



**I give notice that
a Fences, Roothing, Reserves & Dogs Committee Meeting will be held
on:**

Date:	Tuesday, 21 March 2017
Time:	10.30am
Location:	Council Chamber 72 Lake Terrace Taupo

AGENDA

MEMBERSHIP

Chairperson Cr Barry Hickling
Deputy Chairperson Cr John Williamson

Members Cr John Boddy
Cr Zane Cozens
Cr Anna Park
Mayor David Trewavas

Quorum 3

Gareth Green
Chief Executive Officer

Order Of Business

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3.1 FENCES, ROADING, RESERVES & DOGS COMMITTEE MEETING - 31 JANUARY 2017



Author: Tina Jakes, Democracy & Community Engagement Manager

Authorised by: Brian Fox, Group Manager: Corporate and Community

RECOMMENDATION(S)

That the minutes of the Fences, Roding, Reserves & Dogs Committee meeting held on Tuesday 31 January 2017 [public and confidential] be confirmed as a true and correct record.

ATTACHMENTS

1. Fences, Roding, Reserves & Dogs Committee Meeting Minutes - 31 January 2017 
2. Fences, Roding, Reserves & Dogs Committee Meeting Minutes [confidential] - 31 January 2017 

4.1 WAIPAPA STREET, KURATAU - ACCESSWAY STOPPING

Author: Denis Lewis, Infrastructure Manager

Authorised by: Kevin Strongman, Group Manager, Operational Services

PURPOSE

This report provides for the Fences, Roothing, Reserves & Dogs Committee to receive submissions of the proposal to stop the access way adjacent to 27 Waipapa Street, Kuratau and to decide whether to proceed or not with the stopping process.

EXECUTIVE SUMMARY

A request has been received from a landowner adjoining the closed access way adjacent to 27 Waipapa Street, Kuratau to purchase a closed access way on Waipapa Street, Kuratau. Before the purchase can proceed, the access way (which is defined as road by the Local Government Act 1974) must be stopped in accordance with Schedule 10 of the Act. Three objections have been received which must be heard and a decision made.

RECOMMENDATION

That the Fences, Roothing, Reserves & Dogs Committee receives submissions on the proposal to stop the access way adjacent to 27 Waipapa Street, Kuratau

That the Fences, Roothing, Reserves & Dogs Committee either;

Allows the objections

Or

Does not allow the objections and proceeds with the road stopping process

BACKGROUND

Council has received a request from a landowner adjoining the closed access way adjacent to 27 Waipapa Street, Kuratau to purchase the land that forms the access way and amalgamate it with their own land parcel. (See attached report prepared to inform the stopping proposal, A1787213)

The access way leads to a wooden stairway and track that traverses an escarpment to arrive at the lakeshore immediately west of the Kuratau water supply intake pump station. The slope of the escarpment is typically 50 degrees and the grade of the track varies but is as steep as 24 degrees in places.

In early 2013 a slip occurred on the escarpment at the rear of 25 Waipapa Street. The slip is approximately 15 metres long by 25 metres at its widest point (approx. 225 square metres in area) and has undermined the stairway at the top of the track.

At a meeting of the Turangi/Tongariro Community Board on 13 August 2013 the Board considered a report from District Services Manager recommending that the walkway between 25 & 27 Waipapa Street, Kuratau be closed. (See attached report A1138741). The basis of the recommendation was that the most cost effective and safest solution was to physically close the access way.

The Board resolved to close the access way. Record of discussion and resolution from the meeting minutes (A1148405) copied below.

3 WAIPAPA STREET ACCESSWAY AND BEACH ACCESS, KURATAU

A report from the District Offices Manager had been circulated [A1138741]. The District Offices Manager explained that there had been a slip at the top of the Kuratau walkway shown on page 3/7 of the agenda and the track was in a state of disrepair and posed a danger to the public. Staff

recommended the physical closure of the track, but if Council retained ownership its function could be reconsidered in the future.

In answer to questions, the District Offices Manager advised that there had been several slips along the length of the bank and the damage was not caused by foot traffic. Council was doing some simple planting in the area but this in itself would not stabilise the bank.

Members noted there were other access ways to the lake apart from the track in question.

5116 RESOLVED

- 1. That the access way located between 25 and 27 Waipapa Street, Kuratau be closed by means of physical barrier.**
- 2. That the wooden stairway structure and handrails are removed to deter public access onto the escarpment.**

Smallman/Stewart

Council's Senior Reserves Planner has advised that;

"The access-way serves no purpose as a lake access due to it terminating in a steep drop off which is unusable as a means to get to the lake; and the costs involved with remediating the slope and constructing hard landscaping to provide access would be completely out of proportion with any foreseeable use of the access in this location."

DISCUSSION

The access way land is defined as road by the Local Government Act 1974. Therefore prior to disposal, the road must be stopped in accordance with Schedule 10 of the Act.

The stopping process requires amongst other actions that Council will, at least twice over a period of 2 weeks or more, give public notice of the road stopping proposal and of the place where the plan may be inspected. Persons objecting to the proposal may lodge their objections in writing at Council's office on or before a specified date, being a date at least 40 days after the date of the first public notice.

The first public notice was made on 1 December 2016 with the closing date for receiving objections by 11 January 2017. A sign was erected at the closed entrance to the access way on 1 December 2016 advising of the closure proposal and a copy of the proposal was also given to the Omori/Kuratau Residents Association.

Three objections to the proposal were received.(Attached A1840365, A1840374 & A1840366)

The issues raised by the objectors and staff response is summarised as follows;

- Cause of Walkway Closure - The District Parks Operations Manager has advised that there were no significant trees removed in the immediate vicinity of the slip.
- Availability of Alternative Lake Access - The closest reserve access to the lake reserve is provided from Waipapa Street 140 to the east (not formed) and from Pihanga Street 100m to the west (formed). Pedestrian access to the lake is via adjacent streets and is some 400m distance which is not considered a significant distance that would lead to choosing a vehicle over walking for access to the lake.
- Increased demand for parking at Kuratau Boat Ramp and increased congestion (with related health and safety concerns) – As above
- Effect on Kuratau's network of walkways – As above
- Whether practical to now repair the stairway and track - The District Parks Operations Manager received advice at the time of the slip occurring that it is impractical to repair the stairway below the access way.
- Consistency with the South Western Bay Settlements Reserve Management Plan - As the access way has legal road status it is considered that the RMP is not applicable. In any event the Senior Reserves Planner advises that it is not possible to meet the RMP's policy of maintaining safe and practical access in this instance.

An email was also received from the New Zealand walking Commission advising that given the particular circumstances at Waipapa Street and that there are satisfactory access alternatives to the lakeshore reserve nearby, the commission sees no need to be any further involved in this proposal. Attached (A1815275)

At a Council meeting on 28 February Council resolved that the power to hear, deliberate and decide on objections to the stopping of the of the access way adjacent to 27 Waipapa Street, Kurutau would be delegated to the Fences, Roading, Reserves & Dogs Committee.

