

**I give notice that  
an Ordinary Meeting of Taupo Reserves and Roding Committee will be  
held on:**

<b>Date:</b>	<b>Tuesday, 10 March 2020</b>
<b>Time:</b>	<b>1.00pm</b>
<b>Location:</b>	<b>Council Chamber 107 Heuheu Street Taupō</b>

# **AGENDA**

## **MEMBERSHIP**

**Chairperson** Cr John Williamson  
**Deputy Chairperson** TBC

**Members**

- Mayor David Trewavas
- Cr John Boddy
- Cr Kathy Guy
- Cr Kylie Leonard
- Cr Anna Park
- Cr Christine Rankin
- Cr Kevin Taylor
- Cr Yvonne Westerman

**Quorum** 5

**Gareth Green**  
**Chief Executive Officer**

## Order Of Business

- 1 **Apologies**
- 2 **Conflicts of Interest**
- 3 **Confirmation of Minutes**  
Nil
- 4 **Policy and Decision Making**
  - 4.1 Election of Deputy Chairperson .....3
  - 4.2 Licence to Occupy - Archery at Waipahihi Reserve .....5
  - 4.3 Tree Removal at Highland Drive, Taupo.....12
  - 4.4 Vine Eatery and Bar - proposed roofing system installation over outdoor dining area.....16
  - 4.5 Licence to Occupy - Taupo Pakeke Lions, Parking Area Rifle Range Road.....19
  - 4.6 Taupo District Council Traffic Control Device Updates.....22
- 5 **Confidential Business**  
Nil

**4.1 ELECTION OF DEPUTY CHAIRPERSON**

**Author:** Tina Jakes, Head of Democracy, Governance and Venues

**Authorised by:** Gareth Green, Chief Executive Officer

**PURPOSE**

To enable the election of a deputy chairperson for the Taupō Reserves and Roothing Committee.

**DISCUSSION**

Clause 25 of Schedule 7 of the Local Government Act 2002 sets out the voting systems that is to be used for certain appointments including the election or appointment of the deputy chairperson as follows:

**25. Voting systems for certain appointments**

*This clause applies to—*

- (a) the election or appointment of the chairperson and deputy chairperson of a regional council; and*
- (b) the election or appointment of the deputy mayor; and*
- (c) the election or appointment of the chairperson and deputy chairperson of a committee; and*
- (d) the election or appointment of a representative of a local authority.*

*[(2) If this clause applies, a local authority or a committee (if the local authority has so directed) must determine by resolution that a person be elected or appointed by using one of the following systems of voting:—*

*(a) the voting system in subclause (3) ("system A");*

*(b) the voting system in subclause (4) ("system B").]*

*[(3) System A —*

- (a) requires that a person is elected or appointed if he or she receives the votes of a majority of the members of the local authority or committee present and voting; and*
- (b) has the following characteristics:—*

- (i) there is a first round of voting for all candidates; and*
- (ii) if no candidate is successful in that round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and*
- (iii) if no candidate is successful in the second round there is a third, and if necessary subsequent, round of voting from which, each time, the candidate with the fewest votes in the previous round is excluded; and*
- (iv) in any round of voting, if 2 or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.]*

*(4) System B—*

*(a) requires that a person is elected or appointed if he or she receives more votes than any other candidate; and*

*(b) has the following characteristics:*

- (i) there is only 1 round of voting; and*
- (ii) if 2 or more candidates tie for the most votes, the tie is resolved by lot.]*

A 'lot' means that the Committee can either toss a coin, put the two names in a hat, draw straws or whatever other method the Committee determines in order to select the candidates in the event of an equality of votes.

The Committee must firstly determine whether System A or System B is to be used for the election process for the deputy chairperson. Once decided, the Committee must then proceed to call for nominations. Once nominations have closed, voting will take place using the option that the Committee has chosen.

In accordance with the requirements of the process, Resolutions 1 and 2 must be taken separately.

**RECOMMENDATION(S)**

That the Taupō Reserves & Roding Committee:

1. Confirms that System \_\_ be used to determine the election process for the Deputy Chairperson; and
2. Elects \_\_\_\_\_ as the Deputy Chairperson of the Taupō Reserves & Roding Committee.

**ATTACHMENTS**

Nil

**4.2 LICENCE TO OCCUPY - ARCHERY AT WAIPAHIHU RESERVE**

**Author:** Nathan Mourie, Senior Reserves Planner

**Authorised by:** Kevin Strongman, Head of Operations

**PURPOSE**

To determine the suitability of a licence to occupy for the purposes of constructing and operating an archery range on Council administered land at Waipahihi Reserve.

**EXECUTIVE SUMMARY**

Council have been approached with a proposal to operate an archery range on Council administered reserve land in Waipahihi Reserve (attachment 1). Council are being asked to consider a licence to occupy for the desired use.

It is recommended that a licence is declined for the following primary reasons:

- There is already an established archery range at Owen Delany Park
- The sport is not large enough to justify multiple locations with exclusive use
- The area immediately surrounding the proposed location is currently undergoing residential development and in the near future will border residential houses, and the adjoining gully will become increasingly popular as a recreational exercise, walking and dog-walking route. The dangers associated with stray arrows in this environment are unacceptable.

