

## MINUTES OF COUNCIL MEETING

**File Reference:** ECM 7711307  
**Meeting Date:** Tuesday 15 May at 3.30pm  
**Venue:** Civic Centre, Liardet Street, New Plymouth.  
**Members Present:** Mayor Neil Holdom, Councillors Shaun Biesiek, Gordon Brown, Murray Chong, Harry Duynhoven, 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), Karen Moratti (Inglewood) and Ken Bedford (Clifton)

### Staff in Attendance:

Craig Stevenson, Julie Straka, Greg Stephens, Morgan Harrison, Callum Williamson, David Langford, Kelvin Wright, Delwyn Masters, Alan Bird, Kelsi Bolstad, Juliet Johnson, Peter Handcock, Carl Whittleston and Katrina Brunton

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### Deputation

- Don Searle and Allen Juffermans – Road Stopping – Sisson Terrace (Tabled document ECM7720416)
- Kati Freeman, Ian Clothier and Anaru Marshall - Agility Fund application (Powerpoint presentation ECM7720413)

### Minutes

#### Council Resolution:

Cr Jordan )

Cr Biesiek )

That the minutes of the following meeting of the Council, and the proceedings of the said meeting, as circulated, be taken as read and confirmed as a true and correct record:

10 April 2018

3 May 2018 (Extraordinary)

Carried.

### Committee Minutes

#### Council Resolution:

Cr Hitchcock )

Cr McLeod )

That the minutes of the following meetings, as circulated be received and:

- a) Decisions made under delegated authority by the committees be incorporated in the minutes of this meeting of the Council.
- b) Recommendations made by committees be included in the business to be considered at this meeting of the Council.

Te Huinga Taumatua 26 April 2018  
Planning Committee 2 May 2018  
Performance Committee 3 May 2018

Carried.

### **Decisions from the Planning Committee**

Meeting Date: Wednesday 2 May 2018  
Members Present: Councillor Roy Weaver (Chairperson); Mayor Neil Holdom, Councillors Stacey Hitchcock, Shaun Biesiek, Murray Chong, Alan Melody, Mike Merrick  
Apologies: Cr Richard Handley  
Non-Members Present: Councillors Colin Johnston, John Williams, John McLeod, Richard Jordan, Harry Duynhoven  
Community Board Chairpersons Doug Hislop (Kaitake), Ken Bedford (Clifton) and Karen Moratti (Inglewood)

### **Minutes**

#### Planning Committee Resolution

Cr Biesiek )  
Cr Hitchcock )

That the minutes of the Planning Committee meeting (28 March 2018) and the proceedings of the said meeting, as previously circulated, be taken as read and confirmed as a true and accurate record.

Carried

### **MATTERS FINALLY DETERMINED BY THE COMMITTEE UNDER DELEGATED AUTHORITY AND REFERRED TO THE COUNCIL FOR INFORMATION AND RECORD**

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#### **1 New Plymouth District Plan Oakura Farm Park Limited Private Plan Change Request**

ECM7678872

The matter for consideration by the Council is to accept the request to publicly notify a Private Plan Change received from Oakura Farm Park Limited. The request proposes to rezone land on the southern side of Oakura from Rural Environment Area (with part Future Urban Development overlay) to a range of urban zonings and a rural lifestyle zone. The request also introduces a Structure Plan and new provisions to manage subdivision and development for this land.

#### Planning Committee Resolution:

Mayor Holdom )  
Cr Biesiek )

That having considered all matters raised in the report:

- a) Pursuant to Clause 25(2) (b) of Schedule 1 of the Resource Management Act 1991, the Council accept the proposed plan change request in Appendix 1 and publicly notify the request in accordance with Clause 26 of Schedule 1 of the Resource Management Act 1991.

