

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

Date:	Tuesday, 15 September 2020
Time:	1.00pm
Location:	Council Chamber
	107 Heuheu Street
	Taupō

# AGENDA

MEMBERSHIP	
Chairperson	Cr John Williamson
Deputy Chairperson	Cr John Boddy
Members	Cr Kathy Guy
	Cr Kylie Leonard
	Cr Anna Park
	Cr Christine Rankin
	Cr Kevin Taylor
	Mayor David Trewavas
	Miss Janice Wall
	Cr Yvonne Westerman

5

Quorum

Gareth Green Chief Executive Officer

# **Order Of Business**

Apologies

1

2	Conflicts of Interest		
3	Confirmation of Minutes		
	3.1	Ordinary Taupō Reserves & Roading Committee Meeting - 9 June 2020	3
4	Policy a	nd Decision Making	
	4.1	Replete Cafe - Proposed Roofing System over outdoor dining area	4
	4.2	To consider an extension to a licence to occupy at Wharewaka Point for the sale of refreshments	7
	4.3	To consider a proposal for a licence to occupy in the vicinity of 2 Mile Bay Boat Ramp	12
	4.4	To consider Boat Pen Licence Renewals at Nukuhau Boat Ramp Reserve	17
	4.5	Electric Vehicle Charging Station - Tuwharetoa Street carpark	20
	4.6	Taupo District Council Traffic Control Device Updates	23
5	Confide	ntial Business	

Nil

# 3.1 ORDINARY TAUPŌ RESERVES & ROADING COMMITTEE MEETING - 9 JUNE 2020

# Author: Shainey James, Democratic Services Officer

# Authorised by: Tina Jakes, Head of Democracy, Governance and Venues

# **RECOMMENDATION(S)**

That the minutes of the Taupō Reserves & Roading Committee meeting held on Tuesday 9 June 2020 be confirmed as a true and correct record.

# ATTACHMENTS

1. Taupō Reserves & Roading Committee Meeting Minutes - 9 June 2020

# 4.1 REPLETE CAFE - PROPOSED ROOFING SYSTEM OVER OUTDOOR DINING AREA

Author:Denis Lewis, Infrastructure ManagerAuthorised by:Kevin Strongman, Head of Operations

# PURPOSE

The purpose of this report is to request the Taupō Reserves and Roading Committee to approve the proposal by Replete Cafe to install a roofing system over the existing outdoor dining area.

# **EXECUTIVE SUMMARY**

The owner of Replete Café has requested council approval for a proposal to install a roofing system over the outdoor dining area so that their customers will be sheltered from the sun, rain... etc

Replete Cafe have a current licence to occupy the footpath for outdoor dining purposes.

Council's property solicitor advised that, if the committee agrees to give permission for the canopy to be installed an appropriate variation to the existing Licence to Occupy would need to be completed.

The preferred option is to approve the proposal. This will enable café customers to enjoy outdoor dining and create vibrancy in the area.

# **RECOMMENDATION(S)**

That the Taupō Reserves & Roading Committee agrees to vary Replete Cafe's Licence to Occupy footpath to allow the roofing system proposed in the officers report attached to the agenda to be installed outside Replete Café.

# BACKGROUND

The proposal has not been presented previously.

The owner of Replete Cafe is requesting approval for their proposal to install a roofing system over the outdoor dining area to provide shelter for their customers from all weather conditions.

The outdoor dining area has a current licence to occupy granted in 2017 and expires in November 2020.

# DISCUSSION

A layout of the proposal including 3D imagery, Oztech roofing specifications & a layout plan are attached. This is the same system that was considered and approved for a similar proposal for the Vine Eatery in Tuwharetoa Street in April 2019.

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

# OPTIONS

<u>Analysis of Options</u> Option 1. Approve the proposal

Advantages	Disadvantages
<ul> <li>The cafe customers will be sheltered from all weather conditions and will have good outdoor dining experience.</li> <li>Will encourage customers to enjoy the outdoor and will create vibrancy to the area.</li> </ul>	None foreseen

# Option 2. Decline the proposal

Advantages	Disadvantages
	• The cafe customers will not be able to enjoy an outdoor dining experience in all weather conditions.

Analysis Conclusion:

The preferred option is to approve the proposal. This will enable café customers to enjoy outdoor dining and create vibrancy in the area.