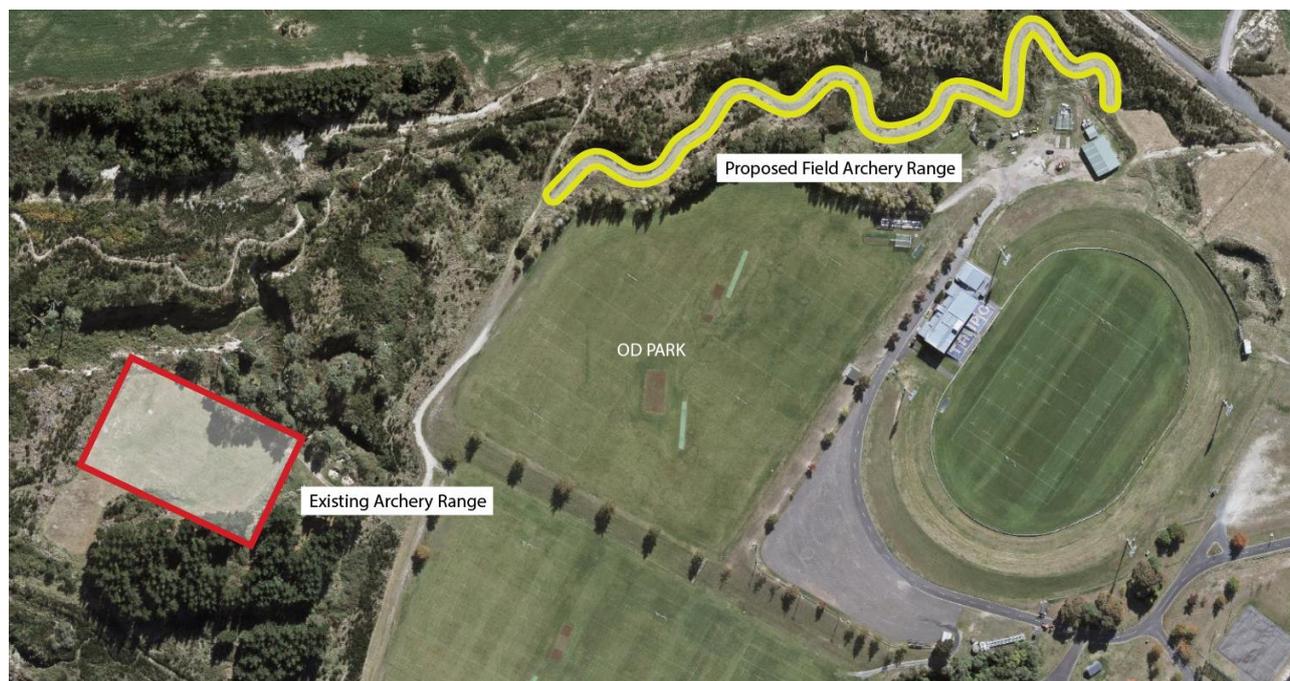
**RECOMMENDATION(S)**

That the Taupō Reserves & Roding Committee declines the request from Wayne Wilson for a licence to occupy to establish an archery range at Waipahihi Reserve.

**BACKGROUND**

The proposal has not been presented previously.

Council were initially approached by Mr Wilson to establish additional archery facilities at Owen Delany Park. Firstly within the existing range, and subsequently for a field archery course through the gully running behind OD Park. Officers worked with Mr Wilson to come to an acceptable area and operational parameters for establishing a field archery range in the gully.



Officers also met with Mr Joy from Sable Hart Archery and Mr Wilson to try and encourage a co-operative approach to archery in Taupō.

Subsequent to these meetings, and the agreement in principle to establish a field archery range at OD Park; Mr Wilson suggested out of the blue a proposal to establish a separate and stand-alone club and archery facility at Waipahihi Reserve. He has subsequently not pursued the field archery course at OD Park.

At this time officers talked to Mr Wilson and declined the request for a range at Waipahihi Reserve, outlining a number of significant reasons why officers considered that this was not a suitable location. Officers also very strongly suggested that Mr Joy and Mr Wilson would benefit from working together to promote and strengthen the sport of archery within Taupō rather than each pursuing independent club agendas.

Mr Wilson has since approached the Mayor with his proposal. The Mayor has asked that this committee consider the request.

## DISCUSSION

Officers have met multiple times with Mr Wilson to try and establish some parameters around how a successful addition to archery activities in Taupō could be achieved. Officers have also met with Mr Joy and had discussions involving Sport Waikato around this issue.

In September 2019, following a meeting including Mr Wilson, Mr Joy from Sable Hart and the Sport Waikato District Co-ordinator, the Senior Reserves Planner sent an email to all involved. This email clearly laid out that council officers preference *'is for one place for archery. I'm not supportive of spreading activities around and essentially doubling up; particularly for a minority sport which would be better served pooling resources and users. Best practice these days is to have activity locations where similar endeavours can be dealt with in a more efficient manner, and can build off each other'*.

Mr Wilson was informed that *'the area surrounding Waipahihi is going to have residential developments all around it in the near future. While I agree that to date the grounds have been underutilised, I anticipate that once this housing stream comes online that the park will become more and more used; and don't see that the activity is compatible in the long term with the surrounding use'*; and that *'I see no reason why target archery cannot be accommodated alongside medieval archery at OD Park; and I strongly encourage you to figure something out together. If both styles of archery cannot find their own time during 84 hours of daylight in the average week then I have some serious questions about your priorities'*

Mr Joy said that Sable Hart would need *'a very good reason'* to share the space. Officers consider that the overall health and development of the sport, multiplying the resources available and encouraging people to take part in archery, regardless of the specific 'flavour' would be good for the overall health of the sport. A co-operative approach being preferable to dividing resources over two locations and separate organisations.

