



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

<b>Date:</b>	<b>Thursday, 2 March 2023</b>
<b>Time:</b>	<b>1.00pm</b>
<b>Location:</b>	<b>Council Chamber 107 Heuheu Street Taupō</b>

# **AGENDA**

## **MEMBERSHIP**

**Chairperson** Cr John Williamson

**Deputy Chairperson**

**Members**

- Cr Kylie Leonard
- Cr Anna Park
- Cr Christine Rankin
- Cr Kevin Taylor
- Mayor David Trewavas
- Cr Yvonne Westerman
- Cr Duncan Campbell
- Cr Rachel Shepherd
- Mr Te Moananui Rameka

**Quorum** 5

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

## Order Of Business

- 1 **Karakia**
- 2 **Whakapāha | Apologies**
- 3 **Ngā Whakapānga Tukituki | Conflicts of Interest**
- 4 **Whakamanatanga O Ngā Meneti | Confirmation of Minutes**  
Nil
- 5 **Ngā Kaupapa Here Me Ngā Whakataunga | Policy and Decision Making**
  - 5.1 Election of Deputy Chairperson .....3
  - 5.2 Removal of parking spaces on Taniwha Street for new bus stop.....5
  - 5.3 Request for tree removal on the Kinloch Golf Course adjoining 84 Kinloch Road,  
Kinloch .....8
  - 5.4 Request to remove two trees from the berm adjoining 22 and 24 Irwin Place, Kinloch .....13
  - 5.5 Request to remove a tree from the berm outside 88 Lakewood Drive, Taupō .....18
  - 5.6 Request to Remove Tree from berm adjoining 8 Muritai Street, Taupo .....22
  - 5.7 Request for tree removals outside 36 Nisbet Terrace, Kinloch .....26
  - 5.8 Request for tree removal outside 122 Kinloch Road, Kinloch .....32
  - 5.9 Licence to Occupy - Parasail Activity at Lakefront Reserve .....38
  - 5.10 Taupo District Council Traffic Control Device Update .....42
  - 5.11 Approval of Wording for Sculpture Plaque - cnr of Roberts and Ruapehu streets .....47
- 6 **Ngā Kōrero Tūmataiti | Confidential Business**  
Nil

**5.1 ELECTION OF DEPUTY CHAIRPERSON**

**Author:** Paula Lawson, Executive Assistant

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

**TE PŪTAKE | PURPOSE**

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

**NGĀ TŪTOHUNGA | RECOMMENDATION(S)**

That the Taupō Reserves & Roding Committee:

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

**NGĀ KŌRERORERO | DISCUSSION**

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

**25. Voting systems for certain appointments**

*This clause applies to—*

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

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

- (a) *the voting system in subclause (3) ("system A");*
- (b) *the voting system in subclause (4) ("system B").]*

*[(3) System A —*

- (a) *requires that a person is elected or appointed if he or she receives the votes of a majority of the members of the local authority or committee present and voting; and*
- (b) *has the following characteristics: —*
  - (i) *there is a first round of voting for all candidates; and*
  - (ii) *if no candidate is successful in that round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and*

- (iii) if no candidate is successful in the second round there is a third, and if necessary subsequent, round of voting from which, each time, the candidate with the fewest votes in the previous round is excluded; and
  - (iv) in any round of voting, if 2 or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.]
- (4) *System B—*
  - (a) *requires that a person is elected or appointed if he or she receives more votes than any other candidate; and*
  - (b) *has the following characteristics:*
    - (i) there is only 1 round of voting; and
    - (ii) if 2 or more candidates tie for the most votes, the tie is resolved by lot.]

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

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

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

## NGĀ TĀPIRIHANGA | ATTACHMENTS

Nil

**5.2 REMOVAL OF PARKING SPACES ON TANIWHA STREET FOR NEW BUS STOP**

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

**Authorised by:** Andrew Moraes, General Manager Operations and Delivery

**TE PŪTAKE | PURPOSE**

To gain approval to remove 7 parking spaces outside 7 and 9 Taniwha Street in order to provide a new bus stop.

**WHAKARĀPOPOTOTANGA MATUA | EXECUTIVE SUMMARY**

The new Taupō Connector bus contract began 31 October 2022 with a new bus route within the CBD. The bus route was to travel down Ruapehu Street to stop outside Bottle O shop and Pak N Save, on the opposite side. Due to feedback, the bus was re-routed back to Taniwha Street.

Ideally bus stops should be on the opposite side so passengers know where to get on or off the bus. This is also the feedback we have received from the bus operator Tranzit and Waikato Regional council for the busy Taniwha bus stop.

A couple of options were looked at for the bus stop location, one was between the two Cossie Club driveways however was discounted due to the length being inadequate.

The second and preferred option is to remove the 7 parking spaces between 7 and 9 Taniwha Street to improve the safety for passengers. This will also allow the bus to pull off the road and the stop can be used as a timing point bus stop. See attached plan for proposed location.

**NGĀ TŪTOHUNGA | RECOMMENDATION(S)**

That the Taupō Reserves & Roding Committee approve the removal of the 7 parking spaces on Taniwha Street to allow for a bus stop.

**TE WHAKAMAHUKI | BACKGROUND**

The proposal has not been presented previously.

The new Taupō Connector bus contract began 31 October 2022 with a new bus route proposed within the CBD. The bus route was to travel down Ruapehu Street to make it more direct with two new stops outside Bottle O shop and Pak N Save on the opposite side.

Although we had a net gain of two parking spaces with this option with the reinstatement of angled spaces on Taniwha, following feedback from the Bottle O shop owners, the bus route was put back onto Taniwha Street and to use the existing bus stop and shelter.

**NGĀ KŌRERORERO | DISCUSSION**

The feedback we are receiving both from the bus operator Tranzit and Waikato Regional council are passengers complaining of not having a bus stop directly opposite Pak N Save, for the return trip. This means they are having to walk up to the stop outside the bus stop outside the Warehouse or are waving the driver to stop opposite Pak N Save. Neither options are ideal for those with shopping bags.

Two options have been looked at for the location of the stop, one is outside the Cossie Club, where the berm is currently paved, however the bus would overhang the two driveways. and secondly utilising the existing 7 car spaces between 7 and 9 Taniwha Street, see attached plan. These options are discussed below.

**NGĀ KŌWHIRINGA | OPTIONS**Analysis of Options

## Option 1. Do nothing - retain parking spaces

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>No loss of parking – 7 parking spaces retained</li> </ul>	<ul style="list-style-type: none"> <li>Passengers have to walk up the hill to the nearest stop outside Warehouse which also includes crossing two roads.</li> <li>Bus stop is stopped in live traffic lane so when bus stopped can create visibility issues.</li> <li>Passengers may not be picked up or know where the next stop is, not being opposite.</li> </ul>

## Option 2. Remove parking spaces

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>Bus passengers can access bus safely</li> <li>Bus stop is opposite to the Pak N Save stop</li> <li>Passengers do not have to walk up the hill to the next nearest stop outside Warehouse.</li> <li>This stop can become a timing point bus stop.</li> <li>Bus is out of live traffic lane when stopped.</li> <li>Bus stop is away from vehicles waiting to unload at Pak N Save.</li> </ul>	<ul style="list-style-type: none"> <li>Loss of 7 parking spaces on Taniwha</li> </ul>

Analysis Conclusion:

Preferred option is Option 2 due to the safety for passengers, bus can pull completely off the road and the stop can be used as a timing point bus stop.

**NGĀ HĪRAUNGA | CONSIDERATIONS****Whakahāngai ki tā te Kaunihera wawata | 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: World Class; Vibrant; Quality; Resilient and Value.

**Ngā Aronga Pūtea | Financial Considerations**

The financial impact of the proposal is estimated to be minimal and can be done with existing maintenance budgets.

Long-term Plan/Annual Plan

The expenditure outlined is currently budgeted for under maintenance budgets.

**Ngā Aronga Ture | Legal Considerations**Local Government Act 2002

The matter comes within scope of the Council's lawful powers, including satisfying the purpose statement of [Section 10](#) of the Local Government Act 2002. That section of the Act states that the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. It is considered that [social / economic / environmental and / or cultural of relevance to this 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 are not required from external parties.

**Ngā Hīraunga Kaupapa Here | Policy Implications**

There are no known policy implications.

**Te Kōrero tahi ki te Māori | 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.

**Ngā Tūraru | Risks**

There are no known risks for Council.

**TE HIRANGA O TE WHAKATAU, TE TONO RĀNEI | SIGNIFICANCE OF THE DECISION OR PROPOSAL**

Council's Significance and Engagement Policy identifies matters to be taken into account when assessing the degree of significance of proposals and decisions.

Officers have undertaken an assessment of the matters in the [Significance and Engagement Policy \(2022\)](#), and are of the opinion that the proposal under consideration is of a low degree of significance.

**TE KŌRERO TAHI | 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.

**TE WHAKAWHITI KŌRERO PĀPAHO | COMMUNICATION/MEDIA**

Direct communication has been/will be carried out with affected parties/key stakeholders but no wider communication is considered necessary. The owners of 7 and 9 Taniwha Street are currently being advised of the proposed changes.

