

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

Date:	Tuesday, 8 February 2022
Time:	1.00pm
Location:	www.taupo.govt.nz

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

Quorum 5

Gareth Green
Chief Executive Officer

Order Of Business

- 1 **Apologies**
- 2 **Conflicts of Interest**
- 3 **Confirmation of Minutes**
 - 3.1 Ordinary Taupō Reserves & Roothing Committee Meeting - 23 November 20213
- 4 **Policy and Decision Making**
 - 4.1 Proposed New Lease to Youhtown Incorporated at Armed Constabulary Park.....4
 - 4.2 Taupo District Council Traffic Control Device Update9
- 5 **Confidential Business**

Nil

3.1 ORDINARY TAUPŌ RESERVES & ROADING COMMITTEE MEETING - 23 NOVEMBER 2021

Author: Shainey James, Governance Quality Manager

Authorised by: Nigel McAdie, Legal, Risk and Governance Manager

RECOMMENDATION(S)

That the minutes of the Taupō Reserves & Roding Committee meeting held on Tuesday 23 November 2021 be confirmed as a true and correct record.

ATTACHMENTS

1. Taupō Reserves & Roding Committee Meeting Minutes - 23 November 2021

4.1 PROPOSED NEW LEASE TO YOUTHTOWN INCORPORATED AT ARMED CONSTABULARY PARK

Author: Greg Hadley, Parks and Reserves Manager

Authorised by: Kevin Strongman, General Manager Operations and Delivery

PURPOSE

The purpose of this item is to seek a decision from the Committee about a further lease of part of the AC Baths Reserve to Youthtown Incorporated.

EXECUTIVE SUMMARY

Council has received an application from Youthtown Taupō for new lease for an extended area adjacent to their existing building on the edge of the car park at the AC Baths. Their previous lease expired in 2017. The lease area is located on the Armed Constabulary Park which is a recreation reserve subject to the Reserves Act 1977. The reserve management plan for this park is around 29 years old and can therefore not be relied upon to give authority to lease. In any case, the management plan does not specifically provide for the lease or activity. For this reason, any new lease that Council as administering body agrees to will need to be publicly notified in accordance with Section 54(2) of the Reserves Act.

The preferred option is to agree in principle to the grant of a new lease subject to the outcome of public consultation. This will allow consultation to take place and final terms and conditions to be agreed between the two parties. The final decision will be made following consultation and further communication between the two parties.

RECOMMENDATION(S)

That the Committee as administering body of the Armed Constabulary Park agrees in principle to grant a new ground lease of approximately 760 square metres (more or less) to Youthtown Incorporated for a term of between 15 and 33 years subject to the outcome of public consultation and negotiation of final terms and conditions.

BACKGROUND

The proposal has not been presented previously.

In September 2008, Taupō District Council resolved to lease an area of the AC Baths Reserve to Youthtown Incorporated to establish a base from which to run programmes for the benefit of Taupō youth. The lease allowed for the removal of the original caretakers cottage at the back of the AC Baths carpark, and its replacement with a new building owned by Youthtown Incorporated. This building has operated since as the Youthtown Taupō Youth Hub and provides holiday and after school programmes for 11 to 17 year olds. The original garage from the old cottage remained on site and has been included in the lease to Youthtown Inc.

The original lease was for a term of three years with two rights of renewal of 3 years each (nine years in total) and expired on 30 November 2017. Youthtown has been operating on the site without benefit of a lease since that date. The original lease area is identified on an aerial photo as Attachment 1.

Youthtown Taupō has recently submitted a proposal to officers (Attachment 2) which outlines how they would like to extend the previous lease area to the south of the existing building to allow the installation of a basketball half-court, relocatable office building and a 20ft container. This would require the removal of the existing old garage and timber fence. The reason for the new office is to be able to separate the admin space from the programme space so that the entire existing building is available for programmes and staff have a separate private space for administration. Youthtown Taupō intend to apply for funding to support this development and need to have secured a new lease, resource consent and building consent for the funding application. A representation of the location of the new proposed facilities is provided at Attachment 3.

