

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

Date:	Tuesday, 29 March 2022
Time:	1.00pm
Location:	www.taupo.govt.nz

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

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3.1 ORDINARY COUNCIL MEETING - 22 FEBRUARY 2022

Author: Shainey James, Governance Quality Manager

Authorised by: Nigel McAdie, Legal, Risk and Governance Manager

RECOMMENDATION(S)

That the minutes of the Council meeting held on Tuesday 22 February 2022 be confirmed as a true and correct record.

ATTACHMENTS

1. Council Meeting Minutes - 22 February 2022

4.1 KINLOCH WASTEWATER TREATMENT PLANT UPGRADE: PROJECT BUDGET INCREASE + CONTRACT TDC/2021/344 VALUE INCREASE

Author: Michael Cordell, Asset Manager Water and Waste

Authorised by: Tony Hale, Three Waters Manager

PURPOSE

The purpose of this report is to seek additional budget for the Kinloch Wastewater Treatment Plant Upgrade and to increase the value of Contract TDC/2021/344 previously awarded to Spartan Construction on 02 February 2021.

EXECUTIVE SUMMARY

Delivery of the Kinloch Wastewater Treatment Plant upgrade will cost more to complete than was budgeted. The main construction contract will exceed the approved contract value and the overall project will exceed the project budget.

The costs to complete the project have increased largely due to: post tender design changes, lateness of construction details being provided by the designers, other construction changes, management costs, and cost increases for other minor items of equipment.

The forecast cost of project completion overall is \$17,350,000 and is approximately \$2,000,000 above the available budget. Therefore, an additional \$2,000,000 of unbudgeted funding is required to complete this project.

The forecast cost of completion for Contract TDC/2021/344 [Spartan Construction] is now \$11,600,000 and this is approximately \$1,400,000 above the previously approved value. Outside of the main contract there are further cost increase of approximately \$600,000 related to additional project management costs, cost increases in minor equipment supply, covid delays, minor scope changes and missing items.

Whilst we have known for some time that there would be cost increases and the budget would be exceeded it has not been possible to accurately forecast the extent of these cost overruns. The project is now 90% complete and therefore we can now provide an accurate assessment of the overspend. The project is due for completion before the end of this financial year.

RECOMMENDATION(S)

That Council:

1. Increases the value of Contract TDC/2021/344 Kinloch Wastewater Treatment Plant Upgrade previously awarded to Spartan Construction to \$11,600,000 [+GST].
2. Approves unbudgeted expenditure of \$2,000,000 [+GST] to cover the increase in cost to deliver Contract TDC/2021/344 and to complete the broader Kinloch WWTP upgrade.

BACKGROUND

Delivery of the Kinloch Wastewater Treatment Plant upgrade will cost more to complete than was budgeted. The main construction contract will exceed the approved contract value and the overall project will exceed the project budget. The project is approximately 90% complete therefore estimating the final cost at completion can now be done with reasonable accuracy.

The overall project forecast was \$15,350,968 including contingencies.

As part of the project, at the 02 February 2021 meeting Council accepted the Tender from Spartan Construction for Contract TDC/2021/344 Kinloch WWTP Upgrade Kinloch Wastewater Treatment Plant (WWTP) for \$9,432,104 [excl. GST]. Council also approved a contingency sum of \$750,000 to cover the completion bonus payment and any unforeseen items. Therefore, the total contract expenditure approved was up to \$10,182,104.

Updated Forecasts

Forecast for Contract TDC/2021/344 and project completion more broadly was updated in February. The forecast cost of completion for Contract TDC/2021/344 [Spartan Construction] is now \$11,600,000 and this is approximately \$1,400,000 above the previously approved value.

The forecast cost of project completion overall is \$17,350,000 and is approximately \$2,000,000 above the available budget. Therefore, an additional \$2,000,000 of unbudgeted funding is required to complete this project.

DISCUSSION

The table below shows the main contract and overall project planned expenditure vs the forecast cost of completion for the project.

	Budget	Actual / Forecast	
Contract value	\$9,432,104	\$9,432,104	Original Contract fully expensed
contract contingency allowance	\$750,000	\$2,174,571	Expense forecast to exceed the the contract contingency by approx. \$1,400,000
Other project costs and contingency	\$5,168,864	\$5,743,325	Other project costs forecast to exceed budget by approx. \$600,000
TOTAL	\$15,350,968	\$17,350,000	TOTAL

The main Contract is forecast to exceed the contract and contingency values by approximately \$1,400,000.

Other project costs are forecast to exceed the budget by approximately \$600,000.

Therefore, the total project budget will be exceeded close to \$2,000,000.

There are several reasons for the cost increase, and these are:

- Changes from the 'Issue for Tender' to the 'Issue for Construction' drawings and specifications, which occurred after Tender award. Tender documentation was not sufficiently detailed in all aspects due tight time pressures and late delivery of design information. The Contractor was awarded variations to the contract to meet the additional cost of delivery due to these late changes. There were other changes to design deemed necessary during the construction period. The significance of these changes was not known at the time of Tender award. The project could not be delayed as Council has received formal warnings and was under abatement notice from the regional council. Any delay would have pushed the project out a full year.
- Project and site management costs are higher than expected. The number of post tender changes, COVID delays and difficulty with managing supply lines all contributed to increased costs in this area.

- There were cost increases in other items, minor items missed from scope, but more so related to minor equipment supply cost increases.

CONSIDERATIONS

Financial Considerations

The project will exceed budget by approximately \$2,000,000. Since the project will be completed in the current financial year, approval is required for the unbudgeted expenditure.

Overall, the wastewater capital works programme will be underspent this financial year as several projects are delayed.

Therefore, the cashflow impact of this unbudgeted expenditure will be offset in part by reduced expenditure on other projects.

A portion of the costs increases that are attributable to late delivery by our design consultant may be able to be clawed back from them and we are currently exploring this option further.

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 economic and environmental well-beings are of relevance to this particular matter.

Policy Implications

The proposal has been evaluated against the following plans:

- Long Term Plan 2021-2031
- Annual Plan
- Waikato Regional Plan
- Taupo District Plan
- Bylaws
- Relevant Management Plan(s)

There are no known policy implications.

Risks

There are no known risks.

The project is near completion and therefore the estimate of Cost at Completion can be fairly accurately 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 significant.

ENGAGEMENT

Officers have taken into consideration the above assessment, that the decision is significant, however are of the opinion that no further consultation is required prior to Council making a decision.

The reason is that Council has previously talked to the community about the projects and providing compliant wastewater treatment processes is important. While costs have escalated the importance of the work has not changed and Council is aware of the community views, lower costs this financial year in other areas of the wastewater programme offset this increase in cost to some degree.

CONCLUSION

The costs to complete the project have increased largely due to: post tender design changes, lateness of construction details being provided, other construction changes, management costs, and cost increase for other minor items of equipment.

The value of Contract TDC/2021/344 Kinloch Wastewater Treatment Plant Upgrade previously awarded to Spartan Construction needs to be increased to \$11,600,000 [+GST] to cover the cost escalation.

The overall project budget should be increased by \$2,000,000 [+GST] to cover the increase in cost to deliver Contract TDC/2021/344 and to complete the broader Kinloch WWTP upgrade.

ATTACHMENTS

Nil

4.2 ENDORSEMENT OF THE COMMUNITY-LED AGE FRIENDLY TAUPŌ DISTRICT PLAN

Author: Veronica King, Strategic Partnership Advisor (Welfare Manager)

Authorised by: Libby O'Brien, Community Engagement and Development Manager

PURPOSE

For Council to endorse the community-led Age Friendly Taupō District Plan 2022-2024.

EXECUTIVE SUMMARY

The Age Friendly Taupō District Plan is a community-led, collaborative project that aims to help shape how decisions are made across our district to benefit our older residents. The document is owned by the community groups involved, which is why this report is seeking endorsement, rather than approval of the plan.

The plan has been developed by the independent Taupō Age Friendly Steering Group, with over 15 organisations from across the Taupō district contributing to support the wellbeing of our older people. The Steering Group remains involved in the ongoing work coming out of the plan, and is also responsible for monitoring and reporting on progress.

