

**I give notice that
a Kinloch Representative Group Meeting will be held on:**

Date:	Thursday, 30 July 2020
Time:	3.00pm
Location:	Kinloch Community Hall Mata Place Kinloch

AGENDA

MEMBERSHIP

Chairperson Cr Kathy Guy
Deputy Chairperson To be elected

Members Mr Tim Brittain
Ms Renee des Barres
Mayor David Trewavas
Ms Belinda Walker
Cr Yvonne Westerman
Cr John Williamson

Quorum 4

Gareth Green
Chief Executive Officer

Order Of Business

1 Apologies

2 Conflicts of Interest

3 Confirmation of Minutes

Nil

4 Reports

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5 Confidential Business

Nil

4.1 ELECTION OF DEPUTY CHAIRPERSON

Author: Raeleen Rihari, Democratic Services Support Officer

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

PURPOSE

To enable the election of a deputy chairperson for the Kinloch Representative Group.

DISCUSSION

Clause 25 of Schedule 7 of the Local Government Act 2002 sets out the voting systems that is to be used for certain appointments including the election or appointment of the deputy chairperson as follows:

25. Voting systems for certain appointments

This clause applies to—

- (a) the election or appointment of the chairperson and deputy chairperson of a regional council; and*
- (b) the election or appointment of the deputy mayor; and*
- (c) the election or appointment of the chairperson and deputy chairperson of a committee; and*
- (d) the election or appointment of a representative of a local authority.*

[(2) If this clause applies, a local authority or a committee (if the local authority has so directed) must determine by resolution that a person be elected or appointed by using one of the following systems of voting:—

(a) the voting system in subclause (3) ("system A");

(b) the voting system in subclause (4) ("system B").]

[(3) System A —

(a) requires that a person is elected or appointed if he or she receives the votes of a majority of the members of the local authority or committee present and voting; and

(b) has the following characteristics:—

(i) there is a first round of voting for all candidates; and

(ii) if no candidate is successful in that round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and

(iii) if no candidate is successful in the second round there is a third, and if necessary subsequent, round of voting from which, each time, the candidate with the fewest votes in the previous round is excluded; and

(iv) in any round of voting, if 2 or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.]

(4) System B—

(a) requires that a person is elected or appointed if he or she receives more votes than any other candidate; and

(b) has the following characteristics:

(i) there is only 1 round of voting; and

(ii) if 2 or more candidates tie for the most votes, the tie is resolved by lot.]

A 'lot' means that the Group can either toss a coin, put the two names in a hat, draw straws or whatever other method the Group determines in order to select the candidates in the event of an equality of votes.

The Group must firstly determine whether System A or System B is to be used for the election process for the deputy chairperson. Once decided, the Group must then proceed to call for nominations. Once nominations have closed, voting will take place using the option that the Group has chosen.

In accordance with the requirements of the process, Resolutions 1 and 2 must be taken separately.

RECOMMENDATION(S)

That the Kinloch Representative Group:

1. Confirms that System ___ be used to determine the election process for the Deputy Chairperson; and
2. Elects _____ as the Deputy Chairperson of the Kinloch Representative Group.

ATTACHMENTS

Nil

4.2 PRESENTATION: KINLOCH COMMUNITY ASSOCIATION

Author: Raeleen Rihari, Democratic Services Support Officer

Authorised by: Alan Menhennet, Head of Finance and Strategy

PURPOSE

This item provides representatives of the Kinloch Community Association (KCA) with an opportunity to introduce themselves to the new Kinloch Representative Group members and provide an overview of key projects and activities of interest to the Kinloch community including:

- How KCA can support Council and vice versa
- Kinloch Community Plan
- Kinloch Structure Plan
- Whangamata Stream
- W2K trail
- Communications
- Signage
- Kinloch information centre
- Planting
- Parking

RECOMMENDATION(S)

That the Kinloch Representative Group receives the information and thanks the Kinloch Community Association representatives for their presentation.

ATTACHMENTS

Nil

4.3 ACTION POINTS UPDATE

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

Authorised by: Alan Menhennet, Head of Finance and Strategy

PURPOSE

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

RECOMMENDATION(S)

That the Kinloch Representative Group receives the current action points update.

