



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

Date:	Tuesday, 7 June 2022
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

Quorum 5

**Gareth Green
Chief Executive Officer**

Order Of Business

- 1 Apologies**
- 2 Conflicts of Interest**
- 3 Confirmation of Minutes**
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- 4 Policy and Decision Making**
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- 5 Confidential Business**

Nil

3.1 ORDINARY TAUPŌ RESERVES & ROADING COMMITTEE MEETING - 5 APRIL 2022

Author: Paula Lawson, Executive Assistant

Authorised by: John Ridd, General Manager Policy and Strategy

RECOMMENDATION(S)

That the minutes of the Taupō Reserves & Roding Committee meeting held on Tuesday 5 April 2022 be confirmed as a true and correct record.

ATTACHMENTS

1. Taupō Reserves & Roding Committee Meeting Minutes - 5 April 2022 [↓](#)

Ordinary Taupo Reserves and Roding Committee Meeting Minutes

5 April 2022

**TAUPŌ DISTRICT COUNCIL
MINUTES OF THE ORDINARY TAUPŌ RESERVES AND ROADING COMMITTEE MEETING
HELD ONLINE VIA 'ZOOM' AND LIVESTREAMED TO WWW.TAUPO.GOV.NZ
ON TUESDAY, 5 APRIL 2022 AT 10.00AM**

PRESENT: Cr John Williamson (in the Chair), Mayor David Trewavas, Cr John Boddy (until 12.14pm), Cr Kathy Guy, Cr Kylie Leonard, Cr Anna Park, Cr Kevin Taylor, Miss Janice Wall, Cr Yvonne Westerman

IN ATTENDANCE: Chief Executive, Project Manager Policy, Executive Assistant, Legal Risk and Governance Manager, Parks Operation Manager, Policy Manager, Senior Committee Advisor, Programme Manager, Landscape Architect, Project Manager PMO, Environmental Services Manager, Stakeholder Specialist, General Manager Operations and Delivery, District Parks Manager, Governance Quality Manager
Senior Consultant, Ms Alison Rawley, Xyst Limited

MEDIA AND PUBLIC: 13 Members of the public

Notes:

- (i) *Cr John Williamson opened the meeting and Miss Janice Wall recited an opening karakia.*
- (ii) *Cr John Boddy left the meeting at 12.14pm. He was not present for resolution TRARC202204/06.*

1 APOLOGIES

TRARC202204/01 RESOLUTION

Moved: Cr Anna Park

Seconded: Mayor David Trewavas

That the apology received from Cr Christine Rankin be accepted.

CARRIED

2 CONFLICTS OF INTEREST

Cr Kevin Taylor declared a conflict of interest in relation to agenda item 4.2 – Proposed Tree Removal, 1 Shepherd Road, Taupō. He did not participate in discussion and he abstained from voting on that item.

3 CONFIRMATION OF MINUTES

3.1 ORDINARY TAUPŌ RESERVES & ROADING COMMITTEE MEETING - 8 FEBRUARY 2022

TRARC202204/02 RESOLUTION

Moved: Cr John Boddy

Seconded: Cr Kathy Guy

That the minutes of the Taupō Reserves & Roding Committee meeting held on Tuesday 8 February 2022 be confirmed as a true and correct record.

CARRIED

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4 POLICY AND DECISION MAKING**4.1 TO RECEIVE AND HEAR SUBMISSIONS ON TAPUAEHARURU BAY LAKESHORE RESERVES MANAGEMENT PLAN (HOLE IN ONE SITE) CONSULTATION**

Ms Alison Rawley addressed the members noting that 178 submissions on the Tapuaeharuru Bay Lakeshore Reserves Management Plan had been received as well as 2 late submissions being submission 179 Christine Cheyne and submission 180 Michael and Joy Mongillo. She outlined the process and noted that submitter 174 (Mr Grant Donaldson) had withdrawn from speaking. The Chair advised that the hearing would reconvene on 3 May 2022 for deliberations.

Hearing of Submissions

The following submitters spoke to their submissions and answered questions, with the key points as noted below:

#160 - Mr Rory Scott (on behalf of the Taupō Business Chamber)

- In support of the application, an exciting and great opportunity for Taupō.

In response to questions from members Mr Scott advised that:

- The Chambers view on environmental impacts of lakefront development is they would like to see a manifesto around the importance of managing the Lake and any impacts and would expect to see guidelines that a Lake Front Management Plan will be put in place.
- From a Chamber perspective we encourage expansion to the town and district to encourage growth.
- This provides an opportunity to engage in economic development with the right space and right idea.

#129 - Mr Brian and Mrs Shirley Gowdy, Taupō Residents

- Against the submission and would like to see a reconsideration to the proposed location.

In response to questions from members Mr and Mrs Gowdy advised that they felt the location they suggested for relocation was better suited as it did not interfere with views across the lake due to the park and Lions Train behind it.

172 - John Chrystall, Taupō Resident

- Main concern is creating a dangerous precedent along the main waterway of the Lake.
- No desire to see any buildings along the lakefront which will impede views.
- Worried if one development goes ahead it would open a door for others to do the same.
- Stressed the word Precedent in this presentation.

161 – Mr Rodney Hutchinson, Taupō Resident

- In support of Stage 1, tidies up an established and well used facility.
- Has concerns over Stage 2 (location), would like to see Stage 2 moved away from Stage 1.
- Raised Health & Safety issues along with concerns around traffic management, increased traffic and degradation of the lake front.

In response to a question from a member Mr Hutchinson advised that he had no comment regarding being in favour of recreating facilities already in the area in reference to Stage 2 as he felt that was a different matter altogether.

163 – Mr Torban Landl, Taupō Resident and Owner of 2 Mile Bay Sailing Centre

- Landl family in support of the proposal. They feel it will create opportunity for employment and contractors.
- Understand the challenges Taupō Moana Group Holdings will face but feel it would be a great opportunity for Taupō as a destination.

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In response to a question from a member Mr Landl advised that he did not have concerns for the environmental element involved in the proposal as Council would audit facilities to ensure the environment was taken care of and any responsible owner is going to take care of the site as much as possible.

#159 – Ms Mowenna Harding, Taupō Resident

- Not in support of proposal in its current state.
- Suggested considering a compromise.
- Stressed the importance of protecting views across the lake and is concerned about the precedent that will be set.
- Current proposal poses Health and Safety issues with golf balls and pedestrians moving around that area.
- Suggested something could be built below road level to ensure views are not compromised.

#169 – Mr Alby Shaw, Taupō Resident

- Extremely disturbed and opposed to the proposal.
- Taupō views are priceless, the proposal to block the view is vandalism.
- View belongs to all who live here and all who visit our town, building in this location would be creating a dangerous precedent.

176 - Mr John Rameka, representing Waipahihi Marae

Documents tabled from Waipahihi Marae (A3112528)

- Strong tribal ties to development area.
- There has been a lack of tribal consultation with Hapu in regards to the area tagged within the proposal.
- Consultation with Hapu should be first consideration as a sign of respect prior to public consultation.
- Requested Taupō Moana Group Holdings (Tūwharetoa Māori Trust Board) make an effort to engage with Hapu and Iwi.
- Reserved the right to comment until they had the opportunity to korero at Waipahihi Marae.

Ms Penny Rewiti, Taupō Resident - Representing Waipahihi Marae

- Familiar with the landscape and the changes Taupō Moana Group Holdings wish to make.
- Asked for clarification on Stage 1, is it the wish of Taupō Moana Holdings Group to apply for a liquor licence?
- Called for a full cultural impact assesment to be carried out for the whole of the Tapuae-haruru Reserve and the Waipahihi C75 Reserve.

In response to Ms Rewiti's question regarding Liquor Licencing at the venue Ms Alison Rawley responded:

- Taupō Moana Holdings Group have not made their intentions clear in regards to the requirement of a Liquor Licence and therefore the application has been left open ended as their intention is unknown at this stage.
- There would need to be an application made down the track for a Liquor Licence.

Mr Nigel Baker, Representing Waipahihi Marae

- In support of the submission from Waipahihi Marae.
- If there is to be a change of status to the foreshore reserve it should be transferred back to former owners in the first instance.

158 – Mr Nilin Patel Owner Acacia View Motel (Mr Scott Devonport, Consultant) representing Mr Nilin Patel

- When the motel was purchased in 2012 there was a clear understanding that no permanent structures could be built in front of the motel.
- In support of tourism development within the Taupō District and Hole in One but not permanent structures on the foreshore.
- Uninterrupted views are what bring tourists to Taupō.
- Concerns with traffic and parking.

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- Concerned about the precedent this submission creates by privatising lakefront land.
- Concerns that liquor licensing would create antisocial behaviour in this location.
- Not completely against proposal, if it could be relocated or build below road level so as not to impede views.

Mr Rakei Taiaroa –Taupō Moana Group Holdings (Applicant)

- Moving forward see possibilities to talk to Council to make ourselves more available.
- The proposal started with a discussion around the bus which is a bit old and scraggly and providing our staff with shelter.
- Create a deck for spectators to keep walkway free.
- No intention to look for alcohol licensing.
- Looking to connect with people (14th Feb reached out to Waipahihi Family)
- Taupō Moana Group Holdings is set up to invest in tourism, their weighting is not on profit, majority of weighting is on tourism and training for young people.
- Drive is to reinvest in the town while we have the capability and opportunity.

In response to a question from a member about the possible relocation of the Hole in One site, Mr Taiaroa explained the current site is optimal and is a safe place for the ball collectors to access the water for retrieval. The suggested lake front area closer to the Yacht Club is a cultural space and not a desirable space for the Hole in One activity.

Ms Penny Reweti asked Mr Taiaroa if Taupō Moana Group Holdings would attend a Hapu consultation hui at Waipahihi Marae. Mr Taiaroa responded that it would be Taupō Moana Group Holding's pleasure to come to the Marae and discuss this proposal and future proposals.

TRARC202204/03 RESOLUTION

Moved: Cr John Boddy

Seconded: Cr Kathy Guy

That the Taupō Reserves & Roding Committee receives the written and oral submissions (including 2 late submissions being (Submission 179 Christine Cheyne and Submission 180 Michael and Joy Mongillo) [attachment 1]

CARRIED

The meeting adjourned at this point (11.32am) and reconvened at 11.45am.

4.2 PROPOSED TREE REMOVAL, 1 SHEPHERD ROAD, TAUPŌ

In response to members' questions the Parks Operations Manager and District Parks Manager made the following points:

- The location of the trees is not seen as a berm in a residential street therefore the Tree and Vegetation Policy clause 1.6 which allows one tree per property on the berm is not relevant in this case.
- The District Parks Manager advised that an assessment on that section has taken place and some trees were removed and topped. Work had been done to maintain the area. The trees in question do not take well to trimming and do not actually hinder the residents' views. The trees that are obscuring the view are palms and those are located on private property.
- The trees are not at their maximum height now and are expected to grow another 1-1.5 metres before they reach maturity.

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TRARC202204/04 RESOLUTION

Moved: Cr Anna Park

Seconded: Cr Kathy Guy

That the Taupō Reserves & Roding Committee declines the request to top or remove the 4 Coppersheen trees (*Leptospermum* 'Copper Sheen') on the berm at 1 Shepherd Road, Taupō.

CARRIED

Notes: (i) Cr John Boddy requested his dissent to resolution TRARC202204/02 above be recorded.
(ii) Cr Kevin Taylor abstained from voting on resolution TRARC202204/04 above.

4.3 PROPOSED TREE REMOVAL, ROBINSON TERRACE RESERVE

In response to members questions the Parks Operation Manager made the following points:

- An Advisory plant is a plant considered to be an environmental pest but their size is such they cannot be targeted by Council, the advice to land owners is to remove when possible.
- Tree and Vegetation Policy clause 3.2 allows for the removal of advisory plants with a replacement programme.
- The replacement Kowhai trees can be planted as soon as the subject tree has been removed.

TRARC202204/05 RESOLUTION

Moved: Cr John Boddy

Seconded: Cr Kathy Guy

That the Taupō Reserves & Roding Committee agrees that the Silver Birch Tree [*Betula pendula*] on Robinson Terrace Reserve, adjoining 24 Kauhurangi Drive be removed and replaced with 2 Kowhai [*Sophora tetraptera*].

