
  - TAUPŌ AIRPORT AUTHORITY [TAA]  
Council is satisfied with the draft SOI; no feedback to be sent to TAA.
  - NEW ZEALAND LOCAL GOVERNMENT FUNDING AGENCY LIMITED [NZLGFA]  
Council is satisfied with the draft SOI; no feedback to be sent to NZLGFA.

**BACKGROUND**

The proposal has not been presented previously.

**Accountability requirements** - The Local Government Act 2002 requires CCOs to forward to Council [no later than 1 March] a draft SOI for the next financial year. The SOIs are then considered by Council for comment by 1 May. This allows time for the CCOs to amend, adopt and forward their final SOI to Council by 30 June.

**Draft shareholder comments** - The draft SOIs for WLASS, BOPLASS, DGLT, TAA and NZLGFA have been reviewed by officers and comments for Council's consideration are contained in the attachments to this report.

In addition DGLT held a workshop on their draft SOI on 27 March 2018.

These and any other additional comments made by Council will be reported back to the CCOs by 1 May.

The draft SOI for the Lake Taupō Protection Trust was received by the Lake Taupō Protection Project Joint Committee at its meeting on the 12 March 2018 and will be reviewed under the requirements of the Local Government Act 2002.



## DISCUSSION

The purpose of this report is for Council to receive, review and provide comment on the draft SOIs from its CCOs. Council is obliged to review the draft SOI's and provide comments to the relevant CCOs under the Local Government Act 2002.

The purpose of a statement of intent is to:

- State publicly the activities and intentions of a council controlled organisation for the year and the objectives to which those activities will contribute; and
- Provide an opportunity for shareholders to influence the direction of the organisation; and
- Provide a basis for the accountability of the directors to their shareholders for the performance of the organisation.

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

Based on this information it is considered that there are 4 options.

## OPTIONS

### Analysis of Options

#### Option 1 – Receive the draft statements of intent

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

#### Option 2 – Do not receive the draft statement of intents

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

#### Option 3 – To review and as required make comment on the draft statements of intent

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• Compliant with legislation</li> </ul>	<ul style="list-style-type: none"> <li>• Nil</li> </ul>

#### Option 4 - To not review and as required make comment on the draft statements of intent

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• Nil</li> </ul>	<ul style="list-style-type: none"> <li>• Non-compliant with legislation</li> </ul>

### Analysis Conclusion:

Option 1 and 3 is considered the preferred option as this fulfils Council's requirements under the Local Government Act 2002.

Not receiving the draft SOIs would not comply with our obligations as a CCO shareholder under the Act and would not allow Council to progress to reviewing and providing commentary on the SOIs within the specified timeframes.

Council has the option of reviewing and as appropriate making comments on the draft SOIs as proposed by Council Officers in the attachments to this report. Council can also make additional comments and/or amend the attachments and/or choose not to comment.

## **CONSIDERATIONS**

### **Financial Considerations**

#### 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 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:

#### Section 65 of the Local Government Act 2002 (Performance monitoring)

(1) A local authority that is a shareholder in a council organisation must regularly undertake performance monitoring of that organisation to evaluate its contribution to the achievement of—

- (a) the local authority's objectives for the organisation; and
- (b) (if applicable) the desired results, as set out in the organisation's statement of intent; and
- (c) the overall aims and outcomes of the local authority.

(2) A local authority must, as soon as practicable after a statement of intent of a council-controlled organisation is delivered to it,—

- (a) agree to the statement of intent; or
- (b) if it does not agree, take all practicable steps under clause 5 of Schedule 8 to require the statement of intent to be modified.

The action to review the SOIs is consistent with these requirements.

### **Policy Implications**

There are no known policy implications. The CCOs are covered in the Long Term Plan.

### **Risks**

A local authority must agree with a Statement of Intent, or if it does not, provide feedback to a CCO before 1 May to be compliant with legislation in the Local Government Act 2002. If it does not, it is non-compliant under the law.

## **SIGNIFICANCE OF THE DECISION OR PROPOSAL**

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

- a. The level of financial consequences of the proposal or decision;
- b. Whether the proposal or decision will affect a large portion of the community or community of interest;
- c. The likely impact on present and future interests of the community, recognising Maori cultural values and their relationship to land and water;
- d. Whether the proposal affects the level of service of an activity identified in the Long Term Plan;

- e. Whether community interest is high; and
- f. The capacity of Council to perform its role and the financial and other costs of doing so.

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

## ENGAGEMENT

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












## COMMUNICATION/MEDIA

No communication/media is required.

## CONCLUSION

Council is asked to consider the comments on its Council Controlled Organisations [CCOs] 2018-21 draft Statements of Intent [SOIs] as attached and/or make amendments as necessary or choose not to comment.

## ATTACHMENTS

1. Items to be Covered in CCO SOIs (under separate cover) 
2. Attachment 1 WLASS Final Draft SOI 2018-21 (under separate cover) 
3. Attachment 1 Summary Review Draft SOI - WLASS (under separate cover) 
4. Attachment 2 BOPLASS Draft SOI 2018-21 (under separate cover) 
5. Attachment 2 Summary Review Draft SOI - BOPLASS (under separate cover) 
6. Attachment 3 DGLT Draft SOI 2018-2021 (under separate cover) 
7. Attachment 3 Summary Review Draft SOI - DGLT (under separate cover) 
8. Attachment 4 TAA Draft SOI 2018-21 (under separate cover) 
9. Attachment 4 Summary Review Draft SOI - TAA (under separate cover) 
10. Attachment 5 NZLGFA Draft SOI 2018-21 (under separate cover) 
11. Attachment 5 Summary Review Draft SOI - NZLGFA (under separate cover) 

**5.8 CULTURAL PRECINCT PROJECT - APPROVAL OF MASTER PLAN SCOPE**

**Author:** Philip King, Building Project Manager

**Authorised by:** Gareth Green, Chief Executive Officer

**PURPOSE**

This report seeks Council's approval for the scope of the master plan to be developed for the cultural precinct. It also provides Council with:

- An indication of the likely timeframes for the master planning;
- Clarification of the anticipated costs and project budget; and
- The proposed approach to community engagement through the process

**EXECUTIVE SUMMARY**

Council has been considering how to provide civic administration facilities to meet the long term needs of the community. Previous investigations have identified a number of preferred sites, one of which is located near the Great Lake Centre, Taupō.

In addition to being a potential site for civic administration facilities, that locality offers a number of other opportunities including enhanced cultural heritage facilities. To better understand what those opportunities might be and how they could be realised, Council has decided to undertake a master planning process for the broader precinct.

This report sets out a description of the precinct's location and an intended scope for the master planning process. The intention is to engage a specialist team to assist with this process. They are expected to deliver a completed master plan prior to Christmas 2018.

The project is expected to be of significant interest in the community and the intention is to work closely with elected members through the planning process. There will also be multiple opportunities for the community and specific stakeholder groups to engage with the master planning team during the plan development process.

Provision has not been made for the funding for this work, so officers recommend that Council makes appropriate amendments to the 2018/19 budgets in the draft Long-term Plan 2018-28. There will be an opportunity to do so during the deliberations on 14 May 2018.

**RECOMMENDATION**

That Council approves the scope for the master planning of the cultural precinct as described in this report.

**BACKGROUND**

Council has been working to identify a preferred way of providing the required new civic administration facilities. On 1 February 2018 Council resolved (TDC201802/11) that the area around the Great Lake Centre was the preferred location for a new civic administration facility. However it was recognised that the location provided opportunities broader than just the civic administration facilities. To ensure that the extent of those opportunities is better understood Council also resolved to undertake master planning of the precinct.

A workshop was held with Council on 12 April to discuss the potential scope of the master plan and this report reflects the key components of that discussion.

**SCOPE FOR THE MASTER PLANNING**

The master plan is intended to provide Council with a better understanding of the different opportunities that might exist within the broader cultural precinct area. It is important that the scope is broad enough to enable those opportunities to be investigated. It is recommended that Council takes a long term view to the future development of the precinct and that a 30 year planning horizon is adopted.

Given the broad nature of the master planning it is not appropriate to draw hard boundaries around the area of interest. Instead the edges should be viewed as approximate allowing consideration of connections into and out of the precinct.

The intention is to look at the area to the west of Tongariro Street, which includes the Tongariro Domain (both North and South), Riverside Park and the Amphitheatre, down to Ferry Road at the South and including the Taupō Boat Harbour. Within that locality there are a range of buildings, roading and parking and public spaces which are intended to be included within the scope of the project.

