

MINUTES OF COUNCIL MEETING

File Reference: ECM8128457
Meeting Date: Tuesday, 24 September 2019 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, Alan Melody, Marie Pearce, Roy Weaver and John Williams

Non Members Present:

Waitara Community Board Members Andrew Larsen (Chairperson), Trevor Dodunski and Jonathan Marshall

Kaitake Community Board Chairperson Doug Hislop

Staff in Attendance:

Craig Stevenson, Nadia Phillips, Julie Straka, Jacqueline Baker, Liam Hodgetts, Jayne Tidbury-Beer, Kelvin Wright, Charles Woollin, Mitchell Dyer, Joy Buckingham, David Langford, Greg Stephens, Dion Cowley, Katrina Brunton, Cheryl McGrath, Ian Baker, Ceri Bosley-Brady

Apologies

Council Resolution:

Cr Pearce)

Cr Handley)

That the apology for absence from Cr Mike Merrick be received.

Carried

Public Forum

- Mr Michael Carr (Chief Executive, Sport Taranaki)
- Ms Franziska von Hunerbein
- Ms Nikita Taiapa and Ms Bec Simpson (New Plymouth Girls' High School)
- Ms Alessandra Keighley
- Mr Mike Wesley (New Plymouth Club)

Deputation

- Ms Fenny de Ruiten
- Mrs Jeannie Boon
- Mr Andrew Larsen (Taranaki Car Club)
- Mr Jonathan Marshall and Mr Trevor Dodunski (Waitara Community Board)

Minutes

Council Resolution:

Cr Brown)

Cr Pearce)

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:

13 August 2019

Carried

Committee Minutes

Council Resolution:

Cr Hitchcock)

Cr Biesiek)

That the minutes of the Planning Committee (10 September 2019), as circulated, be received and:

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

Carried

Council Resolution:

Cr Jordan)

Cr Hitchcock)

That the minutes of the Performance Committee (11 September 2019), as circulated, be received and:

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

Carried

Council Resolution:

Cr Hitchcock)

Cr Johnston)

That the minutes of the Audit and Risk Committee (18 September 2019), as circulated, be received and decisions made under delegated authority by the committee be incorporated in the minutes of this meeting of the Council.

Carried

Decisions from the Planning Committee

File Reference: ECM8115467
Meeting Date: Tuesday, 10 September 2019 at 3.30pm
Members Present: Councillor Stacey Hitchcock (Chairperson); Mayor Neil Holdom, Councillors Shaun Biesiek, Murray Chong, Richard Handley, Alan Melody, Mike Merrick

Apologies: Councillor Roy Weaver, Mayor Neil Holdom.

Non-Members Present: Councillors John Williams, Gordon Brown, Richard Jordan, Harry Duynhoven and Colin Johnston
Community Board Chairpersons Ken Bedford (Clifton), Andrew Larsen (Waitara) and Doug Hislop (Kaitake)

Staff in Attendance: Craig Stevenson, Cheryl McGrath, Katrina Brunton, Julie Straka, Liam Hodgetts, Kelvin Wright, Mitchell Dyer, Charles Woollin, Joy Buckingham, Stuart Scarle, David Langford, Miranda Petersen and Mark Hall.

Apologies

Planning Committee Resolution:

Cr Handley)
Cr Melody)

That the apologies for absence from Cr Roy Weaver and Mayor Neil Holdom be received.

Carried

Minutes

Planning Committee Resolution:

Cr Biesiek)
Cr Hitchcock)

That the minutes of the Planning Committee meeting (30 July 2019) 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

1. Animals Bylaw – Initiation of Review

ECM8073041

The matter for consideration by the Council is whether or not to approve the initiation of a review of the Animals Bylaw (Part 2), and to determine that a bylaw is the most appropriate way of addressing the nuisance or problem relevant to the Animal Bylaw as per the Local Government Act 2002.

Planning Committee Resolution:

Cr Melody)

Cr Handley)

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

- a) Determines that a bylaw continues to be the most appropriate way of addressing the perceived problems that arise in relation to animals in accordance with section 155(1) of the Local Government Act 2002, and
- b) Approves the initiation of a review of the New Plymouth District Bylaw 2008, Part 2 Animals, in accordance with section 158 of the Local Government Act 2002.
- c) Notes the review will consider the option to create a standalone Animals Bylaw as an alternative to its continued incorporation within the existing consolidated New Plymouth District Bylaw 2008.

Carried

2. Cemeteries and Crematoria Bylaw Review – Adoption of Statement of Proposal for Public Consultation

ECM8001593

The matter for consideration by the Council is adoption of the Cemeteries and Crematoria Bylaw Statement of Proposal for public consultation.

Planning Committee Resolution:

Cr Biesiek)

Cr Hitchcock)

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

- a) Determines that the form of the bylaw as proposed is the most appropriate form of bylaw in light of the requirements of the Local Government Act 2002.
- b) Determines that the bylaw as proposed does not give rise to any implications under the New Zealand Bill of Rights Act 1990.
- c) Adopts the Cemeteries and Crematoria Bylaw Statement of Proposal for public consultation using a special consultative procedure as set out in section 83 of the Local Government Act 2002.

Carried

3. Housing and Business Capacity Assessment for New Plymouth District

ECM8075187

The matter for consideration by the Council is the Housing and Business Capacity Assessment for New Plymouth (June 2019). The purpose of the Housing and Business Capacity Assessment (HBCA) is to enable local authorities to make informed decisions about planning for growth. The HBCA has greatly assisted the drafting of the Proposed District Plan through providing an evidence base to inform planning decisions.

Planning Committee Resolution:

Cr Hitchcock)

Cr Handley)

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

Carried

Decisions from the Performance Committee

File Reference: ECM8115473

Meeting Date: Wednesday, 11 September 2019 at 3.30pm

Venue: Council Chamber

Members Present: Councillor Richard Jordan (Chairperson); Councillors Marie Pearce, Gordon Brown (except item 19), Harry Duynhoven, Colin Johnston, John Williams (except item 16)

Apologies: Mayor Neil Holdom

Non-members Present: Councillors Richard Handley (until item 12), Alan Melody, Shaun Biesiek, Murray Chong (except for items 2 – 6 and until item 14) and Stacey Hitchcock (until item 11)

Community Board Chairpersons Ken Bedford (Clifton), Andrew Larsen (Waitara), and Waitara Community Board members Jonathan Marshall and Trevor Dodunski

Venture Taranaki Trust Representatives Robin Brockie, Michelle Jordan, John Haylock and Vicki Fairley

National New Energy Development Centre General Manager Pamela Walklin

Papa Rererangi i Puketapu representatives Philip Corey-Wright and Wayne Wootton

PIF Guardians representatives Mark Butcher and Tracey Jones

Staff in Attendance: Craig Stevenson, Katrina Brunton, Kelvin Wright, Liz Beck, David Langford, Kathryn Scown, Teresa Turner, Liam Hodgetts, Charles Woollin, Julie Straka, Alison Trustrum-Rainey, Joy Buckingham, Ceri Bosley-Brady, Cheryl McGrath, Ian Baker and Ben Brown.