The objections must now be heard, deliberated on and a decision made.

Should a decision be made to proceed with the road stopping then the objections, together with the plans of the proposal, and a full description of the proposed alterations must be sent to the Environment Court. The Environment Court shall consider the district plan, the plan of the road proposed to be stopped, the council's explanation and any objection and confirm, modify, or reverse the decision of the council which shall be final and conclusive on all questions.

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

- Proceed with the road stopping process
- Do not proceed with the road stopping process

OPTIONS

Analysis of Options

- Option 1. Proceed with the road stopping process

Advantages	Disadvantages
<ul style="list-style-type: none"> • Land currently unused would be disposed of • Value of the land would be realised 	<ul style="list-style-type: none"> •

- Option 2. Do not proceed with the road stopping process

Advantages	Disadvantages
<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • Council would retain responsibility for the piece of land which is unused

CONSIDERATIONS

Financial Considerations

Costs of the road stopping are to be borne by the adjoining property owner at 27 Waipapa Street.

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. The matter will enable the Council to meet the current and future needs of communities for good quality local public services. (i.e. efficient, effective and appropriate to present and anticipated future circumstances).

The matter is also within scope of the Council's lawful powers for road stopping under Schedule 10 of the Local Government Act 1974.

Policy Implications

There are no known policy implications.

Risks

There are no known risks.

SIGNIFICANCE OF THE DECISION OR PROPOSAL

Council's Significance and Engagement policy identifies the following matters that are to be taken into account when assessing the degree of significance of proposals and decisions:

- a. The level of financial consequences of the proposal or decision;
- b. Whether the proposal or decision will affect a large portion of the community or community of interest;
- c. The likely impact on present and future interests of the community, recognising Maori cultural values and their relationship to land and water;
- d. Whether the proposal affects the level of service of an activity identified in the Long Term Plan;
- e. Whether community interest is high; and
- f. The capacity of Council to perform its role and the financial and other costs of doing so.

Officers have undertaken a rounded assessment of the matters in clause 11 of the Significance and Engagement Policy (2016), and are of the opinion that the proposal under consideration is of low importance.

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.








COMMUNICATION/MEDIA

The decision made by the Fences, Roothing, Reserves & Dogs Committee will be communicated to the objectors and the owner of the adjoining property.

CONCLUSION

There are two options to consider either proceeding with the road stopping or do not proceed.

ATTACHMENTS

1. Waipapa Street Accessway Report On Closure 
2. Waipapa Street Accessway TTCB Agenda Item 13th August 2013 
3. Waipapa Street Accessway TTCB Agenda Item Appendice13th August 2013 
4. D & A Thomson Objection 
5. M Thomson Objection 
6. S & G Hofman Objection 
7. NZ Walking Commission response 

4.2 LICENCE TO OCCUPY EXTENSIONS FOR LAKEFRONT RESERVE CONCESSIONS

Author: Nathan Mourie, Senior Reserves Planner

Authorised by: Kevin Strongman, Group Manager, Operational Services

PURPOSE

To decide on offering licence to occupy extensions to Steaming Bean (Coffee Cart) and 3 Little Kiwis (Gelato Cart) on Council administered land at Lakefront Reserve.

EXECUTIVE SUMMARY

Operators of two concessions on Lakefront reserve have approached officers requesting extensions of their current licences to occupy for their respective sites on Lakefront Reserve.

The preferred option is to approve a five year extension for 3 Little Kiwis (Gelateria) and a four year 3 month extension to Steaming Bean. It is also recommended to give 3 Little Kiwis the option to extend to a year round operating period upon expiry of the current winter season licence to occupy for Mr Whippy.

Both businesses have operated successfully on Lakefront Reserve since 2007. Having a single operator for each site removes any possibility of conflict between operators on the same site and reduces the potential difficulties for council in dealing with multiple licences.

The variance in the recommended extension terms would make both licence expiry dates the same. This would enable Council to assess the commercial operations on this area of the lake front together if desired upon expiry of the existing licences.

RECOMMENDATION(S)

That the Fences, Roothing, Reserves & Dogs Committee approves the request from Steaming Bean for a four year and three month (4 years and 3 months) lease extension for the site that they currently occupy on Lakefront Reserve, Taupō.

That the Fences, Roothing, Reserves & Dogs Committee approves the request from 3 Little Kiwis trading as Gelateria Taupō for a five year (5) year lease extension for the site that they currently occupy on Lakefront Reserve, Taupō.

That the Fences, Roothing, Reserves & Dogs Committee approves the request from 3 Little Kiwis trading as Gelateria Taupō to extend to a year round operation on the site that they currently occupy on Lakefront Reserve, Taupō upon expiry of the existing Mr Whippy licence to occupy.

BACKGROUND

The proposal for Steaming Bean has not been presented previously.

The proposal relating to Gelateria Taupo has been before Council at a prior meeting (4 April 2016), refer item number (FRD201604/03) and the following resolutions were made:

Councillor J Boddy MOVED and Councillor J Williamson SECONDED the motion "that the Fences, Roothing, Reserves & Dogs Committee agrees to vary the Gelateria licence to occupy part of the Lakefront Reserve, effective from 1 May 2016, so that the licence term expires on 30 April 2020".

The Chairman PUT the motion. Councillors J Boddy and J Williamson voted for the motion; and Councillors Cozens, Park and Hickling voted against the motion.

The Chairman declared the motion LOST two votes to three.

FRD201604/03 RESOLVED that the Fences, Roothing, Reserves & Dogs Committee declines to vary the Gelateria licence to occupy part of the Lakefront Reserve.

Cozens/Park

Note: Councillors J Boddy and J Williamson requested their dissent to resolution FRD201604/03 above be recorded.

Since this item was considered, the business has changed ownership, with council approving a licence to occupy assignment from the previous owners Gelateria Taupō to current owners 3 Little Kiwis. The new owners have approached council to request an extension for as long as possible. They have also indicated a desire to take over the winter licence period as well.

The winter licence period (1 May to 31 October) is currently granted to Mr Whippy whose agreement expires 31 October 2018 following a 5 ½ year term.

DISCUSSION

The Tapuaeharuru Bay Lakeshore Reserves Management Plan includes policies related to leases and licences on Lakefront reserve. It generally prohibits new licences but does identify eight locations for more permanent occupation of up to five years duration (with the exception of the hole-in-one operation which is permitted a longer tenure).

The management plan was amended to allow for temporary licences of no more than 6 months to be granted on a case-by-case basis.

It is considered that the circumstances of both of these operations are so similar that it is reasonable to consider their circumstances in the same report to this committee.

Steaming Bean

Steaming Bean's current licence began in 2009, made up of a 5 + 5 term. That is, a five year term with a five year right of renewal. This agreement expires 31 January 2019.

