

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

<b>Date:</b>	<b>Tuesday, 26 May 2020</b>
<b>Time:</b>	<b>1.00pm</b>
<b>Location:</b>	<b>Council Chamber 107 Heuheu Street Taupō</b>

# AGENDA

## MEMBERSHIP

**Chairperson** Mayor David Trewavas  
**Deputy Chairperson** Cr Christine Rankin

**Members**

- Cr John Boddy
- Cr Kathy Guy
- Cr Tangonui Kingi
- Cr Kylie Leonard
- Cr John Mack
- Cr Anna Park
- Cr Kevin Taylor
- Cr Kirsty Trueman
- Cr Yvonne Westerman
- Cr John Williamson

**Quorum** 6

**Gareth Green**  
**Chief Executive Officer**

## Order Of Business

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**3.1 EXTRAORDINARY COUNCIL MEETING - 14 APRIL 2020**

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

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

**RECOMMENDATION(S)**

That the minutes of the extraordinary Council meeting held on Tuesday 14 April 2020 be confirmed as a true and correct record.

**ATTACHMENTS**

1. Council Meeting Minutes - 14 April 2020

**3.2 EXTRAORDINARY COUNCIL MEETING - 5 MAY 2020**

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

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

**RECOMMENDATION(S)**

That the minutes of the extraordinary Council meeting held on Tuesday 5 May 2020 be confirmed as a true and correct record.

**ATTACHMENTS**

1. Council Meeting Minutes - 5 May 2020

**4.1 CONSIDERATION OF TAUPO RESERVES & ROADING COMMITTEE RECOMMENDATION - 10 MARCH 2020 - LICENCE TO OCCUPY - PAKEKE LIONS**

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

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

**PURPOSE**

To consider a recommendation from the Taupō Reserves & Roding Committee.

**DISCUSSION**

At its meeting held on 10 March 2020, the Taupō Reserves & Roding Committee made the following recommendation:

**TRARC202003/07 RESOLUTION**

Moved: Cr John Williamson

Seconded: Cr Kathy Guy

That the Taupō Reserves & Roding Committee recommends to Council that it approves a six month trial Licence to Occupy to the Taupō Pakeke Lions for the purpose of holding a car sale on Council road reserve on Rifle Range Road adjacent to 72 Lake Terrace.

**CARRIED**

The Infrastructure Manager has received advice from the Taupō Pakeke Lions club that they wish to continue with their plans for the trial, once Taupō district moves to Covid-19 Alert Level 1.

**CONCLUSION**

It is recommended that Council adopts Taupō Reserves & Roding Committee recommendation TRARC202003/07.

**RECOMMENDATION(S)**

That Council adopts Taupō Reserves & Roding Committee recommendation TRARC202003/07 and therefore approves a six month trial Licence to Occupy to the Taupō Pakeke Lions for the purpose of holding a car sale on Council road reserve on Rifle Range Road adjacent to 72 Lake Terrace.

**ATTACHMENTS**

1. Extract from the minutes of the Taupo Reserves & Roding Committee meeting held on 10 March 2020 - Taupo Pakeke Lions Licence to Occupy

**4.2 ENDORSEMENT OF COUNCIL OFFICERS' SUBMISSION TO THE PROPOSED NATIONAL POLICY STATEMENT FOR INDIGENOUS BIODIVERSITY**

**Author:** Kara Scott, Policy Advisor

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

**PURPOSE**

This report seeks Council's endorsement for a staff submission made to the proposed National Policy Statement for Indigenous Biodiversity.

**EXECUTIVE SUMMARY**

Taupō District Council (**TDC**) officers prepared and lodged a submission on the Government's proposed National Policy Statement for Indigenous Biodiversity (**NPSIB**) on the closing day of Saturday 14 March 2020. Due to the timing of workshops being held by Ministry for the Environment (**MFE**) on the proposed NPSIB, Council officers were not able to prepare a submission to be approved in time for the previous Council meeting. Endorsement of the council officers' submission was to be presented at the March Council meeting; however this was put on hold due to Covid-19 lockdown.

Council officers gave a briefing on the proposed NPSIB to its elected members with the environmental portfolio – Councillor Mack and Councillor Williamson along with Councillor Leonard on Tuesday 18 February. This briefing provided those elected members with an update on the submission and background to the proposed NPSIB. Following the final MFE workshop on Friday 28 February, council officers circulated a draft copy of the council's submission to those elected members along with Council's iwi partners and main Regional Councils on Tuesday 2 March. The submission was then finalised and submitted to MFE on Wednesday 11 March.

