



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

<b>Date:</b>	<b>Tuesday, 20 May 2025</b>
<b>Time:</b>	<b>1.00pm</b>
<b>Location:</b>	<b>Council Chamber Level 1, 67 Horomātangi Street Taupō</b>

# **AGENDA**

## **MEMBERSHIP**

<b>Chairperson</b>	Cr John Williamson
<b>Deputy Chairperson</b>	Cr Yvonne Westerman

<b>Members</b>	Cr Duncan Campbell Cr Kylie Leonard Mr Te Moananui Rameka Cr Christine Rankin Cr Rachel Shepherd Cr Kevin Taylor Mayor David Trewavas Vacancy
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<b>Quorum</b>	5
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**Julie Gardyne  
Chief Executive**

## Order Of Business

- 1 Karakia
- 2 Whakapāha | Apologies
- 3 Ngā Whakapānga Tukituki | Conflicts of Interest
- 4 Whakamanatanga O Ngā Meneti | Confirmation of Minutes
  - 4.1 Ordinary Taupō Reserves and Roding Committee Meeting - 18 March 2025.....3
- 5 Ngā Kaupapa Here Me Ngā Whakataunga | Policy and Decision Making
  - 5.1 Airspace Lease - 124 Lake Terrace Taupō .....4
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  - 5.3 Intention to exchange a drainage reserve for other land to enable the Crown Road industrial subdivision .....12
  - 5.4 Request for tree removals at Tapuaeharuru Lakefront.....15
  - 5.5 Traffic Control Device Updates .....20
- 6 Ngā Kōrero Tūmataiti | Confidential Business  
Nil

**4.1 ORDINARY TAUPŌ RESERVES AND RODING COMMITTEE MEETING - 18 MARCH 2025**

**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 18 March 2025 be approved and adopted as a true and correct record.

**NGĀ TĀPIRIHANGA | ATTACHMENTS**

1. Taupō Reserves and Roding Committee Meeting Minutes - 18 March 2025

**5.1 AIRSPACE LEASE - 124 LAKE TERRACE TAUPŌ**

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

**Authorised by:** Roger Stokes, Infrastructure Manager

**TE PŪTAKE | PURPOSE**

The purpose of this report is to seek a decision of the Committee on the grant of a new lease of airspace above unformed legal road adjoining the residential property at 124 Lake Terrace, Taupō.

**WHAKARĀPOPOTOTANGA MATUA | EXECUTIVE SUMMARY**

A decision is required of the Committee about a proposed new airspace lease to legitimise a balcony encroachment into airspace above unformed legal road. Since 28 January 2003 the balcony has been permitted by an airspace lease, but this lease expired on 29 September 2022.

**NGĀ TŪTOHUNGA | RECOMMENDATION(S)**

That the Taupō Reserves & Roding Committee resolves to grant a new lease of approximately 3.87m<sup>2</sup> of airspace above unformed legal road adjoining the residential property at 124 Lake Terrace, Taupō, such lease to be for an initial term of 10 years from 30 September 2022 with a right of renewal of 10 years, and otherwise subject to the same terms and conditions as the (now expired) lease dated 28 January 2003, but updated where necessary to reflect current legislation and Council's Road Encroachment Policy 2019.

**TE WHAKAMAHUKI | BACKGROUND**

This item has not been presented previously.

The 2003 lease was authorised by resolution of the Taupo Kaingaroa-Mangakino Pouakani Committee on 19 June 2002. An extract of the relevant minutes is **attached**.

**NGĀ KŌRERORERO | DISCUSSION**

The property served by the balcony operates as a luxury holiday home at 124 Lake Terrace. The balcony encroaches into the airspace above a hedged berm adjoining a formed footpath by 600mm. An image of the balcony is **attached**.

While it encroaches over the property boundary, the balcony does not overhang the formed footpath and does not inhibit normal pedestrian use of the footpath.

Unless the balcony is removed, the airspace lease is necessary to ensure that the respective rights and obligations of the property owners and Council are agreed and recorded. This is particularly important from a health and safety perspective, and to enable the owner's obligations are notified to all the world by way of an encumbrance registered against the title to the property.

Council may charge for use of the airspace in accordance with Council's annual fees and charges, and owners have continued to pay the fee charged under the (now) expired lease, which fee has kept pace with Council's fees and charges.

