

MINUTES OF COUNCIL MEETING (EXTRAORDINARY)

File Reference: ECM7892114

Meeting Date: Thursday 29 November 2018 at 3.30pm

Venue: Civic Centre, Liardet Street, New Plymouth.

Members Present: Mayor Neil Holdom, Councillors Shaun Biesiek, Gordon Brown, Murray Chong (until 6.20pm, part Tab 4), Harry Duynhoven (until 7pm), Richard Handley, Stacey Hitchcock, Colin Johnston, Richard Jordan, John McLeod, Alan Melody, Mike Merrick, Marie Pearce, Roy Weaver and John Williams

Non Members Present:

Community Board Chairpersons: Doug Hislop (Kaitake), Andrew Larsen (Waitara), Ken Bedford (Clifton)

Staff in Attendance:

Craig Stevenson, Nadia Phillips, Julie Straka, Jacqueline Baker, Alan Bird, Kelvin Wright, Liam Hodgetts, Cheryl McGrath, Katrina Brunton, Callum Williamson, David Langford, Theresa Turner, Mitchell Dyer, Alison Trustrum-Rainey, Charles Woollin, Ron Murray, Aroha Chamberlain, Joanne Eager, Chris Rudd

PIF Representatives: Mark Butcher, Kirsty Campbell, Tracey Jones, and David Rae

PRIP Representatives: Wayne Wootton and Chris Myers

Conflicts of Interest

Cr Melody advised that, whilst he was away when verbal submissions on the Freedom Camping Bylaw were heard, he did watch the Freedom Camping Bylaw hearing online and has read all submissions, and therefore felt he was able to participate in the debate.

Cr Duynhoven declared that he did miss the Freedom Camping Bylaw briefing, however he has read all submissions and felt he was able to participate in the debate.

Deputation

- Lindsay Thompson (Chief Executive) – Taranaki Rugby Football Union

Tab 3, TRFU Venue Hireage, was heard at this juncture.

TRFU VENUE HIREAGE

ECM7883520

The purpose of this report is to outline options for Council to consider in response to Taranaki Rugby Football Union's request for a Yarrow Stadium rental, ground lease and service costs holiday.

A procedural motion was moved

Mayor Holdom)

Cr McLeod)

That having considered all matters raised in the report:

The matter lie on the table to enable the Chief Executive to work with TRFU to investigate alternative expenditure and revenue options.

The matter be reported back to Council as soon as practicable in 2019.

Carried

PIF QUARTERLY REPORT

ECM7881509

The purpose of this report is to present the performance of the Perpetual Investment Fund (PIF) for the quarter ended 30 September 2018.

Council Resolution:

Cr Pearce)

Cr Duynhoven)

That having considered all matters raised in the report, the report be noted.

Carried

PRIP QUARTERLY REPORT

ECM7875215

The purpose of this report is to present the Para Rererangi i Puketapu Ltd quarterly report for the quarter ended 30 September 2018.

Council Resolution:

Cr Handley)

Cr Biesiek)

That having considered all matters raised in the report, the report be noted.

Carried

PROPOSED FREEDOM CAMPING BYLAW REVIEW

ECM7885628

The matter for consideration by the Council is the deliberations on the proposed amendments to the Freedom Camping Bylaw (2017) following receipt of 867 submissions during the Freedom Camping Bylaw special consultative procedure.

Council Resolution:

Mayor Holdom)

Cr Biesiek)

That having considered all submissions on the amendments to the Freedom Camping Bylaw the Council resolve to make the following amendments to the Freedom Camping Bylaw:

- a) Adopt a year round prohibition on freedom camping at Fitzroy Beach car park, Oakura Beach Front, East End and Kawaroa as amendments to the Freedom Camping Bylaw as defined in the maps in Appendix One.

Carried

Council Resolution:

Cr Biesiek)

Mayor Holdom)

That having considered all submissions on the amendments to the Freedom Camping Bylaw the Council resolve to make the following amendments to the Freedom Camping Bylaw:

- b) Amend the Freedom Camping Bylaw by including restrictions for non-self-contained vehicles so that freedom camping in non-self-contained vehicles can only take place in the number of carparks below for each location as amendments to the Freedom Camping Bylaw as the most appropriate way to protect the areas, protect access to the areas and the health and safety of people who may visit the areas.

Location	Number of car parks
Battiscombe Terrace	Six (6)
Corbett Park	Five (5)
Lake Rotomanu	Four (4)

An Amendment was moved:

Cr Duynhoven)

Cr Handley)

An amendment was moved that Pukekura Park - Rogan Street (Five (5) carparks), be added into the above motion (clause b).