While it is acknowledged that Waipahihi Reserve is currently underutilised, there are developments currently underway which will result in the reserve being surrounded by residential areas. As part of these developments the gully system will be rehabilitated and, if previous developments are anything to go by, will

become a popular recreation reserve which will be popular for exercise, recreation and dog-walking; being a pleasant, off-road route from inland towards the lake.

As these developments come online, it is anticipated that Waipahihi Reserve will become much busier and better utilised by the surrounding community. In addition, the location of the proposed range, while having a slight bunded slope, is at a height above the gully. Any stray arrow flying over the bund from these high powered bows will ultimately end up in the vicinity of the recreation trail and any users who may be using it.

While officers acknowledge the low likelihood of such an event, and the clear health and safety procedures described; the potential results of a rogue arrow heading towards unsuspecting members of the public could result in serious injury or death. Officers consider that the risks associated with this proposal, particularly given the future surrounding developments and use, outweigh the benefits derived from allowing this activity.

Another consideration is the existing archery activity taking place at OD Park. To date there have not been any notifications to Council of serious incidents. The location is relatively self-contained and is already known locally as an archery location. Creating another archery range would increase the potential risks, and would create multiple archery locations for what is a relatively small sport. Best practise is to combine resources where possible to achieve maximum benefit; and it is likely that dividing the sport into multiple locations and organising bodies would ultimately dilute, rather than strengthen, the sport in the district.

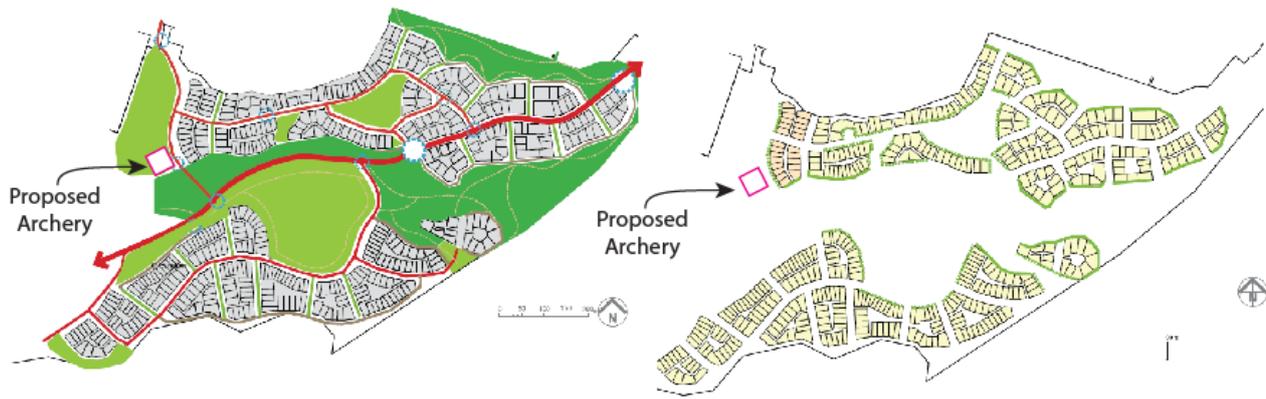
The Sport Waikato District Co-ordinator has also advised that *'I am of the opinion that having archery in one location is preferable to having multiple locations, even if it is two clubs with distinct differences. Finding a way to share a venue or facility is the ideal. From a Sport Waikato point of view it is definitely a more effective use of resource to have one location rather than...spreading out the efforts and resources over multiple locations'*.

The Taupō Sportsgrounds Reserve Management Plan is the relevant management document that covers Waipahihi Reserve. It specifically identifies *future development of recreation facilities such as tennis courts and bowling greens to meet the needs of a growing community*. The addition of a new archery range is not necessary for a growing community at this time.

Waipahihi is identified in the Management Plan as a *community park for casual use and in the future should be included in the Neighbourhood Recreation Reserves Management Plan*.

The proposed location is indicated below. Also included are the planned residential and reserve areas immediately adjoining the site, including plans from the current EUL Precincts plan.





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

**OPTIONS**

Analysis of Options

Option 1 – Decline a licence to occupy for archery at Waipahihi Reserve

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>No conflicts with future likely uses of the reserve or neighbours</li> </ul>	<ul style="list-style-type: none"> <li>In the short term the reserve would continue to be underutilised</li> </ul>

Option 2 – Approve a licence to occupy for archery at Waipahihi Reserve

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>None</li> </ul>	<ul style="list-style-type: none"> <li>Would spread resources and support for a small sport over multiple locations and organisations</li> <li>Would require vehicular access across the reserve to the range</li> <li>Risk of walkers in the gully being hit by arrows</li> </ul>

Analysis Conclusion:

It is the opinion of the officers involved in evaluating this proposal that the best outcome would be for archery to be accommodated in one location at OD Park and that Mr Wilson and Mr Joy should be encouraged to work together for the benefit of all archery participants in the district. There is a distinct impression given from the multiple interactions with both parties that the main conflict is not centred around any insurmountable incompatibility issues with the different varieties of archery that are represented.

**CONSIDERATIONS**

**Alignment with Council’s Vision**

Council’s vision is ‘to be the most prosperous and liveable district in the North Island by 2022’. This is accompanied by a core set of values to underpin decision-making, none of those values are relevant to this particular proposal.

**Financial Considerations**

The financial impact of the proposal is estimated to be nil.

**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. That section of the Act states that the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. It is considered that social well-beings are of relevance to this particular matter.

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 not inconsistent with these documents.

Authorisations as follows 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.