- b) The Council notes that the acceptance of the plan change request and a decision to proceed to notification of the request is procedural only and does not fetter the Council's ability to consider the merits of the request at a later stage.
- c) That at least one commissioner be appointed with expertise in tikanga Maori.  
Carried

### **Decisions from the Performance Committee**

Meeting Date: Thursday 3 May 2018

Members Present: Councillor Richard Jordan (Chairperson); Mayor Neil Holdom, Councillors Marie Pearce, Harry Duynhoven, Colin Johnston, John McLeod

Apologies: Councillors Gordon Brown and John Williams

Non-members Present: Councillors Stacey Hitchcock, Roy Weaver, Murray Chong, Alan Melody and Shaun Biesiek

Community Board Chairperson Doug Hislop (Kaitake)

Wayne Wootton and Philip Cory-Wright (Papa Rererangi i Puketapu Ltd)

Stuart Trundle and Vicki Fairley (Venture Taranaki Trust)

### **Deputations**

- Lyn Jury – Tab 5 – Amendments to Speed Limits

### **Minutes**

#### Performance Committee Resolution

Cr Pearce )

Cr Johnston )

That the minutes of the Performance Committee meeting (28 March 2018) be confirmed as a true and accurate record.

Carried

*Cr McLeod abstained from voting on the preceding matter.*

### **MATTERS FINALLY DETERMINED BY THE COMMITTEE UNDER DELEGATED AUTHORITY AND REFERRED TO THE COUNCIL FOR INFORMATION AND RECORD**

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#### **1. Papa Rererangi i Puketapu Ltd – New Plymouth Airport**

ECM7649660

The purpose of this report is to present the Para Rererangi i Puketapu Ltd quarterly report for the quarter ended 31 December 2017.

Performance Committee Resolution:

Mayor Holdom )

Cr Pearce )

That, having considered all matters raised in the report:

- a) the matter is uplifted from the table and
- b) the report be noted.

Carried

2. **Venture Taranaki Trust Quarter Three 2017/18 Report**

ECM7693943

The purpose of this report is to present the Venture Taranaki Trust (VTT) Quarter Three Report for the period 1 January to 31 March 2018 to the Council.

Performance Committee Resolution:

Cr Pearce )

Cr Johnston )

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

Carried

3. **New Plymouth PIF Guardians Limited Draft Statement of Intent for the Year Ended 30 June 2019**

ECM7680194

The matter for consideration by the Committee is to receive and note the Draft Statement of Intent (SOI) for the year to 30 June 2019 for the New Plymouth PIF Guardians Limited.

Performance Committee Resolution:

Cr Duynhoven )

Cr Pearce )

That having considered all matters raised in the report, the Statement of Intent for New Plymouth PIF Guardians Limited (NPG), for the year to 30 June 2019, be noted.

Carried

4. **Forestry Joint Ventures Draft Statement of Intent for the Year Ended 30 June 2019**

ECM7663150

The matter for consideration by the Council is to receive and adopt the Draft Statement of Intent for the Council's three forestry joint ventures for the year to 30 June 2019.

Performance Committee Resolution:

Cr Pearce )

Mayor Holdom )

That having considered all matters raised in the report the Council adopt the Draft Statement of Intent (SOI) for the three forestry joint ventures for the year ended 30 June 2019.

Carried

## 5. **Amendments to Speed Limits**

ECM7675856

The matter for consideration by the Council is amendments to speed limits in New Plymouth District.

### Performance Committee Resolution:

Cr Pearce )

Cr Johnston )

That having considered all matters raised in the report and pursuant to the New Plymouth District Council Consolidated Bylaws 2010 Part 5: Speed Limits, the following speed limits in the New Plymouth District be amended:

#### A. *CLUSTER A*

- *Carrington Road, Hurworth*  
Create an 80km/hr permanent speed limit zone starting 700m south of the intersection of Saxton Road; extending for a distance of 3,490m, and terminating 200m south of the intersection of Baker Road.
- *Mangorei Road, Hurworth*  
Create an 80km/hr permanent speed limit zone starting 200m south of the intersection of Junction Road (SH3); extending for a distance of 4,480m, and terminating 200m south of the intersection of Baker Road.
- *Baker Road, Hurworth*  
Create an 80km/hr permanent speed limit zone starting at the intersection of Carrington Road; extending for a distance of 1,580m, and terminating at the intersection of Mangorei Road.
- *Atkinson Road, Hurworth*  
Create an 80km/hr permanent speed limit zone starting at the intersection of Carrington Road; extending for a distance of 580m, and terminating at the end of Atkinson Road.