# 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: World Class; Authentic; Charming; Vibrant; Quality; Resilient and Value.

# **Financial Considerations**

The is no financial impact of the proposal 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 <u>Section 10</u> 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 and economic 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:

From a planning perspective no consent is required. As the proposed structure is within the road reserve there are no rules in the District Plan that apply, so it will be dealt with through their Licence to Occupy.

From the 31st August the new exemptions come into play and if the size is under 30 square meters a building consent is not required. In this instance the proposed roofing structure is approximately 47.5m2 and will therefore require a building consent.

Authorisations as follows are required for the proposal:

□ Resource Consent ✓ Building Consent □ Environmental Health

□ Liquor Licencing ✓ Licence to occupy

The existing licence to occupy permits the following "the location of dining tables, chairs, umbrellas, planters, potted plants, rope barriers, and gas heaters ("Furniture") (or such other equipment with the Licensor's prior written consent), for the sedentary consumption of food (including alcohol where this is permitted by a liquor licence)." Therefore, if the Committee agree to permit the canopy to be installed an appropriate variation to the existing licence will need to be completed.

# **Policy Implications**

There are no known policy implications.

The Taupō Urban Commercial Industrial Plan talks about creating quality places "the streets and lanes that connect the town centre provide the places where people meet to do business and enjoy the atmosphere of the town centre. Turning them into quality places is a critical part of attracting people to spend time in the town centre with the associated social and economic benefits". This proposal supports that philosophy.

# 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

Prior advice has been provided that if the committee sees benefit in this proposal and approves the request in a legal sense, it is not setting a precedent and Council can accept or decline any further applications for canopies to be installed on a case by case basis.

# 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

# 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 proposal. This will enable café customers to enjoy outdoor dining and create vibrancy in the area.

# ATTACHMENTS

- 1. Proposal Request
- 2. Site Plan & 3D View
- 3. Oztech Roofing Specification

# 4.2 TO CONSIDER AN EXTENSION TO A LICENCE TO OCCUPY AT WHAREWAKA POINT FOR THE SALE OF REFRESHMENTS

Author: Gemma Mitchell, Strategic Advisor Property & Infrastructure

Authorised by: Alan Menhennet, Head of Finance and Strategy

# PURPOSE

To consider a request for an extension of a Commercial Licence to Occupy for Wharewaka Point for the sale of Refreshments to reserve users.

# **EXECUTIVE SUMMARY**

In 2018 a licence to occupy for A and R Cunningham was issued through to December 2020 for the purposes of the sale of refreshments (Ice-cream and Coffee/Snacks) at Wharewaka Point Reserve. The licence holder has requested permission to extend their licence and requests permission to share the licence site with Volcanic Coffee subject to a limitation ensuring that no more than one vendor will be there at a time. This is proposed as both operators have differing times of high sales (Coffee being generally mornings and Ice-cream being generally afternoons). The site is identified as suitable for a commercial licence within the Reserve Management Plan. It is recommended that the licence be for a period of three years to allow this licence to align with the two lakefront licences for the Steaming Bean Coffee and Three Little Kiwis Gelato and for all licences along the lakefront for refreshments to terminate at the same time.

# **RECOMMENDATION(S)**

That the Taupō Reserves & Roading Committee authorises an extension of the licence to occupy for A and R Cunningham at Wharewaka Point for the purposes of the sale of refreshments (ice-cream, snacks and coffee) to users of the reserve with an expiry of April 2023.

# BACKGROUND AND DISCUSSION

The proposal has been before Council at a prior meeting 5 December 2017, refer item number 4.2 and the following resolutions were made: "That the Fences, Roading, Reserves & Dogs Committee approves a three year licence to occupy for Alison and Richard Cunningham, trading as Mr Whippy, for Council administered land at Wharewaka Reserve, Taupō for the purposes of operating a mobile shop selling light refreshments including ice-cream, snacks and coffee".

The licence holder has requested an extension of their licence to enable continued operation from this site. It is suggested that this extension would be best to be aligned to two other existing licences for the sale of refreshments on the Lakefront Reserve (Steaming Bean and Three Little Kiwis) which were extended in 2017 through to April 2023. This approach would allow for all sites to be considered collectively at that time.

