

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

Date:	Tuesday, 5 November 2024
Time:	1.00pm
Location:	Council Chamber 107 te Heuheu Street Taupō

AGENDA

MEMBERSHIP

Chairperson Cr John Williamson
Deputy Chairperson Cr Yvonne Westerman

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

Quorum 5

**Julie Gardyne
Chief Executive**

Order Of Business

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3	Ngā Whakapānga Tukituki Conflicts of Interest	
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4.1 ORDINARY TAUPŌ RESERVES AND ROADING COMMITTEE MEETING - 10 SEPTEMBER 2024

Author: Karen Watts, Senior Committee Advisor

Authorised by: Nigel McAdie, Legal and Governance Manager

NGĀ TŪTOHUNGA | RECOMMENDATION(S)

That the minutes of the Taupō Reserves and Roding Committee meeting held on Tuesday 10 September 2024 be approved and adopted as a true and correct record.

NGĀ TĀPIRIHANGA | ATTACHMENTS

1. Taupō Reserves and Roding Committee Meeting Minutes - 10 September 2024

5.1 CONSIDERATION OF KINLOCH REPRESENTATIVE GROUP RECOMMENDATION TO EXTEND THE LICENCE TO OCCUPY FOR THE KINLOCH COMMUNITY HALL FOR KINDERGARTEN PURPOSES

Author: Ryno Nienaber, Facilities Manager

Authorised by: Chris Haskell, Manager Housing and Property Investment

TE PŪTAKE | PURPOSE

To consider a recommendation from the Kinloch Representative Group.

NGĀ KŌRERORERO | DISCUSSION

At its meeting held on 5 September 2024, the Kinloch Representative Group resolved to make a recommendation to the Taupō Reserves and Roding Committee to approve an extension to the licence for kindergarten purposes for three days a week from 8am to 4pm on Monday, Tuesday, and Friday at Kinloch Community Hall for the Central North Island Kindergarten Trust for a further one year until December 2025 plus one year right of renewal with final expiry December 2026 (please see extract of unconfirmed minutes below).

The 5 September 2024 report to the Kinloch Representative Group Committee in relation to this request is attached for information (see Attachment 1).

5.2 TO CONSIDER A PROPOSED EXTENSION TO THE LICENCE TO OCCUPY FOR THE KINLOCH COMMUNITY HALL FOR KINDERGARTEN PURPOSES

The Facilities Manager introduced himself to the group and summarised the report.

In answer to a member’s question regarding clarification of the length of the lease term, he advised that it was a one year extension with a right of renewal.

He explained that in terms of occupation for the site, a web-based system called SpacetoCo was being used to book the site and the system had the ability to provide analytics regarding booking durations and frequency.

KIN202409/04 RESOLUTION

Moved: Cr Rachel Shepherd

Seconded: Ms Belinda Walke

That the Kinloch Representative Group recommends to the Taupō Reserves and Roding Committee that an extension to the licence for kindergarten purposes for three days a week from 8am to 4pm on Monday, Tuesday, and Friday at Kinloch Community Hall for the Central North Island Kindergarten Trust for a further one year until December 2025 plus one year right of renewal with final expiry December 2026.

[CARRIED]

Note: All members present at the Kinloch Representative Group meeting voted in favour of resolution KIN202409/04 above.

Kinloch Hall extension project

The Kinloch Hall extension project has been approved in the Long-term Plan (LTP) for feasibility in Year 1 (2024–2025) and for commissioning in Year 2 (2025–2026). The lease extension to December 2026 will affect the planned project's timeline and implementation and push it out to 2026-2027.

WHAKAKAPINGA | CONCLUSION

It is recommended that the Taupō Reserves and Roding Committee adopts the Kinloch Representative Group recommendation as per resolution KIN202409/04.

NGĀ TŪTOHUNGA | RECOMMENDATION(S)

That the Taupō Reserves & Roding Committee adopts the Kinloch Representative Group recommendation as per resolution KIN202409/04 and therefore approves an extension to the licence for kindergarten purposes for three days a week from 8am to 4pm on Monday, Tuesday, and Friday at Kinloch Community Hall for the Central North Island Kindergarten Trust for a further one year until December 2025 plus one year right of renewal with final expiry December 2026.

ATTACHMENTS

1. Kinloch Representative Group report - 5 September 2024 - Kinloch Community Hall

5.2 BLUE RIDGE CONSERVATION RESERVE - LICENCE TO OCCUPY FOR GRAZING

Author: Philip Burt, Asset Manager Stormwater

Authorised by: Tony Hale, General Manager Community Infrastructure and Services

TE PŪTAKE | PURPOSE

To seek a decision from the committee as administering body of Taupō reserves, to approve a licence to occupy for grazing for part of Blue Ridge Conservation Reserve.

WHAKARĀPOPOTOTANGA MATUA | EXECUTIVE SUMMARY

In recent months Chelsea Dredge (**applicant**) approached Council officers requesting a licence to graze (**licence**) for part of Blue Ridge Conservation Reserve (**reserve**) as shown on the plan **attached**.

The reserve is part of a wider area taken for stormwater purposes but remains vacant and unutilised, allowing grass and weeds to grow. The applicant proposes their sheep graze the reserve to resolve this issue.

Two options are proposed:

1. Decline to grant the licence to occupy for grazing.
2. Grant a 5-year licence to occupy for grazing.

Option 2 is the preferred option.

NGĀ TŪTOHUNGA | RECOMMENDATION(S)

That the Taupō Reserves and Roding Committee agrees in principle to grant a licence to occupy for grazing of part of Blue Ridge Conservation Reserve to Chelsea Dredge under section 74 (2) of the Reserves Act 1977 for a period of 5 years, subject to the outcome of public consultation and obtaining ministerial consent.

TE WHAKAMAHUKI | BACKGROUND

The proposal has been before a Strategic Evaluation Meeting on 27 June 2014. A month-to-month memorandum of understanding was established.

The previous memorandum (“**memo**”) was brought to council after a complaint of a rural grazing encroachment between neighbours in 2014. An agenda item was prepared for the Fences, Reserves and Dog Committee proposing a licence to graze but there is no record of the agenda being presented to committee. Instead, it appears to have been presented at a strategic evaluation meeting.

The memo ceased at an unknown date and the reserve has been vacant from grazing. Maintaining this area has historically proved to be difficult for Council workers due to the steep slopes and its safety concerns. Allowing animals to graze was a solution for all parties involved.

NGĀ KŌRERORERO | DISCUSSION

It is part of Lot 4 DPS 65648 conservation reserve within the Acacia Bay area. It forms part of a wider reserve taken to protect the land from running through the property from land uses that may be detrimental to its ability to dispose stormwater. The need to protect this reserve was documented as far back as 1978 by the Waikato River Authority.

There is no reserve management plan in place for this area, therefore, the Act will dictate the process. As administering body of the reserve, the committee will need to approve a licence to occupy for grazing under section 74 (2) of the Reserves Act 1977 (**the Act**). Following public notice in accordance with section 119, submissions will be reviewed and then heard by the committee before considering granting the licence.

There is no reason for Council to contribute to financial costs, however it is proposed the licence be granted for a minimal amount. Because the applicant will be aiding the Council in maintenance it would be unreasonable to issue a large fee.

NGĀ KŌWHIRINGA | OPTIONSAnalysis of Options

The two options are:

1. Decline the request for a licence to occupy for grazing.
2. Grant a 5-year licence to occupy for grazing to the applicant of the reserve.

Option 1. – Decline the request for a licence to occupy for grazing.

Advantages	Disadvantages
<ul style="list-style-type: none"> • No known advantages. 	<ul style="list-style-type: none"> • Grass and weeds growing on the reserve will overgrow.

Option 2 – Grant a 5-year licence to occupy for grazing to the applicant of the reserve.

