

**TAUPŌ DISTRICT COUNCIL
MINUTES OF THE FENCES, ROADING, RESERVES & DOGS COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, 107 HEUHEU STREET, TAUPŌ
ON TUESDAY, 16 APRIL 2019 AT 10.00AM**

PRESENT: Cr Barry Hickling (in the Chair), Cr John Williamson, Cr John Boddy, Cr Anna Park, Cr Maggie Stewart

IN ATTENDANCE: Chief Executive, Head of Operations, Head of Democracy, Governance & Venues, Head of Communications & Customer Relations, Senior Reserves Planner, Manager Legal & Compliance, Legal Counsel, District Parks Operations Manager, Parks Manager-Sport & Horticulture, Asset Manager Stormwater & Solid Waste, Asset Manager Transportation, Economic Relationships Manager, Consents & Regulatory Manager, Resource Consents Planner-Monitoring, Business Analyst, Parks Project Management Cadet, Democratic Services Officer

MEDIA AND PUBLIC: 22 members of the public
Taupō & Turangi Weekender

Note: Cr Maggie Stewart was not present for resolution FRD201904/06.

1 APOLOGIES

FRD201904/01 RESOLUTION

Moved: Cr John Williamson
Seconded: Cr John Boddy

That the apology received from Mayor David Trewavas be accepted.

CARRIED

2 CONFLICTS OF INTEREST

Nil

3 CONFIRMATION OF MINUTES

3.1 FENCES, ROADING, RESERVES & DOGS COMMITTEE MEETING - 20 NOVEMBER 2018

In answer to a question, the Parks Manager-Sport & Horticulture advised that trees had been ordered for Waipahihi Avenue and would be planted when the fine weather was over, as soon as appropriate.

FRD201904/02 RESOLUTION

Moved: Cr John Boddy
Seconded: Cr Anna Park

That the minutes of the Fences, Roading, Reserves & Dogs Committee meeting held on Tuesday 20 November 2018 be confirmed as a true and correct record.

CARRIED

3.2 FENCES, ROADING, RESERVES & DOGS COMMITTEE MEETING - 31 JANUARY 2019

FRD201904/03 RESOLUTION

Moved: Cr John Williamson

Seconded: Cr Maggie Stewart

That the minutes of the Fences, Roothing, Reserves & Dogs Committee meeting held on Thursday 31 January 2019 be confirmed as a true and correct record.

CARRIED

4 REPORTS

4.1 DOCHERTY DRIVE GULLY VEGETATION

Mrs Lyn and Mr Ross White addressed the Committee and the following points were noted:

- Passed on apologies from Mrs Heather and Mr Graeme Anderson who were unable to attend.
- Thanked Council for helping to deal with the problems in the reserve adjacent to Docherty Drive.

In answer to a question, the Parks Manager-Sport & Horticulture confirmed that the 3m buffer between planting and boundaries would run along the back of those properties identified in the report (item 3, map on page 20 of the agenda).

- All Cherry trees should be removed, as the residents do not want them to self-sow and multiply again in the future.
- Mr White had cleared the blackberry away and it was hoped that the grass would take over, in time.
- It was understood that the area had to be treated as a stormwater gully, but the gully itself was over 70m wide and the water trough 15m. The water flow was less than 20% of the total area and the growth outside the flow area.
- Council should ask residents not to drop rubbish, for example garden weeds, down the bank.

The Asset Manager Stormwater & Solid Waste and Waikato Regional Council's Allan Kirk addressed the Committee and showed some photographs of the Brentwood stormwater gully near Docherty Drive (A2454427). The following points were noted:

- The Brentwood gullies on the western side of Lake Taupō by Acacia Bay have significant catchment areas, with infrastructure over 530ha draining into the two gullies.
- The whole bottom area of the gully would be covered in water in a 100-year flood.
- Longer grass is required on the outside of gullies to slow the water down and avoid erosion. The more grass and vegetation on the edge of stormwater gullies, the better prevention of erosion and tomos.
- The width of gullies reflects the size of catchments, as gullies are formed from historical rain events.
- In relation to soil conservation, local gullies are made of pumice and are free-draining, but water passes through really quickly and as a consequence depletes the soil-binding properties of the land. Pumice is prone to surface erosion and gully floors may collapse on themselves, therefore large trees are important to slow that ground collapse and vegetation needs to be maintained on gully walls.
- Weir structures were another method of controlling stormwater, however plantings are preferred in accordance with current urban design principles.