**WHAKAKAPINGA | CONCLUSION**

The preferred option is to remove the 7 parking spaces on Taniwha Street to improve the safety for passengers. This will also allow the bus to pull off the road and the stop can be used as a timing point bus stop. By having this as a timing point bus stop will mean passengers will know exactly when the bus will leave the stop, giving them peace of mind if shopping at Pak N Save.

**NGĀ TĀPIRIHANGA | ATTACHMENTS**

1. Proposed bus stop location on Taniwha Street [↗](#)

**5.3 REQUEST FOR TREE REMOVAL ON THE KINLOCH GOLF COURSE ADJOINING 84 KINLOCH ROAD, KINLOCH**

**Author:** Andrew Moor, Parks Operations Manager - Taupō

**Authorised by:** Greg Hadley, District Parks Manager

**TE PŪTAKE | PURPOSE**

To propose the removal of an aging shelter belt made up predominantly of Douglas Fir trees (*Pseudotsuga menziesii*) from the number one tee on the Kinloch Golf Course, adjoining the property at 84 Kinloch Road, Kinloch.

**WHAKARĀPOPOTOTANGA MATUA | EXECUTIVE SUMMARY**

The neighbour at 84 Kinloch Road, Kinloch has contacted Council asking that the shelter belt beside the number one tee on the Kinloch Golf Course be managed to reduce the shading of their property. The five trees in this grouping were topped historically and in the opinion of the contract arborist have been somewhat compromised. The Kinloch Golf Club support the removal of the shelter belt as they have plans to redevelop this tee.

An arborist has assessed the trees and believes they range from an 'average to poor' health condition.

**NGĀ TŪTOHUNGA | RECOMMENDATION(S)**

That the Taupō Reserves & Roothing Committee approves the removal of the shelter belt between the number one tee on the Kinloch Golf Course and the property at 84 Kinloch Road, Kinloch.

**TE WHAKAMAHUKI | BACKGROUND**

The proposal has not been presented previously.

The neighbour at 84 Kinloch Road, Kinloch contacted the Kinloch Golf Club requesting that the shelter belt adjoining the number one tee be topped as they were experiencing difficulties with shading, with very little sun reaching their property. This is causing dampness in their home. The Kinloch Golf Club advised the neighbours to contact Council as land owners as they had no authority to make a decision about the trees. Members of the 'Golf Club' were able to provide some history in regard to the shelter belt though, advising that it was historically topped and maintained in a hedge of about 5 metres. The shelter belt is now close to 20 metres in height.

The 'Golf Club' members also advised that they had removed a number of large branches that had broken out from the trees in recent times. They are proposing remodelling this part of the course to create a two tiered tee. The current tee is impacted by the roots of the shelter belt.





*Location of shelter belt showing the trees with yellow dots.*

Some of the trees sit over a waste water main but there have been no records of roots damaging this.

An arborist's assessment [Attachment 1] of the health of the trees concluded that they range from 'Average to Poor' condition. He noted that the historical topping or hedging of the trees had compromised them somewhat.



*Shelter belt taken from golf course*

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.

### NGĀ KŌRERORERO | DISCUSSION

The neighbour at 84 Kinloch Road, Kinloch has contacted Council with shading issues caused by a shelter belt on the Kinloch Golf Course that adjoins their property. The contract arborist has noted that there is no arboriculturally satisfactory pruning option available that would provide a long term resolution to the shading issue or the ongoing risk of branch failure that was identified by members of the Kinloch Golf Club. Thus, he has suggested that removal of the shelter belt, followed up with replacement planting is the better option. This option is supported by the Kinloch Golf Club and the neighbours. The Golf Club have held off remodelling the tee at this location as they would like to work with Council on landscaping the site.

Any replacement planting would need to provide some screening to the neighbouring properties while not repeating the shading issues, or impacting on the golf tee. A suitable replacement species for this site could be a grove of Kowhai [*Sophora tetraptera*] underplanted with Mountain Flax [*Phormium cookianum*] to attract native birds or a mix of Maples [*Acer palmatum* 'Burgundy Lace'] and Flowering Cherry [*Prunus yedoensis* 'Awanui'] for autumnal colour and birds.

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

### NGĀ KŌWHIRINGA | OPTIONS

#### Analysis of Options

Option 1. Council to remove the Douglas Fir (*Pseudotsuga menziesii*) shelter belt from the Kinloch Golf Course adjoining 84 Kinloch Road, Kinloch.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• Removal of shading issues to 84 Kinloch Road.</li> <li>• Opportunity to 'start again' with more appropriate tree species that can be formatively pruned.</li> <li>• No requirement for ongoing maintenance of trees to reduce risk of structural failings.</li> <li>• Opportunity for Council to work with the Golf Club and neighbours to create a more appealing, sustainable area with improved amenity and ecology.</li> </ul>	<ul style="list-style-type: none"> <li>• Cost to Council of tree removal</li> <li>• Loss of some amenity until new trees grow to size of existing mature specimens.</li> <li>• Reduction in carbon sequestration until new trees mature.</li> </ul>

Option 2. Retain the Douglas Fir (*Pseudotsuga menziesii*) shelter belt from the Kinloch Golf Course adjoining 84 Kinloch Road, Kinloch.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• No cost associated with tree removal</li> <li>• Existing amenity and carbon sequestration rate remains</li> </ul>	<ul style="list-style-type: none"> <li>• Cost of ongoing maintenance to reduce structural risk posed by the trees.</li> <li>• Customer not satisfied with outcome</li> <li>• Shading and dampness issues remain.</li> </ul>



	<ul style="list-style-type: none"> <li>Golf Club limited in what they can do to remodel tee due to the presence of tree roots.</li> </ul>
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Analysis Conclusion:

The recommendation is option1: remove the Douglas Fir (*Pseudotsuga menziesii*) shelter belt from the Kinloch Golf Course adjoining 84 Kinloch Road, Kinloch.

**NGĀ HĪRAUNGA | CONSIDERATIONS****Whakahāngai ki tā te Kaunihera wawata | 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.

**Ngā Aronga Pūtea | Financial Considerations**

The financial impact of the proposal is estimated to be \$4,200.

Long-term Plan/Annual Plan

The expenditure outlined is currently budgeted for under Parks Operations.

**Ngā Aronga Ture | 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 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 required from external parties. (Detail if any)

**Ngā Hīraunga Kaupapa Here | Policy Implications**

The proposal has been evaluated against the following plans:

- ☐ Long Term Plan 2021-2031   ☐ Annual Plan   ☐ Waikato Regional Plan  
☐ Taupō District Plan   ☐ Bylaws   ☐ Relevant Management Plan(s)

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

The removal of these trees 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.

**Te Kōrero tahi ki te Māori | 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.

#### **Ngā Tūraru | Risks**

There are no known risks

#### **TE HIRANGA O TE WHAKATAU, TE TONO RĀNEI | SIGNIFICANCE OF THE DECISION OR PROPOSAL**

Council's Significance and Engagement Policy identifies matters to be taken into account when assessing the degree of significance of proposals and decisions.

Officers have undertaken an assessment of the matters in the [Significance and Engagement Policy \(2022\)](#), and are of the opinion that the proposal under consideration is of a low degree of significance.

#### **TE KŌRERO TAHI | 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.

#### **TE WHAKAWHITI KŌRERO PĀPAHO | COMMUNICATION/MEDIA**

Direct communication will be carried out with affected parties but no wider communication is considered necessary.

#### **WHAKAKAPINGA | CONCLUSION**

Based on the assessment of the options above it is recommended that the Douglas Fir shelter belt be removed from the Kinloch Golf Course, adjoining 84 Kinloch Road and be replaced with more appropriate tree species.

#### **NGĀ TĀPIRIHANGA | ATTACHMENTS**

1. Arborists Assessment Kinloch Golf Course [⇒](#)

**5.4 REQUEST TO REMOVE TWO TREES FROM THE BERM ADJOINING 22 AND 24 IRWIN PLACE, KINLOCH**

**Author:** Andrew Moor, Parks Operations Manager - Taupō

**Authorised by:** Greg Hadley, District Parks Manager

**TE PŪTAKE | PURPOSE**

To propose the removal of two Silver Birch trees (*Betula pendula*) from the berm in front of 22 and 24 Irwin Place, Kinloch.

**WHAKARĀPOPOTOTANGA MATUA | EXECUTIVE SUMMARY**

The adjoining neighbour to 2 Silver Birch trees on the berm at 22 and 24 Irwin Place in Kinloch have asked that these trees be removed as they give the property owner's daughter asthma and also cause her to have an allergic reaction.

An arborist has assessed the trees and believes they are in an 'average to poor' health condition.

**NGĀ TŪTOHUNGA | RECOMMENDATION(S)**

That the Taupō Reserves & Roothing Committee approves the removal of the two Silver Birch trees (*Betula pendula*) from the berm adjoining 22 and 24 Irwin Place, Kinloch.