Advantages	Disadvantages
<ul style="list-style-type: none"> • The reserve will be maintained. • The applicant will not have to worry about the area overgrowing onto their property. 	<ul style="list-style-type: none"> • No known disadvantages.

Analysis Conclusion:

On analysis, option 2 is the preferred option.

NGĀ HĪRAUNGA | CONSIDERATIONS

Ngā Aronga Pūtea | Financial Considerations

There are no expected financial considerations for the committee with this licence to occupy.

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.

Reserves Act 1977

Public consultation is required following section 119 of the Act. Submissions are reviewed by the committee before granting the licence to occupy.

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.

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

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

WHAKAKAPINGA | CONCLUSION

Option 2 appears to favour both Council and the applicant from a maintenance point of view.

NGĀ TĀPIRIHANGA | ATTACHMENTS

1. Map of Proposed Licenced Area

5.3 LICENCE TO OCCUPY - WAIPĀHĪHĪ COMMUNITY GARDEN TRUST

Author: Billie Vi, Parks Advisor - Planning and Operations

Authorised by: Greg Hadley, Parks and Reserves Manager

TE PŪTAKE | PURPOSE

The purpose of this report is to seek a decision under section 74 (2) of the Reserves Act 1977 (the Act) on an application for a new licence to occupy for gardening at Waipāhīhī Reserve to Waipāhīhī Community Gardens Trust Incorporated.

WHAKARĀPOPOTOTANGA MATUA | EXECUTIVE SUMMARY

Waipāhīhī Community Gardens Trust Incorporated's licence to occupy for gardening expired in 2020 but continues to operate in a holding over process, on a month-by-month basis.

Section 74 (2) of the Reserves Act 1977 (**the Act**) permits a licence under this section, not exceeding 10 years. Council officers recommend the new licence to reflect a 5-year term for gardening as previously granted by the Committee in the past.

NGĀ TŪTOHUNGA | RECOMMENDATION(S)

That the Taupō Reserves and Roding Committee agrees in principle, to grant a licence to occupy for gardening to the Waipāhīhī Community Gardens Trust Incorporated for 5 years, under section 74 (2) of the Reserves Act 1977, subject to the outcome of public consultation.

TE WHAKAMAHUKI | BACKGROUND

The proposal has been before the Fences, Reserves and Dogs Committee at a prior meeting (Tuesday 3 March 2015) and the following resolution was made:

That in accordance with section 74(2) of the Reserves Act 1977, the Fences, Reserves & Dogs Committee agrees to grant a licence to occupy to the Taupō Community Gardens Trust for:

- a) *Community gardens purposes;*
- b) *A term of five years;*
- c) *The area identified in Attachment 1 of the officer's report [A1413773]; and*
- d) *Zero rental fees per annum but with the ability to review every three years.*



The following pictures show the current state of the community garden, photos taken on 14 October 2024.



Ā KŌRERORERO | DISCUSSION

The licence area is part of Lot III DPS 28433 at Waipāhīhī Sportsground and classified as recreation reserve. Licences to occupy for gardening are subject to public consultation under section 74 (2) of the Act.

The Taupō Sportsground Reserves Management Plan 2010 (RMP) identifies occupation of a community garden until the reserve is needed for recreational use. There is no recent interest (as of March 2024) by members of the public or other community groups to utilise the reserve for recreational purposes.

However, the reserve is bounded by the Tauhara Ridge residential development. Upon completion of this residential area there is potential for Waipāhīhī Reserve to be developed into the destination park as envisioned in the RMP. Within the current RMP, it makes provision for a new road to be developed along the eastern edge of the reserve that will improve visibility and potential use. The plans also include a new sportsground close to the reserve that may be used together or independently, depending on future demand.

NGĀ KŌWHIRINGA | OPTIONS

Analysis of Options

There are two identified options for the Committee to consider.

Option 1. Decline the request for a new licence to occupy for gardening (status quo).

Advantages	Disadvantages
<ul style="list-style-type: none"> No further administration for council officers. 	<ul style="list-style-type: none"> The Trust to relocate its community garden elsewhere and reinstate the reserve. Conclusion of a community garden in the Waipāhīhī area.

Option 2. Agree in principle to grant a new licence to occupy for gardening.

Advantages	Disadvantages
<ul style="list-style-type: none"> The Trust continue the community garden at the reserve for the next 5 years. 	<ul style="list-style-type: none"> Inability to utilise the land area for other recreational activities for 5 years.

Analysis Conclusion:

The preferred option is Option 2.

NGĀ HĪRAUNGA | CONSIDERATIONS

Ngā Aronga Pūtea | Financial Considerations

There is no financial impact on the Council.

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 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:

Reserves Act 1977

Section 74(2) permits licence to occupy for gardening on recreation reserve for a lease term of up to 10 years. Each lease term must be publicly consulted before the licence can be granted. Submissions towards this licence proposal will be taken into consideration by the Committee, as outlined in section 119 & 120 of the Act.

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 Taupō Sportsground Reserve Management Plan 2010 permits the occupation of the Waipahihi Community Garden until the area is needed for recreational use. Although the RMP outlines the occupation of the community garden, public consultation is still required. The previous two licences were also publicly consulted to adhere to legislation.

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 iwi, and hapū of our district.

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 is of a low degree of significance, officers are of the opinion that public consultation is required under section 119 and 120 of the Reserves Act 1977, for the licence to be granted under section 74 (2).

A public notice will be published in the local newspaper requesting submissions from the public, supporting, or opposing the licence, the Committee have agreed in principle to grant. This process will remain open for 30 days in accordance with section 120.

Submissions will be accepted on the Taupō District Council website submission page and via the email address printed in the public notice.

WHAKAKAPINGA | CONCLUSION

Considering the area is not currently needed for recreational purposes, Waipāhīhi Community Gardens Trust Incorporated's request for a new licence to garden on part of Waipāhīhi Sportsground is reasonable.

NGĀ TĀPIRIHANGA | ATTACHMENTS

Nil

5.4 CROWN PARK - NEW LEASES FOR TAUPŌ BMX AND TAUPŌ AFC

Author: Billie Vi, Parks Advisor - Planning and Operations

Authorised by: Greg Hadley, Parks and Reserves Manager

TE PŪTAKE | PURPOSE

To seek a decision from the Committee as administering body of Crown Park for two new leases under Part IIIB of the Conservation Act 1987.

WHAKARĀPOPOTOTANGA MATUA | EXECUTIVE SUMMARY

Taupō BMX Club Incorporated (**Taupō BMX**) and Taupō Association Football Club Incorporated (**Taupō AFC**) request new ground leases to replace its expired leases at Crown Park.

The leases for both Taupō BMX and Taupō AFC have expired:

- Taupō BMX – expired 30 September 2023
- Taupō AFC – expired 30 November 2021

Crown Park is still held by the Crown; therefore, concessions must be granted under Part IIIB of the Conservation Act 1987 (**the Act**). Ministerial delegations issued in June 2013 authorise Taupō District Council as both territorial authority and administering body of the reserve to grant or decline a concession.

Under Part IIIB of the Act, the public must be notified of the Committee's decision to grant the leases subject to public consultation. Submissions will be accepted through Taupō District Council's website, and via the email address printed in the public notice.

The maximum lease term under the Conservation Act 1987, including rights of renewal, is 30 years.

The lease term requests for Taupō BMX and Taupō AFC:

- Taupō BMX – 15 years
- Taupō AFC – 30 years

NGĀ TŪTOHUNGA | RECOMMENDATION(S)

That the Taupō Reserves and Roding Committee as administering body of Crown Park:

1. agrees in principle to grant a new lease to The Taupō BMX Club Incorporated in accordance with Part IIIB of the Conservation Act 1987 for a term of 15 years commencing from 1 October 2023 to 30 September 2033 subject to the outcome of public consultation;

and

2. agrees in principle to grant a new lease to Taupō Association Football Club Incorporated in accordance with Part IIIB of the Conservation Act 1987 for a term of 15 years commencing from 1 December 2021 to 30 November 2036 subject to the outcome of public consultation. And a right of renewal of 15 years commencing 1 December 2021 to 30 November 2051 subject to the outcome of public consultation.

