

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

Date:	Tuesday, 7 February 2023
Time:	1.00pm
Location:	Council Chamber 107 te Heuheu Street Taupō

AGENDA

MEMBERSHIP

Chairperson Mayor David Trewavas
Deputy Chairperson Cr Kevin Taylor

Members

- Cr Duncan Campbell
- Cr Karam Fletcher
- Cr Sandra Greenslade
- Cr Kylie Leonard
- Cr Danny Loughlin
- Cr Anna Park
- Cr Christine Rankin
- Cr Rachel Shepherd
- Cr Yvonne Westerman
- Cr John Williamson

Quorum 7

Gareth Green
Chief Executive Officer

Order Of Business

1	Karakia	
2	Whakapāha Apologies	
3	Ngā Whakapānga Tukituki Conflicts of Interest	
4	Whakamanatanga O Ngā Meneti Confirmation of Minutes	
4.1	Ordinary Council Meeting - 13 December 2022	3
5	Ngā Kaupapa Here Me Ngā Whakataunga Policy and Decision Making	
5.1	Members' Portfolio Updates.....	4
5.2	Water Services Entities Act 2022 - Oversight Powers of Department of Internal Affairs	8
5.3	Three Waters Land Transfer to Entity B	12
5.4	Taupō Airport Redevelopment Project: Project Budget Increase	18
5.5	Oceania Cup Triathlon - Temporary Road Closures Wharewaka	22
5.6	Motutere Recreation Reserve Management Plan Review.....	25
5.7	2022-25 Triennial Agreements with Regional Councils	28
5.8	Exemption of Destination Lake Taupō Limited and Data Capture Systems Limited from being Council Controlled Organisations.....	31
5.9	Change of Director for Destination Lake Taupō Limited & Data Capture Systems Limited.....	32
5.10	Proposed Amendment to the Kinloch Representative Group Terms of Reference	33
5.11	Amendment to Committee Delegations - Traffic Control Device Register Updates	36
5.12	Establishment of Taupō District Council Chief Executive Recruitment Committee	39
6	Ngā Kōrero Tūmataiti Confidential Business	
6.1	Confirmation of Confidential Portion of Ordinary Council Minutes - 13 December 2022	40
6.2	Appointment of External Representatives to Council Committees	40
6.3	Appointment of Acting Chief Executive.....	40

4.1 ORDINARY COUNCIL MEETING - 13 DECEMBER 2022

Author: Karen Watts, Senior Committee Advisor

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

NGĀ TŪTOHUNGA | RECOMMENDATION(S)

That the minutes of the Council meeting held on Tuesday 13 December 2022 be confirmed as a true and correct record.

NGĀ TĀPIRIHANGA | ATTACHMENTS

1. Council Meeting Minutes - 13 December 2022

5.1 MEMBERS' PORTFOLIO UPDATES

Author: Karen Watts, Senior Committee Advisor

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

TE PŪTAKE | PURPOSE

This item permits members to provide any updates relating to their portfolios and report any emerging community issues.

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

NGĀ KŌRERORERO | DISCUSSION

Elected members will provide updates as follows:

Portfolio Organisation(s)	Portfolio Lead	Event or meeting attended	Issues / Outcomes
Economic & Business Enterprise Great Lake Taupō Trust	Cr Christine Rankin		
Sport & Recreation Rural Travel Fund Taupō Sports Advisory Council Bike Taupō Incorporated	Cr Rachel Shepherd	Portfolio members Cr Taylor, Cr Campbell and Cr Shepherd met with the Policy team to give feedback on the draft Sport & Recreation Strategy.	The final draft has been provided for all of Council discussion at a workshop Tuesday 31 January.
Youth and Technology Taupō Youth Awards	Cr Karam Fletcher		
Age & Disability Access Taupō	Cr Kirsty Trueman		
Arts & Culture Creative Taupō Friends of the Lake Taupō Museum Art Gallery	Cr John Williamson		
Environment & Climate Change Greening Taupō Steering Group Waipahihi Botanical Society	Cr Danny Loughlin	Cr Yvonne Westerman advised that a meeting had been held with Chairman Graeme and committee member Bob on Friday 27 January.	Discussed their concerns about the sewerage connection for the public toilets which will then incur a rating charge once connected to wastewater. They are also worried about security as their donation boxes have been broken into over the past couple of months.
Mangakino Oji Fibre Solutions Forum Tirohanga Hall – Connecting our Community	Cr Kirsty Trueman	Portfolio member Cr Kirsty Trueman attended the following: <ul style="list-style-type: none"> • Summer Sizzler Event 2023 on Saturday 7 January which had 298 participants. • Mangakino Pouakani Representative Group Meet and Greet with the community on Thursday 26 January. • Cemetery Meeting regarding Returned Services Graves - with Bronze Plaques NZ (agent of Veteran Affairs NZ), local RSA and TDC staff to check condition and future needs of plaques. 	<ul style="list-style-type: none"> • There was a great turnout, had representation from the Mangakino, Atiamuri, Whakamaru, Marotiri and Tirohanga Communities. • Gillian Smith, our new Northern Taupō District Community Engagement Advisor, is doing a great job in building connections in the community. • New subdivision proposed opposite Whakamaru Village in South Waikato District Council area, above reserve.
Community Safety	Cr Kevin Taylor		
Strategic relationships including ethnic communities, sister and friendship cities	Cr Anna Park		
Community services Waiora House Trust	Cr Yvonne Westerman	Portfolio member Cr Yvonne Westerman attended a meeting on Wednesday 18 January.	Discussed the funding options for the stone water feature for Waiora House and Delani tabled an alternative option which could be just as good but using a different stone so could cost less.
Food Production/Primary Industries	Cr Kylie Leonard	Portfolio member Cr Kylie Leonard attended the following: <ul style="list-style-type: none"> • Kellogg Rural Leadership Programme (self-funded) in Christchurch. • Met with new community liaison and outlined key aspects/concerns/requests for communities within the East Rural Ward - Rangitaiki, Wairakei, Oruanui, River Road, White Road, Mihi. • Met with constituents of the ward to discuss rates and projects. 	

		<ul style="list-style-type: none"> Concerns that individuals are left, in the rural parts of the district, to do clean-up of slips and tree debris. 	
<p>Other Acacia Bay Residents Association</p>	<p>Cr Yvonne Westerman</p>	<p>The next meeting is scheduled for 13 February at 7.30pm.</p>	<p>Due to weather, the summer picnic event was cancelled at the last minute. The members of the Association have last week cleaned the Raft at Little Acacia Bay. The big entrance sign to Acacia Bay which was damaged last year, is now being repaired. The cost is approximately \$40,000.</p>

WHAKAKAPINGA | CONCLUSION

Members' reports will be presented at the meeting for receipt.

NGĀ TŪTOHUNGA | RECOMMENDATION(S)

That Council receives the portfolio updates from members.

NGĀ TĀPIRIHANGA | ATTACHMENTS

Nil

5.2 WATER SERVICES ENTITIES ACT 2022 - OVERSIGHT POWERS OF DEPARTMENT OF INTERNAL AFFAIRS

Author: Louise Chick, Programme Manager

Authorised by: Andrew Moraes, General Manager Operations and Delivery

TE PŪTAKE | PURPOSE

The purpose of this paper is to inform Elected Members of their obligations under the newly enacted Water Services Entities Act and accompanying Department of Internal Affairs (DIA) draft guidelines on oversight provisions, including the associated requirement for Council to notify the DIA of any intended decisions relating to the provision of water services.

WHAKARĀPOPOTANGA MATUA | EXECUTIVE SUMMARY

The Water Services Entities Bill was enacted on 14 December 2022 bringing with it the requirement for local government organisations to inform the DIA of any intended decision “*that relates to, or may affect, the provision of water services*”.

Some intended decisions will be considered **Significant**, and decisions that the DIA consider **Significant** cannot be implemented until the DIA confirms the decision in writing (WSE Act, [sch. 1, s.32 \(1\)](#)), subject to certain contracts that are excluded from DIA oversight and monitoring.

The DIA will ‘endeavour’ to advise Local Government Organisations whether it will confirm, decline or require further information regarding a Significant decision within 20 working days.

Any decisions subject to DIA oversight will take longer, and Council staff need to account for the additional time requirements as far as they are able.

Council staff have identified two aspects of Council business that will likely be subject to DIA oversight:

- i) Renewal of the three waters network maintenance contract;
- ii) Renewal of the Tūrangi Wastewater Treatment Plant consent to discharge treated wastewater.

NGĀ TŪTOHUNGA | RECOMMENDATION(S)

That Council receives the report Water Services Entities Act 2022 - Oversight Powers of Department of Internal Affairs.