Apologies

Performance Committee Resolution:

Cr Pearce)

Cr Johnston)

That the apology for absence from Mayor Neil Holdom be received.

Carried

Minutes

Performance Committee Resolution:

Cr Johnston)

Cr Brown)

That the minutes of the Performance Committee meeting (31 July 2019) 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

1. Perpetual Investment Fund Quarterly Performance Report to 30 June 2019

ECM8113828

The purpose of this report is to present the performance of the Perpetual Investment Fund (PIF) for the quarter ended 30 June 2019.

Performance Committee Resolution:

Cr Duynhoven)

Cr Williams)

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

Carried

Cr Chong left the room prior to the debate on the following matter.

2. New Plymouth PIF Guardians Limited – Financial Statements for Year Ended 30 June 2019

ECM8112952

The matter for consideration by the Council are the New Plymouth PIF Guardians Limited draft financial statements for the year ended 30 June 2019. These are subject to final approval by Audit New Zealand and the Board of Directors.

Performance Committee Resolution:

Cr Pearce)

Cr Brown)

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

Carried

3. Papa Rererangi i Puketapu Ltd – Quarterly Report to 30 June 2019

ECM8114910

The purpose of this report is to present the Papa Rererangi i Puketapu Ltd quarterly report for the quarter ended 30 June 2019.

Performance Committee Resolution:

Cr Duynhoven)

Cr Pearce)

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

Carried

Cr Duynhoven noted his appointment as a Civil Aviation Authority Board Member but that no conflict of interest existed.

4. Venture Taranaki Trust Quarter Four 2018/19 Report

ECM8085386

The purpose of this report is to present the Venture Taranaki Trust (VTT) Quarter Four Report, for the period 1 April to 30 June 2019, to the Council.

Performance Committee Resolution:

Cr Brown)

Cr Johnston)

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

Carried

5. Venture Taranaki Trust Annual Report for the Year Ended 30 June 2019

ECM8114004

Council to note Venture Taranaki Trust's (VTT) Annual Report authorised for issue by the Trustees on 3 September 2019. This Annual Report is for the year ended 30 June 2019 and has received an unmodified audit opinion.

Performance Committee Resolution:

Cr Pearce)

Cr Williams)

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

Carried

6. Forestry Joint Ventures – Duthie and McKay Financial Statements for the Year Ended 30 June 2019

ECM8112379

The matter for consideration by the Council are, the draft financial statements for the year ended 30 June 2019 of Duthie Forestry JV and McKay Forestry JV. These financial statements are subject to final audit approval.

Performance Committee Resolution:

Cr Brown)

Cr Pearce)

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

Carried

7. Tapuae Roa Programme: NPDC Update

ECM8112027

The purpose of this report is to provide an update on the Tapuae Roa: Make Way for Taranaki Economic Development Strategy and Action Plan programme of work related expenditure, specific to the New Plymouth District Council.

Performance Committee Resolution:

Cr Duynhoven)

Cr Williams)

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

Carried

Cr Chong returned to the room during discussion on the preceding item.

8. Amendments to Parking Controls

ECM8078044

The matter for consideration by the Council is amendments to parking controls at various locations across the New Plymouth District.

Performance Committee Resolution:

Cr Duynhoven)

Cr Jordan)

That, having considered all matters raised in the report and pursuant to the New Plymouth District Council Consolidated Bylaws 2008 Part 13: Traffic, the following parking controls in the New Plymouth District be imposed:

Item 1 Banks Street and Discovery Place, New Plymouth

- Prohibit parking on the north side of Discovery Place from 0.0m to 37.0m (37.0m) measured in an easterly direction from the prolongation of the east kerb of Banks Street.
- Prohibit parking on the south side of Discovery Place from 19.1m to 45.4m (26.3m) measured in an easterly direction from the prolongation of the east kerb of Banks Street.
- Prohibit parking on the east side of Banks Street from 0.0m to 12.0m (12.0m) measured in a northerly direction from the prolongation of the north kerb of Discovery Place.
- Prohibit parking on the east side of Banks Street from 57.7m to 84.4m (26.7m) measured in a northerly direction from the prolongation of the north kerb of Discovery Place.

- Prohibit parking on the east side of Banks Street from 146.2m to 187.0m (40.8m) measured in a northerly direction from the prolongation of the north kerb of Discovery Place.
- Prohibit parking on the west side of Banks Street from 39.8m to 78.7m (38.9m) measured in a northerly direction from the prolongation of the north kerb of Discovery Place.
- Prohibit parking on the west side of Banks Street from 127.8 to 170.4m (42.6m) measured in a northerly direction from the prolongation of the north kerb of Discovery Place.

Item 2 Clawton Street, New Plymouth

- Prohibit parking on the south side of Clawton Street from 11.3m to 17.4m (6.1m) measured in a westerly direction from the prolongation of the east kerb of Sanders Ave.
- Prohibit parking on the north side of Clawton Street from 14.3m to 22.6m (8.3m) measured in a westerly direction from the prolongation of the west kerb of Sanders Ave.

Item 3 Gover Street and Leach Street (SH45), New Plymouth

- Prohibit parking on the north side of Leach Street (SH45) from 6.1m to 35.1m (29.0m) measured in a westerly direction from the prolongation of the west kerb of Gover Street.
- Prohibit parking on the west side of Gover Street from 11.4m to 22.8m (11.4m) measured in a northerly direction from the prolongation of the north kerb of Leach Street (SH45).

Item 4 Powderham Street (SH45), New Plymouth

- Prohibit parking on the south side of Powderham Street (SH45) from 42.9m to 50.7m (7.8m) measured in a westerly direction from the prolongation of the west kerb of Mt Edgcumbe Street.

Item 5 Price Street, New Plymouth

- Prohibit parking on the west side of Price Street from 6.0m to 15.8m (9.8m) measured in a northerly direction from the prolongation of the north kerb of Tukapa Street.