So, while the term of the new lease is proposed to begin on the day after the date the former lease expired - to reflect the ongoing nature of the lease arrangement – the fee payable will be in accordance with Council's adopted fees and charges and reviewed annually.

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

**NGĀ KŌWHIRINGA | OPTIONS**Analysis of Options

**Option 1.** Grant an airspace lease

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>Legalises the existing airspace encroachment.</li> <li>Lease obligations are recorded and ascertainable by any interested purchaser of the property at 124 Lake Terrace.</li> <li>Enables ongoing levying of fees in accordance with Council's adopted Fees and Charges Schedule 2025/26.</li> <li>Implements Council's Road Encroachment Policy 2019.</li> </ul>	<ul style="list-style-type: none"> <li>No risks identified that cannot be addressed by suitably worded provisions in the lease.</li> </ul>

**Option 2.** Do not grant an airspace lease.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>None identified</li> </ul>	<ul style="list-style-type: none"> <li>Inconsistent with the 2002 decision authorising the airspace encroachment.</li> <li>Inconsistent with the 2002 building consent pursuant to which the dwelling, with the balcony, was built.</li> <li>Inconsistent with Council's Road Encroachment Policy 2019.</li> </ul>

Analysis Conclusion

Based on the above analysis the preferred alternative is **Option 1. Grant an airspace lease.**

**NGĀ HĪRAUNGA | CONSIDERATIONS****Ngā Aronga Pūtea | Financial Considerations**

The financial impact of the proposal is the revenue earned by Council in the form of fees charged on the same (commercial fair market value) basis as that charged for central business district airspace leases in accordance with Council's adopted Fees and Charges Schedule 2025/26.

**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 wellbeing are relevant to this proposal.

This proposal has been evaluated against the provisions of the Local Government Act 1974 and Taupō District Council's Road Encroachment Policy 2019.

A lease of airspace above the surface of a road is permitted under section 341 of the Local Government Act 1974 provided that:

- no lease is granted for any purpose that contravenes the [Resource Management Act 1991](#); and
- in granting the lease, Council ensures that free and unobstructed passage of vehicles and pedestrians lawfully using the road remains possible.

The new lease will implement the principles in Council's Road Encroachment Policy 2019 by way of provisions ensuring the ongoing right of the public to use the footpath, imposing obligations on the owner with respect to the condition and maintenance of the balcony and conferring on Council the right to end the lease for a public work purpose (eg: road widening).

The existence of the lease is notified by way of registered encumbrance against the legal title to 124 Lake Terrace and will be recorded on any LIM issued for that property.

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

This proposal is consistent with Taupō District Council's Road Encroachment Policy 2019, and the resulting lease will incorporate provisions that reflect the principles in that policy.

### **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.

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. No engagement has been made for this agenda item.

No engagement with Iwi is required on this occasion.

### **Ngā Tūraru | Risks**

The main risk is to the health and safety of the owner and occupants of the property, and members of the public who from time to time may be in the vicinity of the balcony. The provisions of the lease will impose responsibility on the owner to manage this risk (eg: by restricting use of the balcony; prohibiting structural alterations without Council's approval; and by requiring engineering-designed drawings and as-builts, regulatory compliance, and public risk insurance cover).

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

Council's Significance and Engagement Policy identifies matters to be considered 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 not significant.

### **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 wider engagement is required prior to the Committee determining the matter.

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

No communication/media required.

### **WHAKAKAPINGA | CONCLUSION**

Officers recommend the grant of a new airspace lease to legitimise the existing airspace encroachment because of the balcony of the dwelling at 124 Lake Terrace, Taupō.

### **NGĀ TĀPIRIHANGA | ATTACHMENTS**

1. Extract from the Taupō Kaingaroa-Mangakino Pouakani Minutes 19 June 2002
2. Photos of balcony at 124 Lake Terrace

**5.2 PROHIBITION OF VEHICLES ON UNFORMED ROAD**

**Author:** Jacob Kuchlein, Transport Engineer

**Authorised by:** Warrick Zander, General Manager Strategy and Environment

**TE PŪTAKE | PURPOSE**

This item seeks a resolution to prohibit vehicles from using an unformed section of Road between Five Mile Bay and Wharewaka in accordance with Section 23 of the Taupō District Council Traffic Bylaw 2024.