The document has a two-year lifespan and contains 50 activities with differing accountabilities across the district that will support our community becoming more age-friendly. These include ensuring outdoor spaces are suitable for older people, support decisions around transport and housing, ensuring older people feel connected to what's happening across the district.

During the process of developing this report Council's vision, core values and promotion of the four well beings of local government were considered.

RECOMMENDATION(S)

That Council endorses the Community-led Age Friendly Taupō District Plan 2022-2024 and notes that it will receive annual progress reports from mid-2022.

BACKGROUND

The Age Friendly Steering Group presented to Council in a previous workshop on 4 August 2020.

Age Concern Taupō approached Council regarding the World Health Organisation's Age friendly cities programme with the potential of Taupō becoming a more age friendly district.

To support this kaupapa, Council worked with the Taupō Age Friendly Steering Group to successfully apply to the Office for Seniors Community Connects Grant, receiving \$12,000 to help develop a district age friendly plan.

As a result, further investigation, engagement and development has been undertaken by the steering group involving various organisations, community groups, individuals and service provider stakeholders across the district, resulting in the current Community-led Age Friendly Taupō District Plan 2022-2024.

DISCUSSION

The Plan is a community-led initiative with a two-year lifespan. It supports community action, engagement and encourages a collective working approach to ensuring older people have equal access and support across our district.

It has been designed in consultation with a number of organisations throughout the Taupō District that focus on the wellbeing of older people. These include Age Concern, Taupō Hospice, Mangakino Orangatanga, Nukuhau Pa, ACCESS Taupō, Monte Vista – Te Kotahitanga o Ngāti Tūwharetoa and many others.

The plan aims to put increased attention on the social, economic, environmental and cultural factors that influence the health and wellbeing of older people, helping communities to be better equipped to become great places and even lifelong homes for people of all ages.

The Plan follows the eight Age Friendly themes developed by the World Health Organisation:

- Outdoor spaces and public buildings
- Social participation
- Respect and social inclusion
- Communication and information
- Community support and health services
- Civic participation
- Housing
- Transportation

The impact of the Covid-19 pandemic on older people has been significant and is reflected in plan activities, including supporting older people with changes in technology to help them keep connecting, but also improving public perceptions of older people and their abilities.

The benefit of having an Age Friendly Plan that is community-led and endorsed by Council, is that it activates central government funding from the Office of Seniors and other government departments that might cross over ie housing, transport, technology etc.

The Community Development and Engagement team have been, and will continue to be, a key resource to support the steering group, supporting funding applications, engagement plans, data research and connecting to other Council teams and expertise.

Although it is not a Council-owned plan, the community-led Age Friendly Taupō District Plan has reference to Council plans, policies and strategies and will feed into future work, including our Transport Strategy, Housing Strategy and ongoing work around the local government four wellbeings.

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

OPTIONS

Analysis of Options

Option 1. That Council endorses the community-led Age Friendly Taupō District Plan 2022-2024.

Advantages	Disadvantages
<ul style="list-style-type: none"> • Aligns with Council’s vision and core values • Supports and promotes the four wellbeings - social, economic, environmental and cultural. • Supports and promotes community-led collaboration, direction and action for rapid trending of an aging population. • Focused updates on any activities, initiatives and developments happening in the district relating to the support of our ageing population. • Accessibility to a robust collective community-led resource. 	<ul style="list-style-type: none"> • Council has minimal to no significant input into the direction or implementation of the Plan other than regular Council BAU activities within the Plan • Council reputation and representation may suffer from not endorsing the plan.

Option 2. That Council does not endorse the community-led Age Friendly Taupō District Plan 2022-2024.

Advantages	Disadvantages
<ul style="list-style-type: none"> • Status quo remains. • No responsibility or accountability for endorsing any of the activities or actions required in the plan. 	<ul style="list-style-type: none"> • Community perception – negative response, little to no support or promotion of social, economic, environmental and cultural health and wellbeing of our ageing population interest groups and localised communities. • Missed opportunities – informed and aware of

	<p>focused community activity, new initiatives and developments in the local, national and international Age Friendly space.</p> <ul style="list-style-type: none"> • Status quo – remains
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Analysis Conclusion:

Officers recommend Option one as the preferred option: That Council endorses the community-led Age Friendly Taupō District Plan 2022-2024.

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: Quality; Resilient, World Class and Value.

Wellbeing considerations

During the process of developing this report Council’s vision, core values and promotion of the four well beings of local government were considered as outlined below and the recommendation of this report is consistent with these purposes.

Social

The plan contributes to the social wellbeing of Taupō district residents by ensuring there is an inclusive approach for older people in the provision of facilities and services. This increases a sense of belonging for older people themselves, but also ensures that the rest of the community better understands the value of older people.

Economic

The plan contributes to the economic wellbeing by ensuring that the economic value of older people is understood by the wider community. Older people are a critical part of the job market, with many working beyond the age of 65, or moving into part-time or voluntary roles within the community. Older people are also an important consumer group, and efforts are being made to educate and support businesses to ensure they are age friendly and supporting older people as consumers.

Environmental

There are few direct links to environmental wellbeing within the plan. However, older people are generally higher users of public and active transport options. Ensuring these options work well for older people will increase usage amongst this group directly, and for the wider community as well. Older people are frequently in volunteer supporting roles that contribute to improving environmental wellbeing around the district.

Cultural

The plan contributes to cultural wellbeing in a number of ways. It is well supported by Te Haeata Ltd (Directors) Te Kotahitanga o Ngāti Tūwharetoa, Mangakino Orangatanga, Nukuhau Pa Trust with member representation on the steering group. Although not a Council-owned plan, the community-led Age Friendly Taupō District Plan links in with a number of intergenerational activities that empower kaumatua (elders) to be community leaders and partner with other cultures and generations.

Financial Considerations

The plan has limited financial implications for Council. Actions that may require financial commitment such as additional seating in the CBD will need to be considered through the Annual Plan or LTP process. Council will continue to support the functions of the Steering Group, which can be accommodated within existing resourcing.

Long-term Plan/Annual Plan

Any Council activities indicated in the plan are regular operating activities funded through the Long-Term Plan. However this plan can be considered a reference document for input into plans for the next LTP, and into relevant strategies such as the Housing Strategy.

Legal Considerations

There are no known legal implications to this proposal. Authorisations are not required from external parties.

Policy Implications

There are no known policy implications.

Māori Engagement

Engagement with Māori kaumatua, marae entities, hapu, iwi and Māori service providers were pivotal in gaining support and participation within the plan for Māori wellbeing and development.

Contact was made with Te Kotahitanga o Ngati Tuwharetoa (iwi), Nukuhau Pa (hapu), Mangakino Orangatanga (marae), individual kaumatua (whanau) with a positive feedback that they were supportive of the approach taken and subsequently resulted in their participation and contribution to activities within the plan.

Risks

There are no known risks associated with the decisions required for this proposal.

SIGNIFICANCE OF THE DECISION OR PROPOSAL

Council 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 has a low level of 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.

COMMUNICATION/MEDIA

No communication/media required.

CONCLUSION

The attached Age Friendly Taupō District Plan 2022-2024 plan highlights and recognises the work of the Age Friendly Steering Group, and signals to all parties and Government Agencies involved the actions that are important for the older members of our community.

ATTACHMENTS

1. Community-Led Age Friendly Taupo District Plan 2022-2024

4.3 TAUPO / TAUPO EAST RURAL COMMUNITY GRANT DISTRIBUTION

Author: Rose Prisk, Strategic Partnerships Advisor

Authorised by: Libby O'Brien, Community Engagement and Development Manager

PURPOSE

The purpose of this report is to determine the membership of the allocation committee for the new Taupō/Taupō East Rural Community Grant.