They have also advised that they have another trader with whom they are keen to share their licence area with separate times. Volcanic Coffee has indicated that they would like to occupy the site generally in the mornings, while Mr Whippy would generally be in the afternoons. The products for sale would remain consistent with the current licence which enables the sale of both coffee and ice-cream. The collaboration would be such that only one vendor would be there at any one time to remain consistent with the Tapuaeharuru Bay Lakeshore Reserves Management Plan (TBLRMP).

The licence fee for the site will need to be reviewed to ensure it aligns with a commercial market rent.



Figure 1: The location of the star above is the general vicinity in which the vendor currently parks. A minimum separation from residential dwellings to the south will be maintained to avoid reductions in perceived privacy.

Based on this information it is considered that there are two options: authorise or decline an extension to the licence to occupy.

# OPTIONS

# Analysis of Options

Option 1 – Authorise an extension of the licence

Advantages	Disadvantages
<ul> <li>Provides for more certainty for the operator.</li> <li>Provides for two vendors to benefit from the one licence area</li> <li>Provides for consistency across all refreshment vendors in the TBLRMP area</li> <li>Remains in line with current legislation and council policy and plans</li> <li>Would create another activity/attraction in the reserve</li> <li>Modest rental return to Council</li> </ul>	rubbish to be disposed of in the reserve

Advantages	Disadvantages	
<ul> <li>Keeps the reserve as a non-commercial location purely for public use and enjoyment</li> <li>Enables other prospective commercial users to make enquiries for the site</li> <li>Avoids potential for additional rubbish</li> </ul>	<ul> <li>Somewhat contradicts the reserve management plan intent</li> <li>Would deny users the opportunity to make use of the services offered</li> <li>Is not supportive of an existing operator</li> <li>Does not enable two vendors to benefit from the one licence area</li> <li>Limits the ability to provide consistency across all refreshment vendors in the TBLRMP area</li> <li>Would limit opportunity for improved experiences for users seeking refreshments</li> <li>Limits a return to Council</li> </ul>	

# Analysis Conclusion:

An extension of the licence has the ability to allow for continued provision of refreshments in an area which has become more popular over time with the extension of the lakefront pathway and also the expansion of residential development in the area.

# 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.

# Financial Considerations

The financial impact of the proposal is estimated to be modest, with the licence fees to be set in line with market rents for these types of sites, accounting for the size of the occupation area and locality.

# Long-term Plan/Annual Plan

No additional expenditure is required to extend the licence.

# Legal Considerations

# Local Government Act 2002

The matter comes within scope of the Council's lawful powers, including satisfying the purpose statement of <u>Section 10</u> 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 and economic considerations for the community 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:

The activity is provided for under the Reserve Management Plan. As the operator is solely providing for users of the reserve and any signage is affixed to the vehicle and not visible from the public roads it is assumed that no Resource Consent would be required. The vendor would be responsible for ensuring appropriate environmental health and other legislative requirements are met. The existing licence to occupy with some minor amendments for the dual vendors at separate times) would be adequate for the proposal.

# **Policy Implications**

The proposal is consistent with the Tapuaeharuru Bay Lakeshore Reserve Management Plan in that a commercial site was identified in this location. The proposal to align the licence with other vendors within the RMP area ensures consistency across the sites and would enable any RMP changes to be addressed at the same time for all current licensees.

There are no other 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. The proposal is not envisaged to generate any additional matters that would warrant further evaluation.

# Risks

There is a risk that Council is limiting the potential for other commercial operators at the Lakefront by extending this licence through to July 2023. The risk is somewhat mitigated by the proposal for sharing the site with another mobile vendor in order to optimise use of this identified commercial site. There are no other identified 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 as was the case previously.

# 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 specific consultation or communication is required.

# CONCLUSION

It is considered that the Committee may see fit to authorise an extension of the licence for A and R Cunningham to allow for the continued sale of refreshments at Wharewaka to enhance the experience of some users of the Reserve, particularly during the height of summer. The extension through to April 2023 would also enable strategic consideration of all licences of this nature within the RMP at the same time.