As the previous lease has expired with no further rights of renewal, a new lease will be required if Council wishes to support this proposed expansion of the Youthtown facilities on the AC Baths reserve.

DISCUSSION

Leasing of recreation reserves under the Reserves Act 1977 is permitted with a decision of the administering body without further public consultation if the lease is in conformity with and contemplated by the reserve management plan. In this case (as for 2008 when Council first considered this lease) the Armed Constabulary Park management plan was adopted in 1993 and does not specifically provide for this lease or activity. For this reason, in 2008 when the lease was first granted the intention to grant the lease was publicly notified pursuant to Section 54(2) of the Reserves Act. Any new lease to Youthtown Inc, particularly a new lease for an enlarged lease area will also require public notification in accordance with the Reserves Act.

Based on this information it is considered that there are 4 options:

1. Agree in principle to grant a lease for the extended area subject to the outcome of public consultation
2. Agree in principle to grant a lease for the original area only subject to the outcome of public consultation
3. Decline to grant a new lease until such time as the reserve management plan for the AC Baths reserve (Armed Constabulary Park) can be reviewed to provide for this activity and lease
4. Decline to grant a new lease and require the removal of existing facilities

OPTIONS

Analysis of Options

Option 1. Agree in principle to grant a new lease for extended area subject to public consultation

This option would allow continuation of the Reserves Act process towards being able to grant a new lease to Youthtown Inc for the area they wish to develop on. The agreement in principle would need to be followed up with a public notification process to ascertain the public response to the proposed increase in lease area. General terms and conditions of the lease would need to be negotiated prior to consultation. The proposed lease area would be indicatively as defined in Attachment 4. The suggested lease term should be between 15 and 33 years to allow Youthtown Inc to gain the benefit of the site for a reasonable period without tying up the site too far into the future.

Advantages	Disadvantages
<ul style="list-style-type: none"> • Consultation under the Reserves Act can continue so that a final decision about the lease can be made subject to the outcomes. 	<ul style="list-style-type: none"> • Time and resources required to process the application to the point of being able to grant a new lease.
<ul style="list-style-type: none"> • If Youthtown are granted a new lease for the extended area, it will enable them to apply for resource and building consent, and funding for the development. 	<ul style="list-style-type: none"> • Removal of two small trees (a cherry and a privet) of little value would be required to allow the construction of half court and office.
<ul style="list-style-type: none"> • Improved facilities will improve the service delivery of Youthtown and will benefit Taupō youth. 	<ul style="list-style-type: none"> •
<ul style="list-style-type: none"> • Better use of an under-utilised area of reserve. 	<ul style="list-style-type: none"> •

Option 2. Agree in principle to grant a new lease for the original area only subject to public consultation

This option would allow continuation of the Reserves Act process towards being able to grant a new lease for the area that Youthtown Inc currently occupy. Subject to the outcome of public consultation, this option would allow Youthtown Inc to continue their current operation without the ability to expand and reorganise office and programme space or provide outdoor facilities.

Advantages	Disadvantages
<ul style="list-style-type: none"> • Consultation under the Reserves Act can continue so that a final decision about the lease can be made subject to the outcomes. 	<ul style="list-style-type: none"> • Time and resources required to process the application to the point of being able to grant a new lease.
<ul style="list-style-type: none"> • If the lease is granted it will give Youthtown Inc security of tenure for their existing operation. 	<ul style="list-style-type: none"> • Youthtown will not be able to expand and improve their offering to the youth of Taupō.

Option 3. Decline to grant a new lease until the reserve management plan is updated

The reserve management plan for Armed Constabulary Park was adopted in 1993 so is now 29 years old. Management plans should be kept under continuous review, so that plans are adapted to changing circumstances or in accordance with increased knowledge. This management plan appears to have fallen off the radar, possibly because the bulk of the reserve is occupied with the AC Baths and Taupō Events Centre facilities and there continue to be higher planning priorities for other reserves.

