

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

<b>Date:</b>	<b>Tuesday, 28 March 2023</b>
<b>Time:</b>	<b>1.00pm</b>
<b>Location:</b>	<b>Council Chamber 107 te Heuheu Street Taupō</b>

# 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 Kirsty Trueman
- Cr Yvonne Westerman
- Cr John Williamson

**Quorum** 7

**Julie Gardyne**  
**Acting Chief Executive Officer**

## Order Of Business

<b>1</b>	<b>Karakia</b>	
<b>2</b>	<b>Whakapāha   Apologies</b>	
<b>3</b>	<b>Ngā Whakapānga Tukituki   Conflicts of Interest</b>	
<b>4</b>	<b>Whakamanatanga O Ngā Meneti   Confirmation of Minutes</b>	
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**4.1 ORDINARY COUNCIL MEETING - 28 FEBRUARY 2023**

**Author:** Karen Watts, Senior Committee Advisor

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

**NGĀ TŪTOHUNGA | RECOMMENDATION(S)**

That the public and confidential portions of the minutes of the Council meeting held on Tuesday 28 February 2023 be confirmed as true and correct records.

**NGĀ TĀPIRIHANGA | ATTACHMENTS**

1. Council Meeting Minutes - 28 February 2023
2. Confidential Council Meeting Minutes - 28 February 2023

**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
<b>Economic &amp; Business</b> Enterprise Great Lake Taupō Trust	<b>Cr Christine Rankin</b>		
<b>Sport &amp; Recreation</b> Rural Travel Fund Taupō Sports Advisory Council Bike Taupō Incorporated	<b>Cr Rachel Shepherd</b>	Cr Rachel Shepherd attended a Sport NZ hui in Wellington on Monday 13 March.  The next Lake Taupō District Sports Advisory Council (SAC) meeting is to be held on Tuesday 21 March.  Recreation and Sport Strategy drop-in sessions have now been held in Taupō, Tūrangi and Mangakino.	The Recreation and Sport Strategy is being consulted on with final submissions due 22 March 2023 and the few attendees at these sessions contributed to good quality discussions. Cr Duncan Campbell reported that a proposal for a new ice-skating rink has also been recently floated which has been receiving some favourable community support, and this is being looked into.  Cr Rachel Shepherd has been approached by Squash Club members with a 'Sportsville plan' for discussion.
<b>Youth and Technology</b> Taupō Youth Awards	<b>Cr Karam Fletcher</b>		
<b>Age &amp; Disability</b> Access Taupō	<b>Cr Kirsty Trueman</b>	Cr Kirsty Trueman attended a hui with the Council Community Engagement and Development team regarding the Access Taupō and Age Friendly Taupō groups.	The new Age Friendly local representative for Mangakino is Marlene Johnson.
<b>Arts &amp; Culture</b> Creative Taupō Friends of the Lake Taupō Museum Art Gallery	<b>Cr John Williamson</b>		
<b>Environment &amp; Climate Change</b> Greening Taupō Steering Group Waipahihi Botanical Society	<b>Cr Danny Loughlin</b>		
<b>Mangakino</b> Oji Fibre Solutions Forum Tirohanga Hall – Connecting our Community	<b>Cr Kirsty Trueman</b>	Cr Kirsty Trueman reported that there had been a great response from the community regarding the Lakefront Development Consultation.  Cr Kirsty Trueman attended two hui at the Pouakani Marae with trustees to discuss the Lakefront Development and Te Awhina Hall.	Council staff will now collate the ideas.  The Marae trustees are keen for the Marae to be the Civil Emergency Welfare Centre so Cr Anna Park has made enquiries regarding this.  Cr Kirsty Trueman reported on the following: <ul style="list-style-type: none"> <li>• Has been working with Paula Beckham from St John's to see whether they can take over the monitoring of defibrillators in the Mangakino ward.</li> <li>• The Tirohanga Hall committee are keen to get a ranchslider and deck area leading to the playground, and it has been suggested that they explore external funding.</li> <li>• A review of the Tirohanga Hall booking processes is being done.</li> <li>• The Council Parks and Reserves team have put together an excellent, clearly set out works programme for tree and reserve maintenance of the Mangakino Golf Course.</li> <li>• There is a lot of lake weed at Ski Lane, Whakamaru making it unsafe for swimming. Council staff are following this up with Mercury.</li> </ul>
<b>Community Safety</b>	<b>Cr Kevin Taylor</b>		
<b>Strategic relationships</b> including ethnic communities, sister and friendship cities	<b>Cr Anna Park</b>		
<b>Community services</b> Waiora House Trust	<b>Cr Yvonne Westerman</b>	Cr Yvonne Westerman attended a Waiora House meeting on Thursday 16 March.	New branding options were discussed.

Portfolio Organisation(s)	Portfolio Lead	Event or meeting attended	Issues / Outcomes
<b>Food Production/Primary Industries</b>	<b>Cr Kylie Leonard</b>		
<b>Other</b> Acacia Bay Residents Association	<b>Cr Yvonne Westerman</b>	Cr Yvonne Westerman took part in a blessing at the Taupō Rowing Club on Sunday 5 March.  Cr Yvonne Westerman attended the Acacia Bay Residents Association monthly meeting on Monday 13 March.	Five new rowing boats were blessed and the covered building to protect the boats was discussed.

