

**TAUPŌ DISTRICT COUNCIL
MINUTES OF THE ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, 107 TE HEUHEU STREET, TAUPŌ
ON TUESDAY, 27 JUNE 2023 AT 1.00PM**

PRESENT: Mayor David Trewavas (in the Chair), 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 Kevin Taylor, Cr Kirsty Trueman (until 2pm), Cr Yvonne Westerman, Cr John Williamson

IN ATTENDANCE: Chief Executive (J Gardyne), General Manager People and Customer (L O'Brien), General Manager Finance and Environment (S Matthews), General Manager Operations and Delivery (A Moraes), Policy Manager (N Carroll), Legal Risk and Governance Manager (N McAdie), Events and Venues Manager (S Giles), Finance Manager (J Paenga), Project Management Office Manager (P Fletcher), Iwi and Co Governance Manager (D Rameka), District Customer Relations Manager (T Russell), Team Leader Communications (D Beck), Project Manager - Stakeholder Specialist (T Perry), Senior Project Manager PMO (P Bradshaw), District Aquatics Manager (P Ramsey), Senior Solicitor (K Hollman), Co-Governance Management Partner (C Dempsey), Executive Manager Mayor's Office (J Later), Senior Policy Advisor (2) (P Caruana and H Samuel), Policy Advisor (2) (F Bramwell and A Wilson), Executive Assistant (2) (P Lawson and M Bennett), Governance Quality Manager (S James), Committee Advisor (N Turnbull), Senior Committee Advisor (K Watts)

MEDIA AND PUBLIC: One member of the public

Note: Cr Kirsty Trueman left the meeting at 2pm. She was not present for resolutions TDC202306/07-13.

1 KARAKIA

Cr Rachel Shepherd recited an opening karakia.

2 WHAKAPĀHA | APOLOGIES

Nil

3 NGĀ WHAKAPĀNGA TUKITUKI | CONFLICTS OF INTEREST

Nil

4 WHAKAMANATANGA O NGĀ MENETI | CONFIRMATION OF MINUTES

4.1 ORDINARY COUNCIL MEETING - 29 MAY 2023

TDC202306/01 RESOLUTION

Moved: Cr Yvonne Westerman

Seconded: Cr Rachel Shepherd

That the minutes of the Council meeting held on Monday 29 May 2023 be confirmed as a true and correct record.

CARRIED

4.2 ORDINARY COUNCIL MEETING - 30 MAY 2023

TDC202306/02 RESOLUTION

Moved: Cr Anna Park

Seconded: Cr Danny Loughlin

That the minutes of the Council meeting held on Tuesday 30 May 2023 be confirmed as a true and correct record.

CARRIED

5 NGĀ KAUPAPA HERE ME NGĀ WHAKATAUNGA | POLICY AND DECISION MAKING

5.1 MEMBERS' PORTFOLIO UPDATES

Elected Members shared the following updates:

Cr Christine Rankin

- Observed that the Central Otago District Council's entrance foyer displayed the spatial plans of the district and received lots of interest. Staff were permitted to take their dogs to work and they played together in the office courtyard.

Cr Rachel Shepherd

- The Sports Advisory Council had met the previous week but she had been unable to attend. Winter sports were going well, she had attended football and netball games recently.

Cr Karam Fletcher

- Acknowledged families in the district who had recently lost loved ones. Matariki was a time to pay homage to those who had passed on in the last 12 months. It was an opportunity to acknowledge them and their contributions to the community and wider district. Their families still felt the mamae (pain).

Cr Kirsty Trueman

- Had attended a hui with Access Taupō at the Great Lake Centre. She shared that Access Taupō felt that there were not enough disability parks in the new lakefront development in Taupō and were not consulted.
- Proposed that Council consider adding a Changing Places public toilet to the Taupō playground in the Long-term Plan. Changing Places bathrooms included changing tables which were height-adjustable and adult-sized for those with disabilities and their carers.
- A Matariki ball would be held at the Tirohanga Hall on Saturday 1 July.
- Visited the Mangakino School with Mayor David Trewavas who were looking at having a working farm on the school grounds.