EXECUTIVE SUMMARY

A reviewed Grants and Partnership Policy (GAPP) was adopted on 1 July 2021. During the review it was apparent that community groups based in Taupō were applying to the Mangakino and Tūrangi grants as there was no specific community grant for Taupō-based applicants. As part of the review, it was decided to create a new grant called the Taupō/Taupō East Rural Community Grant (TTERCG) to allow Taupō and Taupō East-based community groups, organisations, and individuals to apply for funds that do not fit the criteria for the more specific existing Arts, Sports or Social Service grants.

Funding decisions for community grants are made by Grants Distributors. As per the GAPP, these are Standing Council committees, community boards or community groups who have been delegated authority to allocate grants to their wards on behalf of Council.

Officers would like to open the first funding round for the TTERCG at the beginning of May with \$20,000.00 available for distribution. Therefore, we are requesting a decision on options for who could distribute this fund on behalf of Council.

RECOMMENDATION(S)

1. That Council establishes a committee, to be named the Taupō/Taupō East Rural Community Grant Allocation Committee, with terms of reference and delegated functions (in accordance with the attached document).
2. That council appoints two members of the Taupō East Rural Representative Group and two members of the Kinloch Representative Group, namely _____, _____, _____, and _____, plus the Mayor (ex officio) to the committee.

BACKGROUND

The proposal has not been presented previously.

In 2021 a review was made of Council's Grants and Partnerships Policy (GAPP). During this review, there was a move to a location-based approach for the distribution of a number of general grants. While the Tūrangi Tongariro and Mangakino Pouakani communities were able to apply to local grants, with decisions made by their relevant community board and representative group, those based in the Taupō, and Taupō East Rural wards would potentially miss out on the ability to apply for community grants through Council due to there being no appropriate grant for the activity.

The Taupō Christmas parade organising committee is one example, as they have traditionally applied for community grants to support expenses for their event. However, the review of the GAPP and subsequent changes meant Taupō-based groups such as this would not be eligible to apply to the Tūrangi Tongariro Community Grant or Mangakino Pouakani Community Grant and would not fit the criteria for a Social Service grant, Creative Arts grant or Sports grant.

It was decided in the Long-Term Plan process that \$20,000.00 would be set aside for a new Taupō/Taupō East Rural Community Grant to financially support Taupō and Taupō East-based community groups. As the grant is new, there is a need to determine who sits on the allocation committee for the grant to make decisions on the outcomes of each funding round.

DISCUSSION

In the GAPP review a new Taupō/Taupō East Rural Community Grant was established to cater for community projects that were based in or benefiting the Taupō and Taupō East Rural ward communities.

The GAPP requires the distributor of grants to be either a standing council committee, community board or community groups who have been given delegated authority by Council to distribute the grants on their behalf.

The existing community based/ward grants have been distributed by the Mangakino Pouakani Representative Group for the Mangakino Pouakani ward and Tūrangi Tongariro Community Board for the Tūrangi Tongariro Ward, which works well as the representative group knows their community needs and aspirations.

While there isn't one representative group that covers both the Taupō and Taupō East Rural wards, officers' thinking is a similar approach could apply to the Taupō/Taupō East Rural Community Grant by forming a committee of members of the Kinloch Representative Group and Taupō East Rural Representative Group. This will ensure that there is consistency amongst the process and helps decision makers to be more familiar with the rohe in which community groups applying to the fund are representing.

We have provided a number of other options, including forming a new committee of community members or allowing an existing representative group to distribute the funds. However, we believe a committee of members from both the Kinloch Representative Group and the Taupō East Rural Representative Group to be the most appropriate way to distribute the funds annually.

This group would meet once a year to distribute \$20,000.00 every year for the next three years specifically for community groups to complete projects benefiting the Taupō and Taupō East Rural wards. It is intended to capture projects that do not fit into the Arts, Sport or Social Service criteria and the group distributing these funds will collectively need to be able to represent these wards and have knowledge of these communities and multiple community groups and projects.

OPTIONS

Analysis of Options

Option 1.

Council approves to establish a committee with membership and terms of reference/delegations as appropriate to perform the functions required to distribute the Taupō/ Taupō East Rural Community Grant.

Council would appoint two members of the Taupō East Rural Representative Group and two members of the Kinloch Representative Group, namely _____, _____, _____, and _____, plus the Mayor (ex officio) to the committee.

Advantages	Disadvantages
<ul style="list-style-type: none"> • This would be a hybrid of the ward-based approach but still consistent with Mangakino Pouakani & Tūrangi Tongariro. • Has fair representation from the Taupō and Taupō East Rural wards. • Draws from existing representative group membership 	<ul style="list-style-type: none"> • No direct community involvement from members outside these two groups.

Option 2.

Advertise for a community group to distribute the funds on behalf of Council

Advantages	Disadvantages
<ul style="list-style-type: none"> • This is consistent with the Arts, Sports and Social Service grants • Gives the ability for the community to be involved 	<ul style="list-style-type: none"> • This is not consistent with the other ward-based grants. • Potential for no groups to apply • Groups may dissolve • High administrative factor for a new group with no remuneration • Extra burden to already stretched community groups

Option 3.

Advertise for single community members to apply to form a group to distribute the funds on behalf of Council. This group would come together once a year to distribute the grant. Two Councillors could be appointed to the group but would not have voting rights.

Advantages	Disadvantages
<ul style="list-style-type: none"> This is a similar approach with the Arts, Sports and Social Service grants, but a hybrid Gives the ability for the community members to be involved and give back to their community Is not a burden on any community groups Able to create a fair representation of the wards. Could also ensure membership turnover every three years. 	<ul style="list-style-type: none"> This is not consistent with the other ward-based grants. Potential for no one to apply to be on the distribution group Somewhat disconnected from Council High administrative factor for a new group with no remuneration

Option 4.

TERRG distributes the funds as part of their bimonthly (every two months) meetings.

Advantages	Disadvantages
<ul style="list-style-type: none"> This is consistent with the other ward-based grants (Mangakino Pouakani & Tūrangi Tongariro) Has a mix of Councillors, Community members, Māori Representative, and the Mayor 	<ul style="list-style-type: none"> Perception that the group only represents the Taupō East Rural ward and not the Taupō ward. Kinloch community may feel unrepresented

Option 5.

KRG distributes the funds as part of their bimonthly (every two months) meetings.

Advantages	Disadvantages
<ul style="list-style-type: none"> This is consistent with the other ward-based grants (Mangakino Pouakani & Tūrangi Tongariro) Has a mix of Councillors, Community members, Māori Representative, and the Mayor. 	<ul style="list-style-type: none"> Perception that the group only represents the Kinloch community and not the Taupō Ward or the Taupō East Rural Ward. Taupō East Rural Ward may feel unrepresented

Analysis Conclusion:

The preferred option would be Option 1. This option removes any burden on community groups and utilises existing representative group members.

Option 1 helps Councillors connect and see their communities' needs and aspirations at face value, which is one of the benefits of the MPRG and the TTCB distributing the community grants to their wards. This will also help the community understand that the grants they receive are from Council and not another organisation.

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

The financial impact of the proposal is estimated to be \$20,000.00. This figure was set in the Long-Term Plan along with the other funding pots available to the community within the district. It is hoped that the funds

can be distributed this financial year. If not, the funds will roll over in to the 2022 – 2023 financial year (i.e., \$40,000.)

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 cultural outcomes are of relevance to this particular matter.

Policy Implications

There are no known policy implications.

Māori Engagement

Taupō District Council is committed to meeting its statutory Tiriti O Waitangi obligations and acknowledges partnership as the basis of Te Tiriti. Council has a responsibility to act reasonably and in good faith to reflect the partnership relationship, and to give effect to the principles of Te Tiriti. These principles include, but are not limited to the protection of Māori rights, enabling Māori participation in Council processes and having rangatiratanga over tāonga.

Our statutory obligations outline our duties to engage with Māori, and enable participation in Council processes. Alongside this, we recognise the need to work side by side with the ahi kaa / resident iwi of our district. Engagement may not always be required by law, however meaningful engagement with Māori allows Council to demonstrate good faith and our commitment to working together as partners across our district.