CARRIED

4.4 TOWN CENTRE TAUPŌ CONCESSION SPACE DESIGN GUIDELINES

In response to members' questions the Programme Delivery Manager and members of staff responded with the following points:

- Overhead verandas will provide 2.5mtr clear space for pedestrians to have clearway.
- All stakeholders will undertake a larger footprint than is currently allocated, therefore essentially a new lease contract will be created and liquor licences will be revised at the same time.
- The Alcohol Licencing Officer has been advised of these changes to come and therefore Council hopes to make the new licencing process as quick and as easy as possible for the concession space holders.
- Dixie Browns will be required to remove current awnings and existing outdoor furniture out the required 2.5mtrs.

Cr John Boddy left the meeting at this point (12.14pm).

- Concession space holders can continue to use their current outdoor furniture and umbrellas until a time when they are in a position to change these to align with the preferred design guidelines.

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TRARC202204/06 RESOLUTION

Moved: Cr Kevin Taylor
Seconded: Cr Kathy Guy

That the Taupō Reserves & Roding Committee accepts the design guidelines presented by the Taupō Town Centre Project Team and Steering Group.

CARRIED

5 CONFIDENTIAL BUSINESS

Nil

The meeting adjourned at 12.19pm with a Karakia from Miss Janice Wall and reconvened at 1.00pm on Tuesday 3 May 2022.

**TAUPŌ DISTRICT COUNCIL
MINUTES OF THE ORDINARY TAUPŌ RESERVES AND RODING COMMITTEE MEETING
RECONVENED IN THE COUNCIL CHAMBER, 107 TE HEUHEU STREET, TAUPŌ
ON TUESDAY, 3 MAY 2022 AT 1.00PM**

PRESENT: Cr John Williamson (in the Chair via 'Zoom'), Mayor David Trewavas, Cr John Boddy, Cr Kathy Guy, Cr Kylie Leonard, Cr Anna Park, Cr Kevin Taylor, Miss Janice Wall, Cr Yvonne Westerman

IN ATTENDANCE: Chief Executive, General Manager Planning & Strategy, Communications Advisor, Project Manager (Policy), Policy Manager, Governance Quality Manager, Executive Assistant

Ms Alison Rawley, Xyst Limited

MEDIA AND PUBLIC: Mr Rakei Taiaroa –Taupō Moana Group Holdings (Applicant) (until 1.12pm)

TRARC202204/037 RESOLUTION

Moved: Cr John Williamson
Seconded: Cr Kathy Guy

That the apology received from Cr Christine Rankin be accepted.

CARRIED

With the leave of the Chairperson, Mr Rakei Taiaroa gave an update on the hui that took place with the Waipahihi Marae and tabled a letter received from the Ngati Hinerau & Ngati Hineure Hapu outlining their support for the Tuwharetoa Māori Trust Board (A3126481). The following points were noted:

Mr Rakei Taiaroa advised that it was a successful and positive meeting. Taupō Moana Holdings Limited had extended an offer for Waipahihi Marae Trustees an opportunity to provide catering services if the application was successful.

It was good to hear comments from submitters although he would have liked to have heard a few more positive comments. As a result of the submission hearings the designers have come up with a new design with a less cluttered look in the hopes of a more satisfactory outcome for the community. At this stage the Taupō Moana Group Holdings are happy to proceed with Stage 1 only.

Taupō Moana Group Holdings would appreciate their substantial investment being taken into account with a longer lease period moving forward would be appreciated.

In response to a member's question Mr Rakei Taiaroa advised that it is a desire to look at Stage 2 down the line but at this stage they would be concentrating on Stage 1 only. The new designs were a result of the submission hearing and would not be anything more than what the pictures present. He emphasised that

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they were not at a detailed design stage and that further work would be required to support a resource consent application in the future.

Mr Rakei Taiaroa left the meeting at this point (1.12pm)

Ms Alison Rawley, Xyst Limited gave an overview of the report.

The Policy Manager reminded members that the submissions are intended to help Council to gather information about the potential issues and the views and preferences of the community, not a referendum. Consultation is a process to ensure they are well informed before making any decisions. In response to a question from a member he advised there could be a review of the entire Reserve Management Plan but this was not recommended as that would take years and Council was considering consolidating reserve management plans across the district into an omnibus document in the future. In response to concerns about a precedent being set, he pointed out that there are differentiating factors for the Hole in One which separated this operation from other lake front operations such as the Coffee Cart and Gelato Caravan.

In response to questions Ms Alison Rawley advised that there was currently a Licence to Occupy (giving the occupant the right to undertake an activity on the land, they cannot build any structure on the site) in place but it had been recommended that Taupō Moana Group Holdings applied for a Lease to allow for a building to be erected and security of tenure for a long term to ensure return on investment.

Deliberations on the review of the Tapuaeharuru Bay Lakeshore Reserves Management Plan

Members considered the proposed amendments to the Tapuaeharuru Reserve Management Plan in light of Taupō Moana's updated application. Some members requested more information, in particular a legal opinion on the precedent effect of changing the Reserve Management Plan and the Hole in One operation from a licence to occupy to a lease to enable permanent structures; and more certainty around final designs for the upgrade.

It was agreed that if the Reserves Management Plan was amended, the allowance for a toilet should be included in the resolution.

TRARC202204/08 RESOLUTION

Moved: Mayor David Trewavas

Seconded: Cr John Williamson

1. That the Committee agrees to all of the minor technical amendments and the changes that permit the following additional activities:
 - A lightweight open sided roof structure over the tees to provide for all-weather use
 - A minimal kiosk/ticket office for sales associated with the golf activity and non-alcoholic refreshments, but without an indoor dining area, which may incorporate a single toilet cubicle.
 - Construction of an open viewing area to enable spectators and customers to safely wait without affecting passing cycle and pedestrian traffic.
 - Stabilisation of the bank and foreshore.

AND

2. The Committee approves the changes to the Tapuaeharuru Bay Lakeshore Reserves Management Plan that are detailed in the strike through / underline version attached to the Supplementary Agenda as Attachment 2.

CARRIED

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

His Worship the Mayor, David Trewavas and Cr Anna Park, Miss Janice Wall and Cr John Williamson voted in favour of the motion;

Crs John Boddy, Kathy Guy, Kevin Taylor and Yvonne Westerman voted against the motion; and

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Cr Kylie Leonard abstained from voting.

Cr John Williamson used his casting vote in favour and declared the motion carried.

The meeting closed at 2.02 pm with a karakia from Cr Anna Park.

The minutes of this meeting were confirmed at the Ordinary Taupō Reserves and Roding Committee Meeting held on 7 June 2022.

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CHAIRPERSON

4.1 REQUEST FOR TREE REMOVAL, 217 TAUHARA ROAD, TAUPŌ

Author: Andrew Moor, Parks Operations Manager - Taupō

Authorised by: Kevin Strongman, General Manager Operations and Delivery

PURPOSE

To propose the removal of a Blue Atlas Cedar Tree (*Cedrus atlantica* 'Glaucua') from the Plantation Reserve, adjoining 217 Tauhara Road, Taupō.

EXECUTIVE SUMMARY

Council has received a request from the owners of 217 Tauhara Road, Taupō to remove the Blue Atlas Cedar tree (*Cedrus atlantica* 'Glaucua') from the neighbouring Plantation Reserve. The neighbour suffers from chronic health conditions (chronic obstructive pulmonary airways, chronic lung disease) and relies on a haemodialysis machine. His wife suffers from chronic asthma. Both believe the pollen from the Blue Atlas Cedar is aggravating these health conditions.

An arborist has assessed the tree and believes it is in 'excellent' condition.

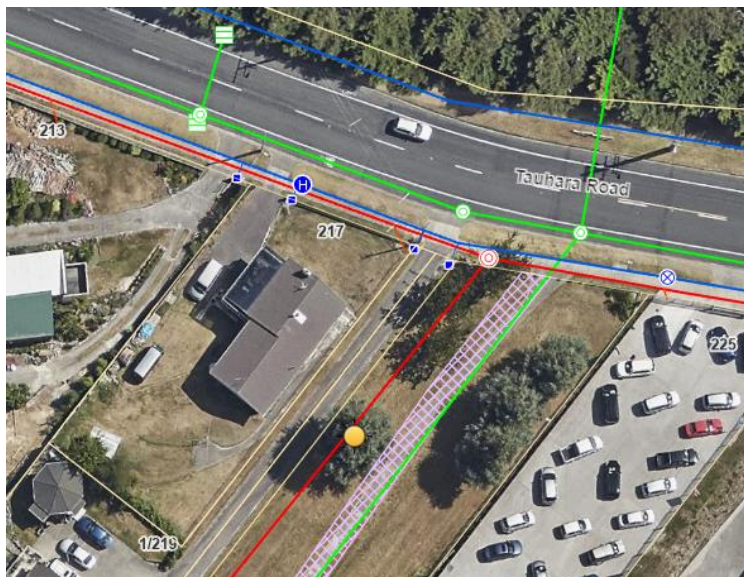
RECOMMENDATION(S)

That the Taupō Reserves & Roding Committee declines the request to remove the Blue Atlas Cedar (*Cedrus atlantica*) from the reserve adjoining 217 Tauhara Road, Taupō

BACKGROUND

The proposal has not been presented previously.

The owners [Mr & Mrs Kingi] of 217 Tauhara Road, Taupō have contacted Council concerned about the impact the pollen from the Blue Atlas Cedar Tree, in the neighbouring reserve is having on their health. Mr and Mrs Kingi have chronic health conditions. The Kingi's have provided a letter from their doctor detailing this, which will be provided to Committee members in confidence to protect personal privacy in accordance with the Local Government Official Information and Meetings Act 1987.



Mrs Kingi has said that at times she can't open the door or windows facing the reserve because of the amount of pollen and needles that blow into the house.



Pollen wiped from windowsills in house



Cedar tree

Council's tree and vegetation policy 2014 allows for the removal of healthy trees in the following circumstances.

Policy 3.2 – Removal of Healthy Trees

Healthy trees on council land will be retained, and their removal will be the exception. Instances where council may consider removal of a healthy tree include:

- street redevelopment is to be implemented and options to retain the tree have been investigated and discounted,
- severe hardship is being experienced (trees which inhibit views or drop debris are not considered to be causing severe hardship),
- other community assets are impacted by trees or vegetation,
- the trees or vegetation are grown weeds and not intentionally planted, or
- the removal is part of a planned replacement programme.

DISCUSSION

An arborists assessment of the tree noted that it is a good quality specimen that has been planted in an appropriate position on the reserve. There is no structural or health condition that would justify its removal. Blue Atlas Cedar Trees are a long lived species, and this is a healthy specimen. The tree is considered to be of moderate significance on the adjoining landscape. The Blue Atlas Cedar is one of a group of four mature specimens on the reserve that are well viewed from Tauhara Road.

Blue Atlas Cedar trees do produce a lot of pollen and are believed to contribute to allergies. However, the arborist noted that there are a wide range of pollen producing trees within the vicinity of 217 Tauhara Road and there would be no guarantee that removing this tree would make any real difference to the amount of air born pollen entering the Kingi's home.

The tree sits directly above a wastewater line but has not caused any damage to this to date.

Based on this information it is considered that there are 2 options

OPTIONS

Analysis of Options

Option 1. Retain the Blue Atlas Cedar adjoining 217 Tauhara Road, Taupō.

Advantages	Disadvantages
<ul style="list-style-type: none"> • No loss of amenity to the reserve or street environment. • No financial cost associated with tree removal. 	<ul style="list-style-type: none"> • Customer not satisfied with outcome and tree potentially continues to impact on their health. • Low risk of future damage to wastewater line.

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Option 2. Remove the Blue Atlas Cedar adjoining 217 Tauhara Road, Taupō.

Advantages	Disadvantages
<ul style="list-style-type: none"> Customer happy with outcome, with the pollen from the tree closest to their property no longer blowing into their home. 	<ul style="list-style-type: none"> Loss of amenity from reserve and street environment.

Analysis Conclusion:

On analysis of the options the recommendation is to retain the Blue Atlas Cedar adjoining 217 Tauhara Road, Taupō. With air born pollen from so many other trees in the area it is unlikely that removing one tree will remedy the issues faced by the neighbours.

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.

Financial Considerations

The financial impact of the proposal is estimated to be \$750

Long-term Plan/Annual Plan

The expenditure outlined is currently budgeted for under Parks Operations.

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 and environmental are of relevance to this particular matter.

Authorisations are not required from external parties.