FRD201904/04 RESOLUTION

Moved: Cr Barry Hickling

Seconded: Cr John Boddy

That the Fences, Roothing, Reserves & Dogs Committee confirms management of the vegetation as identified in the report attached to the agenda.

CARRIED

4.2 PROPOSED ROOFING SYSTEM INSTALLATION OVER OUTDOOR DINING AREA - VINE EATERY & BAR

In answer to questions, the Asset Manager Transportation confirmed that:

- The proposed roof system would not go across to the existing veranda.
- The structure could be removed in future, if the owners of the business were to change.

In answer to another question, the Legal Counsel advised that if the Committee approved the request, appropriate changes to the licence to occupy would be made, for example expanding the licence area; requiring removal of the structure on expiry of the term of the licence; protecting Council from liability from damage caused by third parties; and requiring the owner to keep the roof system in a good state of repair.

Mr Vaughan Nairn from Vine Eatery & Bar was in attendance and confirmed that he was happy with the proposal as presented.

FRD201904/05 RESOLUTION

Moved: Cr John Williamson

Seconded: Cr Anna Park

That the Fences, Roothing, Reserves & Dogs Committee agrees to vary the Vine Eatery and Bar Limited's Licence to Occupy footpath to allow the roofing system proposed in the officers report to be installed outside Vine Eatery and Bar.

CARRIED

4.3 NEW TREES TO BE PLANTED ON SPA ROAD AND TONGA STREET TAUPŌ

In answer to a question, the Head of Operations advised that root trainers would be put in to mitigate any issues with roots causing damage to infrastructure.

The following motion was put to the meeting:

MOTION

Moved: Cr Anna Park

Seconded: Cr Maggie Stewart

That the Fences, Roothing, Reserves & Dogs Committee declines the request to install 4 Ornamental Pear trees and 3 Weeping Silver Pear trees outside 161 Spa Road, Taupō.

MOTION LOST

Cr Maggie Stewart left the meeting at this point (10.44am).

Members then decided to approve the request from Ingham Mitsubishi to install 7 trees outside Spa Road and Tonga Street, Taupō, however instead of some of the trees being Weeping Silver Pear trees, all 7 trees must be Ornamental Pear trees.

FRD201904/06 RESOLUTION

Moved: Cr John Boddy

Seconded: Cr John Williamson

That the Fences, Roothing, Reserves & Dogs Committee approves the request to install 7 Ornamental Pear trees outside Spa Road and Tonga Street, Taupō.

CARRIED

4.4 LICENCE TO OCCUPY - TAUPŌ TENNIS CLUB AT TONGARIRO DOMAIN

Cr Maggie Stewart re-entered the meeting at this point (10.45am).

Ms Kay Brake and Ms Judy Larsen addressed the Committee and tabled the Taupō Tennis Club Strategic Plan 2019-2024 (A2449183). The following points were noted:

- Acknowledged the Senior Reserves Planner for his assistance in processing Taupō Tennis Club's request, however reiterated the Club's desire for the lease to be extended for 10 years, not just to 31 August 2027 as per the recommendation in the report.
- The extension was requested due to the substantial amount of investment the Club is planning over the next few years, including replacement of the astro-turf on two courts (the lifespan of which would be 10-15 years); refurbishment of the club house; and maintenance of the facilities, which were enjoyed by local residents and visitors alike.
- The Taupō Tennis Club was located in a prominent position and members wanted to maintain it as an attractive facility.
- The Club had a proud history of being financially independent and was planning to invest over \$250k in the next two to three years.
- The Taupō Tennis Club lease should align with the Hickling Park leases which expire on 30 June 2030.

Members decided to approve the request from the Taupō Tennis Club so that their lease for the land occupied on Tongariro Domain would be extended to 30 June 2030. This was in line with Hickling Park leases.

FRD201904/07 RESOLUTION

Moved: Cr John Boddy

Seconded: Cr Anna Park

That the Fences, Roothing, Reserves & Dogs Committee approves a variation to the current lease to Taupō Tennis Club Incorporated to extend the term so that the Termination Date is 30 June 2030.