Cr John Williamson

- Advised that there was a proposal to wind up the Friends of the museum and art gallery committee. Special General meetings to consider the proposal would take place on Sunday 2 July and 6 August 2023.

Cr Danny Loughlin

- Attended the Kids Greening Taupō Strategic Leadership Group (SLG) meeting on 22 June 2023. A successful Greening Taupō day was held on Friday 2 June 2023.
- Noted that a Matariki planting day would be coming up soon, supported by Miraka.

Cr Kevin Taylor

- The CCTV project was still continuing at staff level.

Cr Anna Park

- Acknowledged the passing of Mark Dinniss who was instrumental in developing youth and giving troubled teens a second chance.
- Chaired the Waikato Group Emergency Management Group Civil Defence meeting which looked into the weather events in Auckland earlier in the year. Emergency Management legislation was being introduced and would go to Select Committee so the Waikato Group would submit feedback on this.

Cr Yvonne Westerman

- Attended the celebration at Waiora House with the first baby born there in 1944. A lot of progress would be made on Waiora House over the next month.

Cr Kylie Leonard

- An open day would be held on Thursday 29 June 2023 regarding the greenhouse gas emission reduction goals which was a partnership with Fonterra and Nestle.
- Chaired the Taupō East Rural Representative Group meeting the previous day at which a number of public were present.

Cr Duncan Campbell

- There would be a community screening of the voices for freedom documentary film about the Wellington protests of February - March 2022 in Taupō that evening Tuesday 27 June 2023. He encouraged people to attend to understand where people were coming from in terms of reconciliation.

Cr Sandra Greenslade

- Thanked the Tūrangi community for the number of Annual Plan submissions resulting in a half day of hearings being held in Tūrangi the previous month.
- Advised that the Tūrangi transfer station was up and running.
- Acknowledged that the Government funding of \$5million to the liquidators of Ruapehu Alpine Lifts in support of the 2023 ski season would also make a huge difference to the Tūrangi community.
- Tokaanu-Tūrangi RSA would host a Shimmer and Shine event for Matariki on Friday 14 July.

TDC202306/03 RESOLUTION

Moved: Cr Karam Fletcher

Seconded: Cr Danny Loughlin

That Council receives the portfolio updates from members.

CARRIED

5.2 RECOMMENDATIONS ON THE FUTURE OF THE LAKE TAUPŌ PROTECTION TRUST AND RESIDUAL TRUST FUNDS

The Senior Policy Advisor highlighted key points and the Senior Solicitor clarified that the recommendations in the report would limit the scope of the existing Settlers with Taupō District Council becoming the sole trustee. The report was the framework and structure of the management functions showing how to go about achieving this. If the Trust was wound up, the structure of management would still have to be worked out. Given that it involved 27 landowners, this was the best way to achieve outcomes and retain relationships with landowners. There were many complexities and documents that had to be taken into consideration so the recommended options of the report were the appropriate vehicle for achieving the desired outcomes.

Members acknowledged the great work that the Lake Taupō Protection Trust had done and that its key objective of reducing nitrogen impacts on the Lake Taupō catchment was achieved. This proposed

recommendation would allow Taupō District Council to be custodian for the titles to ensure the good work was continued and not lost. Members expressed their desire for the Trust to be given respect, gratitude and recognition in a formal way. Two members were disappointed with how the Trust had been treated.

TDC202306/04 RESOLUTION

Moved: Cr Kevin Taylor

Seconded: Cr Danny Loughlin

That Council:

1. Acknowledges but, with the agreement of all Settlers, rejects recommendation LTPT23/07 of the Lake Taupō Protection Project Joint Committee to wind-up the Lake Taupō Protection Trust;
2. Accepts, as Settlor, the resignation of the existing Trustees of the Trust;
3. Agrees to be sole Trustee of the Trust;
4. Instructs Officers to reach agreement with representatives of the Crown and Waikato Regional Council on the form, manner and timing of ongoing reporting (if any) required by the Settlers of the Trustee in relation to Trust affairs;
5. Agrees to such actions as are needed to the Trust Deed, Project Agreement and supplementary deeds to give effect to the foregoing resolutions;
6. Authorises the Chief Executive and Mayor to do all such things as needed to give effect to the foregoing resolutions; and
7. Acknowledges and thanks the outgoing Trustees of the Lake Taupō Protection Trust for their service to the community and their outstanding achievement in protecting Lake Taupō for future generations.