Policy Implications

The proposal has been evaluated against the following plans:

- ☐ Long Term Plan 2018-2028 ☐ Annual Plan ☐ Waikato Regional Plan
☐ Taupo District Plan ☐ Bylaws ☒ Relevant Management Plan(s)

The key aspects for consideration with regards to this proposal are as follows:

The removal of this tree would contravene council's Tree and Vegetation Policy section 3.2 Removal of Healthy Trees (in report). The Policy does however allow for elected members to decide to remove trees, see narrative Section 2.1 "Where necessary tree removal requests may be referred to Council's elected members for a decision (refer to policies in section 3)".

Māori Engagement

Taupō District Council is committed to meeting its statutory Tiriti O Waitangi obligations and acknowledges partnership as the basis of Te Tiriti. Council has a responsibility to act reasonably and in good faith to reflect the partnership relationship, and to give effect to the principles of Te Tiriti. These principles include, but are not limited to the protection of Māori rights, enabling Māori participation in Council processes and having rangatiratanga over tāonga.

Our statutory obligations outline our duties to engage with Māori, and enable participation in Council processes. Alongside this, we recognise the need to work side by side with the ahi kaa / resident iwi of our district. Engagement may not always be required by law, however meaningful engagement with Māori allows Council to demonstrate good faith and our commitment to working together as partners across our district.

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

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 but no wider communication is considered necessary.

CONCLUSION

Based on the assessment it is recommended that the Taupo Reserves and roading Committee decline the request to remove the Blue Atlas Cedar from the Plantation Reserve adjoining 217 Tauhara Road, Taupō.

ATTACHMENTS

1. Arborists Assessment 217 Tauhara Road [📄](#)

Appendix 1 – Council Tree Assessment Checklist (SR#: 2202879)

(Note: for provisions relating to notable and amenity trees and indigenous trees and vegetation within significant natural areas – refer to Taupo District Plan)

Location 217 Tauhara Road, Taupo

Tree Species Blue Atlas cedar (*Cedrus atlantica* 'Glauc')

Girth 0.5 metres

Height 12 metres

Spread 9.5 metres

Approximate age ≥25 years (est.)

Tree Health/Condition (1 excellent – 5 very poor) 1

Berm Width N/A

1 Roadway Damage Assessment

1.1	Footpath damage	Yes/No	N/A
1.2	Has the footpath been replaced	Yes/No	N/A
1.3	Kerb & channel damaged	Yes/No	N/A
1.4	Road pavement damage	Yes/No	N/A
1.5	Buried services damaged	Yes/No	N/A

2 Adjoining Property Impact Assessment

2.1	What side of the property is the tree on	North/South <u>East</u> /West
2.2	Is the tree over shading the property in winter	Yes/ <u>No</u>
2.3	Is the tree damaging the property	Yes/ <u>No</u>
2.4	Comment on tree damage	

The tree does not appear to be causing any damage. The complaint primarily relates to pollen from the tree triggering an allergic reaction. The customer has several chronic health conditions including COPD.

2.5	Is the tree a danger to the property if it falls	<u>Yes</u> /No	(minimal)
2.6	Do the adjoining owners want the tree removed	Yes/No	unknown
2.7	Is the tree encroaching on power lines	Yes/ <u>No</u>	
2.8	Is the tree adversely impacting on adjoining services, e.g. footpaths, roads, underground services	Yes/ <u>No</u>	
2.9	Is there erosion potential if the tree is removed	Yes/ <u>No</u>	

3 **Values and Options Assessment**

- 3.1 Does the tree have formal protection e.g. District Plan, Reserves Act, Covenant Yes/**No**
- 3.2 Has the tree historic or other significance Yes/**No**
- 3.3 Can the tree be pruned to overcome the current problem Yes/**No**
- 3.4 What is the frequency of trees on the street

There are no street trees on the adjacent section of Tauhara Road

- 3.5 Are there mature trees in private gardens, parks or street berms adjoining this site **Yes**/**No**
- 3.6 How significant is the tree in the local landscape

The tree has moderate significant in the landscape, being one of several early mature specimens of this species in the reserve and with a large viewing catchment from Tauhara Road. However the area is generally well-treed, including on Taupo golf course opposite the site.

4 **Proposed Action**

- 4.1 What species of tree is a suitable replacement?

N/A

- 4.2 Do you recommend the removal of the tree Yes/**No**
- 4.3 Do you recommend the replacement of the tree **Yes**/**No** N/A
- 4.4 Can work be safely completed near power lines or is Power Authority Consent required **Yes**/**No** N/A
- 4.5 General comment:

The tree is a good quality specimen of a long-lived species appropriately located on a public reserve. There is no structural or health condition to justify its removal.

The customer has complained about pollen from the tree causing an allergic reaction and breathing difficulties, confirmed by a note from their doctor.

Cedar trees do produce large amounts of pollen and anecdotally are considered to contribute to seasonal allergies, along with a wide range of tree species that are common in the landscape. The location is relatively well-treed and in my opinion there is no guarantee that removing the tree will make any appreciable difference to the customer's allergies as numerous sources of pollen will remain.

- 4.6 Photos taken? (attach photos) **Yes**/**No** (see below)

Parks Officer Name Adrian Lamont Date 9/4/22



 <p>An aerial photograph of a residential area with property boundaries marked by yellow lines. Several property numbers are visible: 203, 205, 207, 209, 211, 213, 217, 221, 225, and 23. A white box labeled "Customer's property" points to a specific area. Another white box labeled "Subject tree" points to a large tree on a property near numbers 217 and 221. "Tauhara Road" is labeled at the top right.</p>
<p>Location.</p>
 <p>A ground-level photograph of a large, mature evergreen tree. To the right is a white building with a window. In the foreground, a dark car is partially visible. In the background, there is a smaller building with a sign that says "Horsemen". The sky is blue with some clouds.</p>
<p>The subject tree viewed from Tauhara Road.</p>



Subject tree viewed from the reserve, with customer's property on left.

4.2 REQUEST TO REMOVE TREE, 5 MILE BAY LAKEFRONT

Author: Andrew Moor, Parks Operations Manager - Taupō

Authorised by: Kevin Strongman, General Manager Operations and Delivery

PURPOSE

To propose the removal of a Peppermint Gum Tree (*Eucalyptus nicholii*) from the lakefront reserve adjoining 26 and 28 Mahuta Road, Taupō.

EXECUTIVE SUMMARY

Council has received a request from the owners of 26 and 28 Mahuta Road, Taupō to remove the Peppermint Gum Tree (*Eucalyptus nicholii*) from the 5 Mile Bay lakefront reserve in front of their properties. Their concern is that the tree is dangerous and has lost a number of branches, including one that punctured the shade awning at number 28. The trees also cause a nuisance by dropping leaves in the gutters and over the lawns of the adjoining properties.

An arborist has assessed the tree and rated its health and condition as 'Very Good to Excellent'.

RECOMMENDATION(S)

That the Taupō Reserves & Roding Committee declines the request to remove the Peppermint Gum Tree (*Eucalyptus nicholii*) from the lakefront reserve adjoining 26 and 28 Mahuta Road, Taupō.

BACKGROUND

The proposal has not been presented previously.

The owners of 26 and 28 Mahuta Road, Taupō have contacted Council concerned about the safety of a Peppermint Gum Tree (*Eucalyptus nicholii*) on the lakefront reserve in front of their properties. They have witnessed the tree drop branches and are concerned that in future these may hit reserve users or their vehicles, that are parked in the shade of the tree.



A branch from the tree punctured the shade awning at 28 Mahuta Road and the leaf litter constantly falls on the rooves, guttering, deck and lawns of adjoining properties that requires regular maintenance and clearing.



The tree is not impacting on any infrastructure.



An arborists assessment of the tree concluded that it is in 'very good to excellent' health. Council's Tree and vegetation policy 2014 only allows for the removal of healthy trees in the following circumstances.

Policy 3.2 – Removal of Healthy Trees

Healthy trees on council land will be retained, and their removal will be the exception. Instances where council may consider removal of a healthy tree include:

- street redevelopment is to be implemented and options to retain the tree have been investigated and discounted,
- severe hardship is being experienced (trees which inhibit views or drop debris are not considered to be causing severe hardship),
- other community assets are impacted by trees or vegetation,
- the trees or vegetation are grown weeds and not intentionally planted, or
- the removal is part of a planned replacement programme.

DISCUSSION

An arborists assessment of the trees noted that the tree is in good overall health. All trees have the potential to shed limbs but there was no evidence of decline, instability or structural deterioration of this tree that

would suggest there was any greater risk of this occurring. He stated that the overall risk of property damage or injury to a person was low due to the tree's health and its location on the reserve. He did note some dead wood in the crown of the tree that he has recommended for removal.



The tree can be considered highly significant in the landscape as it is a large, standalone specimen in an area with few other mature trees. During the busy summer months cars do park under the tree in its shade. This can be restricted by a significant mulch ring around the base of the tree, which will be beneficial to the tree's overall long term health.

Based on this information it is considered that there are 2 options.

OPTIONS

Analysis of Options

Option 1. Retain the Peppermint Gum Tree (*Eucalyptus nicholii*) on the 5 Mile Bay lakefront reserve, removing any dead wood from the crown and mulching the base of the tree.

Advantages	Disadvantages
<ul style="list-style-type: none"> Visual amenity of significant tree remains on the reserve. Beach goers can continue to benefit from the tree's shade while not sitting directly beneath it. 	<ul style="list-style-type: none"> Customers not satisfied with the outcome. Ongoing cost of monitoring the tree.

Option 2. Remove the Peppermint Gum Tree (*Eucalyptus nicholii*) from the 5 Mile Bay lakefront reserve,

Advantages	Disadvantages
<ul style="list-style-type: none"> Customers are satisfied with the outcome and any concerns about the risk the tree poses are allayed. 	<ul style="list-style-type: none"> Loss of visual amenity from the reserve. Loss of shade for reserve users. Cost of removal.

Analysis Conclusion:

In considering the options in light of the arborists assessment it is recommended to retain the Peppermint Gum Tree (*Eucalyptus nicholii*) on the 5 Mile Bay lakefront reserve.

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.

Financial Considerations

The financial impact of the proposal is estimated to be \$1500

Long-term Plan/Annual Plan

The expenditure outlined is currently budgeted for under Parks Operations

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 and environmental are of relevance to this particular matter.

The proposal has been evaluated with regards to a range of legislation.

Authorisations are not required from external parties.

Policy Implications

The proposal has been evaluated against the following plans:

- ☐ Long Term Plan 2018-2028 ☐ Annual Plan ☐ Waikato Regional Plan
- ☐ Taupo District Plan ☐ Bylaws ☒ Relevant Management Plan(s)

The key aspects for consideration with regards to this proposal are as follows:

The removal of this tree would contravene council's Tree and Vegetation Policy section 3.2 Removal of Healthy Trees (in report). The Policy does however allow for elected members to decide to remove trees, see narrative Section 2.1 "Where necessary tree removal requests may be referred to Council's elected members for a decision (refer to policies in section 3)".

Māori Engagement

Taupo District Council is committed to meeting its statutory Tiriti O Waitangi obligations and acknowledges partnership as the basis of Te Tiriti. Council has a responsibility to act reasonably and in good faith to reflect the partnership relationship, and to give effect to the principles of Te Tiriti. These principles include, but are not limited to the protection of Māori rights, enabling Māori participation in Council processes and having rangatiratanga over tāonga.

Our statutory obligations outline our duties to engage with Māori, and enable participation in Council processes. Alongside this, we recognise the need to work side by side with the ahi kaa / resident iwi of our district. Engagement may not always be required by law, however meaningful engagement with Māori allows Council to demonstrate good faith and our commitment to working together as partners across our district.

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

The neighbouring property owners have raised the concern about the risk of branches falling and hitting people or property. In his assessment the arborist has stated that the tree is healthy and that all trees can drop branches from time to time but there is no increased risk of branch fall with this tree.

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 but no wider communication is considered necessary.

CONCLUSION

Based on this assessment it is recommended that the Taupō Reserves and Roothing Committee decline the request to remove the Peppermint Gum Tree (*Eucalyptus nicholii*) on the 5 Mile Bay lakefront reserve.

ATTACHMENTS

1. Arborists report - 5 Mile Lakefront [1](#)

Appendix 1 – Council Tree Assessment Checklist (SR#: 2202857)

(Note: for provisions relating to notable and amenity trees and indigenous trees and vegetation within significant natural areas – refer to Taupo District Plan)

Location 5 Mile Bay lake front, adjacent to 26 Mahuta Road

Tree Species Peppermint gum (*Eucalyptus nicholii*)

Girth 1.76 metres

Height 16.5 metres

Spread 23 metres

Approximate age ≥50 years (est.)