**TE WHAKAMAHUKI | BACKGROUND**

The proposal has not been presented previously.

The neighbour at 24 Irwin Place, Kinloch contacted Council requesting that the Silver Birch trees outside 22 and 24 be topped and reduced back from the property in order to prevent them from causing her daughter from having further asthma attacks and allergic reactions.

Staff advised the neighbour that a reduction in height would most likely not remove any health issues the trees may be causing and that the flush of growth that would result from the topping could make the problem worse. This was later supported by Council's contract arborist. As a result the neighbour requested that the trees be removed.



The trees are shown here by the yellow dots.

The trees sit directly above a water main but there have been no records of roots damaging this.



*Photograph of street planting of Silver Birch*

Council's contract arborist's assessment [Attachment 1] of the health of the trees concluded that they are in 'Average to Poor' condition. He noted that both trees have been previously topped and this has resulted in the trees becoming structurally poor. Both have slender, competing stems arising from the previous pruning points. They also have large pruning wounds in structurally vulnerable locations. Silver Birch are prone to decay following topping or removal of large limbs.



*Photograph of decay from pruning wound on one of the trees*

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.

**NGĀ KŌRERORERO | DISCUSSION**

The neighbour to the two trees has complained that they cause asthma and allergic reactions to her daughter. Silver Birch is a species of tree that is often connected with these effects. Initially it was requested that the trees be topped but it is agreed that this would not reduce the health issues.

The contract arborist has noted a number of structural and health issues with the trees. Although they are not currently in heavy decline, nor do they pose a risk, the contract arborist has suggested that it might be timely to replace them with a more suitable species that isn't associated with causing allergic reactions.

A suitable replacement species for this site would be Sweetgum (*Liquidamber styraciflua* 'Festerii').

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

**NGĀ KŌWHIRINGA | OPTIONS**Analysis of Options

Option 1. Remove the Silver Birch Trees (*Betula pendula*) from the berm adjoining 22 and 24 Irwin Place, Kinloch.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>Reduced risk of allergic reaction for neighbour's daughter.</li> <li>Opportunity to 'start again' with more appropriate tree species that can be formatively pruned.</li> <li>No requirement for ongoing maintenance of tree to reduce risk of structural failings.</li> <li>Removal of seed source, preventing Silver Birch from spreading to 'natural areas'.</li> </ul>	<ul style="list-style-type: none"> <li>Cost of tree removal</li> <li>Loss of amenity until new trees grow to size of existing mature specimens.</li> <li>Reduction in carbon sequestration, shading and traffic calming until new trees mature.</li> </ul>

Option 2. Do not remove the Silver Birch Trees (*Betula pendula*) from the berm adjoining 22 and 24 Irwin Place, Kinloch.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>No cost associated with tree removal</li> <li>Amenity, carbon sequestration rate, traffic calming and shade remains</li> </ul>	<ul style="list-style-type: none"> <li>Cost of ongoing maintenance to reduce structural risk posed by the trees.</li> <li>Customer not satisfied with outcome and risk of asthma and allergic reactions remain for her daughter.</li> </ul>

Analysis Conclusion:

The recommendation is to remove the two Silver Birch Trees (*Betula pendula*) from the berm adjoining 22 and 24 Irwin Place, Kinloch.

**NGĀ HĪRAUNGA | CONSIDERATIONS****Whakahāngai ki tā te Kaunihera wawata | 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

**Ngā Aronga Pūtea | 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.

**Ngā Aronga Ture | 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 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.

**Ngā Hīraunga Kaupapa Here | Policy Implications**

The proposal has been evaluated against the following plans:

- ☐ Long Term Plan 2021-2031   ☐ Annual Plan   ☐ Waikato Regional Plan  
☐ Taupō District Plan   ☐ Bylaws   ☐ Relevant Management Plan(s)

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

The removal of these trees 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.

**Te Kōrero tahi ki te Māori | 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.

**Ngā Tūraru | Risks**

There are no known risks.

**TE HIRANGA O TE WHAKATAU, TE TONO RĀNEI | SIGNIFICANCE OF THE DECISION OR PROPOSAL**

Council's Significance and Engagement Policy identifies matters to be taken into account when assessing the degree of significance of proposals and decisions.

Officers have undertaken an assessment of the matters in the [Significance and Engagement Policy \(2022\)](#), and are of the opinion that the proposal under consideration is of a low degree of significance.



**TE KŌRERO TAHI | 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.

**TE WHAKAWHITI KŌRERO PĀPAHO | COMMUNICATION/MEDIA**

Direct communication will be carried out with affected parties but no wider communication is considered necessary.

**WHAKAKAPINGA | CONCLUSION**

Based on the analysis of the above options it is recommended that the two Silver Birch Trees (*Betula pendula*) are removed from the berm adjoining 22 and 24 Irwin Place, Kinloch and replaced with an appropriate species that does not cause allergies.

**NGĀ TĀPIRIHANGA | ATTACHMENTS**

1. Arborist's Assessment 22 Irwin Place, Kinloch [⇒](#)

**5.5 REQUEST TO REMOVE A TREE FROM THE BERM OUTSIDE 88 LAKEWOOD DRIVE, TAUPŌ**

**Author:** Andrew Moor, Parks Operations Manager - Taupō

**Authorised by:** Greg Hadley, District Parks Manager

**TE PŪTAKE | PURPOSE**

To propose the removal of an Elm (*Ulmus sp.*) from the berm adjoining 88 Lakewood Drive, Taupō.

**WHAKARĀPOPOTOTANGA MATUA | EXECUTIVE SUMMARY**

The property owner at 100 Lakewood Drive, Taupō has contacted Council asking that the tree on the berm adjoining 88 Lakewood Drive, Taupō be removed as the tree impedes the view of the lake from his and neighbouring properties. Council's Contract Arborist has assessed the tree and advised that it is a healthy, 'Very Good' specimen. Staff have advised that there is no justification under Council's Tree and Vegetation Policy 2014 to remove the tree. The property owner has stated that at the time of purchasing the property the tree did not impede the view of the lake and this was one of the reasons for buying it. Thus, he would like Council to consider its removal.

**NGĀ TŪTOHUNGA | RECOMMENDATION(S)**

That the Taupō Reserves & Roading Committee *declines the request to remove the Elm (*Ulmus sp.*) from the berm adjoining 88 Lakewood Drive, Taupō.*

**TE WHAKAMAHUKI | BACKGROUND**

The proposal has not been presented previously.

The property owner at 100 Lakewood Drive, Taupō has contacted Council asking that the Elm tree on the berm adjoining 88 Lakewood Drive, He has stated that 50% of his view to the lake has been impeded by the growth of this tree since he purchased his property.



Position of Elm tree marked with yellow dot.

The tree is positioned over a water main but there have been no records of roots damaging this. Roots have lifted the footpath and the adjoining section of path has been replaced. There is currently no sign of repeat lifting.

Council's Contract Arborist's assessment of the health of the tree concluded that it is healthy and in 'Very Good' condition. He believes the tree is significant within this landscape as it is the largest in the area. He does not believe there is any arboricultural reason to justify the removal of the tree and there is no acceptable pruning option to reduce the tree from the view shaft.



Photograph taken from 100 Lakewood Drive.

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.

## **NGĀ KŌRERORERO | DISCUSSION**

Council has been requested to remove a healthy tree on the berm outside 88 Lakewood Drive, Taupō. Council's Contract Arborist has stated that the tree is healthy and in 'Very Good' condition. The tree is the most prominent in the street but would have been chosen for its upright, narrow crown so as to minimise its impact on neighbouring views.

The property owner at 100 Lakewood Drive does not believe this is the case. He has stated that a significant amount of his view, for which he bought the property has been lost to the tree. The removal of this tree would contravene council's Tree and Vegetation Policy section 3.2 Removal of Healthy Trees (see above). 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. However, the Policy is supportive of the removal of healthy trees when it is part of programmed upgrades and streetscape improvements. Thus, a smaller tree that does not grow into this view shaft would need to be chosen as a replacement

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

## **NGĀ KŌWHIRINGA | OPTIONS**

### Analysis of Options

Option 1. Retain the Elm (*Ulmus sp.*) within the berm adjoining 88 Lakewood Drive, Taupō.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>No cost associated with tree removals.</li> <li>Maintain visual amenity with streetscape.</li> <li>Maintains traffic calming and carbon sequestration capabilities of trees.</li> <li>Tree provides shading during hot summer months.</li> <li>Maintains ecology and habitat within urban environment.</li> </ul>	<ul style="list-style-type: none"> <li>Customer not happy due to loss of view shaft to lake.</li> </ul>

Option 2. Remove the Elm (*Ulmus sp.*) within the berm adjoining 88 Lakewood Drive, Taupō.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>Customer happy with uninterrupted view of lake.</li> </ul>	<ul style="list-style-type: none"> <li>Cost of tree removal.</li> <li>Loss of traffic calming and carbon sequestration capability of tree.</li> <li>Loss of shade during summer months.</li> <li>Loss of ecology and habitat in urban environment.</li> </ul>

#### Analysis Conclusion:

The preferred option is to retain the Elm (*Ulmus sp.*) within the berm adjoining 88 Lakewood Drive, Taupō.