TE WHAKAMAHUKI | BACKGROUND

Both leases are part of section 442, block II Tauhara Survey District which comprises a large part of Crown Park between Crown Road and Tauhara Road (Attachment 1 – Figure 1). This reserve was classified as recreation reserve and the Taupō Borough Council appointed to control and manage it by Gazette notice 1986 p1125 to 1126. Because the appointment to control and manage occurred after 1 January 1980, the classification in 1986 did not result in automatic vesting of the reserve in the territorial authority. As such, this part of the reserve is still held and administered by the Crown. However, Council is the administering body.

As Crown Park is still held by the Crown, concessions must be granted under Part IIIB of the Conservation Act which requires a concession for any trade, business, or occupation of a reserve. A concession is defined as a lease, licence, or permit. As the occupation by both Taupō BMX and Taupō AFC requires exclusive use

of an area and the authorisation of buildings and structures on the lease area, a lease is the most appropriate form of concession.

The Ministerial delegations issued in June 2013 authorise Taupō District Council (TDC) as both territorial authority and administering body of the reserve to grant or refuse a concession in accordance with Part IIIB of the Conservation Act. References in that part of the Act to a conservation area should be read as references to a reserve, and references to the Minister of Conservation and to the Director General of Conservation should be read as references to the administering body of the reserve i.e. TDC. The maximum lease term including rights of renewal is 30 years.

Taupō AFC owns a clubroom building and small grandstand, lighting, shelters, and containers. Their expired lease was for the clubroom building footprint only and excluded the Council toilets at the end of the clubrooms.

The Taupō BMX lease was publicly notified before being granted in 2009. The lease is for the entire BMX track area, starting ramp and several small buildings. The lease boundary was security fenced (largely at Council expense) as a condition of the lease being granted. The fence is a Council asset. A Council toilet block has been incorporated into the fenced lease area and is effectively only available to the lessee.

Several objections from neighbouring properties were received when the proposed BMX lease was notified in 2009. The main issues were noise and dust associated with the use of the track, and anti-social activities happening across the boundaries. The security fence has stopped the anti-social behaviour. The ramp and gate were modified to reduce noise transmission and lack of privacy to adjoining properties.

NGĀ KŌRERORERO | DISCUSSION

Part IIIB of the Conservation Act 1987 requires that Council must publicly notify every application for a lease (section 17SC(1)a) unless the lessee is exercising a right of renewal or right to a new lease that is contained in the expired lease. Neither lessee has a right of renewal nor a right to a new lease.

The Taupō Sportsground Reserve Management Plan 2010 makes provision for both activities, however, does not specify any terms and conditions regarding the activities.

In considering any application, Council must have regard to the following matters:

- a) the nature of the activity and the type of structure or facility (if any) proposed to be constructed:
- b) the effects of the activity, structure, or facility:
- c) any measures that can reasonably and practicably be undertaken to avoid, remedy, or mitigate any adverse effects of the activity:
- d) any information received by the Minister under [sections 17S, 17SD](#), and [17SE](#):
- e) any relevant environmental impact assessment, including any audit or review:
- f) any relevant oral or written submissions received as a result of any relevant public notice issued under [section 49](#):
- g) any relevant information which may be withheld from any person in accordance with the [Official Information Act 1982](#) or the [Privacy Act 2020](#).

Taupō BMX application summary

Information required	Taupō BMX
Description of proposed activity	<p>BMX training/practice and racing. The BMX Club has developed the track over many years of occupation (since 1981) and holds events at the track that attract riders from all over New Zealand. The track is also used by Kids Bike Taupō on Monday afternoons, and by schools and other youth organisations for training purposes.</p> <p>Usage of the location varies whether it is a club night (50 people), training night (20 people), Kids Bike Taupō (20 to 30 people) or a race meet (100 to 400 people).</p> <p>Normal use generates around 30 vehicles. Race meets generate around 100 vehicles. In most cases the shared car park (160 parks) is sufficient but on occasion the adjacent sports field areas are used for overflow parking.</p> <p>Regular hours of operation are 3.30pm to 8pm. During race meets the</p>

Information required	Taupō BMX
	<p>grounds are in use from 8am to 6pm.</p> <p>The Club has several small buildings on the lease area – clubrooms, container for points hut, double garage/workshop, and MoveClub hut. They also have a lot of equipment that is used to support training, racing, events and track maintenance.</p>
Description of places where proposed activity will be carried out (including status of those places).	<p>Southwest boundary of Crown Park inside existing security fence and adjacent to the shared parking area (Attachment 1 – Figure 2). The land is recreation reserve held and administered by Department of Conservation with Taupō District Council appointed to control and manage.</p>
Description of potential adverse effects of activity	<p>The activity is close to neighbouring residential properties and in the past noise, dust, privacy and security have been issues. Security was addressed at the beginning of the last lease by erecting a security fence around the BMX track and along the fence line with adjoining properties.</p>
Actions that the applicant plans to take to avoid, remedy or mitigate effects.	<p>No details in the application. Some changes were made to the start ramp and gate at the start of the last lease term to try to reduce noise and privacy issues. There have been no further complaints.</p>
Details of type of concession applicant is applying for	<p>Lease – a lease is required due to the need for exclusive use of the track and installation of structures and small buildings. One of the buildings is used to store equipment used for track and grounds maintenance. The track is securely fenced for security and safety, so the applicant enjoys exclusive use of the lease area.</p>
Proposed duration of concession	<p>The applicant has requested 15 years. The previous lease was 15 years.</p>
Reasons for the proposed duration	<p>Minimum required to give the club security of tenure for planning purposes. The club has no wish or ability to relocate.</p>
Applicants' ability to carry out the proposed activity	<p>Taupō BMX Club is an Incorporated Society that has been registered since 1999 and prior to that in 1986.</p> <p>Financial statements are regularly submitted to the Incorporated Societies website and show that the club finished the last financial year in a good position. Most of the financial value of the club is in its assets including the clubrooms, track, ramp and start gate. It should be noted that the assets have not been depreciated in the accounts.</p> <p>The club does not have the resources to rebuild these assets elsewhere.</p> <p>The Club carried out track improvements in 2022. The track and gate function well to support events and develop the skills of club members to enable them to compete elsewhere.</p>
Reasons why a lease is required and sufficient information for Council that it is both lawful and appropriate to grant the lease.	<p>The lease is required to enable the club to continue to occupy the reserve and continue to provide the BMX track and opportunities to train and compete locally and nationally.</p>