The master plan is expected to deliver options for providing:

- Civic administration facilities including office space, mayoral offices, Council chambers, customer service centre, archives and an emergency operations centre, as well as community meeting spaces and reception areas.
- New cultural heritage facilities to replace the existing museum and art gallery along with working and display space for community groups.

The investigation of these options should consider the potential to collocate these facilities in a single building, in combination with existing facilities including the library, Super Loo, I Site and Great Lake Centre, or as separate facilities. It should also consider the potential to provide the facilities at the same time or in a staged manner.

Along with considering options for the civic administration and cultural heritage facilities the master plan should provide direction on the following:

- Enhanced roading and pedestrian connections to the Taupō Boat Harbour
- Enhancement of existing, and creation of new, public spaces
- The long term appropriateness of the Active Arts building, tennis courts, Bowling Club and Rotary House in their existing locations
- Potential improvements to enhance the operation of the Great Lake Centre
- The provision and management of car parking within the cultural precinct
- The potential for interregional bus infrastructure within the cultural precinct
- Enhancement of the public space and pedestrian connections across Storey Place, Tongariro Street and Ferry Road
- The location of, and connections to, the planned destination playground
- Creating a cultural focus on the Redoubt and historic courthouse
- Ensuring strong connections between the North Domain, Amphitheatre and Riverside Park, as well as ongoing utilisation of these areas for events.

Council has existing planning direction for elements of this precinct set out in the Taupō Urban Commercial and Industrial Structure Plan (2011). The master planning is expected to reflect that established direction. As an example, the structure plan signals an extension of Storey Place down to the Boat Harbour, changes in the function of Tongariro Street and the management of car parking in the town centre.

The following matters are considered to be out of scope for the master planning:

- The location of new buildings on the recreation reserve of the Tongariro North Domain
- Physical improvements to the Boat Harbour
- Foreshore work to address erosion issues
- The relocation of the Police Station and Court House
- Relocation of the Cenotaph
- Relocation of the Yacht Club
- Detailed design for changes to Tongariro Street, Redoubt Street, Storey Place or Ferry Road
- Disturbance of the Redoubt and historic courthouse
- Further work related to 72 Lake Terrace and Tūwharetoa Street as alternative sites for civic administration facilities.

## PROCUREMENT PROCESS

The next step for officers is to undertake a procurement process to appoint a consultant team to undertake the preparation of the master plan. This will involve an open tender process with a strong emphasis on attributes such as track record, previous experience, stakeholder and community engagement and innovation. Cost will be a factor but it is expected to be of lower significance. This reflects the importance of appointing a team that Council can work with and have confidence in.

Once a short list of preferred suppliers has been selected the suppliers will be invited to present their approach to Councillors. It is anticipated that Councillors will make the final decision on the preferred supplier following the presentations. This approach acknowledges the strong role that elected members will have working with the master planning team during the development of the options.

In addition to undertaking the master planning, the preferred supplier is expected to:

- Engage with stakeholders and the Taupō District community to understand concerns and aspirations and incorporate these as appropriate.
- Work closely with the Council project team throughout the planning process.
- Provide ongoing expert advice to Council during hearings and deliberations on an amendment to the Long-term Plan.

## TIMEFRAMES AND BUDGET

The procurement process is expected to occur over May and the beginning of June. The master plan is expected to be completed prior to Christmas 2018. Following the completion of the master plan, a business case will need to be prepared to support an amendment to the Long-term Plan. The consultation on the amendment will follow the completion of the business case.

The exact cost of the master planning will not be known until the procurement process has been undertaken, however it is estimated to be between \$250,000 and \$300,000 in the 2018/19 financial year. There is currently no funding for that work in the draft Long-term Plan 2018-28. It is recommended that Council makes the necessary adjustment to the operational budgets through the deliberations process on the draft Long-term Plan.

The development of the business case is a separate piece of work for which different skills will be required. That is currently being scoped and it is anticipated that Council will also be able to consider making financial provision for that through the deliberations on the draft Long-term Plan 2018-28.

## APPROACH TO COMMUNITY ENGAGEMENT

There will be a high level of community interest in the master planning and there are a number of specific stakeholder groups with direct interest. It will be critical that the master planning is undertaken in a manner that provides multiple opportunities for those stakeholders and the wider community to provide input into the process.

That approach will underpin the engagement plan that officers will develop with the master planning team following their appointment.

## OPTIONS

Council has the option to progress with the master planning as proposed, make amendments to the scope and approach, or decide not to proceed.

It is recommended that Council proceeds with the master planning as proposed. The broad scope and long term planning horizon will provide Council with a good range of options to consider. This is also in keeping with Council's requirements to consider the needs of future generations. However, this planning work comes at a financial cost.

A decision not to undertake the master planning would leave Council with incomplete information about the option to put civic administration facilities on the Great Lake Centre site. That could foreclose on future opportunities and would not represent integrated planning. It may also make it more difficult for the community to provide feedback on the Great Lake Centre site as an option.

## RISKS

There are a number of risks for Council to consider as part of this decision:

- Council undertook a similar planning exercise in 2009 and 2010. There may be some members of the community who question why Council is revisiting the concept.
- The scope for the master planning is very broad which could lead to scope creep and additional costs.
- Given the scope of the project there is the risk that the procurement process results in costs greater than those indicated in this report.
- The timing of the delivery of the master planning and the development of a business case will impact on when Council can make decisions. Delays to either the master plan or the business case will mean that Council will likely miss the opportunity to consult on an amendment in conjunction with the next Annual Plan.
- This could be one of the most expensive capital projects that Council has ever undertaken. That is likely to cause concern in some parts of the community. Furthermore, changes in the wider economy could change the appetite for the project.

### **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.

Council has previously resolved to undertake the master planning (1 February 2018) so this decision setting the scope of the project is considered to be a largely procedural one of low importance.

### **ENGAGEMENT**

Given previous planning in this precinct has provided Council with a reasonable understanding of the types of issues that might be of concern to those with an interest, no formal engagement has taken place with the community or stakeholders on the scope of the master planning. Furthermore the broad scope of the master planning project, and the approach to ongoing engagement, will provide the community and stakeholders with multiple opportunities to influence the direction of the planning through the process.

### **COMMUNICATION/MEDIA**

The community will be informed of the Council's decision via a number of communication channels including a press release, social media and the website. A comprehensive communication and stakeholder engagement plan will be developed following the appointment of the consultants.

### **CONCLUSION**

Council's ongoing work to identify an appropriate site for the future civic administration facilities has led to the identification of the area around the Great Lake Centre as a preferred site. That area is complicated with a wide range of different activities, buildings, and public spaces, however that mix of uses also opens a number of opportunities.

To better understand those issues and opportunities Council has indicated a desire to undertake master planning. In particular, Council has signalled a desire to investigate the potential for new cultural heritage facilities to replace the existing museum. Officers are supportive of Council's intent and believe that it reflects best practice.

Having this additional information will make it easier for the community and Council to understand the range of options to achieve Council's objectives. It will come at a cost which will need to be considered as part of

the draft Long-term Plan, however incurring that cost is considered prudent given Council's need to take a long term view when making decisions.

**ATTACHMENTS**

Nil



**5.9 COUNCIL'S MARCH 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 March 2018.

The preventative wastewater maintenance project being undertaken is making good progress. More than 545 sewer pipes in Acacia Bay and Taupō have been inspected and 37 manholes have been cleared. Work will be carried out on another 12 in the coming weeks. More than 30 manholes have also had remedial work carried out to make them more accessible in the long-term.

However, we have received a formal warning from Waikato Regional Council in relation to the wastewater spill in January at Two Mile Bay. Our contractor Downer has also received a formal warning for the spill at Acacia Bay. We are still waiting on the outcome from their investigation into the spill at Gillies Ave and Tokaanu. Waikato Regional Council staff will now be attending all spill incidents due to the volume we have been having.

An issue with the telemetry system at our Tirohanga repeater caused communication issues at 16 of our 19 water supplies earlier this month. This resulted in Kinloch running out of water for a short time until manual processes could be implemented. The issue was resolved quickly once the repeater was rebooted. We are looking at how we can avoid a similar incident happening in the future.

The series of consultation events held around the district to discuss the draft Long-term Plan 2018-28 attracted a good number of interested people and at the time of writing this report we had received about 200 submissions. Submissions closed on Monday, April 16 with hearings set down for mid-May.