## NGĀ HĪRAUNGA | CONSIDERATIONS

### **Whakahāngai ki tā te Kaunihera wawata | 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.

### **Ngā Aronga Pūtea | Financial Considerations**

The financial impact of the proposal is estimated to be \$450 to remove tree

#### Long-term Plan/Annual Plan

The expenditure outlined is currently budgeted for under Parks Operations.

### **Ngā Aronga Ture | 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. 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 required from external parties.

### **Ngā Hīraunga Kaupapa Here | Policy Implications**

The proposal has been evaluated against the following plans:

- ☐ Long Term Plan 2021-2031    ☐ Annual Plan    ☐ Waikato Regional Plan

☐ Taupō District Plan      ☐ Bylaws      ☐ Relevant Management Plan(s)

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

The removal of these trees 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.

### **Te Kōrero tahi ki te Māori | 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

### **Ngā Tūraru | Risks**

There are no known risks

### **TE HIRANGA O TE WHAKATAU, TE TONO RĀNEI | SIGNIFICANCE OF THE DECISION OR PROPOSAL**

Council's Significance and Engagement Policy identifies matters to be taken into account when assessing the degree of significance of proposals and decisions.

Officers have undertaken an assessment of the matters in the [Significance and Engagement Policy \(2022\)](#), and are of the opinion that the proposal under consideration is of a low degree of significance.

### **TE KŌRERO TAHI | 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.

### **TE WHAKAWHITI KŌRERO PĀPAHO | COMMUNICATION/MEDIA**

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

### **WHAKAKAPINGA | CONCLUSION**

Based on the analysis of options above, it is recommended that the Elm (*Ulmus sp.*) within the berm adjoining 88 Lakewood Drive, Taupō is retained.

### **NGĀ TĀPIRIHANGA | ATTACHMENTS**

1. Arborist's Assessment 88 Lakewood Drive, Taupo ➡



**5.6 REQUEST TO REMOVE TREE FROM BERM ADJOINING 8 MURITAI STREET, TAUPŌ**

**Author:** Andrew Moor, Parks Operations Manager - Taupō

**Authorised by:** Greg Hadley, District Parks Manager

**TE PŪTAKE | PURPOSE**

To propose the removal of a Red Robin tree (*Photinia x fraseri*) from the berm adjoining 8 Muritai Street, Taupō.

**WHAKARĀPOPOTOTANGA MATUA | EXECUTIVE SUMMARY**

The neighbour at 8 Muritai Street, Taupō has contacted Council concerned that the Red Robin tree on her adjoining berm obstructs visibility of traffic on the road and is concerned that this will result in an accident. Council's Contract Arborist has assessed the trees health and believes it is in a 'Very Good' condition. He has suggested crown lifting the tree to improve visibility and address the concerns.

**NGĀ TŪTOHUNGA | RECOMMENDATION(S)**

That the Taupō Reserves & Roding Committee *declines the request to remove the Red Robin (Photinia x fraseri) from the berm outside 8 Muritai Street, Taupō.*

**TE WHAKAMAHUKI | BACKGROUND**

The proposal has not been presented previously.

The neighbour at 8 Muritai Street, Taupō has contacted Council requesting the removal of a Red Robin tree from the berm in front of her property. They are concerned that it restricts visibility of the road and although Muritai Street is usually a quiet cul de sac she believes the volumes of traffic from the bed and breakfast in the street could cause an accident.

Council's Contract Arborist has assessed the tree and believes it is a healthy specimen, well located within a wide berm. He believes the Red Robin makes a positive contribution to the streetscape and has suggested minor crown lifting of the tree to improve site lines beneath the canopy will address any visibility issues. Council's Transportation Team have viewed the tree and agree that minor crown lifting will alleviate any visibility issues, particularly if a driver was to stop at the end of the driveway before pulling out onto the road.



*Photograph from arborist showing recommended extent of lifting.*

When this was suggested to the neighbour by staff she disagreed and felt it would not address their safety concerns. They also spoke to the neighbours at number 4 who agree with their assessment.

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.

**NGĀ KŌRERORERO | DISCUSSION**

Council has been requested to remove a Red Robin tree from the berm adjoining 8 Muritai Street, Taupō on the grounds that it obstructs visibility onto the road and creates risk for neighbours backing out onto the road.

Council's Contract Arborist has assessed the tree and believes it is in Very Good condition, well located on the berm. He has recommended some minor crown lifting to improve visibility. Council's Transportation Team have viewed the tree and agree that some minor lifting will remove any visibility issues and risk. They have added that traffic speeds should be such in the cul de sac that stopping at the end of the driveway before backing onto the road would be sufficient to reduce any risk.

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

**NGĀ KŌWHIRINGA | OPTIONS**Analysis of Options

Option 1. Retain the Red Robin (*Photinia x fraseri*) on the berm outside 8 Muritai Street, Taupō.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• Maintains visual amenity.</li> <li>• Maintains traffic calming and carbon sequestration capability of tree.</li> <li>• Provides ecology and habitat in an urban setting.</li> <li>• No cost associated with tree removal.</li> <li>• Provides shading during hot summer months.</li> </ul>	<ul style="list-style-type: none"> <li>• Customer likely to be unhappy as she believes pruning will not be sufficient to correct issues.</li> </ul>

Option 2. Remove the Red Robin (*Photinia x fraseri*) on the berm outside 8 Muritai Street, Taupō.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• Customer happy.</li> <li>• No ongoing cost associated with pruning.</li> </ul>	<ul style="list-style-type: none"> <li>• Loss of visual amenity.</li> <li>• Loss of traffic calming and carbon sequestration capability of tree.</li> <li>• Loss of ecology and habitat in an urban setting.</li> <li>• Cost associated with tree removal.</li> <li>• Loss of shading during hot summer months.</li> </ul>

Analysis Conclusion:

The preferred option is to retain the Red Robin (*Photinia x fraseri*) on the berm outside 8 Muritai Street, Taupō.

## NGĀ HĪRAUNGA | CONSIDERATIONS

### Whakahāngai ki tā te Kaunihera wawata | 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.

### Ngā Aronga Pūtea | Financial Considerations

The financial impact of the proposal is estimated to be \$300

Long-term Plan/Annual Plan

The expenditure outlined is currently budgeted for under Parks Operations.

### Ngā Aronga Ture | 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 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 required from external parties.

### Ngā Hiraunga Kaupapa Here | Policy Implications

The proposal has been evaluated against the following plans:

☐ Long Term Plan 2021-2031    ☐ Annual Plan    ☐ Waikato Regional Plan

☐ Taupō District Plan    ☐ Bylaws    ☐ Relevant Management Plan(s)

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

The removal of these trees 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.



**Te Kōrero tahi ki te Māori | 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.

**Ngā Tūraru | Risks**

There are no known risks

**TE HIRANGA O TE WHAKATAU, TE TONO RĀNEI | SIGNIFICANCE OF THE DECISION OR PROPOSAL**

Council's Significance and Engagement Policy identifies matters to be taken into account when assessing the degree of significance of proposals and decisions.

Officers have undertaken an assessment of the matters in the [Significance and Engagement Policy \(2022\)](#), and are of the opinion that the proposal under consideration is of a low degree of significance.

**TE KŌRERO TAHI | 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.

**TE WHAKAWHITI KŌRERO PĀPAHO | COMMUNICATION/MEDIA**

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

**WHAKAKAPINGA | CONCLUSION**

Based on the above assessment it is recommended that the Red Robin is retained on the berm outside 8 Muritai Street, Taupō.

**NGĀ TĀPIRIHANGA | ATTACHMENTS**

1. Arborist's Assessment 6 Muritai Street, Taupo ➡

**5.7 REQUEST FOR TREE REMOVALS OUTSIDE 36 NISBET TERRACE, KINLOCH**

**Author:** Andrew Moor, Parks Operations Manager - Taupō

**Authorised by:** Greg Hadley, District Parks Manager

**TE PŪTAKE | PURPOSE**

To propose the removal of a Silver Birch tree (*Betula pendula*) and a Totara tree (*Podocarpus totara*) from the berm outside 36 Nisbet Terrace, Kinloch.

**WHAKARĀPOPOTOTANGA MATUA | EXECUTIVE SUMMARY**

The neighbours at 33 and 36 Nisbet Terrace, Kinloch have requested the removal of a Silver Birch and Totara tree from the berm adjoining 36 Nisbet Terrace. They have stated that the trees encroach on and shade the property. The owner of 33 Nisbet Terrace also has concerns about the size of the trees and the damage they may cause should they fail in a storm.

Council's contract arborist has assessed the trees and believes they are in a 'Very Good' condition. He noted that there are other mature trees within the property that would be compounding the issues but felt that should Council wish to address the issues that the Totara tree would be the more appropriate for removal. He added that there are no options for pruning to reduce the impact of the trees but pruning to maintain their current size is an option.