Gelato Cart

The Gelato Cart's current licence began on 1 May 2013 for a five year term ending on 30 April 2018.

The Gelato Cart started operation at almost the same time as Steaming Bean. Starting off as a weather dependent stand, after two years they were able to invest in a dedicated trailer which they modelled on the existing Steaming Bean coffee trailer to try and maintain some consistency of appearance along the lakefront.

In 2012 council were approached by Mr Whippy to try and secure rights to operate on the lakefront. Council approved a temporary, and then permanent, winter period licence to occupy the space which is occupied by the Gelateria in the summer.

Mr Whippy has also subsequently asked for consideration to occupy the site all year round.

The operators of the Gelateria are permanent Taupō based locals, who have a commitment to the business they have recently taken over. In contrast to the previous operators they are present year round, and would like the opportunity to operate their business year round in this location.

The operator of the Mr Whippy licence has been contacted for comment, but to date no response has been received from them. Anecdotal evidence suggests that the Mr Whippy operation is relatively infrequent on this site, possibly due to the more mobile nature of the operation and the more challenging weather conditions.

The licence to operate for Mr Whippy is under the name of the operator, Graeme Wilson, and is not transferrable to any other person without prior Council approval.

While the operators of the Gelateria have not specifically asked, it is also recommended that the area of the licence is re-considered to allow for some additional use of the reserve immediately adjacent to the cart. This would be consistent with the licence area which the Steaming Bean already enjoys. This would allow for use of the area for shade and seating directly associated with the Gelateria.

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

OPTIONSAnalysis of Options

Option 1. Grant extensions to both operators.

Advantages	Disadvantages
<ul style="list-style-type: none"> • Ensure security of tenure for existing capable operators • Could ensure consistency of licence expiry dates 	<ul style="list-style-type: none"> • Would tie up the Lakefront Terrace locations until 2023

Option 2. Grant an extension to one operator and decline the other.

Advantages	Disadvantages
<ul style="list-style-type: none"> • Nil 	<ul style="list-style-type: none"> • Would set a precedent of inequitable treatment

Option 3. Decline both extensions.

Advantages	Disadvantages
<ul style="list-style-type: none"> • Would enable re-assessment of the commercial lakefront operation sites upon expiry of the current licences 	<ul style="list-style-type: none"> • Would discourage operators from investing in the existing businesses • May jeopardise the viability of the businesses as currently set-up

Analysis Conclusion:

The preferred option is to offer extensions to both operators, providing 3 Little Kiwis the option to operate over the winter period upon expiry of the current Mr Whippy licence.

CONSIDERATIONS**Financial Considerations**

The financial impact of the proposal is estimated to be minimal. The existing rentals will continue to be paid, with some possible minimal variation if the Gelateria were to obtain a year round operating licence.

Current licence fees have been provided separately as they contain confidential as is business information.

Legal ConsiderationsLocal Government Act 2002

The matter comes within scope of the Council's lawful powers, including satisfying the purpose statement of Section 10 of the Local Government Act 2002. The matter will enable the Council to meet the current and future needs of communities for good quality performance of Council's regulatory functions. (i.e. efficient, effective and appropriate to present and anticipated future circumstances).

The proposal has been evaluated with regards to a range of legislation. The proposal is consistent with the Reserves Act 1977 provisions, is largely in line with the Reserve Management Plan and is consistent with previous Council decisions of the same nature.

The following authorisations are required for the proposal:

- Resource Consent Building Consent Environmental Health
 Liquor Licencing Licence to occupy

Authorisations are not required from external parties.

Policy Implications

There are no known policy implications.

Risks

There are no known risks.

SIGNIFICANCE OF THE DECISION OR PROPOSAL

Council's Significance and Engagement policy identifies the following matters that are to be taken into account when assessing the degree of significance of proposals and decisions:

- a. The level of financial consequences of the proposal or decision;
- b. Whether the proposal or decision will affect a large portion of the community or community of interest;
- c. The likely impact on present and future interests of the community, recognising Maori cultural values and their relationship to land and water;
- d. Whether the proposal affects the level of service of an activity identified in the Long Term Plan;
- e. Whether community interest is high; and
- f. The capacity of Council to perform its role and the financial and other costs of doing so.

Officers have undertaken a rounded assessment of the matters in clause 11 of the Significance and Engagement Policy (2016), and are of the opinion that the proposal under consideration is of low importance.

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.

COMMUNICATION/MEDIA


No communication/media is required.

CONCLUSION

The current operators of both businesses have run their operations with no issue for a number of years in their current locations. They complement each other with their product and appearance. If Council wants to continue with commercial operations on the lakefront, then it seems appropriate to support these local businesses with a proven track record.

It would make management of the location easier, and would also provide more support to the Gelateria operator if they were able to operate from the same location all year around at the time that the location became available.

ATTACHMENTS

1. Lake Terrace Steaming Bean and Gelateria Licence locations 

4.3 LEASE EXTENSION REQUEST - YOUTH ARTS TRUST

Author: Nathan Mourie, Senior Reserves Planner

Authorised by: Kevin Strongman, Group Manager, Operational Services

PURPOSE

To decide on offering a short term lease extension to the Taupō Youth Arts Trust for the Council building that they currently occupy at Waipahihi Reserve.

EXECUTIVE SUMMARY**RECOMMENDATION(S)**

That the Fences, Roothing, Reserves & Dogs Committee approves a lease extension for the Taupō Youth Arts Trust for the Council owned property and building that they currently occupy on Waipahihi Reserve until 31 December 2017.

BACKGROUND

The proposal has not been presented previously.

The Taupō Youth Arts Trust currently holds a lease with Council to occupy a building on Waipahihi Reserve. This lease expires on 30 April 2017 following a 13 year term.

Discussions have been held between the Trust and Council to go over what might be the best future use of the building; and one of these possible options would result in the Trust still using the building, but no longer needing to hold the lease.

While these discussions are at a relatively early stage, it is desirable for the Trust to continue to manage the building as the Lessee. In addition, the Trust also desire security of tenure for their current users of the building until at least the end of the year.

DISCUSSION

With other proposals for the building that the Trust occupy being considered, it is not appropriate at this stage to offer the Trust a new long-term lease. However, given the early stage of these investigations, and the needs of the current users, a short term lease extension is considered appropriate while these investigations are being carried out.

The Trust bases its use, and the agreements with sub-users, on the calendar year. Offering an extension until the end of the year would allow for the expiration of the lease to align with the natural end of other Trust agreements. It would also allow a decent amount of time for other proposals to be adequately considered and options explored.

The leading option at this time is for the building to become a youth development centre, incorporating the ideas behind the youth and child friendly district model that Council has recently adopted. We do not consider that this development would displace existing users, but would enhance the operation to incorporate a more holistic youth focus; with the aim of developing involved youth citizens; and the goal would be to continue to have the Trust members involved in the future of the building.