ATTACHMENTS

1. Current Action Sheet (A2659787)

4.4 INFRASTRUCTURE UPDATE

Author: Denis Lewis, Infrastructure Manager

Authorised by: Kevin Strongman, Head of Operations

PURPOSE

This report identifies capital projects approved, and any budget cuts made, in the 2020/21 Annual Plan within the Kinloch Representative Group's area of interest. Areas included fall within the operations group and include wastewater, water, stormwater, solid waste, parks and property.

DISCUSSION

The following projects have been approved in the 2020/21 Annual Plan for the Kinloch area. Both the wastewater and water treatment plants are multi-year projects for which the investigation and design has already commenced, and contracts entered into for some components of the wastewater treatment plant.

Project Number	Activity Group	Project Name	Project Description	Project Spend Annual Plan 2020/21
10627	Water	Kinloch water DWSNZ upgrade	Multiple projects including pump stations, mains and WTP. Phasing 20/21 \$3.8m, 21/22 \$3.1m, 22/23 \$200k	3,800,000
10909	Community Facilities	Kinloch Hall redevelopment	Kinloch Hall redevelopment \$50k for planning & design to inform year 1 of 2021 LTP	50,000
10742	Wastewater	Kinloch wastewater TP MBR	Completion of a Membrane Reactor Plant required for consent compliance. Phasing \$4m 20/21, \$2.5m 21/22	4,000,000

RECOMMENDATION(S)

That the Kinloch Representative Group receives this report.

ATTACHMENTS

Nil

4.5 DRAFT TRANSPORT STRATEGY FOR CONSULTATION

Author: Aidan Smith, Policy Advisor

Authorised by: Alan Menhennet, Head of Finance and Strategy

PURPOSE

This paper provides a draft transport strategy for consultation. A submission from the Kinloch Representative Group is sought to ensure that the Transport Strategy (and associated issues paper) reflects the key areas of importance to the local community and will provide an effective document for giving Council direction on priorities for the delivery of the Council's transport services and infrastructure.

DISCUSSION

A transport strategy is intended to give Council clear direction on priorities for the delivery of the Council's transport services and infrastructure. In particular, it will guide the investigation and development of proposals for capital improvements and service delivery for Council to consider when agreeing work programmes and funding through its triennial *Long-Term Plan*. Clear direction is essential so that proposals put forward for funding align with the Council and community's desired objectives for transport.

Community engagement is critical to the development of a transport strategy. In particular, we want community input and agreement on the priority objectives, for example improving safety, or supporting increased walking and cycling. We also want community input into the key strategic routes and connections that should be a focus, for example rural roads that require safety improvements, intersections that need improving, and walking and cycling routes and road crossings that need improvement. The community holds key information on routes that are of high value to them, deficiencies they have experienced, and opportunities for beneficial improvements.

The attached draft Transport Strategy and supporting draft Issues Paper are being provided for public consultation over the period Monday 3 August to Friday 4 September 2020. A submission from the Kinloch Representative Group is sought to ensure that the Transport Strategy (and associated issues paper) reflects the key areas of importance to the local community and will provide an effective document for giving Council direction on priorities for the delivery of the Council's transport services and infrastructure.

The attached communications plan sets out the key messages to support community engagement.

The attached engagement plan sets out the proposed approach and timeframe for engaging with stakeholders and the community, including:

- face to face and community meetings
- online submissions
- Council hearings.

RECOMMENDATION(S)

That the Kinloch Representative Group

1. receives the attached draft Issues Paper and draft Transport Strategy.
2. agrees to make a submission to ensure that the Transport Strategy (and associated issues paper) reflects the key areas of importance to the local community and will provide an effective document for giving Council direction on priorities for the delivery of the Council's transport services and infrastructure.
3. notes the attached draft communications plan and draft engagement plan, and advises of any additional groups that should be notified, or directly engaged.