CARRIED

4.5 TREE REMOVAL AT 3 SCOTT DRIVE, TAUPŌ

In answer to a question, the Head of Operations advised that no water main breaks resulting from damage from the trees had been reported on Scott Drive.

In answer to another question, the Chief Executive confirmed that the other residents of Scott Drive had not been surveyed in relation to potential removal of the trees.

Members expressed concern at the proposal to remove the trees in question, as they were healthy, safe and the rest of the street was planted with the same trees, in exactly the same positions on the berm. Footpaths and driveways had been repaired as part of recent stormwater infrastructure maintenance.

It was noted that it would have been useful to have had more information about the views of neighbours on Scott Drive, in light of the fact that there were other trees situated close to driveways.

The Committee decided to decline the request for removal of the two trees outside 3 Scott Drive, Taupō, but agreed that it was open to the owner of the property to re-submit their request if they wished.

FRD201904/08 RESOLUTION

Moved: Cr Anna Park

Seconded: Cr John Williamson

That the Fences, Roothing, Reserves & Dogs Committee declines the removal of the two trees outside 3 Scott Drive, Taupō.

CARRIED

4.6 TREES REMOVAL AT HIGHLAND DRIVE, TAUPŌ

Mr Duncan Brown addressed the Committee and the following points were noted:

- The work done to date by Council's Engineering Officer was appreciated.
- The first issue is safety, as Highland Drive gets really icy in winter.
- The road used to be sprayed once per year for lichen, but this was no longer happening.
- Suggested that the matter should be deferred to enable Mr Brown to go back to his neighbours on Highland Drive to discuss a long-term strategy. This could involve financial contribution from neighbours for the trees to be removed and replaced with some more appropriate trees.

Members agreed with Mr Brown's suggestion and the item was deferred to enable the residents to discuss and come back with a proposal.

The item was deferred.

4.7 TREE REMOVAL AT 48 PAKIRI STREET, TURANGI

The Asset Manager Transportation advised that the property owner was unable to attend the meeting, however they had been in touch to emphasise the fact that the Tree & Vegetation Policy does not cover public health issues. The owners of 48 Paekiri Street, Turangi had provided information on mould and the effects of mould on people who have a compromised immune system.

Members decided to approve removal of the tree at 48 Paekiri Street, Turangi due to the effect the tree was having on the property owner's health. It was noted that removing this particular tree would not have an adverse effect on the aesthetics of the street, due to the number of other trees in the vicinity. It was also noted that the owners had offered to contribute to the cost of the tree's removal.

FRD201904/09 RESOLUTION

Moved: Cr Maggie Stewart
Seconded: Cr John Boddy

That the Fences, Roothing, Reserves & Dogs Committee approves the request for the removal of the tree outside 48 Paekiri Street, Turangi.

CARRIED

4.8 EASEMENT REQUEST ON LISLAND DRIVE RESERVE

FRD201904/10 RESOLUTION

Moved: Cr Anna Park
Seconded: Cr John Williamson

1. That the Fences, Roothing, Reserves & Dogs Committee, acting as administering body of Lisland Drive Reserve, agrees to grant an easement to Unison over part of Lisland Drive Reserve for the right to convey electricity, telecommunications and electronic data.
2. That the Fences, Roothing, Reserves & Dogs Committee recommends that Council, acting under delegation from the Minister of Conservation, consents to the grant of an easement to Unison over part of Lisland Drive Reserve for the right to convey electricity, telecommunications and electronic data.

CARRIED

4.9 TAUPŌ DISTRICT COUNCIL TRAFFIC CONTROL DEVICE UPDATES

Members had before them an email from Mr Richard Hoadley raising concerns about the proposed pedestrian central refuge island installation on Wharewaka Road, Taupō (A2449180).

The Asset Manager Transportation summarised all proposed updates to the Council's traffic control device. In answer to a question, she advised that the proposed installation on Wharewaka Road (including its position) had been designed following consultation with all residents; bus operators; and emergency services, all of whom were happy with the proposal. In answer to another question, the Asset Manager Transportation advised that a zebra crossing would not be appropriate in this particular location.

