



Te Kaunihera-ā-Rohe o Ngāmotu

NEW PLYMOUTH DISTRICT COUNCIL

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MEETING AGENDA

WAITARA COMMUNITY BOARD

Friday 27 June 2014

at 9am

Waitara Library & Service Centre

Chairperson:	Mr	Joe	Rauner
Members:	Mr	Trevor	Dodunski
	Mr	Andrew	Larsen
	Mr	Bill	Simpson
	Cr	Colin	Johnston

WAITARA COMMUNITY BOARD
FRIDAY 27 JUNE 2014

Community Boards

Role of community boards (s52 Local Government Act 2002)

- a) represent, and act as an advocate for, the interests of its community; and
- b) consider and report on matters referred by the council and other matters of interest
- c) maintain an overview of services provided by the council within the community; and
- d) prepare an annual submission to the council for expenditure within the community;
- e) communicate with community organisations and special interest groups within the community; and
- f) undertake any other responsibilities that are delegated to it by the territorial authority.

Addressing the community board

Members of the public have an opportunity to address a community board during the public forum section or as a deputation.

A public forum section of up to 30 minutes precedes all community board meetings. Each speaker during the public forum section of a meeting may speak for up to 10 minutes. In the case of a group a maximum of 20 minutes will be allowed.

A request to make a *deputation* should be made to the secretariat within two working days before the meeting. The chairperson will decide whether your deputation is accepted. The chairperson may approve a shorter notice period. No more than four members of a deputation may address a meeting. A limit of 10 minutes is placed on a speaker making a presentation. In the case of a group a maximum of 20 minutes will be allowed.

Definitions in reports

The reports contained in this agenda address the requirements of the Local Government Act 2002 in relation to decision making. For the purpose of clarity, the following definitions apply:

Significance assessment refers to the degree of importance in terms of its likely impact on the current and future well-being of the district, as articulated by the seven Community Outcomes (Connected, Prosperous, Secure and Healthy, Skilled, Sustainable, Together and Vibrant); the persons likely to be affected by, or interested in, the matter, and the extent to which strength of feeling exists or is known to exist on the issue; changes or potential changes to the levels of services currently offered to the community and therefore the current and future capacity of the council to perform its roles, and the financial and other costs of doing so.

Views of those affected refers to those persons, including tangata whenua, who are likely to be affected by, or have an interest in, the issue. A description of the affected parties, a description of the processes, methods and levels of consultation used to identity their views, along with a summary of those views will provide a means of presenting the community viewpoint on the issue. Where the views of those affected have not yet been sought, the future means of seeking those views will be set out.

Tangata whenua considerations refers to those matters that the local authority must assess in relation to its undertaking of decisions. Where an option for the achievement of the objective of a decision involves a significant matter in relation to land or bodies of water, the local authority must take into account the relationship of Maori, and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna and other taonga.

WAITARA COMMUNITY BOARD
FRIDAY 27 JUNE 2014

APOLOGIES

None advised.

PUBLIC FORUM

None advised.

DEPUTATIONS

None advised

A ITEMS FOR DECISION BY WAITARA COMMUNITY BOARD

A1 UNCONFIRMED MINUTES OF WAITARA COMMUNITY BOARD

Recommendation:

That the minutes of the Waitara Community Board meeting held on 16 May 2014 be confirmed as a true and accurate record.

A2 MEMBERS ACTIVITY REPORT FOR ANDREW LARSEN

This report advises of the community board activities of Andrew Larsen in the period to 18 June 2014.

B ITEMS FOR RECOMMENDATION TO COUNCIL

B1 ACCESSIBILITY STRATEGY ANNUAL REPORT 2013

The purpose of this report is to provide an update on progress made since the Annual Report 2012.

B2 COASTAL STRATEGY, OAKURA AND URENUI STRUCTURE PLANS IMPLEMENTATION UPDATE

The purpose of this report is to provide the Council with an update on the implementation of the Coastal Strategy, the Oakura Structure Plan and the Urenui Structure Plan.

B3 LOCAL AUTHORITY ELECTIONS – ELECTORAL SYSTEM

The purpose of this report is to seek a decision by the Council on the voting system to be used for the 2016 triennial election of the Mayor, councillors and community board members. This decision is a statutory requirement under the Local Electoral Act 2001.

B4 DISTRICT PLAN & RESOURCE MANAGEMENT ACT STATUS OF WAITARA RIVERBANK NOTABLE TREES ON LAND DESIGNATED FOR FLOOD PROTECTION WORKS

To provide information detailing the District Plan and Resource Management Act status of the District Plan notable trees on the Waitara River embankment.