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. At this stage, officers do not consider a need to engage with whanau, hapu or iwi on the proposed membership of the committee as the Grants and Partnerships Policy was previously developed with Māori engagement completed.

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 Māori 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 communications plan has been prepared in consultation with the communications team. As this will be a new fund available to the Taupō and Taupō East Rural wards, extra communication and media will need to be organised. A communication plan for our community grants has been developed and further work will be completed to help promote the new grant once details have been confirmed.

CONCLUSION

With the new TTERCG available to the Taupō and Taupō East Rural communities, an allocation committee must be established in order to distribute this fund of \$20,000.00 each year. The five options above all have positives with some potential negatives.

It is however important that this allocation committee has representation from both wards. Creating a committee helps Councillors connect and see their community's needs and aspirations at face value. This will also help the community understand that the grants they receive are from Council and not another organisation.

Our policy purpose states we must ensure the allocation and distribution of funding occurs in a transparent, fair, equitable, efficient and consistent manner, which would be the focus and at the forefront as to how the allocation committee is constructed.

ATTACHMENTS

1. Grants and Partnerships Policy 2021
2. Terms of Reference

4.4 RECEIPT OF DRAFT STATEMENTS OF INTENT - COUNCIL CONTROLLED ORGANISATIONS

Author: Libby O'Brien, Community Engagement and Development Manager

Authorised by: Julie Gardyne, Deputy Chief Executive Officer

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.

DISCUSSION

Several accountability documents from various CCOs are required to be formally received by Council, including draft SOIs. 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. A 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.

Council officers received SOIs from the following CCOs before the deadline of 1 March 2022:

Taupō Airport Authority [TAA];

Waikato Local Authority Shared Services/Co-Lab [WLASS];

Bay of Plenty LASS [BOPLASS];

New Zealand Local Government Funding Agency Limited [LGFA].

Destination (Great) Lake Taupō (DGLT)

These draft SOIs are included on the agenda for this council meeting as this is the first meeting since the draft SOIs were received for Council to receive these documents. Council officers will review these documents, factoring in comments from councillors, with any proposed recommendations being considered at the April 2022 Council meeting.

CONCLUSION

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

RECOMMENDATION(S)

That Council receives the draft Statements of Intent from Council Controlled Organisations and directs officers to review these documents.

ATTACHMENTS

1. WLASS (CO-LAB) Draft SOI 2022 (under separate cover 1) [⇒](#)
2. DGLT Draft SOI 2022 (under separate cover 1) [⇒](#)
3. Lake Taupo Protection Trust Draft SOI 2022 (under separate cover 1) [⇒](#)
4. New Zealand Local Government Funding Agency Draft SOI 2022 (under separate cover 1) [⇒](#)
5. Taupo Airport Draft SOI 2022 (under separate cover 1) [⇒](#)

4.5 CLASSIFICATION OF RESERVES

Author: Alison Rawley, Senior Consultant

Authorised by: Nick Carroll, Policy Manager

PURPOSE

The purpose of this report is to seek a decision from Council under delegated authority from the Minister of Conservation to classify certain reserves in the Taupō District.

EXECUTIVE SUMMARY

During investigation into the status of various parcels of reserve land, two sections have been identified that are not properly classified according to the Reserves Act 1977. Classification is a mandatory process and a standard procedure that needs to be carried out by reserve administering bodies. In the case of reserves that derived from the Crown, the classification is carried out by Council acting with the delegated authority of the Minister of Conservation subject to section 16(1) of the Reserves Act.

In this case the preferred option is to classify the identified parcels of reserve land as recreation reserve which is the purpose for which they were created and vested in Council, and for which they are currently used. Council has the delegated authority to classify the reserve land for recreation purposes, and there is no other purpose that is suitable or applicable.

RECOMMENDATION(S)

That pursuant to section 16(1) of the Reserves Act 1977 and to a delegation from the Minister of Conservation, Taupō District Council classifies the reserve land described in the Schedule as recreation reserve subject to the Reserves Act 1977.

Schedule

<i>Area (ha)</i>	<i>Legal Description</i>
2.3260	Section 1 SO 59764, NZ Gazette 1994 p926
3.1641	Section 312, Block II Tauhara Survey District. NZ Gazette 1972 p.1014. SO 44672

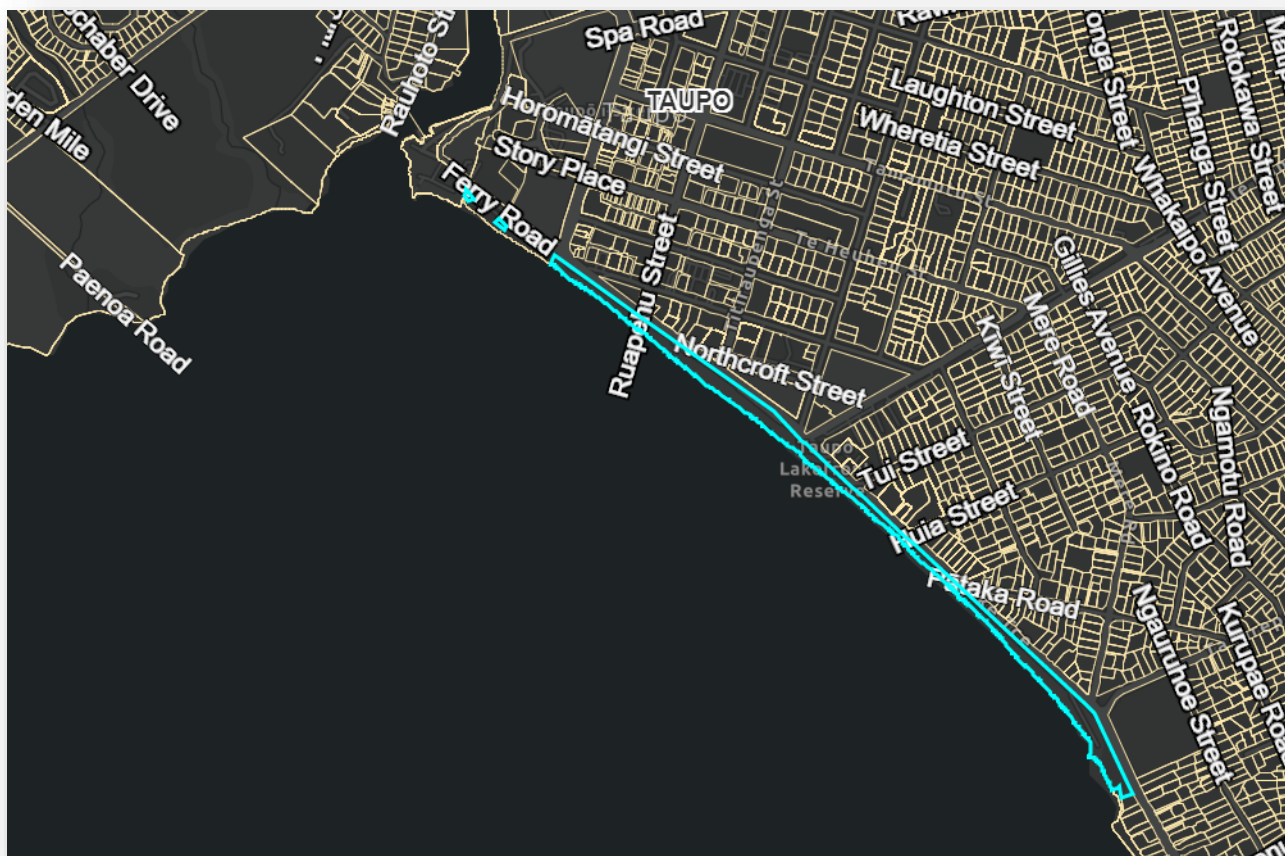
BACKGROUND

The proposal has not been presented previously.

Reserve classification is a mandatory process under s 16 of the Reserves Act which involves assigning a reserve (or the parts of a reserve) to the appropriate class (and, if required, the type and overlay). Reserves are classified to ensure their control, management, development, use and preservation for appropriate purposes. There are seven different reserve classifications – recreation, historic, scenic, nature, scientific, government purpose and local purpose.