TE WHAKAMAHUKI | BACKGROUND

The Water Services Entities Bill was enacted on 14 December 2022 (as the Water Services Entities Act, 2022 (WSE Act)), bringing with it the requirement for local government organisations (LGOs) to inform the Department of Internal Affairs (DIA) of any intended decisions “*that relates to, or may affect, the provision of water services*”, [sch. 1, s.30 \(1\)\(a\)](#). “*Water services means services relating to water supply, wastewater, and stormwater*” ([WSE Act, s.6](#)). DIA oversight is wide reaching and extends to adoption of Council’s next Annual Plan.

Decisions that the DIA consider **Significant** cannot be implemented until the DIA confirms the decision in writing (WSE Act, [sch. 1, s.32 \(1\)](#)).

The WSE Act states that the above DIA oversight is subject to certain exclusions, the details of which are to be “*determined by the chief executive of the department (DIA)*” (WSE Act, [sch. 1, s.30 \(5\)](#)).

On the 16 December 2022 the National Transition Unit issued ‘*draft Guidance on DIA’s Oversight and Monitoring Process*’ (the Guidelines) (Attachment 1), which set out:

- The time and cost thresholds which determine which council decisions are excluded from DIA oversight.
- Requirements for councils to report intended decisions.
- Examples of decisions that the DIA is likely to consider **Significant**.

- The DIA's requirement to give effect to the principles of te Tiriti o Waitangi/the Treaty of Waitangi, and to the extent it applies, Te Mana o te Wai, when exercising its powers under the WSE Act - including those relating to oversight provisions.

NGĀ KŌRERORERO | DISCUSSION

The requirement to advise the DIA of all intended decisions **that relate to, or may affect, the provision of water services** is not discretionary and must be adhered to by Council until such time as the provision of water services is handed over to the new water service entities (expected 1 July 2024).

Oversight provision processes, as detailed in the WSE Act and in the aforementioned draft Guidelines, have been summarised by staff in Attachment 2.

Council decisions that are excluded from DIA oversight are classified as **Excluded Contracts**. Excluded Contracts are defined in the WSE Act and further explained in the draft Guidelines as:

- i) Employment agreements; **or**
- ii) A contract, of any value, that only imposes an obligation on an LGO before 1 July 2024. i.e. has no lasting impacts beyond 1 July 2024, excepting a contract or decision relating to asset or land disposal; **or**
- iii) A contract that has a whole of life cost obligation (capital and operating expenditure) of less than \$10M. This is irrespective of whether the contract obligations extend beyond 1 July 2024.

The oversight and monitoring process proposed by the DIA in its draft Guidelines is summarised below:

Step 1: LGOs assess whether an intended decision falls under the category of Excluded Contract as defined above. If it is an Excluded Contract, Council decision making progresses in the normal manner.

Step 2: Any intended decisions that are not classed as Excluded Contracts must be notified to the DIA. As part of its notification to the DIA each council must assess whether it considers its intended decision to be **Significant** or not.

Schedule 1, (32) subclause (5) of the WSE Act defines **Significant** decisions as those that:

“may, directly or because of its consequences,

- (a) significantly prejudice the water services reform; or*
- (b) significantly constrain the powers or capacity of the water services entities following the water services reform; or*
- (c) have a significant negative impact on the assets, liabilities, or other matters that are transferred to the water services entities as a result of the water services reform”.*

The DIA's draft Guidelines also identified examples of the types of decisions it would consider Significant (pages 5-7, Attachment 1).

Step 3: The DIA assesses council notification of the intended decision and determines whether:

- i) it considers it Significant or not;
- ii) and for Significant decisions, determines whether the DIA will confirm, decline or require further information on the decision.

The DIA will *‘endeavour’* to advise LGOs whether it will confirm, decline or require further information regarding a Significant decision within **20 working days**.

LGOs cannot implement Significant decisions, that are not Excluded Contracts, until it receives DIA written approval.

NGĀ HĪRAUNGA | CONSIDERATIONS

Ngā Tikanga | Implications

More time required for decision making

Councils are free to make any water service related decision:

- for any amount, as long as it does not impose an obligation beyond 30 June 2024, **except** with regards to asset or land disposal.
- that has an impact either before or after 30 June 2024, as long as the whole of life contract consideration is for less than \$10M.

Any decisions which do not meet the above Excluded Contract definition and are subject to DIA oversight will take longer, and Council staff need to account for the additional time requirements as far as they are able. This will have implications for procurement of water services, and Council may have to adjust its tendering terms and conditions to allow additional time for Contract Award.

Although the DIA will endeavour to respond to LGOs regarding its assessment of intended decisions within 20 working days, this may take longer particularly given DIA's requirement to give effect to te Tiriti o Waitangi and Te Mana o te Wai statements, where applicable. Furthermore, it is possible the DIA may request further information once it has conducted its initial assessment, potentially further extending the time before a LGO decision can be ratified.

The draft Guidelines make no reference to decision making and DIA oversight during emergency situations. Staff have submitted feedback recommending the final Guidelines make provision for Council to initiate expenditure without DIA approval in emergency situations.

Council's Three Waters Manager will be responsible for identifying three waters decisions which may be subject to the DIA oversight, and for ensuring the relevant documentation is submitted in a timely manner.

Current Council Three Waters Decisions that may be impacted by these oversight provisions

Staff have identified the following work that may be subject to DIA oversight:

Three Waters Network Maintenance Contract - This contract allows for renewal on 1 July 2023. Council is looking to renew it for a further 4 years. This would trigger the DIA oversight provisions.

Tūrangi Wastewater Treatment Plant Treated Wastewater Discharge Consent Renewal - Taupō District Council lodged to renew its consent to discharge treated wastewater from its Tūrangi Wastewater Treatment Plant (WWTP) in early 2018. The application was opposed, and Council is working with local iwi to find a culturally acceptable solution for disposal of treated wastewater. There are a number of options being considered and these were discussed in detail at the Elected Member Workshop on 2 February. Unless the consent renewal is approved by Waikato Regional Council as currently submitted, alternative solutions will trigger the DIA oversight provisions.

TDC will submit the above intended decisions (and for the Tūrangi project, various associated options) to the DIA for review and confirmation before the end of February.

Te Kōrero tahi ki te Māori | 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.

This approach is now also to be adopted by the DIA, and it would be prudent of Council to ensure any mana whenua engagement previously undertaken with respect to a particular decision or project is reflected in its initial notification to the DIA of an intended decision. This may help facilitate faster decision making by the DIA.

Ngā Tūraru | Risks

Any Significant decisions implemented by LGOs without the written approval from the DIA are '*void and of no effect*' ([Sch. 1, s.32 \(2\)](#)). Council staff must be vigilant in notifying the DIA of intended decisions that do not satisfy the Excluded Contract criteria, or risk expending funds on water service related activities that may not be able to be progressed.

Council's water service related projects of more than \$10M with implications extending beyond 30 June 2024 will take longer to initiate. The additional time needed for DIA oversight have to be factored into Council's planning and decision making processes.

The Guidelines have been issued in draft form and may change. The DIA has advised Guidelines will be finalised by the end of March 2023. Council decisions must progress at risk until the Guidelines are finalised.

TE WHAKAWHITI KŌRERO PĀPAHO | COMMUNICATION/MEDIA

No communication/media required.

WHAKAKAPINGA | CONCLUSION

The Water Services Act 2022 requires Council to provide the DIA advice of intended decisions "that relate to, or may affect, the provision of water services". This will likely add at least 20 working days to Council's decision making processes. Council decisions that the DIA considers Significant cannot be implemented until written approval is received from the DIA.

NGĀ TĀPIRIHANGA | ATTACHMENTS

1. Draft DIA Oversight and Monitoring Guidelines
2. Summary of DIA Oversight Provisions

5.3 THREE WATERS LAND TRANSFER TO ENTITY B**Author:** Louise Chick, Programme Manager**Authorised by:** Andrew Moraes, General Manager Operations and Delivery**TE PŪTAKE | PURPOSE**

The purpose of this paper is to:

- i) Brief Council regarding its forthcoming obligation to transfer land parcels primarily used for three waters activities to Entity B.
- ii) Share with Council specific land parcels that will likely be transferred to Entity B, and those that staff consider should be retained by Taupō District Council (TDC).
- iii) Seek Council endorsement to use the information presented in this paper to respond to the National Transition Unit's Legal Transfer Request for Information.

WHAKARĀPOPOTANGA MATUA | EXECUTIVE SUMMARY

As part of the three waters reform process land with a 'primary purpose or predominant use' that is three waters related must be transferred to Entity B.

TDC has analysed all land associated with three waters infrastructure to assess whether or not its primary use is related to three waters and the results of this analysis are presented in Attachments 1-3.

TDC must provide its assessment of land assets' primary use with Entity B by 31 March 2023 as part of the Legal Transfer Request for Information issued by the National Transition Unit.

Staff recommend that the information in Attachments 1-3 be used in TDC's response to the Legal Transfer Request for Information.