UNCONFIRMED MINUTES OF WAITARA COMMUNITY BOARD

- FILE REFERENCE:** DP-14-02 DM 1566761
- MEETING DATE:** Friday 16 May 2014 at 9am.
- VENUE:** Waitara Library & Service Centre
- MEMBERS PRESENT:** Mr Joe Rauner (Chairperson), Mr Trevor Dodunski, Mr Andrew Larsen, Mr Bill Simpson and Cr Colin Johnston
- APOLOGIES:** Mayor Andrew Judd
- NON-MEMBERS PRESENT:** Cr Craig McFarlane, Deputy Mayor Heather Dodunski, Cr John McLeod, Cr Grant Coward and Cr Shaun Biesiek and Mr Ken Bedford (Clifton Community Board Chair)
- STAFF IN ATTENDANCE:** Mrs Jayne Beer, Ms Jan Higley, Mr Richard Mowforth, Mr Graeme Pool, Mr Bruce Chadwick and Mr Liam Hodgetts

DEPUTATION:**Mr Marty Toa – Trees in McLean Street**

Mr Toa spoke regarding the trees along McLean Street in front of the shops. The dropping of leaves onto the top of the shop verandas is causing blockages in the drainage pipes and as a result water is pooling on top of the verandas, causing the verandas to rot. Shop owners are sweeping the footpaths 3 to 4 times per day at this time of year. Mr Toa would like to council officers to investigate what can be done about these trees to protect the properties of the shop owners.

Fiona Clark, Friends of the Waitara River

Ms Clark presented a petition to the Board signed by 231 Adults, 168 of which are Waitara residents, who are concerned about the removal of the Pohutakawas along the Waitara River bank.

Mr Bill Simpson moved that the petition be accepted, seconded by Trevor Dodunski.

PART A**MATTERS FINALLY DETERMINED BY THE WAITARA COMMUNITY BOARD UNDER DELEGATED AUTHORITY AND REFERRED TO THE COUNCIL FOR INFORMATION AND RECORD****1. Minutes of Previous Meeting**

File Reference: DM1535206

Resolved:

That the minutes of the Waitara Community Board meeting held on 28 March 2014 be confirmed as a true and accurate record.

2. Members Activity Report for Joe Rauner

File Reference: DP-14-03, DM1549093

This report advises of the community board activities of Joe Rauner in the period to 5 May 2014

Resolved

That having considered all matters raised in the report

(a) the report be received; and

(b) A letter for support from the Board be provided for the service clubs application to TET for funding of the “Welcome to Waitara” signs.

3. Members Activity Report for Andrew Larsen

File Reference: DP-14-03, DM1549095

This report advises of the community board activities of Andrew Larsen in the period to 5 May 2014.

Resolved

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

4. Members Activity Report for Trevor Dodunski

File Reference: DP-14-03, DM1549092

This report advises of the community board activities of Trevor Dodunski in the period to 5 May 2014.

Resolved

That having considered all matters raised in the report:

(a) the report be received; and

(b) A report on the maintenance of trees around Waitara be presented to the next meeting.

5. Regional Public Transport Plan for Taranaki 2014/2024

File Reference: DM 1546862

This report recommends that Community Boards provide comments and feedback to be included in the Council’s submission to the Regional Public Transport Plan for Taranaki 2014/2024. Submissions close on 20 May 2014. Council officers will work with elected members to develop a submission prior to this date. This submission will then be ratified retrospectively at the Policy Committee meeting on 3 June 2014.

Resolved:

That having considered all matters raised in the report:

a) The Waitara Community Board receive the report; and

- b) The Waitara Community Board provides the following comments and feedback to be included in the Council's submission to the Regional Public Transport Plan for Taranaki 2014/2024:
- a. The bus routes in and around Waitara be reviewed in consultation with the Waitara Community Board; and
 - b. Future reviews of the Regional Public Transport Plan are conducted with community input in a timelier manner.

PART B**ITEMS FOR FINAL DETERMINATION BY THE COUNCIL****6. Property (Land) Sales Report**

File Reference: CM 08 28 01 v05, DM 1540731

This report provides a categorised schedule summary of the Council Land Sales estimate to 30 June 2014, for reporting purposes. The report outlines properties sold, progress on approved sales, potential sales and relevant highlighted commentary on the status of sales of note.