This month saw the roll out of more changes to the northern access approach to the Central Business District as we put in a few more interim measures to try and improve traffic flow. The latest changes were made so traffic turning out of Redoubt Street will only be allowed to turn left, and traffic can no longer turn right from Redoubt Street on to Tongariro Street.

The development of the Turangi Reserves Management Plan is on hold pending further discussions between Taupō District Council and Ngāti Tūrangitukua. The management plan was initiated in March 2016 under the Turangi Reserves Management Committee to manage reserves in the Turangi urban area.

The construction of temporary changing facilities approved for Turangitukua Park at last month's meeting is progressing well. Representatives from Council, the Community Board and the supplier Royalwolf, together with local electrical and plumbing contractors, met on site on 12 April and agreed on a basic layout. The container fabrication will take six to eight weeks, and onsite works are expected to be completed within this timeframe.

Turangi has been chosen to play host to the Inter Council Sports Tournament next year. This followed the successful hosting of the event in Taupō in 2016. We are expecting to once again attract a full field of teams and see a good economic return as a result of the event.

## **ATTACHMENTS**

1. March 2018 Project and Service Council Performance Report (A2182096) 
2. Treasury Report Mar-18 (A2190590) 

**5.10 COUNCIL SUBMISSION TO THE WAIKATO REGIONAL COUNCIL'S CONSULTATION DOCUMENT FOR THE 2018-28 LONG-TERM PLAN**

**Author:** Hadley Tattle, Senior Policy Advisor

**Authorised by:** Alan Menhennet, Head of Finance and Strategy

**PURPOSE**

This report seeks Council's endorsement for a submission made to the Waikato Regional Council's (WRC) consultation document for the 2018-28 Long-term Plan.

**EXECUTIVE SUMMARY**

Officers prepared and lodged a submission on WRC's consultation document for the 2018-28 Long-term Plan, following a workshop with Council on Tuesday 3 April. The draft submission was circulated to elected members for consideration prior to being sent. Where possible, comments were incorporated into the submission that was lodged.

That submission was lodged in accordance with the statutory timeframes. However, that did not allow sufficient time for Council to formally consider and amend the submission. This item provides that opportunity.

**RECOMMENDATION(S)**

That Council endorses the submission to the Waikato Regional Council's consultation document for the 2018-28 Long-term Plan (A2185424).

**BACKGROUND**

WRC has set out their priorities for the next ten years in their consultation document for the 2018-28 Long-term Plan. Some of the proposed work will have impacts on the Taupō district community and Taupō District Council more specifically. It is important that Council takes the opportunity to provide a view of that priority setting at a regional level.

**DISCUSSION**

Officers prepared and lodged a submission that was circulated to elected members for consideration prior to being sent. Given the timeframes of the submission period and the timing of council meetings, the submission was lodged before this item.

Council's engagement with WRC through the submission process is important. It provides a platform for supporting priority projects for the Taupō District and advocating for other changes that may not have been signalled.

Any amendments or additions to the submission will be forwarded to WRC in advance of their hearings on their Long-term Plan. Elected members will have the opportunity to present the submission at the hearings.

**OPTIONS**

Council has the ability to endorse, amend, or withdraw the submission. It is recommended that Council endorses the submission.

**CONSIDERATIONS****Financial Considerations**

There are no financial implications from endorsing the submission.

**Legal Considerations**

There are no legal implications from endorsing the submission.

**Policy Implications**

There are no known policy implications.

**Risks**

There are no known risks associated with endorsing the submission. However, not making a submission limits the influence and involvement that Council can have.

**SIGNIFICANCE OF THE DECISION OR PROPOSAL**

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

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

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

**ENGAGEMENT**

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

**COMMUNICATION/MEDIA**

No communication/media is required.

**CONCLUSION**

It is recommended that Council endorses the submission.

**ATTACHMENTS**

1. Taupo District Council's submission to Waikato Regional Council's Long-term Plan 2018-28 

**5.11 ADOPTION OF THE DANGEROUS AND INSANITARY BUILDINGS POLICY**

**Author:** Tanya Wood, Policy Advisor

**Authorised by:** Alan Menhennet, Head of Finance and Strategy

**PURPOSE**

For Council to adopt the Dangerous and Insanitary Buildings Policy.

**EXECUTIVE SUMMARY**

Council has undertaken a special consultative procedure in relation to the Dangerous and Insanitary Buildings Policy. No submissions on the draft policy were received. Council must adopt the Dangerous and Insanitary Buildings Policy, to ensure that Council is meeting the requirements of the Building Act 2004.

**RECOMMENDATION(S)**

1. That Council revokes the Earthquake-prone, Dangerous and Insanitary Buildings Policy (A1369678) which was approved under delegated authority by resolution of the Regulatory and Hearings Committee of the Taupō District Council on 11 May 2006.
2. That Council adopts the Dangerous and Insanitary Buildings Policy (A2162552) and that the Dangerous and Insanitary Buildings Policy comes into force on 26 April 2018.

**BACKGROUND**

The proposal has been before Council at a prior meeting on 12 December 2017 (agenda item 5.8). At that meeting, Council resolved to undertake public consultation on the Draft Dangerous and Insanitary Buildings Policy (resolution TDC201712/14).

Council undertook public consultation on the Dangerous and Insanitary Buildings Policy over the period 5 February to 6 March 2018. There were no submissions received.

**DISCUSSION**

Council conducted a special consultative procedure on the Draft Dangerous and Insanitary Buildings Policy. There were no submissions received on the Draft Policy. Usually, when Council conducts a special consultative procedure, the process involves holding hearings (where submitters have to opportunity to present their views) and deliberations. Because there were no submissions, there is no requirement to hold hearings and Council may adopt the policy.

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

**OPTIONS**Analysis of Options

There are two options available: either Council adopts the Dangerous and Insanitary Buildings Policy or it does not adopt the policy. If Council chose not to adopt the policy it would mean that Council is not meeting the requirements of the Building Act 2004. Therefore the preferred option is for Council to adopt the Dangerous and Insanitary Buildings Policy.

**CONSIDERATIONS****Financial Considerations**

The financial impact of the proposal is covered by existing budgets.

**Legal Considerations**

The Building Act 2004 requires Council to have a policy relating to Dangerous and Insanitary Buildings. The content has been prepared to meet the requirements of the legislation.

**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 significant. As it relates the adoption by Council

**ENGAGEMENT**

Council has publicly consulted on the contents of the Dangerous and Insanitary Buildings Policy.

**COMMUNICATION/MEDIA**

The public will be informed of the adoption of the Dangerous and Insanitary Buildings Policy via public notice in the newspaper. The Policy will also be available on Council's website.

**CONCLUSION**

Council has undertaken a special consultative procedure in relation to the Dangerous and Insanitary Buildings Policy. There were no submissions received on the draft policy. There is no need to hold formal hearings and Council may now adopt the Dangerous and Insanitary Buildings Policy.

**ATTACHMENTS**

1. Dangerous and Insanitary Buildings Policy 

**5.12 DRAFT SPEED LIMIT BYLAW ADOPTION FOR PUBLIC CONSULTATION**

**Author:** Aidan Smith, Policy Advisor

**Authorised by:** Alan Menhennet, Head of Finance and Strategy

**PURPOSE**

The purpose of this report is to adopt a draft revised speed limit bylaw in accordance with section 22AB of the Land Transport Act 1998 for public consultation.

**EXECUTIVE SUMMARY**

The Taupō District Council is responsible for setting speed limits on roads under its control to ensure that they are safe and appropriate. Speed limits must be set by bylaw, subject to consultation with anyone who may be affected, or who has an interest.

The NZ Transport Agency has recently developed a new speed management guide, which must be considered when reviewing or setting speed limits. Officers are implementing the new speed management guide. Initially we have identified potential high priority roads for changes to speed limits based upon:

- roads that have a high crash risk based upon accident data
- roads with a high risk based on the roads characteristics, their use, and surroundings
- feedback and safety concerns raised by the community.

Subsequently, officers will develop a speed management plan, which will consider how some other road networks in the district can be made safer, in particular areas where changing the speed limits alone are unlikely to be effective in shifting behaviour. And where investment or other measures may be required either to support a reduction in speed or to maintain current speeds while addressing safety concerns.

The main impacts of the proposal are reduced safety risks (as speed is a key determinant in the impact of a crash), time cost impacts, and implementation costs. The identified material time cost impacts are described over-page. Implementation costs are estimated to be around \$120,000 to \$160,000, which will be funded from the existing budgets for minor road safety works, and new signs and markings, identified in the draft Long-term Plan 2018–28.