Taupō AFC application summary

Information required	Taupō AFC
Description of proposed activity	<p>Promoting and providing a home for football in Taupō. Taupō AFC was established in 1956 and is currently the only football club in Taupō. The Club currently has 3 senior men’s teams, 1 senior women’s team, grade 12 and 13 Federation teams along with 400+ junior players. Membership continues to be constant, and the venue is an ideal size for the number of teams to play.</p> <p>The club has a clubroom building on Crown Park and uses several full sized, intermediate and junior fields. The fields are not included in the lease area.</p> <p>The club also has player shelters, a grandstand and storage shed.</p> <p>The clubrooms have a liquor licence.</p> <p>Most use of the premises is at weekends and during organised tournaments.</p> <p>The club shares a carpark with the BMX Club (160 spaces approx.).</p>
Description of places where proposed activity will be carried out (including status of those places).	<p>The clubrooms are located near the western edge of the park close to the shared carpark (Attachment 1 – Figure 3). The sports fields are laid out between the clubrooms and the park’s eastern boundary on Invergarry Road, and south towards Kiddle Drive. Football is the main use of this park in winter, and to a limited extent during summer as well. The land is recreation reserve held and administered by Department of Conservation with Taupō District Council appointed to control and manage.</p>
Description of potential adverse effects of activity	<p>Football dominates the use of the park. Although there is some wear and tear on the turf, this is managed through irrigation and regular turf maintenance and renovation.</p> <p>The clubrooms and fields are located away from most residential activity so effects (noise, vehicle movements) on neighbours are limited.</p> <p>The park is not available for other purposes while in use for football, especially on a Saturday while junior matches are being played as they occupy most of the park.</p>
Actions that the applicant plans to take to avoid, remedy or mitigate effects.	<p>The applicant limits sale of liquor to Saturdays and Sundays from midday to 6pm for senior home games, and for private member functions from 5pm to midnight.</p>
Details of type of concession applicant is applying for	<p>Lease – a lease is required due to the clubrooms and other small buildings and structures. The use of the playing fields is covered by Council fees and charges.</p>
Proposed duration of concession	<p>The applicant has requested a minimum of 21 years. The previous lease was 14 years.</p>
Reasons for the proposed duration	<p>Minimum required to give the club security of tenure for planning purposes. The club has no wish to relocate.</p>
Applicants’ ability to carry out the proposed activity	<p>Taupō Association Football Club is an Incorporated Society that was initially registered in 1973 and has been dissolved a couple of times since then and re-incorporated in September 2023.</p> <p>Financial statements have not been submitted since 2019 but draft accounts for 2022 show a healthy financial position with a mix of current and non-current assets including clubrooms, covered stands, referees room, containers and goal posts.</p> <p>The clubrooms and associated assets and the use of the fields at Crown Park are essential to the activity of the Club and allow them to provide coaching and playing opportunities to hundreds of Taupō residents in addition to a tournament venue for players from elsewhere in the country.</p>
Reasons why a lease is required and sufficient	<p>The lease is required to enable the Club to continue to have clubrooms and other supporting assets located at Crown Park alongside the sports fields that</p>

<p>information for Council that it is both lawful and appropriate to grant the lease.</p>	<p>are used by the club for football training and matches.</p>
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Based on this information it is considered that there are two options (including status quo or do-nothing option).

NGĀ KŌWHIRINGA | OPTIONS

Analysis of Options

The proposed options are as follows:

1. Decline one or both leases on the basis that the information is insufficient or inadequate to allow assessment of effects, or that there are no adequate or reasonable methods for remedying, avoiding or mitigating the adverse effects of the activities, structures or facilities.
2. Agree in principle to grant one or both leases subject to the outcome of public consultation.

Option 1. Decline the application(s) status quo.

Advantages	Disadvantages
<ul style="list-style-type: none"> • No further work required 	<ul style="list-style-type: none"> • The current activities at Crown Park would have no security of tenure for their sporting and social activities. Although they could continue for the short term on a month-by-month basis the lack of security would make it very difficult for these activities to continue on a medium to long-term basis.

Option 2. Agree to grant the lease(s) as requested.

Advantages	Disadvantages
<ul style="list-style-type: none"> • Taupō BMX and Taupō AFC will have the security of tenure they need to plan, fund, and develop their assets in accordance with the provisions of the reserve management plans and leases. • Taupō BMX and Taupō AFC will be able to continue to provide sporting and recreational activities on Crown Park which is a recreation reserve. This will have significant benefits for the many people who either use the facilities or benefit from the coaching and training provided by the clubs. 	<ul style="list-style-type: none"> • The reserve will be tied up for 10 years for the Taupō BMX activity and 30 years for the Taupō AFC activity. There is no apparent demand for other uses for the lease areas. • The BMX track and start ramp are located close to residential properties with the potential for adverse effects about noise, dust and privacy. These will need to continue to be adequately managed by the Taupō BMX Club, as they currently are.

Analysis Conclusion:

On the basis of the analysis of options, the preferred option is Option 2 where the lease(s) are granted subject to the outcome of public consultation.

NGĀ HĪRAUNGA | CONSIDERATIONS

Ngā Aronga Pūtea | Financial Considerations

The proposed leases are sporting and community leases with nominal rentals and as such do not have a significant financial impact on Council. There is a small cost associated with public notification which is a statutory requirement. Department of Conservation recover such costs from applicants, but this is not standard Council procedure as applicants are usually clubs and other not-for-profit community organisations.

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 cultural outcomes in particular 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 (Taupō AFC) Licence to occupy Lease

Authorisations are not required from external parties.

Under the proposed leases the Lessors will be subject to all acts, bylaws, regulations, rules and requisitions relating to the Leased area and the Lessee's use of the Leased area.

Reserves Act 1977

The process for granting a lease of Crown reserve is defined in Section 59A of the Reserves Act which refers to Part IIIB of the Conservation Act 1987.

Conservation Act 1987

Council as administering body has the delegated authority (by virtue of delegations granted in June 2013) to grant a lease over Crown Park as if it were the Minister or Director General of Conservation. The process is defined by Part IIIB of the Conservation Act and requires public notification of all proposed leases whether or not they are provided for in a reserve management plan.

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:

Crown Park is included in the Taupō Sportsgrounds Reserve Management Plan 2010 (RMP). Previous leases were both approved by Council prior to the adoption of the RMP. Although the RMP acknowledges the use of Crown Park for football and BMX activities there is no specific policy in the RMP to authorise the granting of leases to Taupō BMX and Taupō AFC for their assets. However, the proposed leases are consistent with the RMP objective "That leases, licences and easements on the Taupō Sportsgrounds shall enhance sporting and recreational opportunities for the Taupō community."

The RMP doesn't permit leases to include existing sports fields unless the lessee is to spend a substantial sum in the preparation and maintenance of the area for sporting purposes.

Policy 4.8 b) with regard to management of adverse effects states that "Where development, maintenance and use of sportsgrounds is a permitted activity, all care must be taken to avoid creating a nuisance (in terms of noise, dust, light spill, visual amenity and traffic) to reserve users, neighbouring properties and transportation networks."

Te Kōrero tahi ki te Māori | 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.

There will be an opportunity for local iwi and hapū to submit objection or supportive submissions if the Committee agree in principle to grant the lease during public consultation. Council officers are obligated to publicly consult on the proposal to understand the public, especially iwi and hapū of its tentative decision.

Ngā Tūraru | Risks

Both applicants have occupied Crown Park for decades and are well established with minimal adverse effects. Neither applicant has plans to change the scope or intensity of its activity, so the risk of further adverse effects is low.

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 public consultation is required as stated under section 17SC(1)(a) of the Conservation Act 1987 to grant leases under Part IIIB.

Submissions will be accepted on the Taupō District Council website submission page and email address stated on the public notice.

WHAKAKAPINGA | CONCLUSION

On balance it is considered that Option 2 is the preferred option.

NGĀ TĀPIRIHANGA | ATTACHMENTS

1. Crown Park Leases

5.5 NEW LEASE TO TAUPŌ BIKE JUMP PARK AT SPA ROAD

Author: Billie Vi, Parks Advisor - Planning and Operations

Authorised by: Greg Hadley, Parks and Reserves Manager

TE PŪTAKE | PURPOSE

To consider surrendering the existing lease to Taupō Bike Park Incorporated and agree to enter a new lease for an extension of the lease area, in respect of recreation reserve at Spa Thermal Park.

WHAKARĀPOPOTOTANGA MATUA | EXECUTIVE SUMMARY

In 2024, Taupō Bike Park Incorporated (**Bike Club**) approached Council officers with plans to develop the Jump Track at Spa Thermal Park as envisaged in its funding proposal to Contact Energy (Attachment 2). The proposal includes an extension of the current lease area to cater to its activities on the reserve.