**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

<b>5.2</b>	<b>MINISTERIAL CONSENT TO UNISON NETWORKS LIMITED EASEMENT OVER LOCAL PURPOSE (ACCESS) RESERVE - NGA ROTO STAGE 11</b>
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**Author:** Karyn Hollman, Senior Solicitor

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

### TE PŪTAKE | PURPOSE

To have Council, acting under delegation from the Minister of Conservation, consent to the grant of easements in favour of Unison Networks Limited for an electrical installation over a Council reserve pursuant to section 48(1) of the Reserves Act 1977.

### WHAKARĀPOPOTOTANGA MATUA | EXECUTIVE SUMMARY

Wharewaka East Limited is up to stage 11 of its residential development at Wharewaka East.

Stage 11 comprises (among other things) 55 residential lots, three reserves and an access lot on Deposited Plan 586492 and was consented to under RM060488I.

Condition 12 of RM 060488I requires the applicant to ensure all residential lots are serviced with (*inter alia*) individual electricity connections to the service provider's standards, and to secure such services by appropriate easement.

To service the residential lots with electricity, Unison Networks Limited (**UNL**) has installed underground cabling in a duct within proposed Lots 612 and 613 on LT 586492.

Proposed Lot 612 and 613 are to vest as local purpose reserve (accessway) in Council. The easement areas comprise the entire area of each Lot.

By s48(1) of the Reserves Act ("**Act**") Council may grant an easement over reserves vested in it as administering body for the installation of electrical works, with the consent of the Minister of Conservation.

By instrument of delegation dated 12 June 2013 the Minister of Conservation has delegated to Council the Minister's powers under s48(1) of the Act in respect of reserves vested in Council as the administering body.

Council officers have confirmed that only infrastructure associated with UNL's easement rights is as described above, and the proposed easement grant is on UNL's standard terms, that are acceptable to Council.

Public notice of Council's intention to grant easements over reserve is required unless circumstances as described in s48(3) of the Act exist. In this case, Council officers believe those circumstances exist and accordingly have determined that public notice is not required.

For these reasons, the preferred option is to give ministerial consent to the proposed grant of easements in gross to UNL for the right to convey electricity and right to convey telecommunications over Lots 612 and 613.

### NGĀ TŪTOHUNGA | RECOMMENDATION(S)

That Council

1. gives ministerial consent to the grant of easements in favour of Unison Networks Limited for right (in gross) to convey electricity and right (in gross) to convey telecommunications over Lots 612 and 613 DP 586492 (Local Purpose Reserve - Accessway) pursuant to section 48(1) of the Reserves Act 1977; and
2. authorises the Chief Executive and Mayor to sign the requisite certificate on behalf of Council.

### TE WHAKAMAHUKI | BACKGROUND

The proposal has not been presented previously.



**NGĀ KŌRERORERO | DISCUSSION**

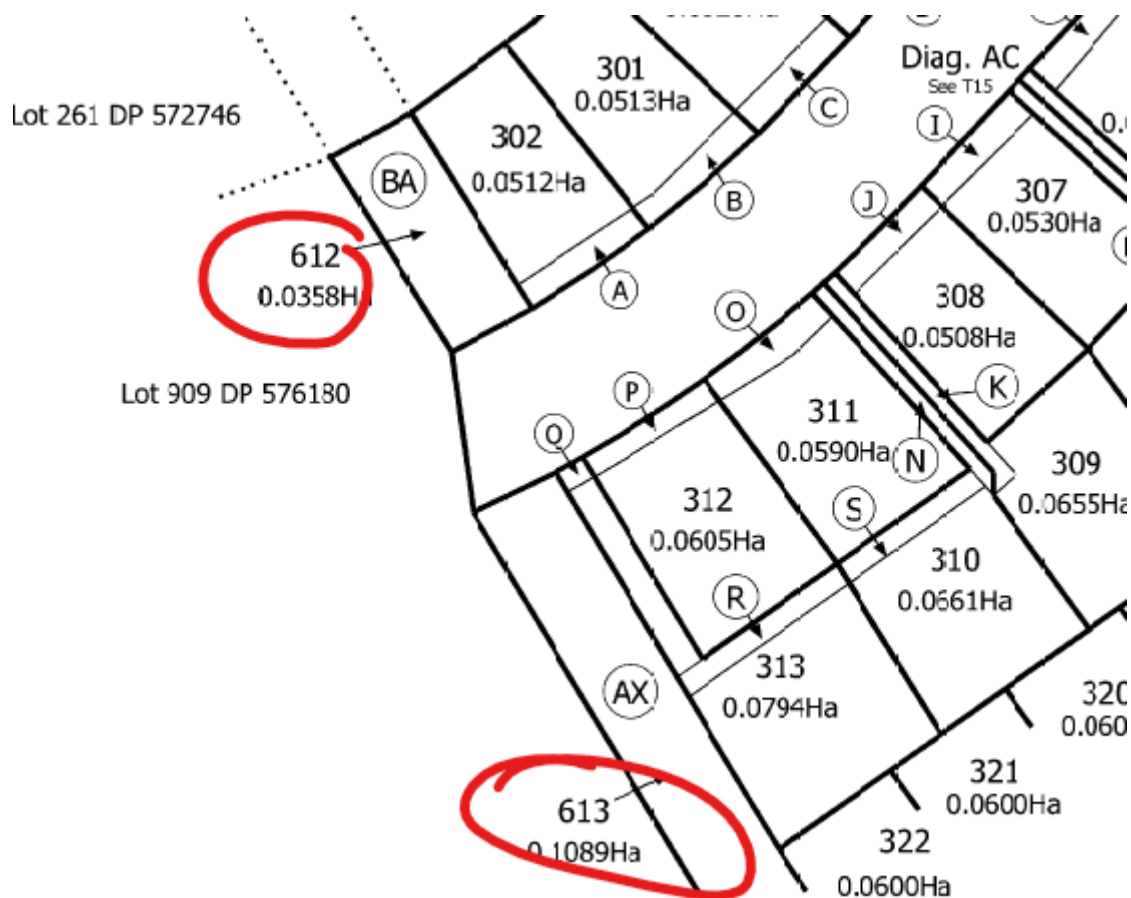
Wharewaka East Limited is up to stage 11 of its residential development at Wharewaka East.

