



GREAT LAKE TAUPŌ
Taupō District Council

LOCAL GOVERNANCE STATEMENT

Adopted on 25 February 2020

[A2578226]

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LOCAL GOVERNANCE STATEMENT

1. Purpose

The Taupō District Council's Local Governance Statement is a collection of information about the processes that Council uses to engage with the Taupō District community.

The Statement outlines how the Council makes decisions and how the public can be involved in decision-making processes.

Section 40 of the Local Government Act 2002 (LGA) requires Council to adopt a Local Governance Statement within six months following a triennial election.

2. Functions, Responsibilities and Activities

The purpose of the Taupō District Council is to enable democratic local decision-making and to promote the social, economic, environmental and cultural well-being of communities in the present and for the future.

Under various pieces of legislation, the Council is also responsible for:

1. Formulating the District's strategic direction in conjunction with the community through the Long-term Plan (LTP) and undertaking annual reporting on progress through the preparation of the Annual Report.
2. Determining the services and activities to be undertaken by the Council.
3. Managing various regulations and up-holding the law, including the formulation and enforcement of bylaws.
4. Advocating on behalf of the local community with central government, other local authorities and other agencies
5. Managing land use and subdivision through the Taupō District Plan
6. Encouraging local communities to be part of the decision-making processes of local government.
7. Ensuring effective succession of Elected Members.

3. Local Legislation Conferring Powers on Council

Some Councils are bound by legislation (known as Local Legislation) that only applies to that Council. The Taupō District is subject to the following pieces of legislation:

- Taupō Borough Empowering (Information Centre) Act 1970

4. Electoral System and Opportunity to Change it

Council's electoral system is governed by the Local Electoral Act 2001. This Act provides a choice of two electoral systems for the election of mayor and Councillors. The choices are "First Past the Post (FPP) or "Single Transferable Vote" (STV) system.

FPP allows voters to tick as many candidates' names as they want, up to the number of vacancies to be filled. The candidate(s) that receive the most votes is/are declared the winner. This form of voting is used in parliamentary elections to elect Members of Parliament to constituency seats.

STV requires the voters to rank candidates in an order of preference. This system is used for District Health Board elections.

STV uses a cascading system of transferring votes to ensure that all of a voter's preferences are taken into account. Once a particular candidate has achieved enough votes to be elected any "excess" votes for that candidate are transferred to the voter's next highest preference. Because each voter's preferences will be different the system requires a computer to calculate the result and a number of "iterations" will need to be run before the final result is declared.

Taupō District Council currently operates its elections under the FPP electoral system.

Under the Local Electoral Act 2001, there are three ways that the electoral system may be changed from one type to the other. First, the Council can resolve to make a change. Secondly, the Council can conduct a binding poll on whether to make a change. Thirdly, electors can demand a binding poll by at least 5% of electors signing a petition demanding that a poll be held.

If the electoral system is changed, the new electoral system must be used for at least the next two triennial general elections; that is, we cannot change our electoral system for one election and then change back for the next election.

The Council's last review of the electoral system was in August 2014 where it was resolved that the 2016 and 2019 triennial elections would be conducted under FPP. While each of the ways of making a change has a slightly different date for initiating the process the matter can and will be reviewed again in 2020 for application at the 2022 and 2025 triennial election.

5. Representation Arrangements

The current membership of Council consists of 11 Councillors plus the Mayor [total of twelve]. At the present time the 11 Councillors are elected on a ward basis by the electors of each ward with the Mayor elected at large by the electors of the whole district.

Council is required to review the representation arrangements for the district every six years. This review was completed in 2019. We are next required to review the arrangements prior to the 2025 elections, however Council can resolve to review the arrangements prior to the 2022 elections.

5.1. Wards

The Taupō District is divided into four wards as follows:

1. Mangakino/Pouākani Ward [one Councillor]
2. Taupō Ward [seven Councillors]
3. Taupō East Rural Ward [one Councillor]
4. Turangi/Tongariro Ward [two Councillors]

Refer to Appendix A for a map outlining Ward boundaries.