Item 6 Tukapa Street, New Plymouth

- Revoke a bus stop on the south side of Tukapa Street from 15.3m to 28.3m (13.0m) measured in a westerly direction from the prolongation of the east kerb of David Street.

- Prohibit parking on the south side of Tukapa Street from 15.3m to 28.3m (13.0m) measured in a westerly direction from the prolongation of the east kerb of David Street.
- Revoke a bus stop on the north side of Tukapa Street from 24.2m to 39.2m (15.0m) measured in a westerly direction from the prolongation of the east kerb of David Street.
- Prohibit parking on the north side of Tukapa Street from 24.2m to 39.2m (15.0m) measured in a westerly direction from the prolongation of the east kerb of David Street.
- Prohibit parking on the north side of Tukapa Street from 92.1m to 96.1m (4.0m) measured in a westerly direction from the prolongation of the east kerb of David Street.
- Create a bus stop on the north side of Tukapa Street from 96.1m to 108.1m (12.0m) measured in a westerly direction from the prolongation of the east kerb of David Street.
- Prohibit parking on the north side of Tukapa Street from 108.1m to 116.1m (8.0m) measured in a westerly direction from the prolongation of the east kerb of David Street.

Item 7 Tukapa Street, New Plymouth

- Prohibit parking on the south side of Tukapa Street from 10.1m to 16.1m (6.0m) measured in an easterly direction from the prolongation of the west kerb of Price Street.

Item 9 Young Street, New Plymouth

- Prohibit parking on the south side of Young Street from 37.3m to 41.2m (3.9m) measured in an easterly direction from the prolongation of the east kerb of Duke Place.
- Prohibit parking 58.5m to 68.1m (9.6m) measured in an easterly direction from the prolongation of the east kerb of Duke Place.

Carried

Committee Advisers note:

The committee made no decision in relation to Item 8. Council officers will reconsider that proposal.

9. LED Street Light Upgrade Project: Post Implementation Review and Benefits Realisation

ECM8072640

The purpose of this report is to inform the Council of how the LED street lighting upgrade project (The Project) has performed now that the execution phase is complete, including an assessment of the benefits realisation compared to the approved business case.

Performance Committee Resolution:

Cr Duynhoven)

Cr Pearce)

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

Carried

10. Infrastructure Professional Services Collaborative Contract: Post Implementation 3 Year Review and Benefits Realisation

ECM8078259

The purpose of this report is to inform the Council of how the Infrastructure Professional Services Collaborative Contract has performed over its first three years, including an assessment of the benefits realisation compared to the approved business case.

Performance Committee Resolution:

Cr Pearce)

Cr Duynhoven)

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

Carried

Cr Hitchcock left the room at the start of the following item (4.56pm)

11. Yearly Report on Council Energy Management and Associated Emissions 1 July 2018 – 30 June 2019

ECM8074183

The purpose of this report is to present the Energy Management Services Team's report on savings made across the spectrum of Council operations in respect of electricity, gas, and fuel consumption and consequential reduction in green house carbon emissions through an in-house Energy Management Programme first initiated in 2006.

Performance Committee Resolution:

Cr Pearce)

Cr Johnston)

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

Carried

Cr Handley left the room at the start of the following item (4.57pm)

12. Neighbourhood Led Street Project, Parking Controls and Shared Pathway Allocation: Kauri Street

ECM8075763

The matter for consideration by the Council is amendments to parking controls and shared pathway allocation on one neighbourhood led street projects.

Performance Committee Resolution:

Cr Jordan)

Cr Pearce)

That, having considered all matters raised in the report and pursuant to the New Plymouth District Council Consolidated Bylaws 2008 Part 13: Traffic, the following parking controls and shared pathways in the New Plymouth District be imposed:

1. Merrilands School, Kauri Street, New Plymouth

- Revoke parking prohibition on the north side of Kauri Street from 0.0m to 32.8m (32.8m) measured in an easterly direction from the prolongation of the east kerb of Mangorei Road.
- Revoke parking prohibition on the north side of Kauri Street from 67.3m to 92.9m (25.6m) measured in an easterly direction from the prolongation of the east kerb of Mangorei Road.
- Revoke parking prohibition on the south side of Kauri Street from 0.0m to 20.0m (20.0m) measured in an easterly direction from the prolongation of the east kerb of Mangorei Road.
- Revoke parking prohibition (8.15am to 9.00am, 2.45pm to 3.30pm, Monday – Friday) on the south side of Kauri Street from 67.3m to 92.9m (25.6m) measured in an easterly direction from the prolongation of the east kerb of Mangorei Road.
- Revoke parking prohibition on the south side of Kauri Street from 0.0m to 21.7m (21.7m) measured in a westerly direction from the prolongation of the west kerb of Kellyville Heights.
- Revoke parking prohibition on the south side of Kauri Street from 0.0m to 10.0m (10.0m) measured in an easterly direction from the prolongation of the east kerb of Kellyville Heights.
- Revoke parking prohibition (8.15am to 9.00am, 2.45pm to 3.30pm, Monday – Friday) on the south side of Kauri Street from 9.0m to 62.0m (53.0m) measured in an easterly direction from the prolongation of the east kerb of Kellyville Heights.
- Prohibit parking on the north side of Kauri Street from 0.00m to 34.5m (34.5m) measured in an easterly direction from the prolongation of the east kerb of Mangorei Road.

- Prohibit parking on the north side of Kauri Street from 68.5m to 124.3m (55.8m) measured in an easterly direction from the prolongation of the east kerb of Mangorei Road.
- Prohibit parking on the north side of Kauri Street from 0.0m to 23.1m (23.1m) measured in a westerly direction from the prolongation of the west kerb of Miro Street.
- Prohibit parking on the west side of Miro Street from 0.0m to 20.5m (20.5m) measured in a northerly direction from the prolongation of the north kerb of Kauri Street.
- Prohibit parking on the east side of Miro Street from 0.0m to 21.6m (21.6m) measured in a northerly direction from the prolongation of the north kerb of Kauri Street.
- Prohibit parking on the north side of Kauri Street from 0.0m to 25.2m (25.2m) measured in an easterly direction from the prolongation of the east kerb of Miro Street.
- Prohibit parking on the south side of Kauri Street from 0.0m to 107.7m (107.7m) measured in an easterly direction from the prolongation of the east kerb of Kellyville Heights.
- Prohibit parking on the east side of Kellyville Heights from 0.0m to 27.9m (27.9m) measured in a southerly direction from the prolongation of the south kerb of Kauri Street.
- Prohibit parking on the west side of Kellyville Heights from 0.0m to 22.0m (22.0m) measured in a southerly direction from the prolongation of the south kerb of Kauri Street.
- Prohibit parking on the south side of Kauri Street from 0.0m to 65.6m (65.6m) measured in a westerly direction from the prolongation of the west kerb of Kellyville Heights.
- Create two time restricted parking spaces (P120 8.00am to 5.00pm, Monday to Friday) from 16.5m to 27.5m (11.0m) measured in an easterly direction from the prolongation of the east kerb of Mangorei Road.
- Prohibit parking on the south side of Kauri Street from 0.0m to 11.5m (11.5m) measured in an easterly direction from the prolongation of the east kerb of Mangorei Road.
- Create a 2.5m wide Shared Pathway for pedestrians and cyclists on the north side of Kauri Street from Mangorei Road to Miro Street.