Stage 11 comprises residential lots and has been consented to under RM 060488I.

Condition 12 of RM060488I requires (*inter alia*) that “the consent holder shall service all residential lots with individual [...] electricity .. connections to the service providers standards. Easements shall be provided as necessary”.

For the supply of electricity services to the residential lots, UNL has installed electricity and telecommunications infrastructure in a duct underground within proposed Lots 612 and 613.

Proposed Lot 612 and 613 are to vest as local purpose reserve (accessway) in Council. The easements affect the entire area of each lot, as shown BA and AX below.



The assets installed by UNL within the easement areas are underground (ducted) cabling only.

By s48(3) of the Act, public notice of Council's intention to grant an easement over reserve is not required in any case where:

1. the reserve is vested in an administering body and is not likely to be materially altered or permanently damaged; and
2. the rights of the public in respect of the reserve are not likely to be permanently affected, by the establishment and lawful exercise of the easement.

Because of the underground ducted cabling (making for easy replacement of cabling with minimal disruption to the surface of the land), the reserve is unlikely to ever be materially altered or permanently damaged, and the rights of the public in respect of the reserve are unlikely to be permanently affected by the establishment and lawful exercise of the easements rights in favour of UNL.

Therefore it is considered that there are 2 options.

**NGĀ KŌWHIRINGA | OPTIONS**

Analysis of Options

Option 1: Do not give ministerial consent to the grant of easement to UNL.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>None known.</li> </ul>	<ul style="list-style-type: none"> <li>UNL does not have security for its assets and may require their removal, resulting in Stage 11 of Nga Roto not proceeding as designed, resulting in (at least) further delay in the issue of new titles.</li> </ul>

Option 2: Give ministerial consent to the grant of easement to UNL

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>UNL achieves the required security for its infrastructure, and Stage 11 of Nga Roto can utilise installed electricity and telecommunications facilities to serve the new lots on LT 586492 and deposit the subdivision plan without further delay.</li> </ul>	<ul style="list-style-type: none"> <li>None known.</li> </ul>

Analysis Conclusion:

The preferred option is Option 2: give ministerial consent to the grant of easement to Unison.

**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; Resilient and Value.

**Ngā Aronga Pūtea | Financial Considerations**

The financial impact of the proposal is estimated to be \$Nil. The costs pertaining to the UNL easement are to be met by UNL and/or the developer.

Long-term Plan/Annual Plan

There is no expenditure to be budgeted for.

**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 environmental are relevant to this matter.

The proposal has been evaluated with regards to a range of legislation. The key legislation applicable to the proposal is the Reserves Act 1977 (“**Act**”) and the following are relevant matters to consider:

- Section 48(1) of the Act permits an administering body of a reserve to grant easements over any part of a reserve vested in that administering body for the purposes of *inter alia* an electrical installation, with the consent of the Minister of Conservation.
- Pursuant to section 10 of the Act, by instrument of delegation dated 12 June 2013, the Minister of Conservation delegated to Council the Minister’s powers under s48(1) of the Act in respect of reserves vested in Council as the administering body.

3. Lots 612 and 613 are each local purpose reserve (accessway) to vest in Council *qua* administering body.
4. Section 48(2) requires public notice of the intention to grant such easements unless the circumstances in s48(3) of the Act exist.
5. The reserves are not likely to be materially altered or permanently damaged, and the public's rights in respect of each reserve are not likely to be permanently affected, by the installation of underground cabling within areas BA and AX on LT 586492 and the lawful exercise of the easement rights proposed to be conferred on UNL.
6. Council has delegated its powers to give ministerial consent, as administering body, to the Roding and Reserves Committee, but we wish for this matter to be considered at the earliest opportunity.
7. The exercise of ministerial consent by an administering body cannot be delegated to an officer.
8. The proposed easements are to be granted on terms usually applying to easements granted to Unison Network Limited.