5.2. Community Boards

Community Boards are constituted under Section 49 of the Local Government Act 2002. The Taupō District Council has one community board (Turangi/Tongariro Community Board).

The Turangi/Tongariro Community Board has eight members with six elected triennially by the community and two appointed by Council. The two Council appointees are the two Councillors representing the Turangi/Tongariro Ward.

The six members who are elected by the community comprises of four members who are elected from the Turangi Town subdivision of the Turangi/Tongariro Ward. The other two members are elected from the Tongariro subdivision of the ward.

The Board elects its own chairperson at its first meeting following the triennial election.

The boundaries for the Community Board are the same as the Turangi/Tongariro Ward boundaries [refer to Appendix A].

The next review of the Community Board structure will occur when Council next reviews the representation arrangements for the district. Electors can demand the formation of a new community board, the process for which is outlined in the Local Government Act.

5.3 Māori Wards and Constituencies

The Local Electoral Act 2001 also gives the Council the ability to establish separate wards for Māori electors. Council may resolve to create separate Māori wards or conduct a poll on the matter, or the community may demand a poll. The demand for a poll can be initiated by a petition signed by 5% of electors within the district.

The matter of the introduction of a Māori ward was considered in 2017 at which time Council resolved not to introduce a Māori Ward/s but rather to pursue Iwi/Māori Representation options with Iwi and Māori collaboration, with the intent to implement an agreed [option before November 2020](#).

5.4 Review of Representation Arrangements

The Local Electoral Act 2001 requires the Council to review its representation arrangements at least once every six years. The last review was undertaken in 2019 and the resulting decisions can remain in place until after the 2022 election. The review must include the following:

1. The number of elected members (within the legal requirement to have a minimum of 6 and a maximum of 30 members including the Mayor)
2. Whether the elected members (other than the Mayor) shall be elected by the entire district, or whether the district will be divided into wards for electoral purposes, or whether there will be a mix of 'at large' and 'ward' representation
3. If election by wards is preferred, the boundaries and names of those wards and the number of members that will represent each ward
4. Whether to have community boards and, if so, how many, their boundaries and membership, and whether to subdivide a community for electoral purposes.

Through the review process there is the right to make a written submission to the Council, and the right to be heard.

There is also the right to appeal any decision made by the Council to the Local Government Commission, which will make a binding decision on the appeal. Further details on the matters that the Council must consider in reviewing its membership and basis of election can be found in the Local Electoral Act 2001.

6. Member's Roles and Conduct

The Mayor and Councillors of Taupō District Council have the following roles:

1. Setting the policy direction of Council
2. Monitoring the performance of Council
3. Representing the interests of the district [on election all members must make a declaration that they will perform their duties faithfully and impartially, and according to their best skill and judgment in the best interests of the district].
4. Employing the Chief Executive Officer [under the Local Government Act 2002 the Council employs the Chief Executive Officer, who in turn employs all other staff on its behalf].

6.1 Role of the Mayor

The Mayor is elected by the district as a whole and as one of the elected members shares the same responsibilities as other members of Council. In addition, the Mayor has the following roles:

1. provide leadership to—
 - (a) the other members of the territorial authority; and
 - (b) the people in the district of the territorial authority.
2. to lead the development of the territorial authority's plans (including the long-term plan and the annual plan), policies, and budgets for consideration by the members of the territorial authority.
3. For the above purposes the Mayor has the power to:
 - (a) appoint the deputy mayor;
 - (b) to establish committees of the territorial authority;
 - (c) to appoint the chairperson of each committee
4. A mayor is a member of each committee of a territorial authority.

6.2 Role of the Deputy Mayor

The Deputy Mayor can be appointed by the Mayor or elected by Councillors at the first meeting of Council. In addition to their role as an elected member, the Deputy Mayor must perform all of the responsibilities and duties, and may exercise the powers of Mayor [as summarised above] if the Mayor is absent or incapacitated, or if the office of Mayor is vacant. The Deputy Mayor may be removed from office by resolution of Council.