Carried

13. Freedom Camping Update Report

ECM8021589

The purpose of this report is to provide a summary of freedom camping in the New Plymouth district over the period December 2018 to March 2019, following the adoption of the amended Freedom Camping Bylaw. The amendments adopted to the Freedom Camping Bylaw became operative on 14 December 2018.

Performance Committee Resolution:

Cr Jordan)

Cr Pearce)

That, having considered all matters raised in the report, the report be noted and the current compliance monitoring and enforcement operations of the Bylaw continue.

Carried

Cr Chong left the meeting at the start of the following item (5.27pm)

14. District-Wide Road Safety Review, Next Steps

ECM8077645

The purpose of this report is to provide the Council with an update on the District-Wide Road Safety Review and a summary of the community feedback received. This report also outlines the next steps to be taken in order to develop a safer road environment and reduce the number of fatal and serious harm crashes on New Plymouth district roads.

Performance Committee Resolution:

Cr Jordan)

Cr Duynhoven)

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

Carried

16. Application for Temporary Road Closures – Cub Targa, 2019 Targa New Zealand Rally

ECM8106427

1. The matter for consideration by the Council is the consideration of a temporary road closure application from Club Targa to use roads in the New Plymouth District on 30 and 31 October as part of the 2019 Targa New Zealand Rally motorsport event.
2. The report also notes the withdrawal of an application for the temporary closure of Devon Street, New Plymouth for a Show and Shine event.

Performance Committee Resolution:

Cr Johnston)

Cr Duynhoven)

That, having considered all matters raised in the report, the following temporary road closure applications be approved:

- a) Event: Club Targa, Targa Rally New Zealand 2019
- i) Stage 7 INGLEWOOD JUMPS: from 8am to 12.30pm on Wednesday 30 October 2019.

Roads to be closed forming the rally route:

- Davis Road from 200m before the intersection with SH3a to Wortley Road.
- Wortley Road from Davis Road to Richmond Road.
- Richmond Road from Wortley Road to Lincoln Road.
- Lincoln Road from Richmond Road to Clarke Road.
- Clarke Road from Lincoln Road to the intersection with Everett Road and Waitara Road.
- Everett Road from the intersection with Clarke and Waitara Roads to rapid number 446 Everett Road.

Roads with limited thoroughfare or no access during the above closures:

- Wortley Road between Davis and Lincoln roads.
- Elsham Road.
- Cross Road between Kelly and Richmond roads.
- Ackworth Road between Richmond and Kelly roads.
- Lincoln Road East.
- Lincoln Road, north of Clarke Road.
- Barry Road.
- Manganui Road.
- Roddy Road.
- Everett Road between 446 Everett Road and Bristol Road.

- ii) Stage 8 RATAPIKO: from 9.20am to 1.50pm on Wednesday 30 October 2019.

Roads to be closed forming the rally route:

- Kaimata Road South from Tarata Road to Tariki Road South.
- Tariki Road South from Tarata Road to Ratapiko Road.
- Ratapiko Road from the intersection of Tariki Road North and Tariki Road South to Makara Road.
- Makara Road until boundary with the Stratford District. Road closures continue through the Stratford district.

Roads with limited thoroughfare or no access during the above closures:

- Tariki Road North between Ratapiko and Tarata roads.
- Kohete Road.
- Tariki Road South between Salisbury Road and Kaimata Road South.
- Mangoteao Road.
- Kupara Road.
- Mana Road.

iii) Stage 11 MT EGMONT: from 8am to 12.30pm on Thursday 31 October 2019

Roads to be closed forming the rally route:

- Alfred Road from 200m before the intersection with Peters Road to Thomason Road.
- Thomason Road from Alfred to Albert roads.
- Albert Road from Thomason to Hill roads.
- Hill Road from Albert to Maude roads.
- Maude Road from Hill to Kent roads.
- Kent Road from Maude Road to 110 Kent Road.

Roads with limited thoroughfare or no access during the above closures:

- Alfred Road, south of Peters Road.
- Peters Road.
- Mangawara Road.
- Thomason Road, east of Alfred Road,
- Albert Road, south of Hill Road.
- Hill Road, south of Maude Road.
- Maude Road, south of Kent Road.
- Korito Road.
- Herbert Road.
- Scout Road.

iv) Stage 12 Hurworth: from 8.45am to 1.15pm on Thursday 31 October 2019.

Roads to be closed forming the rally route:

- Hurworth Road from 200m before the intersection with Carrington Road to Frankley Road.
- Frankley Road from Hurworth Road to Barrett Road.
- Barrett Road from Frankley Road to Phenev Road.
- Phenev Road.
- Hurford Road between Phenev Road to 300m before the intersection with SH 45.

Roads with limited thoroughfare or no access during the above closures:

- Frankley Road between Hurworth Road and Tukapa Street.
- Frankley Road between Barrett and Carrington roads.
- Parrs Road.
- Patterson Road.
- Tapuae Road.
- Barrett Road between Pheney Road and Karamea Street
- Hurford Road, south of Pheney Road.

v) Stage 13 Dover/Oxford: from 9.10am to 1.40pm on Thursday 31 October 2019.

Roads to be closed forming the rally route:

- Dover Road from 200m before the intersection with SH 45 to Carrington Road.
- Carrington Road from Dover to Oxford roads.
- Oxford Road from Carrington Road to 200m before its intersection with Saunders Road.

Roads with limited thoroughfare or no access during the above closures:

- Carrington Road between Dover and Pitone roads.
- Carrington Road between Oxford and Saunders roads.

Carried

Cr Williams was absent from the room during consideration of the preceding item.