This item provides Council with the opportunity to review and endorse that submission.

**RECOMMENDATION(S)**

That Council endorses the TDC officers' submission to the proposed National Policy Statement for Indigenous Biodiversity (A2637720).

Or

That Council endorses the TDC officers' submission to the proposed National Policy Statement for Indigenous Biodiversity (A2637720) with amendments to the submission if required.

**BACKGROUND**

The NPSIB discussion document notes the following key points about indigenous biodiversity:

The Resource Management Act 1991 (RMA) provides the main framework for maintaining and protecting indigenous biodiversity on private land (sections 5, 6, 7, 30 and 31). Indigenous biodiversity includes our native plants and animals and the places they live in. These areas are at risk and in some areas are continuing to decline. It is important for us to maintain our indigenous biodiversity because it is part of our unique culture and heritage, our taonga, and our economic success in tourism and primary production industries (farming, forestry, power generation) relies on our natural environment.

The RMA provisions do not provide detailed direction on how to maintain and protect indigenous biodiversity and are often subject to different interpretation, application and monitoring by councils. Therefore, the Government; Ministry for the Environment and Department of Conservation have worked to provide a first draft of the proposed NPSIB.

The main objective of the proposed NPSIB is to ensure no reductions in the range, function, and resilience of indigenous biodiversity, and must be consistent with the purpose of the RMA, which is to promote the sustainable management of natural and physical resources.

The first draft of the proposed NPSIB was developed by a stakeholder-led biodiversity collaborative group, including industry representatives, environmental groups, iwi advisor, and the Ministry for the Environment (MFE), and Department of Conservation (DoC). It primarily seeks to provide guidance on managing particular land-use activities and restoring indigenous biodiversity.

During the consultation phase, MFE and DoC held workshops with regional and territorial authorities (councils) to discuss and seek initial feedback on the proposed NPSIB. This included a workshop on geothermal ecosystems which have a specific use for electricity generation.

## **DISCUSSION**

The TDC officers' submission generally supports the intent of the proposed NPSIB to maintain and enhance New Zealand's indigenous biodiversity.

The Taupō District has large areas of indigenous biodiversity. Half of the district has significant natural areas (SNAs – around 340,000ha) and half of those SNAs are in private ownership. Of those privately owned SNAs approximately 80% are within multiply owned Māori land.

Given the large indigenous biodiversity areas in the Taupō District in private ownership, council officers noted particular support for draft NPSIB objective 6; to recognise the role of landowners, communities and tangata whenua as stewards and kaitiaki of indigenous biodiversity. The TDC submission noted that this objective is key to managing indigenous biodiversity – as it is the privately owned SNAs that make an important contribution to the overall level of indigenous biodiversity within New Zealand.

The feedback from landowners of SNAs we have had so far is that they would like more recognition and endorsement for the work that they already do to look after SNAs. TDC officers agree that we ought to be enabling landowners to continue to be the kaitiaki of their SNAs by incorporating their management plans where appropriate protection is occurring. TDC officers submitted that while draft NPSIB objective 6 provides good overarching guidance, it falls short of following this through with relevant policy and implementation, and TDC staff made some suggested amendments in their submission, included some further wording in the policy to include landowners, and request for further implementation on voluntary landowner lead methods of protection.

In addition to landowner recognition; TDC staff submitted on the draft NPSIB's proposed implementation requirement for territorial authorities (district councils) to further assess SNAs into High and Medium categories. The draft NPSIB is proposing a new management framework that would require particular adverse effects to be avoided within SNAs of High value, meaning little or no development can occur.

Due to the large size of SNAs in the Taupō District; TDC officers have submitted that this process is best done at a resource consent stage rather than as a broad-scale assessment by council. The Taupō SNAs expand over large areas, many are land-locked, and access to accurately assess all areas of SNAs would not be practicable. In order for Council to classify SNAs as High or Medium, further mapping and assessment would be needed at a considerable cost to the ratepayer and could not feasibly be undertaken to the level of detail required. In this instance the precautionary approach would be taken whereby most SNAs in the Taupō District would have a High rating and management through the current proposed NPSIB would mean that little or no development could occur. Without adequate compensation to landowners proposed with the NPSIB, TDC staff have submitted that this approach would be too restrictive on landowners. TDC staff have made some suggested amendments, that this process be done on a case-by case basis as and when needed through the resource consent process, and funded by the applicant.