6.3 Role of the Committee Chairperson

The Mayor or Council may create one or more committees of Council. A committee chairperson is responsible for presiding over meetings of the committee, ensuring that the committee acts within the powers delegated by Council, and as set out in Council's Delegations Manual. A committee chairperson may be removed from office by resolution of Council.

6.4 Legislation regarding Conduct of Elected Members

Elected members have specific obligations as to their conduct in the following legislation:

1. Schedule 7 of the Local Government Act 2002, which includes obligations to act as a good employer in respect of the Chief Executive Officer and to abide by the current code of conduct and standing orders.

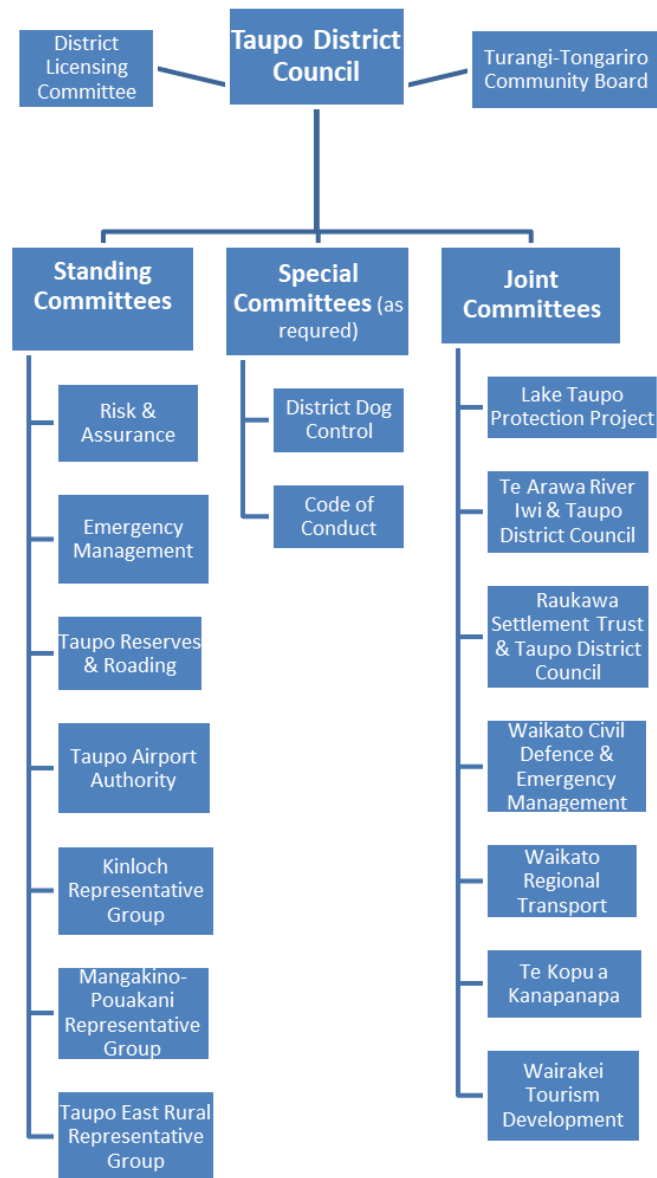
2. The Local Authorities [Members' Interests] Act 1968, which regulates the conduct of elected members in situations where there is, or could be, a conflict of interest between their duties as an elected member and their financial interests [either direct or indirect].
3. The Secret Commissions Act 1910, which prohibits elected members from accepting gifts or rewards which, could be seen to sway them to perform their duties in a particular way.
4. The Crimes Act 1961 regarding the acceptance of gifts for acting in a certain way and the use of official information for private profit.
5. The Local Government Official Information and Meetings Act 1987 (LGOIMA) which sets out the procedural requirements for meetings of local authorities and confidentiality of information.
6. Financial Markets Conduct Act 2013 (FMCA) makes Members personally liable if product disclosure statements to investors contain untrue information. Council does not, at this time, offer securities to the public.
7. Health and Safety at Work Act 2015 introduced a new term of "Officers". This is any person occupying a position in relation to the business or undertaking, that allows the person to exercise significant influence over the management of the business or undertaking. Elected Council members (which include the Mayor and Councillors but excludes Community Board members) and the Chief Executive are by default identified as "Officers".
8. The Public Records Act 2005's purpose is to provide a framework for ensuring records are full and accurate, well maintained and accessible.