Tree Health/Condition (1 excellent – 5 very poor) **1-2**

Berm Width N/A

1 Roadway Damage Assessment

1.1	Footpath damage	Yes/No	N/A
1.2	Has the footpath been replaced	Yes/No	N/A
1.3	Kerb & channel damaged	Yes/No	N/A
1.4	Road pavement damage	Yes/No	N/A
1.5	Buried services damaged	Yes/No	N/A

2 Adjoining Property Impact Assessment

2.1	What side of the property is the tree on	North/South/East/ West	
2.2	Is the tree over shading the property in winter	Yes/No	(intermittent)
2.3	Is the tree damaging the property	Yes/ No	
2.4	Comment on tree damage		

The customer's complaint does not refer to any damage caused by the tree and none was noted. The tree is free-standing in a grassed area of the lakefront reserve well clear of any infrastructure. The complaint relates to falling branches.

2.5	Is the tree a danger to the property if it falls	Yes/No	
2.6	Do the adjoining owners want the tree removed	Yes/No	
2.7	Is the tree encroaching on power lines	Yes/ No	
2.8	Is the tree adversely impacting on adjoining services, e.g. footpaths, roads, underground services	Yes/ No	
2.9	Is there erosion potential if the tree is removed	Yes/ No	Tree is well back from the shore

3 **Values and Options Assessment**

- 3.1 Does the tree have formal protection e.g. District Plan, Reserves Act, Covenant Yes/**No**
- 3.2 Has the tree historic or other significance Yes/No Unknown
- 3.3 Can the tree be pruned to overcome the current problem Yes/No see below
- 3.4 What is the frequency of trees on the street

N/A

- 3.5 Are there mature trees in private gardens, parks or street berms adjoining this site **Yes/No** (very few)
- 3.6 How significant is the tree in the local landscape

The tree is highly significant, being a very large, stand-alone specimen on public land in an area with very few large mature trees. It is the most prominent specimen this section of the reserve.

4 **Proposed Action**

- 4.1 What species of tree is a suitable replacement?

N/A

- 4.2 Do you recommend the removal of the tree Yes/**No**
- 4.3 Do you recommend the replacement of the tree Yes/No N/A
- 4.4 Can work be safely completed near power lines or is Power Authority Consent required Yes/No N/A
- 4.5 General comment:

The customer notes that he has observed branches falling from the tree and that it therefore should be removed on safety grounds. However all trees have the potential to drop branches and no evidence was noted in this tree that the risk of branch failures was anything out of the ordinary. There were no indications of decline, instability or structural deterioration nor any recent changes in the tree's growing environment and the tree is in good overall health.



There was minor dead wood present in the crown. In my opinion the overall risk of property damage or injury from falling dead wood is low as there are no permanent structures directly under the tree and the overall occupancy rate under the tree is likely to be low. However, it would be prudent to remove any large dead wood from the crown.

In addition, due to its size and significance it would be appropriate to check the tree annually to monitor its overall condition and vitality.

- 4.6 Photos taken? (attach photos) **Yes/No** (see below)

Parks Officer Name Adrian Lamont Date 4/4/22




<p>Tree location.</p>

<p>Subject tree viewed from the north.</p>



Viewed from the west.

4.3 PROPOSAL TO REMOVE SIX TREES FROM THE TAUPŌ LAKEFRONT

Author: Andrew Moor, Parks Operations Manager - Taupō

Authorised by: Kevin Strongman, General Manager Operations and Delivery

PURPOSE

To propose the removal of six trees from the Taupo lakefront to accommodate the Taupo Town Centre revitalisation plans.

EXECUTIVE SUMMARY

As the Taupo Town Centre Transformation programme moves towards the precinct adjoining Lake Terrace and Robert's Street, six trees have been identified that restrict the design vision for the area.

RECOMMENDATION(S)

That the Taupō Reserves & Roding Committee approves the removal of the six identified trees, namely, 3 x Silver Birch (*Betula pendula*), 2 x Claret Ash (*Fraxinus angustifolia*) and 1 x Snow Gum (*Eucalyptus pauciflora*) from the Taupo lakefront.

BACKGROUND

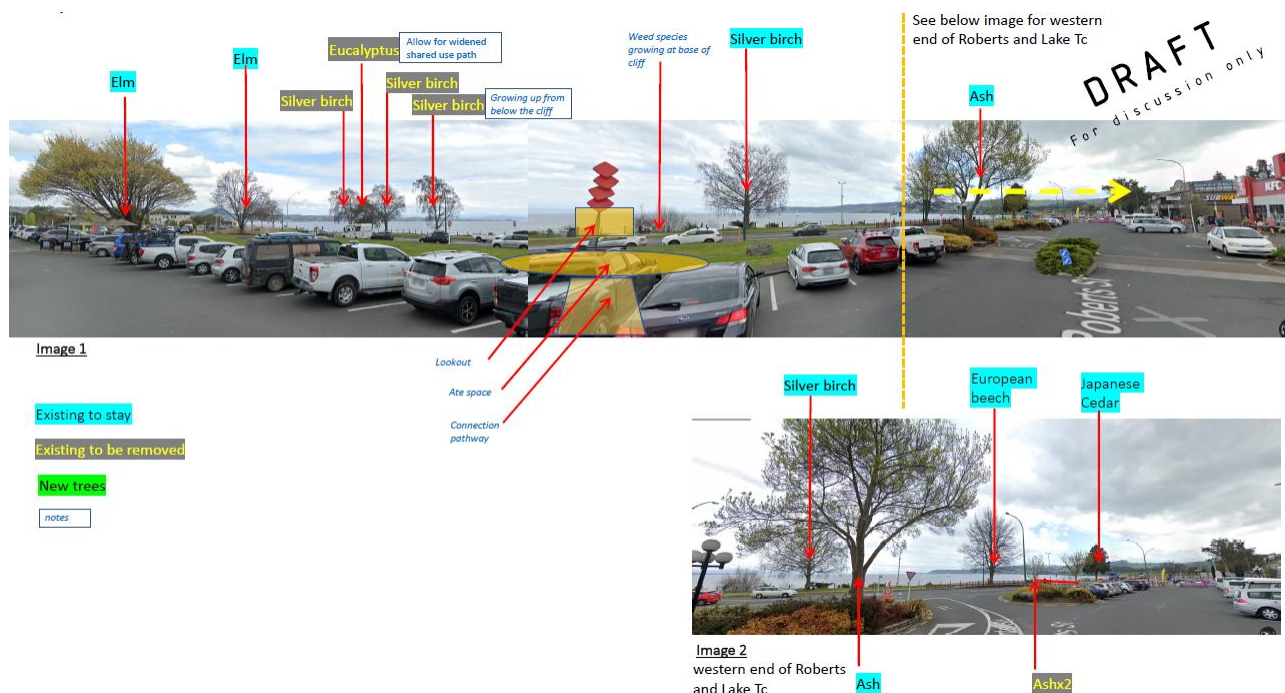
The proposal has not been presented previously.

The Taupo Town Centre Transformation program is a significant piece of work across the Central Business District (CBD) that aims to connect people with the lake, our surrounding reserves and enhance the built environment. The enhancement comes through both an improvement of the amenity through hard surfaces, as well as soft landscaping and planting elements. The overall landscape design has a resulting significant focus on increasing the amount of vegetation and consequently biodiversity within the CBD program footprint. Improved biodiversity sits as one of Council's reporting metrics to the Ministry for Business Innovation and Employment (MBIE) funders.

The civil design of the lakefront is very much a clear skies piece of work, where the space currently dominated by two roadways and some public space, has been reimagined to optimise and maximise the design intent described above. The program is seen as a once in generation opportunity, and it is envisaged that the space being created will endure for a period in the order of 50 years. The hard and soft landscaping and significant number of added trees are proposed with this transformation and legacy thinking in mind. This sees the complete reworking of the current footprint bound by Roberts Street, Ruapehu Street and Lake Terrace.

Where possible and practicable, the current trees have been maintained where they fit within the wider design philosophy and where their health can be maintained through the construction process. However, six trees have been identified that restrict this design philosophy and have thus been identified for removal. These trees include.

- 3 x Silver Birch (*Betula pendula*)
- 2 x Claret Ash (*Fraxinus angustifolia*)
- 1 x Snow Gum (*Eucalyptus pauciflora*)



Although the six (6) trees proposed for removal have value and some are considered to have some significant visual impact on the area the design team believe that the value enabled by the proposed design, significant increase in additional new trees and the legacy nature delivered by the new footprint justify the removal of those affected trees. Ultimately, there is a near 5 fold increase in the number of trees within the town centre environment as a result of the revitalisation project.

Council's tree and vegetation policy 2014 allows for the removal of healthy trees in the following circumstances.

Policy 3.2 – Removal of Healthy Trees

Healthy trees on council land will be retained, and their removal will be the exception. Instances where council may consider removal of a healthy tree include:

- street redevelopment is to be implemented and options to retain the tree have been investigated and discounted,
- severe hardship is being experienced (trees which inhibit views or drop debris are not considered to be causing severe hardship),
- other community assets are impacted by trees or vegetation,
- the trees or vegetation are grown weeds and not intentionally planted, or
- the removal is part of a planned replacement programme.

DISCUSSION

An arborist has assessed the six trees and has said that none of the trees would need be removed based on health or condition. Of the six, the Silver Birch (*Betula pendula*) could be considered as having the most significance on the visual landscape. The trees have some poor pruning cavities, but none show signs of disease. One of the trees has an uneven canopy and is showing some signs of stress, but the other two have good form, with little or no die back.

		
<p>First Silver Birch showing good form and health</p>	<p>Second Silver Birch showing good form and health</p>	<p>Third Silver Birch showing poor form and signs of stress</p>

Betula pendula is considered an Advisory Plant under the Waikato Regional Pest Management Strategy. Advisory Plants are considered to be causing some environmental threat but are considered impractical or too costly for the Waikato Regional Council to undertake direct control. Rather, they provide information and encourage landowners to undertake voluntary control of them. The arborist acknowledges this but did make the point that these three trees were planted in the past for their amenity value, and it is difficult to quickly replicate within this environment, this 30 plus years of growth. The tree's root plate is likely to also be assisting with ground stability on the cliff edge by binding soils and absorbing water. If the trees are removed replacements in this area are advised to continue this function.

The arborist stated that the Snow Gum is generally in good health, with no signs of disease. It does show the impact of the southerly winds on its growth, with its form somewhat imbalanced. Its location between the kerb and footpath has also restricted its growth but there is no arboricultural justification for its removal.



Snow Gum displaying impact of southerly wind on its upper canopy.

The arborist felt that the two Claret Ash (*Fraxinus angustifolia*) having significantly less impact on the surrounding visual amenity. The trees appear to be under stress and have struggled to establish within the berm they were planted. Both trees have an uneven canopy, with the centre of one appearing to have died or been broken out in the past. Like the Snow Gum, the exposure to the southerly winds has greatly restricted their growth.