CARRIED

Note: Crs Kylie Leonard and John Williamson abstained from voting on resolution TDC202306/04 above.

5.3 FINAL APPROVAL TO MAKE PLAN CHANGE 37 - NUKUHAU OPERATIVE

The Senior Policy Advisor summarised the report and advised that the appellants had expressed some discomfort with the clause 16(2) amendments.

She clarified that whether this was adopted now or in two months time, the appellants could still oppose the clause 16(2) amendments. The amendments were all minor in nature in accordance with clause 16(2). The risk of challenge needed to be balanced with the other affected landowners who were waiting on certainty for their land and how they could progress forward.

She advised that delaying adoption of the clause 16(2) amendments would lead to issues with consents in the future. She clarified that this was a private plan change whereby the applicants were required to engage with iwi. They had held open days and meetings with iwi, and the commissioners heard issues at the hearings.

Members agreed that this had been a long process and a lot of people were waiting for outcomes on both sides. While the appellants could challenge the clause 16(2) amendments, they could not do this until the plan change was made operative by Council.

TDC202306/05 RESOLUTION

Moved: Cr Kirsty Trueman
Seconded: Cr Christine Rankin

That Council

1. approves the amendments to Plan Change 37 proposed under Clause 16(2) of the First Schedule of the Resource Management Act as marked on Attachment One to the report included on the agenda.
2. approves Plan Change 37 (Nukuhau) in accordance with clause 17 of the First Schedule of the Resource Management Act as per Attachment One.
3. Directs that in accordance with clause 20 of the First Schedule of the Resource Management Act 1991, Plan Change 37 becomes operative on 14 July 2023 and instructs officers to affix the official Council seal.

CARRIED

Notes: (i) *Crs Danny Loughlin and Yvonne Westerman abstained from voting on resolution TDC202306/05 above.*

(ii) *Crs Karam Fletcher and Kylie Leonard requested their dissent to resolution TDC202306/05 above be recorded.*

5.4 CLASS 4 GAMBLING POLICY REVIEW

The Policy Advisor summarised the report and reiterated the reasons for recommending that no amendments were made to the existing policy in 2023.

Members raised concerns around the Gaming Policy Areas in Tūrangi and Mangakino as detailed on the maps attached to the agenda. The Policy Manager clarified that the maps determined where a gambling machine could be relocated to if an existing venue closed and wished to relocate.

The Chief Executive clarified that Council had no ability to remove gambling machines but could influence outcomes by setting the policy. The recommendation to roll the policy over until 2026 was in the context of central government changes and corporate planning underway.

A member highlighted that Māori were five times more likely to be gamblers and this was a problem issue that required action.

Members asked that this policy be brought up for consideration to review in July 2024 rather than be put off until 2026.

TDC202306/06 RESOLUTION

Moved: Cr Kevin Taylor
Seconded: Cr Anna Park

That Council:

1. makes no amendments to the existing Class 4 Gambling and TAB Venues policy and therefore adopts the draft Class 4 Gambling Policy 2023; and
2. directs officers to report back in July 2024 to reconsider reviewing the Class 4 Gambling and TAB Venues policy 2023.

.CARRIED

Cr Kirsty Trueman left the meeting at this point (2.00pm).

5.5 BYLAW REVIEW PACKAGE: FREEDOM CAMPING, ALCOHOL CONTROL, AND CEMETERY BYLAWS

The Policy Advisor summarised the report and the key changes to the bylaws.

A member raised that business owners at Paetiki Shopping Centre faced anti-social behaviour and requested that this also be added as an alcohol control area to the statement of proposal and draft Alcohol Control bylaw. Members agreed to add this to the consultation documents.