Authorisations are not required from external parties.

### **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**

Wharewaka East Limited wishes to obtain new title to the lots comprising stage 11 of its residential development at Wharewaka east.

The subdivision design calls for electricity and telecommunication services to be supplied via cabling installed by Unison Network Limited installed underground within Lots 612 and 613 to vest in Council as local purpose reserves (accessway).

Because of the purpose and location of Lots 612 and 613, and the nature of the electrical installation, the reserves are unlikely to ever be materially altered or permanently damaged, and the rights of the public in respect of each reserve are unlikely to be permanently affected by the establishment of the proposed electricity and telecommunication easements. Accordingly, no public notice is required of the intention to grant the easements.

Furthermore, it is proper for Council, as delegate of the Minister of Conservation, to consent to the proposed easements affecting areas BA and AX on LT 586492, being Lots 612 and 613 to vest in Council as local purpose reserves (accessway).

#### **NGĀ TĀPIRIHANGA | ATTACHMENTS**

Nil

**5.3 HEALTH, SAFETY AND WELLBEING REPORT**

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

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

**TE PŪTAKE | PURPOSE**

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

**NGĀ KŌRERORERO | DISCUSSION**

This report covers a three-month period from December 2022 through to the end of February 2023.

Health, safety and employee wellbeing is at the forefront of all Council operations. This Health, Safety and Wellbeing Report is structured into three key areas:

- **Safe Systems** - Ensure safe systems are in place to report on incidents, risks and safety metrics through the Health and Safety Management System which is managed and implemented by all departments across Council.
- **Safe Workplace** – Ensure the work environments have robust processes to manage health and safety risks, including effective worker representation and engagement practices.
- **Safe People** – Ensure Council has an effective programme to evaluate the health and wellbeing of workers.



**Safe Systems**

Incident Management

For the current reporting period, 49 incidents were reported into Damstra (the Council’s Health and Safety software) of which the vast majority were non-injury incidents.

The number of injury incidents reported across our operations (including contractors) has trended downwards since the last reporting period. Of the seven injury incidents, one was a medical event, two required no treatment, and four required only minor first aid e.g. sprains and abrasions.

One serious medical treatment event is detailed in the Contractor incidents.

INJURIES	Injury – Medical treatment	Illness – Medical Treatment	Injury - First Aid	Injury – No treatment
Employee	0	0	3	1
Non-worker	0	1 (visitor fainted and ambulance called by staff)	0	1
Contractor	1	0	*	*

\*Contractors do not report on minor injuries unless associated with a serious near miss (that are reported on)

Aggressive behaviours towards Council staff by the public continue to contribute to a number of incidents reported, particularly verbal abuse with threats of violence. Ten aggressive behaviour incidents were reported with three escalated to the local police or the Council’s security contractor. While dog compliance issues are often a factor in these behaviours, this reporting period has seen aggressive behaviours towards employees across the organisation including the libraries, Taupō Event Centre, AC Baths and the Tūrangi Turtle Pools. One incident involved threatening driving behaviours towards a Council-marked Parks and Reserves vehicle that had been driving to the speed limit.

This risk of aggression to our employees is subject to continued evaluations of our internal processes, escalations through external monitoring agencies, and a review of the effectiveness of our counselling services for employees.

Serious Near Miss

13 February 2023

Extreme wind gusts associated with Cyclone Gabrielle resulted in significant movement to an 11kV powerline in proximity to the River Road Water Treatment Plant building, resulting in the powerline coming into contact with a radio aerial on the River Road Water Treatment Plant building.

Damage to critical equipment within the building occurred when electricity passed through it. This was due to no earthing on the aerial that was discovered after the incident. Although the plant is usually an unmanned site, this created a potential electrocution risk to staff on site during the height of the storm. The equipment was immediately isolated.

The incident was reported to WorkSafe but was not notifiable as there were no injuries, and the event did not occur as the result of work taking place. However, an internal investigation is underway to look at the earthing of the aerial and the proximity of the aerial to the 11kV powerline and determine what corrective actions (if any) are necessary, to be reported to the Council as part of the next health, safety and wellbeing update.

Contractor Incidents

For this reporting period, one contractor incident was reported.

A sub-contractor broke his arm and wrist after falling two metres from an access ladder attached to a transport vehicle operated by the sub-contractor (not being a Council vehicle). The level of severity did trigger a notifiable event to WorkSafe, with the notification lodged by the contractor. An investigation determined both human factors and inadequate procedures to manage the risk of falling were causal factors contributing to the incident. Corrective actions will include a review by the contractor of its current procedures to appropriately manage the risk of falling from the contractor’s plant and equipment. The matter won’t be closed until the Council is satisfied with the review.

**Safe Workplace**

***Managing workplace risks***

Critical Risk Management

The management of critical safety risks is paramount to Council and robust processes are imbedded into work plans where critical risks have been identified.

Contractor Site-Specific Safety Plans must demonstrate their methodology and risk mitigation controls prior to work commencing. These are required through the Council’s Contracting to Council framework.

