

TO: COUNCIL

PREPARED BY: Senior Policy Advisor

SUBJECT: Kinloch Lakefront Reserve and Scotsman's Ramp

DATE: 8 October 2015

OBJECTIVE DOCUMENT ID: A1536415

PURPOSE

The purpose of this report is for Council to consider the results of consultation regarding vehicle access at the Kinloch Lakefront Reserve and the future of Scotsman's ramp.

A decision as to whether there should be any changes to the Kinloch Reserve Management Plan as a result of this consultation is also necessary.

A large number of submissions were received, and a range of issues raised, through the written submission process. If any new information is raised through the verbal submissions the recommendations may need to be adjusted accordingly.

EXECUTIVE SUMMARY

Following on from consultation in July and August the Council will consider written and verbal submissions on three Kinloch Reserve issues:

- the Kinloch Lakefront Reserve and vehicle access
- The future of Scotsman's Ramp
- A proposal for a bike kiosk on Kinloch Domain.

This report deals with the first two issues. The community views are overlaid with the legislative complications for the Lakefront Reserve. Currently management of the reserve is inconsistent with the District Plan rules by allowing cars on the reserve within 4 metres of the notable trees.

For Scotsman's Ramp, the lack of an alternative public (DIA) facility and the cost involved with using the private marina facilities has driven most peoples concern surrounding its potential closure. On the other hand health and safety concerns have been raised by other parties.

Officers have suggested a compromise for both these matters. For the Lakefront Reserve it is suggested that the areas surrounding the trees be blocked off but the remainder of the reserve stay open for vehicles and parking. This allows the Council to meet its legislative requirements, while still allowing the community vehicular access onto the reserve. For Scotsman's ramp it is recommended that it remain in place but that better monitoring and compliance be put in place to reduce safety issues (improved signage, barriers and monitoring over summer).

There are no solutions for either of these issues which are consistent with everyone's viewpoints while meeting our legislative requirements.

RECOMMENDED RESOLUTION

THAT COUNCIL:

- 1. Receives submissions on the Kinloch Lakefront Reserve and Scotsman's Ramp attached to officers report A1536415, and accepts the four late submissions.**
- 2. Directs officers to develop a more detailed design for Kinloch Lakefront Reserve which will be implemented as a trial over the summer period:**

- **Protects the 4 metre root zone around the poplars (through the use of planting, rocks, bollards and furniture as appropriate)**
 - **Allows for some car parking on both sides of the reserve road**
 - **Plans for some replanting of the poplar trees**
 - **Traffic calming measures**
 - **Allows an area for mountain bikers to stop without running into parked cars.**
- 3. Directs officers to discuss detailed measures to be implemented at Scotsman's Ramp with TMTB representatives, including but not limited to concreted bollards, improved signage and improved monitoring over the summer period.**

PURPOSE

The purpose of this report is for Council to consider the results of consultation regarding vehicle access at the Kinloch Lakefront Reserve and the future of Scotsman's ramp.

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BACKGROUND

Both these matters have been the subject of ongoing discussions and complaints for a number of years. For the Lakefront Reserve complaints have primarily been received from residents of Keitha Place. Council has received letters from both Tuwharetoa Maori Trust Board and the Kinloch Marina requesting the closure of Scotsman's Ramp (Attachment 5).

In November 2014 officers raised the issues of Scotsman's Ramp and the Lakefront Reserve. The Council resolved (TDC201411/12) that:

Council undertakes a pre-consultation exercise with the community to address the vehicle access and boat launching issues on the Kinloch Lakefront Reserve.

On 9 June 2015, Council officers presented a workshop to Councillors raising concerns around the inconsistencies between the District Plan, Reserve Management Plan and vehicle access on the Lakefront Reserve. It was decided that consultation would proceed and include information on this policy issue.

Consultation was carried out on Scotsman's Ramp, Kinloch Lakefront Reserve and a proposal for a kiosk at the Kinloch Domain during July and August for a five week period. The following methods were carried out to advertise the consultation:

- A letter to all ratepayers within the Kinloch area (to Whangamata Road)
- An email to interest groups or organisations (i.e. DoC, Regional Council, Bike Taupō etc)
- 2 public notices
- Signs at the sites
- Questionnaires available at the store and the marina
- A note in the Rates newsletters to all ratepayers in the District
- Two articles in Connect
- Alerts on TDCs website and facebook pages.
- An informal question/answer evening at the Topsy Trout
- A second opportunity to make a submission once it was decided that the hearing would be held (no further submissions were received).