Recommendation

That having considered all matters raised in the report:

Appendix A Land Sales estimate to 30 June 2014 be noted:

- Sales since June 2013 and programmed for settlement by 30 June 2014.
 - Category 1 - Properties Approved for Sale.
 - Category 2 - Properties that are being considered for sale, but have yet to be formally considered or a final decision yet to be made by Council.
 - Category 3 - Properties with low sale potential.
 - Category 4 - Properties that have been considered for sale but to be retained.

7. Water Restrictions 2013-14

File Reference: WW 09 04 08 14; DM 1543520

Due to a lack of rainfall between February and April 2014, water restrictions were imposed for 58 days under delegated authority by the Manager Water & Wastes and in accordance with New Plymouth District Council's Consolidated Bylaw.

Recommendation

That having considered all matters raised in the report it is resolved to ratify the water restrictions imposed between 21 February and 16 April 2014 for the reasons outlined in this report.

8. Quarterly Report on Council Energy Management & Greenhouse Gas Reduction Programme - 1 January to 31 March 2014

File Reference: CM 10 05 04 v03, DM 1546125

The Council, through its operations, is a large user of energy including electricity, natural gas and liquid fuels (petrol and diesel). Energy use is primarily related to the operation of buildings; pumping of water (both potable and waste); wastewater treatment; and vehicle fleet running.

Current Council expenditure on energy exceeds \$3.3m per annum (about 3% of total expenditure).

In 2006 the Executive Leadership Team (ELT) committed to a policy programme of energy management throughout the Council's operations with the objective of optimising efficient energy use in order to reduce its impact on the environment; eliminate waste and reduce expenditure for the benefit (both current and future) of the community and ratepayers.

The Energy Management Programme is a continuous improvement programme including monitoring, tracking and reviewing results/targets using quarterly reporting. The active measures it takes are a combination of 'soft' and 'hard' activities:

- The 'soft' elements focus on behavioural changes such as turning off computers/lights etc; encouraging staff to come forward with ideas.
- The 'hard' activities include audits of systems and making changes such as replacing old equipment with new energy efficient models such as modern condensing boilers, LED lamps, heat pumps; and altering how the Council procures its energy. Some capital projects such as the upgrade to the wastewater treatment plant have also had energy efficiency requirements built in which have resulted in significant energy savings.

This report briefly outlines the energy programme and the quarterly report for the period 1 January – 31 March 2014 is attached as Appendix A.

Recommendation

That having considered all matters raised in the report it is noted that:

- a) Since 2006, an Energy Management Policy Programme has been in place with the objective of optimising efficient energy use in order to reduce its impact on the environment; eliminate waste and reduce expenditure for the benefit (both current and future) of the community and ratepayers.
- b) The Energy Management Programme is a continuous improvement programme including monitoring, tracking and reviewing results/targets using quarterly reporting.
- c) The Energy Management Programme is a combination of behavioural change and alterations to existing infrastructure.

- d) The Energy Programme covers the spectrum of energy resources that includes electricity, natural gas and liquid fuels (petrol and diesel) used in buildings; pumping of water (both potable and waste); treatment of wastewater; and vehicle fleet running.
- e) Since inception of the Energy Management Programme actual savings of greater than \$1.1m, and savings against “Business as Usual” of greater than \$1.8m have been made in expenditure.
- f) The Energy Management Report for the quarterly period 1 January – 31 March 2014 is attached as Appendix A.
- g) Unless directed otherwise, further quarterly reports will be provided.

9. **Bylaw Review 2014 – Release of Statement of Proposal for Consultation**

File Reference: DM1501711

As permitted under the Local Government Act 2002, (S145-148) the Council can make bylaws to address various problems or "nuisances" in the community. During 2013, the Council commenced a review of several bylaw parts. The Council resolved that ‘a’ bylaw was the most appropriate way of addressing a perceived problem in relation to the problems and nuisances that can occur in relation to signs, food, water, wastewater and storm water, and specific issues as they relate to public places and trading in public places. Council made its determination following an assessment of the problems and nuisances in the given area, as required under S.155(1) of the Local Government Act 2002. This report and the accompanying Statement of Proposal completes the outstanding matters for that review and proposes that amendments are made to the signs, public places and trading in public places bylaw parts in order to ensure that they are in the most appropriate form, and that new bylaws are proposed for food and water, wastewater and storm water services.