Decisions from the Audit and Risk Committee

File Reference: ECM8122533
Meeting Date: Wednesday 18 September 2019 at 1.30pm
Venue: Council Chamber
Members Present: Councillor Richard Handley (Chairperson); Mayor Neil Holdom, Councillors Richard Jordan, Roy Weaver and John Williams; Ms Adrienne Young-Cooper (via audio-link from 2.14pm to 5.52pm (Items 4 – 6))

Non-members Present: Councillors Stacey Hitchcock, Alan Melody, Colin Johnston

Staff in Attendance: Craig Stevenson, Nadia Phillips, Katrina Brunton, David Langford, Mark Hall, Carla Freeman, Julie Straka, Steven McIntosh, Jacqueline Baker, Richard Gater, Paul Lamb

Apologies

Audit and Risk Committee Resolution:

Cr Handley)

Mayor Holdom)

That the apology for lateness from Ms Adrienne Young-Cooper be received.

Carried

Minutes

Audit and Risk Committee Resolution:

Cr Jordan)

Cr Williams)

That the minutes of the Audit and Risk Committee meeting (12 June 2019) 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

1. Legal Compliance Summary – September 2019

ECM8110143

This report provides a summary of the process used to demonstrate legal compliance by Council staff and what actions are being taken to address the non-compliances identified.

Audit and Risk Committee Resolution:

Mayor Holdom)

Cr Weaver)

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

Carried

2. Insurance Arrangements 2019/20

ECM8110209

This report provides an update of the Council's insurance arrangements for 2019/20

Audit and Risk Committee Resolution:

Cr Jordan)

Cr Williams)

That, having considered all matters raised in the report, the renewal of the Council's insurance arrangements for 2019/20 is noted.

Carried

3. Risk Management Update – September 2019

ECM8110221

This report provides an update of risk management activities for monitoring and review purposes.

Audit and Risk Committee Resolution:

Mayor Holdom)

Cr Jordan)

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

Carried

4. Draft Report to the Council on the Audit for the Year Ending 30 June 2019

ECM8119857

The matter for consideration by the Council is the Annual Report 2018/19

Audit and Risk Committee Resolution:

Cr Jordan)

Cr Williams)

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

Carried

6. Exclusion of the Public for the Remainder of the Meeting

ECM8114448

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

Audit and Risk Committee Resolution:

Cr Jordan)

Mayor Holdom)

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) Internal Audit Update

The withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage, this particular interest being protected by section 7(2)(j) 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

Committee Adviser's Note

Due to technical difficulties, Ms Young-Cooper was unable to stay connected to the meeting via audio-link, and therefore left the meeting at 5.52pm, at the end of the preceding item.

Recommendations from the Planning Committee

File Reference: ECM8115467
Meeting Date: Tuesday, 10 September 2019 at 3.30pm
Members Present: Councillor Stacey Hitchcock (Chairperson); Mayor Neil Holdom, Councillors Shaun Biesiek, Murray Chong, Richard Handley, Alan Melody, Mike Merrick

Apologies: Councillor Roy Weaver, Mayor Neil Holdom.
Non-Members Present: Councillors John Williams, Gordon Brown, Richard Jordan, Harry Duynhoven and Colin Johnston

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

Staff in Attendance: Craig Stevenson, Cheryl McGrath, Katrina Brunton, Julie Straka, Liam Hodgetts, Kelvin Wright, Mitchell Dyer, Charles Woollin, Joy Buckingham, Stuart Scarle, David Langford, Miranda Petersen and Mark Hall.

ITEMS FOR FINAL DETERMINATION BY THE COUNCIL

4. Acquisition of private land to facilitate an off-road carpark facility on Egmont Road for the purpose of easing traffic congestion at the North Egmont Visitor Centre

ECM8080034

The matter for consideration by the Council is a decision on approaching landowners on Egmont Road for the proposed purchase of a parcel of land for use as public car park, to address current parking and safety issues relating to traffic congestion at the North Egmont Visitor Centre.

Planning Committee Recommendation:

Cr Handley)

Cr Biesiek)

That, having considered all matters raised in the report, the Council approves a budget of up to \$350K to purchase a parcel of land on Egmont Road for the purpose of constructing a new off-road carpark facility.

Carried

At the start of the meeting, Cr Hitchcock advised she worked with the Department of Conservation but she had no pecuniary interest in the matter.

Council Resolution:

Cr Biesiek)

Cr Pearce)

That, having considered all matters raised in the report in relation to the purchase of a parcel of land on Egmont Road for the purpose of constructing a new off-road carpark facility, the Council:

- a) Approves a budget of up to \$350K for the purchase
- b) Delegates authority to Council officers to enter into an agreement for the sale and purchase for the identified property conditional upon final approval by Council resolution.

Carried

At the start of the meeting, Cr Hitchcock declared that she worked with the Department of Conservation, however this would not affect her ability to vote on the preceding item.

5. Remuneration of Council Employees Policy

ECM8020486

The matter for consideration by the Council is the review of the Remuneration of Council Employees Policy. This report seeks approval from Council to retain the existing policy.

Planning Committee Recommendation:

Cr Melody)

Cr Biesiek)

That, having considered all matters raised in the report, Council retain the existing Remuneration of Council Employees Policy.

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

A motion was moved at the Council meeting:

Cr Duynhoven)

Cr Biesiek)

That the Planning Committee Recommendation relating to Remuneration of Council Employees Policy be adopted and that all NPDC employees be paid a minimum of the Living Wage from 1 July 2020.

A procedural motion was moved at the Council meeting:

Cr Brown)

Cr Pearce)

That the motion be put.

The procedural motion was lost

A division on the procedural motion was called (ECM8131761)

Those voting for the procedural motion were Crs Brown, Handley and Pearce.

Those voting against the procedural motion were Crs Biesiek, Chong, Duynhoven, Hitchcock, Johnston, Jordan, Melody, Weaver, Williams, and Mayor Holdom.

The original motion was carried

A division on the original motion was called (ECM8131763)

Those voting for the motion were Crs Biesiek, Chong, Duynhoven, Hitchcock, Johnston, Melody, Weaver, and Mayor Holdom.

Those voting against the motion were Crs Brown, Handley, Jordan, Pearce and Williams.