Option 3 involves deferring the lease decision until the management plan can be reviewed and the new lease provided for in the context of the management plan.

Advantages	Disadvantages
<ul style="list-style-type: none"> The reserve management plan will be updated and consultation about the lease will take place in the wider context of the management plan update. 	<ul style="list-style-type: none"> A review of the management plan is likely to take several years with available resourcing and current priorities for management plans.
<ul style="list-style-type: none"> 	<ul style="list-style-type: none"> Increased cost associated with a full management plan review instead of simply consulting on the lease.
<ul style="list-style-type: none"> 	<ul style="list-style-type: none"> Youthtown will be on a month by month tenancy for an extended period and will not be in a position to undertake any improvements.

Option 4. Decline to grant a new lease and require the removal of existing facilities

This option would be appropriate if the lease did not comply with assessment criteria such as:

- Strategic Fit - Are the groups or organisation’s activities consistent with the Council’s strategic direction?
- Activity sustainability - Will the group be sustainable in terms of membership or users of the service and its financial position for the period of the lease?
- Optimal use of resources - At what level will the resource (land and/or buildings) will be used? How will it affect existing uses?
- Environmental impact - Does the activity have the potential to adversely affect environmental values?
- Demonstrated need and support from the community - Is there demonstrated support and need within the community for the activity?
- Site suitability – Is the current location still suitable for the current and expanded activity?
- Need for a lease - Are other options available instead of a lease?

Council should be reasonably satisfied that Youthtown Inc’s activities comply with these criteria before agreeing in principle to a new lease. Further information can be provided by Youthtown to satisfy these requirements before any final decision is made.

Advantages	Disadvantages
<ul style="list-style-type: none"> Declining the lease would require no further resources from Council to process the application. 	<ul style="list-style-type: none"> Youthtown would no longer be able to operate at this site and would need to find a new location for their buildings and activities.
<ul style="list-style-type: none"> 	<ul style="list-style-type: none"> Services to Taupō youth would be disrupted and improvements delayed.
<ul style="list-style-type: none"> 	<ul style="list-style-type: none"> Cost of rehabilitation of the site.
<ul style="list-style-type: none"> 	<ul style="list-style-type: none"> Cost of relocation of buildings.

Analysis Conclusion:

Taking into account the pros and cons for each option, the preferred option is Option 1. This option does not commit Council to any final decision, but enables public consultation to occur and Youthtown to continue to develop their plans. Option 1 gives the greatest scope for improvement of outcomes with few drawbacks.

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 – excellent quality of life for young people and their families
- Authentic – open and transparent in decision making
- Vibrant – well-connected communities and a fun, positive environment
- Quality – support parents to stay in employment by offering quality programmes for young people
- Value – affordable options for young people and their families

Financial Considerations

The financial impact of the proposal is the cost of public notification, potentially hearings (if there are objections), lease negotiations and execution.

Long-term Plan/Annual Plan

The expenditure outlined is currently budgeted for under the Parks and Reserves, Policy and Strategy, and Property operations. The proposal will fall across all three areas and be funded from several 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. 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-being is of particular 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:

Reserves Act 1977

All options are consistent with the Reserves Act 1977.

No further authorisations are required for this stage of the proposal, but subject to the outcome of consultation, the following authorisations are likely to be required:

- ✓ Resource Consent ✓ Building Consent ✓ Environmental Health (if a café is established)
- Liquor Licencing ✓ Lease

Policy Implications

Assuming that the Armed Constabulary Park management plan can be set aside due to its age, 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. As Option 1 involves occupation/alienation of public reserve land that has some significance to hapu/iwi it is recommended that any consequent public notification be preceded by direct engagement with Te Kotahitanga o Ngati Tuwharetoa.

Risks

There is a very low risk that the proposed extension to the Youthtown lease area will be unpalatable to the community and will result in significant numbers of objections. However, this is unlikely given that Youthtown has been operating from this location for around 13 years and the area they wish to expand into is otherwise unutilised.

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.

There will be an opportunity for statutory consultation subject to the Reserves Act if Options 1, 2 or 3 are adopted.