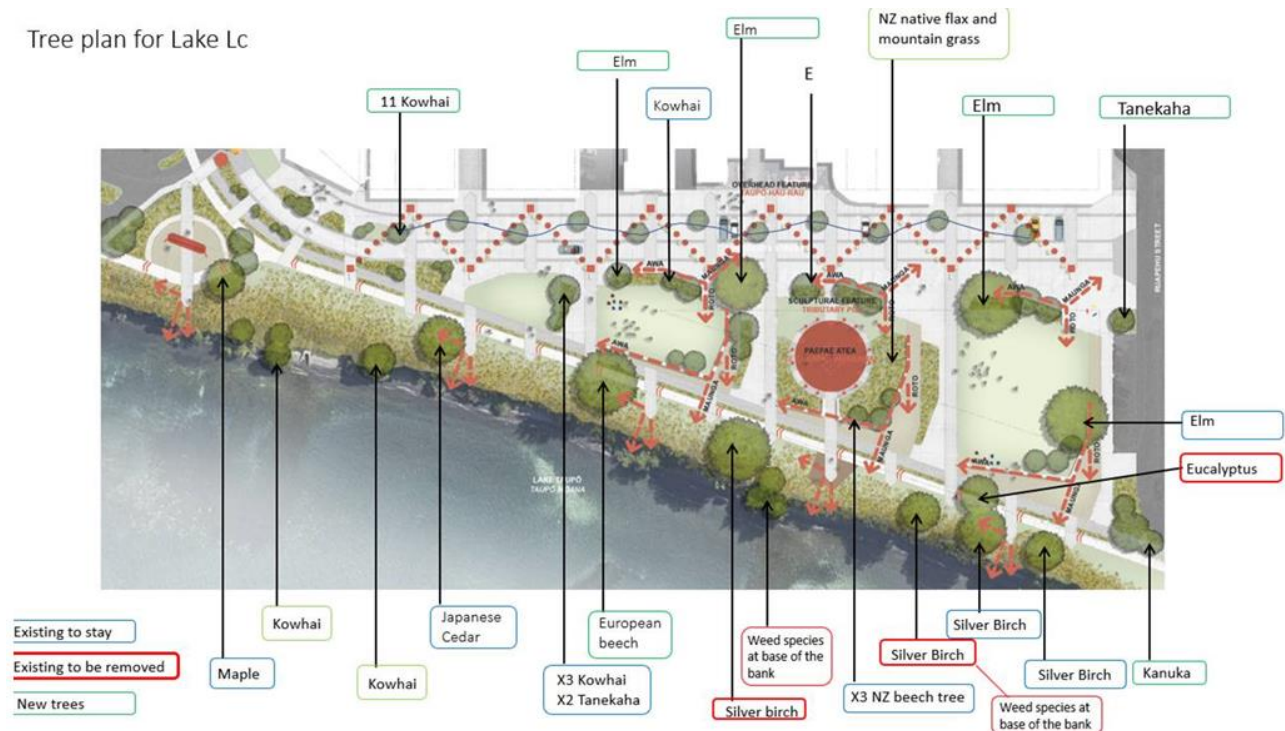
The two Claret Ash displaying uneven canopies and growth restricted by their environment

At a high level, the revitalisation project designers have considered alternate finishes or civil applications to minimise the effect on trees to try and retain them. They weighed these against the design intent of the areas in question. Options have included moving alignments, installing permeable pavements, or bridging over root areas with decking or similar. One of the elements that challenged them was the future use of the extended path, in particular in front of the current Colonel Roberts Reserve. As well as a people space, this pathway is seen as an important events space and in many ways a thoroughfare between the highly successful Great Lake Pathway to the east, and the 'upper CBD'. Council's Events Team see this path as a conduit to take event competitors through and around this space. The Project Team are also exploring and remain open to its use as a 'racecourse' for various events.

A learning from the Great Lake Pathway was the challenges that timber has for foot and cycle traffic, in regards flush finishes, slipperiness. In context, the designers believe that a uniform concrete surface meets the requirements of pedestrian and cycle (and indeed the myriad of future mobility options that we are as yet not even aware of) flow through this area best. Although not completely definitive that these alternative finishes could be used, when looked at on balance, and in conjunction with the new planting plan, the removal of the subject trees is believed to allow the best overall outcome and have the space function as intended.

A planting plan has been developed to enhance and soften the hard landscaped areas. As the plan below illustrates there has been a shift to more native species to replace the exotic trees that have been proposed for removal. As well as being attractive and encouraging bird life to the built area it is also envisaged that they will adapt to the growing conditions as they are naturally occurring in the Central Plateau.

Tree plan for Lake Lc



Based on this information it is considered that there are 2 options

OPTIONS

Analysis of Options

Option 1. Remove the six trees from the design area and replace them with native species.

Advantages	Disadvantages
<ul style="list-style-type: none"> Design vision is not compromised. Uniform concrete surface of new pathway will provide a better user experience. New plantings are more representative of vegetation within the Central Plateau. 	<ul style="list-style-type: none"> Loss of established trees that are providing significant visual amenity. Replacement plantings will take 15 to 20 years before they are of the scale of the Silver Birch.

Option 2. Retain the six trees and alter the design to accommodate them.

Advantages	Disadvantages
<ul style="list-style-type: none"> Retain mature trees within the landscape. No loss of ground stability while waiting for replacement trees to grow. 	<ul style="list-style-type: none"> Design vision is compromised. Loss of uniform surface, with the potential to impact on how the space is utilised.

Analysis Conclusion:

Based on this assessment it is recommended that the Taupo Reserves and Roding Committee approve the removal of the six identified trees.

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 and Quality.

Financial Considerations

The financial impact of the proposal is estimated to be \$3700

Long-term Plan/Annual Plan

The expenditure outlined is currently budgeted for under the Taupo Town Centre Transformation programme.

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 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

The proposal has been evaluated against the following plans:

☐ Long Term Plan 2018-2028 ☐ Annual Plan ☐ Waikato Regional Plan

☐ Taupo District Plan ☐ Bylaws ☒ Relevant Management Plan(s)

The removal of this tree would contravene council's Tree and Vegetation Policy section 3.2 Removal of Healthy Trees (in report). The Policy does however allow for elected members to decide to remove trees, see narrative Section 3.1 "Where necessary tree removal requests may be referred to Council's elected members for a decision (refer to policies in section 3)". However, the Policy is supportive of the removal of healthy trees when it is part of programmed upgrades and streetscape improvements.

Māori Engagement

Taupō District Council is committed to meeting its statutory Tiriti O Waitangi obligations and acknowledges partnership as the basis of Te Tiriti. Council has a responsibility to act reasonably and in good faith to reflect the partnership relationship, and to give effect to the principles of Te Tiriti. These principles include, but are not limited to the protection of Māori rights, enabling Māori participation in Council processes and having rangatiratanga over tāonga.

Our statutory obligations outline our duties to engage with Māori, and enable participation in Council processes. Alongside this, we recognise the need to work side by side with the ahi kaa / resident iwi of our district. Engagement may not always be required by law, however meaningful engagement with Māori allows Council to demonstrate good faith and our commitment to working together as partners across our district.

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

The potential risk of bank destabilisation through removal of the trees can be overcome by keeping the stump and root systems in place while replacement trees grow.

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

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

CONCLUSION

Based on the assessment it is recommended that the Taupo Reserves and Roding Committee approves the removal of the six identified trees, namely, 3 x Silver Birch (*Betula pendula*), 2 x Claret Ash (*Fraxinus angustifolia*) and 1 x Snow Gum (*Eucalyptus pauciflora*) to ensure the design vision of the Town Centre Transformation programme is achieved.

ATTACHMENTS

1. Arborists assessment 2 x Ash [↓](#)
2. Arborists assessment 3 x Silver birch [↓](#)
3. Arborists assessment Peppermint Gum [↓](#)

Appendix 1 – Council Tree Assessment Checklist

(Note: for provisions relating to notable and amenity trees and indigenous trees and vegetation within significant natural areas – refer to Taupo District Plan)

Location 151 Lake Terrace

Tree Species 2 x Claret Ash (*Fraxinus angustifolia*)

Girth 0.2m

Height 7m

Spread 4m

Approximate age 15 - 20

Tree Health/Condition (1 excellent – 5 very poor) 4

Berm Width

1 Roadway Damage Assessment

1.1	Footpath damage	No
1.2	Has the footpath been replaced	Yes
1.3	Kerb & channel damaged	No
1.4	Road pavement damage	No
1.5	Buried services damaged	No

2 Adjoining Property Impact Assessment

2.1	What side of the property is the tree on	North/South/East/West	n/a
2.2	Is the tree over shading the property in winter	Yes/No	n/a
2.3	Is the tree damaging the property	No	
2.4	Comment on tree damage		

Trees have been identified as compromising future design plans for upgrade of area

2.5	Is the tree a danger to the property if it falls	/No
2.6	Do the adjoining owners want the tree removed	Yes
2.7	Is the tree encroaching on power lines	/No
2.8	Is the tree adversely impacting on adjoining services	
	e.g footpaths, roads, underground services	No

3 **Values and Options Assessment**

- 3.1 Does the tree have formal protection e.g.
District Plan, Reserves Act, Covenant No
- 3.2 Has the tree historic or other significance No
- 3.3 Can the tree be pruned to overcome
the current problem No
- 3.4 What is the frequency of trees on the street
1 per berm to 1 per 2-3 berms n/a
- 3.5 Are there mature trees in private gardens, parks or
Street berms adjoining this site Yes
- 3.6 How significant is the tree in the local landscape

Trees are of minor significance only. Both are of small stature, showing signs of stress restricting their growth.

4 **Proposed Action**

- 4.1 What species of tree is a suitable replacement?

In line with other recent plantings as part of the upgrade, Kowhai, Native Beech or Tanekaha would be suitable.

- 4.2 Do you recommend the removal of the tree Yes
- 4.3 Do you recommend the replacement of the tree Yes
- 4.4 Can work be safely completed near power lines
Or is Power Authority Consent required Yes/No
- 4.5 General comment:

These trees are offering little to the landscape and appear to be under stress and therefore unlikely to improve in the short to mid term. The southerly winds have impacted on their form which is poor. They have an uneven canopy which will be difficult to correct through pruning. The smaller of the two trees appears to have lost the central leader through die back or being broken out.

- 4.6 Photos taken? (attach photos) Yes

Parks Officer Name Adrian Lamont

Date 16/05/2022



GREAT LAKE TAUPŌ
Taupō District Council



Location



The subject trees viewed from Roberts Street

Appendix 1 – Council Tree Assessment Checklist

(Note: for provisions relating to notable and amenity trees and indigenous trees and vegetation within significant natural areas – refer to Taupo District Plan)

Location 151 Lake Terrace

Tree Species 3 x Silver Birch (*Betula pendula*)

Circumference 1900, 1850 & 1810

Height 13m, 12m & 12.5m

Spread 8m, 7.5m & 9m

Approximate age 30 years

Tree Health/Condition (1 excellent – 5 very poor)

Berm Width

1 Roadway Damage Assessment

1.1	Footpath damage	No
1.2	Has the footpath been replaced	Yes
1.3	Kerb & channel damaged	No
1.4	Road pavement damage	No
1.5	Buried services damaged	No

2 Adjoining Property Impact Assessment

2.1	What side of the property is the tree on	North/South/East/West
2.2	Is the tree over shading the property in winter	No
2.3	Is the tree damaging the property	No
2.4	Comment on tree damage	

Trees have been identified as compromising future design plans for the upgrade of the pathway

2.5	Is the tree a danger to the property if it falls	No
2.6	Do the adjoining owners want the tree removed	Yes
2.7	Is the tree encroaching on power lines	No
2.8	Is the tree adversely impacting on adjoining services	
	e.g footpaths, roads, underground services	No

3 **Values and Options Assessment**

- 3.1 Does the tree have formal protection e.g.
District Plan, Reserves Act, Covenant No
- 3.2 Has the tree historic or other significance No
- 3.3 Can the tree be pruned to overcome
the current problem No
- 3.4 What is the frequency of trees on the street
1 per berm to 1 per 2-3 berms
- 3.5 Are there mature trees in private gardens, parks or
Street berms adjoining this site Yes
- 3.6 How significant is the tree in the local landscape

All 3 trees could be considered to be significant within the landscape. They are mature trees, growing within a difficult environment and are very visible from the street environment as well as on the lake.

4 **Proposed Action**

- 4.1 What species of tree is a suitable replacement?

In line with other recent plantings as part of the upgrade, Kowhai, Native Beech or Tanekaha would be suitable.



- 4.2 Do you recommend the removal of the tree No
- 4.3 Do you recommend the replacement of the tree Yes
- 4.4 Can work be safely completed near power lines
Or is Power Authority Consent required Yes/No n/a
- 4.5 General comment:

All three trees show good health and are worth retaining if they can be worked around. There are some uneven pruning cavities but no sign of disease. Two of the trees have good even form and show no signs of stress. The western most tree shows some signs of stress with epicormic growth present. The crown of this tree is somewhat uneven also.

- 4.6 Photos taken? (attach photos) Yes

Parks Officer Name Adrian Lamont Date



	
Location	
	
Western most tree viewed from Great Lake Pathway. Uneven form by comparison to the other 2 trees.	

	
Central tree viewed from Great Lake Pathway. Good form & vigour.	
	
Eastern most tree. Good form and health.	