Attached are:

- a statement of proposal (consultation document), outlining the proposed changes and the rationale behind them
- a draft revised speed limit bylaw.

**RECOMMENDATION**

That Council adopts, in accordance with section 22AB of the Land Transport Act 1998 and section 83 of the Local Government Act 2002, the Statement of Proposal: Changes to Taupō District Council Speed Limits, and the draft Speed Limit Bylaw 2018 for consultation and invites the public to make submissions.

**BACKGROUND**

Background on the new national speed management guide and likely recommended changes to speed limits were presented to Council at a workshop on 6 March 2018. Since the workshop, the proposal to change speed limits has been finalised and officers have discussed the proposal with the NZ Transport Agency and the Police.

The NZ Transport Agency has indicated a general level of comfort with the proposed changes. It will provide more detail as part of the formal consultation process.

The NZ Police would like to see consideration of a change in the proposal for Huka Falls Rd, Karetoto Rd, and Wairakei Dr (on the control gate hill) to become 60km/h rather than 50km/h as proposed, due to the rural aspects of the roads.

## **BALANCING REDUCED SPEEDS TO IMPROVE SAFETY AND THE SWIFT FLOW OF TRAFFIC ON KEY MAIN ROADS**

We can reduce risks and make roads safer by investing to improve them – for example: removing roadside obstacles; straightening out bends; putting in barriers, roundabouts or dedicated cycle lanes.

However, speed remains an important consideration. Regardless of what causes a crash, speed always plays a part in the impact. Reduced speeds can reduce the consequences of a crash, in particular it can reduce the chance of the crash leading to a serious injury or fatality.

The right combination of investment in road safety engineering, and the right speed for the road will depend on the use of the road. When setting speed limits it is important to consider the appropriate speed for the efficient movement of people and goods on the road. On important busy roads it may be preferable to introduce safety measures to address concerns rather than reduce speeds.

The Statement of Proposal (consultation document) identifies that for most of the proposed changes there will be no significant impacts on travel times taking into account traffic volumes. However the following significant impacts are identified:

- **Acacia Bay Straight:** There will be a moderate time impact, with a trip along Acacia Bay Rd taking up to 35 seconds longer. With a significant number of vehicles on Acacia Bay Rd (4,400 per day on average), the value of this time impact is estimated at up to \$1 million over the next five years. This time cost would be offset if there was a reduction in crash risk equivalent to 0.2 fewer fatal crashes over the next five years, or one fewer serious-injury crashes. For comparison, there have been no fatal crashes, but one serious-injury crashes on this road in the last five years.
- **Wairakei Dr:** There will be a material time impact on travel times on Wairakei Dr, with a trip along the road taking up to 1 minute longer. With a significant number of vehicles on this road (6,900 per day on average), the value of this time impact is estimated at up to \$2.6 million over the next five years. This time cost would be offset if there was a reduction in crash risk equivalent to 0.5 fewer fatal crashes over the next five years, or three fewer serious-injury crashes. For comparison, there have been no fatal crashes, but three serious-injury crashes on this road in the last five years.
- **Napier Rd:** There will be a moderate impact on travel times of up to 35 seconds along Napier Rd. With a significant number of vehicles on this road (5,000 per day on average), the value of this time impact is estimated at up to \$1 million over the next five years. This time cost would be offset if there was a reduction in crash risk equivalent to 0.2 fewer fatal crashes over the next five years, or one fewer serious-injury crashes. For comparison, there has been no fatal crashes, but two serious-injury crashes on this road in the last five years.
- **Lake Tce:** There will be a moderate time impact on travel times on Lake Tce, with a trip along the road taking up to 38 seconds longer. With a significant number of vehicles on this road (8,700 per day on average), the value of this time impact is estimated at up to \$2 million over the next five years. This time cost would be offset if there was a reduction in crash risk equivalent to 0.4 fewer fatal crashes over the next five years, or two fewer serious-injury crashes. For comparison, there have been no fatal crashes, and no serious-injury crashes on this road in the last five years.

## **IMPLEMENTATION AND COSTS**

The bylaw and new speed limits are proposed to take effect on 1 December 2018, with the exception of the Control Gates Hill, where the speed limit will change on 1 May 2019. Signs will be changed at this time.

However, speed limits are just one tool in speed management. Alone, setting speed limits may not change driver behaviour. A number of supporting measures can be used to support appropriate speeds. For example, installing a gateway treatment at the entrance to 50 km/h area, with islands, shrubbery and large signs supporting the feeling of entering a more populated area that warrants a reduction in speed

The Statement of Proposal (consultation document) identifies that for most of the proposed changes, the implementation costs (for example, simply changing the speed limit signs) will be low and will be funded out of existing budgets for new signs and markings. However the following significant costs are identified:

- **Kinloch Rd – Relocating the gateway sign:** The implementation costs will be around \$15,000 to \$20,000 for replacement signs and road marking. This will be funded from the existing budgets for minor road safety works, and new signs and markings
- **Acacia Bay Rd – Relocating the gateway sign and island:** The implementation costs will be around \$20,000 to \$30,000 for replacement signs and road marking. This will be funded from the existing budgets for minor road safety works, and new signs and markings.



- **Wairakei Dr (control gates hill):** Additional works to support the changes are budgeted for in the Long-term Plan as part of a \$127,000 package of works in relation to improvements to the Northern Outlet.
- **Lake Tce – Relocating the gateway signs:** The implementation costs will be around \$17,000 to \$20,000 (including the changes Centennial Dr and Tauhara Rd) for replacement signs and road marking. This will be funded from the existing budgets for minor road safety works, and new signs and markings.
- **Napier Rd – Relocating the gateway signs:** The implementation costs will be around \$60,000 to \$75,000 (including the changes to Kiddle Dr and Crown Rd) for replacement signs and road marking. This will be funded from the existing budgets for minor road safety works, and new signs and markings.
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## OPTIONS

### Option 1: Do Nothing.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• Minor reduced cost (as identified above)</li> <li>• Reduced travel time impacts (as identified above)</li> </ul>	<ul style="list-style-type: none"> <li>• Identified safety risks relating to speed limits are not addressed, with possible resulting serious harm impacts</li> <li>• The Council could be challenged on its obligation to set speed limits that are safe and appropriate</li> </ul>

### Option 2: Investigate other investment or speed management options.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• Reduced travel time impacts (as identified above)</li> <li>• Reduced safety risks (in time)</li> </ul>	<ul style="list-style-type: none"> <li>• Increased cost</li> <li>• There may be limited affordable investment options to reduce road safety risks and support current speed limits</li> <li>• Identified safety risks will not be addressed until alternative options are investigated and then implemented.</li> </ul>

### Option 3: Adopt a draft revised speed limit bylaw for consultation (preferred option).

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• Reduced safety risks</li> <li>• Responds to community feedback</li> </ul>	<ul style="list-style-type: none"> <li>• Minor cost (as identified above)</li> <li>• Travel time impacts (as identified above)</li> </ul>

#### Analysis Conclusion:

Adopting the draft revised speed limit bylaw for consultation is the preferred option.

If Councillors or the public raise significant concern about the time impact of any particular proposed speed limit change (in particular where these have been identified as material), alternative investment options to address the safety concerns could be investigated. In the meantime, the other proposed changes could proceed.

## CONSIDERATIONS

### Financial Considerations

The financial impact of the proposal is estimated to be around \$120,000 to 160,000. This will be funded from the existing budgets for minor road safety works, and new signs and markings, identified in the draft Long-term Plan 2018–28. Key drivers of the cost are identified above.

## Legal Considerations

The Taupō District Council is responsible for setting speed limits on roads under its control to ensure that they are safe and appropriate. Speed limits must be set by bylaw (under section 22AB of the Land Transport Act 1998), subject to consultation with persons who will or may be affected by, or have an interest in the decision or matter (in accordance with section 83 of the Local Government Act 2002)

The NZ Transport Agency have recently developed a new speed management guide, which must be considered when reviewing or setting speed limits. In addition a road controlling authority must consider:

- the function and use of the road
- crash risk for all road users
- the characteristics of the road and roadsides
- adjacent land use
- the number of intersections and property accessways
- traffic volume
- any planned modification to the road
- the views of interested persons and groups.

## Policy Implications

There are no known policy implications.