The Trust pointed out that this is one of the few arts dedicated services in Taupō, and expressed concern that a wider focus could lead to the centre being sports dominated. As they considered that sport is already well catered for, protecting the arts aspect of the proposal was understandably very important to them.

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

OPTIONSAnalysis of Options

Option 1 – Grant a short-term lease extension to the Taupō Youth Arts Trust until 31 December 2017

Advantages	Disadvantages
<ul style="list-style-type: none"> Secure operation of the trust and current users until the end of the year Allow continued use while options are considered 	<ul style="list-style-type: none"> The long term future of the Trust and current users is less certain

Option 2 – Decline to extend or renew the lease upon expiry of the current agreement

Advantages	Disadvantages
<ul style="list-style-type: none"> Building would be available for immediate alternative uses or development 	<ul style="list-style-type: none"> There are no immediately executable plans for development or other use. The building may stand empty or be less used for some time until the future direction is decided upon One of the few arts based services in Taupō would be lost

Option 3 – Offer the Taupō Youth Arts Trust a new long-term lease upon expiry of the current agreement

Advantages	Disadvantages
<ul style="list-style-type: none"> Continued long term security for the Trust 	<ul style="list-style-type: none"> This may not be the best future use of this building A long term lease would tie up the building for many years, making it unavailable if there were more appropriate uses desired for the building

Analysis Conclusion:

The preferred option is to offer a short term lease extension to the Taupō Youth Arts Trust until 31 December 2017.

CONSIDERATIONS**Financial Considerations**

The financial impact of the proposal is estimated to be minimal. The current rental will continue to be paid until the agreement expires.

Legal ConsiderationsLocal Government Act 2002

The matter comes within scope of the Council's lawful powers, including satisfying the purpose statement of Section 10 of the Local Government Act 2002. The matter will enable the Council to meet the current and future needs of communities for good quality local public services. (i.e. efficient, effective and appropriate to present and anticipated future circumstances).

The proposal has been evaluated with regards to a range of legislation. The key legislation applicable to the proposal has been reviewed and the proposal is consistent with the Reserves Act 1977 and Council policy.

The following authorisations are required for the proposal:

- | | | |
|---|---|---|
| <input type="checkbox"/> Resource Consent | <input type="checkbox"/> Building Consent | <input type="checkbox"/> Environmental Health |
| <input type="checkbox"/> Liquor Licencing | <input checked="" type="checkbox"/> Licence to occupy | |

Authorisations are not required from external parties.

Policy Implications

There are no known policy implications.

Risks

There are no known risks.

SIGNIFICANCE OF THE DECISION OR PROPOSAL

Council's Significance and Engagement policy identifies the following matters that are to be taken into account when assessing the degree of significance of proposals and decisions:

- a. The level of financial consequences of the proposal or decision;
- b. Whether the proposal or decision will affect a large portion of the community or community of interest;
- c. The likely impact on present and future interests of the community, recognising Maori cultural values and their relationship to land and water;
- d. Whether the proposal affects the level of service of an activity identified in the Long Term Plan;
- e. Whether community interest is high; and
- f. The capacity of Council to perform its role and the financial and other costs of doing so.

Officers have undertaken a rounded assessment of the matters in clause 11 of the Significance and Engagement Policy (2016), and are of the opinion that the proposal under consideration is of low importance.

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.

COMMUNICATION/MEDIA

No communication/media is required.

CONCLUSION

On balance, a short term lease extension until 31 December 2017 for the Taupō Youth Arts Trust is considered to be the best outcome. This would allow continued existing use while alternative options for future use of the building continue to be explored by Council officers.

ATTACHMENTS

1. Taupo Youth Arts Trust - Waipahihi Reserve

4.4 TREE REMOVAL REQUEST - COUNCIL RESERVE AT DOCHERTY DRIVE

Author: Nathan Mourie, Senior Reserves Planner

Authorised by: Kevin Strongman, Group Manager, Operational Services

PURPOSE

To decide on the request to modify existing Council vegetation in the Council reserve between Docherty Drive and Acacia Bay Road for the purpose of improving the views of the applicant at 6 Prince Place, Taupō.

EXECUTIVE SUMMARY

The resident of 6 Prince Place, Taupō, has written to Council a number of times requesting that trees in the Council reserve adjacent to their property be thinned out in order to improve the residents views of the lake.

This request is in direct contradiction of existing Council policy (Tree & Vegetation Policy 2014). The resident has been visited by Council officers and informed that this request is not able to be carried out.

The resident is dissatisfied with this position, and has asked that the committee consider their request for tree removal (attachment 1).

RECOMMENDATION(S)

That the Fences, Roading, Reserves & Dogs Committee declines the request from Mrs L White of 6 Prince Place, Taupō to remove the trees in the Council reserve between Docherty Drive and Acacia Bay Road identified in her request.

BACKGROUND

The proposal has not been presented previously.

The resident of 6 Prince Place, Taupō, has written to Council a number of times requesting that trees in the Council reserve between Docherty Drive and Acacia Bay road be thinned out in order to improve the resident's views of the lake.

This request is in direct contradiction of the existing Taupō District Council Tree and Vegetation Policy 2014 (available on Council's website on the following page:

<http://www.taupodc.govt.nz/our-services/a-to-z/Documents/2014%2006%2024%20FINAL%20Tree%20and%20Vegetation%20Policy%20PDF.pdf>).

The resident has been visited by Council officers and informed that this request is not able to be carried out. The resident is dissatisfied with this position and has written to ask that the committee consider their request for tree removal.

DISCUSSION

The Taupō District Council Tree and Vegetation Policy 2014 is very clear on requests for modifying vegetation to improve views, stating that:

- Council does not prune trees to enhance views
- Tree topping is not good arboricultural practice and trees will not be topped
- Healthy trees on council land will be retained, and their removal will be the exception. One of these exceptions will be where trees are causing severe hardship. Trees which inhibit views or drop debris are not considered to be causing severe hardship.

In addition the policy also anticipates that large canopy trees will be included in gully situations.

There are dozens of trees along a 350m long gully which are in direct line of sight between 6 Prince Place and the lake (attachment 2). It is not feasible and would likely cost tens of thousand's of dollars to address all of the trees which are considered by the resident to be affecting her views. Photos of the location are included under attachment 3.

It is not considered to be Council's responsibility to uphold the direct or implied promises of a developer when they sub-divide and sell a section. In no way has Council ever indicated that existing views which may be present when the development is completed will be protected upon further maturation of the site. Any unfulfilled expectations between seller and purchaser should be dealt with separately between those two parties.