Appendix 1 – Council Tree Assessment Checklist

(Note: for provisions relating to notable and amenity trees and indigenous trees and vegetation within significant natural areas – refer to Taupo District Plan)

Location 151 Lake Terrace

Tree Species Peppermint Gum (*Eucalyptus pauciflora*)

Girth 0.3m

Height 10m

Spread 6m

Approximate age

Tree Health/Condition (1 excellent – 5 very poor)

Berm Width

1 Roadway Damage Assessment

1.1	Footpath damage	No
1.2	Has the footpath been replaced	Yes
1.3	Kerb & channel damaged	No
1.4	Road pavement damage	No
1.5	Buried services damaged	No

2 Adjoining Property Impact Assessment

2.1	What side of the property is the tree on	North/South/East/West
2.2	Is the tree over shading the property in winter	No
2.3	Is the tree damaging the property	No
2.4	Comment on tree damage	

Trees have been identified as compromising future design plans for the upgrade of the pathway

2.5	Is the tree a danger to the property if it falls	No
2.6	Do the adjoining owners want the tree removed	Yes
2.7	Is the tree encroaching on power lines	No
2.8	Is the tree adversely impacting on adjoining services	
	e.g footpaths, roads, underground services	No

3 **Values and Options Assessment**

3.1 Does the tree have formal protection e.g

District Plan, Reserves Act, Covenant No

3.2 Has the tree historic or other significance No

3.3 Can the tree be pruned to overcome

the current problem No

3.4 What is the frequency of trees on the street

1 per berm to 1 per 2-3 berms

3.5 Are there mature trees in private gardens, parks or

Street berms adjoining this site Yes

3.6 How significant is the tree in the local landscape

Of reasonable significance as visible from street surrounds and to a lesser extent the lake [partially obscured by Birch]. Growth has been restricted by environmental factors but worthy of retention if can be worked around safely.

4 **Proposed Action**

4.1 What species of tree is a suitable replacement?

In line with other recent plantings as part of the upgrade, Kowhai, Native Beech or Tanekaha would be suitable.

4.2 Do you recommend the removal of the tree No

4.3 Do you recommend the replacement of the tree Yes

4.4 Can work be safely completed near power lines

Or is Power Authority Consent required Yes/No n/a

4.5 General comment:

The tree is in general good health. The twisted nature of the trunk is typical of this species. The tree shows some signs of stress, likely caused by impact of southerly winds and growing environment between the kerb and footpath.

4.6 Photos taken? (attach photos)

Yes

Parks Officer Name Adrian Lamont

Date 16/05/2022



GREAT LAKE TAUPŌ
Taupō District Council

	
Location	
	
The subject tree showing good form when viewed from Roberts Reserve. Some gaps in canopy as result of southerly winds.	

4.4 REQUEST TO REMOVE KOWHAI TREE ON ANZAC MEMORIAL DRIVE

Author: Izelda Cruz, Senior Engineering Officer - Transportation
Authorised by: Claire Sharland, Asset Manager Transportation
Kevin Strongman, General Manager Operations and Delivery

PURPOSE

To propose the removal of a Kowhai Tree (*Sophora microphylla*) from the road reserve of Anzac Memorial Drive, adjacent to Lot 16 DP 542168, Taupō. See Figure 1 – Project footprint and tree location

EXECUTIVE SUMMARY

A portion of Anzac Memorial Drive is due to be widened and a Kowhai Tree (*Sophora microphylla*) is falling within the new kerb line. See Figure 1 for the exact location of the tree.

An arborist has assessed the tree and rated its health and condition as 'Reasonably healthy'.

RECOMMENDATION(S)

That the Taupō Reserves & Roothing Committee recommends to Council that the Kowhai Tree (*Sophora microphylla*) be removed from Anzac Memorial Drive, adjacent to Lot 16 DP 542168, Taupō.

BACKGROUND

The proposal has not been presented previously.

The first section of ANZAC Memorial Drive was upgraded, from the traffic roundabout off SH1 to the turn off to Taupo Tandem Skydiving. The remainder of the road up to the airport boundary was vested to TDC and the upgrade & widening of the road is due to commence. The Kowhai tree is falling within the new kerb line of the design.

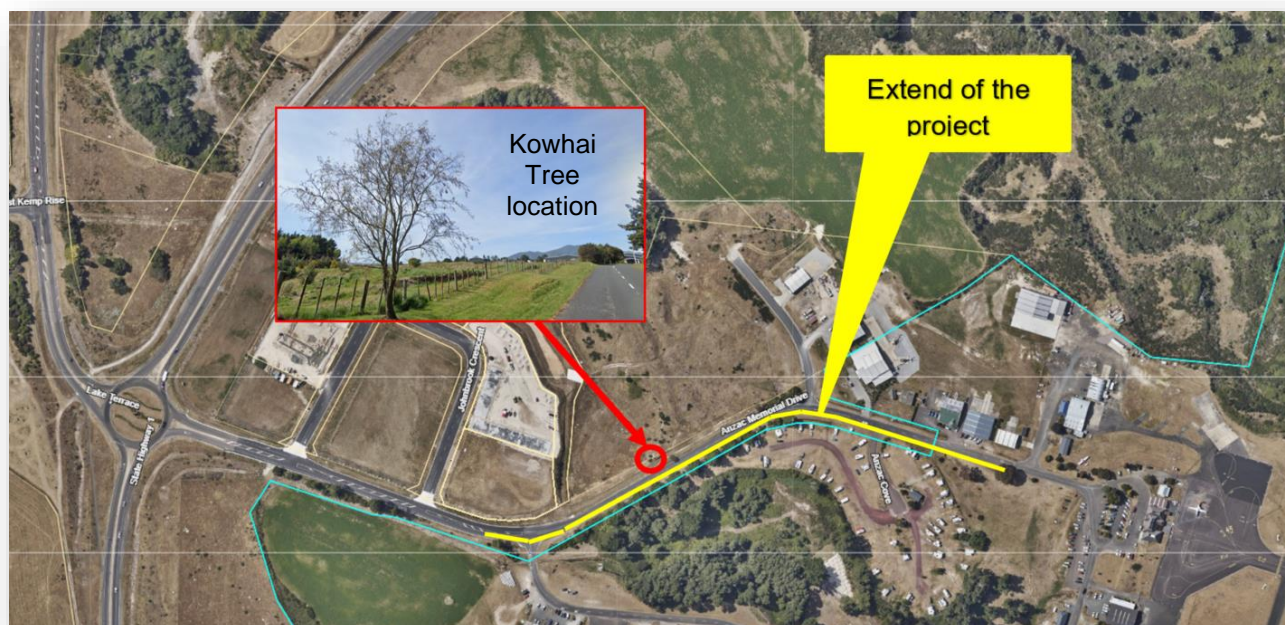


Figure 1 - Project footprint and tree location



Figure 2 - Kowhai Tree recommended to be removed

DISCUSSION

There was reasonable consideration given to shift the alignment of the road in the attempt to avoid impacting the tree. An arborist assessment rated its health and condition as 'reasonably healthy, but not of sufficient quality to transplant'. Tree and vegetation policy 2014 only allows for the removal of healthy trees in the following circumstances.

Policy 3.2 – Removal of Healthy Trees

Healthy trees on council land will be retained, and their removal will be the exception. Instances where council may consider removal of a healthy tree include:

- street redevelopment is to be implemented and options to retain the tree have been investigated and discounted,
- severe hardship is being experienced (trees which inhibit views or drop debris are not considered to be causing severe hardship),
- other community assets are impacted by trees or vegetation,
- the trees or vegetation are grown weeds and not intentionally planted, or
- the removal is part of a planned replacement programme.

Based on this information it is considered that there are 2 options.

OPTIONS

Analysis of Options

Option 1. Retain the Kowhai Tree (*Sophora microphylla*) on the road reserve of Anzac Memorial Drive, adjacent to Lot 16 DP 542168, Taupō.

Advantages	Disadvantages
<ul style="list-style-type: none"> Not removing the tree. 	<ul style="list-style-type: none"> A retaining wall will have to be built to retain the tree's root structure. The retaining wall will impact the health of the tree. It is not certain that the tree will survive. The retaining wall will be a roadside hazard for vehicles. The retaining wall will be expensive.

Option 2. Remove the Kowhai Tree (*Sophora microphylla*) on the road reserve of Anzac Memorial Drive, adjacent to Lot 16 DP 542168, Taupō.

Advantages	Disadvantages
<ul style="list-style-type: none"> No roadside hazard for vehicle traffic. More cost effective than constructing a retaining wall. No ongoing monitoring of the tree health. No maintenance related to a retaining structure. 	<ul style="list-style-type: none"> Cost of removal.

Analysis Conclusion:

In considering the options in light of the arborists assessment it is recommended to remove the Kowhai Tree (*Sophora microphylla*) on the road reserve on Anzac Memorial Drive, adjacent to Lot 16 DP 542168, Taupō.

CONSIDERATIONS

Alignment with Council's Vision

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

Financial Considerations

The financial impact of the proposal is estimated to be \$800

Long-term Plan/Annual Plan

The expenditure outlined is currently budgeted for in the project cost.

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 and environmental are of relevance to this particular matter.

The proposal has been evaluated with regards to a range of legislation.

Authorisations are not required from external parties.

Policy Implications

The proposal has been evaluated against the following plans:

- ☐ Long Term Plan 2018-2028 ☐ Annual Plan ☐ Waikato Regional Plan
☐ Taupo District Plan ☐ Bylaws ☐ Relevant Management Plan(s)

The key aspects for consideration with regards to this proposal are as follows:

The removal of this tree aligns with the council's Tree and Vegetation Policy section 3.2 Removal of Healthy Trees (in report), since it supports the improvement of the streetscape. Options to move the alignment of the road and retain the tree root system was investigated but found not feasible or practical.

The Policy does however allow for elected members to decide to remove trees, see narrative Section 2.1 "Where necessary tree removal requests may be referred to Council's elected members for a decision (refer to policies in section 3)".

Māori Engagement

Taupō District Council is committed to meeting its statutory Tiriti O Waitangi obligations and acknowledges partnership as the basis of Te Tiriti. Council has a responsibility to act reasonably and in good faith to reflect the partnership relationship, and to give effect to the principles of Te Tiriti. These principles include, but are not limited to the protection of Māori rights, enabling Māori participation in Council processes and having rangatiratanga over tāonga.

Our statutory obligations outline our duties to engage with Māori, and enable participation in Council processes. Alongside this, we recognise the need to work side by side with the ahi kaa / resident iwi of our district. Engagement may not always be required by law, however meaningful engagement with Māori allows Council to demonstrate good faith and our commitment to working together as partners across our district.

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

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. The Airport Authority was consulted and there is no objection.

COMMUNICATION/MEDIA

Direct communication has been/will be carried out with affected parties/key stakeholders but no wider communication is considered necessary.

CONCLUSION

Based on this assessment it is recommended that the Taupō Reserves and Roding Committee approves the request to remove the Kowhai Tree (*Sophora microphylla*) on the road reserve of Anzac Memorial Drive, adjacent to Lot 16 DP 542168, Taupō.

ATTACHMENTS

Nil

4.5 DEDICATION OF LOCAL PURPOSE RESERVES (ROAD) AS ROAD UNDER S111 OF THE RESERVES ACT 1977

Author: Karyn Hollman, Senior Solicitor

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

PURPOSE

The purpose of this report is to assist the Committee to decide whether to dedicate two lots, currently held by Council as Local Purpose Reserve (Road), as public road pursuant to section 111 of the Reserves Act 1977.