Recommendations from the Performance Committee

File Reference: ECM8115473
Meeting Date: Wednesday, 11 September 2019 at 3.30pm
Venue: Council Chamber
Members Present: Councillor Richard Jordan (Chairperson); Councillors Marie Pearce, Gordon Brown (except item 19), Harry Duynhoven, Colin Johnston, John Williams (except item 16)

Apologies: Mayor Neil Holdom

Non-members Present: Councillors Richard Handley (until item 12), Alan Melody, Shaun Biesiek, Murray Chong (except for items 2 – 6 and until item14) and Stacey Hitchcock (until item 11)

Community Board Chairpersons Ken Bedford (Clifton), Andrew Larsen (Waitara), and Waitara Community Board members Jonathan Marshall and Trevor Dodunski

Venture Taranaki Trust Representatives Robin Brockie, Michelle Jordan, John Haylock and Vicki Fairley

National New Energy Development Centre General Manager Pamela Walklin

Papa Rererangi i Puketapu representatives Philip Corey-Wright and Wayne Wootton

PIF Guardians representatives Mark Butcher and Tracey Jones

Staff in Attendance: Craig Stevenson, Katrina Brunton, Kelvin Wright, Liz Beck, David Langford, Kathryn Scown, Teresa Turner, Liam Hodgetts, Charles Woollin, Julie Straka, Alison Trustrum-Rainey, Joy Buckingham, Ceri Bosley-Brady, Cheryl McGrath, Ian Baker and Ben Brown.

ITEMS FOR FINAL DETERMINATION BY THE COUNCIL

15. Application for Temporary Road Closure – Taranaki Car Club, Waitara Street Sprints

ECM8054267

The matter for consideration by the Council is a temporary road closure application from the Taranaki Car Club to close residential streets in Waitara to create a venue for the Waitara Street Sprint motorsport event.

A motion was moved at the Performance Committee:

Cr Pearce)

Cr Duynhoven)

That, having considered all matters raised in the report, the temporary road closure application for the following event be approved subject to Council officers receiving a letter from Motorsport NZ assuring this Council they will assess and approve the safety of this event taking place, and Motorsport NZ undertaking a safety assessment of the course on the day of the event:

- a) Event: Taranaki Car Club - R & S Dreaver Waitara Street Sprint

Date and period of closure: from 6am to 6pm on Saturday 16 November 2019.

Roads to be closed:

- Memorial Place.
- Whitaker Street from Blake to Browne streets.
- Browne Street from McLean Street to High Street West.
- Stafford Street from Browne to Grey streets.
- Cameron Street from Grey to Blake streets.
- Broadway from Cameron to Pratt streets.
- High Street West from Cracroft to Browne streets.
- Cracroft Street from High Street West to McLean Street.

- Stafford Street from Cracroft to Blake streets.

Refer Appendix 1 for map view of road closure area, as listed above.

A procedural motion was moved at the Performance Committee meeting

Cr Jordan)

Cr Brown)

That the matter lie on the table until the council meeting on 24 September 2019.

Carried

Cr Johnston requested his vote against the procedural motion be recorded.

Council Resolution:

Mayor Holdom)

Cr Biesiek)

That the matter of Application for Temporary Road Closure – Taranaki Car Club, Waitara Street Sprints be uplifted from the table.

Carried

A motion was moved at the Council meeting:

Cr Johnston)

Cr Chong)

That, having considered all matters raised in the report, the temporary road closure application for the following event be approved:

- a) Event: Taranaki Car Club - R & S Dreaver Waitara Street Sprint

Date and period of closure: from 6am to 6pm on Saturday 16 November 2019.

Roads to be closed:

- Memorial Place.
- Whitaker Street from Blake to Browne streets.
- Browne Street from McLean Street to High Street West.
- Stafford Street from Browne to Grey streets.
- Cameron Street from Grey to Blake streets.
- Broadway from Cameron to Pratt streets.
- High Street West from Cracroft to Browne streets.
- Cracroft Street from High Street West to McLean Street.

- Stafford Street from Cracroft to Blake streets.

Refer Appendix 1 for map view of road closure area, as listed above.

An amendment was moved at the Council meeting:

Mayor Holdom)

Cr Duynhoven)

That, having considered all matters raised in the report, the temporary road closure application be approved on the condition that only competitors who can provide written proof of having completed three sanctioned motorsport events be permitted to compete in the following event:

- a) Event: Taranaki Car Club - R & S Dreaver Waitara Street Sprint

Date and period of closure: from 6am to 6pm on Saturday 16 November 2019.

Roads to be closed:

- Memorial Place.
- Whitaker Street from Blake to Browne streets.
- Browne Street from McLean Street to High Street West.
- Stafford Street from Browne to Grey streets.
- Cameron Street from Grey to Blake streets.
- Broadway from Cameron to Pratt streets.
- High Street West from Cracroft to Browne streets.
- Cracroft Street from High Street West to McLean Street.
- Stafford Street from Cracroft to Blake streets.

Refer Appendix 1 for map view of road closure area, as listed above.

The amendment was carried

Committee Adviser's Note

For clarity, the resolution is a substantive motion.

A division was called (ECM8131765)

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

Those voting against the motion were Crs Brown and Handley.

16. Venture Taranaki Trust Final Statement of Intent for the Year to 30 June 2020

ECM8096661

The purpose of this report is to present the final Venture Taranaki Trust Statement of Intent for the year to 30 June 2020 to Council for noting, as per the Local Government Act 2002.

Performance Committee Recommendation:

Cr Brown)

Cr Pearce)

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

Carried

Council Resolution:

Mayor Holdom)

Cr Biesiek)

That the Performance Committee Recommendation relating to Venture Taranaki Trust Final Statement of Intent for the Year to 30 June 2020 be adopted.

Carried

17. Health & Safety Quarterly Report – Period Ended June 2019 – Due Diligent Obligations

ECM8071703

This report presents the Health and Safety Quarterly Report for the period 1 April to 30 June 2019.

Performance Committee Recommendation:

Cr Pearce)

Cr Brown)

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

Carried

Council Resolution:

Cr Jordan)

Cr Pearce)

That the Performance Committee Recommendation relating to Health and Safety Quarterly Report – Period Ended June 2019 – Due Diligence be adopted.

Carried

18. Road Stopping and Disposal to Adjoining Owners – Purdie Street, Huirangi

ECM8077987

1. The matter for consideration by the Council is an application to stop a section of unformed legal road vested in Council ownership (part Purdie Street) under Section 316(1) of the Local Government Act 1974, pursuant to the provisions of the Public Works Act 1981.

2. It is proposed that once stopped, (ceases to be legal road) the land of approximately 2,400m² (total, subject to cadastral survey), be sold to the two adjoining owners. The total market value of the land has been independently assessed at \$15,750 + GST (if any). As the land will be sold to two parties, the price for each piece of land will be determined on a pro-rata basis according to the final surveyed area.