Since 2012, the Spa Thermal Park and Riverbank Recreational and Scenic Reserve Management Plan 2000 (**RMP**) has not been reviewed, therefore, this proposal needs to be publicly consulted and all submissions considered by the elected members at the next Taupō Reserves and Roding Committee in the new year.

NGĀ TŪTOHUNGA | RECOMMENDATION(S)

The Taupō Roding and Reserves Committee agrees in principle to:

1. surrender the existing lease to Taupō Bike Park Incorporated;
- and
2. grant a new ground lease to Taupō Bike Park Incorporated in accordance with section 54(1)(c) of the Reserves Act 1977 for a lease term of up to 10 years, subject to public consultation.

TE WHAKAMAHUKI | BACKGROUND

The Bike Club took its proposal to Contact Energy in early 2024 to apply for funding and were successful with its application. With the funds in place, it is at the discretion of the Committee to agree to surrender the existing lease and grant a new lease with an extended lease area for the Bike Club to action its proposal.

The Parks & Reserves Environmental Advisor conducted an ecological value report (Attachment 1) over the proposed expansion area and authored a brief report commenting on vegetation. The recommendation:

There are no significant ecological values expected to be lost through the removal of vegetation with the expansion area proposed by the club. However, existing native vegetation such as the well-established Mingimingi and Māpou should remain.

The expansion area for the Bike Club will remove a large quantity of invasive weed species with little habitat value from Spa Thermal Park. It is advantageous for the long-term goal to enhance the ecological and recreational values of the reserve.

NGĀ KŌRERORERO | DISCUSSION

In the case with the Spa Thermal Park and Riverbank Recreational and Scenic Reserve Management Plan 2000 (RMP), Taupō Bike's proposed to develop a Jump Track at Spa Thermal Park in 2012. Following public notification and consultation process in accordance with section 119 & 120 of the Reserves Act 1977, submissions were taken to elected members, who agreed to grant the lease.

Bike Taupō were granted a 15-year lease, commencing 1 December 2012 and expiring 30 November 2027.

When Council is drafting or reviewing a reserve management plan, the contents are publicly consulted under section 41(6)(a) of the Reserves Act 1977 for a minimum of 2 months.

This includes public consultation on proposed recreational activities at the reserves. One of these contemplated activities under the RMP includes disc golf. In future, if a recreational activity is not contemplated under the relevant reserve management plan, it does not preclude any activity ever taking place. It simply means the public must be notified and consulted with in accordance with section 119 & 120 of the Act and submissions are taken to elected members to consider granting or declining.

Because this activity is not contemplated within the RMP, the activity has not been through the process of identifying a lease term during public consultation. Therefore, Council officers are obligated to refer to the Reserves Act 1977 and the maximum lease term under section 54(1)(c) of the Reserves Act 1977, of 33 years. The lease term is the final step decided by the elected members following public consultation.

For Taupō Bike’s proposal, Council officers recommend a new lease term of 10 years, so as not to inhibit the opportunity to review the RMP or develop a development plan for Spa Park.

NGĀ KŌWHIRINGA | OPTIONS

Analysis of Options

There are two Options for the Committee to consider.

Option 1. Agree to surrender the current lease and grant a new lease with the expansion area to the Bike Club following public consultation.

Advantages	Disadvantages
<ul style="list-style-type: none"> Opportunity to update the format and content of the Bike Club’s lease, to ensure terms and conditions are appropriate for the management of the reserve. Identify the expansion area and the boundary line next to the designated dog park within the RMP. 	<ul style="list-style-type: none"> A longer lease term would preclude the opportunity to review this section of Spa Park either as part of a review of the RMP or as part of a development plan process.

Option 2. Stay with the current lease term through to 2027 to align with the RMP process.

Advantages	Disadvantages
<ul style="list-style-type: none"> The new RMP when adopted would be publicly consulted and would cover both the existing lease area as well as the proposed expansion area requested area. 	<ul style="list-style-type: none"> Bike Club would lose access to funding support which is currently available to develop the proposed jump track area. The jump track community don’t get enjoyment of the area.

Analysis Conclusion:

Based on analysis, the preferred Option is Option 1.

NGĀ HĪRAUNGA | CONSIDERATIONS

Ngā Aronga Pūtea | Financial Considerations

There is no financial impact on Council.

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 cultural of relevance to this particular matter.

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 iwi, and hapū of our district.

Ngā Tūraru | Risks

No risks foreseen.

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 public consultation is required under section 119 and 120 of the Reserves Act 1977, for the lease to be granted under section 54(1)(c).

A publication in the local newspaper will request submissions from the public, supporting, or opposing the lease, the Committee have agreed in principle to grant. This process will remain open for 30 days in accordance with Section 120 of the Act.

Submissions will be accepted via the Taupō District Council website submissions page and via the email address printed in the public notice.

WHAKAKAPINGA | CONCLUSION

It is considered that the best option is Option 1.

NGĀ TĀPIRIHANGA | ATTACHMENTS

1. Ecological Values Report
2. Taupō Bike Park Contact Energy Funding Proposal

5.6 SUMMER LICENCES ON TAUPŌ RESERVE FOR 2024/25

Author: Billie Vi, Parks Advisor - Planning and Operations

Authorised by: Greg Hadley, Parks and Reserves Manager

TE PŪTAKE | PURPOSE

To seek a decision from the Taupō Reserves and Roding Committee (**TRRC**) as administering body of Taupō Reserves to the proposed 2024/2025 seasonal licences.

WHAKARĀPOPOTOTANGA MATUA | EXECUTIVE SUMMARY

Council officers have received seasonal licence requests to operate along Taupō Lakefront Reserve over the 2024/2025 summer period. The Tapuaeharuru Bay Lakeshore Reserve Management Plan 2022 (**RMP**) allows summer licences to be granted for up to six months at the discretion of the Committee, subject to the Reserves Act 1977 (**“the Act”**).

NGĀ TŪTOHUNGA | RECOMMENDATION(S)

That the Taupō Reserves and Roding Committee as administering body of Taupō Reserves agrees to grant the summer licences on Council reserve to:

1. Doughboats Limited for up to six months to hire out doughboats at Acacia Bay and Wharewaka Point.
2. Jess Ratana for up to six months to operate pedal boats at 3 1/2 Mile Bay and Wharewaka Point.

TE WHAKAMAHUKI | BACKGROUND

Every year leading up to the 2024/2025 summer period, licences are submitted through Council’s website for the Parks & Reserves team to process. Seasonal licences must be of an aquatic nature and occupy the reserve on a temporary basis. The licensees must be prepared to move its operations within the designated areas (shown on attached maps) if they cause damage to the reserve through excessive wear or otherwise impede the enjoyment of the reserve.

Council grants the licence to occupy the reserve but the licensee must also have permission from Tūwharetoa Māori Trust Board to carry out the aquatic activity on the lake.

The following requests were granted last year and each of the concessions wish to operate for another 6-month term. The requests are summarised in Table 1 below.

Table 1 – Summary of requests to renew concessions.

Applicant	Location	Permitted activity	Term	Previous licence
Doughboats Ltd	Acacia Bay and Wharewaka Point	Doughboat hire	6 months	Yes
Jess Ratana and Kiripiti Bowden	3 1/2 Mile Bay, Wharewaka Point	Aqua Trike and pedal boat hire	6 months	Yes

1. Doughboats Limited

Doughboats are small battery powered boats that can be occupied by a group of people and are best operated in sheltered waters. Doughboat hire is booked in advance through a website. They usually operate from the Boat Harbour but on occasion this area can become too exposed to wind and waves. Last season the company used the alternative locations at Acacia Bay and Wharewaka which allowed them to continue operations when conditions were unsuitable at the Boat Harbour. As with the other operations the actual activity is conducted on the water and the licence area on land is required for a small temporary gazebo to be used as an operations office and induction area for customers.