**WHAKARĀPOPOTOTANGA MATUA | EXECUTIVE SUMMARY**

Taupō District Council officers have been made aware of members of the public using the unformed section of Tawhaa Road for vehicular access to the lake front, resulting in safety concerns for footpath users and potential damage to the footpath itself.

By providing a resolution in line with the recommendation below no significant change to the status quo should result as physical barriers have been in place since the footpath was constructed. If a resolution is passed as recommended any driver who accesses this section of Road without authorisation may be issued with an infringement notice or prosecuted.

**NGĀ TŪTOHUNGA | RECOMMENDATION(S)**

That the Taupō Reserve and Roothing Committee resolves to prohibit motor vehicles (except authorised vehicles and cycles) from an unformed section of Tawhaa Road, between Five Mile Bay and Wharewaka Point Reserve, in accordance with the Taupō District Council Traffic Bylaw 2024.

The motor vehicles prohibited sections of Tawhaa Road extend from the northern end of the existing public parking area at Five Mile Bay northwards for a distance of 500 metres to the formed section of carparking at the southern end of the waterski lane, and a 1000 metre section from the northern end of the waterski lane area up to the Wharewaka Point Reserve.

**TE WHAKAMAHUKI | BACKGROUND**

The proposal has not been presented previously.

Tawhaa Road is classified legally as Road however it is unformed for motor vehicles along the lakefront section with a footpath extending along its length. Although there are physical barriers in place (by way of large rocks) to prevent vehicular access from the south and the central waterski lane/ public freedom camping area, vehicles have been witnessed travelling along the footpath for the purpose of accessing informal residential structures on the adjacent land and the lake itself in isolated locations for recreational or domestic purposes.

The proposed motor vehicle prohibited sections of Tawhaa Road extend from the northern end of the existing public parking area at Five Mile Bay northwards for a distance of 500 metres to the formed section of carparking at the southern end of the waterski lane, and a second 1000 metre section from the northern end of the waterski lane area up to the Wharewaka Point Reserve.





**NGĀ KŌRERORERO | DISCUSSION**

*Current state of southern access point to the unformed road, 15 April 2024*

When the footpath was constructed, post and rail barriers were installed along the ends of the parking areas to prevent vehicles from leaving the sealed surface. Over time these barriers were damaged and were replaced with large rocks which have subsequently been pushed out of the way by the public to enable vehicles to pass. In more recent times our operations team has replaced the rocks and installed a removable bollard in the footpath to allow for mowers and maintenance vehicles to enter.

Legislation detailed below permits road controlling authorities to restrict motor vehicles from using unformed legal roads -

Section 22AB of The Land Transport Act 1998 states:

- (1) *A road controlling authority may make any bylaw that it thinks fit for 1 or more of the following purposes*
- g. restricting the use of motor vehicles on unformed legal roads for the purposes of protecting the environment, the road and adjoining land, and the safety of road users*

Section 23 of the Taupō District Council Traffic Bylaw 2014 (Amended 2024) gives the Taupō Reserves and Roding Committee authority to provide a resolution to enable enforcement of the restriction, as detailed below:

*23. Council may by resolution, subject to the erection of the prescribed sign:*

- a. Restrict the use of vehicles on unformed legal roads.*
- b. A person must not use a vehicle on an unformed road contrary to the restriction.*

Should a resolution be passed in favour of the recommendation, exemptions will be made to the prohibition for cycles and authorised vehicles allowing for Taupō District Council staff (along with any other organisation deemed exempt, Department of Conservation, Greening Taupō, etc.) to access the area in appropriate motor vehicles for maintenance purposes.

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



**NGĀ KŌWHIRINGA | OPTIONS****Analysis of Options**

**Option 1.** Resolve to prohibit motor vehicles on two sections of Tawhaa Road extending from the northern end of the existing public parking area at Five Mile Bay northwards for a distance of 500 metres to the formed section of carparking at the southern end of the waterski lane, and the 1000 metre section from the northern end of the waterski lane area up to the Wharewaka Point Reserve.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>Reduces risk to footpath and cycleway users by ensuring vehicles do not drive on or alongside the footpath.</li> <li>Reduces maintenance required on the concrete footpath.</li> <li>Removes the risk of footpath breakage due to vehicle loadings.</li> <li>Reduces maintenance of adjoining vegetated areas due to being used as vehicle access.</li> </ul>	<ul style="list-style-type: none"> <li>Additional resource potentially required to enforce the prohibition.</li> <li>Costs associated with sign installation.</li> </ul>

**Option 2.** Do nothing, status quo

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>None identified.</li> </ul>	<ul style="list-style-type: none"> <li>Continual replacement of rocks to prevent access.</li> <li>Current physical restrictions of access are legally unenforceable.</li> <li>Safety risk to path users and maintenance staff.</li> <li>Environmental damage to vegetation alongside the path.</li> <li>Footpath damage risks.</li> </ul>

**Analysis Conclusion:**

Due to the above considerations, **Option 1** is preferred.