Other points raised in the TDC officer's submission include suggestions for geothermal ecosystems, highly mobile fauna, and climate change. The officer's submission is generally in line with the Waikato Regional Council submission on these matters.

In terms of process and consultation; the proposed NPSIB was briefed with elected members holding the Environmental Portfolio on Tuesday 18 February 2020, and the council officer's draft submission was circulated to Councillors Mack, Williamson, and Leonard on Tuesday 2 March 2020. Council officers also circulated TDC's draft submission to council's Iwi Partners for their reference and any further comment, and it has been generally supported. It has also been circulated for information purposes to the Waikato, Bay of Plenty and Hawkes Bay Regional Councils, to ensure TDC is not submitting in contradiction to its main Regional Councils.

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

## **OPTIONS**

### Analysis of Options

Option 1. That Council endorses the officers' submission to the proposed National Policy for Indigenous Biodiversity (A2637720).

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• Council’s submission will be formalised as per the current wording.</li> <li>• The draft submission has been circulated to interested parties – main Regional Council’s and Iwi partners.</li> </ul>	<ul style="list-style-type: none"> <li>• There may be further information that the elected members would like to add into the submission that the current draft wording does not support.</li> </ul>

Option 2. That Council endorses the officers’ submission to the proposed National Policy for Indigenous Biodiversity (A2637720) with amendments to the submission.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• There may be further information that elected members would like to add or amend to the submission.</li> </ul>	<ul style="list-style-type: none"> <li>• There may be process matters that may complicate an amended submission, TDC officers would need to clarify this with Ministry for the Environment, which is responsible for taking submissions.</li> <li>• Due to Covid-19 lockdown and putting this agenda item on hold, there is a possibility that amendments to this submission are no longer available under the time frames.</li> </ul>

Option 3. That Council requests removal of the officers’ submission to the proposed National Policy Statement for Indigenous Biodiversity.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• If Council considers that it would not like to submit on the proposed NPSIB, the submission would be withdrawn.</li> </ul>	<ul style="list-style-type: none"> <li>• Council is not part of the process of development the NPSIB.</li> <li>• The drafting of the NPSIB would not be informed of more unique situations in the Taupō District.</li> </ul>

Analysis Conclusion:

That Council endorses the submission to the proposed National Policy Statement for Indigenous Biodiversity  
Or

That Council endorses the submission to the proposed National Policy Statement for Indigenous Biodiversity with amendments as requested to the submission, if still possible to do so with MFE.

**CONSIDERATIONS**

**Alignment with Council’s Vision**

Council’s vision is ‘to be the most prosperous and liveable district in the North Island by 2022’. This is accompanied by a core set of values to underpin decision-making, the following of which are relevant to this particular proposal: World Class; Authentic; Quality; Resilient and Value.

**Financial Considerations**

There are no financial costs associated with the lodgement of the submission. However, in the long term they could be significant costs to Council if a requirement to further classify SNAs into high and medium categories is progressed.

**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. That section of the Act states that the purpose of local



government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. It is considered that social / economic / environmental and / or cultural are of relevance to this particular matter.

### Policy Implications

The proposal has been evaluated against the following plans:

- Long Term Plan 2018-2028     Annual Plan     Waikato Regional Plan  
 Taupo District Plan             Bylaws             Relevant Management Plan(s)

### Māori Engagement

Council is bound by various Acts to consult and/or engage with Māori, including a duty to act reasonably and in good faith as a Te Tiriti o Waitangi partner. Equally, Council has a responsibility to develop and proactively foster positive relationships with Māori as key stakeholders in our district, and to give effect to the principles of Te Tiriti o Waitangi including (but not limited to) the protection of Māori rights and their rangatiratanga over tāonga. While we recognise Māori in general, we also need to work side by side with the three ahi kaa / resident iwi of our district.

Although good faith does not necessarily require consultation, it is a mechanism for Council to demonstrate its existence and commitment to working together as district partners. Appropriately, the report author acknowledges that they have considered the above obligations including the need to seek advice, guidance, feedback and/or involvement of Māori on the proposed recommendation/s, objective/s, project/s or service/s outlined within this report.

Council officers have forwarded a copy of the draft TDC staff submission to the proposed NPSIB. Council officers will advise Council on any feedback received at the Council meeting on 31 March 2020.

### Risks

There are no known risks to submitting on the proposed National Policy Statement for Indigenous Biodiversity. Council staff have liaised with the main Regional Councils in the Taupō District (Waikato, Bay of Plenty and Hawke's Bay) to ensure we are not in contradiction to their submissions.