Some reserves receive automatic classification without going through a further process, and many reserves in the Taupō District have already been classified. However, from time to time unclassified reserves are identified and classification is required. Two such reserves along the main lakefront of Taupo (see Figure 1) are presented for classification in this report and further reserves may be presented to future meetings.

Figure 1. Location of reserves requiring classification



Classification is subject to s 16 of the Reserves Act 1977 and may be carried out either by the Minister of Conservation or by the reserve administering body (in defined circumstances). Certain powers of the Minister have been delegated to territorial authorities including the authority to classify reserves by notice in the Gazette according to their principal or primary purpose. In this case, the principal or primary purpose of the reserve is recreation.

DISCUSSION

The Reserves Act does not specify a deadline for classifying reserves which do not receive automatic classification. Certain land transactions cannot however be undertaken before a reserve is classified. These include:

- public notice of a proposal to establish a national reserve (s.13)
- change of classification or purpose (s.24)
- vesting of a reserve (ss.26 or 26A)
- appointment to control and manage (ss.28 to 30, 35 or 36)
- public notification of a draft management plan (s.41)
- union of reserves (s.52).

Reserve classification is a standard operational procedure that needs to be undertaken by administering bodies. The Ministerial delegations are intended to simplify the process and allow territorial authorities to carry out classification without needing to involve the Department of Conservation. Decisions made under delegated authority must be made by Council rather than the administering body (TRRC).

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

OPTIONS

Analysis of Options

Option 1 – Classification of the two reserves identified in the schedule as recreation reserve

This option involves resolving to exercise Ministerial delegations and classify the reserves under Section 16(1) as recreation reserve. The next step is that the resolution will be published in the NZ Gazette, and the gazette notice registered on the reserve title.

Advantages	Disadvantages
<ul style="list-style-type: none"> • Legal compliance 	<ul style="list-style-type: none"> • There is a small administrative cost involved
<ul style="list-style-type: none"> • Classification allows other land transactions to proceed 	

Option 2 – Status quo

This option requires no further action.

Advantages	Disadvantages
<ul style="list-style-type: none"> • No cost 	<ul style="list-style-type: none"> • Legal non-compliance
	<ul style="list-style-type: none"> • Reserve land that is not classified is more difficult to administer as several other processes are linked to classification

Analysis Conclusion:

The preferred option is Option 1, i.e. proceed to classify the two reserve areas identified under Section 16(1) of the Reserves Act 1977.

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: World Class; Authentic; Charming; Vibrant; Quality; Resilient and Value. Classification of reserves is a procedural matter that is unrelated to Council’s Vision and Values, but is a requirement of statute.

Financial Considerations

The financial impact of the proposal is estimated to be around \$1,500.

Long-term Plan/Annual Plan

The expenditure outlined is currently budgeted for under reserves planning and administration 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. 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 this particular matter is one of legal compliance and procedure rather than community well-being.

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:

Reserves Act 1977

Option 1 enables compliance with the Reserves Act which requires classification of reserve land. The land was vested in Council as recreation reserve and Option 1 proposes that the land be classified according to its primary or principal purpose i.e. recreation. No public notice is required where:

- (a) the classification proposed for any reserve is substantially the same as the purpose for which the reserve was held and administered immediately before the commencement of this Act; or
- (b) the intended use of the land is in conformity with the relevant operative district plan; or
- (c) the classification proposed is a condition subject to which the land was acquired for reserve purposes; or
- (d) the land is classified under subsection (2C) or subsection (2D) (not applicable in this case)

In this case the classification proposed is the same as the purpose for which the land was held and administered prior to the commencement of the Act, and is in conformity with the Taupō District Plan and is a condition of the Public Works Act procedure that created Section 1. Classification of the land as recreation reserve therefore requires no further public consultation.

Recreation reserve is the most appropriate classification for these areas of reserve land as it is consistent with their current use for recreation activities, public access and protection of the natural environment.

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, INCLUDING WITH MAORI

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. This matter is a procedural one involving the formal gazettal to simply confirm the existing reality as experienced by the general community and iwi and hapu groups. There is no statutory requirement for engagement to take place and the Council is well aware of the community's views on the appropriate use of the land as recreation reserve.

COMMUNICATION/MEDIA

No communication/media required.

CONCLUSION

On balance, it is considered that Option 1 is the best option as it is consistent with the current use of reserves, promotes legal compliance and enables better management of the reserves under the Reserves Act. It is likely that there will be further parcels identified that require classification and these will be brought to Council as a batch for resolution in due course.

It is therefore recommended that pursuant to section 16(1) of the Reserves Act 1977 and to a delegation from the Minister of Conservation, Taupō District Council classifies the reserve land described in the Schedule as recreation reserve subject to the Reserves Act 1977.

Schedule

<i>Area (ha)</i>	<i>Legal Description</i>
2.3260	Section 1 SO 59764, NZ Gazette 1994 p926
3.1641	Section 312, Block II Tauhara Survey District. NZ Gazette 1972 p.1014. SO 44672

ATTACHMENTS

Nil

4.6 FINAL APPROVAL OF THE WHAREROA NORTH PRIVATE PLAN CHANGE

Author: Hilary Samuel, Senior Policy Advisor

Authorised by: John Ridd, General Manager Policy and Strategy

PURPOSE

To seek final approval of Plan Change 36 – Whareroa North to the Taupō District Plan, as per Clause 17 of the First Schedule of the Resource Management Act 1991.

DISCUSSION

Plan Change 36 was a request (private plan change) to rezone a 14.63ha area north of Whareroa Stream adjoining the existing Whareroa settlement. The area was zoned under the Operative Taupō District Plan as Rural Environment. The applicant sought a Residential Environment zone to enable a maximum of 160 dwellings with densities ranging between 500m² to 1,100m².

The plan change was heard and approved by a panel of independent commissioners. The decision was notified at the end of 2021. No appeals were received on the plan change, so it can now receive final approval from the Council and the Council seal of approval.

CONCLUSION

It is recommended that Council give final approval for Plan Change 36 – Whareroa North. No appeals have been received on the plan change, and it is therefore operative within the District Plan. However, under the Resource Management Act final approval needs to be granted under Clause 17(1) of the First Schedule of the Resource Management Act and the Council common seal must be attached.

RECOMMENDATION(S)

That Council gives final approval of Plan Change 36 under Clause 17(1) of the First Schedule of the Resource Management Act 1991, and that accordingly the Council common seal is affixed as per Clause 17(3).

ATTACHMENTS

Nil

4.7 CHANGE OF COMMENCEMENT RESOLUTION FOR THE TAUPŌ DISTRICT PLAN REVIEW

Author: Hilary Samuel, Senior Policy Advisor
Authorised by: John Ridd, General Manager Policy and Strategy

PURPOSE

To seek a change in the commencement resolution to review the Taupō District Plan that was made by Council on 26 May 2020.

EXECUTIVE SUMMARY

In May 2020 the Council agreed to commence a full District Plan review. This was supported by our Joint Management Agreement partners, Tūwharetoa Māori Trust Board (TMTB), Raukawa Settlement Trust (Raukawa) and Te Arawa River Iwi Trust (TARIT). Since that time the exposure draft for the Natural and Built Environment Act has been released and indications are that our District Plan will be combined into a regional planning model.

Council officers have workshopped the option of a refined review scope, which focuses on a series of plan changes to address issues. This paper formalises this approach. Support has been received for this shift in scope from Raukawa, TARIT and TMTB.

RECOMMENDATION(S)

1. That Council revokes the resolutions of 26 May 2020 which stated:
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 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, Te Arawa River Iwi Trust and Raukawa Settlement Trust to commence the review and instructs officers to work with the iwi partners on the content of the District Plan Review.
 2. That Council instructs officers to undertake plan changes, as part of the ongoing rolling review process, to improve the efficiency and effectiveness of the District Plan.
- And
3. That Council notes the support from Tūwharetoa Māori Trust Board, Raukawa Settlement Trust and Te Arawa River Iwi Trust to move to a series of Plan Changes.