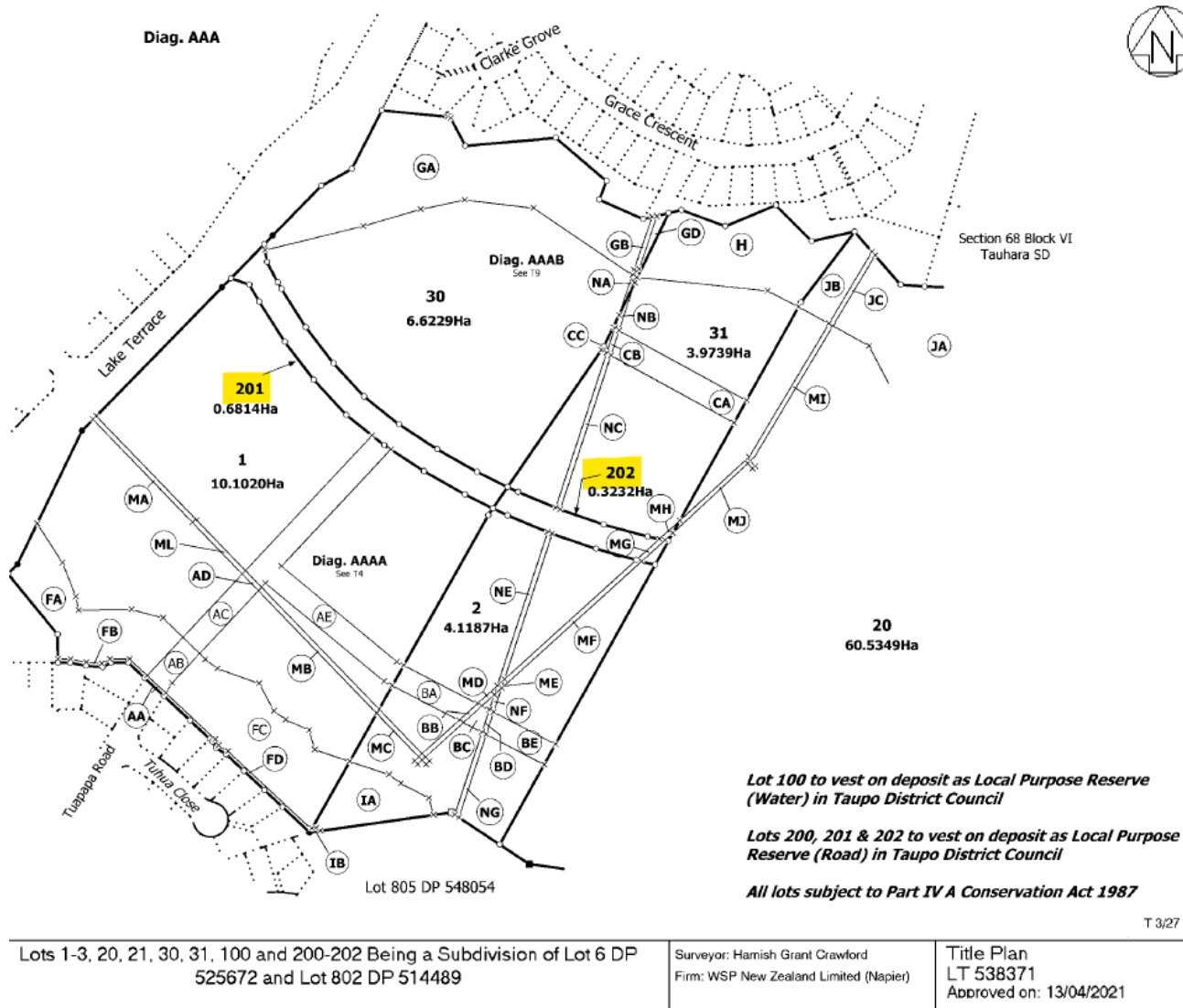
EXECUTIVE SUMMARY

This proposal involves a decision under s 111 Reserves Act 1977 to dedicate as public road Lots 201 and 202 DP 538371. Lots 201 and 202 are currently held as Local Purpose Reserve (Road). These lots did not immediately vest as road because they were unformed at the time they were created. The lots are now formed as road, and it is a requirement of a subdivision consent that the lots become public road. Section 111 of the Reserves Act 1977 is the appropriate and most efficient way to achieve this change of status.

RECOMMENDATION(S)

That the Taupō Reserves & Roothing Committee resolves that pursuant section 111 of the Reserves Act 1977 the Local Purpose Reserves (Road) vested in Taupo District Council and legally described as Lots 201 and 202 DP 538371 be dedicated as road.

BACKGROUND



By RM190045 Council subdivided part of the Taupo East Urban Lands (Lot 802 DP514489) into three super lots and (among other things) two local purpose reserves for future road purposes, as more particularly shown on Land Transfer Plan 538371. LT 538371 deposited with Land Information New Zealand in August 2021.

Lots 201 and 202 on DP538371 ("**Lots 201 and 202**") vested in Council as Local Purpose Reserve (Road) because they were not formed as road when they were created, but in anticipation of their vesting as public road upon their formation.

By agreement for sale and purchase dated 21 May 2018 ("**sale agreement**") Council agreed to sell Lots 1, 2, 30 and 31 DP538371 to Tauhara Management Limited (which by nomination is now Kokomea Village Centre Limited) ("**TML**").

Under the sale agreement (as subsequently varied) TML is to subdivide Lots 1, 2, 30 and 31 pursuant to resource consent (subsequently obtained) RM 200356.

Lots 201 and 202 are required to become road to provide legal access from Lake Terrace through Lots 1, 2, 30 and 31 DP 538371 to the balance land (Lots 20 and 21 DP 538371) and the rest of the EUL.

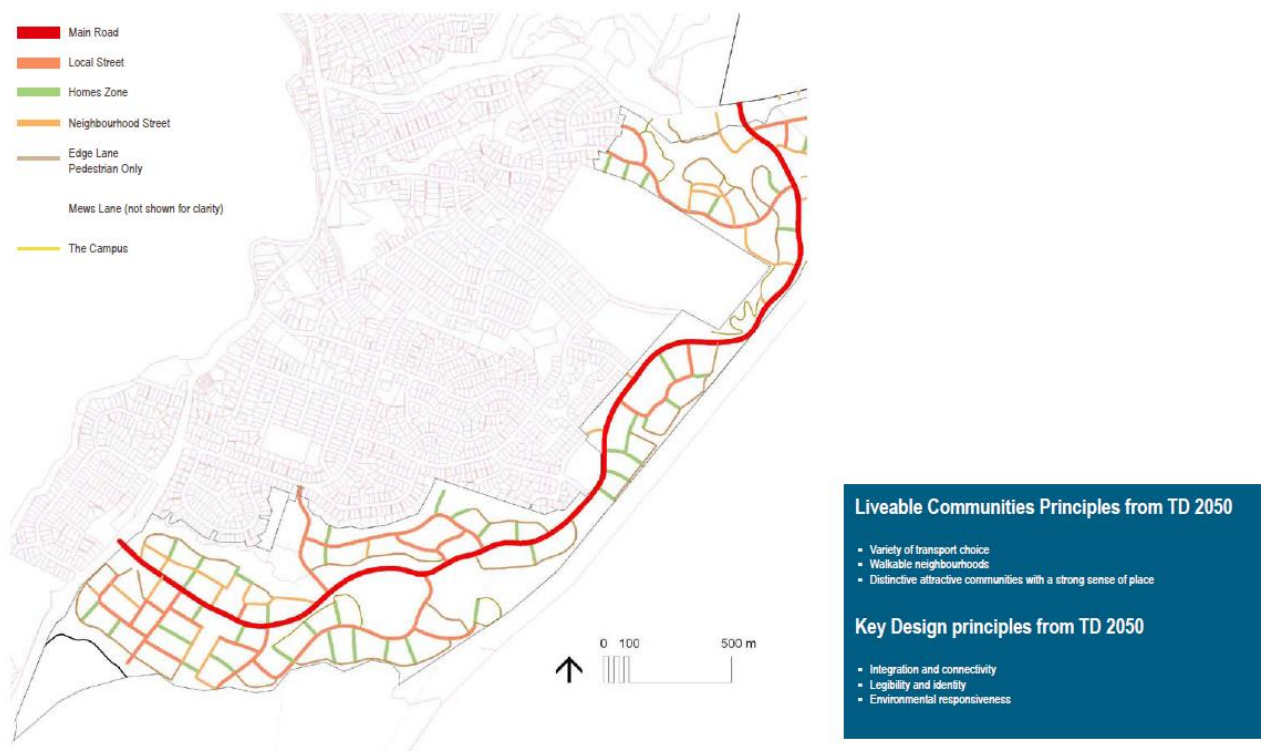
Condition 18 in RM200356 requires TML to take all reasonable steps to ensure Lots 201 and 202 are gazetted as public road. It is generally accepted that the requirements of this condition will be met if Lots 201 and 202 are vested in Council as public road by an appropriate means, regardless of the precise legalisation process employed.

The proposal has not been presented previously.

DISCUSSION

Lots 201 and 202 comprise the beginning part of the route that is to become Tauhara Ridge Drive – the main road through the EUL development, as shown in red in the diagram below (as taken from the 2014 East Urban Lands Masterplan Executive Summary).

1.18 Roding Hierarchy and Connectivity



Source: 2014 1403 East Urban Lands Masterplan Executive Summary (A1236833)

If Lots 201 and 202 do not become public road the planned future development of the EUL will be compromised.

Based on this information it is considered that there are 2 options (including status quo or do-nothing option).

OPTIONS

Analysis of Options

1. Resolve to dedicate Lots 201 and 202 DP 538371 as road pursuant to section 111 of the Reserves Act 1977.
2. Do nothing and leave Lots 201 and 202 DP 538371 as Local Purpose Reserve (Road).

OPTION 1: RESOLVE TO DEDICATE LOTS 201 AND 202 DP 538371 AS ROAD PURSUANT TO SECTION 111 OF THE RESERVES ACT 1977

Advantages	Disadvantages
<ul style="list-style-type: none"> • Provided for in the Reserves Act 1977. • Anticipated in Resource Consent RM200356. • The EUL development can proceed as planned. 	<ul style="list-style-type: none"> • None identified

OPTION 2. DO NOTHING AND LEAVE LOTS 201 AND 202 DP 538371 AS LOCAL PURPOSE RESERVE (ROAD)

Advantages	Disadvantages

<ul style="list-style-type: none"> • None identified 	<ul style="list-style-type: none"> • TML's development will be unable to get legal road frontage. • TML's development will not be able to proceed in its current form to issue of new titles • The balance land beyond, owned by Council, will not gain legal road frontage.
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Analysis Conclusion:

The preferred option is to dedicate Lots 201 and 202 DP 538371 as road under section 111 Reserves Act 1977.

CONSIDERATIONS**Alignment with Council's Vision**

Council's vision is 'to be the most prosperous and liveable district in the North Island'. 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, Environmental.

Financial Considerations

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

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. 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 cultural 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:

Reserves Act 1977, Resource Management Act 1991, Land Transfer Act 2017 and Land Transfer Regulations 2018.

Authorisations are not required from external parties.

Policy Implications

There are no known policy implications.

Māori Engagement

Taupō District Council is committed to meeting its statutory Tiriti O Waitangi obligations and acknowledges partnership as the basis of Te Tiriti. Council has a responsibility to act reasonably and in good faith to reflect the partnership relationship, and to give effect to the principles of Te Tiriti. These principles include but are not limited to the protection of Māori rights, enabling Māori participation in Council processes and having rangatiratanga over tāonga.

Our statutory obligations outline our duties to engage with Māori, and enable participation in Council processes. Alongside this, we recognise the need to work side by side with the ahi kaa / resident iwi of our district. Engagement may not always be required by law, however meaningful engagement with Māori allows Council to demonstrate good faith and our commitment to working together as partners across our district.

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. Lots 201 and 202 are effectively being held as road but will just be dedicated as such. No engagement has been undertaken as this matter is simply an administrative exercise to achieve an outcome required by a resource (subdivision) consent (RM 200356).

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

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 above considerations it is recommended that the Committee resolve to dedicate Lots 201 and 202 DP 538371 as road pursuant to section 111 of the Reserves Act 1977.

ATTACHMENTS

Nil

4.6 TAUPŌ 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. Four 90-minute restriction parking outside 100 Tūwharetoa Street.	To provide some short-term parking for business' on Tūwharetoa Street.	Four Parks in front of 100 Tūwharetoa Street.
2. Removal of three carparks, NSSAT Lines / Cycle Lane – 216 Lake Terrace.	216 Lake Terrace have issues with sight distance when exiting the property due to cars parking in these parks. Also, these car parks create a pinch point for cyclists.	Three parks in front of 216 Lake Terrace.
3. Mobility Park – Waikato Street.	The Taupō Kids Community Play Centre has requested a mobility park for their community.	One park outside 20 Waikato Street (Opposite the intersection with Oruanui 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
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1. Four 90-minute restriction parking outside 100 Tūwharetoa Street.	To provide some short-term parking for business on Tūwharetoa Street.	Four parks in front of 100 Tūwharetoa Street.
2. Removal of three carparks, NSSAT Lines / Cycle Lane – 216 Lake Terrace.	216 Lake Terrace have issues with sight distance when exiting the property due to cars parking in these parks. Also, these car parks create a pinch point for cyclist.	Three parks in front of 216 Lake Terrace.
3. Mobility Park – Waikato Street.	The Taupō Kids Community Play centre has requested a mobility park for their community.	One park outside 20 Waikato Street (Opposite the intersection with Oruanui Street).