### SIGNIFICANCE OF THE DECISION OR PROPOSAL

Council's Significance and Engagement policy identifies the following matters that are to be considered 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 required.

**CONCLUSION**

Council officers are seeking endorsement of the officers' submission to the proposed National Policy Statement for Indigenous Biodiversity (NPSIB).

Council officers have made a submission supporting the overall intent of the proposed NPSIB. In particular council officers have noted support for the proposed objective to recognise the role of landowners, communities and tangata whenua as stewards and kaitiaki of indigenous biodiversity. Council officers submitted in support of additional policy and implementation requirements to support this objective, and to remove the requirement for district councils to undertake further assessment of SNAs into High and Medium categories, for the reasons outlined in this paper. This along with other specific matters are covered in the officer's submission.

Endorsing the Council officers' submission on the proposed NPSIB would be acknowledging the role that our landowners have in looking after our SNAs in the Taupō District, while supporting maintenance and enhancement of indigenous biodiversity in our district.

**ATTACHMENTS**

1. TDC Submission to the Draft National Policy Statement for Indigenous Biodiversity

**4.3 SUBMISSION ON PLAN CHANGE 2 TO THE WAIKATO REGIONAL PLAN**

**Author:** Tanya Wood, Policy Advisor  
**Authorised by:** Alan Menhennet, Head of Finance and Strategy

**PURPOSE**

To adopt a submission on Proposed Plan Change 2 (PC2) to the Waikato Regional Plan (WRP).

**EXECUTIVE SUMMARY**

Waikato Regional Council have notified PC2 to the WRP. The need for the plan change has arisen because the Taupo chapter of the WRP currently refers to a specific version of Overseer, which will no longer be supported from December 2020. Overseer is a software programme which models nutrient losses from farming.

Council must consider what the impacts of PC2 will be, and decide whether to submit a submission.

**RECOMMENDATION(S)**  
 That Council adopts the submission on Plan Change 2 to the Waikato Regional Plan.

**BACKGROUND**

The proposal has not been presented previously.

Waikato Regional Council notified PC2 on 30 April 2020. The deadline for receipt of submissions is 5pm, 28 May 2020.

PC2 seeks to amend Chapter 3.10 of the Regional Plan to allow the use of updated Overseer versions. Chapter 3.10 applies to the Lake Taupo catchment only.

The version of Overseer currently referenced in the rules expires in December this year. Overseer is a computer programme which helps to model nitrogen discharges from a farming operation.

PC2 is mechanical in nature. Chapter 3.10 makes reference to a specific version, which will expire in December 2020. If the regional plan isn't changed to allow new Overseer versions to be used, a number of problems will arise. This will include: farmers will not know whether they are complying with their Nitrogen Discharge Allowances, and nitrogen trading would not be able to occur.

Waikato Regional Council have received approval from the Ministry for the Environment to run PC2 through a streamlined planning process, rather than the usual Schedule 1 process under the Resource Management Act 1991. This means that while submissions have been called for, there will not be a hearings process. Final decisions will be made by the Minister for the Environment. This means that the submission process is the only opportunity to have a say on PC2.

**DISCUSSION**

There is only one aspect of PC2 which raises concerns with officers. This relates to proposed changes to Rule 3.10.5.1 which would see the nitrogen leaching limits for nitrogen increase from 8kg/per hectare/year to 12kg/per hectare/per year. Staff are concerned that when amending this rule, consideration has not been given to the implications of trading nitrogen and converting to permitted activities (farming or non-farming) under this rule.

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

**OPTIONS**

Analysis of Options  
 Option 1 – do nothing

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• None</li> </ul>	<ul style="list-style-type: none"> <li>• Would give up any opportunity for Council to</li> </ul>

	have a say on PC2.
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Option 2 – prepare a submission on PC2

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• Council has a say on PC2.</li> </ul>	<ul style="list-style-type: none"> <li>• None.</li> </ul>

**Analysis Conclusion:**

Option 2 – prepare a submission is the preferred option because it will enable Council to have a say on PC2.

**CONSIDERATIONS**

**Alignment with Council’s Vision**

Council’s vision is ‘to be the most prosperous and liveable district in the North Island by 2022’. This is accompanied by a core set of values to underpin decision-making, the following of which are relevant to this particular proposal: World Class; Authentic; Charming; Vibrant; Quality; Resilient and Value.

**Financial Considerations**

There is no financial impact of the proposal.

**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. That section of the Act states that the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. It is considered that [social / economic / environmental and / or cultural are of relevance to this particular matter.