**NGĀ TŪTOHUNGA | RECOMMENDATION(S)**

That the Taupō Reserves & Roothing Committee:

1. declines the request to remove the Silver Birch tree (*Betula pendula*) and a Totara tree (*Podocarpus totara*) from the berm outside 36 Nisbet Terrace, Kinloch; and
2. commits to ongoing crown reduction of the Totara (*Podocarpus totara*) to maintain its current size and removal without replacement of the Silver Birch (*Betula pendula*) once it begins to naturally decline.

**TE WHAKAMAHUKI | BACKGROUND**

The proposal has not been presented previously.

Council received a request from the owner of 33 Nisbet Terrace, Kinloch on behalf of the owner of 36 Nisbet Terrace, asking for the trees outside 36 Nisbet Terrace to be trimmed or removed as they were getting very tall and encroaching and shading this property. Council later received correspondence from the owner of 36 Nisbet Terrace confirming that they had been in discussion with the neighbour at 33 Nisbet regarding the size of the trees and how they obstructed his views and added his concerns that the trees were of a size that could potentially damage his property should they fail in a storm.



*Photograph taken from 33 Nisbet Terrace looking across to 36 Nisbet Terrace*

Council's contract arborist has assessed the trees and believes they are both in 'Very Good' condition. He observed that as the trees are directly to the north of 36 Nisbet Terrace they will be casting significant shade over the home. He also added that there are several other large trees within the property of 36 Nisbet Terrace that will be adding to the shading issues. He noted that the Silver Birch was likely planted as part of the original street scaping as it is in fitting with others in the street. He felt that the Totara may have been planted by a previous owner or could have been self-sown as it would be unlikely that Council would plant a tree like this so close to an existing one. He feels that there is no pruning that could be undertaken to improve the situation but if Council were to do anything to reduce the shading issue, removal of the evergreen Totara would be the better option as the Silver Birch is more appropriate in size and form for the location. He did advise however that regular minor crown reduction of the Totara could be undertaken to maintain it at its current height.



*Location of trees marked by yellow dots*

The property owners at 33 and 36 Nisbet Terrace had initially been dealing with Council's Transportation Team in regard to the trees. Based on the contract arborist's assessment that the Totara may have been self-sown they were incorrectly advised that the Totara could be removed without the need for approval from



the Taupō Reserves and Roothing Committee. This was a misinterpretation of the Tree and Vegetation Policy 2014 which advises that Council will remove self-sown weed trees. This has caused the property owners some frustration.

Council has recently undertaken an upgrade to the water supply in Nisbet Terrace. The neighbour at number 33 Nisbet Terrace has raised concerns that this work may have adversely impacted on the health of the Totara tree by digging through its roots. Council's contract arborist revisited the tree to assess any damage. Although the site had been reinstated and he could not see any roots that may have been exposed he felt that as the work was 2.7 metres from the base of the tree, which would be outside the trees structural root zone, any root damage would be within the tree's range of tolerance. Thus, it is unlikely that any work would have impacted on the tree's structural stability. This has been supported by Council's Infrastructure Project Manager who was on site when the contractors worked in the vicinity of the trees. The line in this area was thrust at a depth of approximately 1.5 metres. The only excavation in the area was done in the driveway of 38 Nisbet Terrace to repair a damaged line, more than 3 metres from the base of the tree. He has confirmed that no roots were exposed in this excavation.



*Photographs showing proximity of water line work to trees and minor roots encountered within trench.*

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.

**NGĀ KŌRERORERO | DISCUSSION**

The neighbours at 33 and 36 Nisbet Terrace have approached Council with a number of reasons for why they would like the trees removed from the berm outside 36 Nisbet Terrace. Council's Tree and Vegetation Policy 2014 states that Council will not top or remove trees for views. Council's contract arborist and Infrastructure Project Manager have ruled out that the Totara tree's structural integrity would have been impacted on by the water main renewal project. Tree assessments can never completely rule out failure of trees or their limbs within extreme weather conditions. However, Council's contract arborist believes both the Silver Birch and Totara are in very good condition and show no sign that they would fail. Ongoing pruning and general care will assist in maintaining the trees in this condition for some time.

Council's contract arborist does acknowledge that the position of the trees on the northern face of the property does cause shading issues. He has suggested that the better option for reducing the encroachment and shading would be to remove the Totara and retain the Silver Birch. This would be in keeping with 1.6 of Council's Tree and Vegetation Policy and the preferred density of one street tree per berm. However, Silver Birch have been widely planted in the past throughout Kinloch and Council receives a number of requests for removals due to them causing asthma and other allergic reactions. As Silver Birch trees decline or are approved for removal, Council replaces plants with more appropriate species that don't cause these issues.

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

**NGĀ KŌWHIRINGA | OPTIONS**Analysis of Options

Option 1. Keep both the Silver Birch and Totara trees in the immediate term. Undertake regular crown reduction on the Totara tree to maintain its current size and remove but not replace the Silver Birch at such time as it starts to naturally decline in health.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>No cost associated with tree removals.</li> <li>Maintain visual amenity with streetscape.</li> <li>Maintains traffic calming and carbon sequestration capabilities of trees.</li> <li>Trees provide shading during hot summer months.</li> <li>Maintains ecology and habitat within urban environment.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing shading issue within winter months.</li> <li>Customers not happy.</li> <li>Ongoing cost of crown reduction to Totara.</li> <li>Silver Birch provides a seed source for weed tree spread in natural areas.</li> <li>Potential for Silver Birch to contribute to allergic reactions.</li> </ul>

Option 2. Remove the Totara and retain the Silver Birch.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>Customers more likely to be happy as they believe the Totara is the tree causing the most issues.</li> <li>No ongoing cost associated with crown reduction of the Totara.</li> </ul>	<ul style="list-style-type: none"> <li>Loss of visual amenity provided by evergreen tree.</li> <li>Loss of ecology and habitat within an urban environment.</li> <li>Silver Birch provides a seed source for weed tree spread in natural areas.</li> <li>Potential for Silver Birch to contribute to allergic reactions.</li> <li>Reduced level of carbon sequestration.</li> </ul>

Option 3. Remove the Silver Birch and retain the Totara, undertaking regular crown reduction to maintain its current size.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>Maintains native ecology and habitat within an urban environment.</li> <li>Maintains visual amenity provided by an evergreen tree.</li> </ul>	<ul style="list-style-type: none"> <li>Customers unlikely to be happy as they felt the Silver Birch was having less of an impact than the Totara.</li> <li>Reduced level of carbon sequestration.</li> </ul>

<ul style="list-style-type: none"> <li>Removes risk of Silver Birch seed source spreading to natural areas.</li> </ul>	<ul style="list-style-type: none"> <li>Shading of neighbouring property remains.</li> </ul>
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Option 4. Remove both the Silver Birch and Totara.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>Customers happy as this was their preferred option.</li> <li>No ongoing cost associated with crown reducing the Totara.</li> </ul>	<ul style="list-style-type: none"> <li>Cost associated with tree removals.</li> <li>Loss of visual amenity within streetscape.</li> <li>Loss of traffic calming and carbon sequestration capabilities of trees.</li> <li>Loss of shade during hot summer months.</li> <li>Loss of ecology and habitat within urban environment.</li> </ul>

#### Analysis Conclusion:

The recommendation is option 1: keep both the Silver Birch and Totara trees in the immediate term. Regular crown reduction on the Totara tree would be undertaken to maintain its current size and the Silver Birch would be removed, but not replaced at such time that it starts to naturally decline in health.

## **NGĀ HĪRAUNGA | CONSIDERATIONS**

### **Whakahāngai ki tā te Kaunihera wawata | 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 and Resilient.

### **Ngā Aronga Pūtea | Financial Considerations**

The financial impact of the proposal is estimated to be \$1000 - \$3000 for tree removals.

#### Long-term Plan/Annual Plan

The expenditure outlined is currently budgeted for under Parks Operations.

### **Ngā Aronga Ture | 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 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.

### **Ngā Hīraunga Kaupapa Here | Policy Implications**

The proposal has been evaluated against the following plans:

- ☐ Long Term Plan 2021-2031    ☐ Annual Plan    ☐ Waikato Regional Plan  
☐ Taupō District Plan    ☐ Bylaws    ☐ Relevant Management Plan(s)

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

The removal of these trees 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.

### **Te Kōrero tahi ki te Māori | 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.

### **Ngā Tūraru | Risks**

There are no known risks.

### **TE HIRANGA O TE WHAKATAU, TE TONO RĀNEI | SIGNIFICANCE OF THE DECISION OR PROPOSAL**

Council’s Significance and Engagement Policy identifies matters to be taken into account when assessing the degree of significance of proposals and decisions.

Officers have undertaken an assessment of the matters in the [Significance and Engagement Policy \(2022\)](#), and are of the opinion that the proposal under consideration is of a low degree of significance.