Use of the Critical Risk Audit app in Damstra is underway, supported by dedicated training sessions with those parts of the Council undertaking critical risk work or managing contractors with critical risk within their scope of work. Roading, Facilities and the Project Management Office are three departments that are proactively using the app to monitor the safety performance of their contractors. This will shortly be rolled out to the Events team, Water and Wastewater Treatment Plants, and Parks and Reserves team.

We have identified that there is high risk work being regularly undertaken at the Wastewater Treatment Plant and Water Treatment Plant. Accordingly, from January this year, both the Wastewater Treatment Plant and Water Treatment Plant have introduced a Permit to Work system for high-risk activities involving critical risks. The Permit to Work system is a higher standard for managing high risk activities compared with using a Site-Specific Safety Plan.

Permits are required for Working at Heights, Confined Space Entry, Hot Works and Isolations for plant shutdowns.

#### Worker Participation Practices

Health and Safety Committees meet every three months providing an opportunity to review internal policies and procedures supporting health, safety and wellness performance within the organisation. The focus for the first quarter of 2023 for our Corporate Health and Safety Committee has continued to be on addressing aggressive behaviours towards Council employees in customer facing roles, while for our Operational Health and Safety Committee, the focus has been on contractor management across our projects and operational groups.

### **Safe People**

#### Health and Wellness

Awareness of employee wellbeing is paramount at Taupō District Council. The Health and Wellness team (a collaboration between the Health, Safety and Wellbeing Manager, and the People and Culture team) introduced a revised Health and Wellness Plan for 2022/23 with an increased focus on supporting the challenges around mental wellbeing, highlighted by recent challenges such as Covid, high inflation and extreme weather events.

The structured Health and Wellness Plan offers Council employees access to a range of workshops, and initiatives promoted on the Workplace Wellness Calendar.

Workshops around mental health awareness provided in late 2022 and early 2023 have included:

- Mentally Healthy Awareness Workshops
- Reframe your Brain Workshop (that focused on wellbeing by learning how to reframe your brain after a period of stress)

The summer calendar included:

- Waiata group occurring each Thursday morning for 30 minutes, enhancing Te Reo in a connected environment and strongly supported across the organisation.
- Historical Cycle tours by our internal cycle instructors – a unique opportunity for employees to get some exercise, including a visit to our museum promoting the District's cultural heritage.
- Adult cycle skills – internal cycle instructors tutoring employees on safe riding techniques and road safety.
- E-bike cycle skills – a part of the induction to use the sponsored e-bikes available for council workers that promotes healthy alternative transport options
- Discounted Mole Map Screening Programme.
- Budgeting Workshops – Financially fit and healthy. Workshops held in Tūrangi and Taupō.
- Retirement and lifestyle planning workshop

Jo Davies continues nutrition information through bespoke blogs on the intranet and face-to-face consultations with individuals or work groups.

#### **NGĀ TŪTOHUNGA | RECOMMENDATION(S)**

That Council receives the Health, Safety & Wellbeing Report – February 2023.

#### **NGĀ TĀPIRIHANGA | ATTACHMENTS**

Nil

**5.4 ADOPTION OF CONSULTATION DOCUMENT FOR ANNUAL PLAN 2023-24**

**Author:** Kendall Goode, Policy Advisor

**Authorised by:** Nick Carroll, Policy Manager

**TE PŪTAKE | PURPOSE**

This item seeks Council's adoption of the consultation document for the draft Annual Plan 2023-24 and supporting information.

**WHAKARĀPOPOTANGA MATUA | EXECUTIVE SUMMARY**

Section 95(2) of the Local Government Act 2002 (LGA) requires Council to consult in a manner in line with the principles of consultation, before adopting an annual plan, where there are significant or material differences from the content of the Long-term Plan for the financial year to which the annual plan relates.

The consultation document (to be attached to this report) has been prepared to enable Council to engage with the community on the proposed changes in the Annual Plan compared to year three of the Long-term plan.

The proposed consultation period is scheduled from Friday 31 March to Friday 28 April. Hearings and deliberations are expected to be held between 29 May and 31 May 2023.

**NGĀ TŪTOHUNGA | RECOMMENDATION(S)**

1. That Council adopts the following supporting information for the draft Annual Plan 2023-24:
  - a. Forecast financial statements
  - b. Funding Impact Statement
  - c. Proposed capital programme
  - d. Proposed changes to the Fees and Charges Schedule for 2023-24.
2. That Council adopts the consultation document for the Annual Plan 2023-24.

**TE WHAKAMAHUKI | BACKGROUND**

This Annual Plan relates to Year 3 of the Long-term Plan 2021-31 (LTP 2021-31). Council is only required to consult on the Annual Plan if it contains significant or material differences from the LTP 2021-31.

A review of Council's anticipated funding requirements for the 2023/24 year identified a potential rate increase significantly higher than the average 3.74% outlined in the LTP 2021-31. The review of the work programme also identified an intent to continue to invest in the development of Council's East Urban Lands. This would require substantially more funding than what was signalled in the LTP 2021-31. Both this individual project, and the cumulative effect of higher operating costs are considered to be materially and significantly different from the LTP 2021-31.