FRD201904/11 RESOLUTION

Moved: Cr Maggie Stewart

Seconded: Cr John Williamson

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.Remove Two (2) existing P15 signs and a post	The new owner of the shop no longer requires this parking time restriction.	Totara St outside number 19
2. 75.5 metres of No Stopping At All Times (NSAAT or broken yellow lines) road marking and Six (6) keep right signs	To reduce the operation speed and improve pedestrian crossing function	Puataata Rd in the vicinity of Te lwhiheke Place intersection and Te Aonini Road intersection
3. 42 metres of No Stopping At All Times (NSAAT or broken yellow lines) road marking and Two (2) keep left signs	To reduce the operation speed and improve pedestrian crossing function	Wharewaka Rd outside number 11
4. 50 metres of No Stopping At All Times (NSAAT or broken yellow lines)	To stop vehicles parking in cycle lane and improve cyclists safety.	On Lake Terrace in the vicinity of Shepherd Road intersection.
5. Two (2) keep left signs installation.	To guide traffic when approaching the refuge island, so that the traffic should pass left of the refuge island.	On Lake Terrace in the vicinity of Shepherd Road intersection.
6. One (1) 120 minutes parking space removal.	To replace the parking space with proposed mobility parking space	On Horomatangi Street, outside 81 Horomatangi St
7. One (1) 120 minutes mobility parking sign installation and mobility parking space markings.	To provide access for mobility users.	On Horomatangi Street, outside 81 Horomatangi St
8. 9.5 metres of No Stopping At All Times (NSAAT or broken yellow lines) road marking	To stop vehicle parking next to the mobility access.	On Horomatangi Street, outside 81 Horomatangi St
9. 14.5 metres for bus stop marking, two (2) bus stop signs installation and 11.5 metres length of yellow dashed road marking	To stop other vehicles using the bus stop area and to provide sufficient entry and exit space for the buses.	On Kaimanawa Street, opposite to Taupō Medical Centre.

CARRIED

Note: Cr John Boddy requested his dissent to resolution FRD201904/11 above be recorded.

The meeting adjourned at this point (11.28am) and reconvened at 11.36am.

4.10 LICENCE TO OCCUPY REVIEW - FLYLINE AT HIPAPATUA/REID'S FARM

FRD201904/12 RESOLUTION

Moved: Cr John Williamson

Seconded: Cr Anna Park

That the Fences, Reserves & Dogs Committee receives the submissions on the Flyline at Hipapatua/Reid's Farm.

CARRIED

Members considered all submissions one by one and the following submitters spoke to their submissions and answered questions, with additional points as noted.

2 - Richard Hoadley

- Confirmed his support for the Hipapatua Reserve Management Plan (RMP), which was recently finalised following consultation with the community.
- Several clauses of the RMP had been breached or not adhered to.
- Council must take leadership and action to support the integrity of the RMP.
- Misleading information must have been presented to the February 2019 Council meeting, as Council's resolution to agree in principle to the licence to occupy was a mistake. The intent of the RMP is clear and the Committee must decline the application.

6 – Ian Chamberlain

- When he first came to Taupō, Mr Chamberlain visited Reid's Farm a lot and continued to go there over the years camping, fishing, swimming, kayaking etc.
- Access had been limited since Council took control of the reserve, which was good in a way as it was getting out of control.
- Certain parts of the reserve were no longer accessible by vehicles.
- Concerned about kayakers using the area, as it was necessary to walk quite a distance with kayaks, which was not easy to do.
- The reserve was for everyone to use, however parts of the area were not getting used as much any more.
- The community was concerned about granting a licence to occupy in this particular area, which may further restrict public access.

7 – Andrew & Sharon Welch

- Referred to an article published in the Taupō Weekender on 21 March 2019 reporting on a meeting on site attended by members of the public and the applicant. Advised that the applicant was not subjected to racial slurs at that meeting.
- The application does not comply with the provisions of the Reserve Management Plan.
- The RMP was only two years old. It had been drafted following extensive submissions from local communities and those further afield. Any significant change should result in a review of the RMP.
- Council's approval of the licence to occupy was totally against the RMP. The proposed Flyline was not consistent with the recreational uses outlined in the RMP, so the application cannot be approved.
- If Council wished to allow commercial activities in the reserve, the only way forward would be to undertake a review of the RMP, as commercial activities would be a major change to what has already been approved.
- Investigate somewhere in the Wairakei Tourist Park, that is the proper place for this activity.
- The RMP does not allow for the building of structures in the reserve.
- Disappointed that metre-deep trenches had already been made in the reserve, prior to approval of the application. How could permission have been given for that?