## **Māori Engagement**

Council is bound by various Acts to consult and/or engage with Māori, including a duty to act reasonably and in good faith as a Te Tiriti o Waitangi partner. Equally, Council has a responsibility to develop and proactively foster positive relationships with Māori as key stakeholders in our district, and to give effect to the principles of Te Tiriti o Waitangi including (but not limited to) the protection of Māori rights and their rangatiratanga over tāonga. While we recognise Māori in general, we also need to work side by side with the three ahi kaa / resident iwi of our district.

Although good faith does not necessarily require consultation, it is a mechanism for Council to demonstrate its existence and commitment to working together as district partners. Appropriately, the report author acknowledges that they have considered the above obligations including the need to seek advice, guidance, feedback and/or involvement of Māori on the proposed recommendation/s, objective/s, project/s or service/s outlined within this report.

## **Risks**

There are no known risks if the proposal is declined. There are significant physical risks to members of the public in the future if the proposal is approved.

## **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.

Usage of the reserve by this type of activity is not clearly anticipated by the Reserve Management Plan. Being a licence for use by a club, with facilities not being open to members of the public, the proposal for a new Licence to Occupy on the reserve for the purposes of archery will likely need to go through a public notification process allowing the public to comment on the proposal. This entails a one month minimum public notification period. At the conclusion of this period elected members shall consider all submissions (giving submitters the opportunity to speak in person) and either confirm or change a decision to grant a licence to occupy on the reserve.

## **COMMUNICATION/MEDIA**

No communication/media is required if the proposal is declined.

## **CONCLUSION**

On balance, it is a much better proposition if the existing archery uses can be combined into one location rather than having a minor sport be spread across the township. This outlook also follows the current best practice and planning for the most likely chances for sports, clubs and organisations to be successful.

In addition, the potential for harm with archery is significant, and it is more desirable to confine the management of this risk to one location which is already relatively isolated and known by the public as an

archery range. While the probability of a stray arrow may be minor, the effects could be fatal, particularly with modern high-powered bows.

**ATTACHMENTS**

1. Archery Proposal
2. Archery Information Flyer
3. Archery NZ Letter

**4.3 TREE REMOVAL AT HIGHLAND DRIVE, TAUPŌ**

**Author:** Claire Sharland, Asset Manager Transportation

**Authorised by:** Kevin Strongman, Head of Operations

**PURPOSE**

The purpose of this report is to consider a request for removal of trees on Highland Drive, Taupō.

**EXECUTIVE SUMMARY**

Following a report being presented last year to the Fences, Roding, Reserves and Dogs Committee meeting, a further request has been received from a Highland Drive resident about the dangerous angle of the gum trees along Highland Drive and expressing concerns that the trees may fall and become a safety issue for road users.

**RECOMMENDATION(S)**

That the Taupō Reserves & Roding Committee approves the removal all of the trees (especially those which are prone to erosion and/or safety concerns) on Highland Drive, Taupō.

**BACKGROUND**

The proposal has been before the Fences, Roding, Reserves and Dogs committee meeting on 16 April 2019 refer item number 4.6 and the following resolutions were made: Suggested that the matter should be deferred to enable resident 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.

In May 2019, following the meeting Mr Brown advised they had sold their property on Highland Drive and would be following up with the other residents but no action was required at that stage. In September 2019, Mr Treloar approached our road maintenance team to see if the trees on Highland Drive could be removed due to the safety angle of the lower branches on some of the big gum trees.

**DISCUSSION**

This item has been presented and the issues identified were the trees shade the road, causing moss and lichen to develop which creates an icy section and could increase the risk of the likelihood of a crash. Highland Drive residents would be happy to work with council to replace the trees with a more suitable deciduous species at their own cost.

The summary of the issues are;

- Row of trees along Highland Drive roadside consist mainly of gum and pine with approximately seven metres (7m) to thirty metres (30m) in height.
- Some of the trees and their nearby road embankment are very close to the carriageway, which is less than 5 metres. Highland Drive has a narrow and windy street environment with a low traffic volume. In addition, there are no crash records in this area over the last 5 years.
- An arborist was engaged to undertake an assessment for these trees last year and the majority of trees are showing general overall good health, which are located on flat ground.
- Multiple trees along the road have meant the growth has been pushed over to neighbouring properties. A large proportion of these trees with major leans are positioned on the embankment.
- Embankment with trees present along Highland Drive has in areas under scouring or erosion.
- Majority of species present are semi deciduous creating year round shade to Highland Drive.

Mr Treloar also identified there was a blocked drain which was due to debris from the gum trees in late 2019 which created some damage to Highland Drive however our records show may have been due to a service authority digging in the area and caused a minor shoulder scour adjacent to Mr Treloar's property which Inframax has yet to repair. Mr Treloar has offered to fund the replant of trees however this is not supported

by our maintenance team due to the cost to maintain etc although we have no issues of residents planting along their frontages or within their own boundary.

Twenty-nine of the forty-two gum trees on Highland Drive are positioned on top of a steep embankment. As noted by the arborist in his assessment of the trees this embankment is undercut and shows signs that it is continuing to erode. As this continues it has the potential to cause the trees to fall onto the road. If this occurred the root base plates would take a substantial section of the embankment with them. A number of the younger trees in the line are of poor form and if allowed to mature would likely have structural defects. Three of the trees on the embankment are leaning heavily towards the neighbouring property. Currently they are of a size that they would only damage fence lines if they fell but if allowed to mature, in five to ten years a neighbouring building would be within the fall zone.