There are challenging economic conditions, with the addition of high inflation, which has meant a review of the capital programme was necessary to ensure that projects already underway, those committed to through contracts, and legislative compliance being achieved are prioritised. The proposed programme is focused on deliverability. Several projects have been reprioritised or slowed down and while economic challenges have played a significant role in the prioritisation there are other complexities meaning these projects are unable to be delivered as originally intended. These reasons include the need to reach agreement with interested parties, delays with land acquirement or additional investigations required. These projects will be revisited with the community through the upcoming Long-term Plan.



## NGĀ KŌRERORERO | DISCUSSION

An average rates increase of 8.6% is proposed for the 2023/24 financial year. The fact this is quite different to what was signalled in the LTP 2021-31 is a reflection of the very different economic conditions. With stubbornly high inflation we have seen significant cost increases across most parts of the organisation like interest payments, electricity, fuel, insurance and construction materials.

We are aware that many in our community are struggling with the cost-of-living pressures and that rates increases will be difficult. This has been forefront in the development of the draft Annual Plan with cost savings identified, the capital investment programme reviewed and altered compared to the LTP 2021-31, as well as looking at maximising investment opportunities.

Those changes have helped but we think further reductions in the proposed rates need to be made. To achieve that we are proposing to decrease depreciation funding. This will have an immediate impact in terms of reducing the amount of rates revenue that has to be collected, however we will need to catch up in the following two years.

The consultation document identifies the key areas of change between Year 3 of the Long-term Plan and that proposed for the 2023/24 year. The consultation document is seeking feedback from the community on three matters:

- The additional \$7.6 million of investment needed to develop a 6 hectare area of the East Urban Lands (EUL).
- Whether delaying the funding of depreciation by a maximum of 8% should be applied to achieve the proposed rates increase of 8.6%.
- Proposed changes to several fees and charges.

The consultation document will also be informing the community about the changes to the capital programme. The priority is on projects already underway, those contracted and projects which need to be delivered to achieve legislative compliance. Others have been slowed down and those that we cannot get to will be reprioritised as part of the next review of the Long-term Plan in 2024.

## 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 Annual Plan consultation document: World Class; Authentic; Charming; Vibrant; Quality; Resilient and Value.

### Ngā Aronga Pūtea | Financial Considerations

The financial considerations and implications of the proposed changes are explained in the draft consultation document including the potential rating impact on the community.

### Ngā Aronga Ture | Legal Considerations

#### Local Government Act 2002

The consultation document has been prepared in accordance with the legislative requirements under the Local Government Act 2002.

### Ngā Hīraunga Kaupapa Here | Policy Implications

The policy implications within the consultation document have been discussed by Council previously and reflect the choices that the Council wishes to discuss with the community during consultation.

### 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.

Officers have written to our Iwi partners advising that Council will be seeking feedback on the draft Annual Plan during April and have invited them to request a specific hui, if desired, to discuss the draft Annual Plan. The consultation document will be discussed with the Tūrangi Co-Governance Committee at their meeting on 5 April, and with Te Kopu ā Kānapanapa at their next meeting.

### **Ngā Tūraru | Risks**

There is a risk if Council chooses not to follow the process set out in the Local Government Act 2002. This risk has been mitigated through Council's decision-making process to date.

### **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. This reflects the fact that the Annual Plan impacts on all ratepayers across the district, while the proposed work programme may also be of interest to those who are not ratepayers.

### **TE KŌRERO TAHI | ENGAGEMENT**

Council's representative groups have been briefed ahead of the consultation period with the opportunity to raise any questions or points of clarification.

Engagement with the community will be undertaken in accordance with section 82 of the Local Government Act 2002, with consultation from Friday 31 March to Friday 28 April. There will also be the opportunity for people to meet with the district's Representative Groups and Elected Members at drop-in sessions during the consultation period. Hearings in May will also provide an opportunity for people to discuss their views directly with elected members.

### **TE WHAKAWHITI KŌRERO PĀPAHO | COMMUNICATION/MEDIA**

Communication will be carried out as part of wider consultation with the community on this issue. Communication regarding the consultation will include information sent to non-resident ratepayers, as well as information in the local papers, the Council website and through social media. Drop-in sessions with Representative Groups and Elected Members will be organised and dates/times advertised on the council website and social media.

### **WHAKAKAPINGA | CONCLUSION**

This item allows Council to adopt the consultation document for the Annual Plan 2023-24.

### **NGĀ TĀPIRIHANGA | ATTACHMENTS**

Nil

## 5.5 ESTABLISHMENT OF A COMMITTEE TO OVERSEE THE MOTUTERE RESERVE MANAGEMENT PLAN REVIEW

**Author:** Haydee Wood, Policy Advisor

**Authorised by:** Nick Carroll, Policy Manager

### TE PŪTAKE | PURPOSE

To establish a committee to oversee the review and approval of the Motutere Recreation Reserve Management Plan.

### WHAKARĀPOPOTOTANGA MATUA | EXECUTIVE SUMMARY

Council has committed to a review of the Motutere Recreation Reserve Management Plan (RMP) in conjunction with hapū, prior to the administration of the reserve changing to Ngāti Te Rangiita.