NGĀ TŪTOHUNGA | RECOMMENDATION(S)

That Council:

1. Accepts the specific land parcels presented in Attachment 1 of this report as needing to transfer to Entity B and notes that this information will be used when responding to the Legal Transfer Request for Information.
2. Uses the specific land parcels presented in Attachment 2 of this report when responding to the Legal Transfer Request for Information and subsequent negotiations with Entity B.
3. Endorses the actions recommended in Attachment 3 of this report (and also Table 1 of this report) to be used when responding to the Legal Transfer Request for Information and subsequent negotiations with Entity B.

TE WHAKAMAHIKI | BACKGROUND

The issue has not been previously presented.

The Water Services Entities Bill was enacted on 14 December 2022 bringing with it the requirement for Councils to transfer three waters assets, including land assets, to Water Service Entities on 1 July 2024. Each Water Services Entity must establish an 'allocation schedule' (WSE Act, sch. 1, s.5 (1)) identifying those assets that will transfer to Entity B, and those that will not.

A number of land parcels owned by Taupō District Council (TDC) are used for multiple council functions, e.g. stormwater management and recreational reserve. The Water Services Act 2022 (WSE Act) states a 'Guiding Principle for treatment in allocation schedule of secondary water services assets or property' (WSE Act, sch. 1, s.6):

- (2) *The principle is that secondary water services assets or property of a local government organisation should be specified in the should-not-transfer part of the entity's allocation schedule, unless the organisation and the establishment chief executive agree otherwise.*

(3) *In this clause,...*

secondary water services assets or property, for a local government organisation, means any assets or property—

- (a) of the local government organisation; and
- (b) that have or has more than 1 purpose or use (see also clause 5(3)(b)); and
- (c) whose primary purpose or predominant use is not the delivery of water services

The Department of Internal Affairs (DIA) has also issued further guidance regarding the transfer of assets in its [‘Draft Transfer Principles’](#) paper issued to Councils in December 2022.

Councils will be compensated for any debt associated with transferred assets, but not for the value of the asset.

NGĀ KŌRERORERO | DISCUSSION

Many TDC land assets used for the delivery of three waters services are clearly primarily, or only used, for three waters uses, however some land assets have non-three waters uses and a degree of discretion is required to determine whether these land assets are ‘primary’ or ‘secondary’ water services assets.

The National Transition Unit (NTU), established by the Department of Internal Affairs to give effect to three waters reform, advised in December 2022 that it has been conducting its own review of three waters property assets using publicly available data to identify land assets to transfer to Entity B. TDC staff consider this approach inadequate as:

- i) Land used for TDC three waters is often classified as Fee Simple on the title, and not specifically designated under TDC’s district plan.
- ii) TDC understands how our community uses local land and is therefore best placed to determine a land parcel’s primary use.

It is expected there will be detailed discussions and negotiations with the NTU in order to determine exactly which TDC land is ‘primarily’ used for three waters services and will therefore transfer to Entity B.

TDC have been asked to identify all land upon which its three water assets reside as part of the ‘Legal Transfer Request For Information (RFI)’ issued by the NTU on 19 December 2022, due to be returned by 31 March 2022, after which negotiations are expected to commence.

TDC staff have undertaken a comprehensive review of all land parcels associated with the management of three waters infrastructure, and identified those that staff consider:

- i) Are solely or primarily used for delivery of three water services and will transfer to Entity B – 73 sites in total, approximately 489 hectares (Attachment 1);
- ii) Secondary water services property for which its primary use is NOT three waters related and should therefore be retained by TDC – 116 sites, approximately 393 hectares (Attachment 2);
- iii) Land for which further action is required in order for an acceptable solution to be reached, e.g. land upon which three waters infrastructure sits to be subdivided off from main land parcels, or easements placed over land. There are 15 sites in this category (Attachment 3 and Table 1).

TDC land requiring further action prior to finalising ownership arrangements with Entity B

Table 1 below summarises those parcels of land for which staff recommend further action such as subdivision or creation of easements.

The Water Services Legislation Bill (amendments to the Water Services Entities Act, 2022) facilitates a streamlined, low cost subdivision process, as it provides for land to be subdivided as part of the Allocation Schedule process:

“The Governor-General may, by Order in Council made on the recommendation of the Minister, - ...

- *subdivide the land to be transfer to a water services entity and create titles for the subdivisions of that land”* (Water Services Legislation Bill, [s.42 \(1\) \(g\)](#)).

Each parcel of land has been captured in a geographic information system (GIS) and assigned a unique reference (e.g. Site 56)¹.

Table 1 Summary of TDC property assets used for three waters service provision for which further work is required to obtain an acceptable solution prior to agreeing ownership with Entity B.

Site Ref & Address	Description	Area (Ha)	Comments / Issues	Recommended Action
For subdivision				
Site 56 148 Claret Ash Drive, Taupō	Septage disposal site, Taupō	8.7	The activity covers 0.7Ha within a 8.7Ha industrial block of land. Industrial block currently being subdivided by TDC. New titles expected June 2023, sections sold June 2023 to June 2024.	Complete subdivision of industrial block. Once a new lot is created around the septage site, the septage site will be transferred to Entity B.
Site 562 , Site 646 , Site 647 150 Rickit St, Taupō	Wastewater Treatment Plant, Taupō	3.5	Property includes vegetated hillside and cycleway.	Subdivide hillside and cycleway and retain by TDC. Land associated with WWTP to transfer to Entity B.
Site 564 19 Waipoua St, Mangakino	Wastewater Treatment Plant, Mangakino	1.5	Located in area used for recreation. Fence around wastewater treatment plant. Wastewater pump station, large underground storage tanks and overflow pond located outside fenced area.	Subdivide off the area used for wastewater treatment to transfer to Entity B. The remainder to remain in TDC ownership.
Site 626 Lake Rd, Taupo	Water Treatment Plant and stormwater CDS Unit	3.0	The roof of the water treatment plant is used as a public viewing platform.	Propose land to remain with TDC & Entity B use existing designation for continued use of Water Treatment Plant. Develop agreement to ensure ongoing access to roof of water treatment plant retained.
Site 632 685 Pokuru Rd, Whakamaru	Water Source, Tirohanga scheme	371	Water source located in a 371 Ha block of land which is 75% planted in pines. The area around the water source is not planted in pines.	Subdivide off 12Ha of land surrounding the water source to transfer to Entity B. The remaining land containing the pines to be retained by TDC.
Site 761 Waipapa Rd, Mangakino	Access to Water treatment plant, Mangakino	3.4	TDC owns multiple access ways in this area including the legal access to the Mangakino water treatment plant.	Subdivide off the land associated with the water treatment plant and water main and transfer to Entity B. Remaining 1.8 Ha to be returned to adjoining land owners.
Easement				
Site 40 Te Awha Place, Kuratau	Wastewater pump station, Kuratau	0.04	Predominant use is wastewater pump station, however land is used to access reserve land behind properties.	Place easement over the block to enable access to reserve to be maintained, then transfer site to Entity B.
Site 397 220 Omori Rd, Omori	Water Treatment Plant, Omori	0.07	Shared site with Community Hall and Fire service. New water treatment plant building pending.	TDC retain ownership and provide easement to Entity B to enable access to Water Treatment Plant operations.
Other				
Site 527	Wastewater disposal area,	105.6	105 Ha block of land fully used for wastewater disposal. Potential land for	TDC retain ownership and have agreement for Entity B to have

¹ Holding Ctrl and clicking on the site reference in the table below will open TDC's mapping system and display the site.

Site Ref & Address	Description	Area (Ha)	Comments / Issues	Recommended Action
887 Rakaunui Rd, Taupō	Rakanui, Taupō		industrial land expansion. No alternative disposal site been identified or budgeted for. Resolving the issues around existing Contact Energy easements, future zoning, securing an alternative site and funding within the available time is unlikely.	ongoing full use until such time as TDC can secure and develop an alternative disposal site.
Site 641 105 Poihipi Rd, Taupō	Proposed water reservoir site, Taupō	0.50	Land acquisition currently occurring. TDC will swap an unused 'paper road' within LandCorp land for ownership of this site.	Complete land purchase, transfer lot to Entity B.
Site 759 261 Kinloch Rd, Kinloch	Proposed water reservoir site, Kinloch	0.50	Land acquisition currently occurring.	Complete land purchase, transfer lot to Entity B.
Site 782 SH5 approx. half way between Bonshaw and ETA	Proposed water reservoir site, Taupō	0.50	Land acquisition currently occurring. TDC will swap an unused 'paper road' within LandCorp land for ownership of this site.	Complete land purchase, transfer lot to Entity B.

NGĀ HĪRAUNGA | CONSIDERATIONS

Staff request that Council review Attachments 1, 2 and 3 and confirm that it agrees that:

- i) Land parcels presented in Attachment 1 are primarily used for three waters and must be transferred to Entity B;
- ii) Land parcels presented in Attachment 2 should be retained by TDC;
- iii) It supports the actions proposed in Table 1 above.
- iv) Attachments 1-3 be used in responding to the Legal Transfer RFI.