Performance Committee Recommendation:

Cr Johnston)

Cr Pearce)

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

- a) Notes that the Transportation team has indicated that it has no objection to the disposal to the two applicant adjoining owners of the area of part of unformed legal road comprising Purdie Street on the basis that there is no proposal in the foreseeable future to form the road as it is not required to service access to existing residential development.
- b) Notes that the Water and Waste Team has no issues with the road stopping and disposal. No Water and Waste services are located within the land.
- c) Notes that conditional agreement has been entered into with the Applicants for the sale of the two parcels of land based on the independently assessed market valuation of \$15,750 (plus GST if any). The sale is subject to stopping, necessary approvals and the purchasers meeting all costs including valuation, survey, Land Information NZ Accredited Agents costs and any legal costs (estimated to be in total, \$10,000).
- d) Approves stopping an unformed section of part Purdie Road, situated at Huirangi of approximately 2,400m² (subject to survey), pursuant to the Public Works Act 1981.
- e) Approves the sale of the estate in fee simple (freehold) of the stopped road by way of vesting and amalgamation in the adjoining registered owners Record of Title.
Authorises the Chief Executive to request the consent of the Minister of Land Information's delegate to undertake the necessary gazettal declaration to stop the parcels (subject to cadastral survey) of unformed legal road and vest the estate in fee simple by way of amalgamation into adjoining land owners Record of Title, pursuant to Sections 116(1) and 117(1) and 120(3) of the Public Works Act 1981.

Carried

Cr Brown was absent from the room during consideration of the preceding item.

Council Resolution:

Cr Johnston)

Cr Jordan)

That the Performance Committee Recommendation relating to Road Stopping and Disposal to Adjoining Owners – Purdie Street, Huirangi be adopted.

Carried

19. Approval to Grant Services Easements (Gas, Electricity, Telecommunications, Water and Sewerage) Under Reserves Act 1977 – Over Land Gifted to the Council and Trimble Park in Inglewood

ECM8078113

The matter for consideration by the Council is granting services easements (gas, electricity, telecommunications, water and sewerage), subject to those specified services being installed within the approved Right of Way Easement that will be created with the land transfer (approved by Council in 2017) of the gifted land to the Council at Inglewood.

Performance Committee Recommendation:

Cr Jordan)

Cr Williams)

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

- a) Notes that the Council resolved on 14 November 2017 to accept the gift of approximately two hectares of land adjoining Joe Gibbs Scenic Reserve in Inglewood for public recreation reserve to vest subject to the Reserves Act 1977.
- b) Notes that public notice was given of the intent to grant a right of way over the newly gifted land under the Reserves Act 1977 and that no objections were received allowing Council officers to proceed with the land transfer as per the resolution.
- c) Notes that after commencing the land transfer process, Council officers have established that service easements for gas, electricity, telecommunications, water and sewerage are also required.
- d) Notes that the Council, as administering body, may grant an easement pursuant to a blanket delegation from the Minister of Conservation to Territorial Local Authorities under Section 48(1) of the Reserves Act 1977.

- e) Approves, acting under a blanket delegation from the Minister of Conservation pursuant to section 48(1) (c) (d) and (f) of the Reserves Act 1977, the grant of an Appurtenant Easement for gas, electricity, telecommunications, water and sewerage services being installed within the Right of Way Easement Area (already approved as to an easement by the Council) and delegates final approval and documentation easement terms to the Property Manager, subject to the specified services being installed and the landowner meeting the legal costs to prepare and register the easements and subject to vesting of gifted land as recreation reserve.

Carried

Council Resolution:

Cr Pearce)

Cr Biesiek)

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

- a) Notes that the Council resolved on 14 November 2017 to accept the gift of approximately two hectares of land adjoining Joe Gibbs Scenic Reserve in Inglewood for public recreation reserve to vest subject to the Reserves Act 1977.
- b) Notes that public notice was given of the intent to grant a right of way over the newly gifted land under the Reserves Act 1977 and that no objections were received allowing Council officers to proceed with the land transfer as per the resolution.
- c) Notes that after commencing the land transfer process, Council officers have established that service easements for gas, electricity, telecommunications, water and sewerage are also required.
- d) Notes that the Council, as administering body, may grant an easement pursuant to a blanket delegation from the Minister of Conservation to Territorial Local Authorities under Section 48(1) of the Reserves Act 1977.
- e) Subject to there being a guarantee of public access over the bridge, approves, acting under a blanket delegation from the Minister of Conservation pursuant to section 48(1) (c) (d) and (f) of the Reserves Act 1977, the grant of an Appurtenant Easement for gas, electricity, telecommunications, water and sewerage services being installed within the Right of Way Easement Area (already approved as to an easement by the Council) and delegates final approval and documentation easement terms to the Property Manager, subject to the specified services being installed and the landowner meeting the legal costs to prepare and register the easements and subject to vesting of gifted land as recreation reserve.

Carried

20. Declaration and Vesting of Land as Local Road in Council and Vesting of Land in the Taranaki Regional Council as a Local Purpose Reserve Under the Public Works Act 1981 – Implementation of New Plymouth District Council (Waitara Lands) Act 2018

ECM8066648

The matter for consideration by the Council, as part of the implementation of the New Plymouth District Council (Waitara Lands) Act 2018 is a decision to:

- a) Approve a recommendation that four land parcels of Council owned land (Sections 3, 4, 5 and 6 SO 496323 totalling 7841m²) be declared and vested as local road for legal access requirements (to be held subject to the Local Government Act 1974) pursuant to the provisions of the Public Works Act 1981. The land parcels involve road extensions/legalisations to Battiscombe Terrace, Browne Road Extension, West Beach and new unnamed road off West Beach (recorded as Marine Park Road 1 for asset purposes).
- b) Approve a recommendation that one parcel of Council owned land (Section 8 SO 496323 547m² developed as part of the public work for the Waitara River "flood protection stop bank" be declared and vested at a nominal consideration of \$1 (if demanded) in the Taranaki Regional Council as a Local Purpose (soil conservation, river control and recreation purposes) reserve subject to the Reserves Act 1977. The land would be the same status as adjoining Regional Council land.

Performance Committee Recommendation:

Cr Johnston)

Cr Williams)

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

- a) Notes that as part of the implementation of the New Plymouth District Council (Waitara Lands) Act 2018, that cadastral survey by way of SO Plan 496323 was undertaken in 2016 for "West Beach" land, to be vested in an estate in fee simple "Te Kōwhatu Tū Moana" (incorporated Trust Board) subject to recreation reserve status under the Reserves Act 1977, with provision for service easements.
- b) Notes that Survey Office Plan 496323 more particularly delineated in the following Schedule A, the land parcels totalling 7841m² required to be declared and vested as legal local road in Council for the purposes of the Local Government Act 1974, pursuant to the provisions of the Public Works Act 1981.