### **TE KŌRERO TAHI | 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.

### **TE WHAKAWHITI KŌRERO PĀPAHO | COMMUNICATION/MEDIA**

Direct communication will be carried out with affected parties but no wider communication is considered necessary.

### **WHAKAKAPINGA | CONCLUSION**

Based on the assessment it is recommended that both the Silver Birch and Totara trees remain for the immediate term. Council shall commit to undertake regular crown reduction on the Totara tree to maintain its current size and remove, but not replace the Silver Birch, at such time that it starts to naturally decline in health.

### **NGĀ TĀPIRIHANGA | ATTACHMENTS**

1. Arborist’s assessment 36 Nisbet Terrace, Kinloch ➡



**5.8 REQUEST FOR TREE REMOVAL OUTSIDE 122 KINLOCH ROAD, KINLOCH****Author:** Andrew Moor, Parks Operations Manager - Taupō**Authorised by:** Greg Hadley, District Parks Manager**TE PŪTAKE | PURPOSE**

To propose the removal of three Lombardy Poplar trees (*Populus nigra*) from the berm adjoining 122 Kinloch Road, Kinloch.

**WHAKARĀPOPOTOTANGA MATUA | EXECUTIVE SUMMARY**

Council has been contacted by the owners of 122 Kinloch Road, Kinloch requesting the removal of three Lombardy Poplar trees (*Populus nigra*). They believe trees' roots are lifting the cobbled driveway of the property and suckers from the tree are appearing throughout the lawns and gardens. Some cracking is also appearing in the concrete floor of the garage that they have said is caused by the tree roots. The owners are also 'fed up' with the volume of leaf litter that falls on their property.

Council's contract arborist has assessed the trees and believes they are healthy, in 'Good to Average' condition. He has noted that the three trees are very prominent on the landscape, and while they are not on the Amenity Tree Register, they do form part of the line of trees along Kinloch's entrance.

**NGĀ TŪTOHUNGA | RECOMMENDATION(S)**

That the Taupō Reserves & Roding Committee:

1. declines the request to remove three Lombardy Poplar trees (*Populus nigra*) from the berm adjoining 122 Kinloch Road, Kinloch; and
2. instructs staff to undertake root pruning and guarding within the lower level of this property.

**TE WHAKAMAHUKI | BACKGROUND**

The proposal has not been presented previously.

The owners of 122 Kinloch Road, Kinloch have approached Council requesting the removal of three Lombardy Poplar trees from the berm adjoining their property. They have stated that roots from the trees have lifted the cobbled driveway, they believe it has cracked the concrete within their garage and suckers from the tree are sprouting throughout their gardens and lawns. They have also become tired of clearing up the significant amount of leaf litter from the trees each autumn.



Photographs showing cracking of concrete and lifting of cobbles.

Council's contract arborist has assessed the trees and believes they are in 'Good to Average' condition. The trees are not on Council's Amenity Tree register but do form part of the line of Poplar trees on Kinloch's entrance. Collectively they are very significant on the landscape. The arborist has suggested that the best method of addressing the root issues is to prune the roots and install root guard on the lower level, within the



private property. Once the root guard is in place he has advised that it would be appropriate to spray any sucker growth without impacting the parent trees.



*Photographs showing lower level of private property.*

The section was developed in 2008. The driveway and front section of the property is approximately 400mm below the level of the road and the trees. The cutting to level the section would likely have extended to at least 600mm. At this depth, the majority of roots on the house side of the tree would have been cut through. Thus, Council's contract arborist believes that it is most likely that the roots causing the damage are regrowth from this initial cutting.



*Aerial showing position of trees marked by yellow dots*

A water main runs between the trees and the boundary with 122 Kinloch Road. There have been known reports of the roots damaging this line. The position of the line restricts trenching and root pruning within the

Council road reserve. Council's contract arborist has advised that undertaking the root pruning further from the base of the trees at the lower level would likely be more successful in containing the roots.



*Photograph illustrating distance between tree base and property boundary with alignment of water main running beside the path.*

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.

### **NGĀ KŌRERORERO | DISCUSSION**

The property owners of 122 Kinloch Road believe the best solution for addressing any damage to their property is to remove the three Lombardy Poplar. The cost of removing the three trees would be approximately \$9,000. Council's contract arborist believes root pruning would achieve the same result long term. The best location to undertake this is the lower level of the private property. This would involve trenching through the owner's lawn for about half the length then lifting a strip of the cobbled driveway to trench the other half. This has been estimated to cost approximately \$2,500.

The trees are a significant feature within the Kinloch landscape and are valued by many residents.

Based on this information it is considered that there are 3 options.

## NGĀ KŌWHIRINGA | OPTIONS

### Analysis of Options

Option 1. Remove the three Lombardy Poplars (*Populus nigra*) from the berm adjoining 122 Kinloch Road, Kinloch.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>Removes roots along with the trees as future cause of damage to private property.</li> <li>No further leaf litter from the 3 trees.</li> <li>Customers happy with outcome.</li> </ul>	<ul style="list-style-type: none"> <li>Loss of significant visual amenity.</li> <li>Significant cost of removals on Council</li> <li>Loss of traffic calming and carbon sequestration capabilities of trees.</li> <li>Loss of shading and cooling during hot summer months.</li> <li>Loss of ecology and habitat.</li> <li>Community unhappy about loss of significant trees.</li> </ul>

Option 2. Retain the three Lombardy Poplars (*Populus nigra*) within the berm adjoining 122 Kinloch Road, Kinloch and undertake root pruning and guarding within the property.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>No cost associated with tree removals.</li> <li>Maintains significant visual amenity within streetscape.</li> <li>Maintains traffic calming and carbon sequestration capabilities of trees.</li> <li>Trees provide shading during hot summer months.</li> <li>Maintains ecology and habitat within urban environment.</li> </ul>	<ul style="list-style-type: none"> <li>Cost to Council of root pruning and guarding.</li> <li>Ongoing issues with leaf litter in autumn.</li> <li>Customers not as happy with result as first preference was for trees to be removed.</li> </ul>

Option 3. Retain the three Lombardy Poplars (*Populus nigra*) within the berm adjoining 122 Kinloch Road, Kinloch.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>No cost associated with tree removals.</li> <li>Maintains significant visual amenity within streetscape.</li> <li>Maintains traffic calming and carbon sequestration capabilities of trees.</li> <li>Trees provide shading during hot summer months.</li> <li>Maintains ecology and habitat within urban environment.</li> </ul>	<ul style="list-style-type: none"> <li>Customers believe roots will continue to damage private property.</li> <li>Ongoing issues with leaf litter in autumn.</li> <li>Customers not as happy with result</li> </ul>

### Analysis Conclusion:

Option 2 is the preferred option: Retain the three Lombardy Poplars (*Populus nigra*) within the berm adjoining 122 Kinloch Road, Kinloch and undertake root pruning and guarding within the property.



## NGĀ HĪRAUNGA | CONSIDERATIONS

### Whakahāngai ki tā te Kaunihera wawata | 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.

### Ngā Aronga Pūtea | Financial Considerations

The financial impact of the proposal is estimated to be \$2,500 for root pruning and guarding or \$9,000 for tree removals.

#### Long-term Plan/Annual Plan

The expenditure outlined is currently budgeted for under Parks Operations.

### Ngā Aronga Ture | 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 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.

### Ngā Hiraunga Kaupapa Here | Policy Implications

The proposal has been evaluated against the following plans:

- ☐ Long Term Plan 2021-2031    ☐ Annual Plan    ☐ Waikato Regional Plan
- ☐ Taupō District Plan    ☐ Bylaws    ☐ Relevant Management Plan(s)

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

The removal of these trees 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.

**Te Kōrero tahi ki te Māori | 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.

**Ngā Tūraru | Risks**

There are no known risks.

**TE HIRANGA O TE WHAKATAU, TE TONO RĀNEI | SIGNIFICANCE OF THE DECISION OR PROPOSAL**

Council's Significance and Engagement Policy identifies matters to be taken into account when assessing the degree of significance of proposals and decisions.

Officers have undertaken an assessment of the matters in the [Significance and Engagement Policy \(2022\)](#), and are of the opinion that the proposal under consideration is of a low degree of significance.

**TE KŌRERO TAHI | 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.

**TE WHAKAWHITI KŌRERO PĀPAHO | COMMUNICATION/MEDIA**

Direct communication will be carried out with affected parties but no wider communication is considered necessary.

**WHAKAKAPINGA | CONCLUSION**

Based on the analysis of options it is recommended that the three Lombardy Poplars (*Populus nigra*) within the berm adjoining 122 Kinloch Road, Kinloch area retained and root pruning and guarding within the property is undertaken.

**NGĀ TĀPIRIHANGA | ATTACHMENTS**

1. Arborist's Assessment 122 Kinloch Road, Kinloch [⇒](#)

**5.9 LICENCE TO OCCUPY - PARASAIL ACTIVITY AT LAKEFRONT RESERVE**

**Author:** Andrew Moor, Parks Operations Manager - Taupō

**Authorised by:** Greg Hadley, District Parks Manager

**TE PŪTAKE | PURPOSE**

To consider renewing the licence to occupy (LTO) for the parasail activity on Council administered land at Lakefront Reserve.

