

**TAUPŌ DISTRICT COUNCIL
MINUTES OF THE KINLOCH REPRESENTATIVE GROUP MEETING
HELD AT THE KINLOCH COMMUNITY HALL, KINLOCH DOMAIN (MATA PLACE), KINLOCH
ON THURSDAY, 15 FEBRUARY 2018 AT 1.00PM**

- PRESENT:** Cr Rosanne Jollands (in the Chair), Mr Tim Brittain, Mr Bruce Campbell, Cr Barry Hickling, Cr Christine Rankin, Ms Belinda Walker
- IN ATTENDANCE:** Chief Executive, Group Manager: Finance & Strategy, Democracy & Community Engagement Manager, Consents & Regulatory Manager, Asset Manager Water & Waste, Parks Operations Manager – Taupō, Parks Operations Manager – Mangakino, Senior Reserves Planner, Democratic Services Support Officer
- MEDIA AND PUBLIC:** Taupō Times
17 members of the public

The Chair welcomed and thanked everyone who had attended the workshop and Kinloch development site visits beforehand. Given the high level of public interest in the current agenda items, members of the public were also invited to contribute to the meeting discussions.

Special thanks was also made to the Kinloch hobby group who had kindly vacated their pre-existent community hall booking for the day's proceedings.

1 APOLOGIES

KIN201802/07 RESOLUTION

Moved: Mr Tim Brittain
Seconded: Cr Christine Rankin

That apologies from Mayor David Trewavas be received and accepted.

CARRIED

2 CONFLICTS OF INTEREST

Nil

3 CONFIRMATION OF MINUTES

3.1 KINLOCH REPRESENTATIVE GROUP MEETING - 11 DECEMBER 2017

With this being the first meeting for 2018, the Chair considered it was appropriate to revisit the objectives of the Kinloch Representative Group and subsequently read allowed the Group's terms of reference (A2054288). Meeting protocols and procedures were set out in the Council's Standing Orders (A1756100) and Code of Conduct 2016-19 (A82839) which gave fairness and transparency to the process, and everyone the right to be heard in a constructive forum.

Additional comments noted during questions, answers and related discussion:

- The minutes did not record the Group's request to deviate from the six-weekly meeting frequency and meet once a month (for the first few months of 2018).
- Agenda item close-off dates were always two weeks before the scheduled meeting date eg. 26 April agenda items needed to be advised to the chair and / or committee secretary no later than 12 April.
- The Consents & Regulatory Manager had provided written information on Kinloch developments and consents to the Chair and would also provide same to the rest of the Group.
- Future meetings would be preceded by a half hour public forum. This would publicly notified via

Councils usual communication channels. In addition, Ms Walker would advise the Kinloch community through WhatsApp.

KIN201802/08 RESOLUTION

Moved: Mr Tim Brittain
Seconded: Cr Barry Hickling

That the minutes of the Kinloch Representative Group meeting held on Monday 11 December 2017 be confirmed as a true and correct record.

CARRIED

4 REPORTS

4.1 PRESENTATION: UPDATE FROM THE 'FRIENDS OF KINLOCH'

The Chair welcomed Kinloch Residents and Friends chairman Martin Coe (also past chairman of the Kinloch Marina Company) and his associate Jack Jenkins who were in attendance to make a presentation to the Group. Mr Coe addressed the Group and noted that the site visits held before the meeting were very helpful. Additional key points of his presentation (A2160335) were:

- The decision to reactivate the Residents and Friends (R & F) group, which had been in recess since the completion of the Holyoakes development on Lisland Drive, was prompted by approaches from many disgruntled Kinloch property owners voicing their frustrations and concerns in relation to Kinloch subdivisions / developments.
- R & F had major input into the development of the Kinloch Structure Plan (KSP) and the Holyoakes development, including obtaining significant concessions from the developer for the provision of a playground and fencing of the Whangamata Reserve.
- Loch Eagles: Considered Council's approval of the variation of sections sizes in the Stage 4 plans and encroachments on setbacks (which exceeded plot ratios and building coverage allowances) was unacceptable, especially given that the KSP specifically stated that the lower hill slopes surrounding the Kinloch Valley were to be excluded from high density type developments. Going forward requested assurance that in the least, Councillors would be advised of any such consent variations.
- The Larches: At 700m², sections sizes were outside the KSP. Additionally, the rear boundary of the subdivision backed onto the Whangamata Reserve which required the developer to fence the boundary. The Larches had various similarities to the disastrous Lakemere subdivision which the then Council acknowledged was not satisfactory and also confirmed that any future similar developments would not be approved. Sought an assurance from TDC that any future applications by/from the Larches developer be notified so that interested parties could make appropriate submissions and ensure that the KSP was adhered to.
- Seven Oaks: Given the close proximity to the lake and being the last major subdivision in the Kinloch valley, it was essential that this was handled appropriately. Requested that TDC made this a notified consent due to the significant impact on the Kinloch community, in that:
 - Thirty sections were being marketed with an average size of only 861m² which was a variation from the KSP minimum section sizes.
 - Three sides of the boundaries bordered DOC reserves (the Okaia Stream), the Otaketake Stream and Lake Taupō. As outlined in the KSP, to protect all reserves suitable fencing, setbacks and height restrictions would need to be established.
 - The planned ROW through the Okaia Reserve that would meet up with Okaia Drive (in the Holyoakes subdivision) needed to ensure minimum disturbance to flora and fauna, and would require ongoing monitoring.
 - Cutting down of trees to enable lake views for prospective buyers could have repercussions on erosion and runoff.

- Traffic congestion due to insufficient parking spaces and inconsiderate parking was particularly bad over the recent Christmas and New Year period, especially in front of the store leading up to Nisbet Terrace. Envisaged that this would be even more problematic upon the sale of circa 400 sections. Queried if the developers were making any contribution to alleviate this?
- In closing, noted that the R & F looked forward to working with TDC to achieve positive outcomes.

The following comments were noted during questions, answers and related discussion:

- R & F had reformed and currently had 40 members.
- R & F were happy to work in with the Kinloch Community Association (KCA). Their primary concern was ensuring that sections were developed in accordance with the KSP, which they felt had not occurred.
- Mr Jenkins noted that the Lakemere and Holyoakes subdivisions were serviced by one lane ROWs. Increased visitors during holiday periods combined with the fact that many people owned boats and trailers created added pressure on roading infrastructure and users eg pedestrians, cyclists. Continued that Safe Roads worked alongside and encouraged councils throughout New Zealand to include walkways and cycleways outside of its roading system. Implementing new walkways / cycleways would help future proof Kinloch as current plans made no allowance for that. He cited the Saint Kildare development in Cambridge which included 250 sections, walkways and cycleway, playgrounds, wetlands, restaurant, medical centre, pharmacy, and retirement homes around the perimeter as a good example of future proofing. Covenants in place there stipulated fence heights and required that property owners planted native trees (and provide species information), and ensured roof water went into holding tanks.
- Mr Jenkins further advised that legal advice provided to local residents was that the approved increase of the Loch Eagles lots from 23 to 53 as being 'minor' was in breach of the legal statutes for local councils. He then outlined the following requests:
 - That TDC review the Loch Eagles decision and withdraw the variation (revert back to the 23 lots as previously approved). Alternatively, requested that TDC ask the developer to reconsider the layout of the development. If neither options were successful, the community would consider pursuing a judicial review.
 - With respect to Seven Oaks and Lochaven and any other subdivision, that no consents or approvals be given for any work until such time that a new Kinloch plan covering future requirements is established and accepted by KRG.
 - That TDC carry out a full appraisal for potable water, sewerage and other essential services for Kinloch for the next 10 years.
 - That TDC establish a grounds and reserves maintenance base in Kinloch.
 - That in future, no consents or variations is given without prior approval from KRG and full Council approval.
- It was requested that TDC provide legal interpretation and clarification of the word 'minor' and the applicable parameters of its use under the RMA, particularly when approving resource consent applications and variations.
- The Kinloch Community Plan (KCP) would be a highly important document. The vision wording needed fine tuning and would go out for community input before being adopted by the KRG.
- TDC, KRG, KCA, R & F and the Kinloch community needed to work collectively towards achieving shared outcomes.
- The Consents & Regulatory Manager clarified that a high density residential classification permitted either commercial or residential development. Current high density residential sites were the Kenrigg development and the local Trev Terry Marine site.
- Funds had been set aside in the Long-Term Plan for significant Kinloch wastewater and water infrastructure, which was a high priority for Council.
- Council had purchased the Kinloch Golf Course to build a wastewater treatment plant and were looking at irrigation options (on the fairways).
- Any concerns around the safety of young children in relation to traffic related issues, eg signage around playgrounds, speed, etc should be communicated directly to TDC (via customer services) so the appropriate investigations can be conducted.