Ngā Aronga Ture | Legal Considerations

Water Services Entities Act

Participation in three waters reform and responding to DIA requests for information is mandatory under the Water Services Entities Act, 2022.

Land which has a 'primary purpose or predominant use' for three waters services must be transferred to Entity B (WSE Act, sch. 1, s.5A (3) (c)).

Te Kōrero tahi ki te Māori | 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.

Staff have shared with relevant iwi and hapū groups sites that are expected to transfer to Entity B, on a confidential and unconfirmed basis. Some have chosen to raise concerns about land transfers directly with DIA.

Ngā Tūraru | Risks

It is possible that Entity B may not agree with the proposals recommended in Table 1 and require alternative solutions.

It is possible that Entity B may not agree with TDC's assessment of 'primary' three waters use, and require TDC to transfer one or more parcels of land identified in Attachment 2. This may negatively impact Taupō District communities' access to recreational land.

TE HIRANGA O TE WHAKATAU, TE TONO RĀNEI | SIGNIFICANCE OF THE DECISION OR PROPOSAL

Under the Water Services Entities Act, 2022, ([sch. 1, s.20](#)):

"The following provisions of the Local Government Act 2002 do not apply to any actions taken by a local government organisation in order to comply with this schedule or facilitate the water services reform:

- (a) *section 95(2) (relating to the requirement for a local authority to consult on significant or material variations from its annual plan):*
- (b) *section 97 (which requires certain decisions to be taken only if provided for in a long-term plan)...."*

TE KŌRERO TAHI | ENGAGEMENT

In light of the above, and TDC's inability to decide which land transfers to Entity B, officers are of the opinion that no further engagement is required.

TE WHAKAWHITI KŌRERO PĀPAHO | COMMUNICATION/MEDIA

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

WHAKAKAPINGA | CONCLUSION

Land with a 'primary purpose or predominant use' that is three waters related must be transferred to Entity B.

TDC has analysed all land associated with three waters infrastructure to assess whether or not its primary use is related to three waters, and the results of this analysis are presented in Attachments 1-3.

TDC must provide its assessment of land assets' primary use with Entity B by 31 March 2023 as part of the Legal Transfer Request for Information issued by the National Transition Unit.

Staff recommend that the information in Attachments 1-3 be used in TDC's response to the Legal Transfer Request for Information.

NGĀ TĀPIRIHANGA | ATTACHMENTS

1. Land to Transfer to Entity B
2. Land to Remain With TDC
3. Land requiring further work

5.4 TAUPŌ AIRPORT REDEVELOPMENT PROJECT: PROJECT BUDGET INCREASE

Author: Pernille Fletcher, Project Management Office Manager

Authorised by: Andrew Moraes, General Manager Operations and Delivery

TE PŪTAKE | PURPOSE

The purpose of this report is to seek additional budget for the Taupō Airport Redevelopment Project.

WHAKARĀPOPOTOTANGA MATUA | EXECUTIVE SUMMARY

Delivery of the Taupō Airport Redevelopment has largely been completed within a budget of \$9.24M and this is a testament to all involved in the project. Unprecedented rises in the costs of materials, disruptions to supply chains, and labour shortages have all combined to create an extremely challenging environment, but this has been surmounted and the new terminal and carpark will be a huge asset to our district as a whole; it will not only serve as a transport hub for locals and visitors alike, but will be the heart of a growing aviation industry centred around our airport that includes a well-established sky diving destination, a growing aviation engineering industry, the rescue helicopter, and a strong agricultural and forestry aviation sector. The new terminal and carpark will complement these industries while acting as a calling card for the increasing numbers of New Zealand and overseas visitors we can expect as tourism returns.

The terminal is due to go live on 7 February 2023, with the new carpark go-live planned for 13 February 2023. A formal opening for the Airport (and other shovel ready projects) is planned for 9 March 2023. The new Airport apron is a separate project to be completed in the future, not included in this paper.

The costs to complete the project have increased due to supply chain delays and increased costs (inflation) associated with construction materials. There has also been an identification of essential items that were not scoped or budgeted for in the original project budget. The original project budget was developed over three years ago (2019) and the construction market has changed significantly since then.

The original budget of \$9.24M included a 4.8% contingency to cover price differences, additional scope and protection for general project risks. The project Steering Group has met throughout this project and provided oversight on project scope changes. The forecast for the cost of the project completion overall is now \$9.72M, which is approximately \$480,000 (5.1%) above the original total budget. Therefore, an additional \$480,000 of funding, in the form of an equity injection from Taupō District Council (TDC) to Taupō Airport Authority (TAA) is required to complete this project.

NGĀ TŪTOHUNGA | RECOMMENDATION(S)

That Council approves unbudgeted expenditure of \$480,000 (+GST) to cover the increase in cost to deliver the Taupō Airport Redevelopment Project [new Airport Terminal and new carpark] to be funded as an equity injection from funds in the Strategic Property Reserve.

TE WHAKAMAHUKI | BACKGROUND

The proposal has not been presented previously.

The Taupō Airport Redevelopment Project is partly funded by a \$5M grant from the Crown's Provincial Development Unit, \$870K from the Ministry of Transport and the remainder from Council's Long-term Plan. Planning for this project began before 2019 with construction commencing in June 2021.

The project includes the construction of a new terminal building designed by local architects Shelter Architects and built by Watts Construction, coupled with an improved parking facility constructed by Camex Civil Ltd overseen by Todd Land Development Consultants. This work follows on from an upgrade of the Airport's water and wastewater infrastructure early in 2020.

Despite the challenges provided by COVID, international supply chain disruptions and national inflation pressures, the project is now almost complete, go live for the terminal planned for 7 February and the carpark to follow soon after on 13 February. Note that this is only a few weeks after the original planned project completion date of December 2022.

Completion of the Taupō Airport Redevelopment Project has become more costly to complete than was budgeted in 2019. Variations on contract due to inflation and supply chain issues/disruptions have resulted in the Taupō Airport Carpark & Services contract with Camex TDC/2021/321A and the Taupō Airport Terminal contract with Watts Construction TDC2021/371 likely exceeding their approved contract value, meaning the project will exceed the allocated budget.

Due to the unique nature of this construction project, there have been a number of items that were identified through project execution as essential for airport operations yet were not in the original budget prepared in 2019. While we have utilised the project contingency judiciously throughout the project, this budget has now been exhausted. Examples of items include Closed Circuit Television (CCTV) throughout the terminal and carpark, carpark software to enable charge for use, signage within the terminal, aerials on the new terminal (a requirement to operate the airport), a public announcement (PA) system, fitout to the Taupō Airport Authority (TAA) offices and an asbestos survey of the existing terminal prior to demolition.

The overall project budget was \$9.24M including contingencies. The forecast cost of the project completion overall is \$9.72M, approximately \$480,000 above the available budget. Therefore, an additional \$480,000 of unbudgeted funding is required to complete this project.

NGĀ KŌRERORERO | DISCUSSION

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

Table 1 Planned Expenditure vs Actual Expenditure

Item	Budget	Actual/Forecast (rounded)	Commentary
TDC/2023/371 (Terminal) ²	\$7,356,663	\$7,500,000	Largely supply chain delays, COVID and inflationary impacts.
TDC/2021/321A (Carpark) ³	\$1,415,943	\$1,500,000	Largely supply chain delays, COVID and inflationary impacts.
Project Contingency allowance	\$467,394	\$720,000	Additional essential items not identified at outset.
TOTAL	\$9,240,000	\$9,720,000	Represents 5.1% budget increase.

The main Contract along with additional unbudgeted items is forecast to exceed the contract and contingency values by approximately \$480,000.

NGĀ HĪRAUNGA | CONSIDERATIONS

Whakahāngai ki tā te Kaunihera wawata | 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 proposal: World Class; Vibrant; Quality.

² Including consultant and subcontractor works on the Terminal.

³ Including consultant and subcontractor works on the Carpark.

Ngā Aronga Pūtea | Financial Considerations

The project will exceed budget by approximately \$480,000. Since the project will be completed in the current financial year, approval is required for unbudgeted expenditure. Recognising that the airport is a joint venture with the Crown, Council's contribution would be recognised as an equity injection from funds in the Strategic Property Reserve.

Ngā Aronga Ture | 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 and cultural well-beings are of relevance to this particular matter.

Ngā Hiraunga Kaupapa Here | Policy Implications

There are no known policy implications.

Te Kōrero tahi ki te Māori | Māori Engagement

As part of the planning, design and delivery of the Taupō Airport Redevelopment Project, an arts & cultural advisor was appointed. This role has worked closely with our internal iwi and co-governance team and the project team throughout to ensure key components of the projects are discussed and options explored with local iwi/hapū representatives. Examples of this include the selection of the images for the Tauhara and Tongariro walls, te reo translations for internal wayfinding, selection/ names and installation techniques for the Mauri rock, rimu trees and taniwha/tāniko designs within the terminal and in the carpark. A cultural blessing for the airport is being arranged for the week commencing 30 January 2023 and plans are underway for local tikanga to be included in the formal opening on 9 March 2023.