6.5 Code of Conduct

All elected members are required to adhere to a code of conduct. Adopting such a code is a requirement of the Local Government Act 2002. Once adopted such a code may only be amended by a 75 per cent or more vote of the Council. The code sets out the Council's understanding and expectations of how the Mayor and Councillors will relate to one another, to staff, to media and to the general public in the course of their duties. It also covers disclosure of information that is received by or is in possession of elected members and contains details of the sanctions that the Council may impose if an individual breaches the code.

A copy of the adopted Code of Conduct can be viewed at www.Taupō.govt.nz.

7. Governance Structures



8. Conduct of Meetings

The legal requirements for Council meetings are set down in the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987 (LGOIMA).

All Council and committee meetings must be open to the public unless there are reasons to consider some items with the public excluded. Although meetings are open to the public, members of the public do not have speaking rights unless prior arrangements are made with Council.

The LGOIMA contains a list of circumstances where councils may consider items with the public excluded. (These circumstances generally relate to protection of personal privacy, professionally privileged or commercially sensitive information, and the

maintenance of public health, safety and order). The Council agenda is a public document, although parts may be withheld if the above circumstances apply.

The Mayor or committee chairperson is responsible for maintaining order at meetings and may, at his or her discretion order the removal of any member of the public for disorderly conduct or remove any member of Council who does not comply with standing orders.

Minutes of meetings must be kept as evidence of the proceedings of the meeting. These must be made publicly available, subject to the provisions of the LGOIMA.

For an ordinary meeting of Council, appropriate notice of the time and place of the meeting must be given (according to Schedule 7 of the Local Government Act). Extraordinary meetings should have notice given as is reasonable in the circumstances or if no notice is given, a public notice should give the reasons why it was not notified, and the nature of the business as soon as practical following the meeting. Emergency meetings may be called by the Mayor or, if the Mayor is unavailable, the Chief Executive and should have notice given as is reasonable in the circumstances, at least 24 hours before the time appointed for the meeting.

During meetings the Mayor and Councillors must follow standing orders (a set of procedures for conducting meetings). The Council may suspend standing orders by a vote of 75 per cent of the members present. A copy of the standing orders can be viewed at www.Taupō.govt.nz.

9. Consultation Policy

The Taupō District Council has a Significance and Engagement Policy which:

1. enables Council and its communities to identify the degree of importance attached to particular issues, proposals, assets, decisions and activities.
2. provides clarity about how and when communities can expect to be engaged in decisions made by Council.
3. informs Council from the beginning of a decision-making process about the extent, form and type of engagement required

Consultation is also carried out according to consultation principles set out in legislation including:

- a. the Principles of Consultation (sections 82-90 of the Local Government Act 2002) including the special consultative procedure
- b. the first schedule of the Resource Management Act 1991
- c. as required by the Reserves Act 1977.

10. Working with Māori and our iwi partners

The Local Government Act 2002 specifically makes provision for Te Tiriti o Waitangi (the Treaty of Waitangi). It encourages Councils to foster more positive and productive relationships with tangata whenua where Council impact their rohe. The Act places a requirement on Councils to recognise and respect the Crown's responsibility to take appropriate account of the principles of partnership.