The Coroner's report into the 2008 incident in Rotorua where a woman was tragically killed but a falling tree limb has recently been released. Along with a number of recommendations the Coroner also stated that Rotorua Lakes District Council should shift from a tree management policy of focussing on protecting the aesthetic, amenity value of trees to placing greater emphasis on managing the risk of trees. In line with this, it would be seen as best practise to proactively manage the risk that the undercut trees on Highland Drive pose rather than waiting for them to fail before acting.

**OPTIONS**

Analysis of Options

Option 1. Do nothing, keep all the trees along Highland Drive

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>No cost associated with tree removal</li> <li>Loss of amenity</li> </ul>	<ul style="list-style-type: none"> <li>Debris from falling tree leaves can block the stormwater channels and will create ongoing maintenance issues.</li> <li>Ongoing maintenance cost to the property owners including council.</li> </ul>

Option 2. Remove all the trees at Highland Drive

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>No debris from falling tree leaves which can block stormwater channels.</li> <li>No damage to the private property and no ongoing maintenance.</li> <li>Hazards from tree falling will be eliminated.</li> <li>No ongoing maintenance of the tree.</li> <li>No roadside hazards to hit if in a crash.</li> <li>Replant with approved tree species</li> </ul>	<ul style="list-style-type: none"> <li>Cost of tree removal</li> <li>Loss of amenity due to its size and shape.</li> </ul>

Option 3. Remove some of the trees at Highland Drive which pose safety issues and/or prone to erosion.

Last agenda item had 4 gum trees and 1 pine tree but this may need to be reassessed.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>No loss of amenity.</li> </ul>	<ul style="list-style-type: none"> <li>Cost of tree removal</li> <li>Debris from falling tree leaves can block stormwater channels and will create ongoing maintenance issue.</li> <li>Ongoing maintenance cost to the property owner.</li> </ul>

### Analysis Conclusion:

Option 2 is preferred. If we were to remove all the trees it should be under the agreement that no future replanting is permitted along the road reserve. While we have had an offer to replant trees along Highland Drive we should be reluctant to plant large trees on road reserve due to the issues with the size of trees. Rather any new trees should be planted on private property due to the width of the road.

## **CONSIDERATIONS**

### **Alignment with Council's Vision**

Council's vision is 'to be the most prosperous and liveable district in the North Island by 2022'. This is accompanied by a core set of values to underpin decision-making, the following of which are relevant to this particular proposal: Quality; Resilient and Value.

### **Financial Considerations**

The financial impact of the proposal is estimated to be \$7500 to remove all trees and grind stumps although this was the estimate from March 2019 so may have changed. The maintenance budget has been overspent however as the trees pose some health and safety risk to road users, they should be removed as soon as possible and funding should not be the issue.

### **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. That section of the Act states that the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. It is considered that environmental well-being is of relevance to this particular matter.

### **Policy Implications**

There are no known policy implications if the Taupō District Council Tree and Vegetation Policy 2014 is complied with.

### **Māori Engagement**

Council is bound by various Acts to consult and/or engage with Māori, including a duty to act reasonably and in good faith as a Te Tiriti o Waitangi partner. Equally, Council has a responsibility to develop and proactively foster positive relationships with Māori as key stakeholders in our district, and to give effect to the principles of Te Tiriti o Waitangi including (but not limited to) the protection of Māori rights and their rangatiratanga over tāonga. While we recognise Māori in general, we also need to work side by side with the three ahi kaa / resident iwi of our district.

Although good faith does not necessarily require consultation, it is a mechanism for Council to demonstrate its existence and commitment to working together as district partners. Appropriately, the report author acknowledges that they have considered the above obligations including the need to seek advice, guidance, feedback and/or involvement of Māori on the proposed recommendation/s, objective/s, project/s or service/s outlined within this report.

### **Risks**

Trees will continue to shade the road and create icy sections of road especially in winter plus continue.

## **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 required.

#### **CONCLUSION**

Based on the assessment and investigation, it is recommended that the Taupō Reserves and Roding Committee approves the removal of all of the trees especially those which are prone to erosion and/or safety concerns on Highland Drive.

#### **ATTACHMENTS**

1. Aerial view of row of trees on Highland Drive

**4.4 VINE EATERY AND BAR - PROPOSED ROOFING SYSTEM INSTALLATION OVER OUTDOOR DINING AREA**

**Author:** Claire Sharland, Asset Manager Transportation

**Authorised by:** Kevin Strongman, Head of Operations

**PURPOSE**

The purpose of this report is to request the Taupō Reserves and Roding Committee to give permission to Vine Eatery and Bar to install a permanent type roofing system over the existing outdoor dining area.

**EXECUTIVE SUMMARY**

The owners of Vine Eatery applied to Council early in 2019 for permission to install a roofing system over the existing outdoor dining area so that their customers will be sheltered from sun, rain and other weather conditions.

Vine Eatery and Bar has been granted a licence to occupy the footpath for outdoor dining purposes and if approved this would become an amendment to the existing licence to occupy.

**RECOMMENDATION(S)**

That the Taupō Reserves & Roding Committee agrees to vary the Vine Eatery and Bar Limited’s Licence to Occupy, to allow the roofing system proposed in this officers report to be installed adjacent to Vine Eatery and Bar and previous amendment to the licence to occupy be revoked.

**BACKGROUND**

The proposal has been before Council at a prior meeting 16 April refer item number 4.2 and the following resolution was made: That the Fences, Roding, Reserves & Dogs Committee agrees to vary the Vine Eatery and Bar Limited’s Licence to Occupy footpath to allow the roofing system proposed in officers report to be installed adjacent to Vine Eatery and Bar.