Ngā Tūraru | Risks

As with any construction project, there continue to be delivery risks which are being managed until practical completion and handover to operations.

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

TE HIRANGA O TE WHAKATAU, TE TONO RĀNEI | SIGNIFICANCE OF THE DECISION OR PROPOSAL

Council's Significance and Engagement Policy identifies matters to be taken into account when assessing the degree of significance of proposals and decisions.

Officers have undertaken an assessment of the matters in the [Significance and Engagement Policy \(2022\)](#), and are of the opinion that the proposal under consideration is of a low degree of significance.

TE KŌRERO TAHI | 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.

TE WHAKAWHITI KŌRERO PĀPAHO | COMMUNICATION/MEDIA

Direct communication has been carried out with affected parties and key stakeholders throughout the project as part of the project communications plan. The community has also been regularly updated throughout the project via all council channels.

NGĀ TĀPIRIHANGA | ATTACHMENTS

Nil

5.5 OCEANIA CUP TRIATHLON - TEMPORARY ROAD CLOSURES WHAREWAKA

Author: Denis Lewis, Infrastructure Manager

Authorised by: Andrew Moraes, General Manager Operations and Delivery

TE PŪTAKE | PURPOSE

The purpose of this report is for Council to make a decision under Clause 11 of Schedule 10 to the Local Government Act 1974 (LGA) to temporarily prohibit vehicular traffic from the roads in the attached Schedule for the purpose of holding the 2023 Oceania Cup Triathlon event.

WHAKARĀPOPOTOTANGA MATUA | EXECUTIVE SUMMARY

As a result of delays from the events traffic management suppliers, and thus receiving late notification of the proposed road closure there is now insufficient time before the scheduled event dates of 25 and 26 February 2023 to use the provisions of the Transport Regulations to temporarily close the roads necessary to hold the event.

Section 342 and Schedule 10 to the Local Government Act 1974 provide an alternative regime to temporarily prohibit motor vehicle traffic from the roads identified in the attached Schedule.

The preferred option is to undertake the closure in accordance with section 342 and Schedule 10 of the LGA. This will enable the 2023 Oceania Continental Cup Triathlon event to proceed on the scheduled dates.

NGĀ TŪTOHUNGA | RECOMMENDATION(S)

That Council temporarily closes the roads identified in the schedule attached to the report included on the agenda for the purpose of holding the 2023 Taupō Oceania Continental Cup Triathlon.

TE WHAKAMAHUKI | BACKGROUND

The proposal has not been presented previously.

Oceania Triathlon Union awarded Taupō to host the Oceania Elite Sprint Distance Cup, Oceania Junior Triathlon Championships, Oceania Elite Mixed Relay Championships and the Oceania Junior Mixed Relay Championships over a two day period on 25 and 26 February 2023.

These events will attract a significant field from New Zealand, Australia and International Athletes as the ranking points will count towards qualification for the 2024 Paris Olympics. There are very few opportunities in New Zealand for athletes to gain valuable World Triathlon points so it is an important event on the Tri NZ High Performance calendar, as well as the Australian High Performance Calendar.

NGĀ KŌRERORERO | DISCUSSION

Road closures for events are normally authorised pursuant to the Transport (Vehicular Traffic Road Closure) Regulations 1965. This method of temporary prohibition of traffic requires notification at least 42 days in advance of the proposed closure date to allow for any objections to be received and considered.

There is now insufficient time before the event dates of 25 and 26 February 2023 to comply with the notification requirements set by the Transport Regulations.

The Local Government Act 1974 does however provide an alternative mechanism for the temporary prohibition of traffic by way of section 342 and Schedule 10, clause 11(e) of the Act. Schedule 10 provides a process whereby Council is required to give public notice of its intention to close a road and give public notice of any decision to close a road. Schedule 10 does not specify any timeframes for that notification process. This process has been previously used for the 2021 Ironman event.

The notice of intention to close the roads will be placed in the Friday 3 February 2023 edition of the Taupō Times with notification of the decision to be placed in the Taupō Times on 24 February 2023. Any feedback received on the intention to close notice will be provided to Council at the 7 February meeting.

The schedule of roads to be closed temporarily is attached with a proposed closure time of 7.30am – 2.00pm on Saturday 25 February and 12.00pm – 4.00pm on Sunday 26 February 2023. For clarification, the roads to be closed are the bike routes.

The event organisers will provide the ability for those residents impacted by the closure to access/exit their property under escort. This will be communicated via a letter drop to affected residents and road signage will be undertaken by event organisers.

Based on this information, it is considered that there are two options: do not undertake a road closure for the event or undertake a road closure in accordance with Schedule 10 of the LGA.

NGĀ KŌWHIRINGA | OPTIONS

Analysis of Options

Option 1. Do not undertake a road closure

Advantages	Disadvantages
<ul style="list-style-type: none"> The public is not prevented from using the affected roads for the duration of the event 	<ul style="list-style-type: none"> Would prevent the event from occurring

Option 2. Undertake a road closure in accordance with section 342 & schedule 10 of the LGA 1974.

Advantages	Disadvantages
<ul style="list-style-type: none"> Enable the event to occur 	<ul style="list-style-type: none"> The public is unable to use the affected roads for the duration of the event

Analysis Conclusion:

The preferred option is to undertake the closures in accordance with section 342 & Schedule 10 of the LGA 1974.

NGĀ HĪRAUNGA | CONSIDERATIONS

Whakahāngai ki tā te Kaunihera wawata | 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.

Ngā Aronga Pūtea | Financial Considerations

There is no financial impact to Council from this proposal.

Ngā Aronga Ture | 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 and economic well-beings are of relevance to this particular matter.

The proposal has been evaluated with regards to a range of legislation. The key legislation applicable to the proposal has been reviewed and the relevant matters for consideration are as follows:

The Local Government Act 1974, section 342 and Schedule 10 are relevant to this proposal. This proposal is in accordance with that Act.

Ngā Hīraunga Kaupapa Here | Policy Implications

There are no known policy implications.

Te Kōrero tahi ki te Māori | Māori Engagement

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

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

Ngā Tūraru | Risks

There are no known risks.

TE HIRANGA O TE WHAKATAU, TE TONO RĀNEI | SIGNIFICANCE OF THE DECISION OR PROPOSAL

Council's Significance and Engagement Policy identifies matters to be taken into account when assessing the degree of significance of proposals and decisions.

Officers have undertaken an assessment of the matters in the [Significance and Engagement Policy \(2022\)](#), and are of the opinion that the proposal under consideration is of a low degree of significance.

TE KŌRERO TAHI | ENGAGEMENT

The Local Government Act requires the Council to consult with the Police and Waka Kotahi (the New Zealand Transport Agency) regarding the proposed road closures, and to give public notice of its intention to consider closing any road and of any decision to close any road. Officers will undertake the necessary consultation and public notification of the closure. Taking into consideration those LGA requirements and the above assessment regarding significance, officers are of the opinion that no further engagement is required prior to Council making a decision.

TE WHAKAWHITI KŌRERO PĀPAHO | COMMUNICATION/MEDIA

Public notices will be placed in the local newspaper and road closure information will be advertised on Council's website and social media channels. The event organisers will place road signage at Wharewaka advising of the event and road closures and will also drop off letters to affected residents.

WHAKAKAPINGA | CONCLUSION

The preferred option is to undertake the closure in accordance with section 342 and Schedule 10 of the Local Government Act 1974. This will enable the event to proceed on the scheduled date.

ATTACHMENTS

1. Oceania Continental Cup Course Plans

5.6 MOTUTERE RECREATION RESERVE MANAGEMENT PLAN REVIEW

Author: Haydee Wood, Policy Advisor

Authorised by: Nick Carroll, Policy Manager

TE PŪTAKE | PURPOSE

This report enables Council to initiate a review of the Motutere Recreation Reserve Management Plan.

WHAKARĀPOPOTOTANGA MATUA | EXECUTIVE SUMMARY

Council has committed to a review of the Motutere Reserve Management Plan, in conjunction with hapū, prior to the administration of the reserve changing to Ngāti Te Rangiita. Under section 41(5) of the Reserves Act 1977, Council must notify the public of its intention to review a reserve management plan.

NGĀ TŪTOHUNGA | RECOMMENDATION(S)

That Council approves, in accordance with section 41(5) of the Reserves Act 1977, that public notice of Council's intention to develop a reserve management plan for the Motutere Recreation Reserve be issued.

TE WHAKAMAHIKI | BACKGROUND

Under Section 41 of the Reserves Act 1977, councils are required to prepare reserve management plans for all recreation reserves for which they are the administering body. The Motutere Recreation Reserve is presently vested with Taupō District Council. The current management plan was adopted in 2004.