Recommendation

That having considered all matters raised in the report:

- a) In accordance with section 155(2) and 160 of the Local Government Act 2002, the Council determines that the following parts of the New Plymouth District Council Bylaw 2008 (subject to the amendments proposed in the attached Statement of Proposal) are the most appropriate forms of bylaw:
 - i. Part 1 Introductory;
 - ii. Part 5 Public Places (clause 10);
 - iii. Part 7 Signs;
 - iv. Part 12 Trading in Public Places (Licensing of Street Traders);

- v. Part 14 Water, Wastewater and Storm water Services; and
 - vi. Part 15 Food.
- b) In accordance with sections 155(3) and 160 of the Local Government Act 2002, the Council determines that the following parts of the New Plymouth District Council Bylaw 2008 (subject to the amendments proposed in the attached Statement of Proposal) give rise to some implications under the New Zealand Bill of Rights Act 1990 but that the bylaw parts are not inconsistent with that Act:
- i. Part 1 Introductory;
 - ii. Part 5 Public Places (clause 10);
 - iii. Part 7 Signs;
 - iv. Part 12 Trading in Public Places (Licensing of Street Traders);
 - v. Part 14 Water, Wastewater and Storm water Services; and
 - vi. Part 15 Food.
- c) That the Council has now concluded the review of the bylaw parts identified above, subject to the proposed amendments being made.
- d) That the proposed amendment bylaws meet the requirements of section 155 of the Local Government Act 2002, in that:
- i. the Council determines the bylaws are the most appropriate way of addressing the perceived problems identified; and
 - ii. the Council determines the proposed bylaws (subject to public consultation) are the most appropriate form of bylaw; and
 - iii. The Council determines the proposed amendment bylaws give rise to some implications under the New Zealand Bill of Rights Act 1990 but that the proposed amendment bylaws are not inconsistent with that Act.
- e) The draft Statement of Proposal for the following amendment bylaws is released for public consultation using the Special Consultative Procedure set out in section 83 of the Local Government Act 2002:
- i. New Plymouth District Council Introductory Amendment Bylaw 2014;
 - ii. New Plymouth District Council Public Places Amendment Bylaw 2014;
 - iii. New Plymouth District Council Signs Amendment Bylaw 2014;

- iv. New Plymouth District Council Trading in Public Places (Licensing of Street Traders) Amendment Bylaw 2014;
- f) The draft Statement of Proposal for the following new bylaws is released for public consultation using the Special Consultative Procedure set out in section 83 of the Local Government Act 2002:
 - i. New Plymouth District Council Water, Wastewater and Storm water Services Bylaw 2014; and
 - ii. New Plymouth District Council Food Bylaw 2014

10. Customer and Regulatory Services Activity Report – Quarter 3 (January – March 2014)

File Reference: DM 1540821

This report presents data for the third quarter of 2013/2014 from Customer Support and the following Regulatory areas: land use and subdivision consents and monitoring, building control, environmental health, animal control, parking, liquor and food licensing and bylaw enforcement.

Recommendation

That having considered all matters raised in the report the Council note the information provided.

11. Temporary Road Closures – Taranaki Car Club Inc

File Reference: RT-15-14, DOC 1545694

This report recommends the temporary closure of various roads in the district to enable the Taranaki Car Club Inc to safely manage the Tarmac Rally, to be held on Saturday 12 July 2014.

Recommendation

That having considered all matters raised in the report,

- a) The road closures for the following event be approved:

TARANAKI CAR CLUB TARMAC RALLY 2014

Roads to be closed to ordinary vehicular traffic on Saturday 12 July 2014:

Stage 1 Otaraoa Road: From 7.00am to 12.00pm.

- Otaraoa Road from 100m south of McKee Production station to Tarata Rd.
- Tarata Road from the intersection of Tarata and Otaraoa roads south to Tariki Road.
- Tariki Road from the intersection of Tarata and Tariki roads south to Ratapiko

Road.

- Ratapiko Road from the intersection of Tariki and Ratapiko roads south to Makara Road.
- Makara Road from the intersection of Ratapiko and Makara roads south to Croydon Road (crosses into the Stratford District).

Side roads that will be marshaled to avoid non-competing vehicles entering onto the closed roads are: Taramoukou and Autawa roads, Amo and Mungu streets, Toetoe, Motukawa, Kohete and Mana roads.

Stage 4 Barrett Road: From 10.30am to 4.00pm.