## Risks

Risk	Mitigation
The NZ Transport agency has powers to investigate the Council for compliance with its rules, issue directions, and exercise the appropriate responsibilities of the Council, if the Council fails to comply with directions:	We have discussed the proposal with the NZ Transport Agency – It has indicated a general level of comfort with the proposed changes. It will provide more detail as part of the formal consultation process.
The Minister of Transport has the right to veto the speed limit bylaw if it: <ul style="list-style-type: none"> <li>• is inconsistent with any enactment</li> <li>• is unreasonable or undesirable in so far as it relates to or may affect traffic.</li> </ul>	The proposed changes are consistent with law. The traffic impacts (time impacts) are clearly identified. The proposed reductions to speed limits are to promote safety, and support walking and cycling activities, which are in line with central government priorities and objectives.
Public discontent at proposed changes.	Public feedback is welcomed, the proposal is draft and there will be opportunity to make changes based on public feedback  Many of the proposed changes have been identified by local communities.  The statement of proposal aims to openly explain the rationale for the proposed changes and the likely impacts on travel times. These are generally minor, except where identified in this report (above).
Increased police enforcement as drivers adjust to changes undermining public sentiment	We will work closely with the local road policing manager to ensure a reasonable adjustment period is in place prior to enforcement.
Implementation and cost, as implementation design is not yet finalised.	The costs are reasonably small for the majority of changes and phased changes can be planned to meet budget.  If necessary, speed limits (signs) can be changed to meet the legal timeframe, with supporting infrastructure work happening subsequently.

Risk	Mitigation
Speed limit changes do not affect driver behaviour, so safety risks are not addressed	<p>Travel speeds are regularly monitored, and officers are developing a speed management plan, which can consider alternative options to reduce travel speeds where required.</p> <p>The speed management plan will include a component of behaviour change around speed as a road risk.</p>

### 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 proposed changes to speed limits affect a large portion of the community and are of high community interest. As a result, the decision on whether to propose changes to speed limits is considered a significant decision.

### COMMUNICATION AND ENGAGEMENT

#### ***Consulting with affected communities and interested organisations and user groups***

The Council is required to consult with any local communities that the Council considers to be affected by the proposed speed limit changes.

The Council is also required to consult with:

- NZ Transport Agency
- NZ Police
- Road Transport Forum NZ (commercial trucking)
- NZ Automobile Association
- Regional and local road controlling authorities with shared boundaries
- Any other organisation or road user group that the Council considers to be affected by the proposed changes.

Because it is considered a significant decision, we will use a special consultation procedure (in accordance with Section 83 of the Local Government Act 2002). We will

- make the attached statement of proposal (consultation document) and draft bylaw publically available on the Taupō District Council website.
- consult for a period of 5 weeks from Tuesday 15 May to Friday 15 June 2018.
- notify the public by:
  - releasing a media statement (to print and local radio)
  - putting public notices in the Taupō times and Weekender
  - putting an article in Connect
  - posting on the Taupō District Council Facebook page
  - putting notices on the Taupō District Council website

- invite online submissions on the Taupō District Council website, but accept paper and email submissions if required
- provide a hearing as an opportunity for people to present their views to Council
- offer to present the proposal to:
  - Turangi/Tongariro Community Board
  - Mangakino / Pouakani Representative Group
  - Kinloch Representative Group
- write to the following local community groups, organisations, and user groups to make them aware of the proposal and consultation, and offer to discuss the proposal if required:
 

<ul style="list-style-type: none"> <li>○ Omori/Kuratau Ratepayers Association</li> <li>○ Acacia bay residents association</li> <li>○ Kinloch Ratepayers Association</li> <li>○ Taupō Ratepayers Association</li> <li>○ Town Centre Taupo</li> <li>○ Destination Great Lake Taupo</li> <li>○ Taupo Chamber of Commerce</li> </ul>	<ul style="list-style-type: none"> <li>○ Motuopa Residents Association</li> <li>○ Tirohanga Settlers Club</li> <li>○ Tūwharetoa Maori Trust Board</li> <li>○ Bike Taupo</li> <li>○ Access Taupo</li> <li>○ Sport Waikato</li> </ul>
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- Write to the following national groups to make them aware of the proposal and consultation:
 

<ul style="list-style-type: none"> <li>○ Ministry of Transport</li> <li>○ Movement</li> <li>○ The New Zealand cycle trail</li> <li>○ Cycling New Zealand</li> <li>○ Living Streets Aoteroa</li> </ul>	<ul style="list-style-type: none"> <li>○ Cycling Action Network</li> <li>○ NZ Horse Network</li> <li>○ Road sense education</li> <li>○ Brake</li> </ul>
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## CONCLUSION

The Taupō District Council is responsible for setting speed limits on roads under its control to ensure that they are safe and appropriate.

Officers have used the national guide to identify a number of roads where changes are recommended to ensure that speed limits are safe and appropriate.

We recommend that Council adopts, in accordance with section 22AB of the Land Transport Act 1998 and section 83 of the Local Government Act 2002, the Statement of Proposal: Changes to Taupō District Council Speed Limits and the draft Speed Limit Bylaw 2018 for consultation and invites the public to make submissions.

## ATTACHMENTS

1. Draft statement of proposal 
2. Draft speed limit bylaw 2018 

**5.13 PROPOSAL TO ESTABLISH A WORKING GROUP TO ASSESS THE PREFERRED FUTURE STATE FOR TURANGI WASTEWATER DISCHARGE**

**Author:** Dylan Tahau, Head of Community, Culture and Heritage

**Authorised by:** Gareth Green, Chief Executive Officer

**PURPOSE**

To seek formal approval to establish a working (steering) group to investigate alternative options for the discharge of wastewater for Turangi and report back to council with a preferred long term option.

**EXECUTIVE SUMMARY**

Taupō District Council operates the Turangi Wastewater Treatment Plant which discharges wastewater to the Hangarito Stream, which is in close proximity to a number of other waterbodies including Lake Taupō. The location has high cultural significance particularly to Ngāti Tūrangitukua and north of the plant with both Ngāti Tūrangitukua and Ngāti Kurauia (Tokaanu Tailrace area) and Ngāti Tūwharetoa (Lake Taupō). In assessing the application for the replacement of the consent, it has been identified that some form of improvement is necessary to enable ongoing discharge to occur in this location.

While it is possible for Council to pursue an application from the Waikato Regional Council for the current site, it is considered preferable to collaborate on the various options and potential options going forward, particularly with tangata whenua given the cultural significance associated with the current site and also the opposition to discharges of wastewater to water. It is noted that other stakeholders may need to be incorporated throughout the process in order to determine the preferred future state for disposal of wastewater for the Turangi community in the long term, from a cultural environmental and physical/engineering perspective.

It is therefore proposed to establish a working group with equal tangata whenua/Council representation who would be mandated to identify the preferred option for disposal of wastewater for the Turangi Community which will be recommended to Council for further evaluation. The responsibility for determining the process following the recommendations from the working group will remain with Council.

**RECOMMENDATION(S)**

1. That Council directs officers to establish a working group to identify a preferred option for the discharge of wastewater for the Turangi Community which will assess the engineering, environmental and cultural aspects associated with the discharge of wastewater. Further, it is anticipated that:
  - a) the working group shall be made up of:
    - i) Three hapu/iwi endorsed tangata whenua representatives of Ngāti Tūrangitukua, Tūwharetoa Māori Trust Board and Ngāti Kurauia: and
    - ii) Three Council representatives, with Cr \_\_\_\_\_ and two senior Council representatives.
  - b) The working group shall be required to report back to Council in accordance with the agreed Terms of Reference for the Working Group.
  - c) The Terms of Reference for the Working Group shall be as outlined in Attachment 1; and
2. That the representatives from Ngāti Tūrangitukua and Ngāti Kurauia hapu be paid a meeting allowance fee of \$100 for their attendance at the working group meetings." This is in alignment with our policy on the Appointment and Remuneration of Directors 2017, albeit not specifically a committee of Council.

**BACKGROUND AND DISCUSSION**

Taupō District Council manages the treatment and disposal of wastewater at the Turangi Wastewater Treatment Plant on Te Awamate Road, Turangi. The current consent from WRC for discharge of wastewater expired in December 2017. Taupō District Council has lodged a resource consent for the disposal of wastewater at this site, for a proposed period of 20 years.

Over the course of 2017, a replacement consent application was developed for the current site including assessments of environmental effects and analysis of current operations. Feedback from tangata whenua during the development of the consent application highlighted significant cultural opposition to operation of the wastewater treatment plant and in particular to discharges in this locality. This feedback remains in line with previous consent processes (most recently in the early 2000s).