#### B. *CLUSTER B*

- *Frankley Road, Ferndale*  
Revoke the 70km/hr permanent speed limit starting 110m south of the intersection of Barclay Street; extending for a distance of 735m, and terminating at the intersection of Tukapa Street.
- *Frankley Road, Ferndale*  
Create a 50km/hr permanent speed limit starting 110m south of the intersection of Barclay Street; extending for a distance of 735m, and terminating at the intersection of Tukapa Street.
- *Tukapa Street, Hurdon*  
Revoke the 70km/hr permanent speed limit zone starting 475m south of the intersection of Cowling Road; extending for a distance of 625m, and terminating 195m south of the intersection of Patterson Road.
- *Tukapa Street, Hurdon*  
Create a 50km/hr permanent speed limit zone starting 475m south of the intersection of Cowling Road; extending for a distance of 625m, and terminating 195m south of the intersection of Patterson Road.

- *Patterson Road, Hurworth*  
Create a 50km/hr permanent speed limit zone starting at the intersection of Tukapa Street; extending for a distance of 280m, and terminating at the end of Patterson Road.

Carried

*Cr Duynhoven advised that he is a member of the New Zealand Automobile Association Taranaki District Council but had no conflict of interest on the preceding matter.*

## 6. **Delegated Authority Contracts**

ECM7674786

To inform Council of contracts with a value in excess of \$250,000 awarded in the period 1 October to 31 December 2017.

### Performance Committee Resolution:

Cr Johnston )

Cr Pearce )

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

Carried

## 7. **Performance Report for Period 1 July 2017 to 31 March 2018**

ECM7691730

The purpose of this report is to advise of the Council's performance for the period 1 July to 31 March 2018 of the 2017/18 financial year.

### Performance Committee Resolution:

Cr Duynhoven )

Cr Johnston )

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

Carried

## **Recommendations from the Planning Committee**

Meeting Date: Wednesday 2 May 2018

Members Present: Councillor Roy Weaver (Chairperson); Mayor Neil Holdom, Councillors Stacey Hitchcock, Shaun Biesiek, Murray Chong, Alan Melody, Mike Merrick

Apologies: Cr Richard Handley

Non-Members Present: Councillors Colin Johnston, John Williams, John McLeod, Richard Jordan, Harry Duynhoven

Community Board Chairpersons Doug Hislop (Kaitake), Ken Bedford (Clifton) and Karen Moratti (Inglewood)

## 2. **Revocation of Three Airport Policies**

ECM7652296

The matter for consideration by the Council is to revoke the Council's policies in relation to New Plymouth Airport following the establishment of Papa Rererangi i Puketapu Limited.

Planning Committee Recommendation:

Cr Biesiek )

Cr Hitchcock )

That having considered all matters raised in the report, the Council revoke the following policies:

- a) Airport Management and Control Policy
- b) Airport – Sale of Raffles Policy
- c) Sale of Liquor at New Plymouth Airport Terminal Policy

Carried

Council Resolution:

Cr Duynhoven )

Cr Weaver )

That the Planning Committee recommendation in relation to the Revocation of Three Airport Policies be adopted.

Carried.

**3. Fire Prevention and Smoke Nuisance Bylaw Amendment**

ECM7678638

The matter for consideration by the Council is the adoption of the amended Fire Prevention and Smoke Nuisance Bylaw. The name of the bylaw has been updated to the Prevention of Nuisance from Fires and Smoke and Maintenance of Public Health and Safety Bylaw to reflect the change in legislation from the Forest and Rural Fires Act 1977 to the Fire and Emergency New Zealand Act 2017.

Planning Committee Recommendation:

Cr Melody )

Mayor Holdom )

That having considered all matters raised in the report the Council:

- a) Adopt the Prevention of Nuisance from Fires and Smoke and Maintenance of Public Health and Safety Bylaw
- b) The Council notify the public of the amended bylaw on 24 May 2018.

Carried

*At the Planning Committee meeting Cr Chong requested that his vote against the motion be recorded.*

Council Resolution:

Cr Biesiek )

Cr Hitchcock )

That the Planning Committee recommendation in relation to the Fire Prevention and Smoke Nuisance Bylaw be adopted.