The proposal has been evaluated with regards to a range of legislation. There is no key legislation applicable to the proposal.

**Policy Implications**

There are no known policy implications.

**Māori Engagement**

Council is bound by various Acts to consult and/or engage with Māori, including a duty to act reasonably and in good faith as a Te Tiriti ō Waitangi partner. Equally, Council has a responsibility to develop and proactively foster positive relationships with Māori as key stakeholders in our district, and to give effect to the principles of Te Tiriti ō Waitangi including (but not limited to) the protection of Māori rights and their rangatiratanga over tāonga. While we recognise Māori in general, we also need to work side by side with the three ahi kaa / resident iwi of our district.

Although good faith does not necessarily require consultation, it is a mechanism for Council to demonstrate its existence and commitment to working together as district partners. Appropriately, the report author acknowledges that they have considered the above obligations including the need to seek advice, guidance, feedback and/or involvement of Māori on the proposed recommendation/s, objective/s, project/s or service/s outlined within this report.

**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 required.

#### **CONCLUSION**

Council should adopt the submission on PC2.

#### **ATTACHMENTS**

1. Submission on PC2

**4.4 COMMENCEMENT OF THE DISTRICT PLAN REVIEW**

**Author:** Hilary Samuel, Senior Policy Advisor

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

**PURPOSE**

To seek Council's approval to commence the review of the Taupō District Plan under section 79(1)(c) of the Resource Management Act (1991).

**EXECUTIVE SUMMARY**

Council has requirements under the Resource Management Act (RMA) and under its respective Joint Management Agreements (JMAs) with iwi partners to formally commence its District Plan Review. There are different ways that this commencement can occur and at this stage Officers are recommending that we commence under section 79(1) of the Act. This means that all parts of the plan that are 10 years old are automatically reviewed. It is most likely that we would come back to Council at a later point to include "younger" sections of the Plan, once we have a better idea on potential changes to these sections. The exception is any section relating to Natural Values as these are approaching 10 years of age, so we recommend that these be incorporated within the review now.

After extensive work with our iwi partners we have received confirmation from Tūwharetoa Maori Trust Board and Te Arawa River Iwi Trust (TARIT) that they recommend that we commence the District Plan Review. We are yet to receive confirmation from Raukawa Settlement Trust.

Under the JMAs the requirement for recommendations regarding the District Plan Review are split into "commencement" and "content". These can occur at different times, and so at this stage under the JMA's the recommendations relate solely to commencement. Work will be ongoing with our JMA partners to establish the content. The content part of the JMA recommendation will need to occur at a later date.

**RECOMMENDATION(S)**

That Council

1. commences the review of the Taupō District Plan under section 79(1) of the Resource Management Act 1991.
2. instructs officers to incorporate the Natural Values sections of the Plan within the review under 79(1) due to the these sections approaching 10 years of operation.
3. That Council instructs officers to investigate remaining sections to which 79(1) does not apply (includes sections relating to Flood Hazard and sections changed through Plan Changes 28-33) as to whether these should be also incorporated within the review.
4. That Council notes the recommendations from Tūwharetoa Māori Trust Board and Te Arawa River Iwi Trust to commence the review and instructs officers to work with the iwi partners on the content of the District Plan Review.

**BACKGROUND**

Under section 79(1)(c) of the RMA Council must commence a review of parts of its District Plan that have not been the subject of a review in the previous 10 years. When commencing a review of the plan Council also has obligations under our Joint Management Agreements (JMA) with Raukawa Settlement Trust (Raukawa) and Te Arawa River Iwi Trust (TARIT) and also to the Tūwharetoa Maori Trust Board (TMTB) (whose JMA has been initiated) to consider recommendations on whether to commence the review and the content of the RMA planning documents to be notified.

Although background work has already begun on the District Plan Review, we have not yet formally commenced the review through a Council resolution. This is because of the technicalities of incorporating the commencement resolution in partnership with JMA partners, and also because some background work is required in order to establish the extent of the review.

**DISCUSSION**

In terms of the commencement under the RMA there are two options. These are:

- Commence under section 79(1) of the RMA – this will include all parts of the Plan which are 10 or more years old.
- Commence under 79(4) of the RMA which includes the entire plan.