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

OPTIONS

Analysis of Options

Option 1 – removal or significant reduction of the offending trees

Advantages	Disadvantages
<ul style="list-style-type: none"> The resident of 6 Prince Place would have their view of the lake improved 	<ul style="list-style-type: none"> Loss of hundreds of thousands of dollars worth of healthy vegetation Costs of thousands of dollars to carry out the tree removal Ecological and environmental degradation Significant loss of reserve amenity Council would endorse a direct contradiction of its own policy

Option 2. – decline to remove or modify the offending vegetation

Advantages	Disadvantages
<ul style="list-style-type: none"> Retention of amenity, ecological and environmental advantages Consistent with existing Council policy 	<ul style="list-style-type: none"> The lake views of the resident of 6 Prince Place would continue to be impacted

Analysis Conclusion:

The preferred option is to decline the request for tree modification and removal, retaining all vegetation on the identified site.

CONSIDERATIONS

Financial Considerations

The financial impact of the proposal is estimated to be \$0 if removal is declined. If removal is recommended, the costs will have to be assessed depending on the amount of work to be undertaken. It is likely that the costs to remove the trees would be many thousands of dollars. The trees themselves have a worth of many times more than that based on what it would likely cost to replace that number of trees with specimens of an equivalent size and type.

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. The matter will enable the Council to meet the current and future needs of communities for good quality local public services. (i.e. efficient, effective and appropriate to present and anticipated future circumstances).

Policy Implications

There are no known policy implications if the vegetation is not removed. If the committee approves removal it would be in direct contradiction of existing Council policy. Council would need to explicitly state why this exception to the policy is necessary.

Risks

There are no known risks if the vegetation is retained. There are risks if the existing policy is contradicted; both in terms of existing requests which have been declined, and the possible precedent which could be set

for future decisions. Removing vegetation to enhance views could lead to widespread removal of vast numbers of healthy trees on Council land.

SIGNIFICANCE OF THE DECISION OR PROPOSAL

Council's Significance and Engagement policy identifies the following matters that are to be taken into account when assessing the degree of significance of proposals and decisions:

- a. The level of financial consequences of the proposal or decision;
- b. Whether the proposal or decision will affect a large portion of the community or community of interest;
- c. The likely impact on present and future interests of the community, recognising Maori cultural values and their relationship to land and water;
- d. Whether the proposal affects the level of service of an activity identified in the Long Term Plan;
- e. Whether community interest is high; and
- f. The capacity of Council to perform its role and the financial and other costs of doing so.

Officers have undertaken a rounded assessment of the matters in clause 11 of the Significance and Engagement Policy (2016), and are of the opinion that the proposal under consideration is of low importance.

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.




COMMUNICATION/MEDIA

No communication/media is required.

CONCLUSION

There are no compelling reasons for Council to remove the identified vegetation and many detrimental ones. It is not consistent with Council policy to remove trees to enhance views, therefore the request should be declined.

ATTACHMENTS

1. Request for Tree Removal 
2. Tree removal request location 
3. Photo of site 
4. Photo of site

4.5 TAUPŌ DISTRICT COUNCIL TRAFFIC CONTROLS– UPDATE, REVIEW, AMEND**Author:** Vincent Wang, Engineering Officer**Authorised by:** Kevin Strongman, Group Manager, Operational Services**PURPOSE**

To update the Taupō District Council traffic controls or prohibitions on roads or public spaces, in accordance with the Taupō District Council Traffic Bylaw 2014.

EXECUTIVE SUMMARY

The Taupō District Council Traffic controls may be updated from time to time with new controls or prohibitions.

RECOMMENDATION(S)

That, pursuant to the Taupō District Council Traffic Bylaw, Council imposes the following traffic controls and/or prohibitions on roads and/or public spaces in the Taupō District:

Sign/Marking	Why	Where
1. One (1) Stop sign and marking	To change existing 'Giveaway' sign and marking to 'Stop'	Intersection of Poihipi Road and Oruanui Road.
2. Six (6) Mobility parking signs, eight (8) Mobility park markings and 137 metres No Stopping At All Times marking (broken yellow lines)	To add the new regulatory signs and markings into Traffic Control Bylaw Register.	Taupō Events Centre Parking Area.
3. 20 metres No Stopping At All Times marking (broken yellow lines)	To provide better visibility from the entranceway and stop vehicles blocking entranceway.	Southern side of Te Reiti Tamara Grove, Turangi outside Turangi Holiday Park.
4. One (1) Bus Stop Sign	To amend the bus stop restriction time for 2:45pm - 3:30pm Monday-Friday.	Western kerbline of Frederick Street outside Waipahihi School.

BACKGROUND

Council must make a resolution whenever a sign or marking on the road is recommended or recommended to be changed, and as a consequence controls or prohibits the use of a road or public space.

The Taupō District Council Traffic Control Device Register (the Register) sets out all the signs and markings which control and prohibit the use of a road or public space in the Taupō District.

DISCUSSION

The controls require updating to incorporate the following new signs and markings:

Sign/Marking	Why	Where
1. One (1) Stop sign and marking	To change existing 'Giveaway' sign and marking to 'Stop'	Intersection of Poihipi Road and Oruanui Road.
2. Six (6) Mobility parking signs, eight (8) Mobility park	To add existing regulatory signs and markings into Traffic	Taupō Events Centre Parking Area.

markings and 137 metres No Stopping At All Times marking (broken yellow lines)	Control Bylaw Register	
3. 20 metres No Stopping At All Times marking (broken yellow lines)	To provide better visibility from the entranceway and stop vehicles blocking entranceway.	Southern side of Te Reiti Tamara Grove, Turangi outside Turangi Holiday Park.
4. One (1) Bus Stop Sign	To provide bus stop restriction time for 2:45pm - 3:30pm Monday-Friday	Western kerblines of Frederick Street outside Waipahihi School.

1. In February 2017, council received a request to review the road safety and intersection traffic control at the intersection of Poihipi Road and Oruanui Road.

The transportation team has undertaken an investigation and found the primary issue is with the insufficient visibility viewed from Oruanui Road limit line to both sides of Poihipi Road.

A review of the crashes has been downloaded from the NZTA Crash Analysis System. It showed there have been 6 crashes with 2 injuries in the area of Poihipi Road and Oruanui Road intersection for the last 5 years (2012-2016). This report also showed 2 out of the 6 crashes noted an element of restricted visibility due to the curve of the road.

2. In February 2017, the existing regulatory signs and markings in the parking area of Taupō Event Centre were changed within the carpark area adjacent to the facility and these need to be amended in the Traffic Control Device Register.

Note: The family parking areas are not included in the register as there are no prescribed signs for these currently, so they are unable to be enforced.

3. In January 2017, council received an enquiry to review vehicles parking across driveway complaint at No. 11 Te Reiti Tamara Grove, Turangi and Turangi Holiday Park.

The problem is the location of Turangi Holiday Park reception area and its gate is adjacent to driveway for No. 11 Te Reiti Tamara Grove. Their customers often park across driveway of No. 11 Te Reiti Tamara Grove to access the reception area.