Carried.

4. **Taranaki Regional Sports Facilities – A Strategic Approach to Future Planning**  
ECM7436046

The matter for consideration by the Council is endorsement of the Taranaki Regional Sports Facilities - A Strategic Approach to Future Planning Report and the Memorandum of Understanding (MoU), which has been proposed for implementation.

Planning Committee Recommendation:

Cr Hitchcock )

Cr Weaver )

That having considered all matters raised in the report the Council:

- a) Endorse the revised Taranaki Regional Sports Facilities- a Strategic Approach to Future Planning report as a high level strategic framework for regional sports facility planning and direction for future decision making.
- b) Becomes a signatory to the proposed MoU for development of an implementation phase and delegates authority to the Chief Executive to sign the MOU on the Council's behalf.
- c) Work as a member of the Steering Group to develop an implementation plan that will inform future facilities planning.
- d) Note that the Chief Executive will appoint the Council's representatives to the Steering Group.

Carried

Council Resolution:

Cr Hitchcock )

Cr Brown )

That the Planning Committee recommendation in relation to Taranaki Regional Sports Facilities – A Strategic Approach to Future Planning be adopted.

Carried.

*At the Council meeting, Crs McLeod and Chong requested their votes against the motion be recorded.*

5. **Civil Defence Emergency Management Constituting Agreement Amendments**  
ECM7679729

The matter for consideration by the Council is amendment to the Taranaki CDEM Group Constituting Agreement.

Planning Committee Recommendation:

Mayor Holdom )

Cr Biesiek )

That having considered all matters raised in the report the Council:

- a) Revokes the resolution of 27 September 2016 approving the initial Constituting Agreement of the Taranaki Civil Defence Emergency Management Group.



- b) Adopts the amended Constituting Agreement of the Taranaki Civil Defence Emergency Management Group.
- c) Delegates authority to the Chief Executive to sign the amended agreement.

Carried

Council Resolution:

Cr Biesiek )

Cr Duynhoven )

That the Planning Committee recommendation in to Civil Defence Emergency Management Constituting Agreement Amendments be adopted.

Carried.

**6. Taranaki Solid Waste Management Joint Committee Terms of Reference**

ECM7676837

The matter for consideration by the Council is adoption of a new terms of reference for the Taranaki Solid Waste Management Joint Committee and updating of the Joint Committee Agreement.

Planning Committee Recommendation:

Cr Hitchcock )

Cr Biesiek )

That having considered all matters raised in the report the Council:

- a) Adopts the amended Taranaki Solid Waste Management Joint Committee Terms of Reference.
- b) Delegates Authority to the Chief Executive, or his nominee, to sign the Agreement in Relation to the Taranaki Solid Waste Management Joint Committee.

Carried

Council Resolution:

Mayor Holdom )

Cr Handley )

That the Planning Committee recommendation in relation to Taranaki Solid Waste Management Joint Committee Terms of Reference be adopted.

Carried.

## Recommendations from the Performance Committee

Meeting Date: Thursday 3 May 2018  
Members Present: Councillor Richard Jordan (Chairperson); Mayor Neil Holdom, Councillors Marie Pearce, Harry Duynhoven, Colin Johnston, John McLeod  
Apologies: Councillors Gordon Brown and John Williams  
Non-members Present: Councillors Stacey Hitchcock, Roy Weaver, Murray Chong, Alan Melody and Shaun Biesiek  
Community Board Chairperson Doug Hislop (Kaitake)  
Wayne Wootton and Philip Cory-Wright (Papa Rererangi i Puketapu Ltd)  
Stuart Trundle and Vicki Fairley (Venture Taranaki Trust)

### 8. Road Stopping and Disposal to Adjoining Owner – 1 Sisson Terrace, Lepperton

ECM7668576

The matter for consideration by the Council is an application by Mr Searle of 1 Sisson Terrace ("the applicant") to stop a strip of legal road reserve approximately 547m<sup>2</sup> (subject to survey) and sell the land to the applicant.