**NGĀ HĪRAUNGA | CONSIDERATIONS****Ngā Aronga Pūtea | Financial Considerations**

The financial impact of the proposal is estimated to be \$1000 for the manufacture and installation of the prescribed signage. There may be some operational costs required if extra rock or bollard barriers prove necessary

**Long-term Plan/Annual Plan**

The expenditure outlined can be covered by existing transport or park 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 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 referenced in the *ngā kōrerorero* | *discussions* section.

### **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.

The land fronting the proposed section was formerly public reserve. It was returned to iwi in the recent Ngāti Tuwharetoa Tiriti O Waitangi settlement. The adjacent land has vehicular access to formed public road already existing with multiple access options, including to the formed section of Tawhaa Road at Five Mile Bay.

Legal vehicle access to the 300-metre formed freedom camping/waterski land area linking to the existing road is retained.

Full walking, cycle and other non-motorised access to all of Tawhaa Rd would remain available. If the land was to develop in the future, Tawhaa Rd remains as public roadway and the vehicle access question could be re-visited.

### **Ngā Tūraru | Risks**

The risks of passing the resolution are not considered of significance.

There may be some non-compliance to be managed as it is not proposed to fence off the 1500 metre roadway frontage to the adjacent land.

### **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 and the comments in the Māori Engagement section about adequate alternative motorised vehicle access being available to the lakefront, officers are of the opinion that no further engagement is required prior to Council making a decision.

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

No communication/media required.

**WHAKAKAPINGA | CONCLUSION**

As this is primarily a formality, there are no significant reasons to maintain the status quo in favour of resolving to prevent motor vehicles from using the aforementioned unformed section of Tawhaa Road. If the resolution is passed in favour of the recommendation, signs are expected to be ordered and installed within one month.

**NGĀ TĀPIRIHANGA | ATTACHMENTS**

Nil

**5.3 INTENTION TO EXCHANGE A DRAINAGE RESERVE FOR OTHER LAND TO ENABLE THE CROWN ROAD INDUSTRIAL SUBDIVISION**

**Author:** Janice Reuben, Commercial Property Officer

**Authorised by:** Chris Haskell, Property and Development Manager

**TE PŪTAKE | PURPOSE**

To seek the Committee's approval in principle to exchange an existing drainage reserve for other land under section 15(1) of the Reserves Act 1977, and to authorise public notification of the proposal as required by section 15(2).

**WHAKARĀPOPOTOTANGA MATUA | EXECUTIVE SUMMARY**

The Council is subdividing its industrial land at 204 Crown Road. This subdivision involves the exchange of a local purpose reserve (drainage) for other land.

The subdivision is creating 18 industrial lots, with civil works expected to be completed by mid-2025. This development represents a significant addition to Taupō's commercial property stock.

**NGĀ TŪTOHUNGA | RECOMMENDATION(S)**

That the Taupō Reserves and Roding Committee:

1. approves in principle the exchange of part of Section 21 on Survey Office Plan 438781, being local purpose (drainage) reserve, for proposed Lot 102 on Land Transfer Plan 614613 under section 15 of the Reserves Act 1977; and
2. authorises the giving of public notice of its intention to pass a resolution authorising the exchange of the land comprised in any reserve or any part or parts thereof for any other land to be held for the purposes of that reserve, as required by section 15(2) of the Reserves Act 1977.

**TE WHAKAMAHUKI | BACKGROUND**

The proposal has not been presented previously but it is related to the subdivision and sale proposals that were authorised by Council resolution/s (TDC202404/24 and TDC202410/C02).

**NGĀ KŌRERORERO | DISCUSSION**

The subdivision of 204 Crown Road is generally shown on the scheme plan **attached**. Resource consents RM230359 and RM230360 permit the development.