The outcome of the application development process has identified three key points:

- While the treatment plant may be able to achieve a relatively high quality of discharge from a contaminants perspective, the level of environmental effects of continuance of “status quo” would not readily achieve the objectives and policies of Waikato Regional Plan and requires some adaptation to operations to meet these criteria.
- Culturally the site and form of discharge is not palatable to tangata whenua and is not supported by hapu related to the current site.
- The alternative options desktop assessment process developed to inform the consent application, identified three potential localities whereby discharge of wastewater to land may be able to be achieved at some point in the future, although noted a number of potential issues and risks with these for which further evaluation would be necessary.

From a Resource Management Act perspective, the application has been lodged with the Waikato Regional Council and is currently temporarily under a section 37 time waiver to enable tangata whenua and Taupō District Council the opportunity to fully understand the cultural impacts of the various potential options and also to collectively identify the most appropriate disposal method for the current site.

#### Further analysis and workshop – February 2018

The collaborative approach to further analysis work was agreed to in principle by TDC before Christmas 2017 for the current site, however further correspondence between the parties raised queries in relation to the scope and resourcing of this working group. Further to this, a review of the project to date resulted in a workshop with Councillors on 27 February 2018 to cover off the progress to date with the current application and also the wider potential options for Council's consideration including current site alterations, plant and discharge re-location or just discharge relocation.

Factors such as the National Policy Statement for Fresh Water, the Waikato Regional Plan and associated policies and the overall vision of Taupō District Council were discussed, including the position of Council with regards to the concept of discharges of wastewater to water (even where treated) particularly given the offensiveness of this activity to tangata whenua.

Direction was sought from Councillors on the possibility of expanding the options considerations away from just current site to allow the working group to include potential relocation of the discharge point to a possible land discharge site. This was considered necessary particularly as an alternative may have wider implications for Council within the local government context.

The outcome of this workshop was that there was support for further investigation into potential alternative land discharge locations within the vicinity of Turangi as outlined in the application, subject to management of the Resource Management Act consent application process (which provides a level of protection until such time as a decision is made), Council's various legal and process obligations and the need to engage with wider groups within the community including landowners and other stakeholders. There was no support for the relocation of the treatment plant to a different location.

It was also highlighted that there may be risks around undertaking this process for the current application and ongoing communication would be required with the Waikato Regional Council in order to avoid unreasonable delay in processing the application.

#### Hui with tangata whenua – 14 March 2018

A hui with representatives of Ngāti Tūwharetoa and Ngāti Tūrangitukua on 14 March discussed the outcomes of this process and as a result, it was agreed that:

1. A workshop with Councillors would be held to outline the potential way forward
2. A paper would be presented to Councillors for confirmation on the approach and the principles including further reporting to Council that would be required.
3. A cultural impact assessment would be commissioned for the current site, but that there would need to be consideration of other potential hapu in relation to the alternative sites as the scope of the process did not limit the potential for the discharge location to be altered and would require comparative evaluation from all relevant hapu, and TDC does not have the mana to do this.

Further Council workshop – 27 March 2018

The workshop was held on 27 March 2018 and at this there was further affirmation of the approach set out by the parties, with a request to ensure that a draft terms of reference was supplied for Council review at this meeting. Further questions were also asked around governance, precedence and resourcing as well as the scope for the working group. These aspects are covered in the following sections of the report.

**OPTIONS**Analysis of Options

Council has the ability to agree to the formation and funding of the working group as outlined, or decline to endorse the working group approach.

Option 1. Enable a working group to review the options for the discharge of wastewater for Turangi accounting for engineering, environmental and cultural considerations.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>Allows for the key considerations to be evaluated and tangata whenua for the land to be involved in the analysis process via a partnership approach</li> </ul>	<ul style="list-style-type: none"> <li>May cause uncertainty and stress within the wider community and in particular landowners within the potential land disposal areas</li> </ul>
<ul style="list-style-type: none"> <li>Enables collective scoping to be set out by Council and tangata whenua for options analysis</li> </ul>	<ul style="list-style-type: none"> <li>Will require additional time and resourcing</li> </ul>
<ul style="list-style-type: none"> <li>Enables Council to make a more informed decision on the preferred option going forward including any additional steps that could be undertaken with the current site</li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>

Option 2. Decline to establish a working group for the wider discharge options analysis, obtain a cultural impact for the current site and work with tangata whenua to establish their preferred options for the current site.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>Refines the options under consideration</li> </ul>	<ul style="list-style-type: none"> <li>Will limit the potential success that could be achieved by collaboration on all potential options</li> </ul>
<ul style="list-style-type: none"> <li>No remuneration required for members of the working group</li> </ul>	<ul style="list-style-type: none"> <li>Does not show willing on Council's part for collective analysis and steering of projects</li> </ul>
<ul style="list-style-type: none"> <li>Will limit resourcing</li> </ul>	<ul style="list-style-type: none"> <li>Does not enable a strengthening of the relationships and partnerships with tangata whenua in Turangi</li> </ul>
	<ul style="list-style-type: none"> <li>Will likely result in a wider challenge via the consent process with Waikato Regional Council</li> </ul>

Analysis Conclusion:

The preferred option is the establishment of a working group to review the options for the discharge of wastewater for Turangi accounting for engineering, environmental and cultural considerations. This is because the working group approach is the most effective mechanism for Council to work in partnership with tangata whenua to address this issue. In the interests of collaborative analysis and identification of the preferred future state for Turangi's wastewater discharge, it is appropriate to ensure better understanding of the reasonably practicable options that have come from the work done to date. Part of this involves ensuring appropriate understanding of the key aspects including environmental, engineering and cultural effects of the options. It will also be necessary to evaluate legislative requirements alongside these aspects.

## CONSIDERATIONS

### Financial Considerations

The financial impact of the proposal to establish and resource the working group and associated project team with appropriate technical expertise is estimated to be \$80,000 including cultural, environmental, engineering and planning expertise and remuneration of the hapu representatives.

#### Long-term Plan/Annual Plan

The expenditure outlined can be met within the districts wastewater resource consent renewal budgets.

### Legal Considerations

#### Local Government Act 2002

The matter comes within scope of the Council's lawful powers, including satisfying the purpose statement of Section 10 of the Local Government Act 2002. The matter will enable the Council to meet the current and future needs of communities for good quality local infrastructure. (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:

- Resource Management Act
- National Policy Statement – Freshwater Management (NPS)
- Regional Policy Statement – (RPS)
- Waikato Regional Plan (WRP)
- Public Works Act

There are risks from a process perspective for the application currently in progress. This will need to be actively managed and if necessary progressed however it would be preferable to allow the working group process to inform the application process if possible.

In order inform the analysis by the working group consideration of the legislation outlined above is appropriate, to enable a balanced approach to be taken. In some instances, all that may be necessary is a note to Council in the report to be generated of the additional considerations that will be required for the various options by Council going forward.

### Policy Implications

The proposal has the potential to be perceived as setting a precedent for engagement work for future consent renewal processes. The circumstances surrounding this particular discharge location are considered unique, being our only discharge to water and currently our second largest average daily discharge volume, which has been identified as having some impacts downstream. For these reasons it is not anticipated that working groups of this nature would become the “norm” for future consent renewal processes, as they involve discharges to ground.

There has been no specific funding set aside for the establishment and resourcing of the working group. This is proposed to be funded via a reallocation of consents renewals budgets from other projects within the current Annual Plan.

The outcomes of the working group report will need further assessment by Council before any further decision on the actual management of the discharge for Turangi's wastewater going forward. This will include the financial strategy, alignment or otherwise with the Long Term Plan and any other potential processes or consultation requirements that Council may have resulting from the outcomes of the review.

While the working group is not being set up as a committee of Council it is considered that the functions that the working group members will be undertaking are appropriate to remunerate where they are representatives of a particular part of the community. It is therefore proposed to allow a meeting fee to be paid to these representatives (where they are not funded for their attendance through other means) in accordance with Council's policy on the Appointment and Remuneration of Directors 2013.

### Risks

There is a risk that the community becomes concerned about the process and potential implications of the work being undertaken. It is therefore important that it is made clear that this is a further investigation/analysis period to assist Council and stakeholders to better understand a variety of options



rather than a decision on the future state for Turangi as this is something that would require further specific consideration by Council.

There is a risk that the working group does not agree on a preferred option. It is considered therefore important that the reasons for any disagreement would need to be reported back to Council for consideration.

As outlined above, there is a risk that this is seen as setting a precedent for future consent renewal/replacement processes. There are however considered to be unique circumstances setting this option aside from other discharges throughout the District.