Ngāti Te Rangiita, a hapū of Ngāti Tūwharetoa, are the mana whenua of Motutere. Ngāti Tūwharetoa sought to have ownership of the Motutere recreation reserve returned to the hapū through the Treaty settlement process. However, that was not possible as the matter only came to their attention late in the negotiations with the Crown.

Subsequently, Ngāti Te Rangiita, the Department of Conservation, and Council have investigated mechanisms to redress this matter. While ownership could not be transferred from the Crown to the hapū, it was agreed that the 'vesting' of the reserve under section 26 of the Reserves Act 1977 would be an appropriate next step. This would make the hapū responsible for the administration of the recreation reserve. Council needs to review the reserve management plan before the handover of land takes place.

NGĀ KŌRERORERO | DISCUSSION

This reserve management plan process is different to others that Council has undertaken. Ultimately the administration of the recreation reserve will transfer from Council to a new entity established by the hapū. This means it is critical that the hapū have a strong role to play codesigning the reserve management plan.

Prior to developing a reserve management plan, the Council must publicly notify its intention to do so as per section 41(5) of the Reserves Act. This enables people and organisations who have an interest to highlight any issues or matters that Council should consider as part of the review.

The intention is to undertake that public notification as soon as possible, but after there has been an initial hui with the hapū to discuss the review process and the opportunities that it will provide.

NGĀ HĪRAUNGA | CONSIDERATIONS**Whakahāngai ki tā te Kaunihera wawata | 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.

Ngā Aronga Pūtea | Financial Considerations

Costs associated with this project have been included within the approved annual plan budget.

Ngā Aronga Ture | Legal ConsiderationsLocal 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 well-beings are of relevance to this particular matter.

The proposal has been evaluated with regards to a range of legislation. The key legislation applicable to the proposal has been reviewed and the relevant matters for consideration are as follows:

The review of the Reserve Management Plan will be in accordance with the Reserves Act 1977.

Ngā Hīraunga Kaupapa Here | Policy Implications

The existing reserve management plan was developed in 2004 and this review process is timely to ensure the ongoing management direction remains relevant.

Te Kōrero tahi ki te Māori | Māori Engagement

This review will be undertaken in partnership with Ngāti Te Rangiitā. The hapū will have an active role in the project team and a codesign approach is anticipated. Several hui have already been held with representatives from the hui to establish how to work together on the project. The Department of Conservation also have a significant role to play as underlying owners of the land.

Further discussion will be required around the right governance arrangements for the review project. With the future administration of the reserve management plan sitting with the new hapū entity it may be appropriate to involve hapū representatives as part of Council's decision-making process. Once more work has been done on this, officers will seek to formalise governance arrangements with elected members.

Ngā Tūraru | Risks

There are no known risks.

TE HIRANGA O TE WHAKATAU, TE TONO RĀNEI | SIGNIFICANCE OF THE DECISION OR PROPOSAL

Council's Significance and Engagement Policy identifies matters to be taken into account when assessing the degree of significance of proposals and decisions.

Officers have undertaken an assessment of the matters in the [Significance and Engagement Policy \(2022\)](#), and are of the opinion that the proposal under consideration is significant. The review of the management plan will likely be of high interest to the local community and certainly to the hapū and owners/operators of the Motutere Bay Top 10 Holiday Park.

TE KŌRERO TAHI | ENGAGEMENT

The first step in the review of the reserve management plan is to invite the community to provide feedback on issues that may be relevant to the review. This will take place after an initial hui with the hapū and is planned to start in late February 2022 and go for a period of two months.

The project team will make direct contact with the landowners and residents in the area so they are aware of the opportunity to contribute. There will also be direct contact with the owners/operators of the campground who will have an important part to play in the ongoing review of the management plan.

Once a draft plan has been prepared, there is a second submission period followed by hearings and deliberations, this is expected to be in the second half of 2023.

TE WHAKAWHITI KŌRERO PĀPAHO | COMMUNICATION/MEDIA

A communications plan is being prepared with the communications team.

WHAKAKAPINGA | CONCLUSION

Under Section 41 of the Reserves Act 1977, councils are required to prepare reserve management plans for all recreation reserves for which they are the administering body. The Motutere Recreation Reserve is presently vested with Taupō District Council. Ngāti Te Rangiita, a hapū of Ngāti Tūwharetoa, are the mana whenua of Motutere. Ngāti Tūwharetoa sought to have ownership of the Motutere recreation reserve returned to the hapū through the Treaty settlement process. However, that was not possible as the matter only came to their attention late in the negotiations with the Crown.

Since that time, Ngāti Te Rangiita, the Department of Conservation and Council have investigated mechanisms to redress this matter. Through this process it was agreed that the 'vesting' of the reserve under section 26 of the Reserves Act 1977 would assist with returning management of the reserve to Ngāti Te Rangiita. Before this vesting can take place, a new reserve management plan for Motutere must be prepared.

This report seeks approval to carry out the first step of this reserve management plan process. This will involve publicly notifying the Council's intention to begin the development of a reserves management plan for the Motutere Recreation Reserve and inviting feedback on relevant issues for consideration.

NGĀ TĀPIRIHANGA | ATTACHMENTS

Nil

5.7 2022-25 TRIENNIAL AGREEMENTS WITH REGIONAL COUNCILS

Author: Andrew Wilson, Policy Advisor

Authorised by: Nick Carroll, Policy Manager

TE PŪTAKE | PURPOSE

The purpose of this paper is to inform Council of changes made to the Triennial Agreements since the last Triennium and to adopt the new agreements.

WHAKARĀPOPOTOTANGA MATUA | EXECUTIVE SUMMARY

The Local Government Act 2002 (LGA) requires all local authorities within each region to enter into a triennial agreement for the period until the next triennial general election. This agreement must be entered into no later than 1 March after each election.

The Taupō district is within the Waikato, Bay of Plenty, Horizons (Manawatu-Whanganui) and Hawkes Bay regions.

Each of these regions has a Triennial Agreement process which Council is required to participate in. The proposed agreements are attached. Council acts as either a primary signatory or non-primary signatory depending on the region.

There have been some changes made to the style, layout or additional issues noted in the agreements for this Triennium. Most of these changes are focused on cooperation and collective response to central government reforms.

The Hawkes Bay and Waikato agreements for this Triennium are still under review. They will be brought to the last Council meeting of February as a separate item.

NGĀ TŪTOHUNGA | RECOMMENDATION(S)

That Council adopts the Triennial Agreements for the 2022-25 Triennium for:

1. the Bay of Plenty Region as a primary signatory
2. the Horizons Region as a non-primary signatory

TE WHAKAMAHUKI | BACKGROUND

The proposal has not been presented previously.

The Local Government Act 2002 (LGA) requires all local authorities within each region to enter into a triennial agreement for the period until the next triennial general election. This agreement must be entered into no later than 1 March after each election.

These agreements contain protocols for communication and coordination amongst the authorities. Each agreement must also include a statement of the process for consultation of proposals for new regional council activities.

NGĀ KŌRERORERO | DISCUSSION

Given the similarity of agreements to the ones from last Triennium this report will outline any substantive differences between the previous agreements and the new agreements.

Bay of Plenty

- Additions made to the statement of intent that indicate that local authorities will collaboratively determine what the high-level strategic issues and opportunities are for the Triennium and beyond.
- Addition to the Introduction section which describes providing the opportunity to speak with one voice to central government on issues.
- Simplification of the Meetings Section.

- Legislative context removed from the body of the agreement to an appendix.
- Removal of purpose section and removal of principles 5, 12, and 13:
 - “5 Actively collaborate and co-operate with government departments and local authorities outside the region as it considers appropriate to promote or achieve its priorities and desired outcomes and make efficient use of resources.”
 - “12 Make every effort to accommodate, acknowledge or at least fairly represent the dissenting view where some parties to this Agreement have a significant disagreement with the position of other parties to the Agreement.”
 - “13 Show leadership to ensure the implementation of this Agreement makes a positive difference for the region.”

While these three removed principles may seem like a significant change, they are covered off either via the additions to the statement of intent and introduction, or the principles are enshrined under the Local Government Act.

Manawatu-Whanganui

- Minor changes to the purpose section which discusses wellbeing explicitly. Major overhaul of the main document. However, as Taupō District Council is a non-primary signatory, Council has “discretion over the extent of their involvement, in proportion to the extent to which issues and decisions under consideration affect them.”
- The fundamental principles of the document are the same as all triennial agreements focus on cooperation and communication.

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

NGĀ KŌWHIRINGA | OPTIONS

Analysis of Options

Option 1 Adopt the Triennial Agreements

Adoption of the three attached triennial agreements means that Council meets its obligations under the LGA and continues with the principles and procedures for communication with neighbouring councils.

Option 2 Suggest amendments to the Triennial Agreements then adopt before 1 March

Council may wish to offer changes to the Triennial Agreements. It should be noted however that while changes can be suggested they require the agreement of all parties. Officers suggest that the agreements do not require amendment.