The development land comprises five parcels, of which two parcels are coloured red and green on the scheme plan.

The red parcel represents an area of 711m<sup>2</sup>, being part Section 21 on SO Plan 438781 currently held by Council as local purpose (drainage) reserve (the "**reserve**"). Where necessary, easements will be registered to protect any underground infrastructure following the exchange.

The green parcel represents an area of 2555m<sup>2</sup>, being proposed Lot 102 on Land Transfer Plan 614613 (the "**other land**"), currently part of land held by Council in fee-simple (no purpose).

The reserve is to be exchanged for the other land, such that the reserve becomes land held by Council in fee simple (no purpose), and the other land becomes local purpose (drainage) reserve, as provided in sections 15(5) and 15(6) of the Reserves Act 1977.

The first step of the exchange process is public consultation. This is initiated by Council giving a one-month public notice.

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

**NGĀ KŌWHIRINGA | OPTIONS**Analysis of Options**Option 1. Approve the exchange of reserve land for other land**

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>Enables Council to complete the subdivision of Crown Road land in accordance with resource consent RM230359.</li> <li>Enables Council to have land transfer plan 614613 approved under s223 Resource Management Act 1991, as planned.</li> </ul>	<ul style="list-style-type: none"> <li>None known</li> </ul>

**Option 2. Do not approve the exchange of reserve land for other land**

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>None known</li> </ul>	<ul style="list-style-type: none"> <li>Council is unable to complete the subdivision of Crown Road land as currently designed.</li> <li>Council will need to redesign the subdivision and apply to vary resource consent RM 230359.</li> </ul>

Analysis Conclusion:

**Option 1: Approve the exchange of reserve land for other land** is the preferred option.

**NGĀ HĪRAUNGA | CONSIDERATIONS****Ngā Aronga Pūtea | Financial Considerations**Long-term Plan/Annual Plan

The costs associated with the proposed land exchange and public consultation are part included in the costs of subdividing 204 Crown Road. The expenditure outlined is currently budgeted for under the 2024-34 Long-term Plan (LTP) budget.

**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 economic well-being is of relevance to this matter.

The proposal has been evaluated against the legislative requirements, and the following is relevant:

Reserves Act 1977

Section 15(1) empowers the Minister of Conservation to authorise the exchange of reserve land for other land at the request of the administering body. The Committee, as delegate of the Council, may pass the resolution referred to in s15(1).

First, public notice of the proposed exchange is required, giving the public one month within which to formally object to the proposal. At the end of the notice period, the Committee must consider any written objections that are received within that period.

After duly considering any written objections received in time, the Committee may resolve to approve the exchange. Notice of the resolution, and any objections received along with the Committee's comments, are notified to the Director Operations Central North Island of the Department of Conservation (section 15(2)).

Pursuant to section 15(1) the Minister of Conservation formally authorises the exchange by notice in the New Zealand Gazette, with the result that the reserve becomes land held by Council in fee simple (no purpose), and the other land is held by Council as local purpose (drainage) reserve pursuant to sections 15(5) and 15(6) of the Reserves Act 1977.

The former reserve can then be dealt with as part of the development land in accordance with Land Transfer Plan 614613.

Authorisation is required from the Minister of Conservation under section 15(1) of the Reserves Act 1977.

### **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. 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. It is considered that no engagement with Māori is required on this occasion.

### **Ngā Tūraru | Risks**

Authorisation for the exchange is contingent upon there being either no objections, or objections that the Committee declines to accept, in response to public notification, and the Minister authorising the exchange under s15(1) of the Reserves Act 1977.

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

Council's Significance and Engagement Policy identifies matters to be considered 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 low degree of significance.

### **TE KŌRERO TAHI | ENGAGEMENT**

Notwithstanding the above assessment, that the decision is of low significance, public consultation will be undertaken as required by section 15(2) of the Reserves Act 1977, and submissions will be accepted on the Taupō District Council website submission page.

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

Save for public notice of the exchange proposal, no communication/media will be required.

### **WHAKAKAPINGA | CONCLUSION**

To enable the Crown Road subdivision to proceed as planned, it is appropriate for the Committee to approve the land exchange in principle and authorise public notification of the proposed exchange as required by section 15(2) of the Reserves Act 1977.