In view of Ngāti Te Rangiita ultimately overseeing the administration of the reserve, it is appropriate that they are represented on the committee that oversees the review and ultimately approves the plan. It is recommended that the committee also include a non-voting member from the Department of Conservation. This would provide an effective way for the Department, who are the land owners, to stay involved in the project at a governance level.

### NGĀ TŪTOHUNGA | RECOMMENDATION(S)

That Council:

1. approves the establishment of a committee to oversee the Motutere Recreation Reserve Management Plan review;
2. appoints the following members to the Motutere Recreation Reserve Management Plan Committee:
  - a. His Worship the Mayor, David Trewavas
  - b. Councillor \_\_\_\_\_
  - c. Councillor \_\_\_\_\_
  - d. Aroha French
  - e. Jade Wikaira
  - f. Maia Wikaira
  - g. Dave Lumley (Department of Conservation) - *observer*
3. adopts the Terms of Reference and delegations detailed in Attachment 1.

### TE WHAKAMAHUKI | BACKGROUND

The proposal has not been presented previously.

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 owned by the Crown and presently vested with Taupō District Council to undertake the administration functions. 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, the Minister of Conservation suggested, and the hapū 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 as well as the Reserve Management Plan.

The Motutere area comes under the Tongariro Representative Group terms of reference and the Group would normally oversee the development of a reserve management plan. However, 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 in the review and ultimately the decision making with Council.

It is proposed to form a new committee, specifically for the reserve management plan process, made up of three elected members from Council and three hapū members. In addition, it is proposed that there is a Department of Conservation (DOC) representative who would not have voting rights. This would provide an opportunity for the Department to stay involved with the review process.

The Tongariro Representative Group will continue to be informed throughout this project, they will be provided with the RMP committee agendas and minutes.

Please see the attached Terms of Reference which set out the proposed membership and powers of this committee.

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

**NGĀ KŌWHIRINGA | OPTIONS**

Analysis of Options

Option 1. Use the Tongariro Representative Group as the decision makers.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>Committee is already formed</li> </ul>	<ul style="list-style-type: none"> <li>Does not include Ngāti Te Rangiita in the decision making of the RMP.</li> </ul>

Option 2. Form the new committee

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>Allows shared decision making for the hapū who hold mana whenua and will be administering the reserve using the RMP once the land has been vested to them</li> <li>Strengthens relationships between Council and hapū</li> </ul>	<ul style="list-style-type: none"> <li>Nil</li> </ul>

Analysis Conclusion:

The preferred option is option 2; Form the new committee, on the basis that it more effectively allows for Ngati Te Rangiita to be involved in the decision-making process.

**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**

Costs associated with this project have been included within the approved Annual Plan budget.

Hapū members appointed to the committee will be entitled to be paid \$250 per meeting in accordance with Council's current Selection, Appointment and Remuneration Policy for external appointees on Council committees. If the Tongariro Representative Group were to undertake this work, the appointed members on that Group would also be entitled to claim meeting fees under that Policy.

**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 cultural well-beings are of relevance to this particular matter.

Council may establish committees in accordance with clause 30 of Schedule 7 to the Local Government Act 2002.

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 Rangiita who are mana whenua of Motutere. The hapū have an active role in the project team. Several hui have already been held with representatives from the hapū and they will appoint 3 members to the committee. There is no requirement to undertake any wider engagement with Māori about this committee.

**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. The new Committee, once formed, will decide whether to undertake any media releases and the process it will use to undertake communications.

**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 Rangīita, 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 Rangīita, 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 Rangīita. Before this vesting can take place, a new reserve management plan for Motutere must be prepared.

This reserve management plan will be co-drafted between Council and Ngāti Te Rangīita so that the process of the review is a shared decision. A committee is required to oversee the draft review and be the final decision makers, and it was considered appropriate to share the final decision making with the hapū Ngāti Te Rangīita because they would become the main administrators of the Reserve.

This report seeks a decision from Council to form a new committee between the Taupō District Council, Ngāti Te Rangīita and Department of Conservation to oversee and be the decision makers of the Motutere Reserve Management Plan Review.

**NGĀ TĀPIRIHANGA | ATTACHMENTS**

1. Terms of Reference

**5.6 TAUPŌ DISTRICT COUNCIL PERFORMANCE REPORT - FEBRUARY 2023**

**Author:** Haydee Wood, Policy Advisor

**Authorised by:** Julie Gardyne, Acting Chief Executive Officer

**TE PŪTAKE | PURPOSE**

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

**NGĀ TŪTOHUNGA | RECOMMENDATION(S)**

That Council notes the information contained in the Performance Report for the month of February 2023.

**NGĀ TĀPIRIHANGA | ATTACHMENTS**

1. Monthly Performance Report - Feb 23

**5.7 ADOPTION OF TAUPŌ DISTRICT COUNCIL LOCAL GOVERNANCE STATEMENT 2022-2025 TRIENNIUM**

**Author:** Karen Watts, Senior Committee Advisor

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

**TE PŪTAKE | PURPOSE**

To present the Local Governance Statement prepared in accordance with section 40 of the Local Government Act 2002 (LGA) for adoption.