4. The transportation team has been asked to review the parking restriction time of the bus stop for Waipahihi Primary School and Kindergarten at Frederick Street.

The existing time restriction for the bus stop is 8-9 am and 3-4 pm Monday - Friday. One of the school buses normally arrives before 3pm and is unable to park in the bus stop area since there are parents' cars to park and occupy this space to pick up children when school finishes.

OPTIONS

The two options before Council are:

- 1) Accept the recommendation to amend and update the controls or;
- 2) Not accept the recommendation to amend and update the controls.

It is recommended that Council accepts the recommendation to update and amend the controls.

CONSIDERATIONS

Financial Considerations

The financial impact of maintenance to the Register does not change and is met within current budgets.

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.

The proposal has been evaluated with regard to the Traffic Bylaw 2014, the Land Transport Act 1998 and the associated Rules. Prescribed signs need to be installed in order to be enforceable by our compliance officers.

Policy Implications

There are no policy implications associated with this paper.

Risks

There are no risks associated with this paper except not having prescribed signs installed.

SIGNIFICANCE OF THE DECISION OR PROPOSAL

Council's Significance and Engagement policy identifies the following matters that are to be taken into account when assessing the degree of significance of proposals and decisions:

- a. The level of financial consequences of the proposal or decision;
- b. Whether the proposal or decision will affect a large portion of the community or community of interest;
- c. The likely impact on present and future interests of the community, recognising Maori cultural values and their relationship to land and water;
- d. Whether the proposal affects the level of service of an activity identified in the Long Term Plan;
- e. Whether community interest is high; and
- f. The capacity of Council to perform its role and the financial and other costs of doing so.

Officers have undertaken a rounded assessment of the matters in clause 11 of the Significance and Engagement Policy (2016), and are of the opinion that the proposal under consideration is of low importance.

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. The transportation team have consulted with key stakeholders including compliance team and received feedback as follows:

Both the property owner and managers of Turangi Holiday Park are in support of the proposal.

The Deputy Principal of Waipahihi School and Head Teacher of Waipahihi Central Kids Kindergartens are in support of the proposal.





COMMUNICATION/MEDIA

No communication/media is required.

CONCLUSION

It is recommended that Council imposes the traffic controls and prohibitions detailed in the report. Staff will then update the Traffic Control Device Register in accordance with the resolution.

ATTACHMENTS

1. Poihipi Road to Oruanui Road intersection sight distance plan 
2. Taupo Event Centre Existing Parking Restriction Signs and Markings 
3. Te Reti Tamara Grove Proposed No Stopping At All Times 
4. Frederick Street Proposed Bus Stop Time Restriction Change 

4.6 TAUPO DISTRICT COUNCIL TRAFFIC CONTROLS - FORMER STATE HIGHWAY ROADS (SH1 & SH5) REGULATORY SIGNS AND MARKINGS

Author: Claire Sharland, Asset Manager Transportation

Authorised by: Kevin Strongman, Group Manager, Operational Services

PURPOSE

This paper seeks Council's adoption of the Traffic Control Device Register (the Register) following a full audit of all the signs and markings on the former State Highways 1 and 5 now known as Wairakei Drive, Tongariro Street, Lake Terrace and Napier Road.

EXECUTIVE SUMMARY

Council adopted its Traffic Bylaw 2014 (the Bylaw) in December 2014. Along with the Bylaw Council adopted the Register with all traffic signs and markings so these can be enforced.

Officers have now undertaken a full audit of the above roads and have brought the additional signs and markings to this committee for adoption.

It is recommended that the Fences, Roading, Reserves & Dogs committee adopts the additional signs and markings to ensure that all the signs and markings remain enforceable.

RECOMMENDATION(S)

That the Fences, Roading, Reserves & Dogs Committee adopts, the controls, prohibitions, restrictions and regulations in the Taupō District Council Traffic Control Device Register, in accordance with the Taupō District Council Traffic Bylaw 2014 powers, as identified in Attachment 1.

BACKGROUND

The Local Government Act 2002 (LGA) and Land Transport Act (LTA), provides Council with the ability to make bylaws to protect the public from nuisance, protecting, promoting and maintain public health and safety and minimising the potential for offensive behaviours in public places. Bylaws are the most effective method for councils to control activities such as traffic and parking.

Council amended the Fences, Roading, Reserves & Dogs Committee delegations to impose all new traffic controls and/or prohibitions on roads and/or public spaces in the Taupō District. Any changes, amendments or new signs and markings are submitted to the Fences, Roading, Reserves & Dogs Committee for approval.

Council also adopted the controls, prohibitions, restrictions and regulations in the Register, in accordance with the bylaw's powers.

DISCUSSION

An agenda item on 8 December 2015 was to adopt the register of all signs and markings however it did not include the former State Highways as the roads were yet to be formally transferred from NZTA to Council. The enforceable signs and markings are those that have an associated infringement offence under the Land Transport Act.

A review of all our enforceable signs and markings along Wairakei Drive, Tongariro Street, Lake Terrace and Napier Road has been undertaken. It is now recommended that Fences, Roading, Reserves & Dogs Committee adopts these signs and markings to be incorporated into the Register.

This agenda item is to adopt the signs and markings on the former State Highways now that the roads have been transferred to Taupō District Council.

OPTIONSAnalysis of Options

Option 1 To adopt the revised register

Advantages	Disadvantages
<ul style="list-style-type: none"> Signs and markings are enforceable on Wairakei Drive, Tongariro Street, Lake Terrace and Napier Road. Consistency throughout district. 	<ul style="list-style-type: none"> Nil

Option 2 To not adopt the additional signs and markings

Advantages	Disadvantages
<ul style="list-style-type: none"> Nil 	<ul style="list-style-type: none"> Signs and markings are not enforceable on Wairakei Drive, Tongariro Street, Lake Terrace and Napier Road.

Analysis Conclusion:

It is recommended that the Fences, Roothing, Reserves & Dogs committee adopts the revised Register.

CONSIDERATIONS**Financial Considerations**

There are no financial implications associated with this paper as all signs and markings are existing.

Legal ConsiderationsLocal Government Act 2002

The matter comes within scope of the Council's lawful powers, including satisfying the purpose statement of Section 10 of the Local Government Act 2002. The matter will enable the Council to meet the current and future needs of communities for good quality performance of Council's regulatory functions. (i.e. efficient, effective and appropriate to present and anticipated future circumstances).

The proposal has been evaluated against the Land Transport Act Transport Act 1998 and all the signs and markings proposed are in line with the LTA requirements.

Policy Implications

There are no policy implications associated with this paper. However, this is ensuring that our enforceable signs and marking remain valid in line with our Traffic Control Bylaw 2014.

Risks

There is a risk if the register with additional signs and markings does not get adopted as this could jeopardise our ability to enforce the signs and markings on the road.