Analysis Conclusion:

Option one (1) is recommended as it ensures Council meets its obligations under the LGA by adopting before 1 March. Given the nature of the agreements, officers are of the opinion that no amendments are necessary.

NGĀ HĪRAUNGA | CONSIDERATIONS

Whakahāngai ki tā te Kaunihera wawata | 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; Quality; Resilient and Value.

Ngā Aronga Pūtea | Financial Considerations

There are no financial implications associated with this paper.

Ngā Aronga Ture | Legal Considerations

Local Government Act 2002

The matter comes within scope of the Council's lawful powers, including satisfying the purpose statement of [Section 10](#) of the Local Government Act 2002. That section of the Act states that the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. It is considered that social / economic / environmental and / or cultural of relevance to this particular matter.

The proposal has been evaluated with regards to a range of legislation. The key legislation applicable to the proposal has been reviewed and the relevant matters for consideration are as follows:

The proposal is consistent with the Local Government Act 2002.

Ngā Hīraunga Kaupapa Here | Policy Implications

There are no known policy implications.

Te Kōrero tahi ki te Māori | 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. No Iwi consultation has taken place on this issue as this is not a significant decision and there are not expected to be any specific impacts on iwi or hapu.

Ngā Tūraru | Risks

There are no known risks with adopting the agreements.

TE HIRANGA O TE WHAKATAU, TE TONO RĀNEI | SIGNIFICANCE OF THE DECISION OR PROPOSAL

Council's Significance and Engagement Policy identifies matters to be taken into account when assessing the degree of significance of proposals and decisions.

Officers have undertaken an assessment of the matters in the [Significance and Engagement Policy \(2022\)](#), and are of the opinion that the proposal under consideration is of a low degree of significance.

TE KŌRERO TAHI | 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.

TE WHAKAWHITI KŌRERO PĀPAHO | COMMUNICATION/MEDIA

No communication/media required.

WHAKAKAPINGA | CONCLUSION

The triennial agreements for this period are similar to previous years, the changes made to them are focused primarily on coordinating responses to central government reforms and legislation. These are minor changes and are in line with the intent of such agreements.

It is recommended that Council adopt the 2022-2025 Triennial Agreements.

NGĀ TĀPIRIHANGA | ATTACHMENTS

1. Bay of Plenty Triennial Agreement
2. Manawatu-Whanganui Triennial Agreement

5.8 EXEMPTION OF DESTINATION LAKE TAUPŌ LIMITED AND DATA CAPTURE SYSTEMS LIMITED FROM BEING COUNCIL CONTROLLED ORGANISATIONS

Author: Jeanette Paenga, Finance Manager

Authorised by: Sarah Matthews, General Manager Finance and Environment

TE PŪTAKE | PURPOSE

To exempt Destination Lake Taupō Limited (DLT) and Data Capture Systems Limited (DCSL) from being Council-Controlled Organisations.

NGĀ KŌRERORERO | DISCUSSION

Section 7(3) of the Local Government Act 2002 provides for a local authority, by resolution, to exempt a small organisation from being a council-controlled organisation. The benefit of this provision is that in the appropriate circumstances, various accountability requirements are able to be avoided – for example the need to prepare a Statement of Intent and to produce half yearly and annual reports. It is worth noting that any exemption made is revocable at any time by the local authority and is subject to three-yearly review.

In 2006, Council Officers sought and obtained approval from Council for an exemption for DLT from being a Council-Controlled Organisation under the provisions of section 7(3). DLT is a non-trading company retained only to protect that name for Council's use. Council Officers believe that the considerations for matters set out in section 7(3) justify this exemption.

In 2007, Council Officers sought and obtained approval from Council for an exemption for DCSL, as the activities of DCSL had been wound down and the company was no longer trading. As such it was deemed appropriate for Council to exempt that company under the provision of section 7(3). DCSL has been retained only to protect the tax losses within that company, as a non-trading entity there is no advantage in DCSL being subject to the accountability requirements of a council-controlled organisation.

Both exemptions were reviewed and resolved again in 2010, 2014, 2017 and 2020 as part of the 3-year review process.

WHAKAKAPINGA | CONCLUSION

Council officers have conducted the three yearly review and as the status of DLT & DCSL have not changed the recommendation is that Council continues to exempt DLT & DCSL from being Council-Controlled Organisations.

NGĀ TŪTOHUNGA | RECOMMENDATION(S)

That Council, as provided for by Section 7(3) of the Local Government Act 2002, determines that Destination Lake Taupō Limited and Data Capture Systems Limited be exempted from being Council-Controlled Organisations.

NGĀ TĀPIRIHANGA | ATTACHMENTS

Nil

5.9 CHANGE OF DIRECTOR FOR DESTINATION LAKE TAUPŌ LIMITED & DATA CAPTURE SYSTEMS LIMITED

Author: Jeanette Paenga, Finance Manager

Authorised by: Gareth Green, Chief Executive Officer

TE PŪTAKE | PURPOSE

For Council to approve the change of director for Data Capture Systems Limited and Destination Lake Taupō Limited as per the constitution of each company.

NGĀ KŌRERORERO | DISCUSSION

Taupō District Council has two exempted Council Controlled Organisations which have Andrew Peckham as the appointed Director. As Mr Peckham has left Taupō District Council, it is recommended that Sarah Matthews is appointed to the directorship of both of these organisations.

WHAKAKAPINGA | CONCLUSION

Making this appointment ensures we comply with the Companies Act 1993 and provides ease of administration with the Companies Office.

NGĀ TŪTOHUNGA | RECOMMENDATION(S)

That Council:

1. removes Andrew Mark Peckham as a director of Destination Lake Taupō Limited and appoints Sarah Jane Matthews (General Manager – Finance & Environment) as the new Director.
2. removes Andrew Mark Peckham as a director of Data Capture Systems Limited and appoints Sarah Jane Matthews (General Manager – Finance & Environment) as the new Director.

NGĀ TĀPIRIHANGA | ATTACHMENTS

Nil

5.10 PROPOSED AMENDMENT TO THE KINLOCH REPRESENTATIVE GROUP TERMS OF REFERENCE

Author: Karen Watts, Senior Committee Advisor
Authorised by: Nigel McAdie, Legal, Risk and Governance Manager

TE PŪTAKE | PURPOSE

The report proposes an amendment to the Kinloch Representative Group (KRG) Terms of Reference to increase the membership.

WHAKARĀPOPOTOTANGA MATUA | EXECUTIVE SUMMARY

Under the current terms of reference for the Kinloch Representative Group, the membership is made up of the following:

- Three Councillors
- Two community representatives
- One Māori representative
- Mayor

It is recommended that Council amends the Kinloch Representative Group Terms of Reference (attached) to include one additional community representative.

NGĀ TŪTOHUNGA | RECOMMENDATION(S)

That Council amends the Terms of Reference for the Kinloch Representative Group (A3266050) to increase the membership by including one additional community representative for the 2022-25 Triennium.

TE WHAKAMAHIKI | BACKGROUND

On 15 November 2022 Council established and set the Terms of Reference for a number of Council Committees, some of which included the appointment of external representatives.

The positions were advertised in November and December 2022 and considered at the 13 December 2022 Council meeting with various appointments made to Council Committees.

The original Terms of Reference for the Kinloch Representative Group included the membership of two community representatives.

It is recommended that Council increase the membership to include one additional community representative for the 2022-25 Triennium.

NGĀ KŌRERORERO | DISCUSSION

To facilitate greater community representation, Council may consider increasing the membership of the Kinloch Representative Group to provide for an additional community representative for the 2022-25 Triennium.

NGĀ KŌWHIRINGA | OPTIONS

Analysis of Options

Option 1. Amend the Terms of Reference for the Kinloch Representative Group.

Advantages	Disadvantages
Provides additional advocacy for the community by having increased community representation on the Kinloch Representative Group.	Additional cost to Council for meeting fees.

Option 2. Do not amend the Terms of Reference for the Kinloch Representative Group.

Advantages	Disadvantages
No additional costs incurred by Council for meeting fees.	There may be a perception that not all community views would be adequately addressed.

Analysis Conclusion:

The preferred option is to amend the Terms of Reference for the Kinloch Representative Group to provide for an additional community representative.

NGĀ HĪRAUNGA | CONSIDERATIONS

Whakahāngai ki tā te Kaunihera wawata | 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: Authentic; Quality; Resilient and Value.

Ngā Aronga Pūtea | Financial Considerations

The financial impact of the proposal is estimated to be a potential increase of \$250.00 per meeting for this committee. This can be accommodated within existing budgets.

Ngā Aronga Ture | 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 and cultural well-beings are of relevance to this particular matter.

Ngā Hīraunga Kaupapa Here | Policy Implications

There are no known policy implications.

Te Kōrero tahi ki te Māori | 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.

Ngā Tūraru | Risks

There are no known risks.

TE HIRANGA O TE WHAKATAU, TE TONO RĀNEI | SIGNIFICANCE OF THE DECISION OR PROPOSAL

Council’s Significance and Engagement Policy identifies matters to be taken into account when assessing the degree of significance of proposals and decisions.