Council received 180 submissions regarding the Lakefront Reserve and 190 submissions for Scotsman's Ramp. There were 212 submitters in total (on all three issues) but not every submitter submitted on all the issues. Four late submissions were received (numbers 213, 214, 215 and 216). It is recommended that these should be accepted.

14 of these submitters have elected to speak at the hearing. The schedule for the hearing is included as Attachment 1.

DISCUSSION

Kinloch Lakefront Reserve

Issues

There has been conflicting views regarding vehicle access on this reserve for many years. The issues include:

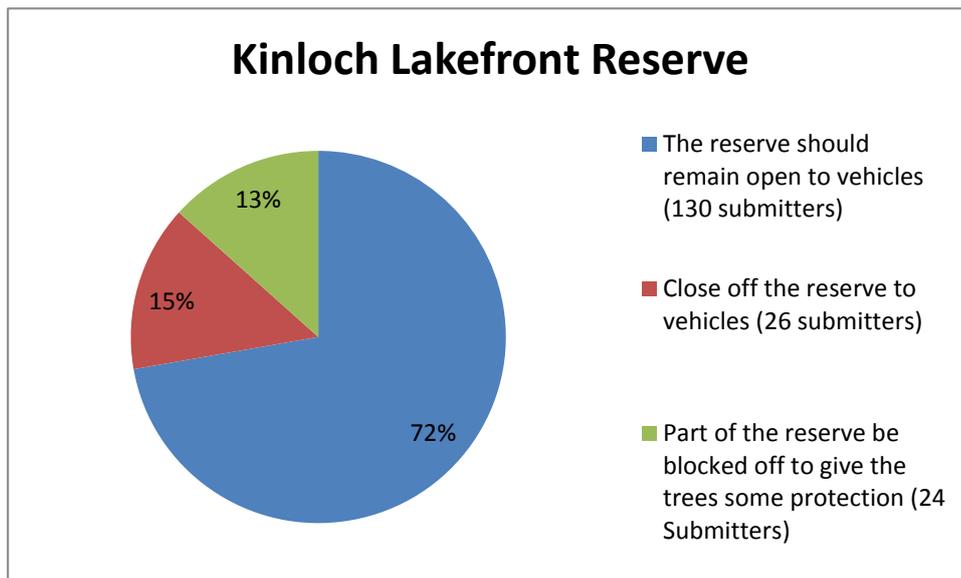
- Vehicles on the reserve are contrary to the District Plan Notable Tree requirements (vehicles are not permitted to drive or park within 4 metres of a notable tree) and inconsistent with the Reserve Management Plan. Although there has been some thought

that we can apply existing use rights to this situation, legal advice suggests that we cannot deliberately breach our District Plan without the risk of Environment Court intervention.

- Conflict of vehicles and pedestrians on the reserve. There are reports that a child was run over in the reserve several years ago.
- Damage to the grass surface creating a dust issue in summer.
- Congregation of vehicles outside private residences.
- Arborist advice stating that vehicles' driving on the root protection zone affects the trees health and the longevity of the trees lives.
- Reserve users enjoy being able to drive to and park at the lakes edge.

Community views:

The results of the consultation were:



Options:

This leaves a number of options which all have risks or difficulties:

1. Leave the reserve open to vehicles
2. Leave the reserve open to vehicles but initiate a plan change to uplift the notable tree status of the poplar trees
3. Close off part of the reserve in order to protect the trees
4. Close off the entire reserve to vehicles

Analysis of Options

Option 1. Leave the Reserve Open to Vehicles (Status Quo)

Advantages	Disadvantages
<ul style="list-style-type: none"> • Consistent with the majority of submitters views 	<ul style="list-style-type: none"> • Illegal therefore risk of Environment Court intervention • Reputation risk • Undermines ability to make others comply

Option 2. Leave the Reserve open to Vehicles and initiate a plan change to uplift notable status of trees

Advantages	Disadvantages
<ul style="list-style-type: none"> • Reduces risk of Environment Court intervention if there was agreement to uplift the status of the notable trees. • Consistent with the majority of submitters views 	<ul style="list-style-type: none"> • No guarantee that the final outcome would be an uplifting of the status of the notable trees. • Would need to resort to another option if notable status does not get lifted. • Still not meeting District Plan requirements while a plan change is undertaken. • A plan change has not been planned for within current resourcing so it would come at the expense of another planned project or additional policy resources.