ATTACHMENTS

1. Draft Transport Strategy for Consultation
2. Draft Issues Paper for Consultation
3. Draft Engagement Plan
4. Draft Communications Messages

4.6 UPDATE ON KINLOCH WASTEWATER

Author: Michael Cordell, Asset Manager Water and Waste

Authorised by: Kevin Strongman, Head of Operations

PURPOSE

This item is for the Asset Manager Water and Waste to provide a verbal update to the committee in relation to Kinloch wastewater.

RECOMMENDATION(S)

That the Kinloch Representative Group receives the update on Kinloch wastewater.

ATTACHMENTS

Nil

4.7 SEVEN OAKS DEVELOPMENT STAGES 2 - 9

Author: Scott Devonport, Consents and Regulatory Manager

Authorised by: Brian Fox, Head of Regulatory and Risk

PURPOSE

This item is to enable discussion in relation to stages 2 – 9 of the Seven Oaks development. The Consents and Regulatory Manager will be in attendance to answer any questions.

RECOMMENDATION(S)

That the Kinloch Representative Group receives the information.

ATTACHMENTS

Nil

4.8 UPDATE ON THE TAUPŌ DISTRICT COUNCIL DISTRICT PLAN REVIEW

Author: Hilary Samuel, Senior Policy Advisor

Authorised by: Alan Menhennet, Head of Finance and Strategy

PURPOSE

This item is for the Senior Policy Advisor to provide a verbal update on the Taupō District Council District Plan Review.

BACKGROUND

What is a District Plan?

It's the community's key document for managing the way people use their land. There are objectives and policies that set out what we want the district to look like and how we will balance land use issues when they are in conflict. Rules in the Plan set out what activities you can do as of right (permitted activities) and what activities we need to look at more carefully through a resource consent application. These rules cover things like how land can be subdivided, the height and location of buildings, where commercial and industrial activities can go, protection of heritage sites and management of noise.

Why is the Taupō District Council reviewing its Plan?

The Resource Management Act 1991 requires councils to prepare a District Plan and review the different parts at least every 10 years. Most of the District Plan is now due for a review so rather than do that in pieces we have decided to look at it all together. Taking this integrated approach will allow us to make sure that the District Plan works better. It will also allow us to align the District Plan with the new National Planning Standards. Those standards set out aspects like which zones must be used, common definitions and mapping requirements.

How long will it take?

The District Plan is very complex, and we want to make sure we get it right. We need to make sure that our decisions are supported by evidence and reflect the changing needs of the community. We expect that collecting that evidence and talking to the many stakeholders will take about another eighteen months.

There will be plenty of opportunity to have input during this development phase. The District Plan will then be notified and enter the formal process which involves submissions, hearings and appeals. This phase must be completed within two years.

How can you be involved?

We plan to regularly touch base with Representative Groups to discuss the direction the review is taking. Multiple parts of the plan will be underway at one time, and at various stages of development. However, we will "bundle" sections of the plan together and bring them to you to discuss. The public can register their interest and input at any time throughout the process on our online system. If the representative group has any particular issues that they would like a discussion on then we are happy to address those at the appropriate time.

RECOMMENDATION(S)

That the Kinloch Representative Group receives the update on the Taupō District Council District Plan Review.

ATTACHMENTS

Nil

4.9	EXTENSION PROPOSAL KINLOCH COMMUNITY HALL LICENCE TO OCCUPY
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Author: Gemma Mitchell, Strategic Advisor Property & Infrastructure

Authorised by: Alan Menhennet, Head of Finance and Strategy

PURPOSE

To consider a request for an extension of a licence to occupy issued to Central Kids Early Education at Kinloch Domain through to the end of 2021.

EXECUTIVE SUMMARY

In December 2018 a licence to occupy was granted to Central Kids Kindergarten for the Kinloch Community Hall part-time, four days a week for a period of 12 months, in order to identify the demand for services of this nature in the Kinloch community. The indication was that the centre would cater for up to 20 children and employ two full time staff members. The licence was executed in April 2019 for a period of 12 months.

Prior to expiry, the licensee has requested an extension to allow for a full calendar year of operations to be completed and assessed as there were mitigating circumstances that delayed opening of the centre, and further impacts on operations were experienced due to the lockdown associated with Covid 19.