SIGNIFICANCE OF THE DECISION OR PROPOSAL

Council's Significance and Engagement policy identifies the following matters that are to be taken into account when assessing the degree of significance of proposals and decisions:

- The level of financial consequences of the proposal or decision;
- Whether the proposal or decision will affect a large portion of the community or community of interest;
- The likely impact on present and future interests of the community, recognising Maori cultural values and their relationship to land and water;
- Whether the proposal affects the level of service of an activity identified in the Long Term Plan;
- Whether community interest is high; and

- f. The capacity of Council to perform its role and the financial and other costs of doing so.

Officers have undertaken a rounded assessment of the matters in clause 11 of the Significance and Engagement Policy (2016), and are of the opinion that the proposal under consideration is of low importance.

ENGAGEMENT

Engagement is not deemed necessary for the adoption of the Register.

COMMUNICATION/MEDIA

As motorists will not notice any changes to any of the signs and markings, it is not considered necessary to undertake any further communication at this point.

CONCLUSION

It is recommended that the Fences, Roothing, Reserves & Dogs Committee adopts the additional signs and markings. If the Committee chooses not to adopt the revised Register it is likely to jeopardise our ability to enforce the revised signs and markings on the road.

ATTACHMENTS

1. Former SH1 and SH5 Regulatory signs and markings for Traffic Bylaw Register 

4.7 NO TRUCK PARKING SIGNAGE - LAKE TERRACE

Author: Claire Sharland, Asset Manager Transportation

Authorised by: Kevin Strongman, Group Manager, Operational Services

PURPOSE

The purpose of this report is to consider restricting parking of heavy vehicles on the southern side of Lake Terrace in the area between Ruapehu Street and Taharepa Road.

EXECUTIVE SUMMARY

Heavy vehicles are being parked along the lake front, generally overnight while drivers are staying in the adjacent accommodation. This has led to complaints relating to late evening early morning noise when stopping and starting the vehicles and also impacts on views from adjacent properties.

Under the Traffic Bylaw 2014 Council can subject to the erection of prescribed signs prohibit the parking of any specified class of vehicle on any road. In this instance the signs (600mm x 600mm) are larger than the normal parking restriction sign (300mm x 300mm).

The application of a restriction and enforcement will stop this activity but is likely that the restrictions could shift the parking problems to another area. The size and quantity of signage required could result in adverse comments due to the visual impact of the signage.

RECOMMENDATION(S)

That the Fences, Roading, Reserves & Dogs Committee approves the installation of the signs No Truck Parking along Lake Terrace or;

That the Fences, Roading, Reserves & Dogs Committee does not approve the installation of the signs No Truck Parking along Lake Terrace.

BACKGROUND

The proposal has not been presented previously.

Complaints have been received with heavy motor vehicles parking within marked parking along the lake front on Lake Terrace generally in the area between Ruapehu Street and Taharepa Road. There are two areas of concern reported, noise from trucks starting up early in the morning and impact on views of the lake from adjacent properties. Vehicles are usually parked overnight with drivers utilising the adjacent accommodation and depart early in the morning.

DISCUSSION

There are a number of locations within the CBD and CBD fringe where heavy vehicles are encouraged to park. See Attachment 2 (A1878318). Many of these locations are utilised by drivers who have accommodation close to those locations. There are no such parking areas available for the section of Lake Terrace from Ruapehu Street to Taharepa Road.

Under the Traffic Bylaw 2014 Sec 8 Council may by resolution subject to the erection of prescribed signs prohibit, limit or restrict the stopping, standing or parking of vehicles of any specified class or description on any road.

The prescribed signage to manage parking for trucks is found in the Traffic Control Devices Rule 2004.

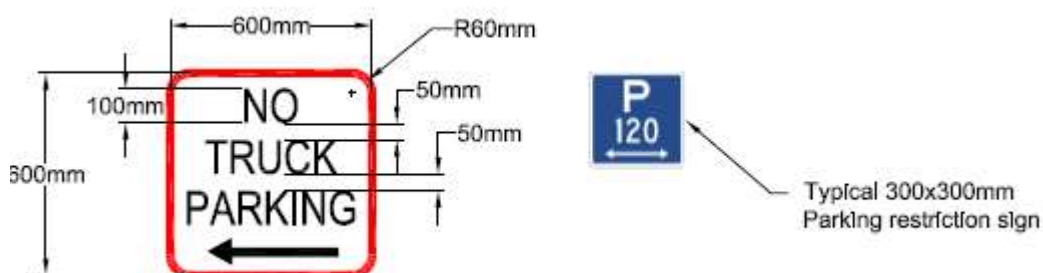
“General regulatory sign (R7-10) applies” The rules associated with this sign are;

- A rectangle at least 600 x 600mm and sufficient to comfortably accommodate the legend;
- White background;
- Red border; and
- Sufficient words as are necessary to convey the restriction, at 100mm high with black words.

- signage must be repeated every 100m to ensure good coverage.

Under the Traffic Bylaw 2014, enforcement action can only be taken if the prescribed signs are in place.

The signs are larger than the average parking restriction signs see below. The location plans are attached in Attachment 1: Proposed No Truck Parking Signs Plan (A1869764).



Based on this information it is considered that there are two options either retain the status quo or enforce no truck parking along the lake front.

OPTIONS

Analysis of Options

Option 1. Status Quo – No restriction on truck parking along the lake front

Advantages	Disadvantages
<ul style="list-style-type: none"> • No visual impact from signage. • No financial costs involved. 	<ul style="list-style-type: none"> • Heavy trucks would continue parking along the lake front. • Complaints from accommodation providers about noise will continue to be received.

Option 2. Prohibit truck parking along the lake front.

Advantages	Disadvantages
<ul style="list-style-type: none"> • Will be able to enforce parking restrictions at the proposed location 	<ul style="list-style-type: none"> • May result in heavy vehicles being parked close to accommodation providers in the area but in other locations that may be less than desirable. • Negative impact to community due to the size and number of signs along the lake front. • Cost of installation & maintenance of signs. • There may be an adverse financial impact on adjacent accommodation providers.

Restrictions on truck parking along the lake front would address issues relating to noise and views however would likely result in transferring those issues to other locations within the CBD and possible residential areas.

CONSIDERATIONS

Financial Considerations

The financial impact of the proposal is estimated to be \$2,500 for the installation of signage should a decision be made to enforce no parking. Cost associated with the signage installation would be funded through traffic service signs budgets.

There would also be some use of staff resources to monitor and undertake enforcement action. If undertaken outside of normal working hours there would be costs associated with engagement of Councils security contractor. The impact of both is dependant on the level of enforcement that is required.

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. The matter will enable the Council to meet the current and future needs of communities for good quality local infrastructure. (i.e. efficient, effective and appropriate to present and anticipated future circumstances).

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

The proposed signage meets the requirements of the Traffic Control Devices Rule 2004.

Policy Implications

There are no policy implications.