Option 3 – Close off part of the reserve to better protect the trees

Advantages	Disadvantages
<ul style="list-style-type: none"> • Would no longer be inconsistent with District Plan requirements • Trees are better protected • Amenity value of the reserve increased • Conflict between cars and people reduced 	<ul style="list-style-type: none"> • Not consistent with the majority of submitters • Loss of some parking on the reserve • Some cost involved with physical works

Option 4 – Close off the Reserve to vehicles completely

Advantages	Disadvantages
<ul style="list-style-type: none"> • Consistent with District Plan requirements • Trees are protected • Amenity value of the reserve increased • Conflict between cars and people eliminated. 	<ul style="list-style-type: none"> • Not consistent with the majority of submitters • Loss of parking on the reserve • Alternative parking may need to be found • People would have to walk further to access the lake • A change to the Reserve Management Plan would be required

Analysis Conclusion:

Option 3 is considered to be the option which best balances the Council's legal requirements, views of the community, health of the trees and amenity of the reserve. Some design work would need to be undertaken to meld together a number of different requirements and some targeting consultation carried out on this. It is also recommended that this option be a trial over the summer period while traffic management, conflict of cars and people and complaints are assessed. Appendix 4 provides an initial design (to start discussion) about how the reserve could look.

Scotsman's Ramp

Although this is casually referred to as a ramp, it is probably more accurately described as an access point. The area has a gobi block road which runs 3-4 metres from the waters edge and then it drops onto the beach. There is no physical structure which runs into the water or onto the lake bed (Refer to attachment 3).

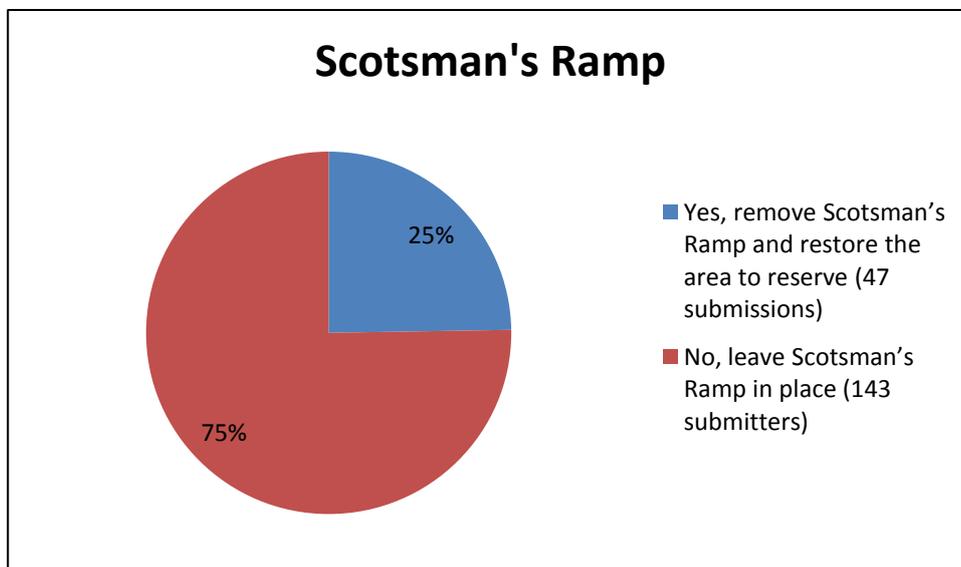
The issues associated with the ramp are:

- Lack of compliance with existing controls. There is currently a sign with a number of controls and warnings, however many people ignore this and the sign which should read a maximum boat size of 3.6m has been repeatedly vandalised to remove the "3." (Refer to Attachment 3)
- Safety concerns have arisen around vehicle and pedestrian conflict on the reserve near the ramp, its proximity to the ski lane and the conditions for launching. The Council and the Marina have no recorded safety incidents; however there are anecdotal reports of vehicles often getting stuck.
- Erosion is caused on the beach through large boats/vehicles or inappropriate towing vehicles getting stuck.