**WHAKARĀPOPOTOTANGA MATUA | EXECUTIVE SUMMARY**

Within six months of each triennial election Councils must adopt a Local Governance Statement containing the information set out within section 40 of the Local Government Act. Staff have updated the previous triennium Governance Statement with tracked changes showing (Attachment 2). This can be adopted with any amendments necessary.

**NGĀ TŪTOHUNGA | RECOMMENDATION(S)**

That Council adopts the Taupō District Council Local Governance Statement for the 2022-2025 Triennium [A3284364]

**TE WHAKAMAHIKI | BACKGROUND**

The proposal has not been presented previously.

Every local authority is required, under section 40 of the Local Government Act 2002, to prepare and make publicly available a local governance statement. It must be completed within six months of the triennial election and must include the information identified in section 40 of the LGA [see Discussion section].

Staff have updated the Governance Statement prepared in 2019 following the Triennial Election on 12 October 2022.

**NGĀ KŌRERORERO | DISCUSSION**

A Local Governance Statement must include information in accordance with section 40 of the Local Government Act (Attachment 1).

The proposed Local Governance Statement for this triennium has remained similar to the last Governance Statement. Minor amendments include:

- Updates to legislation references
- Updates to Council and Governance Structure
- Updates to representation arrangements

**NGĀ KŌWHIRINGA | OPTIONS**

Council is required to adopt a local governance statement.

**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.



**Ngā Aronga Ture | Legal Considerations**Local Government Act 2002

Section 40 of the Local Government Act 2002 requires that Council must prepare and make publicly available a local governance statement.

**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.

As part of the internal drafting process, feedback was received from the Council's Iwi and Co-Governance team and incorporated into the draft Statement.

**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 is required, however, once approved the document will be publicly available and on Council's website.

**WHAKAKAPINGA | CONCLUSION**

Within six months of each triennial election Council must adopt a Local Government Statement containing the information set out within section 40 of the Local Government Act. Staff have updated the Governance Statement from the previous triennium with tracked changes showing (Attachment 2). This can be adopted with any amendments necessary.

**NGĀ TĀPIRIHANGA | ATTACHMENTS**

1. Section 40 Local Government Act 2002
2. TDC Local Governance Statement - draft March 2023 (A3284364) - tracked changes
3. TDC Local Governance Statement - Clean version

**5.8 COUNCIL ENGAGEMENTS APRIL 2023****Author: Karen Watts, Senior Committee Advisor****Authorised by: Nigel McAdie, Legal, Risk and Governance Manager****ENGAGEMENTS**

ENGAGEMENT	DAY	DATE	TIME
Emergency Management Committee meeting (Council Chamber)	Monday	3	11am-12.30pm
Council Meeting – Hearing of submissions and deliberations on the draft Recreation and Sport Strategy (Council Chamber)	Tuesday	4	10.15am-11.45am
Closed Workshop: Update to Elected Members - Pae Ora ki Tūwharetoa Locality (Council Chamber)	Tuesday	4	12.30pm-1.30pm
Workshop: Bylaw Review Package: Cemeteries, Freedom Camping and Alcohol Control Bylaws (Council Chamber)	Tuesday	4	1.30pm-3pm
Tūrangi Co-Governance Committee meeting (Tūrangi Customer and Visitor Information Centre, 1 Ngawaka Place, Tūrangi)	Wednesday	5	9.30am-11.30am
Closed Workshop: Taupō Airport Authority Committee Landing Fees	Wednesday	5	10.30am-11.30am
Taupō Reserves and Roding Committee meeting	Thursday	6	10am-12pm
Te Arawa River Iwi Trust / Taupō District Council Elected Members induction (details TBC)	Tuesday	11	10am-1pm
Te Arawa River Iwi Trust / Taupō District Council Co-Governance meeting (Ōhākī Marae, Piripiri road, Ōhaaki, Waikato)	Tuesday	11	1pm – 3pm
Destination Great Lake Taupō 6 Monthly Report to Council (Council Chamber)	Thursday	13	10am-10.45am
Amplify 6 Monthly report to Council (Council Chamber)	Thursday	13	10.45am-11.30am
Taupō Airport Authority Committee meeting (Conference room, Taupō Airport, ANZAC Memorial Drive, Taupō)	Monday	17	10.30am-12pm
Mangakino Pouakani Representative Group pōhiri (Pouakani Marae, 57 Moana Crescent, Mangakino)	Tuesday	18	9am-10am
Mangakino Pouakani Representative Group meeting (Pouakani Marae, 57 Moana Crescent, Mangakino)	Tuesday	18	10am-12pm
Closed Council meeting – Chief Executive candidate interviews (Suncourt Hotel & Conference Centre, 14 Northcroft Street, Taupō)	Thursday	20	9.30am-4pm
Public forum (Council Chamber)	Thursday	27	12.30pm-1pm
Council meeting (Council Chamber)	Thursday	27	1pm-3pm
Lake Taupō Protection Project Joint Committee meeting	Friday	28	10.30am-1pm

**NGĀ TŪTOHUNGA | RECOMMENDATION(S)**

That Council receives the information relating to engagements for April 2023.

**NGĀ TĀPIRIHANGA | ATTACHMENTS**

Nil