The amendment was lost

The original motion was put

A division was called: ECM7891558:

Those voting for the motion were Crs Biesiek, Brown, Chong, Hitchcock, Johnston, Jordan, Melody, Pearce, Weaver, Williams and His Worship the Mayor.

Those voting against the motion were Crs Duynhoven, Handley, McLeod and Merrick.

The motion was carried

A motion was moved:

Cr Chong)

Cr Merrick)

That having considered all submissions on the amendments to the Freedom Camping Bylaw the Council resolve to make the following amendments to the Freedom Camping Bylaw:

- c) Amend the Freedom Camping Bylaw by restricting certified self-contained vehicles at Waiwhakaiho River mouth to a minimum separation of 5 metres or 2 marked car spaces, whichever is the greatest

That all non-self-contained vehicle freedom camping are prohibited from the Waiwhakaiho River mouth.

The motion was lost

A motion was moved:

Cr Weaver)

Cr Handley)

That having considered all submissions on the amendments to the Freedom Camping Bylaw the Council resolve to make the following amendments to the Freedom Camping Bylaw:

- c) Amend the Freedom Camping Bylaw by including a year round prohibition except for 14 carparks where freedom camping is restricted to self-contained and non-self-contained vehicles at the Waiwhakaiho River Mouth;

An amendment was moved:

Cr Chong)

Mayor Holdom)

Remove the reference to non-self-contained vehicles in the above motion.

The amendment was lost

The original motion was put

A division was called: ECM7891558:

Those voting for the motion were Crs Duynhoven, Handley, Hitchcock, Merrick, Pearce and Weaver.

Those voting against the motion were Crs Biesiek, Brown, Chong, Johnston, Jordan, McLeod, Melody, Williams and His Worship the Mayor.

The original motion was lost

Council Resolution:

Mayor Holdom)

Cr Jordon)

- c) Amend the Freedom Camping Bylaw by including a year round prohibition of freedom camping at the Waiwhakaiho River Mouth.

A division was called: ECM7891558:

Those voting for the motion were Crs Biesiek, Brown, Johnston, Jordan, McLeod, Melody, Williams and His Worship the Mayor.

Those voting against the motion were Crs Chong, Duynhoven, Handley, Hitchcock, Merrick, Pearce and Weaver.

Carried

A motion was moved:

Cr Weaver)

Cr Jordan)

That having considered all submissions on the amendments to the Freedom Camping Bylaw the Council resolve to make the following amendments to the Freedom Camping Bylaw:

- d) Adopt a restriction of no more than two periods of up to 24 hours in a 30 day period for non-self-contained vehicles as an amendment to the Freedom Camping Bylaw.

An amendment was moved:

Cr Biesiek)

Cr Pearce)

- d) Adopt a restriction of no more than one period of 24 hours in a 30 day period for non-self-contained vehicles, at one site, as an amendment to the Freedom Camping Bylaw.

The amendment was carried

The substantive motion was put and carried

A brief adjournment was held.

Councillor Chong left the meeting at 6.20pm.

Council Resolution:

Cr Biesiek)

Mayor Holdom)

That having considered all submissions on the amendments to the Freedom Camping Bylaw the Council resolve to make the following amendments to the Freedom Camping Bylaw:

- e) Adopt a prohibition for tents and other temporary structures as an amendment to the Freedom Camping Bylaw.

Carried

Council Resolution:

Mayor Holdom)

Cr Johnston)

That having considered all submissions on the amendments to the Freedom Camping Bylaw the Council resolve to make the following amendments to the Freedom Camping Bylaw:

- f) Determines to not proceed with the following proposed locations for restrictions for non-self-contained freedom camping as amendments to the Freedom Camping Bylaw:

<i>CBD</i>
Inglewood CBD
Moturoa Shopping Centre
New Plymouth CBD – Exaloo
Oakura CBD
Okato
Westown Shopping Centre
New Plymouth CBD – Gover Street
Waitara CBD
Fitzroy Shopping Centre
<i>Parks</i>
Yandle Park
Hickford Park
<i>Coastal</i>
Bell Block Mangati Walkway
Centennial Park

An amendment was moved:

Cr McLeod)

Cr Brown)

- f) Determines to not proceed with the following proposed locations for restrictions for ~~non-self-contained~~ freedom camping as amendments to the Freedom Camping Bylaw:

<i>CBD</i>
Inglewood CBD
Moturoa Shopping Centre
New Plymouth CBD – Exaloo
Oakura CBD
Okato
Westown Shopping Centre
New Plymouth CBD – Gover Street
Waitara CBD
Fitzroy Shopping Centre
<i>Parks</i>
Yandle Park
Hickford Park
<i>Coastal</i>
Bell Block Mangati Walkway
Centennial Park

The amendment was lost

The original motion was put and carried

Council Resolution:

Cr Handley)

Cr Pearce)

That having considered all submissions on the amendments to the Freedom Camping Bylaw the Council resolve to make the following amendments to the Freedom Camping Bylaw:

- g) Adopt the proposed amendments to Freedom Camping Bylaw (2017), as outlined in Appendix One of this report subject to the above decisions including any updated maps.