# ATTACHMENTS

Nil

# 4.3 TO CONSIDER A PROPOSAL FOR A LICENCE TO OCCUPY IN THE VICINITY OF 2 MILE BAY BOAT RAMP

# Author: Gemma Mitchell, Strategic Advisor Property & Infrastructure

Authorised by: Alan Menhennet, Head of Finance and Strategy

# PURPOSE

To consider a proposal for a licence to occupy land for a gazebo "office" for Flyboarding in the vicinity of 2 Mile Bay Boat Ramp.

# EXECUTIVE SUMMARY

An application for a licence to occupy has been requested for the purposes of a booking and induction gazebo/tent within Council controlled land (road) at 2 Mile Bay. The gazebo will be utilised to support Flyboarding activities operating on Lake Taupō in the vicinity of 2 Mile Bay Boat Ramp. The activity has the potential to accommodate upwards of 20 people daily currently and was initially trialled last year, with no known conflicts or complaints from the public. The applicant has outlined their aspirations to operate multiple jet skis and jet packs or similar structures which may generate in the vicinity of 60 people a day into the future.

Due to the popularity of this area during summer with the community (swimmers, boats, kayakers, cyclists and walkers) and also the evolution of activities at the Sailing Centre to the east of the proposed location; if a licence is supported, it may be prudent to monitor the activity going forward and determine whether there is a need to identify additional capacity for visitor parking due to the increase in activity in this area. Further, it is considered appropriate that any licence be subject to approvals from the relevant authorities being obtained.

# RECOMMENDATION(S)

That the Taupō Reserves & Roading Committee approves a summer licence for the period of 1 December 2020 to 31 March 2021 to be entered into with Play-N-Up Limited for Flyboarding in the vicinity of 2 Mile Bay Boat Ramp subject to appropriate conditions and consents being obtained.

# BACKGROUND

The proposal has not been formally presented previously. It is noted that in November 2019 the applicants were enabled by the committee to operate from this location informally. This was as there were no meetings due to the Christmas/New Year period where consideration of a formal application would have been possible. The committee was engaged in email correspondence prior to the applicant being permitted to operate from the site as a trial. The applicant has now requested a licence well in advance of this coming summer period to ensure appropriate process is followed.

# DISCUSSION

The site is technically within the road corridor but the area is generally managed within the context of the Tapuaeharuru Bay Lakeshore Reserve Management Plan area as the land immediately adjacent to the site is within this plan. This report has been considered within the context of both road and reserve to ensure that the challenges for both areas are appropriately evaluated in determining whether to explore a licence.

The applicant has requested the same locality for their operations. Council is not in a position to consider the on-water aspects of the proposal as this falls within the Lake and not Council land although some consideration of public use of the reserve (non-commercial) may be appropriate in the context of the activities. It is noted however that the applicant will need to ensure consultation with the Tuwharetoa Maori Trust Board and the Department of Internal Affairs has been undertaken and any necessary approvals are in place prior to commencing operations.

The area is highly popular with locals and visitors alike due to the open space, accessibility to the lake and connection to the Great Lake Pathway. The open space in this locality is primarily utilised by private boat owners wishing to access the lake, families and visitors also utilise the area for other recreational activities including picnics, swimming and kayaking among other activities. Informal parking occurs over the busy

summer months to the west of the boat ramp access, when all formed and sealed boat trailer parking is occupied, or by general public.



Figure 1: Map of proposed location.

The position proposed is located on the area shown by the yellow star in Figure 1. This is within the road reserve of a busy section of Lake Terrace.

Council's Asset Manager, Transportation has outlined some reservations to this particular location. These included concerns in relation to public safety from increasing distraction in a busy locality. Adding another activity in an area which is already highly popular with pedestrians, boat owners and cyclists also has the potential to increase chances of crashes generated as a result of distraction of drivers.

This may be exacerbated by the limited availability of carparks in the area which has yellow no stopping lines on both sides of the street particularly if the activity grows three-fold on last summer. There is also potential risk that vehicles may increase the risk of an accident by pulling over or turning around in order to access the site.

The proposal may require a resource consent based on the vehicle movements likely to be generated by the activity, signage and potentially with respect to sufficient parking. It is envisaged that the effects on the road network will form part of the assessment of any resource consent application and may require evaluation and consideration of the placement of any physical infrastructure or parking demand to appropriately manage this aspect.