- The RMP currently refers to the trees being unsafe, it was ludicrous to propose that such trees be used to support Flyline structures.

13 – Shirley Arden

- Lives above the proposed Flyline site. Concerned about noise, believes that people using the Flyline would make a lot of noise and be disruptive.
- Can already hear late-night voices from the hot pool; loud speakers at events in Spa Park; bypass traffic etc.
- Had taken family and visitors from overseas to that part of the reserve for picnics at the river's edge, but in recent times it has felt restrictive to even go there. The rules have changed, which has resulted in something being taken away from folk in the neighbourhood and all the people of Taupō.
- The trees are big – concerned about the fire risk – has Council got anything in place to address fire risk?

14 – Barry Findlay

- Not against the Flyline, but against it being put near a housing subdivision.
- The activity was incompatible with the Reserves Management Plan.
- The biggest problem was the type of trees in the reserve. Referred to detailed submissions from neighbours with engineering and forestry expertise. The trees are not suitable for what is being proposed.
- Not NIMBYs – please do not dismiss submissions.
- The applicant has put a digger through the area and this has damaged some of the tree roots.
- Mr Findlay had researched this particular type of Pine tree. This type of tree bends as it grows; any trees with cankers in the trunks should be removed; soil around the roots of these trees should not be disturbed; larger limbs should be removed prior to winter to avoid breakages.
- Several of the trees marked for use were double-trunked; with canker; and/or with damaged roots.
- During summer a perfectly healthy tree had fallen over right where the proposed Flyline would be installed. These trees are dangerous and not suitable for a Flyline.
- Note the proposals to 'green' this area.
- At the public meeting on site, the applicant had indicated five people would be employed. The proposal was not as 'jazzed up' as was presented to the February Council meeting. The applicant had also indicated at the site meeting that the blackberry would stay.

18 – Jennifer Jones on behalf of Lesley Beacock

- Summarised the main objections to the Flyline application, i.e. contamination on the site; instability of Pine trees; and the effect on native wildlife in the area.
- A full detailed site investigation under the Resource Management National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS) Regulations 2011 should be required prior to consideration of any commercial activity on the site.
- Instability of Pine trees – this area is dangerous, with trees snapping off or falling over for many years. An extreme risk to the public. If trees fall onto the Flyline, serious injury could occur – will Council be indemnified against claims arising from death or serious injury on the reserve? Have the trees been analysed and cleared as being safe?
- Was the applicant's earthmoving activity approved / authorised under clause 6.3 of the RMP? If not, has any action been taken to reprimand the applicant for the damage caused to the reserve?
- New Zealand Falcon, Morepork and Quail are breeding in the reserve – has any study been completed to ensure indigenous wildlife will be protected and enhanced?
- Referred to written submission which contained several more questions.
- The comments referred to on p78 of the submissions bundle were attributed to Crs Rosie Harvey and Christine Rankin.

24 – Andy Blair and Kylie Hawker-Green on behalf of Enterprise Great Lake Taupō

- Enterprise Great Lake Taupō (EGLT) was supportive of both the Flyline project and Mr Alex Schmid.

- This was a great opportunity for a high quality, eco-tourism project to launch in Taupō.
- Mr Alex Schmid came to EGLT via the New Zealand Trade & Enterprise team.
- The best site is the one proposed at Hipapatua / Reid's Farm.
- Appreciate that there are concerns from neighbours. These concerns can be resolved through detailed design and the resource consent and building consent processes.
- The initial process was managed by Mr Damien Coutts, Destination Great Lake Taupō. The proposed site was selected to align with Flyline's criteria, which included a site close to the Taupō central business district.