Council engages with hapu / iwi within the Taupō District in the following ways:

Written agreements between Council and tangata whenua:

1. Joint Management Agreement with the Tūwharetoa Māori Trust Board on behalf of Ngāti Tūwharetoa for private plan changes and notified resource consents on multiply owned freehold Māori land
2. Joint Management Agreement with River iwi In accordance with the Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010, Council must develop joint management agreements with Raukawa, Te Arawa and Ngāti Tūwharetoa at their initiation. These agreements relate to the Waikato River and activities within its catchment affecting the River. The Raukawa and Te Arawa agreements have signed and Ngati Tuwharetoa has now initiated in 2020, the start of the process.
3. Additional considerations will need to be considered for these Joint Management Agreements were iwi may wish to include other more broader matters.
4. Tutemohuta Reserve Trust (Waitahanui). This is 50-50 representation on a Māori Land Trust where tangata whenua provide the Māori Land (Tauhara Middle 14) and Council provides and maintains all facilities. Assets include sports field, playground, community hall and associated facilities.
5. C75 Foreshore Reserve Trust. This Trust is under the umbrella of the Māori Land Court and has two Councillors named as trustees and are embedded on the committee of management. The partnership is based on tangata whenua providing the land and Council providing and maintaining all public amenities.
6. Ngāti Turangitukua Mana Whakahono ā-Rohe. Pursuant to the RMA Council received an initiation from Ngāti Turangitukua, a hapū of Ngāti Tūwharetoa that resides in and around the Turangi township. Council accepted this initiation owing to their TOW settlement of 1998 and Council's role in that. The RMA requires that this be completed in the 2020 calendar year.
7. Memorandum of Understanding with Ngāti Tūwharetoa and agencies forms The Taupō Collective which is a multi-agency group that encourages and ensures consultation and discussion on strategic priorities and projects addressing whānau and tamariki at risk.

Protocols and services that assist Council to work with tangata whenua:

- a. Protocol for Accidental Discovery of Archaeological Sites
- b. Engagement agreement between Tuwharetoa Māori Trust Board and Council's senior staff.
- c. Ngāti Tuwharetoa Gallery Governance Group. This group provides guidance to Council in terms of tikanga regarding the Taupō Museum's Tuwharetoa Gallery.
- d. Māori Rates Officer – because of a sizeable ownership and unique nature of Māori Land, Council supports this administration function with a designated officer. That person manages and processes all matters concerning Māori Land Council rates.
- e. Strategic Relationships Manager – an outward and inward facing role, the key responsibility of this role is to facilitate, enhance and maintain relationships between Council and all tangata whenua groupings within the District. This role also supports the internal development of staff whose roles engage with Māori and our Iwi partners.

Co-Governance Opportunity and Obligations:

Co-governance is a priority for Council and is pursued openly. TDC has chosen to not opt for Māori seats in its representation review but has agreed to work through what options remain to encourage Māori participation in local decision-making.

- a. Appointment of Māori interest representatives to five Council committees

- b. Co-governance Manager employed to support the achievement of Council's settlement obligations from 1998 to present day.
- c. Formation of co-governance team to investigate opportunities to work with Iwi partners across all business units of Council
- d. Induction of Council by District Iwi partners to start the 2019/2022 triennium at Oruanui Marae.
- e. Staff training initiatives that support cultural competencies
- f. TDC Management of iwi owned reserve lands returned as cultural redress properties

11. Management Structures and Relationships

The Local Government Act 2002 requires Council to employ a Chief Executive whose responsibilities are to employ other staff on behalf of the Council, implement Council decisions and provide advice to the Council. Under the Local Government Act 2002 the Chief Executive is the only person who may lawfully give instructions to a staff member. Any complaint about individual staff members should therefore be directed to the Council's Chief Executive Officer, rather than the Mayor or Councillors.

11.1 Chief Executive

The Chief Executive is Mr Gareth Green. Mr Green may be reached on 07 376 0899 or by email: ggreen@Taupo.govt.nz.

The Chief Executive is appointed by the Council in accordance with Section 42 and Clauses 33 and 34 of Schedule 7 of the Local Government Act 2002.