Carried

Council Resolution:

Cr Johnston)

Cr Williams)

That the Performance Committee Recommendation relating to Declaration and Vesting of Land as Local Road in Council and Vesting of Land in the Taranaki Regional Council as a Local Purpose Reserve Under the Public Works Act 1981 – Implementation of New Plymouth District Council (Waitara Lands) Act 2018, be adopted.

Carried

Cr Biesiek left the room at the beginning of the preceding item.

21. Land Purchase for Mountain Road Reservoir Expansion: Existing Site and New Adjoining Site

ECM8075631

The matter for consideration by the Council is the purchase of an existing leased site and the adjoining freehold site, in total 4565 square metres subject to survey, for Mountain Road water reservoir expansion.

Performance Committee Recommendation:

Cr Brown)

Cr Pearce)

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

- a) Approves the purchase of the property at Mountain Road, Lepperton for up to \$375,000 incl GST if any.
- b) Agrees to pay additional compensation of up to \$25,000 to the landowner as outlined in Section 72A of the Public Works Act 2018.

Carried

Council Resolution:

Cr Jordan)

Cr Duynhoven)

That the Performance Committee Recommendation relating to Land Purchase for Mountain Road Reservoir Expansion: Existing Site and New Adjoining Site, be adopted.

Carried

22. Application by TAG Oil (NZ) Limited for the Grant of a Deed of Easement to Lay Pipelines Within Legal Road Reserve Tarata Road, Inglewood

ECM8101942

The matter for consideration by the Council is a decision on a recommendation that an application by TAG Oil (NZ) Limited to install a 22 metre length petroleum pipeline (3 inch (75mm) diameter) within Tarata Road be approved and secured by the issue of a Deed of Grant of Easement, pursuant to the provisions of Section 338(1) of the Local Government Act 1974.

Performance Committee Recommendation:

Cr Johnston)

Cr Pearce)

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

- a) Notes that Tag Oil (NZ) Limited (TAG) own and operate the Supplejack-1 wellsite, located on private land at 126 Tarata Road, Inglewood.
- b) Notes that TAG's intention is to construct a production facility at the well site and build a pipeline over the private land (600 metres) to convey petroleum products from the site to Tarata Road. The pipeline will connect into the existing First Gas pipeline located within Tarata Road to be able to convey its petroleum products along that pipeline.
- c) Notes that the overall project involves TAG securing approval to install a 22 lineal metre section of the pipeline with Tarata Road Corridor and to obtain Deed of Grant of Easement as shown bordered red on the plans in Appendix 1.
- d) Notes that Council staff have met with Pukerangiora hapū to discuss the pipeline within the road reserve and were advised there were no concerns with the road crossing.
- e) Notes that TAG has requested an urgent decision to be able to meet contractual obligations that if not meet will result in considerable financial loss to the company.
- f) Notes that Section 338 of the Local Government Act 1974, permits the grant of an easement for up to 50 years on such terms and conditions and payment as maybe approved authorising the laying of conduit pipes for petroleum under any road.
- g) Notes that Tarata Road is a local road vested and under control of the district and held within the meaning of the Local Government Act 1974.
- h) Notes the Transportation Team have discussed TAG's proposals on site and has no issues. Water and Waste Team have also indicated that they have no issues. Contract works to be undertaken to install the new pipeline will be undertaken by Energy Works who will lodge application for a Corridor Access and Traffic Management Plan.
- i) Notes that an application to vary the Land Use Resource Consent has been submitted to the Consents Team.

- j) Approves the application by TAG to install a 22 lineal metre pipeline within Tarata Road and to the Grant of a Deed of Easement pursuant to the provisions of Section 338 of the Local Government Act 1974, for a twenty year period, with a renewal option for a further twenty year period, subject (but not limited to) the following conditions;
- i) Payment by TAG of annual rental to be paid in advance or a one-upfront payment to be negotiated. The rental will be based on current valuation methodology.
 - ii) If renewed payment terms for the next 20 years similar to those in (i) above.
 - iii) All consents be approved prior to starting works.
 - iv) Disturbed road substrate and surface being reinstated at the expense of TAG to the satisfaction of the New Plymouth District Council Transportation Team.
 - v) As-built plans be provided as required.
 - vi) A traffic management plan prepared and submitted by TAG being acceptable to the Transportation Team.
 - vii) TAG meeting all costs in relation to this matter, including the costs of the preparation of a Deed of Grant outlining the aforementioned conditions.
- k) Delegates authority to the Property manager to finalise the conditions to the Deed of Grant.

Carried

Council Resolution:

Cr Pearce)
Cr Duynhoven)

That the Performance Committee Recommendation relating to Application by TAG Oil (NZ) Limited for the Grant of a Deed of Easement to Lay Pipelines Within Legal Road Reserve Tarata Road, Inglewood, be adopted.

Carried

Cr Biesiek returned to the room part-way through the Council officer's introduction on the preceding item.

23. Local Government New Zealand Conference 2019

ECM8114676

The purpose of this report is to provide feedback and views on the Local Government New Zealand (LGNZ) Conference held in Wellington from 7 – 9 July 2019.

Performance Committee Recommendation:

Cr Jordan)

Cr Pearce)

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

Carried

Council Resolution:

Cr Johnston)

Cr Melody)

That the Performance Committee Recommendation relating to Local Government New Zealand Conference 2019, be adopted.

Carried

24. Proposed Solid Waste Management and Minimisation Bylaw – Deliberation and Adoption

ECM8118816

The matter for consideration by the Council is whether or not to adopt the proposed Solid Waste Management and Minimisation Bylaw following consultation with the community, as part of moving towards the Council's Zero Waste vision.

Council Resolution:

Cr Handley)

Cr Duynhoven)

- a) Notes that it has considered all 23 submissions to the Council's proposed Solid Waste Management and Minimisation Bylaw.
- b) Determines that it has followed the required special consultative procedure as set out in the Local Government Act 2002.
- c) Determines that the Solid Waste Management and Minimisation Bylaw 2019 does not give rise to any implications under the New Zealand Bill of Rights Act 1990.
- d) Notes that officers have proposed amendments to the Solid Waste Management and Minimisation Bylaw.
- e) Adopts the Solid Waste Management and Minimisation Bylaw 2019 included as Appendix 1 to be operative from 30 September 2019.
- f) Revokes Part 9: Solid Waste of the New Plymouth District Council Bylaw 2008 from 30 September 2019.

Carried

The meeting closed at 7.33pm.

The Council rose

Read and confirmed

MAYOR