**DISCUSSION**

Since the resolution was made at the April meeting 2019, we have received the building consent from RPM Architecture Ltd, which now shows a different roof specification one of which is a more permanent roofing system. The change in the structure specification shows there will be a solid glass roof system which is a move away from the more flexible system proposed in the previous agenda item in April 2019. The roof will no longer be able to be retracted back and forward as and when required.

Based on the more permanent nature of the structure the detailed specification shows the structure requires more permanent footings and therefore less likely to be easily removed. The plans also show a streetlight to be removed and we are suggesting this be relocated or at least the cabling be relocated to the road edge as the light no longer serves its actual purpose at its existing location. This will also enable any future lighting to be installed later, depending on what form and function Tuwharetoa Street has in the future.

**OPTIONS**

Analysis of Options

Option 1. Approve new roofing system installation as per attached plans.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• All weather protection for diners at Vine Eatery</li> <li>• Adds vibrancy to the street</li> <li>• Possible increase income for council from increase in fee for licence to occupy</li> </ul>	<ul style="list-style-type: none"> <li>• May impact services located under the footpath and would need to be checked prior to any works.</li> <li>• No shade to patrons.</li> </ul>

	<ul style="list-style-type: none"> <li>• Maintenance of glass structure</li> <li>• Precedence will be made and possibly see other businesses construct similar structures.</li> <li>• Streetlight needs to be relocated.</li> </ul>
--	---

Option 2. Decline new roofing system and remain with Oztech system

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• All weather protection for diners at Vine Eatery</li> <li>• Not a permanent structure so easily removed</li> <li>• Sunshade</li> </ul>	<ul style="list-style-type: none"> <li>• No disadvantages foreseen with this option.</li> </ul>

Analysis Conclusion:

Both options will provide for all year weather protection particularly from rain on is considered more permanent than the other. Both options will require the applicant to maintain and ensure the structure meets all relevant building codes and standards.

**CONSIDERATIONS**

**Alignment with Council’s Vision**

Council’s vision is ‘to be the most prosperous and liveable district in the North Island by 2022’. This is accompanied by a core set of values to underpin decision-making, the following of which are relevant to this proposal: World Class; Authentic; Charming; Vibrant; Quality; Resilient and Value.

**Financial Considerations**

The financial impact of the proposal is estimated to be \$0 to Council.

**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. That section of the Act states that the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. It is considered that [social / economic / environmental and / or cultural of relevance to this matter.

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:

Authorisations as follows 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.

**Māori Engagement**

Council is bound by various Acts to consult and/or engage with Māori, including a duty to act reasonably and in good faith as a Te Tiriti ō Waitangi partner. Equally, Council has a responsibility to develop and proactively foster positive relationships with Māori as key stakeholders in our district, and to give effect to the principles of Te Tiriti ō Waitangi including (but not limited to) the protection of Māori rights and their rangatiratanga over tāonga. While we recognise Māori in general, we also need to work side by side with the three ahi kaa / resident iwi of our district.

Although good faith does not necessarily require consultation, it is a mechanism for Council to demonstrate its existence and commitment to working together as district partners. Appropriately, the report author acknowledges that they have considered the above obligations including the need to seek advice, guidance, feedback and/or involvement of Māori on the proposed recommendation/s, objective/s, project/s or service/s outlined within this report.

### **Risks**

If the committee sees benefits in this proposal and approves the modified request for the structure and roofing system installation to Vine Eatery and Bar there might well be a risk of setting a precedent whereby other business owners in the nearby or CBD area might well be encouraged to request similar roofing systems. In a legal sense, it is not setting a precedent as Council can accept or decline any further applications for canopies to be installed on a case by case basis.

From site visits, it is noted the pedestrian access of at least 2m clearzone needs to be maintained and at the moment with the location of the streetlight base, bicycle and screens at each end being 2 metre in width, the pedestrian access way is not in a straight line and is under 2 metres in places so this will need to be worked through with the applicant and/or included as part of the licence to occupy. The removal of the cycle and streetlight base will assist with this issue.

### **SIGNIFICANCE OF THE DECISION OR PROPOSAL**

Council's Significance and Engagement policy identifies the following matters that are to be considered 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

### **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 required.

### **CONCLUSION**

The preferred option is to approve the roofing system as attached to this report.

### **ATTACHMENTS**

1. Plan of shelter outside Vine Eatery
2. Specifications and concept of Vine Eatery shelter

**4.5 LICENCE TO OCCUPY - TAUPO PAKEKE LIONS, PARKING AREA RIFLE RANGE ROAD**

**Author:** Denis Lewis, Infrastructure Manager

**Authorised by:** Kevin Strongman, Head of Operations

**PURPOSE**

The purpose of this report is to enable the committee to make a decision on the granting of a licence to occupy council road reserve on Rifle Range Road adjacent to 72 Lake Terrace for the purpose of holding a car sale.

**EXECUTIVE SUMMARY**

The Taupō Pakeke Lions club are seeking approval by way of a licence to occupy, to operate a car boot sale – where individuals are able to sell their motor vehicles from the parking area on road reserve adjacent to 72 Lake Terrace.

There are two options: either approve or decline the request with the preferred option being approve the request and grant a licence to occupy.

**RECOMMENDATION(S)**

That the Taupō Reserves & Roding Committee recommends to Council that it approves a six month trial Licence to Occupy to the Taupō Pakeke Lions for the purpose of holding a car sale on Council road reserve on Rifle Range Road adjacent to 72 Lake Terrace.