2. Jess Ratana and Kiripiti Bowden

Taupō Pedal Boats is an aqua trike and pedal boat rental business that has operated out of 3 1/2 Mile Bay over previous summers. The request is for a similar operation this summer. A 3x3m gazebo will be required for shade for staff and to hold lifejackets and customer belongings. The vessels are all pedal powered,

therefore there is zero emission or pollution, and it has proved to be an extremely popular, family friendly activity.

NGĀ KŌRERORERO | DISCUSSION

The applications are for locations on recreation reserve on Tapuaeharuru Bay and as such come under the Tapuaeharuru Bay Lakeshore Reserves Management Plan. The management plan contains the following policies which make provision for these licences:

Commercial Activities

i) Allow seasonal licences (in addition to the eight established concession sites) for land or water based recreational activities to be granted for up to six months at Council’s discretion.

The applications are authorised by policy i) which allows seasonal licences for up to 6 months.

Table 2 – Assessment against criteria

Criteria	Doughboats Limited	Jess Ratana and Kiripiti Bowden
<i>Track record & previous experience</i>	Good, no issues last season	Good, no issues last season
<i>Environmental impacts on reserve</i>	None foreseen	None foreseen
<i>Recreational benefits</i>	Allows access to water-based recreational opportunity	Allows access to water-based recreational opportunity
<i>Compliance with other relevant agencies’ policies</i>	Complies with requirements of Harbourmaster, Waikato Regional Council (WRC) and Tūwharetoa Māori Trust Board with respect to water-based activities.	Complies with requirements of Harbourmaster, WRC and Tūwharetoa Māori Trust Board with respect to water-based activities.
<i>Compatibility with other activities</i>	Yes, with controls on speed close to shore and no use of swim only zone.	Yes
<i>Public interest and value</i>	Yes	Yes
<i>Compatibility with the reserve purpose</i>	Yes - recreation	Yes - recreation

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

NGĀ KŌWHIRINGA | OPTIONS

Analysis of Options

Option 1. Decline all applications.

Advantages	Disadvantages
<ul style="list-style-type: none"> No further work required. No risk. 	<ul style="list-style-type: none"> Dissatisfied existing concessionaires. Reduced commercial lake activities will reduce the vibrancy and commercial recreation activities at the lakefront for visitors and residents. Reputational risk to Council as licences have previously been granted and all applicants have operated without any issues.

Option 2. Accept all applications.

Advantages	Disadvantages

<ul style="list-style-type: none"> • Increase in vibrancy and enjoyment of lakeshore reserves for visitors and residents. • All existing concessions will be able to continue as they have previously with sufficient tenure to support their continued operation and financial viability. 	<ul style="list-style-type: none"> • Lake areas used by commercial activities restricting access for casual users.
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Option 3. Decline some applications and accept others.

Advantages	Disadvantages
<ul style="list-style-type: none"> • Risk would be reduced by continuing existing relationships and avoiding new activities that are slightly unknown. • New concessions would be available to continue existing activities on reserves. 	<ul style="list-style-type: none"> • Doughboats will continue to only be able to operate from the Boat Harbour which will mean cancellation of bookings in adverse wind conditions and may affect the financial viability of the business.

Analysis Conclusion:

On the balance, it is considered option 2 is the preferred option.

CONCESSIONS ARE NGĀ HĪRAUNGA | CONSIDERATIONS

Ngā Aronga Pūtea | Financial Considerations

The financial impact of the proposal has not been fully calculated. There will be a small administration cost associated with executing and managing the agreements, but this will be more than off-set by the revenue generated. There is also potential financial benefit to the applicants as they will be able to continue operations which will assist them to generate income.

Long-term Plan/Annual Plan

The Long Term and Annual Plans include projections for revenue generated from parks and reserves. This decision will assist Council to meet those projections which will help to off-set operational expenditure.

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 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 required from external parties. These relate in particular to the waters of Taupō-nui-a-Tia. The applicants have demonstrated that they have the relevant consents and permits to conduct their activities.

Ngā Hīraunga Kaupapa Here | Policy Implications

The proposal has been evaluated against the following plans:

- Long Term Plan 2024-2034 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 proposed activities are consistent with Reserve Management Plans where these are required to enable licences to be granted.

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. Officers will contact Tūwharetoa Māori Trust Board to ensure all their requirements have been met prior to issuing the licences.

WHAKAKAPINGA | CONCLUSION

On balance it is considered Option 2 is the preferred option.

NGĀ TĀPIRIHANGA | ATTACHMENTS

1. Map of licence areas

5.7 LAKEFRONT RESERVE - NEW LICENCE TO OCCUPY TO THE PEARLINE GROUP

Author: Billie Vi, Parks Advisor - Planning and Operations

Authorised by: Greg Hadley, Parks and Reserves Manager

TE PŪTAKE | PURPOSE

To seek a decision from the Committee as administering body of Lakefront Reserve, to grant a licence to occupy to the Pearline Group Limited.

WHAKARĀPOPOTOTANGA MATUA | EXECUTIVE SUMMARY

The Pearline Group Limited (**Pearline**) request a new Licence to Occupy (LTO) over its concession site opposite 128 Lake Terrace. Its lease expired in 2023 and it has been operating in a holding over process, on a month-by-month basis.

Pearline operates at one of eight (8) concession sites under the Tapuaeharuru Bay Lakeshore Reserve Management Plan 2022 (**RMP**).

Its operation straddles both legal road and recreation reserve. The Committee has delegation to grant licences on legal road under the Taupō District Council Public Spaces Bylaw 2021 (**Bylaw**). This information has not been included in previous Lakefront Reserve proposals to Committee, including Steaming Bean but was requested to be included in this report. Considering this information, the licence will be considered under section 54 (1)(c) of the Reserves Act 1977 (**the Act**).

NGĀ TŪTOHUNGA | RECOMMENDATION(S)