11.2 Management Structure

The Council management is organised into seven divisions. These departments, and the 'Head' of each department are listed below:

Operations	Kevin Strongman
Finance and Strategy	Alan Menhennet
Regulatory and Risk	Brian Fox
Economic Development and Business Transformation	John Ridd
Democracy, Governance and Venues	Tina Jakes
Communications and Customer Relations	Lisa Nairne
Community, Culture and Heritage	Dylan Tahau

12. EQUAL EMPLOYMENT OPPORTUNITIES POLICY

Council has adopted the following policy statement:

"The Taupō District Council supports the principle of equal opportunity of employment and intends to eliminate all forms of discrimination.

The Council will provide a culturally sound, sensitive, safe and healthy working environment which promotes a positive climate for employees and actively seeks to enhance employee skills and abilities to ensure appointment and promotional opportunities on merit."

To achieve this Council has adopted the following goal:

“To ensure that employment related matters and decisions are based only on skills and abilities and are determined on merit regardless of gender, marital status, family responsibilities, sexual orientation, creed, age, disability, colour, race or ethnic origin.”

13. Key Approved Planning and Policy Documents

13.1 Long-term Plan

Under the Local Government Act 2002 (LGA), the Council is required to develop a Long Term Plan [LTP] in consultation with the community. The LTP describes the activities that Council will undertake to deliver on its responsibilities to promote the social, economic, environmental, and cultural well-being of the District. This involves Council identifying, in detail, what needs to be done and how each project will be funded.

The LTP covers the 10 years from the date of its publication and is reviewed and updated at least every three years. In addition, the LTP must contain an Infrastructure Strategy which covers 30 years for our roading, water, wastewater, stormwater, council facilities and parks/reserves assets. The current LTP covers the period 2018 - 2028. Planning for the development of the 2021-32 LTP started in 2019.

The LTP is audited by Audit NZ to ensure that it complies with the requirements of the LGA. Policies that must be included within the LTP:

1. Infrastructure Strategy
2. Financial Strategy
3. Revenue and Financing Policy
4. Significance and Engagement Policy
5. Funding Impact Statement

13.2 Annual Plan

An Annual Plan must be completed in the years where Council does not adopt an LTP. An Annual Plan makes any necessary adjustments to the budgets included in the LTP for the relevant financial year. Council is only required to formally consult on an Annual Plan if there are ‘materially or significant’ changes from what was proposed in the LTP.

13.3 Taupō District Council District Plan (under review)

Under the Resource Management Act 1991, Council is required to have a District Plan. The District Plan describes what land uses and subdivision are able to occur in the district.

The District Plan is currently under review. A review of the District Plan is required every ten years. The District Plan can be viewed online at www.Taupō.govt.nz.

13.4 Taupō District 2050 Growth Management Strategy

Taupō District 2050 is the district’s Growth Management Strategy. It describes how and where to accommodate the district’s expected growth. A revised version of the strategy was adopted in October 2018 and can be viewed online at www.Taupō.govt.nz

13.5 Other Key Policies

View Taupō Districts Council’s key strategies and policies can be viewed online at www.Taupō.govt.nz

14. Contact details for Taupō District Council

Main Office:	Taupō Main Office, 46 Horomatangi Street, Taupō
Service Centres:	Turangi Service Centre, Turangi Town Centre Mangakino Service Centre, Rangatira Drive
Address [postal]:	Private Bag 2005, Taupō 3352
Phone (Main Office):	(07) 376 0899
Phone (Turangi):	(07) 386 7017
Phone (Mangakino):	(07) 882 8191
Internet:	www.Taupō.govt.nz or fixmystreet.org.nz
Email:	info@Taupō.govt.nz

14.1 Contact details of the Councillors and Community Board Members

Can be viewed on line at www.Taupō.govt.nz

14.2 Systems for Processing Complaints

In the first instance, most complaints are dealt with and resolved by the department involved.

However, depending on the seriousness of the complaint it may be escalated to the appropriate Head of Department or to the Chief Executive Officer. However, any complaint/concern unable to be resolved will be investigated and resolved by the Head of Democracy, Governance and Venues.

People wishing to make complaints should do so in writing addressed to the appropriate person.