**BACKGROUND**

The proposal has not been presented previously.

A request has been received from the Taupō Pakeke Lions club to operate a car boot sale – where individuals are able to sell their motor vehicle from the parking area on road reserve adjacent to 72 Lake Terrace. Attached aerial showing proposed parking area to be used.

**DISCUSSION**

The proposal would see the Pakeke Lions organising and managing the site which would operate from 0900am – 1200pm every Saturday. A charge of \$30 is proposed by the Lions to those offering a vehicle for sale. The club would have no involvement with any transactions between the buyer and seller. They envisage that the Club will only be a facilitator between Sellers and Buyers. They would not be involved in the buying/selling/ price negotiation process, just the organisation which offers the process. Dependant on the success of the event the opportunity may be extended for the sale of boats and caravans/motorhomes.

The club have advised that proceeds would go towards their Annual Gifting Program, which is mainly focused on Local Charities.

Approval of the proposal would be by way of granting a licence to occupy for the proposed activity on the site.

The Lions club have been made aware of the potential sale of 72 Lake Terrace and should that occur then their licence may need to be relinquished. A clause to that effect would be included in the licence.

The area is also used for truck parking, being an area identified by Council for that purpose. Trucks are usually gone early in the morning and have not been observed there during Saturday mornings. Again the club has been made aware of this.

Appropriate traffic management would need to be put in place for entry exit to the site and the area of parking where there is no raised median between the parking area and road would need to be managed to ensure safety. Delineation of the road side with cones should be sufficient.

Given the uncertainty around the future use of the adjoining land and potential conflict with current use should the committee decide to approve the proposal then it is recommended that the approval be limited to a six month trial.

Based on this information it is considered that there are two options approve the proposal and issue a licence to occupy or decline the request.

**OPTIONS**

Analysis of Options

Option 1. Decline the proposal

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• Avoid potential conflicts with adjoining land</li> <li>• Avoid potential conflicts with existing use</li> </ul>	<ul style="list-style-type: none"> <li>• Lose a potential opportunity to reduce the amount of vehicles along lake Terrace that are offered for sale</li> </ul>

Option 2. Approve the proposal (with a six month trial period)

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• A potential opportunity to reduce the amount of vehicles along lake Terrace that are offered for sale</li> </ul>	<ul style="list-style-type: none"> <li>• Conflict may arise from adjoining land use or existing use of the parking area</li> </ul>

Analysis Conclusion:

The preferred option is to approve the proposal with a six month trial.

**CONSIDERATIONS**

**Alignment with Council’s Vision**

Council’s vision is ‘to be the most prosperous and liveable district in the North Island by 2022’. This is accompanied by a core set of values to underpin decision-making, the following of which are relevant to this particular proposal: Authentic; Charming; Vibrant; and Value.

**Financial Considerations**

The Lions club is a not for profit organisation that has returns the majority of its earnings back to the community therefore a licence fee is not recommended. The licence can be drafted in house. Therefore there are no costs for Council.

**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. That section of the Act states that the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. It is considered that social / economic and environmental well-beings are of relevance to this particular matter.

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:

Authorisations as follows 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.

**Māori Engagement**

Council is bound by various Acts to consult and/or engage with Māori, including a duty to act reasonably and in good faith as a Te Tiriti o Waitangi partner. Equally, Council has a responsibility to develop and

proactively foster positive relationships with Māori as key stakeholders in our district, and to give effect to the principles of Te Tiriti o Waitangi including (but not limited to) the protection of Māori rights and their rangatiratanga over tāonga. While we recognise Māori in general, we also need to work side by side with the three ahi kaa / resident iwi of our district.

Although good faith does not necessarily require consultation, it is a mechanism for Council to demonstrate its existence and commitment to working together as district partners. Appropriately, the report author acknowledges that they have considered the above obligations including the need to seek advice, guidance, feedback and/or involvement of Māori on the proposed recommendation/s, objective/s, project/s or service/s outlined within this report.

### **Risks**

Two risks have been identified with this proposal, sale & use of the adjoining land (72 Lake Terrace) and existing use of the site for truck parking. Both of these risks are mitigated by identifying those risks to the Lions club and the granting of a six month trial licence. With mitigation the risk is considered to be low.

### **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**

Direct communication has been/will be carried out with affected parties/key stakeholders and wider communication will be carried out with the community. FENZ will be advised of the proposal as the fire station is adjacent to the site.

### **CONCLUSION**

The Taupō Pakeke Lions club are proposing an event that is not currently offered within the town and may lead to a reduction in the number of private motor vehicles offered for sale along the lake front. There are risks associated with the proposal but they can be mitigated.

### **ATTACHMENTS**

1. Taupo Pakeke Lions - Proposed Licence Area

**4.6 TAUPO DISTRICT COUNCIL TRAFFIC CONTROL DEVICE UPDATES**

**Author:** Bryson Huxley, Senior Engineering Officer

**Authorised by:** Kevin Strongman, Head of Operations

**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.

Sign/Marking	Why	Where
1. Install new parking restriction P90 (90min) parking signs	To provide shorter term customer parking for local business.	10 car parks on Titiraupenga Street near Heuheu street (outside 101 Heuheu Street). See Attachment 1
2. Install Mobility park in place of two existing parks	To provided mobility parking opportunity for both Waipahihi School and kindergarten.	The angle parking on Fredrick Street. The parks closet to the Kea Crossing (Manned School Crossing) See Attachment 2
3. Install 1 additional mobility parking in the place of 2 existing parking spaces, ensuring there is sufficient width on both sides of the mobility park.	To provide an additional mobility park. Currently there is only 1 mobility parking space at the end of the parking lot.	Parking lot on Lake Terrace opposite the Northcroft reserve and mini golf as depicted in attached drawing. See Attachment 3  The new Taupō market location is between Northcroft Street and Lake Terrace on the Council reserve.
4. No Stopping At All Times (NSAAT) lines to be installed	This is to provided clear intersection sight lines when exiting the Countdown Carpark	On the council road reserve off Tongariro Street outside the Countdown Carpark (see Attachment 4)
5. NSAAT lines to be installed	To prevent dangerous parking where visibility for cars pulling back onto the road is poor.	Outside 890 Acacia Bay Road. Opposite new angle parking on Downers Point. See attachment 5