#### Performance Committee Recommendation:

Mayor Holdom )

Cr Johnston )

That having considered all matters raised in the report the Council:

- a) Notes that Section 2 SO 411880 (4m width) was previously unformed legal road reserve stopped by Council in 2010 and sold to the applicant following a request to do so.
- b) Declines the application to stop a strip of legal road reserve approximately 547m<sup>2</sup> and decline to sell the land to the applicant.
- c) Delegates, to the Property Manager, the negotiation of an encroachment licence with the applicant for the encroachments on Sisson Terrace road reserve.

Carried

#### Council Motion:

Cr Duynhoven )

Cr Chong )

That the Council stop and sell just that section of road reserve encroached upon by the applicant's dwelling and sheds at 1 Sisson Terrace, Lepperton.

A procedural motion was moved at the Council meeting:

Cr Jordan )

Cr McLeod )

That this matter lie on the table.

The procedural motion was put and Lost.

A procedural motion was moved at the Council meeting

Mayor Holdom

Cr McLeod

That the matter be referred back to committee with further information.

The procedural motion was put and Carried.

9. **Acquisition and Legalisation of Severance Land for Legal Road, 929 Richmond Road, Lepperton**

ECM7668563

The matter for consideration by the Council is the acquisition of 110m<sup>2</sup> of severance land that adjoins Richmond Road. The land would be legalised as road reserve under s114 of the Public Works Act 1981 once all approvals and consents have been obtained.

The Council has entered into a conditional acquisition agreement with the owners of the land (Pt Lot 1 DP 19140) with compensation agreed to be one dollar.

Performance Committee Recommendation:

Cr Duynhoven )

Cr Pearce )

That having considered all matters raised in the report the Council:

- a) Notes that the 110m<sup>2</sup> triangular piece of land was a product of surveying the owners' land at 929 Richmond Road, Lot 3 DP 414901, to its occupation as the underlying title was limited as to parcels. The owners have approached the Council with the offer that Council takes over the ownership of the parcel.
- b) Acquires and legalises the small parcel of land for road purposes based on a conditional agreement with the landowner and payment of compensation. The acquisition of this land is supported by the Transportation team.
- c) Approves the declaration as legal road, 110m<sup>2</sup> of privately owned land held in Computer Freehold Register TNK2/883, defined as Section 1 SO Plan 519806, described in the Schedule below pursuant to Section 114(1) of the Public Works Act 1981, and to the payment of agreed compensation of \$1 (inclusive of GST if any) to the owners.

Carried

Council Resolution:

Cr Biesiek )

Cr Johnston )

That the Performance Committee recommendation in relation to Acquisition and Legalisation of Severance Land for Legal Road, 929 Richmond Road, Lepperton be adopted.

Carried.

10. **Stopping and Sale of Unformed Legal Road Frontage – 99 Messenger Terrace, Oakura**

ECM7676873

The matter for consideration by the Council is a decision on the stopping and sale at a market value purchase price of \$15,500 (including GST if any) of surplus unformed legal road frontage to the property owner at 99 Messenger Terrace, Oakura.

Performance Committee Recommendation:

Cr Pearce )

Mayor Holdom )

That having considered all matters raised in the report the Council:

- a) Notes that the land owners at 99 Messenger Terrace have entered into a conditional Memorandum of Agreement to purchase the freehold of road frontage to their properties subject to stopping, issue of title, registration of necessary easements, approvals and consents.
- b) Notes the sale price of the land has been independently assessed as to market value at \$15,500 (inclusive of GST).
- c) Notes that 47 property owners were originally given the opportunity based on a 2008 resolution to purchase their road frontage along the seaward side of Messenger Terrace. There were 29 property owners that responded and took up the offer of the road stoppings. Two other properties since then have taken up the offer with road stopping and sales completed. Gross sales revenue of these 31 sales sits at \$806,500. The property at 99 Messenger Terrace was not one of the 47 properties originally identified for the offer.
- d) Notes that because the stopping and sale of 31 land parcels along Messenger Terrace has been well tested for community objection through the public process under the Local Government Act 1974, and extensive consultation under the Local Government Act 2002, that the current stopping now proposed be facilitated under the Public Works Act 1981 as the most efficient cost effective mechanism rather than repeating the process under the Local Government Act 1974.
- e) Approves pursuant to the Public Works Act 1981, the stopping of 15.2m<sup>2</sup> of unformed legal road frontage adjoining the property at 99 Messenger Terrace (Lot 50 DP 7538) and to the sale of the estate in fee simple of that land parcel for the price of \$15,500 (inclusive of GST if any) by standard transfer conveyance, subject to an amalgamation condition and registration of any necessary easements.