- There is a financial impact on the Kinloch Marina (and Tuwharetoa) who miss out on ramp fees from people using Scotsman's Ramp instead of the Marina.
- It is the only "public" facility at Kinloch (no DIA boat ramp) which means that if Scotsman's Ramp was removed the fees involved in boat launching would be significantly higher in Kinloch than other parts of the lake that have DIA ramps.
- Scotsman's ramp is the only alternative boat launching facility in Kinloch so if it was closed and the Marina had to be closed for maintenance or emergency then people would have to drive into Taupō.
- Sailing dinghies cannot sail through the Marina entrance (without a motor) so need to be launched at Scotsman's Ramp
- Spotter boats (safety requirement) to supervise children sailing yachts can be launched at the ramp without going out of sight of the children.

Community Views:

The results of the recent consultation are shown below:



In this latest round on consultation the Tuwharetoa Maori Trust Board have recognised the unique circumstances around its long term use and importance to the community. The submission from the Tuwharetoa Maori Trust Board gives support to the ongoing use of the ramp provided there is active and effective management of environmental and navigational issues.

Based on this information it is considered that there are 3 options:

- Leave the ramp as it is currently
- Leave the ramp but increase measures for compliance
- Remove the ramp

Analysis of Options – Scotsman's Ramp

Option 1. Leave the Ramp open as it is (Status Quo)

Advantages	Disadvantages
<ul style="list-style-type: none"> • Consistent with the majority of submitters views 	<ul style="list-style-type: none"> • Does not address safety and environmental concerns raised by some submitters.

Option 2. Leave the Ramp open but put in additional compliance (concreted posts, improved signage, monitoring over the summer period)

Advantages	Disadvantages
<ul style="list-style-type: none"> • Consistent with the majority of submitters views • Has the potential to address the health and safety concerns raised by some submitters 	<ul style="list-style-type: none"> • Many submitters requested an upgraded ramp which would not occur under this option.

Option 3 – Close off the Ramp

Advantages	Disadvantages
<ul style="list-style-type: none"> Meets health and safety concerns raised by some submitters. 	<ul style="list-style-type: none"> Inconsistent with the majority of submitters view. A change to the Reserve Management Plan would be required.

Option 4 – Upgrade the Ramp

Advantages	Disadvantages
<ul style="list-style-type: none"> Would mean less people get stuck Would be consistent with a lot of submitter's viewpoints. 	<ul style="list-style-type: none"> Would not meet health and safety concerns raised by some submitters (conflict with ski lane, conflict of cars and people) Significant unbudgeted expenditure required May be consenting requirements and agreement required from Tuwharetoa Maori Trust Board (if the structure extended onto the lakebed)

Analysis Conclusion:

Option 2 is considered the best option. Further discussion with Tuwharetoa around what compliance mechanisms should be put in place is recommended.

CONSIDERATIONS

Financial Considerations

The financial impact of the proposal will be able to be met within existing budgets if the recommended options are selected. This would involve some planting, rocks, bollards, landscaping and furniture as appropriate around the trees on the Kinloch Lakefront Reserve. Measures such as some concreted bollards are likely to be necessary at Scotsman's Ramp.

Other options may involve unbudgeted expenditure as outlined in the analysis above.

SIGNIFICANCE OF THE DECISION OR PROPOSAL

Officers have undertaken a rounded assessment of the matters in clause 11 of the Significance and Engagement Policy (2014), and are of the opinion that community interest is high in relation to this matter making it significant in terms of Council's Policy.

ENGAGEMENT

Taking into consideration the above assessment, that the decision is of a high degree of significance, officers are of the opinion that an appropriate level of engagement has been carried out to inform Council of the community views.

COMMUNICATION/MEDIA

Decisions made by Council should be communicated in the appropriate manner. It is considered that communication should be undertaken via the following methods:

- All submitters will receive a letter/email notifying them of the Council's decision
- An article on the Council website
- A media release

CONCLUSION

There are a wide range of contrasting views on these two issues within the Kinloch Reserves. The Kinloch Lakefront Reserve is obviously a very popular spot to drive and park, especially in the summer. This creates some conflict with cars, people, residents and also impacts on the health of the notable trees in the area. Complicating this is that vehicles driving and parking on some parts of the reserve is currently inconsistent with the District Plan and Reserve Management Plan.

For Scotsman's Ramp, the lack of an alternative public (DIA) facility and the cost involved with using the private marina facilities has driven most peoples concern surrounding its potential closure. On the other hand health and safety concerns have been raised by other parties.