BACKGROUND

The proposal has been before Council at a prior meeting on 26 May 2020, refer item number 4.4 and the following resolutions were made:

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 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.*

Since that time there has been a considerable shift in the space of legislation reform. The exposure draft for the proposed Natural and Built Environment Act as been released. This has meant that officers have had a rethink on the approach of completing a comprehensive review of the Plan. District Plan reviews are expensive, and if the Plan is going to be incorporated into some sort of regional planning model, this calls into question the benefit of completing a full review of the Plan at this stage.

As discussed with Council at a workshop in September 2021, it has been proposed that the scope of the District Plan Changes be refined to the critical elements of the Plan which are holding up development or causing unnecessary regulatory costs. Essentially Council will be undertaking a rolling review of the Plan with an immediate focus on critical issues affecting economic development. This approach provides Council with more flexibility to adjust its approach as the reform of the planning system becomes clearer.

However, to formally change this approach we need to revoke the resolution that was made on 26 May 2020. Having the support of our partners under Joint Management Agreements is also desirable for this change in approach.

DISCUSSION

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 the Tūwharetoa Māori 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.

This was completed in May 2020, however, we now have a greater understanding of the RMA reform and what this might involve. Hence, we are seeking a change in the commencement resolution to a series of plan changes rather than a comprehensive review.

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

1. Do nothing – and continue as per the May 2020 resolution with a comprehensive District Plan review.
2. Revoke the 2020 resolution and refine the resolution to a series of plan changes to improve the efficiency and effectiveness of the Plan as part of a rolling review process.

As per the Council workshop on 24 February 2022, the scope for the first bundle of plan changes includes:

- Strategic Directions chapter
- Rural chapters
- Residential coverage
- Town Centre (discreet changes)
- Industrial (discreet changes)
- Removal of old Faultline data

A more comprehensive review of the residential chapters will follow as the second bundle of plan changes.

We have received support for this change in scope from our JMA partners including Raukawa, TARIT and Tūwharetoa Māori Trust Board. This is attached.

OPTIONS

Analysis of Options

Option 1. Continue with comprehensive review as per 2020 resolution

Advantages	Disadvantages
<ul style="list-style-type: none"> • Entire Plan gets reviewed. 	<ul style="list-style-type: none"> • Significant cost to community (in excess of \$2

<ul style="list-style-type: none"> Meet legislation requirements to review all sections of the plan that are 10 years old. 	<p>million)</p> <ul style="list-style-type: none"> Significant time involved RMA reform on horizon means plans will be moving into a new regional planning model.
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Option 2. Undertake a series of plan changes as part of the ongoing rolling review process

Advantages	Disadvantages
<ul style="list-style-type: none"> Gets the Plan operating efficiently and effectively during the transition to the new Natural and Built Environment Act. Less cost and resources. 	<ul style="list-style-type: none"> May be overdue in meeting the 10-year review requirement under the RMA for parts of the plan.

Analysis Conclusion:

That the Council revoke the resolution from 2020 and commence the rolling review of the District Plan with a refined scope.

CONSIDERATIONS

Alignment with Council’s Vision

Council’s vision is ‘to be the most prosperous and liveable district in the North Island. 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

The financial impact of the proposal is estimated to be lower than a full review. The budgets in the Long-term Plan enable the switch to a rolling review process, however there may need to be some adjustments on a year-by-year basis to ensure phasing better reflects the Council’s priorities for the plan changes. Costs for a series of plan changes will be lower, however mainly in the medium term when hearing and appeal costs should be lower due to the scope of the plan changes being reduced from a comprehensive review.

Legal Considerations

District plans need to be developed under the Resource Management Act 1991. There is also a requirement to commence a review of any part of a plan once it reaches 10 years of age. Although this was originally the plan for the Taupō District Plan the state of flux in the legislative reform has raised the question as to whether a full review is an efficient use of resources. Under the proposal we will not be meeting the requirement under the RMA to review the plan every 10 years. We will also not be meeting the resolution made on 26 May 2020, hence it being recommended to be revoked.

Policy Implications

Policy implications have been discussed throughout the paper.

Māori Engagement

Taupō District Council is committed to meeting its statutory Tiriti O Waitangi obligations and acknowledges partnership as the basis of Te Tiriti. Council has a responsibility to act reasonably and in good faith to reflect the partnership relationship, and to give effect to the principles of Te Tiriti. These principles include, but are not limited to the protection of Māori rights, enabling Māori participation in Council processes and having rangatiratanga over tāonga.

Our statutory obligations outline our duties to engage with Māori, and enable participation in Council processes. Alongside this, we recognise the need to work side by side with the ahi kaa / resident iwi of our district. Engagement may not always be required by law, however meaningful engagement with Māori allows Council to demonstrate good faith and our commitment to working together as partners across our district.

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 staff have worked with all iwi partners through the change of scope for the District Plan Review. For the Joint Management Agreement partners, support has been sought and is attached.

Risks

There is a risk that the Ministry for the Environment or hearings commissioners may push for a full review given that much of the District Plan is over 10 years old. However, given the scale of legislative change this seems unlikely.

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 matter is of medium interest to our iwi partners. Engagement has been undertaken on this approach with those partners. The review of the District Plan will also have a wider interest for the community, however those needs can be met through a rolling review approach. In fact, by undertaking specific plan changes Council will be in a better position to target issues in the existing Plan in a faster manner.

ENGAGEMENT

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

COMMUNICATION/MEDIA

The intended change in approach from a full District Plan review to a rolling review has been communicated to all parties who have registered their interest in the District Plan Review. Engagement has occurred with all iwi partners on this approach.

CONCLUSION

Due to legislative reform it is recommended that the Taupō District Council does not complete a full District Plan review at this stage. In order to give officers this direction formally, the resolution from 2020 needs to be revoked. Formal commencement under the RMA is not required for Plan Changes, however we are still required to work with our JMA partners when we commence plan changes.

ATTACHMENTS

1. Raukawa Support for Plan Changes
2. TARIT Support for Plan Changes
3. TMTB Support for Plan Changes

4.8 HEALTH, SAFETY & WELLBEING REPORT

Author: Michelle McGill, Health, Safety and Well-Being Manager

Authorised by: Nigel McAdie, Legal, Risk and Governance Manager

PURPOSE

The purpose of this report is to look at trends within health and safety performance at Taupō District Council and so contribute to elected members discharging their due diligence duty as officers under the Health and Safety at Work Act 2015.

DISCUSSION

This report covers a 3-month period from December 2021 through to February 2022.

The Council's Chief Executive has the following health and safety Key Performance Indicator ("KPI") for 2021-2022:

Demonstrate how the organisation has taken all appropriate steps to ensure that it is a safe workplace, as measured by new initiatives (including new well-being initiatives) accident and near miss trends, and employee engagement in health and safety programmes.

To demonstrate compliance with this health and safety KPI and contribute to the due diligence duty, this Health and Safety Report is structured into these three key areas:

- Safe Systems - Ensure safe systems are in place to report on incidents, risks and safety metrics through the Health and Safety Management System and is managed and implemented by all departments across Council.
- Risk Management - Ensure there are robust processes in place for managing health and safety risks within their respective organisational structure.
- Worker Participation Practices - Ensure that the business has effective worker engagement and participation practices.

Safe SystemsDamstra – Health and Safety Software

Health, safety and employee wellbeing is at the forefront of all Council operations. The reporting metrics captured in the Damstra software provide managers and the Executive Team with visibility over the range of risks across Council operations.

Following a review of the reporting of incidents into Damstra and the timeframe around notification and escalation to the relevant manager, Executive Team and Chief Executive, new guidelines have been developed and issued to Enterprise Team Leaders which will see more rapid notification/escalations than previously, particularly in relation to more serious incidents such as serious near misses and any medical treatment injuries (hospitalisation) to workers occurring on Council sites.

Creating a culture of good reporting by our employees and contractors, including the identification and implementation of corrective actions enhances the process of continuous improvements towards achieving a healthy and safe workplace.