At this stage we are recommending that we commence under section 79(1). This isn't to say that parts of the plan less than 10 years will be excluded from the review (examples of sections younger than 10 years include the Flood Hazard section and Plan Changes 28-33). But at the moment we would rather add extra sections in later, rather than assume that these sections will change. This is because if we commence under 79(4) now we cannot then exclude parts of the Plan later on when we notify. The advantage of this is highly recently reviewed sections of the plan could potentially remain as they are, therefore avoiding appeal costs. The exception to this is the Natural Values section (SNAs and Landscapes) which is approaching 10 years of age, so we have recommended that this be added to the rest of the plan under 79(1).

In regards to the JMAs, we are required to seek recommendations from our JMA partners to commence the District Plan Review. Commencement under the JMAs can be split into "commencement" and then "content". As we are still working on the content of the District Plan Review, so this component of the recommendation will come later. It is specified under the JMA that the commencement and content recommendations may be done at different times.

Under the JMA the recommendation should ideally come from the respective Governance Committees. However, as we are only considering the commencement (rather than the content of the District Plan) a more informal approach has been taken with the JMA parties. We have received confirmation from TMTB and TARIT staff who have, in response to a letter from Council CEP, discussed the approach with their respective boards (attached).

Informal conversations have occurred with all JMA partners regarding the District Plan Review. However, at this stage Raukawa are yet to provide a formal response agreeing to commencement. We have attempted to contact the Trust on multiple occasions over several months, however at this stage we are yet to receive a response.

In terms of Raukawa not having yet provided a recommendation to commence, the JMA allows for Council to continue on without agreement if statutory time frames are being compromised. Parts of the Taupō District Plan are now well over the 10-year timeframe required for review, so momentum needs to continue. However, continuing without Raukawa's agreement may have implications for the relationship between Raukawa and the Council.

**OPTIONS**

Analysis of Options

Option 1. Commence the District Plan Review under 79(1) of the RMA

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• We can add in additional sections to the review later</li> </ul>	<ul style="list-style-type: none"> <li>• May create the perception that we are not reviewing the entire plan, when in reality we</li> </ul>

<ul style="list-style-type: none"> <li>Allows us the flexibility to leave some younger sections of the plan to reduce the risks of appeal.</li> </ul>	<p>likely will.</p> <ul style="list-style-type: none"> <li>Risk of impacting on relationship with Raukawa as they have not yet provided confirmation of recommendation to commence, which is a requirement under our JMA with them.</li> </ul>
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Option 2. Commence the District Plan Review under 79(4) of the RMA

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>Everyone is clear on exactly what we are reviewing.</li> </ul>	<ul style="list-style-type: none"> <li>We cannot exclude sections of the plan that are younger than 10 years later on in the process.</li> <li>Risk of impacting on relationship with Raukawa as they have not yet provided confirmation of recommendation to commence, which is a requirement under our JMA with them.</li> </ul>

Option 3. Do not Commence the District Plan Review until we have received approval from all JMA partners

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>Important relationships with TMTB, TARIT and Raukawa are maintained.</li> </ul>	<ul style="list-style-type: none"> <li>Progress on the District Plan Review is slowed.</li> </ul>

Analysis Conclusion:

Commence the District Plan Review under 79(1). However, there is a risk involved with this option that the relationship between Council and Raukawa may be compromised.

**CONSIDERATIONS**

**Alignment with Council’s Vision**

Council’s vision is ‘to be the most prosperous and liveable district in the North Island by 2022’. This is accompanied by a core set of values to underpin decision-making, the following of which are relevant to this particular proposal: World Class; Authentic; Charming; Vibrant; Quality; Resilient and Value.

**Financial Considerations**

There are no additional financial impacts of the proposal.

**Legal Considerations**

Legal advice has been sought on the commencement and is consistent with the recommendation.

**Policy Implications**

Policy implications are discussed within the report.

**Māori Engagement**

Significant ongoing discussions with our iwi partners has occurred through the initial stages of the review. A proposal to fund a consultant/s to act as a conduit of information between Council and all our iwi partners is currently being finalised. The JMA implications of this proposal are discussed above.

**Risks**

Risks have been outlined within the Discussion section of this report.



**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**

Direct communication has been/will be carried out with affected parties/key stakeholders but no wider communication is considered necessary.

**CONCLUSION**

It is recommended that Council commences the District Plan Review under Section 79(1) of the RMA. It is likely that Officers will come back to Council at a later date to incorporate "younger" parts of the plan. JMA partners (with the exception of Raukawa) have recommended that the District Plan commences.

**ATTACHMENTS**

1. Commencement Recommendation from TMTB
2. TARIT Commencement Recommendation

**4.5 REVIEW OF DRAFT STATEMENTS OF INTENT**

**Author:** Jessica Simpson, Economic Relationship Manager

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

**PURPOSE**

For Council to receive the draft Statements of Intent (SOIs) from its Council Controlled Organisations (CCOs) and instruct staff to undertake a review of these documents.