Based on the information previously outlined to the group and the current environment and recent history; an extension may be warranted through to the end of 2021 subject to appropriate conditions and associated improvements in the tidiness and upkeep of the site. The considerations and reasons that may support this approach are outlined further in this report.

RECOMMENDATION(S)

That the Kinloch Representative Group recommends to Council to approve an extension of the licence to occupy the Kinloch Community Hall on the same terms through to 1 December 2021.

BACKGROUND

The proposal has previously been presented.

In 2018 a recommendation was made by the Kinloch Representative Group to allow for a 12 month licence to occupy for the Kinloch Community Hall to be utilised for day-care purposes. The minutes recorded that

Members decided to grant a 12 month trial licence to occupy the Kinloch Community Hall to Central North Island Kindergarten Trust for the purposes of establishing a kindergarten. It was noted that the kindergarten was initiated by members of the community and it was unlikely there would be any issues if the kindergarten sessions were at different times to existing group bookings of the hall.

The following is a timeline of key aspects of the establishment of the kindergarten:

- Dec 18 – Resolution TDC201812/13 “That Council approves a 12 month trial licence to occupy the Kinloch Community Hall to Central North Island Kindergarten Trust for the purposes of establishing a kindergarten.”
- April 2019 – Licence to occupy documentation complete/executed
- June/July 2019 – Resource Consent lodged/issued to operate the kindergarten onsite.
- October 2019 – Operations commenced
- March/April 2020 – Level 4 lockdown initiated and request for a licence extension made.

In the days just prior to the processing of the agenda a further request has been made to allow for additional operating hours and an increase in maximum occupancy from 20-25 children. This has not been addressed within the remainder of this report due to the timing of request. It is however appropriate to note that this would impact on the availability for other users, require an amendment to the resource consent and licence as a minimum, which will require additional processes for all parties. It may also require evaluation in terms of compliance with building act requirements.

The following sections provide consideration of the proposed extension on the same terms as previously proposed.

DISCUSSION

The request for an extension of the licence period has been made due to the delays experienced by the operator in complying with the necessary requirements for opening the facility at this location, and the subsequent impacts on operations associated with Covid 19 during the earlier part of this year.

Discussion with the kindergarten has indicated that the extended period of time will:

- Allow for the retention of the staff members - keeping locals employed at a difficult time
- Support the community and in particular families with young children in “getting back to normal”
- Allow the operators to establish a reliable picture of the demand and needs of the Kinloch Community

It is also envisaged that the extension would allow sufficient time to determine whether a permanent kindergarten is warranted and hence enable an alternative venue to be secured and established elsewhere in the community.

It is acknowledged that the trial licence period was chosen to support one aspect of the community for the short term; and extending that period may influence the ability to support other aspects of the community in the community hall for an extended time. At the time of writing, officers are not aware of any conflicts that would arise from an extension in terms of operational hours.

It is noted however that recently there have been some issues in terms of the state in which the hall has been left after kindergarten sessions and this may influence other bookings if this is not resolved. The licensee is bound under the agreement to leave the place in a clean and tidy state, to ensure other users can utilise the facility including kitchens bathrooms and outdoor areas. They have indicated that they are willing to work with Council to ensure appropriate standards are met.

It is expected that if any extension is granted, there will be a need to significantly improve on the cleaning processes and the storage and tidying up of equipment daily to avoid termination of the licence, as the premises is not exclusively for the kindergarten and needs to be maintained in a proper state for the wider community.

Based on this information it is considered that there are three options. Extend the licence, allow the licence to continue on a month to month basis, decline the extension request.

OPTIONS

Analysis of Options

Various advantages and disadvantages of the options are outlined below.