Incident Management

For the three-month period: 21 Nov 2021 - 20 February 2022, a total of 33 incidents were reported into Damstra, with 2 incidents representing higher levels of severity. This compares to a total of 63 incidents reported for the three-month period 1 April 2021 – 30 June 2021 and 70 incidents for the 4.5-month period 1 July 2021 - 20 November 2021. While it is pleasing to see the trend is downwards, this reporting period included the Christmas and New Year period when activity is generally lower. The following quarterly reporting period may provide a clearer view of how incidents are trending, although the Omicron outbreak is likely to disrupt operations over this next period as well.

Event Type	Severity	Number
Traffic Incident / Medical Treatment Injury- Contractor	Serious	1
Incident – Fire (WWTP)	Moderate	1
Aggressive persons	Senjo Security involved	1
Inappropriate public behaviour at venues	Moderate - addressed by staff	3
Injury – Third Party (pools, gyms or venues)	First Aid	7
Injury -Worker	First Aid	1
Injury - Worker	No Treatment	1
Wet rescues -pools	No Treatment	2
Traffic incidents - worker	Minor Damage to property /vehicle	1
Aggressive persons	No escalation	1
Inappropriate public behaviour at venues	Minor- addressed by staff	2
Working environment	Minor	2
Contamination-Pools (faecal or vomit)	Minor	10

The number of serious incidents and near misses were down – two for this reporting period compared with five for the previous period, noting the comment above regarding the generally lower activity over the Christmas/New Year period.

This reporting period saw a significant drop in the number of recorded aggressive person incidents compared with the period before (from ten down to two). This was particularly pleasing given the introduction of the My Vaccine Pass requirement to the majority of the Council's staffed facilities late last year. Those that did occur were not serious and were able to be managed by staff without Police or security staff intervention.

The Compliance team had a series of incidents in the last quarter of 2021 where employees experienced heightened vulnerability working alone in remote locations. These incidents most often occurred when dealing with aggressive dogs. Although lone worker devices and monitoring systems are in place, we have an enduring lone-worker risk which we are managing by having officers work in pairs whenever possible, as well as undertaking recruitment to add further resource to this area.

Contractor Incidents

Projects across the district continued over the summer period, with one serious incident related to solid waste disposal – refer below the Envirowaste Medical Treatment Injury.

Pleasingly, the last three months have seen no significant near misses or serious incidents reported by contractors working on council projects. Incidents from the previous reporting period did feature more serious incidents such as service strikes, and location of asbestos pipes associated with heavy earthworks across several locations. However, as work related to the Taupō Town Centre Transformation project during this reporting period was predominantly above ground (e.g. the activation of traffic lights, laying of footpaths and landscaping) it is unsurprising that the serious incidents have been trending downwards.

Envirowaste – Medical Treatment Injury / Notifiable Event to WorkSafe

DATE: 3 January 2022

Envirowaste are contracted to Council for solid waste refuse collection. On the 3rd of January at 5.30pm the driver rolled the refuse truck as he went around the corner of Spa Road and Taharepa Rd heading to the Taupo landfill. The truck was carrying a full load with the maximum weight of 9 tonne.

The incident did not involve any other 3rd party personnel and the sole driver experienced a minor laceration to his forehead and was taken to hospital via ambulance. Further tests did not show any other injuries; however, he was off work for a further few days to recover.

The Police are the lead agency investigating the incident.

Causal factors from Envirowaste Investigation include driving behaviour (fully laden truck navigating a tight corner) together with increased waste volumes due the holiday period, and environmental factors (hot operating conditions) contributing to driver fatigue.

Corrective actions include:

- Driver education, including around proper hydration and fatigue management, particularly at times of high waste volumes and hot summer temperatures;
- Additional slow speed signage at the corner to moderate vehicle speeds.

Impacts of Residential Bush Fire on the Taupō Wastewater Treatment Plant (WWTP)

DATE: 22 January 2022

A vegetation fire commenced above the access road to the WWTP just before 5.00pm on Saturday evening that escalated rapidly owing to the extreme dry conditions and hot temperatures experienced during January. No plant operators were working on site, however escalation of the incident occurred to the Duty Plant Operator and the Fire Service ("FENZ") following public observation of the fire.

FENZ encountered potential risk of explosive atmospheres associated with methane gas and chlorine gas present on the WWTP site. By the time the Fire Service and Duty WWTP Operator arrived on site, two fires had already encroached into the WWTP, igniting the dry grassed area around the trickling filters, diesel tank, and around the methane gas flare. The grass fires were suppressed with WWTP emergency fire equipment.

A further concern was the light ash cover on the three digester floating roofs with the presence of methane gas in the digesters, although the use of gas detection equipment confirmed there was no methane leaks on the three digester roofs.

The scale of the fire surrounding the Plant was significant, with FENZ utilising a helicopter with monsoon buckets accessing water from the Waikato River. After FENZ warned that there was the potential for disruption to power supply, the WWTP moved to the generator power source as a precautionary measure to address the risk of power failure to the Plant.

The cause of the fire is under investigation by FENZ and an internal Council investigation is addressing the potential impacts of a future fire affecting the WWTP.

Preliminary Corrective Actions:

- Exploring options of an automated sprinkler system on the digester roofs.
- Replace grass areas around the methane gas flare and the diesel tank with gravel / concrete.
- Improve locations of emergency fire equipment on WWTP.
- Review the hazard site map to include the explosive zones above the roof of the 3 digesters.
- Relocation of the HAZCHEM signage on the Taupō WWTP and other Council sites to a more prominent location for the benefit of emergency services.
- Investigating revegetation of the steep slope adjacent to the WWTP.
- TDC Three Waters Manager is visiting all other WWTP's in the Taupō region with FENZ so there is a joint understanding of potential hazards in the event of fire.

Risk Management

COVID-19 /Omicron Response Plans

A significant body of work has continued into 2022 with the Omicron variant providing a challenging environment for Council to navigate and maintain levels of business continuity across the organisation.

Taupō District Council have activated a Crisis Management Team to manage the Council response to the Omicron variant with a dedicated in-house team updating a fluid TDC Omicron Response Plan as the Government transitions New Zealand through the three phases of the Red Traffic Light Stage of the Covid-19 Protection Framework. This has been particularly challenging with the recent rapid pace of Omicron infections, the interpretation of government directives underpinning the legislation and implementation of Rapid Antigen Tests (RATs)

Taupō District Council are collaborating with the Lakes DHB providing the Great Lake Centre as a district distribution hub for RATs.

Business Continuity Plans have been developed in critical areas of the business and flexible working arrangements implemented for employees based in office environments.

Taupō District Council have procedures in place for the internal distribution of RATs purchased by Council.

N95 Masks have been distributed as workplace PPE for all critical workers and customer facing employees, and additional N95 masks provided to remaining staff to increase protection from the highly transmissible Omicron variant.

PoolSafe Auditing

The National Body for Public Pool Management invite PoolSafe auditors to participate in their annual auditing programme. The auditors come from various councils that have demonstrated high compliance to their auditing criteria.

Our District Aquatic Manager has completed seven PoolSafe Facility Audits in the Wellington and Masterton region as at the end of January 2022.

It is pleasing that Taupō District Council is ahead of the curve when it comes to safe practices at our pools. Our plant management and standards, water quality control and recording, Hazardous Substances management, consistency and regularity of staff training are all ahead of the game. Recording and completion of incidents and accidents in our Damstra system is not matched by any of the visited sites. Our technology provides us with a significant advantage - in the sense that everything is visible at all times. Lifeguard quality and knowledge at our pools is excellent and is comparable to that of other audited pools.

Health and Wellbeing

Communication and remaining connected has been key in managing and monitoring employee health and wellbeing. The Communication team is constantly releasing effective messaging on the intranet, providing relevant updates from the Ministry of Health plus other associated Covid websites and a selection of resources to support mental and physical wellbeing.

The Mole Map programme for staff has commenced in February as a timely initiative after the hot summer temperatures experienced in the last 2 months.