- Suggested that lines be painted on the hill going up to the store which would greatly improve traffic flow, and a turning bay for trailers situated in front of the store. A member noted that the Group and /or the KCA could include this as part of a submission for LTP funds. Currently roading infrastructure projects were 50/50 funded by TDC and NZTA.
- Ms Walker encouraged local residents to join the KCA, noting that membership subscriptions were invested back into the community.

KIN201802/09 RESOLUTION

Moved: Cr Christine Rankin

Seconded: Mr Bruce Campbell

That the Kinloch Representative Group receives the information and thanks the 'Friends of Kinloch' representatives for their presentation.

CARRIED

4.2 KINLOCH DEVELOPMENT

This item provided an opportunity for members to ask any further questions or seek clarification on any of the matter discussed at the earlier held workshop.

The following comments were noted during questions, answers, and related discussion:

- The Consents & Regulatory Manager advised that any changes to the KSP would have to go through a formal process.
- The KSP was used as the basis to develop the KCP. The KCP provided the mandate from the community and would help inform and guide decision-making, including recommendations to Council.
- The more practical and cost beneficial approach for the District Plan review was to do it all rather than reviewing each section of the Plan. It was noted that the review was a very long process to undertake.
- The KSP was still fundamentally a very good document albeit there was a perception in the community that Council did not adhere to it, which was not the case as the Consents & Regulatory Manager had clarified in the earlier held workshop. The Consents & Regulatory Manager advised that application variations had to be dealt with under the applicable conditions / legislation operating at the time the initial application was submitted eg Loch Eagles application was approved before the KSP came into effect in 2004, therefore the KSP did not apply and could not be considered during the re-consenting process. He also clarified that if an applicant met all requirements under the Act, the application must essentially be approved as without a strong rationale to decline an application (legislative grounds), Council would likely be challenged in court and that incurred huge costs.
- Mr Brittain tabled and read aloud his submission (A2160333) which expressed dismay at changes that have been made to the resource consents issued to the Loch Eagles subdivision section sizes in stage 4B, and setbacks. The following recommendations (though not formally put) were also noted:
 1. *That this Committee recommends to Council that any future changes to resource consents like Loch Eagles be first considered by the KRG but are only agreed to if they are in line with the conditions of future developments in the Kinloch Community Structure Plan'.*
 2. *That this Committee asks Council to adopt a policy of all future subdivision applications of any scale including the proposed Larches and Seven oaks subdivisions to be fully notified resource consent applications and provide ample time for interested parties to submit either in favour or against various proposals'.*

In reply to Mr Brittain, the Chair advised that the KRG took on board his comments which would be passed on to Council to provide some guidance on any course of action the Group could pursue, particularly in relation to Bruce Bartley's and the Hillary Outdoor Pursuits Centre developments (NB:

An application from Hillary OPC had not yet been formally received from Council). Mr Campbell subsequently supported the Chair's comments, in particular that Mr Brittain's recommendations be passed on to Council.