25 – Lynne Fauchelle – Rive Gauche B&B Lodge

- In principle, nothing against the Flyline activity other than the proposed location.
- None of the supporters of the Flyline live in the immediate area.
- Anticipated visitor numbers would be in conflict with the primary purpose of the Reserve Management Plan.
- The proposed activity was surrounded on both sides by residential subdivisions. Noise and traffic movements were of concern. According to the RMP, Council must consider the effect of any proposal on the neighbours – the consultation process did not include that information.
- The process had been hindered by unfair attacks on people present.
- The preferred site was marked as a restoration area and should be developed as such.
- The RMP does not contemplate commercial activities of the proposed nature and scale.
- Council's own policy requires the applicant to demonstrate there will be no adverse effects, yet there are lots of ways this could affect residents.
- Safety of trees was an important consideration. In the 12 years the submitter had been in this location, she had noticed degradation of trees in the reserve. The Rive Gauche B&B Lodge had been developed to cater for high-value international tourists seeking peaceful locations and quality experiences.
- Intensive tourism should be restricted to areas with less impact on neighbours and the environment.
- Restoration of the area, perhaps in conjunction with Greening Taupō, would contribute much more to the area than the Flyline. It was important to preserve nature and look after green spaces – protect natural habitat and protect against activities such as the one proposed, which would make the area less usable for locals and tourists.

27 – Bruce McCullagh

Mr McCullagh made a Power Point presentation.

- An affected resident, opposed to the Flyline application.
- Insufficient information has been provided, for example no visual images from different viewpoints. The activity would have visual impacts – for example, the RMP requires materials used in the reserve to be natural and stainless steel will not blend in or be in harmony with the environment.
- All neighbours have strongly opposed the application. No evidence has been supplied in relation to adverse effects of the activity and the applicant has not installed this before. If Council grants the licence to occupy, the residents will continue to challenge this.
- The economic benefits have been over-stated. The Flyline would have a novelty value, but this would diminish over time. Few people would travel to Taupō to go on the Flyline and people will not pay a huge ticket price for a three minute slow ride.
- The structures should be processed as a building and the Minister of Conservation's consent would be required.
- The large Pine trees present a health and safety risk. No structural engineer's report has been provided by the applicant, but one of the nearby affected residents, Mr Steve Murray, had commissioned an engineers report. 17 healthy trees had fallen over in the reserve; most of the trees are leaning over on an angle; forked, double-trunked trees (some of which are marked for use) are more likely to fail.
- Mr McCullagh was involved with Greening Taupō and restoration of native trees – he had sponsored 1,000 trees. Greening Taupō supports the restoration plan for the reserve. The reserve concept plan has statutory weight and certain activities are not permitted. Mr Dean Lawson has also offered to provide

services to support restoration of the reserve. A staged restoration plan was proposed, with the trees poisoned first, so the native vegetation can then thrive. A poisoned tree would decay within two years. The existing track has not been maintained. Restoration will improve the environment and the removal of the pines will make the area safe for visitors to enjoy.

- Mr McCullagh's offer to provide financial support and resources to support the restoration of the reserve was genuine. The application should be cancelled / declined, but the submitter may support at another suitable location.

34 – Jim Veitch

- Has lived in Taupō for 45 years, opposed to the idea of allowing this amusement device. Chose to build in the area 13 years ago, partly because the area was so peaceful. Approval of the application would be out-of-step with the existing Reserve Management Plan.
- Met with the applicant, hoping to receive more information. To the contrary, after one hour, very little information had been supplied. The applicant had provided verbal assurance that there would be no electricity generator on site. The applicant did not know the distance from the proposed tower to Huka Falls Road (the submitter advises it is 15m). Hours of operation, night use – unknown. The whole meeting was about supplying the least information possible.
- The wilding Pines are a health and safety risk. To encourage members of the public to access this area is unwise. The trees had been identified as a health and safety risk in 2017, so what has changed?
- 20m from Mr Veitch's boundary, currently a peaceful environment, the Flyline participants will shout and call out to others. He could currently hear campers more than double the distance away, but that was only for short periods during the year and the camping was there before he lived in the area.
- It was proposed that the wilding Pines and blackberry would remain, but these were not native.
- Referred to the article published in the Taupō Weekender – no such slurs occurred. The meeting had been recorded on two devices.
- Who would pay for removing the unsightly lines etc – it should not be Taupō ratepayers.