The Tapuaeharuru Bay Lakeshore Reserve Management Plan enables summer licences to be issued where assessment has considered the following (page 52):

- Assess concession applications against the following criteria as a minimum: record of previous experience; profile of proposal; environmental and recreational impact; and compliance with other relevant agencies' policies.
- Include in the assessment criteria for short-term commercial activities: compatibility with the reserve purpose; public interest and value; compatibility with other activities along the lakeshore and within the surrounding environment.
- Ensure that proof of appropriate consents and licences is provided before the concessionaire initiates use of the site.

It is noted that these criteria are not critical to the licence (due to it being road reserve) but would need consideration if alternative siting was to be preferred (for example through the consenting process). Based on this information it is considered that there are three options: decline a licence to occupy, authorise a

summer licence to occupy or recommend investigating an alternative location for a licence to occupy. In considering a licence to occupy, consideration may be appropriate in terms of the scale of the activity (with the applicant outlining the scope of potential expansion (refer attachment 1).

# OPTIONS

Analysis of Options

The options available are considered in turn below

Option 1. Allow a licence to occupy subject to any necessary consents

Advantages	Disadvantages
Supports a proposed alternative commercial activity for the community that otherwise may not exist	<ul> <li>Increases potential for conflict arising from multiple existing recreational users and commercial operations</li> </ul>
Would provide for a commercial user in an area separated from residential houses	<ul> <li>Has potential to generate traffic management/parking and health and safety issues which may need to be addressed</li> <li>Generates an expectation that commercial users of the lake will be supported in public land, rather than in private land.</li> <li>May generate risks from multiple users in one location</li> </ul>

Option 2. Support exploring alternative options for a licence to occupy subject to any necessary consents or conditions

Advantages	Disadvantages
<ul> <li>May be able to find an alternative site that supports the proposed activity for the community</li> <li>Could avoid further congestion at this location</li> </ul>	

Option 3. Decline a licence to occupy.

Advantages	Disadvantages
<ul> <li>Avoids potential for conflict between existing recreational users and customers of this business</li> <li>Avoids potential health and safety concerns from a traffic management perspective or increasing any pressure on parking</li> <li>Avoids an expectation that commercial users of the lake will be supported in public land, rather than in private land.</li> <li>Limits potential risks from multiple users in one location</li> </ul>	commercial activity for the community that otherwise may not exist and which may enhance some reserve users recreational enjoyment

# Analysis Conclusion:

It is considered that the additional activity in this particular location may increase the potential for user conflicts if not appropriately managed. It is not clear whether methods could be employed to manage the activity to a suitable level, and these would likely be addressed via District Planning considerations. It may be that an alternative locality at 2 Mile Bay within the reserve is preferred, however this would all depend on the methodology for operating the site and management of customers. The following considers the potential for entering into a licence at this location, subject to appropriate approvals and authorisations.

# 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: Vibrant; Quality; Resilient and Value. It is considered that the additional activity may add to the vibrancy of the area but consideration as to the quality of the infrastructure necessary to support the activity may be appropriate.

# **Financial Considerations**

The financial impact of the proposal is estimated to be limited subject to appropriate conditions.

# Long-term Plan/Annual Plan

There is no expenditure proposed. It is noted further evaluation of alternative sites would require additional staff resources.

# Legal Considerations

# Local Government Act 2002

The matter comes within scope of the Council's lawful powers, including satisfying the purpose statement of <u>Section 10</u> 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 all of these aspects have 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:

It is envisaged that a resource consent would be required, and a licence to occupy would be subject to obtaining this. Authorisations for the activity within Lake Taupō may also require consideration from the Department of Internal Affairs (Harbour Master) and Tuwharetoa Maori Trust Board.

# **Policy Implications**

The proposal has been evaluated against the Tapuaeharuru Bay Lakeshore Reserve Management Plan. The plan provides the opportunity for commercial licences where these have been evaluated against a range of criteria. It is noted that the applicant's proposal appears to be of a professional standard and staff are not aware of any feedback received during last year's trial period. The applicant would also need to ensure that their operations were managed appropriately from a health and safety perspective.

As outlined above, the proposal would not comply with the requirements for signage and would increase vehicle movements from the site in respect of the requirements of the Taupō District Plan.

# 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. As noted above, the activity involves commercial operations on Lake Taupō. It is appropriate for the applicant to ensure they have the necessary agreements in place in this respect and officers suggest that confirmation of this would be appropriate prior to the issue of a licence.