Officers have undertaken an assessment of the matters in the [Significance and Engagement Policy \(2022\)](#), and are of the opinion that the proposal under consideration is of a low degree of significance.

TE KŌRERO TAHI | 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.

TE WHAKAWHITI KŌRERO PĀPAHO | COMMUNICATION/MEDIA

Direct communication will be carried out with affected parties but no wider communication is considered necessary.

WHAKAKAPINGA | CONCLUSION

It is recommended that Council adopts the amended Kinloch Representative Group Terms of Reference.

NGĀ TĀPIRIHANGA | ATTACHMENTS

1. 2022-25 Kinloch Representative Group Terms of Reference and Delegations

5.11 AMENDMENT TO COMMITTEE DELEGATIONS - TRAFFIC CONTROL DEVICE REGISTER UPDATES

Author: Shainey James, Governance Quality Manager

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

TE PŪTAKE | PURPOSE

To amend Council delegations to certain committees to enable them to update Council's traffic control device register.

WHAKARĀPOPOTOTANGA MATUA | EXECUTIVE SUMMARY

Council adopted terms of reference for and made delegations to committees at meetings held on 15 November and 13 December 2022. An omission has subsequently been identified and it is recommended that Council corrects this by amending the delegations document. The omission relates to the making of changes to Council's traffic control device register relating to roads and public spaces.

NGĀ TŪTOHUNGA | RECOMMENDATION(S)

That Council amends its Terms of Reference and Delegations from Council to Committees 2022-2025 (A3213675) by inserting the following clause into delegations to the Tongariro Representative Group; the Mangakino-Pouakani Representative Group; and the Taupō Reserves and Roding Committee:

"Making changes to Council's traffic control device register relating to roads and public spaces in [the area / the Mangakino Ward / the Taupō and Taupō East Rural wards] (e.g. no stopping, parking signs and times, road markings etc) in accordance with bylaws made under the Land Transport Act 1998."

TE WHAKAMAHUKI | BACKGROUND

At the Council meeting held on 15 November 2022, Council delegated decision-making authority to its committees. Delegations were made to the Tūrangi Co-Governance Committee on 13 December 2022. The Co-Governance Committee delegations included a clause to enable that Committee to make changes to Council's traffic control device register relating to roads and public spaces within the Mana Whakahono boundary area. This clause was intended to have been included in proposed delegations to the Tongariro Representative Group; the Mangakino-Pouakani Representative Group; and the Taupō Reserves and Roding Committee on 15 November 2022. However, due to an administrative oversight, the clause was not included for those committees. This item enables Council to consider amending delegations to enable the committees to make updates to the register.

NGĀ KŌRERORERO | DISCUSSION

In the past, Council's delegations to committees included a non-specific delegation of Council's statutory regulatory functions under the Land Transport Act 1998, not elsewhere delegated to staff. During the Mana Whakahono ā Rohe negotiations with Ngāti Tūrangitukua, which included drafting proposed delegations to the Tūrangi Co-Governance Committee, this was improved upon by making it explicit that the delegation under the Land Transport Act 1998 related to making changes to Council's traffic control device register. It was intended that this drafting improvement would be included in 2022-2025 delegations to the Tongariro Representative Group; the Mangakino-Pouakani Representative Group; and the Taupō Reserves and Roding Committee, in respect of the geographical areas those committees cover. However, due to an administrative oversight, the clause was not included for those committees.

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

NGĀ KŌWHIRINGA | OPTIONS

Analysis of Options

Option 1.

Amend delegations to committees to enable them to update Council's traffic control device register.

Advantages	Disadvantages
<ul style="list-style-type: none"> • Efficiency - enables the committees to update Council's traffic control device register within the areas they cover without the need to report to full Council. • Local input into updates to the register. • Is consistent with Council's approach to delegations i.e. decisions should be made at the lowest possible level commensurate with efficiency and effectiveness. 	

Option 2.

Do not amend delegations to committees.

Advantages	Disadvantages
<ul style="list-style-type: none"> • Full Council oversight of all updates to the traffic control device register. 	<ul style="list-style-type: none"> • Less efficient, as full Council would have to make updates to the traffic control device register. • Less local input into updates to the register.

Analysis Conclusion:

It is recommended that Council amends its Terms of Reference and Delegations to enable the specified committees to make changes to Council's traffic control device register within the areas they cover. The proposed amendments are set out in Attachment 1.

NGĀ HĪRAUNGA | CONSIDERATIONS

Whakahāngai ki tā te Kaunihera wawata | 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: Quality; and Value.

Ngā Aronga Pūtea | Financial Considerations

There are no costs associated with this proposal.

Ngā Aronga Ture | 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 environmental well-being is of relevance to this particular matter.

Ngā Hīraunga Kaupapa Here | Policy Implications

There are no known policy implications.

Te Kōrero tahi ki te Māori | 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.

Ngā Tūraru | Risks

There are no known risks.

TE HIRANGA O TE WHAKATAU, TE TONO RĀNEI | SIGNIFICANCE OF THE DECISION OR PROPOSAL

Council's Significance and Engagement Policy identifies matters to be taken into account when assessing the degree of significance of proposals and decisions.

Officers have undertaken an assessment of the matters in the [Significance and Engagement Policy \(2022\)](#), and are of the opinion that the proposal under consideration is of a low degree of significance.

TE KŌRERO TAHI | 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.

TE WHAKAWHITI KŌRERO PĀPAHO | COMMUNICATION/MEDIA

No communication/media required.

WHAKAKAPINGA | CONCLUSION

It is recommended that Council amends its delegations to the Tongariro Representative Group; the Mangakino-Pouakani Representative Group; and the Taupō Reserves and Roding Committee, to enable those committees to update Council's traffic control device register within their respective geographical areas.

NGĀ TĀPIRIHANGA | ATTACHMENTS

1. Proposed Amendments to Delegations

5.12 ESTABLISHMENT OF TAUPŌ DISTRICT COUNCIL CHIEF EXECUTIVE RECRUITMENT COMMITTEE

Author: David Trewavas, Mayor

Authorised by:

TE PŪTAKE | PURPOSE

To note the establishment of a committee to consider applications and make recommendations to Council relating to the appointment of the Chief Executive; to appoint members to that committee; and to adopt the terms of reference and delegate powers to the committee.

NGĀ KŌRERORERO | DISCUSSION

Taupō District Council's current Chief Executive, Mr Gareth Green resigned in December 2022. Council must now undertake a process to appoint a new Chief Executive. Section 41A of the Local Government Act 2022 ("LGA") empowers Mayors to establish committees and to appoint the chairperson of each committee established.

Accordingly, I have decided to establish a new committee to consider applications for the Chief Executive position and make recommendations to Council for the appointment. The name of the committee will be the Taupō District Council Chief Executive Recruitment Committee and I have decided to appoint myself as Chairperson, in accordance with s 41A(3)(c)(ii) of the LGA. Note that I did consider whether Council's Performance Monitoring Group would be an appropriate vehicle to undertake the work involved to support the recruitment process, however I have received advice that the terms of reference and delegations to that Committee are not wide enough.

Draft terms of reference and delegations for the new Committee are **attached**. I envisage that the Committee will consider applications, shortlist and interview candidates and then make recommendations to Council for second interviews prior to the final appointment. The power to appoint the Chief Executive rests with full Council (s 42 of the LGA).

Note that JacksonStone & Partners has been appointed to support the Chief Executive recruitment process. This company will support both the Committee and full Council as appropriate.

WHAKAKAPINGA | CONCLUSION

It is recommended that Council notes the establishment of the Taupō District Council Chief Executive Recruitment Committee; appoints members; and approves the terms of reference and delegations to the Committee.

NGĀ TŪTOHUNGA | RECOMMENDATION(S)

1. That Council notes the establishment of the Taupō District Council Chief Executive Recruitment Committee by His Worship the Mayor, David Trewavas pursuant to s 41A(3) of the Local Government Act 2022, to be chaired by His Worship the Mayor.
2. That in addition to Chairperson His Worship the Mayor, Council appoints Crs _____ and _____ to the Committee.
3. That Council approves the terms of reference and delegations to the Committee in accordance with Attachment 1 to this report (A3275403).

NGĀ TĀPIRIHANGA | ATTACHMENTS

1. Draft Terms of Reference and Delegations - Taupō District Council Chief Executive Recruitment Committee

6 CONFIDENTIAL BUSINESS

RESOLUTION TO EXCLUDE THE PUBLIC

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

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
<p>Agenda Item No: 6.1 Confirmation of Confidential Portion of Ordinary Council Minutes - 13 December 2022</p>	<p>Section 7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p>	<p>Section 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: 6.2 Appointment of External Representatives to Council Committees</p>	<p>Section 7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p>	<p>Section 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: 6.3 Appointment of Acting Chief Executive</p>	<p>Section 7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p>	<p>Section 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]*.