TDC202306/07 RESOLUTION

Moved: Cr Kevin Taylor

Seconded: Cr Karam Fletcher

1. That Council adopts the statements of proposal and draft Freedom Camping, Alcohol Control and Cemetery bylaws attached to the agenda for consultation including the tabled addition to the Cemetery bylaw for offensive monuments, and one amendment to the draft Alcohol Control bylaw being inclusion of a new alcohol control area at Paetiki Shopping Centre.
2. That a Special [Ad Hoc] Committee of Council be constituted, as per the attached terms of reference, to hear and consider submissions on the proposed 2023 Bylaws (hearing date proposed for 29 August 2023).
3. That Cr Sandra Greenslade, Cr Anna Park, and Cr Christine Rankin plus the Mayor ex-officio are appointed to the Special [Ad Hoc] Committee of Council.

CARRIED

5.6 TE ARAWA RIVER IWI TRUST - TAUPŌ DISTRICT COUNCIL JOINT MANAGEMENT AGREEMENT REVIEW

The Co-Governance Management Partner acknowledged and thanked the elected members on Te Arawa River Iwi Trust / Taupō District Council Co-Governance Committee, as well as the Chief Executive and key council staff in the joint working party.

She advised that endorsing these recommendations would further strengthen the relationship with Te Arawa River Iwi Trust and that it was still compliant with legislation.

TDC202306/08 RESOLUTION

Moved: Cr John Williamson

Seconded: Cr Kylie Leonard

That Council acknowledges the work of the Te Arawa River Iwi Trust – Taupō District Council co-governance committee and approves the following recommendations:

1. Postpone the comprehensive review of the Joint Management Agreement (JMA) until after the next general elections in October 2023;
2. Correction of minor errors;
3. Amendment of clauses 8.3, 8.8 and 8.9 to further clarify intent of these clauses being ongoing involvement and engagement through the development of the plan changes.
4. Addition of new clauses 12, 12.1 and 12.2 outlining process for Council to provide information to TARIT when Council, as the applicant, is lodging a resource consent to another consent authority.
5. That Council authorises the Mayor and Chief Executive to execute and sign the amended agreement on behalf of Council.

CARRIED

5.7 HEALTH, SAFETY AND WELLBEING REPORT

The Legal, Risk and Governance Manager summarised key points from the report. The Chief Executive clarified that this report related to Council staff and confirmed that the Risk and Assurance Committee would look at Independent Qualified Persons responsible for Council owned buildings.

TDC202306/09 RESOLUTION

Moved: Cr Rachel Shepherd

Seconded: Cr Anna Park

That Council receives the Health, Safety & Wellbeing Report for the period March to May 2023.

CARRIED

5.8 TAUPŌ DISTRICT COUNCIL PERFORMANCE REPORT - MAY 2023

The Chief Executive acknowledged the achievements of staff from the Water Team as per the CEO's commentary in the report. She advised that Council was working through its strategic vision and priorities which would be updated once this process was completed.

The Finance Manager summarised the Financial Summary and Treasury Report.

The Project Management Office Manager drew attention to the new look report for significant projects detailing the scope. She clarified that if scope had a RAG status of red, it indicated that the benefits would likely not be realised. She also added that the comments section allowed for explanations, differences and key changes to be viewed month on month, as well as milestones. She acknowledged the Taupō Town Centre Transformation team who had been finalised for a Taituarā award – the Beca Award for Placemaking. Members commented that the new design of the significant projects report answered a lot of questions and provided excellent information.

The Senior Project Manager advised that due to favourable weather, the Te Kapua Park Playground in Tūrangi was on track to be completed around mid-August 2023, and be opened towards the end of August 2023. Local kids and their families would be encouraged to help with planting in August so that they felt connected and a sense of ownership of the park.

In answer to a question, the Senior Project Manager confirmed that Te Kapua Park Playground had been designed for those with disabilities and had access for both wheelchairs and pushchairs. Disabilities were not just physical, some were sensory. Not all of the park was accessible to all but was as inclusive as possible with a mix of equipment and a sensory play area.