# Risks

There is a risk that Council could be seen to be benefitting one commercial operator over other potential operators. It is considered that the RMP provides for activities that enhance experiences in and around the water and it is appropriate to consider each proposal on its merits. There may be other risks in respect of an

approval ahead of the other processes that may be required (from Council authorising a licence where a resource consent is required for example)

# 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. It may however be appropriate to ensure discussions with those other parties who have may have oversight for these activities is complete prior to finalising any licence.

# COMMUNICATION/MEDIA

No communication or media is proposed at this stage. It may be prudent to develop a consultation plan depending on the outcome of discussions.

# CONCLUSION

It is considered that there is opportunity to provide for licences of this nature within Council's Reserve Management Plans. There are however some risks and concerns which may require further consideration and input to ensure that these risks are appropriately mitigated prior to entering into a licence.

# ATTACHMENTS

1. Application for Licence - PLAYNUP Flyboarding

# 4.4 TO CONSIDER BOAT PEN LICENCE RENEWALS AT NUKUHAU BOAT RAMP RESERVE

# Author: Gemma Mitchell, Strategic Advisor Property & Infrastructure

Authorised by: Alan Menhennet, Head of Finance and Strategy

# PURPOSE

To consider renewing the licences of existing boat pens on Council administered land at Nukuhau Boat Ramp Reserve on Rauhotu Street, Taupō for up to three years.

# EXECUTIVE SUMMARY

Council manages approximately 50 secure boat pens on Council owned and administered land at Rauhotu Street, Taupō (see Attachment 1). In 2017 these licences were issued for a period of 3 years through to June 2020. This period is at an end and as such Council is being asked to consider renewal of the licences for the existing occupiers for a further period of three years. There is no currently scheduled Reserve Management Plan review in relation to the site which could provide a basis for a reduced licence period at this time.

# RECOMMENDATION(S)

That the Taupō Reserves & Roading Committee authorises licence to occupy agreements as appropriate for boat pens at Nukuhau Boat Ramp Reserve and that the agreements have a common expiry date of 30 August 2023.

# BACKGROUND AND DISCUSSION

In October 2017 a report was presented as attached in Appendix 1 to consider licences for up to 3 years for the boat pens at Nukuahau Boat Ramp. The Nukuhau Boat Ramp Reserve Management Plan (RMP) for this area indicates that it will be utilised for boat storage and enable access to the Waikato River and Lake Taupō.

Council manages approximately 50 secure boat pens on the site at Rauhotu Street, Taupō. All of these licences have recently expired, and the committee is being asked to consider renewal of the licences for the existing occupiers for three (3) years. There is no review scheduled of the Reserve Management Plan in this location at present.

The boat pens are popular, with a fluctuating but at times long waiting list for occupation. When a pen is relinquished, priority for filling the vacancy is given to rigged and masted yachts in preference to powerboats. This is due to the relative difficulties in transporting these different types of craft. It is much more difficult to transport and launch a yacht than a powerboat, and prioritising yachts allows for people with these craft to store them close to the lake without needing to cause potential local disruptions with the transport of what are typically quite large craft.

It is possible that existing licence holders may relinquish their licence before the term is up. In these cases officers will contact the most appropriate people on the waiting list to offer them a licence to use the vacated pen. It is proposed that any new licences granted over the next three years will also expire on 30 August 2023, regardless of when the licence start date is. This is to ensure continued ease of management for the licences as a whole and enable comprehensive site analysis.

It is also worth noting that this land is one of the few locations where the river is easily accessible, and is adjacent to a large, open, flat space. Given the potential high value of the land in this locality, it may be considered prudent to look at a review of the Reserve Management Plan in the future to evaluate wider potential benefit for other public or potential commercial recreational uses.