### **SIGNIFICANCE OF THE DECISION OR PROPOSAL**

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

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

The development of a formal relationship between tangata whenua and Council is significant especially in terms of (c) above. However the creation of a new working group has a low level of significance as it is a mechanism for developing this relationship. 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 significance.

### **ENGAGEMENT**

Taking into consideration the above assessment, that the decision is of a low degree of significance, officers are of the opinion that no further engagement is required prior to Council making a decision to establish the working group. It is however acknowledged that further engagement may be necessary before making a decision in relation to the recommendations from the working group.

### **COMMUNICATION/MEDIA**

No wider community consultation is required at this stage as it is not relevant for this decision.

The scope and nature of the working group should be communicated to the community particularly owners within the area of interest and also hapu with mana whenua over the land. It is proposed that this falls to the working group in the progression of their analysis.

### **CONCLUSION**

It is considered that, while the working group approach has not been undertaken to date for any similar projects, the purpose and associated Terms of Reference should facilitate Council in making a better informed decision, in partnership with tangata whenua, for the future form and location of discharge of wastewater for the Turangi community going forward.

### **ATTACHMENTS**

1. Proposed Terms Of Reference for the Working Group 

**5.14 CHANGES TO DELEGATIONS**

**Author:** Tina Jakes, Head of Democracy, Governance and Venues

**Authorised by:** Gareth Green, Chief Executive Officer

**PURPOSE**

The purpose of this report is to seek Council's approval to amend the delegations of in relation to three areas as contained in Council's Delegations Manual. These are:

1. To increase Council's delegation to the Chief Executive Officer in relation to contracts from \$250,000 to a general right of approval so long as it is for a project identified in the long term plan, and within the projected budget in that plan or approved by way of unbudgeted expenditure. This would enable greater efficiencies and reduce resourcing costs.
2. To amend Council's delegation in relation to Resource Management Act 1991 (RMA) as a result of changes at the Senior Management level and to tidy up changes to previous delegations as a result of changes to staff titles.
3. To extend the sub-delegation from the Chief Executive Officer to the Senior Leadership Team as a result of changes at the Senior Management level.

**EXECUTIVE SUMMARY**

The proposed changes to Council's Delegation Manual are in the interests of good management and effective administration which will minimise the cost of resources and promotes efficiency as well as capturing the changes to the organisational structure at Senior Management level.

**RECOMMENDATION(S)**

That Council makes the following changes to its Delegations:

- 1 That the Chief Executive may enter into any contract and/or commit Council expenditure in relation to that contract as long as identified in the Long Term Plan, Annual Plan and within an approved budget.
- 2 That if the Chief Executive is to be absent for a period of 24 hours or more he/she may, in writing, authorise one of the members of the Senior Leadership Team to exercise all of the powers delegated to him/her and that in the event that there is no such written authorisations, the powers of the Chief Executive may be exercised by the Head of Finance and Strategy during such absences of the Chief Executive.
- 3 That the Head of Risk & Regulatory, Head of Finance & Strategy, Consents & Regulatory Manager, Resource Consents Manager, Senior Resource Consent Planner(s), Compliance Team Supervisor and Compliance Officer(s) jointly and severally are authorised to exercise the those powers of Council that are able to be delegated under the Resource Management Act 1991.
- 4 Revokes Clauses 1 d and 3 of Resolution 4669 of 31 May 2011.
- 5 Revokes the sub-delegation of the Chief Executive's powers in his absence (paragraph 2 & 3 of Resolution 5147 of 26 February 2013.
- 6 Revokes resolution 5168 of 26 March 2013.
- 7 Revokes the sub-delegation of the Chief Executive's powers in his absence (paragraph 2 & 3 of Resolution TDC201511/08 of 24 November 2015.

## BACKGROUND

The proposal has not been presented previously.

1. In May 2011 (Resolution 4669) Council resolved in terms of contract approval that *‘the Chief Executive may enter into any contract and commit Council expenditure up to \$250,000 (plus GST) in relation to that contract’* (as long as it is identified in the Long Term Plan & Annual Plan).
2. In November 2015 (Resolution TDC201511/08) Council resolved that if the Chief Executive was absent for more than 24 hours those powers would be exercised by the four Group Managers (Group Manager: Finance, Regulatory & Infrastructure, Group Manager: Policy & Operations, Group Manager: Business, Development & Improvement and Community, Risk, Relations & Support) and that in the event that there is no written authorisation, the powers of the Chief Executive would be exercised by the Group Manager: Policy & Operations.
3. In May 2011 (Resolution 4669) Council resolved that the Group Manager: Policy & Operational Services, Consents & Regulatory Manager, Team Leader: Resource Consents, Senior Consents Planner(s), Environmental Consents Planner(s), Environmental Compliance Manager, Compliance Officer(s) jointly and severally are authorised to exercise the powers of Council under the Resource Management Act 1991.

In addition in March 2013 (Resolution 5168), Council resolved to add the Group Manager: Finance & Strategy to also exercise the above powers.

## DISCUSSION

It is essential, in the interests of good management and effective administration, to encourage the delegation of decision-making. This achieves best use of the abilities and time of elected representatives and officers, minimises the cost of resources, and promotes efficiency.

Some powers and functions cannot be delegated to officers and can only be performed or exercised by Council as a whole. Clause 32(1) of the 7th schedule to the Local Government Act 2002 [LGA] states:

*“Unless expressly provided otherwise in this Act, or in any other Act, for the purposes of efficiency and effectiveness in the conduct of [Council’s] business, [Council] may delegate to [an]... officer of [Council] any of its responsibilities, duties, or powers except*

- (a) *the power to make a rate; or*
- (b) *the power to make a bylaw; or*
- (c) *the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or*
- (d) *the power to adopt a long-term plan, annual plan, or annual report; or*
- (e) *the power to appoint a chief executive; or*
- (f) *the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement.*

Likewise, section 34A(1)(a) of the Resource Management Act 1991 [RMA] provides:

*“[Council] may delegate to an employee... any functions, powers, or duties under this Act except ...the approval of a proposed policy statement or plan under clause 17 of Schedule 1”*

Council’s approach has been that of a broad approach over a prescriptive approach for the following reasons.

Firstly a broad approach captures all powers capable of being delegated there can then be no dispute in the event of any challenge. Secondly, a broad delegation avoids (for the most part) any issues where a statutory provision may have been overlooked or is incorrectly recorded in the delegation. Thirdly, changes to Acts

can occur with regular frequency meaning that the delegations need to be constantly reviewed and updated. Fourthly, board delegations avoid a piece-meal approach or responses to an Act or issue as it arises.

The suggested changes supports that the Chief Executive will continue to be given a broad delegation (ie power to act under all Acts applicable to Council) with the power and discretion to sub-delegate as appropriate and necessary.

Based on the assumption that the current broad delegation does not change, it is considered that there are three options to consider.

## OPTIONS

### Analysis of Options

Option 1. Increased financial delegation to the Chief Executive.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>Increases organisational efficiency and use of resources</li> <li>The decreasing of the procurement timeframes leading to the delivery of more capital projects.</li> <li>Better timing of the tender process especially around the Christmas break therefore increasing the opportunity to receiving more competitive tenders.</li> <li>On the occasions where we only receive no or only one tender we will be able to readily re-tender as soon as possible therefore decreasing any further project delays.</li> </ul>	<ul style="list-style-type: none"> <li>None foreseen</li> </ul>

Option 2. Sub-delegation from Chief Executive to Senior Management Team

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>Delegation in line with the changes to organisational structure</li> </ul>	<ul style="list-style-type: none"> <li>Senior Management Team equity</li> </ul>

Option 3. Delegations under the RMA

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>Delegation in line with the changes to organisational structure</li> </ul>	<ul style="list-style-type: none"> <li>None foreseen</li> </ul>

### Analysis Conclusion:

The three options reflect the broad delegation approach and organisational changes.

## CONSIDERATIONS

### **Financial Considerations**

There are no financial impacts. Officers acting under delegation must have regard to operational budgets adopted under the Long Term Plan or Annual Plan.

### **Legal Considerations**

#### Local Government Act 2002

The matter comes within scope of the Council's lawful powers, including satisfying the purpose statement of Section 10 of the Local Government Act 2002. The matter will enable the Council to meet the current and

future needs of communities for good quality local public services. (i.e. efficient, effective and appropriate to present and anticipated future circumstances).

**Policy Implications**

There are no known policy implications.

**Risks**

There are no known risk associated with the proposed changes to the delegations.

**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 limited to internal communication to staff. Exercise of the delegation will be reported to elected members via the Councillors Weekly Update.