1. There are many business' along Tūwharetoa Street that have clients/patients coming and going through the day and would like more shorter term parking. P90 parking was chosen as it is consistent with the area and meets the needs of businesses.
2. The owner of Karaka Tree Motel (216 Lake Terrace) has raised an issue with sight distance when exiting onto Lake Terrace. This is due to parked cars in the three marked carparks outside 216 Lake Terrace. These car parks are also "pinching" or narrowing of the cycle lane and holds safety risks for cyclists using Lake Terrace.
3. The Taupō Kids Community have requested a mobility park as one of their community requires mobility access. We have proposed removing the small island and widening the end car park and using the existing driveway as the ramp.

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 Māori 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

All items were consulted on with the affected parties and they are in support of the proposals.

COMMUNICATION/MEDIA

No further communication required.

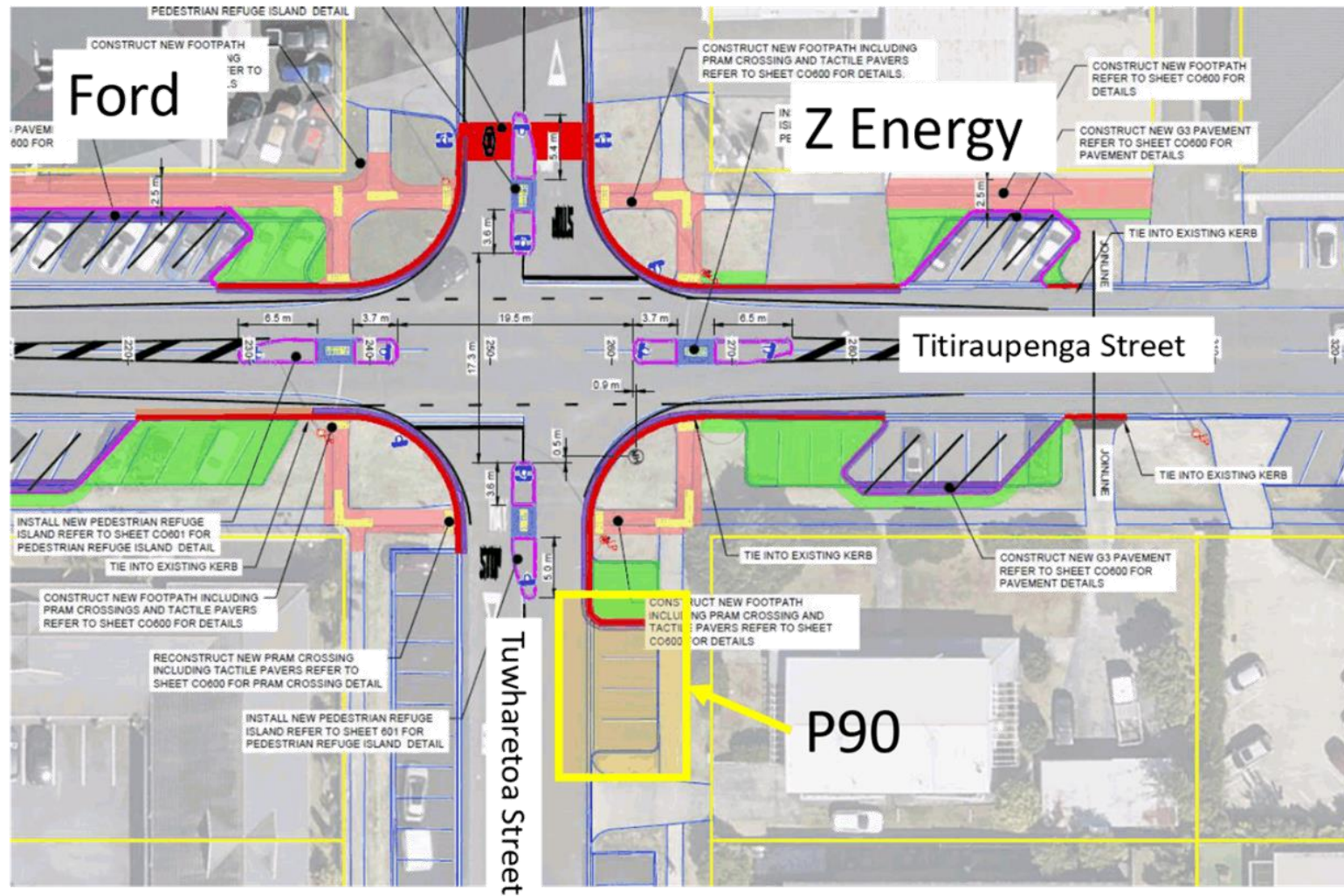
CONCLUSION

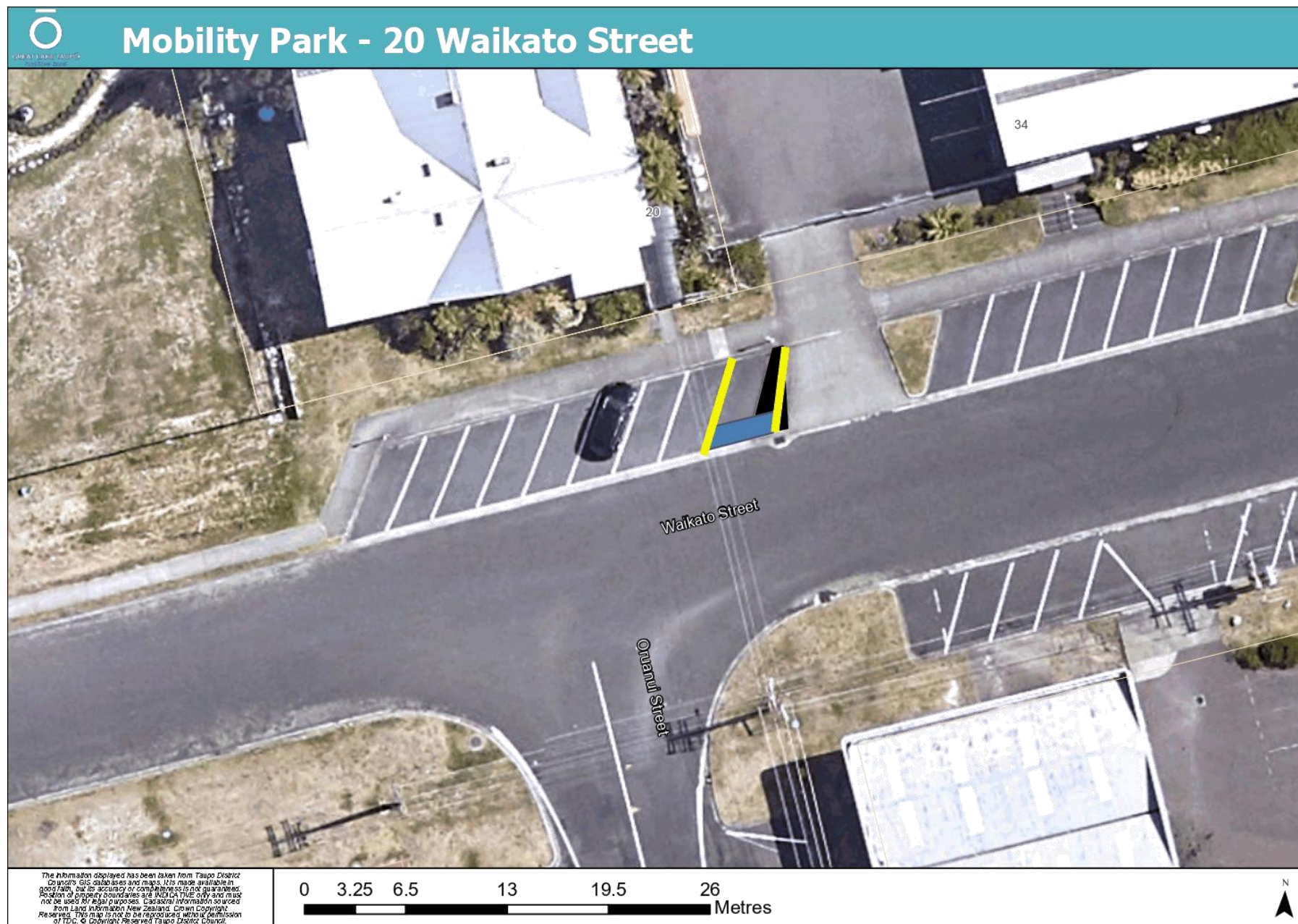
It is recommended that Council imposes the traffic controls and prohibitions detailed in the report. Staff will then update the Traffic Control Device Register in accordance with the resolution.

ATTACHMENTS

1. NSAAT Line and Cycle Lane - 216 Lake Terrace [↓](#)
2. P90 Parks - Outside 100 Tuwharetoa Street [↓](#)
3. Mobility Park - 20 Waikato Street [↓](#)







4.7 UPDATE ON THE 2022 LOCAL GOVERNMENT ELECTIONS AND DISCUSSION ON COMMITTEE STRUCTURE AND TERMS OF REFERENCE

Author: Shainey James, Governance Quality Manager

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

PURPOSE

To receive an update on this year's local government elections and to discuss the Taupō Reserves & Roothing Committee's current Terms of Reference with a view to capturing any suggestions for change following the elections.

DISCUSSION

Earlier this year, the Local Government Commission confirmed Taupō District Council's representation arrangements for the elections to be held on 8 October 2022. The Council will comprise the Mayor and 12 councillors elected via wards as follows:

- Two councillors elected by the electors of the Te Papamārearea Māori Ward;
- One councillor elected by the electors of Mangakino-Pouakani General Ward;
- One councillor elected by the electors of Taupō East Rural Ward;
- Seven councillors elected by the electors of Taupō General Ward; and
- One councillor elected by the electors of Tūrangi-Tongariro General Ward.

Nominations for these election issues will open on Friday 15 July and close at noon on Friday 12 August 2022. The elections will be conducted by postal vote between Friday 16 September and noon on Saturday 8 October 2022.

All current committees are deemed to be discharged at the end of the current Triennium, unless the local authority resolves otherwise (clause 30, Schedule 7, Local Government Act 2002 "LGA"). Following the elections, the Mayor has the power to establish committees (s 41A, LGA) and in practice, this is usually done via recommendation to a full Council meeting. The Taupō Reserves & Roothing Committee may wish to make recommendations for improvements to the current structure, including Terms of Reference, and / or to confirm what is working well. The Committee's Terms of Reference are **attached** as a starting point for discussion. Any comments will be captured by staff, collated and provided to the new group of Elected Members for consideration following the elections.

CONCLUSION

It is recommended that the Committee receives the update about the elections and has a discussion about Terms of Reference, including any suggestions for improvement which could be noted and provided to the incoming Council following the 8 October 2022 elections.

RECOMMENDATION(S)

That the Taupō Reserves & Roothing Committee receives the update on the 2022 elections and makes the following recommendations to the incoming Council in respect of its committee structure ... *(if any)*.

ATTACHMENTS

1. Taupō Reserves and Roothing Terms of Reference 2019-2022 [↓](#)

Taupō Reserves and Roding Committee
Standing Committee

Objective	To exercise a range of Council's functions relating to the Taupō and Taupō East Rural Wards.
Membership	Seven (7) Councillors from the Taupō Ward One (1) Councillor from the Taupō East Rural Ward One (1) Māori representative Mayor
Quorum	Five (5)
Meeting frequency	Quarterly, and more often as required
Reporting	Reports to Council with minutes of each meeting being provided to Council

Scope of activity

1. Exercise Council's statutory regulatory functions under the following Acts and Regulations (and any amendments) that are not elsewhere delegated to staff:
 - Local Government Act 1974 – Part 21
 - Land Transport Act 1998
 - Reserves Act 1977
 - Local Government Act 1974 – Section 319 - Road Naming
2. Consider resident and ratepayer appeals to decisions made in accordance with Council's Tree and Vegetation policy (excluding decisions relating to trees and vegetation in the Mangakino-Pouakani and Turangi-Tongariro wards).

Power to act

1. Council delegates powers and duties under the Acts, Regulations and policies specified above, except where they may not be delegated, or where they are elsewhere delegated.
2. External representatives appointed to the committee have full voting rights.

Power to recommend to Council

The Committee has the power to resolve only on matters relating to the Acts, Regulations and policies specified above.

Delegation of powers

This group has no powers to sub-delegate.

Limits on authority

1. The Group's power to act pursuant to these delegations is subject to matters being related to the Taupō and Taupō East Rural ward.
2. The Committee's power to act under these delegations is subject to Council acting within the requirements of the Local Government Act, and where relevant, the Acts listed above and an overriding responsibility to ensure that its actions and decisions are always within the law.
3. The Committee may not exercise the powers delegated to administering bodies under the Reserves Act by the Minister of Conservation.