- A member requested that an invitation to speak at the next KRG meeting be extended to the developers of The Larches; Seven Oaks and Oakdale Downs.
- The Consents & Regulatory Manager was asked to provide members with a table – including any relevant commentary - on minimum/maximum/average lot sizes by development.
- A workshop was to be scheduled to address those Kinloch development items not covered in the earlier workshop due to time constraints, namely:
 - Kinloch reserves and sports fields
 - Wastewater and water infrastructure
 - Plus a request to add a site visit to eastern/western foreshores
- Work on the eastern foreshore was rescheduled to commence around mid March which would be much quieter and less interruptive with summer visitors having departed. It was anticipated that the work would be done very quickly.
- The Group Manager: Finance & Strategy undertook to follow up on a list of questions in relation to Kinloch developments and infrastructure provided to Council by KCA representatives late last year and report back to members.
- Members supported the removal of the poplar tree on the domain. The Parks Operations Manager – Taupō advised the Group of the pending removal of an additional (3) poplars and (1) pine tree (also situated on the domain) which were assessed as dangerous.

KIN201802/10 RESOLUTION

Moved: Cr Barry Hickling

Seconded: Mr Tim Brittain

That the Kinloch Representative Group notes the information, including the actions noted above on the Kinloch development.

CARRIED

4.3 UPDATE ON THE KINLOCH COMMUNITY PLAN & VISION

Ms Walker summarised work undertaken to date in relation to the Kinloch Community Plan noting that the vision wording was yet to be finalised. The (3) mission statements had been presented in the previously circulated draft.

KIN201802/11 RESOLUTION

Moved: Ms Belinda Walker

Seconded: Mr Bruce Campbell

That the Kinloch Representative Group receives the Kinloch Community Plan including any additional amendments.

CARRIED

4.4 MEMBERS' REPORTS

The following verbal reports were provided:

Ms Belinda Walker

- Preschool numbers had increased from approximately 32 in February 2017 to over 50 currently. Representatives met with MoE in October 2017 who suggested approaching the Central Kids Kindergarten Trust to see if they could provide a service in the area. To get something underway as soon as possible, a temporary solution was being investigated with MoE who were asked if a service could be temporarily run out of the community hall. However this would put further pressure on hall

availability for other regular users eg elderly exercise group, hobby group, etc.

- Requested to add 'Hall extension possibilities' to the next KRG agenda. In response, a member remarked that people had to maintain perspective when asking for Council ratepayer funds which were quite small in comparison to other areas, and a 50/50 partnered cost share arrangement was a more realistic approach.

Mr Tim Brittain

- Requested that Council address lakeside parking at the end of Lisland Drive which was under increased pressure due to the Seven Oaks and Oakdale Downs subdivisions. In support, Mr Campbell asked that Council also request that the respective developers make a contribution towards those (parking related) costs.

Mr Bruce Campbell

- Showed three drinking water samples taken at different intervals during the most recent sewerage spill incident. Noted that there had been two spili which was unacceptable, the first of which he believed was due to an earthmover not connecting pipes to the development sewer ponds. Requested that KRG provide feedback to Council that the community appreciated the work that had been done to date, but were dismayed at what had happened. In reply, the Group Manager: Finance & Strategy explained what had occurred in this situation, that extreme weather events were a major contributing factor, and that Council had met with the developers concerned. In reply to a further question from Mr Campbell, the Chair advised that the breach sat with WRC and Council needed to put pressure on WRC to do something. The Consents & Regulatory Manager had been following up on the matter with WRC.

In closing, the Chair thanked everyone for their valuable input, especially the strong show of support from the public and Council staff alike.

Members agreed to hold the next KRG on 22 March with a (trial) start time of 7.00pm to increase the potential for working members of the public to attend.

KIN201802/12 RESOLUTION

Moved: Cr Christine Rankin

Seconded: Ms Belinda Walker

That the Kinloch Representative Group receives the reports from members.

CARRIED

5 CONFIDENTIAL BUSINESS

Nil

The Meeting closed at 3.16pm.

The minutes of this meeting were confirmed at the Kinloch Representative Group Meeting held on 22 March 2018.

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CHAIRPERSON