That Council also extends the deadline for the board of the CCOs to consider Council's comments on the draft statements of intent from 1 May 2020 to 1 June 2020 in accordance with clause 4 of Schedule 8 of the Local Government Act 2002.

**DISCUSSION**

In the normal course of events the CCOs would deliver a draft statement of intent to Council, as the shareholder, by 1 March 2020. Council would then provide comments back to the Board who must consider them by 1 May 2020. This year the lockdown process and disruption to Council meetings has made this statutory timetable impossible.

Clause 4 of Schedule 8 in the Local Government Act 2002 enables Council to extend the deadlines in the Act by up to one month. Extending the 1 May deadline to 1 June would enable the Board to still consider the comments from Council.

Normally the boards would need to deliver a completed statement of intent back to Council before the commencement of the next financial year (clause 3, Schedule 8). It is recommended that Council does not extend that timeframe at this stage. That timing would still enable Council to make any necessary changes to the draft Annual Plan prior to its anticipated adoption on 30 June 2020. If it becomes necessary Council could reconsider that extension.

Council is receiving the draft SOIs for five CCOs:

Taupō Airport Authority [TAA];

Waikato Local Authority Shared Services [WLASS];

Bay of Plenty LASS [BOPLASS];

New Zealand Local Government Funding Agency Limited [LGFA].

Destination (Great) Lake Taupo (DGLT). – Under a separate paper

The draft Statements of Intent will be reviewed with any proposed recommendations for consideration at the June meeting.

The LGA 2002 places three accountability requirements from CCOs:

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

The purposes of these reports are as follows:

1. Six monthly report on operations:

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

2. Annual report

This report must include the following:

- Information that is required by its Statement of Intent;
- Information that is necessary to enable an informed assessment of the operations of the

organisation, including a comparison of the performance of the organisation with the statement of intent and an explanation of any material variances between the performances and the statement of intent. It must also state the dividend, if any, authorised to be paid or the maximum dividend proposed to be paid by that organisation for its equity securities (other than fixed interest securities) for the financial year;

- Audited consolidated financial statements for that financial year; and
- An auditor's report on those financial statements and the performance targets and other measurers by which performance was judged in relation to the organisation's objectives.

### 3. Statement of Intent – for the following year

The 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.

## CONCLUSION

Council is obliged to receive the draft Statements of Intent from its CCOs in accordance with the Local Government Act 2002.

## RECOMMENDATION(S)

1. The Council receives the draft SOIs and instructs staff to undertake a review of these documents for 2020 from the:
  - (i) Taupō Airport Authority (TAA)
  - (ii) Waikato Local Authority Shared Services (WLASS)
  - (iii) Bay of Plenty LASS (BOPLASS)
  - (iv) New Zealand Local Government Funding Agency Limited (NZLGFA)
  
2. That Council also extends the deadline for the board of the CCOs to consider Council's comments on the draft statements of intent from 1 May 2020 to 1 June 2020 in accordance with clause 4 of Schedule 8 of the Local Government Act 2002

## ATTACHMENTS

1. LFGA Draft SOI 2020
2. TAA Draft SOI 2020
3. BOPLASS Draft SOI
4. WLASS Draft SOI 2020

**4.6 COUNCIL'S APRIL 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 April 2020.

Since my last performance report, the world has drastically changed. The impacts of COVID-19 have ricocheted around New Zealand and the Taupō District, and the effect here was almost immediate as the borders were closed and the nation went into lockdown, with tourism numbers flatlining almost overnight.

For us, as a local authority, our immediate focus was on continuing to provide essential services, such as water and wastewater, and supporting our community through our call centres and Emergency Operations Centre to provide advice and welfare assistance.

It was during this time our investment in information technology and moving to a mobile workforce paid huge dividends. We transformed into almost a fully digital organisation, albeit based at home, overnight. The foresight to have vast majority of staff equipped to work from home meant there was little impact on productivity and those staff affected by facilities closing, or activities no longer being able to operate, were able to be redeployed to other areas requiring additional support.

I am incredibly proud of how the organisation responded both during the lockdown period and as we have moved down alert levels. They did what they needed to do, and they did it professionally and with empathy. I know we were the envy of some other local authorities who did not have the luxury of having such a productive workforce at that time.