Risks

The restrictions if applied could move the problem to a different location.

The required signage would have a significant impact on the visual landscape along the lakeside due to size and frequency of signs.

SIGNIFICANCE OF THE DECISION OR PROPOSAL

Council's Significance and Engagement policy identifies the following matters that are to be taken into account when assessing the degree of significance of proposals and decisions:

- a. The level of financial consequences of the proposal or decision;
- b. Whether the proposal or decision will affect a large portion of the community or community of interest;
- c. The likely impact on present and future interests of the community, recognising Maori cultural values and their relationship to land and water;
- d. Whether the proposal affects the level of service of an activity identified in the Long Term Plan;
- e. Whether community interest is high; and
- f. The capacity of Council to perform its role and the financial and other costs of doing so.

Officers have undertaken a rounded assessment of the matters in clause 11 of the Significance and Engagement Policy (2016), and are of the opinion that the proposal under consideration is of low importance.

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.



COMMUNICATION/MEDIA

Should the decision be made to restrict parking of heavy vehicles then a communications plan will be developed to ensure those affected by the restrictions will be advised.

CONCLUSION

Trucks parking along the lake front are creating a nuisance for adjacent property owners. To restrict trucks parking in this location signage will be required that will have an impact on the visual amenity of the lake front and could also shift the problem to adjacent areas.

ATTACHMENTS

1. Proposed No Truck Parking Signs Plan - Lake Terrace 
2. Bus, coach and truck parking stops for Taupo CBD 

4.8 REQUEST FOR REMOVAL OF TREES - WAIRAKEI DRIVE**Author:** Denis Lewis, Infrastructure Manager**Authorised by:** Kevin Strongman, Group Manager, Operational Services**PURPOSE**

The purpose of this report is to make a decision on the removal or not of trees in line with the adopted Tree and Vegetation Policy.

EXECUTIVE SUMMARY

An issue has been identified by Contact Energy with a stand of Douglas Fir and Pine trees losing branches during high winds that are damaging the road boundary fence with Contact Energy land (Karapiti Block) adjacent to Wairakei Drive, to the north of Poihipi Road. There have been occasions following this damage that stock has gained access to Wairakei Drive. With the volume of traffic on Wairakei Drive there is a significant risk to motorists should stock wander onto the carriageway. It is for this reason staff are recommending the removal of these trees.

RECOMMENDATION(S)

That the Fences, Roothing, Reserves & Dogs Committee approves the removal of the stand of Douglas Fir & Pine trees on Wairakei Drive adjacent to Contact Energy land (Karapiti Block).

BACKGROUND

An issue has been identified by Contact Energy with a stand of trees on road reserve adjacent to their Karapiti Block (aerial attached showing location). The branches from the trees immediately adjacent to the boundary fence are falling in high winds causing damage to the fence (see attached photos) and in some instances stock have gained access to Wairakei Drive through the damaged fence. With the volume of traffic on Wairakei Drive there is a significant risk to motorist should stock wander onto the carriageway. It is for this reason staff are recommending the removal of these trees.

DISCUSSION

Council's arborist has inspected the stand of Douglas Fir and Pine trees and advises that trimming some of the trees clear of the fence line or removing several of the trees that are causing issues with the fence would increase the chances of further failures due to the decreased integrity of the stand. He recommended that the complete stand be removed.

Tree removal would impact on traffic due to the proximity of the stand to the road so would be timed to minimise impacts on traffic flows. An approved traffic management plan would be required during the felling operation.

If the trees were to be removed then the area would be replanted with suitable species in conjunction with Greening Taupō.

Although Council's Tree and Vegetation Policy 2014 states that the removal of healthy trees on Council land will be the exception, it does allow for removal where community assets are impacted [see Policy 3.2 – Removal of Healthy Trees].

OPTIONS

Option 1. Remove the stand of trees on Wairakei Drive adjacent to Contact Energy land (Karapiti Block)

Advantages	Disadvantages
<ul style="list-style-type: none"> • Road boundary fence is unaffected by tree damage • Reduced risk of stock straying onto Wairakei Drive 	<ul style="list-style-type: none"> • Mature trees lost • Cost of tree removal • Possible negative publicity

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Option 2. Retain the stand of trees on Wairakei Drive adjacent to Contact Energy land (Karapiti Block)

Advantages	Disadvantages
<ul style="list-style-type: none"> • Mature trees retained • Cost of tree removal avoided 	<ul style="list-style-type: none"> • Potential risk to motorists if wandering stock lead to crashes • Ongoing costs to remove fallen branches • Ongoing repair cost to fence

Analysis Conclusion:

Option 1 is preferred.

CONSIDERATIONS

Financial Considerations

Depending on the outcome of the decision, if the decision was for the removal of the trees, the cost would be funded through Council's existing operational and maintenance budgets. The cost of removing the trees is estimated at \$12,000 There is expected to be some value in the trees felled which has been taken account of in that estimate. There would also be a cost for the replanting.

Contact Energy will be responsible for repairing the fence and burning the slash left following tree removal.

Legal Considerations

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. The matter will enable the Council to meet the current and future needs of communities in a way that is efficient, effective and appropriate to present and anticipated future circumstances.

The matter assists Council in providing good-quality local infrastructure.

Policy Implications

The proposal has been evaluated against the Long-term Plan, Annual Plan, Taupō District Plan, Bylaws, Waikato Regional Plan, Asset Management Plan and Reserve Management Plans (as applicable) and the adopted Tree and Vegetation Policy. This item is particularly related to the latter policy and is fully consistent with it.

Risks

The integrity of the road boundary fence will continue to be put at risk of breakage if the trees remain.

SIGNIFICANCE OF THE DECISION OR PROPOSAL

Council's Significance and Engagement policy identifies the following matters that are to be taken into account when assessing the degree of significance of proposals and decisions:

- a. The level of financial consequences of the proposal or decision;
- b. Whether the proposal or decision will affect a large portion of the community or community of interest;
- c. The likely impact on present and future interests of the community, recognising Maori cultural values and their relationship to land and water;
- d. Whether the proposal affects the level of service of an activity identified in the Long Term Plan;
- e. Whether community interest is high; and
- f. The capacity of Council to perform its role and the financial and other costs of doing so.

Officers have undertaken a rounded assessment of the matters in clause 11 of the Significance and Engagement Policy (2016), and are of the opinion that the proposal under consideration is of low importance.

ENGAGEMENT

There have been ongoing discussions with Contact Energy staff regarding the issue.

COMMUNICATION/MEDIA

A media release would be undertaken prior to the tree removal should that be the decision of the committee.

CONCLUSION

While the trees in question are in good health they are posing a risk to the integrity of the fence which could lead to wandering stock on Wairakei Drive. Also there are some costs to maintain the trees and fence if the trees are not removed.

ATTACHMENTS

1. Aerial showing tree location and photos of fence damage