COMMUNICATION/MEDIA

Communication will be carried out as part of wider consultation with the community on this issue.

CONCLUSION

On balance, it is recommended that the Committee as administering body of the Armed Constabulary Park agrees in principle to grant a new ground lease of approximately 760 square metres (more or less) to Youthtown Incorporated for a term of between 15 and 33 years subject to the outcome of public consultation and negotiation of final terms and conditions.

ATTACHMENTS

1. Existing lease area
2. Youthtown proposal
3. Proposed development outline
4. Proposed lease area
5. Site photos

4.2 TAUPO DISTRICT COUNCIL TRAFFIC CONTROL DEVICE UPDATE

Author: Bryson Huxley, Senior Engineering Officer - Transport Strategy
Authorised by: Denis Lewis, Infrastructure Manager

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. New Multiple Parking Restriction for Tongariro Street.	The TTCT project has created additional parking on Tongariro Street to allow for turnover of parking within the town centre. We install time restricted parking while providing some longer term parking for people to walk around the town centre.	As shown in attached diagram. New restricted parking on Tongariro street between Spa Road and Te Heuheu Street as follows. <ul style="list-style-type: none"> • Parallel parking along western side of Tongariro Street – P180 • Centre parking between Horomātangi St and Te Heuheu St – P90 • Centre Parking between Tamamutu St and Horomātangi St – P90 • Centre Parking between Spa Rd and Tamamutu St – P120
2. Loading Zone (P10) – Titīraupenga Street (outside 95 Te Heuheu Street)	To provide ability for people to unload and pick up larger items from The Op Shop, as well as short term access.	Titīraupenga Street (outside 95 Te Heuheu Street)

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. New Multiple Parking Restriction for Tongariro Street.	The TTCT project has created additional parking on Tongariro Street to allow for turnover of parking within the town centre. We install time restricted parking while providing some longer term parking for people to walk around the town centre.	As shown in attached diagram. New restricted parking on Tongariro street between Spa Road and Te Heuheu Street as follows. <ul style="list-style-type: none"> • Parallel parking along western side of Tongariro Street – P180 • Centre parking between Horomātangi St and Te Heuheu St – P90 • Centre Parking between Tamamutu St and Horomātangi St – P90 • Centre Parking between Spa Rd and Tamamutu St – P120
2. Loading Zone (P10) – Titīraupenga Street (outside 95 Te Heuheu Street)	To provide ability for people to unload and pick up larger items from The Op Shop, as well as short term access.	Titīraupenga Street (outside 95 Te Heuheu Street)

1. Through the TTCT project more carparks were added to Tongariro street. In order to create turnover and the right level of occupancy the proposed time restrictions are proposed;
- Parallel parking along western side of Tongariro Street – P180
 - Centre parking between Horomatangi St and Te Heuheu St – P90
 - Centre Parking between Tamamutu St and Horomatangi St – P90
 - Centre Parking between Spa Rd and Tamamutu St – P120

No changes to existing time restrictions on the eastern side Tongariro St (retains its P60)

Consultation regarding these changes has been undertaken with businesses on Tongariro Street who have agreed that some longer term parking would be useful. This approach will best maintain a good level of occupancy of the new parking. This will be monitored to manage occupancy levels and vehicle turnover.

2. Through the TTCT project and consultation with The Op Shop, it was decided a loading zone would be installed on Titīraupenga St, outside 95 Te Heuheu St. This was to accommodate their business needs and to accommodate the drop off of donations and any larger items sold through the store. The loading zone will have a time restriction of P10.

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 ConsiderationsLocal Government Act 2002

The matter comes within scope of the Council's lawful powers, including satisfying the purpose statement of Section 10 of the Local Government Act 2002.

The 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

Both items were consulted on with affected parties

COMMUNICATION/MEDIA

No further communication 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. Restricted Parking Times Tongariro Street - Spa Rd to Te Heuheu St
2. Loading Zone - Titiraupenga Street outside 95 Te Heuheu