### **NGĀ TĀPIRIHANGA | ATTACHMENTS**

1. Scheme plan showing land to be exchanged

**5.4 REQUEST FOR TREE REMOVALS AT TAPUAEHARURU LAKEFRONT**

**Author:** Billie Vi, Parks Advisor - Planning and Operations

**Authorised by:** Greg Hadley, Parks and Reserves Manager

**TE PŪTAKE | PURPOSE**

To seek a resolution from the Taupō Reserves and Roding Committee to consider granting the removal of:

- Three silver birch (*Betula pendula*) trees.
- Various 'weed species' on the Tapuaeharuru Bay cliffs between the Taupō Yacht Club and Hole in One.

**WHAKARĀPOPOTOTANGA MATUA | EXECUTIVE SUMMARY**

Whilst the majority of the erosion problem is wave action acting on the base (toe) of the cliff (currently being addressed through another project) there are issues caused by trees and vegetation both on the clifftop and on the face of the cliff. This report seeks the removal of the problem trees and vegetation.

The silver birch (*Betula pendula*) trees are not noted on the amenity or notable tree schedule in the district plan. Therefore, a resource consent is not required for removal.

**NGĀ TŪTOHUNGA | RECOMMENDATION(S)**

The Taupō Reserves and Roding Committee agree to grant the removal of:

1. Three silver birch (*Betula pendula*) trees located on the Tapuaeharuru cliffs;
- and
2. Various 'weed species' located between the Taupō Yacht Club and Hole in One.

**TE WHAKAMAHUKI | BACKGROUND**

There is an on-going issue with erosion of the Tapuaeharuru Bay cliffs. Much of the problem occurs due to wave action at the base (toe) of the cliff during high lake levels with winds from a southerly quarter. There are issues, however, with weathering on the face, which can be lessened with the 'right' kind of vegetation or exacerbated by the 'wrong' type of vegetation. This information was provided by Tonkin & Taylor report in 2021. The report provides a high-level assessment of vegetation features along the length of the cliffs and the opportunities and constraints these features might pose to the wider erosion protection project.

Generally, vegetation on the top of the cliffs will help bind the soils, attenuate over-land flows and stabilise the cliff top. In some situations, the vegetation can be a contributing factor in the erosion process. This is the case with the large silver birch (*Betula pendula*) trees which are shallow rooting, generally avoiding the pumice soil, except where the roots have tracked down a seam in the pumice following a water flow path. This has led to block failures under each of the trees.

The trees already add considerable weight to the cliff top and with wind, leaf and moisture loading the situation worsens. As the cliff fails, the trees have less support below the root systems and the risk of total failure increases.

The trees council officers are requesting from the Committee for removal are not amenity or notable trees as they are not identified in the amenity or notable tree schedule in the District Plan. Therefore, a resource consent is not required for their removal.







## NGĀ KŌRERORERO | DISCUSSION

As outlined in the background there is an ongoing issue with trees exacerbating erosion problems both on the cliff top as well as the cliff face. The Tree and Vegetation Policy 2014 states the following:

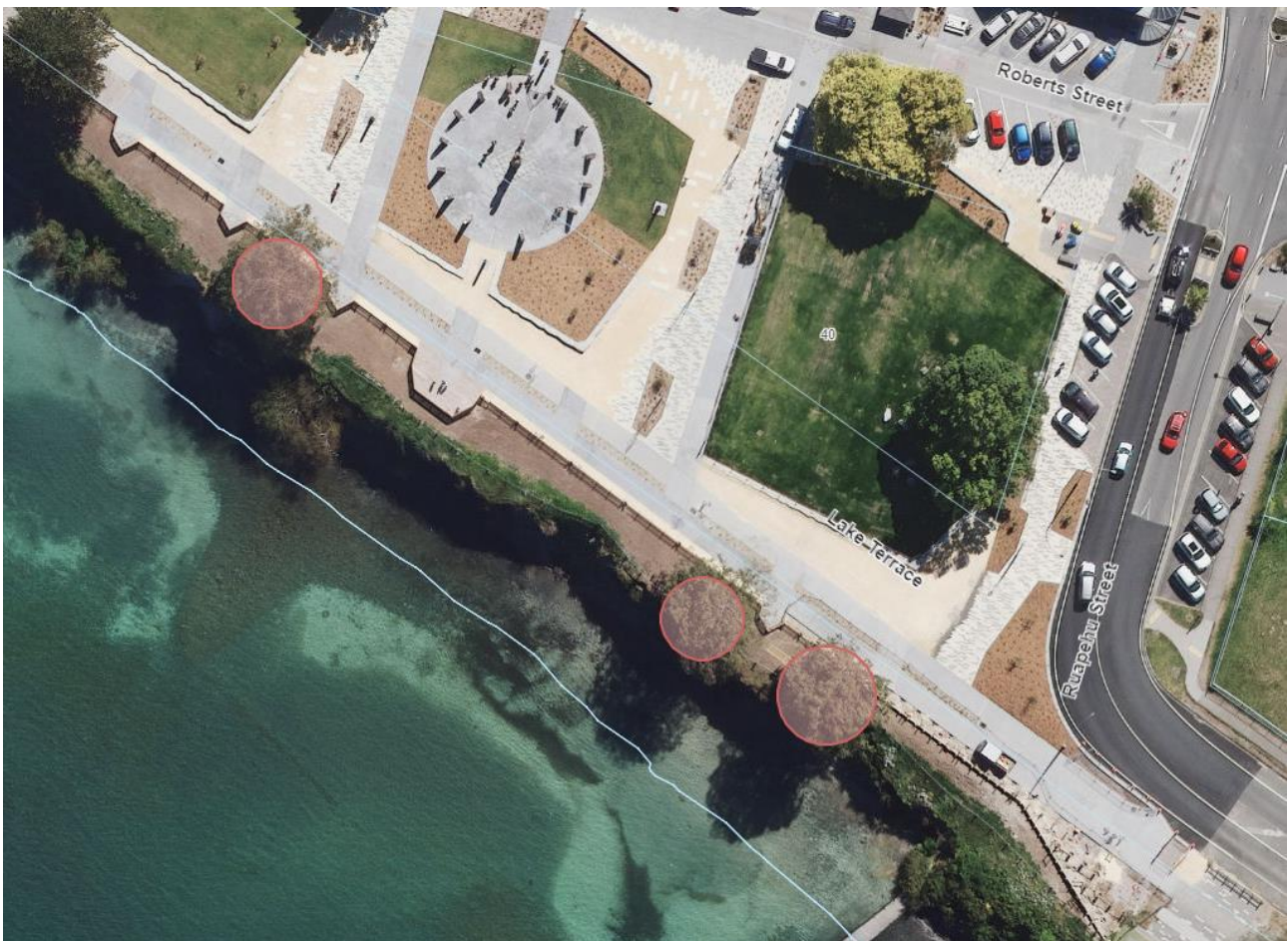
### Policy 3.2 – Removal of Healthy Trees

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.

Any decision to remove the trees would be followed by a communication to the wider community notifying them of the decision. The silver birch (*Betula pendula*) trees have been a feature of the Taupō lakefront for some time so the request for the removal is not made lightly.

Should the Committee agree to remove the trees and weed species, the area will be revegetated with low growing native species.



**NGĀ KŌWHIRINGA | OPTIONS**Analysis of Options

## Option 1.

**Agree to grant the removal of the trees and weed species.**

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• More serious erosion of the cliff top is avoided.</li> <li>• Opportunity to plant more appropriate vegetation that should slow the erosion of the clifftop.</li> </ul>	<ul style="list-style-type: none"> <li>• Loss of mature trees that provides some amenity value.</li> <li>• Cost of removal.</li> <li>• Replacement planting will take time to establish.</li> </ul>

## Option 2.

**Decline to grant the removal of the trees and weed species.**

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• Retained amenity value of the trees.</li> </ul>	<ul style="list-style-type: none"> <li>• There will still be a continuous erosion problem of the cliff top.</li> <li>• Accelerates erosion of the cliff.</li> <li>• Potential damage to community assets caused by sudden failure of the trees.</li> <li>• Reputational risk.</li> </ul>

Analysis Conclusion:

Based on the analysis, option 1 is considered the best alternative.

**NGĀ HĪRAUNGA | CONSIDERATIONS****Ngā Aronga Pūtea | Financial Considerations**

The three silver birch (*Betula pendula*) will cost approximately \$10,000.00 for removal.

The weed species removal is budgeted under the foreshore erosion project relating to vegetation management.

**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 is 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  
☐ Alcohol Licencing    ☐ Licence to occupy

Authorisations are not required from external parties.