Option 1. Extend the Licence

Advantages	Disadvantages
<ul style="list-style-type: none"> • Allows for the licensees request to be supported 	<ul style="list-style-type: none"> • Limits the ability to provide for other potential users during the extension period during session times
<ul style="list-style-type: none"> • Provides certainty for centre staff in respect of employment 	<ul style="list-style-type: none"> • May result in higher wear and tear on the facilities given the ongoing higher level of occupancy and use
<ul style="list-style-type: none"> • Provides certainty for parents of centre attendees for a longer timeframe 	<ul style="list-style-type: none"> • May result in cancellations or reduced bookings if the premises is not kept tidy and clean as required under the terms of the licence

Option 2. Allow a month to month roll over

Advantages	Disadvantages
<ul style="list-style-type: none"> • Retains flexibility for Council in the event other enquiries are received for the use of the facilities 	<ul style="list-style-type: none"> • Limits the ability for the licensee to provide certainty to users

	<ul style="list-style-type: none"> Limits the ability to provide certainty to staff
	<ul style="list-style-type: none"> Limits the benefits to parents of children attending the centre

Option 3. Decline the request for an extension

Advantages	Disadvantages
<ul style="list-style-type: none"> Enables the facility to be more available for other potential users 	<ul style="list-style-type: none"> Does not support the licensees request
	<ul style="list-style-type: none"> Does not provide job certainty for centre staff
	<ul style="list-style-type: none"> Does not continue the provision of kindergarten services in Kinloch
	<ul style="list-style-type: none"> Does not allow for time to determine demand and potentially support establishment of a permanent stand-alone facility

Analysis Conclusion:

Any of the above options may be considered appropriate however in the current circumstances, it may be prudent to consider extending the licence on the terms previously agreed as this would support the kindergarten, the staff and its families, and may also potentially support establishment of a permanent facility in the Kinloch community in the longer term by supporting the centre in building its customer base. It is appropriate however to acknowledge that there will potentially be impacts on the flexibility of the hall for other users during that time, although it is noted that this exists with all community facilities.

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: Charming; Vibrant; Quality; Resilient and Value.

Financial Considerations

The financial impact of the proposal is estimated to be limited, with the previously set rental rate being proposed for the remainder of the proposed term.

Long-term Plan/Annual Plan

The proposal will retain a limited income from the facility for the extended licence period.

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 the proposal will continue to support the social needs of some of the Kinloch community.

The proposal was previously evaluated with regards to a range of legislation. The proposal has already obtained the necessary resource and building consents, and a licence to occupy has already been drafted which could be extended by deed of variation for a further 18 months if Council sees fit to do so.

Policy Implications

The proposal has previously been evaluated against the relevant plans and it was identified that the use would fit within the classification that applies to the reserve.

There are no additional 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 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.

Risks

There is a risk that another community group or organisation may wish to utilise the hall during the operational hours of the kindergarten and would not be able to do so. There may also be other members of the community that do not support the operation of a commercial business from a community building. It is considered that maintaining a finite period on the licence may mitigate these risks in the longer term, while also supporting the potential establishment of a permanent kindergarten for the Kinloch community once numbers reach a longer-term viable level. It is also noted that the cleanliness of the premises will need to be improved in order to mitigate the potential risk of further cancellations.

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, and the previous decisions made by the representative group and Council, officers are of the opinion that no further engagement is required prior to Council making a decision in relation to the extension proposed.

COMMUNICATION/MEDIA

No communication/media required.

CONCLUSION

It may be considered appropriate to allow for an extension of the licence for the Kinloch Kindergarten in the Kinloch Community Hall in order to provide better opportunities to establish the need for these types of services in the Kinloch community given the increasing usually resident population seen by increasing demands on other services (water / waste etc).

ATTACHMENTS

Nil

4.10 UPDATE ON KINLOCH COMMUNITY PLAN AND VISION

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

Authorised by: Alan Menhennet, Head of Finance and Strategy

PURPOSE

This item permits the Group to discuss the vision and community plan for Kinloch and receive an update on any progress to date.

RECOMMENDATION(S)

That the Kinloch Representative Group receives the information.

ATTACHMENTS

Nil

4.11 MEMBERS' REPORTS

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

Authorised by: Alan Menhennet, Head of Finance and Strategy

PURPOSE

This item permits members to provide feedback on any items of interest arising from meetings 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 the Kinloch Representative Group receives the reports from members.

ATTACHMENTS

Nil