Carried

Council Resolution:

Mayor Holdom)

Cr McLeod)

That having considered all submissions on the amendments to the Freedom Camping Bylaw the Council notes:

- h) That the adopted amendments to the Freedom Camping Bylaw will become operative on Friday, 14 December 2018 as specified in the public notice.

Carried

Council Resolution:

Cr Handley)

Cr Jordan)

That having considered all submissions on the amendments to the Freedom Camping Bylaw the Council notes:

- i) That Council, having resolved to support freedom camping at Lake Rotomanu and Corbett Park, that the resolution is made under section 80 of the Local Government Act 2002 and:
- Is inconsistent with the Coastal Reserve Management Plan and General Policies for Reserves.
 - It allows Council to respond to significant public concerns regarding freedom camping issues.
 - Council will be reviewing the Coastal Reserve Management Plan during the winter of 2019.

Carried

For completeness, the resolution relating to proposed amendments to the Freedom Camping Bylaw is restated, in full, below.

That having considered all submissions on the amendments to the Freedom Camping Bylaw the Council resolve to make the following amendments to the Freedom Camping Bylaw:

- a) Adopt a year round prohibition on freedom camping at Fitzroy Beach car park, Oakura Beach Front, East End and Kawaroa as amendments to the Freedom Camping Bylaw as defined in the maps in Appendix One.
- b) Amend the Freedom Camping Bylaw by including restrictions for non-self-contained vehicles so that freedom camping in non-self-contained vehicles can only take place in the number of carparks below for each location as amendments to the Freedom Camping Bylaw as the most appropriate way to protect the areas, protect access to the areas and the health and safety of people who may visit the areas.

Location	Number of car parks
Battiscombe Terrace	Six (6)
Corbett Park	Five (5)
Lake Rotomanu	Four (4)

- c) Amend the Freedom Camping Bylaw by including a year round prohibition of freedom camping at the Waiwhakaiho River Mouth.

- d) Adopt a restriction of no more than one period of 24 hours in a 30 day period for non-self-contained vehicles, at one site, as an amendment to the Freedom Camping Bylaw.
- e) Adopt a prohibition for tents and other temporary structures as an amendment to the Freedom Camping Bylaw.
- f) Determines to not proceed with the following proposed locations for restrictions for non-self-contained freedom camping as amendments to the Freedom Camping Bylaw:

<i>CBD</i>
Inglewood CBD
Moturoa Shopping Centre
New Plymouth CBD – Exaloo
Oakura CBD
Okato
Westown Shopping Centre
New Plymouth CBD – Gover Street
Waitara CBD
Fitzroy Shopping Centre
<i>Parks</i>
Yandle Park
Hickford Park
<i>Coastal</i>
Bell Block Mangati Walkway
Centennial Park

- g) Adopt the proposed amendments to Freedom Camping Bylaw (2017), as outlined in Appendix One of this report subject to the above decisions including any updated maps.
- h) Notes that the adopted amendments to the Freedom Camping Bylaw will become operative on Friday, 14 December 2018 as specified in the public notice.
- i) That Council, having resolved to support freedom camping at Lake Rotomanu and Corbett Park, that the resolution is made under section 80 of the Local Government Act 2002 and:
- Is inconsistent with the Coastal Reserve Management Plan and General Policies for Reserves.
 - It allows Council to respond to significant public concerns regarding freedom camping issues.
 - Council will be reviewing the Coastal Reserve Management Plan during the winter of 2019.

EXCLUSION OF THE PUBLIC

ECM7885473

This report details items that are recommended should be considered with the public excluded, and the reason for excluding the public.

Council Resolution:

Mayor Holdom)

Cr Biesiek)

That having considered all matters raised in the report, the Council hereby resolves that, pursuant to the Local Government Official Information and Meetings Act 1987, the public be excluded from the following parts of the proceedings of this meeting:

- a) Renewal of Host City Agreement
 The withholding of the information is to enable the Council to carry out negotiations of a commercial nature. This particular interest being protected by section 7(2)(b)(ii) of the Act.

- b) Chief Executive's Key Performance Indicators
 The withholding of the information is necessary to protect the privacy of natural persons, including the deceased persons, this particular interest being protected by Section 7(2)(a) of the Act.

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987.

Carried