**Ngā Hīraunga Kaupapa Here | Policy Implications**Tree and Vegetation Policy 2014

### Policy 3.2 Removal of Healthy Trees

The three silver birch trees (*Betula pendula*) on the cliff top would be removed under the third bullet point of policy 3.2 - other community assets are impacted by trees or vegetation.

The weed species along the cliff face will be removed under the fourth bullet point of policy 3.2 – the trees or vegetation are impacted by trees or vegetation.

### 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.

Council officers have ongoing consultation with hapū. Tūwharetoa Māori Trust Board has been consulted about the erosion problems and are aware of the plans to remove vegetation. They have expressed concerns about tree failure in the past including the silver birch (*Betula pendula*).

### Ngā Tūraru | Risks

If the Committee agree to grant the removal of the trees, there is potential for the public to raise concerns about the removal in a popular area in the town centre. To mitigate this, council officers should follow policy 3.5 of the Tree and Vegetation Policy 2014 and notify the public of the tree removal.

### 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

Should the Committee resolve to remove the three-silver birch (*Betula pendula*) and weed species, the public will be notified of the decision through relevant means of communication including social media.

### WHAKAKAPINGA | CONCLUSION

Whilst the majority of the problem is wave action acting on the base (toe) of the cliff (currently being addressed through another project) there are issues caused by trees and vegetation both on the clifftop and on the face of the cliff. This report seeks the removal of the problem trees and vegetation.

Council officers recommend the removal of the trees and weed species to aid the ongoing erosion problems.

### NGĀ TĀPIRIHANGA | ATTACHMENTS

Nil

**5.5 TRAFFIC CONTROL DEVICE UPDATES**

**Author:** Anup Dahal, Asset Engineer - Transport

**Authorised by:** Roger Stokes, Infrastructure Manager

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**

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.

**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. Install No Stopping At All Time markings (broken yellow lines)	To prevent parking in front of the access blocking the vehicle entrance.	81 – 87 Tūwharetoa Street
2. Convert standard parking to accessible (disabled) parking with associated signs and markings. Like the current accessible parking space, no time restrictions are proposed.	To improve accessibility and ensure equal access for people with disabilities. Without a time restriction it allows for users to stay for extended time periods.	81 – 87 Tūwharetoa Street
3. Removal of all day mobility space (signs and markings) in the all day parking area, adjacent to the entrance.	To relocate to on road as mobility space is not adequate in this location.	All day parking area.

**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 Roding 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. Install No Stopping At All Time markings (broken yellow lines)	To prevent parking in front of the access blocking the vehicle entrance	81 – 87 Tūwharetoa Street
2. Convert standard parking to accessible (disabled) parking with associated signs and markings. Like the current accessible parking space, no time restrictions are proposed.	To improve accessibility and ensure equal access for people with disabilities. Without a time restriction it allows for users to stay for extended time periods.	81 - 87 Tūwharetoa Street
3. Removal of all day mobility space (signs and markings) in the all day parking area, adjacent to the entrance.	To relocate to on road as mobility space is not adequate in this location.	All day parking area.

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.

### 81 – 87 Tūwharetoa Street

1. Council has received a complaint regarding ongoing issues at the entrance to the Central Motor Group sales yard. The driveway/vehicle access, which is intended to remain clear at all times to allow vehicles to enter and exit the yard safely and efficiently, is frequently being blocked by parked cars. This obstruction is causing significant operational difficulties for the business, as it prevents the smooth movement of vehicles in and out of the premises. To address this issue and ensure the accessway remains unobstructed, Council is proposing to install yellow dashed "no stopping" lines across the entrance. These markings will serve as a clear visual indicator that parking is not permitted in this area, helping to maintain access for the business and improve safety and traffic flow in the vicinity.
2. Convert standard parking to accessible (disabled) parking because there is currently no proper disabled parking on the north side. The only existing one is too narrow and located right next to the parking entrance, so people with disabilities have to use the vehicle driveway like a ramp to reach the footpath, which is not safe.

The attached plans have been provided to the customer and is in support of the proposal.

### Ngā Aronga Pūtea | Financial Considerations

The financial impact of this can be met within current 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.



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 Hīraunga 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 and that the decision is of a low degree of significance, officers are of the opinion that no further engagement to that already detailed is required prior to Council making a decision. A verbal update on any further Wily Terrace responses will be provided at the meeting.

### **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. Plan - parking rearrangement and mobility space