**WHAKARĀPOPOTOTANGA MATUA | EXECUTIVE SUMMARY**

Council has been approached by Big Sky Parasail, who currently hold a concession on the Lakefront Reserve, to extend this concession for another five years. Staff are not aware of any issues during the last license term that would prevent recommending this extension.

**NGĀ TŪTOHUNGA | RECOMMENDATION(S)**

That the Taupō Reserves & Roding Committee approves a new five-year license to occupy for Big Sky Parasail for land on the Lakefront Reserve, Taupō as identified in this report.

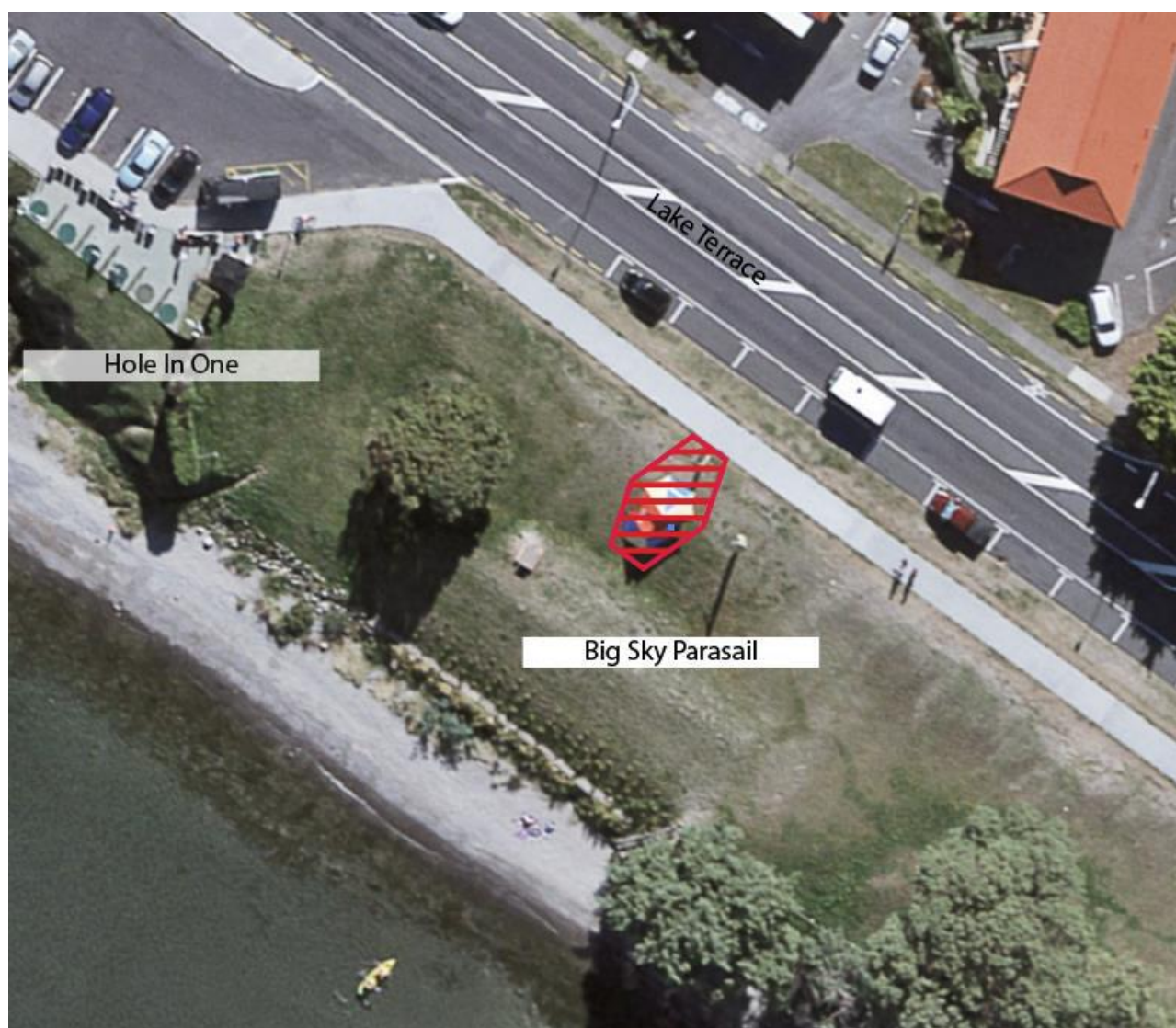
**TE WHAKAMAHUKI | BACKGROUND**

The proposal has not been presented previously.

Big Sky Parasail hold a license to occupy and operate their business on the Lakefront Reserve. Over the years of operation this has become a popular activity for visitors to Taupo, adding to the vitality of the lakefront. To date the relationship between Council and Big Sky Parasail has been a positive one.

**NGĀ KŌRERORERO | DISCUSSION**

Big Sky Parasail operates the parasailing activity on Lake Taupō, with a marquee and sign on Lakefront Reserve which operates as a customer interaction point as identified hatched red below.



Their current licence to occupy will expire on 30 April 2023 at the end of their current season. The operators of the business have asked Council to consider a new LTO for another five-year term; five years being the maximum permitted term for licences on Lakefront Reserve under the Tapuaeharuru Bay Lakeshore Reserves Management Plan. The activity is seasonal and takes place from 1 November to 30 April each year. They have asked Council for this extension now for some certainty.

To the best of officer's knowledge there have been no issues with the occupation during the previous licence term. The LTO for Council administered land is entirely separate from any agreement which the operators may have with the Tūwharetoa Māori Trust Board for operations on the lake.

The activity is a unique opportunity, lending additional vibrancy to the lakefront along with the opportunity for users to experience the lake and surrounding area from a new perspective. The activity appears to be successful and well patronised. Lakefront Reserve is a reserve under the Reserves Act 1977, and the activity aligns with the requirements for leases and licences under the Act.

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

### **NGĀ KŌWHIRINGA | OPTIONS**

#### Analysis of Options

Option 1. Issue Big Sky Parasail a 5-year license to occupy the area of the Lakefront Reserve immediately.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>Big Sky Parasail have certainty that their operation can continue on the reserve, allowing</li> </ul>	<ul style="list-style-type: none"> <li>Removes Council's opportunity to seek expressions of interest for future utilisation of</li> </ul>

them to plan for the future of their business.	the concession site.
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Option 2. Wait until the current license to occupy held by Big Sky Parasail expires and review whether it should be extended at this time.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>Gives Council the ability to consider whether expressions of interest should be invited for future use of the concession site.</li> </ul>	<ul style="list-style-type: none"> <li>Big Sky Parasail have no certainty as to the location of their site making it difficult to plan</li> </ul>

#### Analysis Conclusion:

The preferred option is to issue Big Sky Parasail a 5 year license to occupy the area of the Lakefront Reserve immediately.

## **NGĀ HĪRAUNGA | CONSIDERATIONS**

### **Whakahāngai ki tā te Kaunihera wawata | 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: World Class; Vibrant and Quality.

### **Ngā Aronga Pūtea | Financial Considerations**

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

### Long-term Plan/Annual Plan

The expenditure outlined

### **Ngā Aronga Ture | 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 economic are of relevance to this particular matter.

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

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.

### **Ngā Hīraunga Kaupapa Here | Policy Implications**

The proposal has been evaluated against the following plans:

- ☐ Long Term Plan 2021-2031    ☐ Annual Plan    ☐ Waikato Regional Plan  
☐ Taupō District Plan    ☐ Bylaws    ☒ Relevant Management Plan(s)

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

There are no known policy implications.



**Te Kōrero tahi ki te Māori | 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.

**Ngā Tūraru | Risks**

There are no known risks

**TE HIRANGA O TE WHAKATAU, TE TONO RĀNEI | SIGNIFICANCE OF THE DECISION OR PROPOSAL**

Council's Significance and Engagement Policy identifies matters to be taken into account when assessing the degree of significance of proposals and decisions.

Officers have undertaken an assessment of the matters in the [Significance and Engagement Policy \(2022\)](#), and are of the opinion that the proposal under consideration is of a low degree of significance.

**TE KŌRERO TAHI | 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.

**TE WHAKAWHITI KŌRERO PĀPAHO | COMMUNICATION/MEDIA**

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

**WHAKAKAPINGA | CONCLUSION**

Given the contribution to the summer vibrancy of the district, successful operation, low impact on the reserve and the absence of known issues with the operation, it is considered an appropriate activity for this location.