Worker Participation Practices

The implementation of the two Health and Safety Committees – a Corporate Health and Safety Committee and an Operational Health and Safety Committee is being rolled out with a range of online training modules to bring new members onboard. Health and Safety Committees are a key tool towards ensuring a dynamic and engaged health and safety culture within the Council and it is timely that the Employers and Manufacturers Association are providing a course during March specific to creating engaged Health and Safety Committees.

RECOMMENDATION(S)

That Council receives the Health, Safety & Wellbeing Report – March 2022

ATTACHMENTS

Nil

4.9 TAUPO DISTRICT COUNCIL PERFORMANCE REPORT FEBRUARY 2022

Author: Gareth Green, Chief Executive Officer

Authorised by: Gareth Green, Chief Executive Officer

PURPOSE

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

RECOMMENDATION(S)

That Council notes the information contained in the Council Performance Report for the month of February 2022.

ATTACHMENTS

1. February 2022 Monthly Performance Report

4.10 TRIENNIAL ELECTIONS 2022 - ORDER OF CANDIDATES' NAMES

Author: Shainey James, Governance Quality Manager

Authorised by: Nigel McAdie, Legal, Risk and Governance Manager

PURPOSE

To make a decision regarding the order of candidates' surnames on the voting documents for the triennial elections to be held on 8 October 2022 and any by-elections which may be required during the 2022-25 Triennium.

EXECUTIVE SUMMARY

Clause 31(1) of the Local Electoral Regulations 2001 allows for Council to determine whether candidates' names are to be arranged on the voting documents in alphabetical order of surname, pseudo-random order or random order.

In the absence of any Council resolution approving another arrangement, candidates' names must be arranged in alphabetical order of surname.

It is recommended that Council determines random order will be used in 2022. This is consistent with the approach taken for the last three triennial elections.

RECOMMENDATION(S)

That pursuant to clause 31(1) Local Electoral Regulations 2001, Council hereby determines that the surnames of the candidates in the 2022 Taupō district elections and any by-elections during the 2022-2025 Triennium shall be arranged on the voting documents in random order.

BACKGROUND

Elections for Taupō district Mayor and Councillors are held every three years.

This year the elections are being held by postal vote on 8 October 2022 and preparations are underway.

Council's representation arrangements were reviewed last year. At the time of writing, Council is still awaiting the outcome of the Local Government Commission's consideration of representation arrangements for the Taupō district. The voting system for the elections will be First Past the Post as per Council resolution **TDC202007/01** (28 July 2020).

Council has contracted Electionz.com as its provider for electoral services including vote processing. Warwick Lampp is the Electoral Officer and Shainey James the Deputy Electoral Officer.

Nominations open on 15 July 2022 and close at noon on Friday 12 August 2022. Information for candidates is being prepared. This information will include the pre-election report and the Candidate Information Handbook.

DISCUSSION

The three options for the order in which candidates' surnames may be listed on voting documents are:

- **Alphabetical** - candidates are listed alphabetically
- **Pseudo Random** – all voting documents have candidates in the same random order, having been ordered by the drawing of lots – this order was used in 2007 and 2010 elections
- **Random** – every voting paper will have candidates ordered randomly – this order was used for the last three elections

Option 1 has not been used for the past five elections and there is an argument that candidates whose names appear at the top of the voting paper may be more likely to be elected.

Option 2 was the option used in the 2010 elections. As for Option 2, there may be a perception that those candidates whose names appear at the top of the voting paper (albeit randomly) have an advantage.

Option 3 is recommended. The random order of candidates on each voting paper defrays the perception that those candidates at the top have an advantage.

In terms of cost, there is no difference between any of the three methods.

OPTIONS

Analysis of Options

Option 1 Alphabetical

Advantages	Disadvantages
<ul style="list-style-type: none"> Less confusion as the names in the candidate profiles booklet and voting papers are the same 	<ul style="list-style-type: none"> There is an argument that candidates whose names appear at the top of the voting paper may be more likely to be elected

Option 2 – Psuedo-Random

Advantages	Disadvantages
<ul style="list-style-type: none"> The order of candidates’ names is random and therefore less likely to favour candidates whose names start with A 	<ul style="list-style-type: none"> Candidates in the profile booklet are still listed alphabetically and this could cause some confusion The same random order is used for all voting papers and it may be more likely the candidates at the top of the voting paper are elected

Option 3 - Random

Advantages	Disadvantages
<ul style="list-style-type: none"> The order of candidates’ names is different for each voting paper and therefore gives no advantage to any candidate 	<ul style="list-style-type: none"> Candidates in the profile booklet are still listed alphabetically and this can cause some confusion

Analysis Conclusion:

The preferred option is Option 3 – Random order as this ensures that there is no advantage or disadvantage to any particular candidate.

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; Vibrant; Quality; and Value.

Financial Considerations

The elections process has been provided for within the Long-term Plan. There are no additional costs associated with this proposal.

Legal Considerations

The matter comes within scope of the Council’s lawful powers, under the Local Electoral Regulations 2001.

Policy Implications

There are no known policy implications.

Māori Engagement

Taupō District Council is committed to meeting its statutory Tiriti O Waitangi obligations and acknowledges partnership as the basis of Te Tiriti. Council has a responsibility to act reasonably and in good faith to reflect the partnership relationship, and to give effect to the principles of Te Tiriti. These principles include, but are

not limited to the protection of Māori rights, enabling Māori participation in Council processes and having rangatiratanga over tāonga.

Our statutory obligations outline our duties to engage with Māori, and enable participation in Council processes. Alongside this, we recognise the need to work side by side with the ahi kaa / resident iwi of our district. Engagement may not always be required by law, however meaningful engagement with Māori allows Council to demonstrate good faith and our commitment to working together as partners across our district.

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's resolution in relation to the order of candidates' surnames on voting papers will apply to candidates standing for election as a Māori ward member.

Risks

There are no known risks. Legislation determines what can and cannot be done.

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 (2019), 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

A decision to use random order for candidate surnames on voting documents would ensure that there is no real or perceived advantage to any candidate as the names of each voting paper is generated randomly by computer.

ATTACHMENTS

Nil

4.11 COUNCIL ENGAGEMENTS APRIL 2022**Author:** Shainey James, Governance Quality Manager**Authorised by:** Nigel McAdie, Legal, Risk and Governance Manager**Engagements**

ENGAGEMENT	DAY	DATE	TIME
Taupō Reserves and Roding Committee meeting (online via Zoom)	Tuesday	5	10am-3pm
Turangi/Tongariro Community Board public forum (if required; online via Zoom)	Wednesday	6	1.30pm-2pm
Turangi/Tongariro Community Board meeting (online via Zoom)	Wednesday	6	2pm-3.30pm
Mangakino-Pouakani Representative Group meeting (online via Zoom)	Tuesday	12	10am-11.30am
Taupō East Rural Representative Group meeting (online via Zoom)	Thursday	21	11am-12.30pm
Public forum (if required; online via Zoom)	Tuesday	29	12.30pm-1pm
Council meeting (online via Zoom)	Tuesday	29	1pm-4pm

RECOMMENDATION(S)

That Council receives the information relating to engagements for April 2022.

ATTACHMENTS

Nil

4.12 MEMBERS' REPORTS

Author: Shainey James, Governance Quality Manager

Authorised by: Nigel McAdie, Legal, Risk and Governance Manager

PURPOSE

This item permits members to provide any updates relating to their particular wards, portfolios, working parties and report on recent meetings/functions/conferences they have attended as Council's representative.

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
<p>Agenda Item No: 5.1 Confirmation of Confidential Portion of Ordinary Council Minutes - 22 February 2022</p>	<p>Section 7(2)(h) - the withholding of the information is necessary to enable [the Council] to carry out, without prejudice or disadvantage, commercial activities</p>	<p>Section 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>
<p>Agenda Item No: 5.2 Contact Energy Land Transactions - Approval To Proceed</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>
<p>Agenda Item No: 5.3 Human Rights Commission Mediation - Delegation</p>	<p>Section 7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</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]*.