Carried

Council Resolution:

Cr Weaver )

Cr Johnston )

That the Performance Committee recommendation in relation to Stopping and Sale of Unformed Legal Road Frontage – 99 Messenger Terrace, Oakura be adopted.

Carried.

**11. Health & Safety Quarterly Report – Period Ended March 2018 – Due Diligence Obligations**

ECM7679153

This report presents the Health and Safety Quarterly Report for the period ended March 2018 as part of the Due Diligence obligations (Officers Charter - Obligation 4).

Performance Committee Recommendation:

Cr Pearce )

Cr Duynhoven )

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

Carried

Council Resolution:

Cr Biesiek )

Cr Pearce )

That the Performance Committee recommendation in relation to Health & Safety Quarterly Report – Period Ended March 2018 – Due Diligence Obligations be adopted.

Carried.

**MAYORAL RECOMMENDATION FOR TEMPORARY PROHIBITIONS AND RESTRICTIONS FOR FREEDOM CAMPING**

The matter for consideration by the Council is the Mayoral recommendation for the temporary prohibition of freedom camping from the Oakura Beach front and Fitzroy Beach carpark until 31 October 2018. This temporary prohibition would be an extension of the existing seasonal prohibition under the Freedom Camping Bylaw, which prohibits freedom camping from the Oakura Beach front and Fitzroy Beach carpark between 1 November and 30 April. It is also recommended to extend the temporary prohibitions/restrictions for Waiwhakaiho, East End, Wind Wand, and Kawaroa to 31 October 2018.

Council Resolution:

Mayor Holdom )

Cr Biesiek )

That having considered all matters raised in the report, the Council:

- a) Determine, in accordance with clause 8.1 of the Freedom Camping Bylaw 2017, to:
  1. Temporarily prohibit freedom camping at the Oakura Beach front and Fitzroy Beach carpark until 31 October 2018 as described in the maps in appendix one;
  2. Temporarily prohibit freedom camping at the Waiwhakaiho River Mouth until 31 October 2018 as described in the map in appendix one; and

3. Temporarily restrict freedom camping at East End Beach carpark (to six parking spaces only), the Wind Wand carpark (to two spaces only) and Kawaroa carpark (to fifteen spaces only until 31 October 2018 as described in the maps in appendix one.
- b) Notes that public notification of the above prohibitions and restrictions will happen on the Saturday following this resolution.

An amendment was moved:

Cr McLeod )

Cr Johnston )

That clause a) 2. be amended to read:

“Temporarily prohibit freedom camping at the Waiwhakaiho River Mouth until 31 October 2018 as described in the amended map;”

*The amendment was put and lost*

The original motion was put and carried.

Cr Merrick requested his vote against the motion be recorded.

Committee Adviser’s Note

*The proposed amendment to clause a) 2. refers to a proposed extension of the recommended freedom camping prohibited area to include the area 100m east of the recommended area to the point where the Coastal Walkway crosses Lake Rotomanu Road.*

**FUNDING OF REUSE AND RECYCLE CENTRE ZERO WASTE SCULPTURE**

ECM7703607

The matter for consideration by the Council is whether to support Sustainable Taranaki in producing a sculpture made out of recycled materials.

Council Resolution:

Cr Pearce )

Cr Brown )

That having considered all matters raised in the report, the Council supports Sustainable Taranaki in producing a zero waste sculpture for the Reuse and Recycle Centre through funding of \$9,700 from the Agility Fund.

*A Division was called (ECM7720415):*

*Those voting for the motion were Mayor Holdom and Crs Biesiek, Brown, Duynhoven, Handley, Hitchcock, Johnston, Jordan, Melody, Merrick, Pearce, Weaver and Williams.*

*Those voting against the motion were Crs Chong and McLeod.*

Carried.

The meeting closed at 6.34pm.

The Council rose

Read and confirmed

MAYOR