**NGĀ TĀPIRIHANGA | ATTACHMENTS**

Nil

**5.10 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. NSAAT Lines – Shepherd Road	Vehicles are parking both on the berm and the road blocking sight distance when exiting the driveway. A short section of No Stopping at all Times lines to maintain sight lines.	7m to the west and 10m to east of 17 Shepherd Road Vehicle Entrance
2. NSAAT Lines – Rokino Road	This is a bus route for Hilltop school. Parked cars are impacting the ability for the bus to turn out of Awanui Street into Rokino Road South.	20m South of Awanui Street on both sides of the road
3. NSAAT Lines – Hawaii Street	The sight distance around the corner is not adequate. Any parked cars on the corner will cause vehicles needing to cross the centre line without enough sight distance to see any uphill vehicles.	64m of NSAAT outside 23 and 25 Hawaii Street
4. NSAAT Lines – Waikato Street	Te Kura Kaupapa Māori o Whakarewa use 20 Waikato Street as a drop off and pick up area. With cars parked on Waikato Street it is hard to exit onto Waikato Street due to hill to west of the exit.	10m either side of 20 Waikato Street vehicle entrance onto Waikato Street
5. Additional Bus Coach Parking on Ferry Road	There has been an increase in the number of tour coaches wanting to access the CBD area. Prior to the TTCT, there were two coach parks on the lower Tongariro Domain side. These were replaced with car	North Side of Ferry Road closest to the Tongariro Street Intersection

	parking. Therefore, a two coach parks are proposed for Ferry Road.	
6. Mobility Park – Roberts Street	To provide mobility access to the Roberts Street and the Lake Front	Roberts Street Shared Space – outside 14 Ruapehu Street
7. Mobility Park – Ferry Road Carpark	To provide mobility access to the Roberts Street and the Lake Front	First Carpark in the Ferry Road Carpark
8. P60 or P90 Parking Time Limit – Tuwharetoa and Roberts Streets	Change the unrestricted carparking to provide more shorter-term shopper/dinning carparking to support business in the immediate area and in the block between Tongariro Street and Ruapehu Street.	All on street parking on both Roberts Street and Tuwharetoa Street between Ruapehu Street and Titirapunga Street

## BACKGROUND

Council must make a resolution whenever a sign or marking on the road is recommended or recommended to be changed, and as a consequence, controls or prohibits the use of a road or public space.

The Taupō District Council Traffic Control Device Register (the Register) sets out all the signs and markings which control and prohibit the use of a road or public space in the Taupō District.

## OPTIONS

The two options before Council are:

- 1) Accept the recommendation to amend and update the controls or;
- 2) Not accept the recommendation to amend and update the controls.

It is recommended that Council accepts the recommendation to update and amend the controls.

## CONSIDERATIONS

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

Sign/Marking	Why	Where
1. NSAAT Lines – Shepherd Road	Vehicles are parking both on the berm and the road blocking site distance when exiting the driveway. A short section of No Stopping at all Times lines to maintain sight lines.	7m to the west and 10m to east of 17 Shepherd Road Vehicle Entrance
2. NSAAT Lines – Rokino Road	This is a bus route for Hilltop school. Parked cars are impacting the ability for the bus to turn out of Awanui Street into Rokino Road South.	20m South of Awanui Street on both sides of the road
3. NSAAT Lines – Hawai Street	The sight distance around the corner is not adequate. Any parked cars on the corner will cause vehicles needing to cross the centre line without enough sight distance to see any uphill vehicles.	64m of NSAAT outside 23 and 25 Hawai Street

4. NSAAT Lines – Waikato Street	Te Kura Kaupapa Māori o Whakarewa use 20 Waikato Street as a drop off and pick up area. With cars parked on Waikato Street it is hard to exit onto Waikato Street due to hill to west of the exit.	10m either side of 20 Waikato Street vehicle entrance onto Waikato Street
5. Additional Bus Coach Parking on Ferry Road	Demand for tour coach parking has increased. It is proposed that two coach parks be installed for Ferry Road.	North Side of Ferry Road closest to the Tongariro Street Intersection
6. Mobility Park – Roberts Street	To provide mobility access to Roberts Street and the Lake Front	Roberts Street Shared Space – outside 14 Ruapehu Street
7. Mobility Park – Ferry Road Carpark	To provide mobility access to Roberts Street and the Lake Front	First Carpark in the Ferry Road Carpark
8. P60 or P90 Parking Time Limit – Tuwharetoa and Roberts Streets	Change the unrestricted carparking to provide more shorter-term shopper/dinning carparking to support businesses in the immediate area and in the block between Tongariro Street and Ruapehu Street.	All on street parking on both Roberts Street and Tuwharetoa Street between Ruapehu Street and Titiraupenga Street

1. Monte Vista aged care contacted council about parking issues. People are parking both on the street and the berm blocking sight distance when exiting Monte Vista. By removing some of the on road parking it would improve sight distance and make exiting safer.
2. The school bus route for Hilltop School turns right from the south end of the Awanui Street onto Rokino Road. Parent parking during pick up and drop off can extend from the school down to Awanui Street making it difficult for the buses to turn right. The no stopping at all times lines will ensure buses can make this turning manoeuvre.
3. Due to the alignment and the narrowness of this section of Hawai Street, the sight distance around the corner is not adequate. Any parked cars on the corner will cause vehicles needing to cross the centre line without enough sight distance to see any uphill vehicles causing a safety issue.
4. Te Kura Kaupapa Māori o Whakarewa use the council owned 20 Waikato Street as a safe off road drop off and pick up area. Due to the alignment of the road and cars parked on Waikato Street, at times it is difficult to achieve the required sight distance to make a safe exit onto Waikato Street.
5. Since September 2022, there has been an increase in the number of tour coaches wanting to access the CBD area. Council has received requests from tour coach operators about the location and amount of tour coach parking within Taupo. Prior to the Taupō Town Centre Transformation (TTCT) project, there were two coach parks on the lower Tongariro Domain side of Tongariro Street. These were replaced with car parking. Since demand for tour coach parking has increased, it is proposed that two coach parks be installed for Ferry Road. It should be noted that there also used to be a tour coach park in the proposed location.
6. As part of the TTCT Roberts street upgrade, it is proposed that we install mobility parking in and near the space to allow access to all users of this area. Access Taupō have been advised of mobility parking for this area.
7. As part of the TTCT Roberts street upgrade, it is proposed that we install mobility parking in and near the space to allow access to all user of this area. Access Taupō have been advised of mobility parking for this area.
8. The draft parking strategy identified small opportunities to improve parking for both shoppers and dinners. This area is seen to support parking for the main core dining and shopping area between Tongariro Street and Ruapehu Street. The strategy identifies the need to make incremental changes

towards more time restricted parking in this area and with the completion of the Roberts Street shared space, more time restricted parking would be useful to support this area. We have also received a request by a local businesses in this area to provide more time restricted parking.

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

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

Items 1 through to 7 were consulted on with the affected parties and they are in support of the proposals. Item 8 has been partially consulted on. Would still need to engage some of the directly affected business.

**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 Lines - Monte Vista, Shepherd Road [↗](#)
2. NSAAT Lines - 11 Rokino Road [↗](#)
3. NSAAT Lines - 23 Hawai Street [↗](#)
4. NSAAT Lines - Waikato Street [↗](#)
5. Bus Coach Parking - Ferry Road [↗](#)
6. Mobility Park - Roberts Street Shared Space [↗](#)
7. Mobility Park - Ferry Road [↗](#)
8. Parking Time Restrictions – Roberts Street and Tuwharetoa Street [↗](#)

**5.11 APPROVAL OF WORDING FOR SCULPTURE PLAQUE - CNR OF ROBERTS AND RUAPEHU STREETS**

**Author:** Fraser Scott, Landscape Architect

**Authorised by:** Pernille Fletcher, Project Management Office Manager

**TE PŪTAKE | PURPOSE**

To seek the Taupō Reserves and Roothing Committee's approval of the wording for the new sculpture being installed on the corner of Roberts and Ruapehu streets.

**NGĀ KŌRERORERO | DISCUSSION**

The Westerman family and the Taupo Sculpture Trust have donated a sculpture to the Taupō District acknowledging local business icon Dorothy Westerman. Two options for the wording on the plaque have been proposed and are attached to this report along with further information about the sculpture.

**WHAKAKAPINGA | CONCLUSION**

It is recommended that the committee decides on and approves the wording for the plaque.

**NGĀ TŪTOHUNGA | RECOMMENDATION(S)**

That the Taupō Reserves & Roothing Committee approves the following wording to appear on the sculpture on the corner of Roberts and Ruapehu streets.

**Either:**

Option A:

Louise Purvis

DOG HEAD HILL

A legacy to Dorothy Westerman

2010

Black granite, stainless steel

Kindly funded by the Westerman family

& Taupō Sculpture Trust

[www.tauposculpturetrust.co.nz](http://www.tauposculpturetrust.co.nz)

**Or:**

Option B:

Louise Purvis

DOG HEAD HILL

Dorothy Westerman

2010

Black granite, stainless steel

Kindly funded by the Westerman family

& Taupō Sculpture Trust

[www.tauposculpturetrust.co.nz](http://www.tauposculpturetrust.co.nz)

**NGĀ TĀPIRIHANGA | ATTACHMENTS**

1. Proposed wording for Sculpture Plaque - cnr Roberts and Ruapehu streets