5 – Ben Westerman on behalf of Towncentre Taupō

- Fully supportive of the Flyline – a great fit for Taupō and the reserve in general. Fits in with Wairakei Tourist Park; is suitable for all ages; and the activity will benefit retailers in the central business district.
- Towncentre Taupō represents over 500 central business district retailers, and although this was not in the CBD, it was on the doorstep and the connection with the natural environment would bring more families to Taupō.
- The Flyline would be a unique visitor experience. Visiting families would spend more time in Taupō and businesses in town would benefit as a result.
- This will be a year-round attraction, great for Taupō and the region.

With the concurrence of the Chairperson, **Ms Joanne Lewis** addressed the Committee on behalf of a number of submitters.

- Ms Lewis had been asked by a group of submitters to analyse the Hipapatua Reserve Management Plan.
- In relation to the concept plan, the agenda item states that this is not policy but rather only identifies potential works. However, the RMP's introduction states that the concept plan and policies in sections 5 and 6 of the RMP are considered to have statutory weight. They are the important parts of the RMP. The concept plan is right up there in terms of the weight Council needs to give to it.
- Effects – Enterprise Great Lake Taupō and Council's planner set out an expectation that effects will be managed through other processes. This is not necessarily the case. The site is zoned 'rural' and there is a lot that can be done with rural land without a resource consent. For example, it was possible to have a 10m high purple building in the rural zone without a resource consent, but there would be visual effects.
- Traffic effects would not be assessed; the rural zone was the least onerous in terms of rules, for example earthworks.
- Please do not put aside your responsibilities as a landowner in terms of managing the effects of activities you might provide for on your reserve, thinking future processes will address these. The District Plan is not necessarily going to address many of the effects which could arise, but the Hipapatua RMP tells you it is your job to consider those effects. Council is entitled to make decisions as the landowner and the effects of the Flyline is something that should be considered.

- There is not enough information on which to base a credible / appropriate assessment of the effects of this proposal. The proposal should therefore be set aside. It is clearly contrary to the RMP, so before effects are even considered it should be set aside.
- If there is an interest in pursuing the Flyline proposal in the Hipapatua reserve, Council should revise the concept plan and the RMP, and ask for public input.

Mr Alex Schmid, Managing Director, 4Nature Ltd addressed the Committee and answered questions in relation to the Flyline application. The following points were noted:

- It was too early to address most of the concerns and questions raised by submitters, as the project was in its initial stage. A lot of these questions would be answered during the resource consent and building consent processes.
- At the moment, some areas are unaccessible. Access and safety is a big issue. The Flyline meets the European Standard 15567, which defines clearly how an activity needs to be designed and operated – safety measures are clearly stated in the European Standard. The Flyline will also comply with the safety regulations contained in the New Zealand Standard for high ropes and swings.
- In relation to the health of the trees, there are clear regulations outlining what needs to be done to make trees safe for the Flyline. There are between 600-800 forest climbing parks in Europe which attract 1 million visitors per year, so there is a clear understanding about safety, in particular how to ensure trees are safe.
- None of the submissions referred to the standards the Flyline is complying to. Most of the concerns raised would be answered through more research and consideration of the standards that apply to the Flyline product.
- Mr Schmid had contracted an arborist to check the safety of the trees at the Redwoods tree walk in Rotorua. The arborist assesses the trees twice a year and recommends maintenance. The Redwoods were over 100 years old and highly dangerous, but since the treewalk has been installed, the trees are safer now than any of the other trees – the same will happen for the Flyline.
- There was nothing unusual about this application. The standard process for an application of this type was being followed. The Redwoods and other forest climbing parks around New Zealand, for example the one in Tauranga, provided examples of activities already in place.
- This product is the right fit for Taupō. The idea of Greening Taupō bringing this piece of land back to life is great – at the moment the land is unusable. Flyline would also like to support the replanting programme and work together with Greening Taupō. The site can be changed from an abandoned, unused site to an attractive site.
- Possible business hours would be daily from 9am until sunset in the winter time; and until 7pm in summer time.
- The overflow car park could be shared with freedom campers. The car park would get busier when the Flyline was closed and by 9am most of the overflow campers would have left the site.
- Security cameras would be installed.