The effect on businesses and the tourism sector in our district due to this global pandemic has been immeasurable. That meant we had to act quickly to offer support where we could and as a council you made a number of decisions. These included changing the weighting in the procurement policy to increase the opportunity to engage local companies and contractors, closing freedom camping areas in favour of tourists using established accommodation providers, and deferring some projects in the current financial year.

More recently we have been working through the draft Annual Plan with the goal to deliver on the council's commitment of at least a zero per cent general rates increase. This has been no easy task and has required us to balance a loss of revenue ourselves, with a desire to spend on capital expenditure to help stimulate the economy. The goal will be to find the delicate balance between meeting the expectations of the community, creating jobs, but also reducing the impact on our ratepaying community.

As we look to the future and establishing a new normal for the Taupō District, and indeed our organisation, our focus now is on recovery. We have applied to the Crown Infrastructure Partners for \$316 million in funding for 16 projects that might not otherwise happen without Government assistance. Those projects alone have the potential to create 2400 jobs. At the time of writing this report, we were still to hear the outcome of those applications, but we are hopeful at least some funding will be forthcoming to help ease the likely unemployment increase as the effects of COVID-19 continue to be felt.

We have also led the charge on the development of a new sector-led working group has been brought together to address the effects of COVID-19 and develop a recovery plan for the Taupō District. The recovery framework will cover the four wellbeing areas with participation on the working group representing economic, cultural, social and environmental interests. We need to ensure that we understand what those effects are and how to address them. The best way to do that is to ensure a local, sector-led response that has the ability and insight to identify opportunities for our district, that can then be supported at a regional and national level. It is by working together the largest gains will be made.

**ATTACHMENTS**

1. April Project and Service Council Performance Report (A2680933)
2. Treasury Report April 2020

**4.7 COUNCIL ENGAGEMENTS JUNE 2020****Author:** Tina Jakes, Head of Democracy, Governance and Venues**Authorised by:** Gareth Green, Chief Executive Officer**Engagements**

ENGAGEMENT	DAY	DATE	TIME
Turangi/Tongariro Community Board meeting (Boardroom, Turangi Service Centre)	Wednesday	3	2pm-3.30pm
Risk & Assurance Committee meeting (Council Chamber)	Tuesday	9	10am-noon
Taupō Reserves & Rooding Committee meeting (Council Chamber)	Tuesday	9	1pm-4pm
Mangakino/Pouakani Representative Group meeting (Mangakino Service Centre)	Tuesday	16	10am-noon
Lake Taupō Protection Project Joint Committee meeting (online)	Friday	19	10.30am-1pm
Taupō Airport Authority Committee meeting (Taupō Airport, ANZAC Memorial Drive)	Monday	22	10.30am-11.30am
Te Arawa River Iwi Trust and Taupō District Council co-governance hui (online or Council Chamber)	Monday	22	2pm-4pm
Te Kōpū ā Kānapanapa meeting (online or Council Chamber)	Friday	26	10am-noon
Zone 2 meeting (online or venue TBC)	Monday	29	9.30am-3pm
Public forum (Council Chamber)	Tuesday	30	12.30pm-1pm
Council meeting (Council Chamber)	Tuesday	30	1pm-4pm

**RECOMMENDATION(S)**

That Council receives the information relating to engagements for June 2020.

**ATTACHMENTS**

Nil

**4.8 MEMBERS' REPORTS**

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

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

**PURPOSE**

This item permits members to provide any updates relating to their particular wards or portfolios and report on recent meetings/functions/conferences they have attended as Council's representative. Portfolios are as follows:

- Economic and Business – Deputy Mayor Christine Rankin and Cr Kathy Guy
- Sport and Recreation – Cr Kevin Taylor
- Youth – Cr Anna Park
- Older Persons – Cr John Boddy
- Arts & Culture – Cr Yvonne Westerman
- Environment – Crs John Mack and John Williamson
- Mangakino – Cr Kirsty Trueman
- Community Safety – Crs Tangonui Kingi and Kevin Taylor
- International Relations – Cr Anna Park

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

## 5 CONFIDENTIAL BUSINESS

### RESOLUTION TO EXCLUDE THE PUBLIC

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
<b>Agenda Item No: 5.1</b> Destination Great Lake Taupo Draft Statement of Intent	Section 7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	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
<b>Agenda Item No: 5.2</b> Destination Great Lake Taupo Board - Continuation of Appointments	Section 7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	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
<b>Agenda Item No: 5.3</b> Appointment of External Representatives to the Mangakino/Pouakani Representative Group	Section 7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	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

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]*.