For the Lakefront Reserve it is suggested that the areas surrounding the trees be blocked off but the remainder of the reserve stay open for vehicles and parking. This allows the Council to meet its legislative requirements, while still allowing the community vehicular access onto the reserve. For Scotsman's ramp it is recommended that it remain in place but that better monitoring and compliance be put in place to reduce safety issues (improved signage, barriers and monitoring over summer).

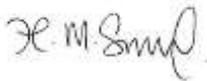
If additional issues arise through the verbal submission process the recommendations can be adjusted accordingly.

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Report prepared by:



Hilary Samuel
Senior Policy Advisor

Report reviewed by:

Gareth Green
Group Manager – Policy and Operations

ATTACHMENTS

- Attachment 1: Hearing Schedule
- Attachment 2: Submissions – *separately circulated*
- Attachment 3: Site photos
- Attachment 4: Draft plan for the Lakefront Reserve (a starting point for discussion only)
- Attachment 5: Previous letters from Tuwharetoa Maori Trust Board and the Kinloch Marina.

Attachment 1: Hearing Schedule



Hearing Schedule

Speakers	Subject/s	Time required	Time slot	Sub Page number
Tuwharetoa Maori Trust Board – Topia Rameka	Scotsmans Ramp	5 minutes	9.30am – 10.15am	366
Kinloch Marina – Simon Fraser, Greg Shaw and Graeme Caitlin	Scotsman's Ramp	10 minutes	9.30am – 10.15am	155
Paul Gudgeon	Scotsmans Ramp	5 minutes	9.30am – 10.15am	266
Peter Butler	Scotsman's Ramp	5 minutes	9.30am – 10.15am	365
David and Sandra Dalton	Scotsman's Ramp	10 minutes	9.30am – 10.15am	348
Dennis Catchpole	Scotsman's Ramp, Kinloch Lakefront Reserve	5 minutes	10.15am – 10.55am	104
Barbara Lett	Scotsman's Ramp, Kinloch Lakefront Reserve	10 minutes	10.15am – 10.55am	183
Kinloch Community Association	Scotsman's Ramp, Kinloch Lakefront Reserve, Kiosk Proposal	5 minutes	10.15am – 10.55am	153
Ann Shaw	Scotsman's Ramp, Kinloch Lakefront Reserve, Kiosk Proposal	10 minutes	10.15am – 10.55am	188
Lyn Coubrough	Scotsman's Ramp, Kinloch Lakefront Reserve, Kiosk Proposal	5 minutes	10.15am – 10.55am	71
John Strang	Kinloch Lakefront Reserve	5 minutes	10.55am – 11.40am	145
Lyndon Haugh	Kinloch Lakefront Reserve	5 minutes	10.55am – 11.40am	304
Kim Fraser	Kinloch Lakefront Reserve	5 minutes	10.55am – 11.40am	328
Clayton Stent on behalf of Brian Insoll	Kinloch Lakefront Reserve	10 minutes	10.55am – 11.40am	308
John and Nellie McKenzie	Kinloch Lakefront Reserve	5 minutes	10.55am – 11.40am	278
Destination Great Lake Taupō – Damian Coutts	Kiosk Proposal	10 minutes	10.55am – 11.40am	356

Attachment 3 – Site photos



Kinloch Lakefront Reserve



Kinloch Lakefront Reserve – where formed road currently ends



“Scotsman’s Ramp” or access point



Sign at Scotsman’s Ramp

Attachment 5 – Previous letters from Tūwharetoa Maori Trust Board and the Kinloch Marina.



TUWHARETOA MAORI TRUST BOARD

Attachment 1

TAUPO DISTRICT COUNCIL	
Received	12 JUL 2011

8 July 2011

John Ridd
Taupo District Council
Private Bag 2005
Taupō 3352

Tena koe John,

Following on from our conversation on 22 June 2011 regarding various informal council managed boat ramps at Kinloch and 4 Mile Bay, this note is to inform you that we seek that these entry points cease being used by the public and that Council look to prevent access and return the beach margins to its natural state.

The reason being is that the Board is concerned for the health and safety aspects for boat users as well as navigational safety requirements and biosecurity warnings which are properly advertised and displayed at designated boat ramps nearby.

Please inform the Board when this work is intended to take place.

Naku noa,

Topia Rameka