He advised that Waiora House, Taupō was due to be issued a Code of Compliance Certificate by the end of that week and that staff were working with the Waiora Community Trust on the fitout. The fence would be kept in place until closer to the opening date to protect the new grass and landscaping.

The Project Management Office Manager advised that the request for funding from the Ministry of Business, Innovation and Employment for the Tūrangi Street Revitalisation project had been escalated to the Minister of Finance and was yet to be signed off.

The General Manager People and Customer advised that Project Quantum could be added to this report in future. It had been reviewed and engagement with the business had been undertaken. Learnings would be implemented going forward.

TDC202306/10 RESOLUTION

Moved: Cr Sandra Greenslade

Seconded: Cr Karam Fletcher

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

CARRIED

5.9 APPOINTMENT OF THE CHIEF EXECUTIVE OFFICER AS A DIRECTOR OF BOPLASS LTD

The General Manager People and Customer explained why this appointment was necessary by Council resolution. The Chief Executive clarified that while Taupō District Council was no longer a member of Waikato CoLAB, it could collaborate on a per project basis.

TDC202306/11 RESOLUTION

Moved: Cr Danny Loughlin
 Seconded: Cr Anna Park

That Council appoints the Chief Executive Officer Julie Gardyne as Taupō District Council’s director on the board of Bay Of Plenty Local Authority Shared Services (BOPLASS) Ltd.

CARRIED

5.10 COUNCIL ENGAGEMENTS, APPOINTMENTS AND TRAINING/CONFERENCE OPPORTUNITIES - JULY 2023

The Senior Committee Advisor advised that there was an additional session to develop the vision and strategic direction of the district due to take place on Tuesday 11 July from 11.30am – 4.30pm in the Council Chamber.

The General Manager Operations and Delivery clarified that the Parking for Politicians Informative Workshop on Tuesday 18 July was a pre-cursor to the parking strategy work and would help elected members to understand the different features of car parking.

TDC202306/12 RESOLUTION

Moved: Cr Danny Loughlin
 Seconded: Cr Kevin Taylor

That Council receives the information relating to engagements, appointments and training/conference opportunities for July 2023.

CARRIED

6 NGĀ KŌRERO TŪMATAITI | CONFIDENTIAL BUSINESS

TDC202306/13 RESOLUTION

Moved: Cr Anna Park
 Seconded: Cr Christine Rankin

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 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 - 30 May 2023</p>	<p>Section 7(2)(h) - the withholding of the information is necessary to enable [the Council] to carry out, without prejudice or disadvantage,</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</p>

	commercial activities Section 7(2)(i) - the withholding of the information is necessary to enable [the Council] to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	of information for which good reason for withholding would exist under section 7
Agenda Item No: 6.2 Report on the Provision of Investment Services for TEL fund	Section 7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	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

CARRIED

Note: The following resolution was made with the public excluded but was released after the meeting so can therefore appear in the public part of the minutes:

TDC202306/C14 RESOLUTION

Moved: Cr Danny Loughlin

Seconded: Cr Kevin Taylor

That Council:

1. Receives the Report by Sarah Matthews on the Provision of Investment Services for Taupō Electricity Ltd (TEL) fund and the two accompanying proposals from Forsyth Barr Limited and Craigs Investment Partners Limited;
2. Approves the appointment of Forsyth Barr Limited as the Investment Advisory Firm to provide investment services for the TEL fund, as per the proposal received, using the existing TEL parameters within Council's Treasury Management Policy 2021, until such time that this is reviewed by Council;
3. Notes that upon appointment of the Investment Advisory Firm to manage the TEL fund, there would be a transitional period between Council and the firm and Council Officers would report regularly to Council on progress; and
4. Releases the above resolutions from confidence immediately.

CARRIED

The meeting closed at 3.12pm with a karakia from Cr Rachel Shepherd.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 25 July 2023.

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CHAIRPERSON