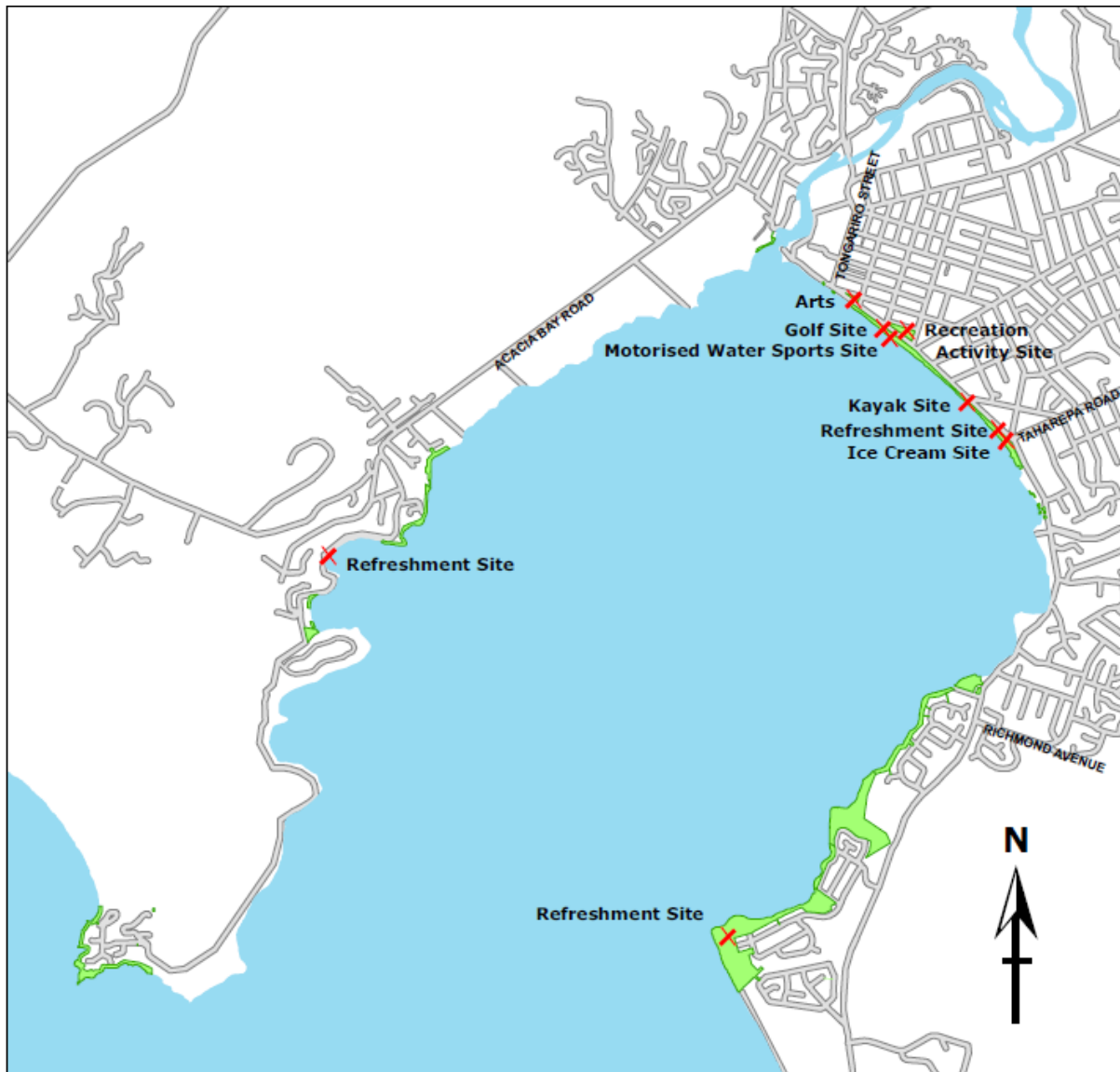
That the Taupō Reserves and Roding Committee agrees to grant a new Licence to Occupy to Pearline Group Limited, in accordance with section 54 (1)(c) of the Reserves Act 1977 for a term of 5 years, commencing 1 May 2023 and ending 30 April 2028 to align with the anticipated review of the Reserve Management Plan.

TE WHAKAMAHUKI | BACKGROUND

A licence is a non-exclusive interest in land that makes provision for an activity of a temporary nature on the land that the licence is permitted to operate. The Pearline Group Limited were granted a licence commencing 1 May 2018, for the ice cream sales concession site at the Lakefront reserve opposite 128 Lake Terrace, on the attached map.

At its initial commencement, the licence area was on a shared site with the Steaming Bean coffee cart. At the end of 2019, Gelateria Limited moved to a separate site further along the Lakefront Reserve. This required installation of power supply and paved area at the Council's expense. Although the licence allows the licensee to trade on the reserve at any time over the year, operation is during the summer months, December to March. The reason for this is the peak season for the sale of gelato is during the summer months. During the off-peak season, the licence area is unused, although Mr Whippy was given permission to trade on the site from August to October in 2012.

In 2018, a deed of variation between Council and the previous owners of the gelato cart, 3 Little Kiwis varied the termination date to 30 April 2023. By 2021 a deed of assignment with 3 Little Kiwis assigned the title and interests to the Pearline Group who have since operated the gelato cart.



Concession Site	Location	Permitted Activities
1. Golf	Lakefront Reserve, current location	Hole in One golf activities including construction and use of low-impact structures for shelter, ticket sales and refreshments.
2. Motorised Water Sports	Lakefront Reserve, adjacent to concession site 1 on the south-eastern side	Water-based activities requiring use of a boat or other motorised vessel
3. Non-motorised Water Sport	Lakefront Reserve, current location (near the end of Pataka Road)	Kayaks, canoes, SUPs and/or other non-motorised water sports
4. Refreshment	Lakefront Reserve, south-eastern end, within parking area adjacent to the power box	Sales of non-alcoholic beverages and/or food

5. Ice cream	Lakefront Reserve, within parking area opposite 128 Lake Terrace	Ice cream sales
6. Refreshment	Wharewaka Point and Acacia Bay	Sales of non-alcoholic beverages and/or food
7. Arts	Colonel Roberts Reserve (restricted to area adjacent to Ruapehu Street)	Display, demonstration and/or sale of arts and crafts by District residents
8. Recreation Activity	Northcroft Reserve	Land based recreation activity (may include two) compatible with other concessions and activities within the lakeshore reserves and Tongariro Domain

NGĀ KŌRERORERO | DISCUSSION

Prior to the adoption of the RMP in 2008, to address the increasing number of requests to use the Lakefront Reserves for the establishment of commercial activities, Council adopted the *Lake Taupō Lakeshore Concession Policy* in 1998. The licences were based on existing sites and activities which had evolved over time. This concession policy limited commercial use of the reserves to specific concession sites between the town centre and Two-Mile Bay Reserve and outlined how these sites were to be managed. A Committee report from November 19, 2008, stated:

The policy had been superseded by the Tapuaeharuru Bay Lakeshore Reserves Management Plan which was adopted by Council in October 2008.

Upon adoption of the RMP in 2008, the concession policy was superseded, and Council established seven concession sites across the Lakefront Reserves. Each concession site was designated a particular recreational activity to reduce competing operations along the Lakefront. The licences were tendered and three-year licences were granted, with one discretionary right of renewal for a further three years. Upon expiry of these licences, licence terms were increased to 5-years as recommended in the RMP to allow

operations to become established and ascertain its viability. A tender or expressions of interest process did not happen following the licences expiring, first in 2013 or in 2017. A process for dealing with these concession site licences was not contemplated during the adoption of the RMP in 2008, or its review in 2022.

The RMP does not specify that these concession sites are contestable. Neither does Council have a concession policy or a process when renewing these licences at the Lakefront Reserve.

The RMP includes policies related to leases and licences on the Lakefront Reserve. Whilst it generally prohibits new licences, it does identify seven locations for more permanent occupation for up to five years. Each site has a nominated activity, and Pearline’s concession site is limited to the sale of ice cream. The concession sites shall not exceed 5-years according to the RMP.

Under the current RMP, the eight (8) concession sites permitted and restricted to certain commercial activities with the idea it enhances recreational use of Lakefront Reserve.

The purpose of granting licences for trading on reserves is to enhance the recreational experience of the reserve by providing opportunities for refreshment or recreational activity that would otherwise be unavailable to reserve users.

If Council officers were directed to develop a policy to evaluate the concession sites, it would need a criterion for selection and a selection process. Council officers receive various and sometimes innovative requests for leases and licences to operate along the Lakefront. The concession sites should remain as non-competing commercial activities to prevent conflict and competition amongst the concession site holders. However, there is an opportunity to re-evaluate the activities permitted. This could result in a varying number of food and beverage sites, or commercial activities. Any amendments would hinder all current operator’s ability to apply for its current site once applications go to open market. This includes all operators as stated in the above table.

Criteria for selection

Assuming sites are evaluated and confirmed its permitted activity, all applications received would need to be evaluated against the new criteria (food & beverage, or activity) at each concession site on an officer’s level and considered without prejudice.

Selection process

A selection process would be similar to awarding contracts where it is measured against a number of weighted attributes. These weighted attributes would include factors like financials, vibrancy, health and safety accreditation, industry standards, scope of lease and licence area, and environmental effects. Each weighted attribute will guide the selection process for Council officers to present to elected members to consider.

This process would require a review of the RMP and public consultation, however, the RMP was reviewed and amended in 2022. There is an Omnibus Reserve Management Plan envisioned for the Taupō District that would include all reserves, including Tapuaeharuru and would pose an opportunity to review the process with these concession sites.

NGĀ KŌWHIRINGA | OPTIONS

Analysis of Options

There are three Options identified.