The Senior Reserves Planner then answered questions and the following points were noted:

- Neither the Hipapatua Reserves Management Plan nor the Reserves Act 1977 prohibits commercial activity and it was not the intent of the RMP when drafted to prohibit all commercial activity in the reserve.
- A review of the RMP was not required. From a planning perspective, it was open to the Committee to grant the licence to occupy.
- This commercial activity in the reserve would not prohibit regeneration of the reserve. It may enable regeneration to occur more quickly due to access, or it may make it slower due to the retention of the Pine trees, but overall the activity would not compromise the long-term regeneration plans for the reserve.
- There will be effects, but the scale of these and whether they are significant is a consideration for the Committee. The Committee could instruct staff to ensure that certain requirements were met, as part of the licence to occupy negotiations.

The Legal Counsel then summarised the Reserves Act 1977 requirements. The following points were noted:

- The Committee had heard from the Senior Reserves Planner that the proposed activity was in conformity with, but not contemplated by the Hipapatua Reserve Management Plan.
- Therefore, if the Committee approves the licence, it then needs to consider recommendations 3 and 4 as

set out in the report.

- Following approval of the licence to occupy by the Committee as administering body of the reserve, Council has to consider whether or not to consent to the licence to occupy exercising its delegation from the Minister of Conservation (“the Minister”).
- Council, acting in the capacity as the Minister’s delegate it is not required to undertake a full merit-based assessment of the proposed licence. The Council must however have regard to the legal constraints on the rights that can be granted under the Reserves Act and the purposes of the Act. The primary considerations for the Minister being:-
 - (a) That the status of the land has been correctly identified and the administering body has the power and authority to make the decision;
 - (b) That the necessary statutory processes have been followed;
 - (c) That the Administering body has taken the functions and purposes of the Reserves Act into account in respect of the particular classification and purposes of the reserve as required by section 40 of the Act;
 - (d) That the administering body has considered any objections or submissions from affected parties; and that, on the basis of the evidence the decision is a reasonable* one;
 - (e) That pursuant to the requirements of section 4 of the Conservation Act 1987, the Administering Body has consulted with and considered the views of tangata whenua or has in some other way been able to make an informed decision.

Members decided to approve the licence to occupy a site at the southern end of Hipapatua reserve for the purposes of carrying out the Flyline activity and a small café. It was noted that the Flyline was a quality development and supported Council’s economic goals of encouraging investment in the district. It was also an opportunity to open up the reserve and improve the quality of the site for year-round benefit.

Members also expressed concerns about safety; insurance; indemnities and so on, but the Chairperson noted that these concerns would be covered in the conditions of the final licence to occupy document.

A summary of submissions and objections with a column stating the whether points had been accepted or not accepted was tabled (A2449169). This would be supplied to Council to support its decision-making when acting on behalf of the Minister.

FRD201904/13 RESOLUTION

Moved: Cr John Williamson

Seconded: Cr Maggie Stewart

1. That the Fences, Roothing, Reserves & Dogs Committee, acting as the administering body of Hipapatua Reserve, pursuant to section 54(1)(d) of the Reserves Act 1977 and subject to consent of the Minister of Conservation, approve a licence to occupy to be granted to 4nature Limited for a site at the southern end of Hipapatua/Reid’s Farm for:
 - (a) The purposes of carrying out the Fly-line activity and a small café;
 - (b) A term of ten (10) years;
 - (c) The area identified in Attachment 1 to the officer’s report; and
 - (d) Licence fees to be on a “commercial fair market value” basis.
2. That the Fences, Roothing, Reserves & Dogs Committee recommends that Council, acting under delegated authority from the Minister of Conservation, consents to the grant of the licence to occupy to 4nature Limited on behalf of the Minister of Conservation.
3. That the Fences, Roothing, Reserves & Dogs Committee, approves the tabled attachment (A2449169) for the purposes of providing Council with a summary of all objections and comments received by it and a statement as to the extent to which they have been allowed or accepted or disallowed or not accepted so that Council can make a decision on whether to consent to the licence under delegation from the Minister of Conservation.

CARRIED

Note: *When the above motion was put, on a show of hands,*

Crs Barry Hickling, Anna Park, Maggie Stewart and John Williamson voted in favour of the motion;

and

Cr John Boddy voted against the motion.

The Chairperson declared the motion carried four votes to one.

5 CONFIDENTIAL BUSINESS

Nil

The meeting closed at 1.48pm.

The minutes of this meeting were confirmed at the Fences, Roading, Reserves & Dogs Committee meeting held on 2 July 2019.

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CHAIRPERSON