15. Requests for Official Information

Under the Local Government Official Information and Meetings Act 1987 (LGOIMA) any person may request information from the Council. Any request for information is a request made under LGOIMA. You do not have to say you are making a request under LGOIMA.

Once a request is made the Council must supply the information unless good reason exists for withholding it. The LGOIMA says that information may be withheld if release of the information would endanger the safety of any person or prejudice maintenance of the law or, subject to being outweighed by public interest considerations, if release would:

1. compromise the privacy of any person
2. reveal confidential or commercially sensitive information
3. cause offence to tikanga Māori or would disclose the location of waahi tapu in relation to certain Resource Management Act matters
4. prejudice public health or safety
5. prejudice measures to prevent or mitigate material loss to members of the public
6. compromise the effective conduct of the Council's public affairs in certain ways
7. compromise legal professional privilege
8. disadvantage the Council while carrying out negotiations or commercial activities
9. allow information to be used for improper gain or advantage.

The Council must answer requests within 20 working days (although there are certain circumstances where this time-frame may be extended). The Council may charge for official information under guidelines set down by the Ministry of Justice.

In the first instance you should address requests for official information to the Head of Democracy, Governance and Venues.. Council may charge for providing official information where extensive research is involved. Council adopts a Fees and Charges schedule annually which prescribes the fee for LGOIMA requests. This can be viewed online at www.Taupō.govt.nz .

16. Council Bylaws

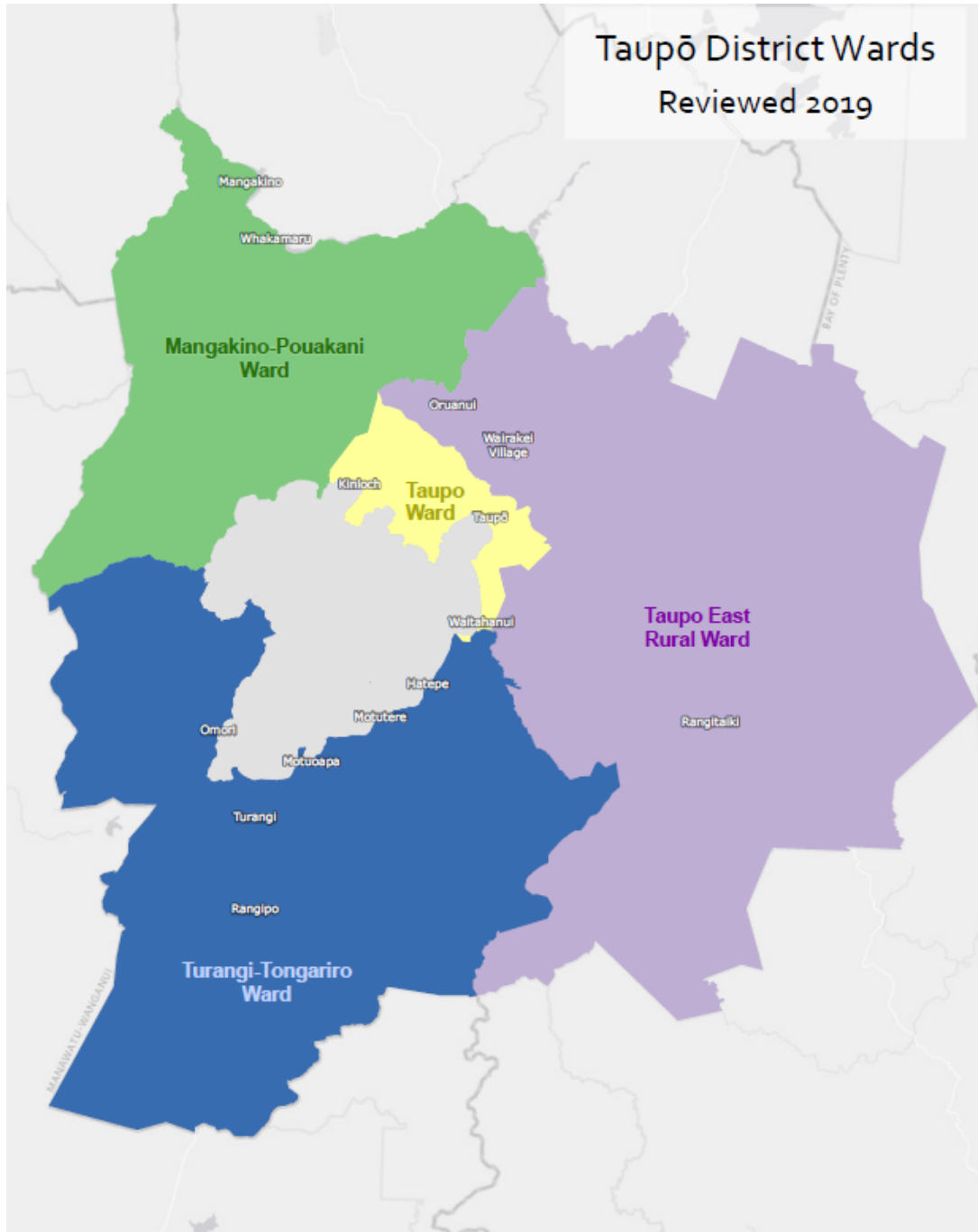
A local authority can adopt a bylaw for the purposes of:

1. protecting the public from nuisance.
2. Protecting, promoting and maintaining public health and safety
3. Minimising the potential for offensive behaviour in public places.

A local authority can also adopt a bylaw for some specific purposes described in the LGA including waste management, trading and public places and cemeteries.,

A list of Council's bylaws is outlined in Appendix B. This list includes: the bylaw title, a general description, when it was made, and if applicable, the date of its last review.

APPENDIX A – Ward Map



APPENDIX B - Taupō District Council Bylaws

<u>TITLE OF BYLAW</u>	<u>GENERAL DESCRIPTION</u>	<u>BYLAW MADE</u>	<u>LAST REVIEW</u>	<u>NEXT REVIEW</u>
TDC Solid Waste Bylaw: 2012	Regulates waste management, collection, transport & disposal of waste	2007	2012	2022
TDC Cemetery Bylaw 2012	Controls & manages all cemeteries within Council control	2006	2012	2022
TDC Control of Dogs Bylaw 2013	Sets standards of control that must be observed by dog owners	2004	2013	2023
TDC Traffic Bylaw 2018	Regulates parking & the use of roads & public places	2008	2014	2024
TDC Speed Limits Bylaw 2011	Sets speed limits within the Taupō District	2011	2018	2028
Alcohol Control Bylaw 2018	To reduce crime and disorder within Taupō District by providing alcohol controls in public places.	2018		2023
TDC Trade Waste Bylaw 2010	Regulates the disposal of trade waste	2010	2016	2026
TDC Water Supply Bylaw 2015	Regulates Council and customer responsibilities for the supply and use of drinking water	2009	2015	2025
TDC Animals, Birds and Bees Bylaw 2016	Regulates the requirements for keeping animals, birds and bees within Taupō District to ensure the health and safety of any persons, animals, birds and bees, and to protect of the public from nuisance.	2016		2021
TDC Litter Bylaw 2016	Regulates the requirements for litter within Taupō District to ensure the health and safety of any persons, and for the protection of the environment.	2016		2021
TDC Objectionable Signs Bylaw 2016	Regulates the requirements for objectionable signage within Taupō District to protect the public from nuisance and to minimise the potential for offensive behaviour.	2016		2021
TDC Trading in Public Places Bylaw 2016	Regulates the requirements for trading in public places within Taupō District to ensure the health and safety of any persons, and to protect the public from nuisance.	2016		2021
TDC Reserves and Public Places Bylaw 2016	Regulates the requirements for reserves and public places within Taupō District to ensure the health and safety of any persons, and to protect the public from nuisance.	2016		2021

Freedom Camping Bylaw 2019	Manage freedom camping in parts of Taupō district.	2017		2022
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