Option 1. Decline to grant a licence to occupy to the Pearline Group.

Advantages	Disadvantages
<ul style="list-style-type: none"> None foreseen. . 	<ul style="list-style-type: none"> Pearline will be forced to cease operations over the upcoming 2024/2025 summer season. The sale of ice cream compliments recreational activities at the lakefront, especially the other concession sites. The public will have no access to ice cream at the lakefront and will need to find alternatives in the town centre which may be congested with traffic.

Option 2. Grant a new licence to occupy to the Pearline Group.

Advantages	Disadvantages
<ul style="list-style-type: none"> Ensures security of tenure for the Pearline Group for next 5-years. Provided ice cream sales over the upcoming 2024/2025 summer period. 	<ul style="list-style-type: none"> None foreseen.

Option 3. Direct Council officers to develop a policy to deal with these concession sites for consideration by elected members.

Advantages	Disadvantages
<ul style="list-style-type: none"> A developed policy on how to deal with concession sites upon expiry of its 5-years. 	<ul style="list-style-type: none"> Unforeseen time frame to develop a policy. Council officers have limited resources, a review required of the RMP to permit a policy would be an ineffective way to utilise Council resources.

Analysis Conclusion:

On the balance of probabilities, Option 2 is the preferred option.

NGĀ HĪRAUNGA | CONSIDERATIONS

Ngā Aronga Pūtea | Financial Considerations

If the Committee direct Council officers to develop a policy to process applications, the budget will need to be included in a project line within a Long-term Plan.

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 well-beings are of relevance to this particular matter.

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

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:

Tapuaeharuru Bay Lakeshore Reserve Management Plan 2022: The proposal is one of eight concession sites operating at Lakefront reserve. This proposal aligns with the concession sites designated activity; ice cream sales.

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 iwi, and hapū of our district.

Ngā Tūraru | Risks

By directing Council officers to develop a policy to evaluate applications, there could be a perception of misusing Council resources. The Tapuaeharuru Bay Lakeshore Reserve Management Plan was reviewed and amended in 2022. To mitigate this risk, it is recommended Council wait until the drafting of the Omnibus RMP to develop a process.

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.

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

1. Map of lease area

5.8 TAUPŌ DISTRICT COUNCIL TRAFFIC CONTROL DEVICE UPDATE

Author: Claire Sharland, Asset Manager Transportation

Authorised by: Roger Stokes, Infrastructure Manager

TE PŪTAKE | 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.

WHAKARĀPOPOTOTANGA MATUA | EXECUTIVE SUMMARY

The Taupō District Council Traffic controls may be updated from time to time with new controls or prohibitions.

NGĀ TŪTOHUNGA | RECOMMENDATION(S)

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

Sign/Marking	Why	Where
1. Replacing the current give-way sign with a stop sign	To increase safety by requiring all vehicles to come to a complete stop, reducing the risk of collisions at intersections. It also ensures better visibility and caution in high-traffic or low-visibility areas.	Intersection at Matai and Miro Streets
2. Installation of the left turn only sign	This solution is intended to be temporary during a pilot period over the busy summer months. The primary goal is to decrease both the speed and volume of traffic in this area. If it demonstrates effectiveness, there is potential for it to be made permanent.	Roberts Street at the intersection with Ruapehu Street
3. Modifying the standard parking time limit to 60 minutes (P60)	Changing the parking time limit to P60 in front of shops increases turnover, allowing more customers to access parking and improving business flow.	In front of 194-196 Rifle Range Road

TE WHAKAMAHUKI | BACKGROUND

Council has delegated the power to make changes to the traffic control device register relating to roads and public spaces in the Taupō and Taupō East Rural wards to the Taupō Reserves and Roothing Committee.

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.

NGĀ KŌWHIRINGA | OPTIONS

The two options before Council are:

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

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

NGĀ HĪRAUNGA | CONSIDERATIONS

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

Sign/Marking	Why	Where
1. Replacing the current give-way sign with a stop sign	To increase safety by requiring all vehicles to come to a complete stop, reducing the risk of collisions at intersections. It also ensures better visibility and caution in high-traffic or low-visibility areas.	Intersection at Matai and Miro Streets
2. Installation of the left turn only sign	This solution is intended to be temporary during a pilot period over the busy summer months. The primary goal is to decrease both the speed and volume of traffic in this area. If it demonstrates effectiveness, there is potential for it to be made permanent.	Roberts Street at the intersection with Ruapehu Street
3. Modifying the standard parking time limit to 60 minutes (P60)	Changing the parking time limit to P60 in front of shops increases turnover, allowing more customers to access parking and improving business flow.	In front of 194-196 Rifle Range Road

The above projects have been identified through our deficiency database, customer service requests or to meet resource consent requirements. See attachments for the detail of each safety improvement.

Intersection Matai Street and Miro Street

At the intersection of Matai Street and Miro Street, we have heard from regular road users that visibility is quite limited when trying to turn right due to the uphill gradient, which makes it difficult to see approaching vehicles from the right.

To improve safety, we are proposing a few changes. First, we suggest replacing the current give-way sign with a stop sign at the right-hand turn from Matai Street into Miro Street. Additionally, we plan to implement a "No Left Turn" restriction at this same intersection.

The stop sign currently in place for the left-hand turn from Matai Street into Miro Street will stay, but we will be adding a "No Right Turn" sign there.

These changes are necessary due to the limited visibility caused by the vertical crest in the road. The sight distance for drivers making a right-hand turn is around 48 metres, which falls short of the 90 metres required for an arterial road, making the current conditions less safe for turning vehicles.

Roberts Street at the intersection with Ruapehu Street

The implementation of a "Left Turn Only" sign at the exit of Roberts Street, where it intersects with Ruapehu Street is planned. This measure will be in place as a temporary solution during a pilot phase over the busy summer season. The planter boxes will be moved to the exit area of Roberts Street to help direct traffic for the left turn at the intersection.

The primary objective of this initiative is to effectively reduce both the actual speed and the volume of traffic in this area. Should this strategy demonstrate its effectiveness in achieving these goals, there is potential for the sign to be made a permanent fixture.

The notification for the community and the businesses in Roberts Street in terms of Roberts Street layout changes has been delivered.

In front of 194-196 Rifle Range Road

Adjusting the parking time limit to P60 in front of the shops increases turnover, providing more frequent parking access for customers and enhancing business activity. Regarding Captain Singh's request to modify the parking in front of 194-196 Rifle Range Road, Council staff visited and consulted with the owners of the following shops:

- Paetiki Pizza
- Mal's Barber Shop
- Rick's Liquor Centre (owned by Captain Singh)
- Paetiki Bakery
- Grand Central Fry

Additionally, homeowners were contacted at:

- 194A and 194B Rifle Range Road (both owned by the same individual)
- 192/1 Rifle Range Road
- 192/2 Rifle Range Road

The only person that was not reached was the owner of **194A and 194B** Rifle Range Road. However, all the other shop owners and residential property owners fully support the idea and believe it would be highly beneficial.

Ngā Aronga Pūtea | Financial Considerations

The financial impact of maintenance to the Register does not change and is met within current budgets.

Ngā Aronga Ture | Legal ConsiderationsLocal Government Act 2002

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

The proposal has been evaluated regarding the Traffic Bylaw 2014, the Land Transport Act 1998 and the associated Rules. Prescribed signs need to be installed to be enforceable by our compliance officers.

Ngā Hiraunga Kaupapa Here | Policy Implications

There are no known policy implications associated with this report.

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.

No engagement is needed on this agenda item.

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

No further communication required.

WHAKAKAPINGA | 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.

NGĀ TĀPIRIHANGA | ATTACHMENTS

1. Matai and Miro Intersection
2. Intersection - Roberts Street and Ruapehu Street
3. Rifle Range Road