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

# OPTIONS

# Analysis of Options

Option 1. Approve new three-year licences for all existing boat pen occupiers

Advantages	Disadvantages	
<ul> <li>Continued benefits to watercraft users</li> <li>Fewer large yachts being transported on local roads</li> <li>Modest financial return to Council</li> </ul>	<ul> <li>Prime lakeside and riverside land is being used for storage of infrequently used craft</li> <li>Public are not easily able to access and enjoy this space</li> </ul>	

Option 2. Decline to approve new three-year licences for all existing boat pen occupiers

Advantages	Disadvantages	
Would allow this high value land to be used for purposes other than boat storage	<ul> <li>Land would be unused while Council decides what to do with the land</li> <li>50 lake users would be disadvantaged</li> <li>May be larger watercraft being transported on local roads</li> <li>No financial return on site</li> </ul>	

# Analysis Conclusion:

The preferred option is to offer existing licence holders new three-year terms; and to authorise officers to enter into new licences for any pens vacated over the next three years for a term to expire no later than 30 June 2020.

# 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; Value.

# Financial Considerations

Council currently charges between \$1190 and \$1360 per annum, depending on the size of the pen being occupied. This results in an income to Council of approximately \$62,000 per annum including GST.

# Legal Considerations

# Local Government Act 2002

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

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

The following authorisations are required for the proposal:

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

Authorisations are not required from external parties. The licences are entirely consistent with the historical use and therefore it is assumed that existing use rights apply to these pens.

# Policy Implications

The presence of the boat pens at the site and licences for these remains consistent with the Reserve Management Plan for the area. The Reserve Management Plan for the site has not been scheduled for

review in the coming three years. As such there are no likely changes to the policy framework which would determine a reduced licence period.

# 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.

The proposal continues an activity that has been in existence for several years in accordance with the Reserve Management Plan for the site. Any consideration for an alternative activity would likely warrant wider consideration of Māori perspectives.

# Risks

There is a risk that by not entering licences at this time a group within the community may not be satisfied. The site would also not be utilised in accordance with the Reserve Management Plan for the site. The three-year period would potentially limit flexibility should circumstances change over that period for the site.

# 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

Licence holders will be contacted and offered new three-year licence terms if approved.

# CONCLUSION

It is considered prudent to extend the licences for up to three years with a common expiry date of August 2023 as this would allow for continued operation of the site in accordance with the Reserve Management Plan.

# ATTACHMENTS

Nil

# 4.5 ELECTRIC VEHICLE CHARGING STATION - TUWHARETOA STREET CARPARK

# Author: Denis Lewis, Infrastructure Manager

Authorised by: Kevin Strongman, Head of Operations

# PURPOSE

To consider a proposal from Charge net to establish an EV charging station in the carpark between Roberts and Tūwharetoa Streets, Taupō adjacent to Burger King.

# **EXECUTIVE SUMMARY**

Charge net are requesting to install 2 charging stations that can service 4 vehicles in the Tūwharetoa Street carpark adjacent to the Burger King site. The proposal would include a transformer and supply line that would occupy Council land for which easements would be required.

The preferred option is to approve the proposal which would provide EV charging close to the CBD further encouraging the use of electric vehicles

# RECOMMENDATION(S)

That the Taupō Reserves & Roading Committee approves Charge net's proposal to establish a 4 bay EV charging station in the south western corner of the Tūwharetoa Street carpark.

# BACKGROUND

The proposal has not been presented previously.

Whilst this specific proposal has not been presented previously, following a ROI process in 2016 Council granted two car park spaces to Charge net at a meeting on 29 November 2016 (Resolution TDC201611/11). Subsequently Charge net advised they were not going to use those parks. Council then revoked that resolution at a meeting on 28 March 2017 and approved Unison to install an EV charging station on Kaimanawa St adjacent to the fire station. (Resolution TDC 201703/11).

Charge net have been in discussion with Council officers since March 2020 with a proposal to install 2 charging stations that can service 4 vehicles in close proximity to the CBD.

# DISCUSSION

The original site adjacent to Tūwharetoa St within the same car park has been discounted as it is within the area identified for the proposed Council administration building. A number of other sites have been considered with the favoured site being the south western corner of this car park adjacent to Burger King. There is sufficient space between the carparks and the Burger King drive through to establish a transformer and charging stations. Unison would require an easement over the carpark land for both the transformer and the supply line. See attached site plans.

The current EV charging station on the berm at Kaimanawa provides dedicated stations for 4 Tesla charging sites and 2 generic charging sites. There has been no recent information provided on use of those sites.

Based on this information it is considered that there are two options: accept the proposal or decline it.