**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.

**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**

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

Sign/Marking	Why	Where
1. Install new parking restriction P90 (90min) parking signs	To provide shorter term customer parking for local business.	10 car parks on Titiraupenga Street near Heuheu street (outside 101 Heuheu Street). See Attachment 1
2. Install Mobility park in place of two existing parks	To provided mobility parking opportunity for both Waipahihi School and kindergarten.	The angle parking on Fredrick Street. The parks closet to the Kea Crossing (Manned School Crossing) See Attachment 2
3. Install 1 additional mobility parking in the place of 2 existing parking spaces, ensuring there is sufficient width on both sides of the mobility park.	To provide an additional mobility park. Currently there is only 1 mobility parking space at the end of the parking lot.	Parking lot on Lake Terrace opposite the Northcroft reserve and mini golf as depicted in attached drawing. See Attachment 3  The new Taupō market location is between Northcroft Street and Lake Terrace on the Council reserve.
4. No Stopping At All Times (NSAAT) lines to be installed	This is to provided clear intersection sight lines when exiting the Countdown Carpark	On the council road reserve off Tongariro Street outside the Countdown Carpark (see Attachment 4)
5. NSAAT lines to be installed	To prevent dangerous parking where visibility for cars pulling back onto the road is poor.	Outside 890 Acacia Bay Road. Opposite new angle parking on Downers Point. See attachment 5.

1. We have received a customer request from a local business to install parking time restriction on Titiraupenga Street near Heuheu street (outside 101 Heuheu Street). They told us that people parked there all day and therefore there was not enough carparking for their customers. In this area, there are several time restricted carparks already (See attachment 1). Therefore, changing this section of carparking to restricted carparks would not be out of place in the area.
2. We have received a customer request from a mother whose child attends the Kindergarten on Fredrick street next to Waipahihi School. She has a disability and found it difficult dropping her child off at the Kindergarten. We consulted with both the school and the kindergarten and determined that there were several children/parents that attend both the school and kindergarten. Therefore, we decided it was best to install a disability carpark prior to the start of school term and install on the road reserve rather than within the school and kindergarten grounds.
3. We have received a customer request for a mobility park in this area. The proposed park serves as access to the amenities opposite Lake Terrace Rd and to the footpath along the lake. The mobility park is opposite a refuge island crossing Lake Terrace Rd. Taupō Access Group were consulted and are in support of the proposed mobility parking.
4. We have had a customer request about visibility issues due to parked cars and trailers with advertising messages parking at the exit to the Countdown Carpark onto Tongariro Street. This area is a council road therefore No Stopping At All Times (NSAAT) lines are required to prevent vehicles blocking the view of vehicles along Tongariro Street.
5. The issue arose from residents that the entrance way on the corner is continually blocked by parked vehicles restricting their access. When investigated further, there is also a safety issue for cars negotiating the blind corner and vehicles performing parking manoeuvres and/or pedestrians crossing the road to access the footpath and the lake. To prevent this NSAAT lines have recently be installed prior to the summer traffic volumes.

**Alignment with Council’s Vision**

Council’s vision is ‘to be the most prosperous and liveable district in the North Island by 2022’. This is accompanied by a core set of values to underpin decision-making, the following of which are relevant to this particular proposal: Charming; Vibrant; Quality; and Value.

**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 report.

**Māori Engagement**

Council is bound by various Acts to consult and/or engage with Māori, including a duty to act reasonably and in good faith as a Te Tiriti ō Waitangi partner. Equally, Council has a responsibility to develop and proactively foster positive relationships with Māori as key stakeholders in our district, and to give effect to the principles of Te Tiriti ō Waitangi including (but not limited to) the protection of Māori rights and their rangatiratanga over tāonga. While we recognise Māori in general, we also need to work side by side with the three ahi kaa / resident iwi of our district.

Although good faith does not necessarily require consultation, it is a mechanism for Council to demonstrate its existence and commitment to working together as district partners. Appropriately, the report author acknowledges that they have considered the above obligations including the need to seek advice, guidance, feedback and/or involvement of Māori on the proposed recommendation/s, objective/s, project/s or service/s outlined within this report.

**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**

At the time of the writing of this agenda item, some of the above proposals have yet to be consulted on with the adjacent property owners or our compliance team so will be subject to the results of the consultation. If the results of the consultation are not in favour of this proposal we will look at some other options/alternatives and then provide the committee an update.

**COMMUNICATION/MEDIA**

No communication/media 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. Location of P90 Carparks
2. Mobility Park Location - Frederick Street
3. Mobility Park - Lake Terrace Carpark
4. No Stopping At All Times (NSAAT) lines - Council Road Reserve Exit from Countdown
5. No Stopping At All Times (NSAAT) lines - Acacia Bay Road