**CONCLUSION**

The suggested changes still are still in line with the broad delegation approach and reflect the organisational changes.

**ATTACHMENTS**

1. Delegations - previous resolutions 

**5.15 ELECTED MEMBER REMUNERATION - ADDITIONAL RESPONSIBILITIES ALLOWANCE FOR CHAIRPERSON OF KINLOCH REPRESENTATIVE GROUP**

**Author:** Tina Jakes, Head of Democracy, Governance and Venues

**Authorised by:** Gareth Green, Chief Executive Officer

**PURPOSE**

To consider submitting a proposal to the Remuneration Authority for additional responsibility payments for the Chairperson of the recently established Kinloch Representative Group.

**EXECUTIVE SUMMARY**

The Remuneration Authority sets remuneration for local authorities, including additional responsibility payments.

Currently the Deputy Mayor and the Chairs of the Turangi/Tongariro Community Board; the Emergency Management Committee; the Fences, Roothing, Reserves & Dogs Committee; and the Mangakino-Pouakani Representative Group receive additional responsibility payments.

Information regarding additional responsibilities (over and above the basic councillor roles), an estimate of extra time and recommended amount is required to be submitted whenever Council recommends additional payments.

**RECOMMENDATION(S)**

That Council approves the additional responsibilities proposal as set out in Attachment 1 (A2186470) for the Chairperson of the Kinloch Representative Group for submission to the Remuneration Authority.

**BACKGROUND**

At the start of the 2016-19 Triennium of Council, only the Deputy Mayor and the Chair of the Turangi/Tongariro Community Board received additional responsibility payments. On 27 June 2017 Council approved a proposal to provide additional responsibility payments to the Chairs of the Emergency Management Committee; the Fences, Roothing, Reserves and Dogs Committee; and the Mangakino-Pouakani Representative Group. This was subsequently accepted by the Remuneration Authority. Three months later, on 26 September 2017, Council established the Kinloch Representative Group. It is proposed that the Chairperson of this new representative group should also receive additional responsibility payments to reflect the extra workload and time involved.

The base Councillor salary for the Taupō District is currently \$33,983 per annum.

The Deputy Mayor currently receives an additional 20% of councillor salary and the Chair of TTCB double that of the Community Board salary. The Chairs of the Emergency Management and Fences, Roothing, Reserves & Dogs Committees receive an additional 15% and the Chair of the Mangakino-Pouakani Representative Group an additional 10%.

The maximum amount available to distribute for positions of additional responsibility and/or significant extra duties associated with the District Plan process is \$66,830.

The Remuneration Authority has suggested that Chairs of Standing Committees could be in the range of 5% to 25% of the base salary for additional responsibilities.

**DISCUSSION**

In approving a proposal for additional remuneration for Councillors, the Remuneration Authority will look for evidence of significant and ongoing extra workload or responsibility. In particular, it will consider:

- the position description – the additional responsibilities over and above the basic councillor role (duties, delegations, deputising and reporting obligations)

- Council minutes and formal resolutions that set the additional responsibilities
- variation, and the extent to which the duties can vary
- benefits to ratepayers in assigning these additional responsibilities
- an estimate of the extra time (hours per month) involved in carrying out the additional responsibilities
- relative job sizes and remuneration

As outlined previously, a range of between 5% (\$1,699) to 25% (\$8,495) of the base salary can be considered for the Chairs of committees. It is recommended that the Chair of the Kinloch Representative Group be paid an additional 10% of the base salary (\$3,398). The reason for this is that 10% is the quantum of the additional responsibility payment for the Chair of the Mangakino-Pouakani Representative Group, which has comparable delegations; is the same size; and has a similar meeting frequency. The application form for additional responsibilities for the new position has been drafted accordingly (Attachment 1).

## **CONSIDERATIONS**

### **Financial Considerations**

The financial impact of the proposal is estimated to be \$3,398.

#### Annual Plan

The previously approved additional responsibility payments for the Deputy Mayor, Chair of TTCB and Chairs of the other specified committees have been included in the draft Long-term Plan 2018-28. It is proposed that the amount allocated be adjusted prior to adoption of the final LTP, if additional responsibility payments for the Chair of the Kinloch Representative Group are approved at this meeting. This would be a minor administrative adjustment.

### **Legal Considerations**

The Remuneration Authority sets remuneration for elected positions in local government. Council is required to submit a proposal for additional responsibilities to the RA for approval.

### **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**

No communication/media is required.

### **CONCLUSION**

Council can propose to the Remuneration Authority requests for additional payment for specific roles providing the total additional remuneration does not exceed \$66,830.

### **ATTACHMENTS**

1. Information about Chair of Kinloch Representative Group position 



<b>5.16</b>	<b>COUNCIL ENGAGEMENTS MAY 2018, APPOINTMENTS AND CONFERENCE OPPORTUNITIES</b>
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**Author:** Tina Jakes, Head of Democracy, Governance and Venues

**Authorised by:** Gareth Green, Chief Executive Officer

### Engagements

ENGAGEMENT	DAY	DATE	TIME
Council meeting – Long-term Plan hearings	Monday - Thursday	30 April – 3 May	9.30am start each day
Citizenship ceremony (East Wing, Great Lake Centre)	Thursday	3	10am-11am
Workshop – representation review	Monday	7	10am-11am
Emergency Management Committee meeting	Monday	7	11am-12.30pm
Turangi/Tongariro Community Board meeting (Boardroom, Council / DOC Offices, Turangi)	Tuesday	8	1pm-4pm
Council meeting continued – Long-term Plan deliberations	Monday - Tuesday	14-15	9.30am start each day
Audit & Risk Committee meeting	Monday	21	10am-noon
Fences, Roding, Reserves & Dogs Committee workshop - trees	Tuesday	22	10am-10.30am
Fences, Roding, Reserves & Dogs Committee meeting	Tuesday	22	10.30am-12.30pm
Performance Monitoring Group meeting (closed)	Tuesday	22	1.30pm-2.30pm
Workshop - vermicomposting	Tuesday	29	Noon-12.30pm
Public forum	Tuesday	29	1pm-1.30pm
Council meeting	Tuesday	29	1.30pm-5pm

### Conference and Professional Development Opportunities

To approve, either prior or retrospectively, Councillor attendance at conferences and professional development courses:

- SOLGM Audit & Risk – Best Practice forum in either Christchurch (4 May); or Palmerston North (14 May) – Crs \_\_\_\_\_
- LGNZ Conference 2018 taking place in Christchurch from Sunday 15 July to Tuesday 17 July 2018.

### Appointments

Taupō District Council Civil Defence Local Controller Mr Shamus Howard retired last year. Following a formal interview process, the Waikato Civil Defence Emergency Management Joint Committee appointed Mr Douglas Wilcox at a meeting held on 26 March 2018. The Terms of Reference of Taupō District Council's Emergency Management Committee state that the Committee will include "Three local Controllers appointed by the Committee". It is therefore recommended that Council appoints Mr Wilcox to the Emergency Management Committee for the remainder of the current Triennium.

### **RECOMMENDATION(S)**

1. That Council receives the information relating to engagements for May 2018.
2. That Council approves the attendance of Crs \_\_\_\_\_ at the SOLGM Audit & Risk Best Practice forum taking place in \_\_\_\_\_ on \_\_\_\_\_.
3. That Council approves the attendance of \_\_\_\_\_ at the LGNZ Conference 2018

taking place in Christchurch from Sunday 15 July to Tuesday 17 July 2018.

4. That Council appoints Mr Douglas Wilcox to the Emergency Management Committee of Council for the remainder of the 2016-19 Triennium of Council.

**ATTACHMENTS**

Nil

**5.17 MEMBERS' REPORTS**

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

**Authorised by:** Gareth Green, Chief Executive Officer

**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
<b>Agenda Item No: 6.1</b> Confirmation of Confidential Portion of Ordinary Council Minutes - 27 March 2018	<p>Section 7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>Section 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)(c)(i) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied</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>
<b>Agenda Item No: 6.2</b> Receipt of Confidential Portion of Minutes - Taupō Airport Authority Committee - 19 February 2018	<p>Section 7(2)(d) - the withholding of the information is necessary to avoid prejudice to measures protecting the health or safety of</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</p>

	members of the public	of information for which good reason for withholding would exist under section 7
<b>Agenda Item No: 6.3</b> Receipt of Confidential Portion of Minutes - Audit & Risk Committee - 6 March 2018	<p>Section 7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>Section 7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</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]*.