# OPTIONS

#### Analysis of Options

Option 1. Accept the proposal from Charge net

Advantages	Disadvantages	
<ul> <li>Additional charging stations available to motorists</li> <li>Close to the CBD</li> <li>Encourage the use of EV vehicles</li> <li>Assist in reduction of transport carbon footprint</li> </ul>	<ul> <li>Use of 4 spaces dedicated for electric vehicles</li> <li>May have an impact on parking demand</li> </ul>	

# Option 2. Decline the proposal from Charge net

Advantages	Disadvantages	
No impact on parking demand	<ul> <li>Does not provide opportunities for EV charging close to the CBD</li> </ul>	

Analysis Conclusion:

The preferred option is to accept Charge net's proposal to establish a 4 bay EV charging station in the south western corner of the carpark between Roberts & Tūwharetoa Street.

# 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: World Class; Vibrant; Quality; Resilient and Value.

# Financial Considerations

There is no financial impact to Council of the proposal.

# Legal Considerations

# Local Government Act 2002

The matter comes within scope of the Council's lawful powers, including satisfying the purpose statement of <u>Section 10</u> 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 economic / environmental are of relevance to this particular matter.

Authorisations as follows are required for the proposal:

□ Resource Consent □ Building Consent □ Environmental Health

 $\Box$  Liquor Licencing  $\checkmark$  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

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

Charge net were requested to make contact with the owners/operators of the adjoining property. At the time of writing this report I have not been advised of the outcome of that contact.

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

A communication plan will be developed in conjunction with Charge net.

# CONCLUSION

The preferred option is to approve the proposal which would provide EV charging closer to the CBD. Further encouraging the use of electric vehicles.

# ATTACHMENTS

- 1. Site Plan Proposed Charging Station
- 2. Aerial Plan Proposed Charging Station

# 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.

# **RECOMMENDATION(S)**

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

Sign/Marking	Why	Where
1. 500m of No Overtaking Lines	This section of road is long and straight and therefore a prime location to overtake. However, turning activity at the entrance to Wairakei Estate and Bancroft Road has increased and is causing near misses between turning traffic and drivers attempting to overtake.	1146 Broadlands Road, in front of the Wairakei Estate offices and Bancroft Road
2. "No stopping except authorised vehicles" Signs	There are two fire hydrants which can be accessed to fill water tankers. These operators have permits to use these, but are able to access these due to vehicles parked in front of them. These locations have been chosen as they do not impact flow on the water distribution network.	<ol> <li>Outside 100 Rakaunui Road.</li> <li>Outside 9-13 Mahoe Street</li> </ol>

# 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. 500m of No Overtaking Lines	This section of road is long and straight and therefore a prime location to overtake. However, turning activity at the entrance to Wairakei Estate and Bancroft Road has increased and is causing near misses between turning traffic and drivers attempting to overtake.	1146 Broadlands Road, in front of the Wairakei Estate offices and Bancroft Road
2. "No stopping except authorised vehicles" Signs	There are two fire hydrants which can be accessed to fill water tankers. These operators have permits to use these, but are able to access these due to vehicles parked in front of them. These locations have been chosen as they do not impact flow on the water distribution network.	<ol> <li>Outside 100 Rakaunui Road.</li> <li>Outside 9-13 Mahoe Street</li> </ol>

- 1. We have received customer request about a safety issue at 1146 Broadlands. This section of road is long and straight and therefore a prime location to overtake. However, turning activity at the entrance to Wairakei Estate and Bancroft Road has increased and is causing near misses between turning traffic and drivers attempting to overtake. "No overtaking" lines will help the situation but will require further treatment. The estate have taken measures by creating a gravel area to the left of the road for right turning traffic to pull over and wait for a gap. This could be greatly improved by sealing this, but it is more cost effective to do this when the road becomes due for reseal.
- 2. We have received a customer request form Double H2Go Limited, about people blocking access to fire hydrants in which they have a permit to take water from. There are two locations in which this is occurring, outside 100 Rakaunui Road and outside 9-13 Mahoe Street. Installation of "No stopping except authorised vehicles" Signs would provide better access to the these hydrants. With the increase in land development and summer months ahead, there will be increase activity and hence demand for these connections.

# 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 for these proposals, we will look at some other options/alternatives and then provide the committee with 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. No Overtaking lines Broadlands Road
- 2. No Stopping Signs Mahoe Street
- 3. No Stopping Signs Rakaunui road