- Barrett Road 100m south of the intersection of Barrett and Phenev roads south to the intersection of Frankley and Barrett roads.
- Frankley Road from the intersection of Barrett and Frankley roads south to Carrington Road.
- Carrington Road from the intersection of Frankley and Carrington roads south to the intersection of Carrington and Upper Pitone roads.
- Plymouth Road south from the intersection of Plymouth and Carrington roads.
- Upper Pitone Road from the intersection of Carrington and Upper Pitone roads west to 100m from the intersection of Upper Pitone and South roads (SH 45).

Side roads that will be marshaled to avoid non-competing vehicles entering onto the closed roads are: Tapuae and Albion roads.

Stage 5 Dover Road: From 11.30am to 4.30pm.

- Dover Road 100m from the intersection of South Road (SH 45) and Dover Road south to the intersection of Carrington and Dover roads.
- Carrington Road from the intersection of Dover and Carrington roads west to the intersection of Oxford and Carrington roads.
- Oxford Road from the intersection of Carrington and Oxford roads west to 100m from the intersection of Saunders and Oxford roads.

Stage 8 Saunders Road: From 1.30pm to 7.00pm.

- Saunders Road from the intersection of Wiremu and Saunders roads east to Carrington Road.
- Carrington Road from the intersection of Saunders and Carrington roads north to the intersection of Carrington and Plymouth roads.

- Plymouth Road from the intersection of Carrington and Plymouth roads north to 100m from the intersection of Plymouth and Kirihaui roads.
- Plymouth Road south of the intersection of Plymouth and Carrington roads.

Okato Vehicle Service Area: From 12.00pm to 5.00pm.

- Carthew Street from the intersection of Carthew Street and South Road (SH 45) to Curtis Street.
- Curtis Street from Carthew Street to Oxford Road.

Please Note: These roads could be opened earlier.

- b) **That TARANAKI CAR CLUB INC be required to:**
- i. Give formal notice of the holding of the event to the Police and the New Zealand Fire and Ambulance Services. Failure to do so may result in the cancellation of the event. This is a requirement of the 10th schedule of the Local Government Act 1974.
 - ii. Ensure that an approved traffic management plan (TMP) shall be strictly adhered to throughout the closure and the barriers shall be removed as soon as possible after the event concludes.
 - iii. Provide sufficient marshals to control and direct vehicles and pedestrians at all points where the closed road intersects with any open road and elsewhere as necessary. All marshals shall wear traffic safety vests or other high visibility clothing whilst on or adjacent to the roadway.
 - iv. Provide all spectators parking on private property i.e. off road reserve.
 - v. Warning tape to be placed over any vehicle access ways to closed roads to ensure residents are aware of the event. Signage on the tape should provide warning to the effect that: "Rally event in progress – keep off road – contact details (provide mobile phone number)."
 - vi. Make adequate provisions to permit emergency vehicles, property owners and occupiers within the area and their invitees, customers or employees reasonable access to and from properties on the closed road. For through roads make adequate provisions for reasonable access through the closed section. Details are to be included in the traffic management plan required under condition ii.
 - vii. Upon completion of each stage of the event, and no later than the time specified for the end of the closure, remove all signs and barricades restricting access on that stage, and clear all litter and debris from the road.

ITEM A1**ITEM FOR DECISION**

- viii. Advise the Council of any damage to the road surface, shoulders, drainage channels, verges, signs or other road furniture resulting from the event and pay all costs incurred by the Council in making good any such damage, whether reported or not.
- ix. Where a late cancellation of the event takes place (i.e. after road closure signs, barriers etc have been placed at the venue), the full TMP shall remain in place for the approved road closure time period; and until such time as the site traffic management supervisor can liaise with the police to ensure that there would be no risk to vehicular or pedestrian traffic if the event was cancelled and the TMP conditions removed.
- x. Take out Public Liability Insurance to indemnify the Club and the Council against any claims or actions that may arise from the staging of the event to a minimum of \$1,000,000 in respect of any one claim or accident. A copy of the policy or cover note must be provided to the Council no less than 28 days prior to the meeting.
- xi. Comply with, and ensure that all competitors comply with, all relevant laws and regulations not waived by temporary road closure under Section 342 and the 10th Schedule of the Local Government Act 1974.

Andrew Larsen declared a conflict of interest on this item.

The meeting closed at 10.49am

MEMBERS ACTIVITY REPORT FOR ANDREW LARSEN

PREPARED BY: Andrew Larsen
WARD/COMMUNITY: Waitara Community Board
DATE: 18 June 2014
FILE REFERENCE: DP-14-03, DM1566767

SUMMARY/OBJECTIVE

This report advises of the community board activities of Andrew Larsen in the period to 18 June 2014.

RECOMMENDATION

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

ACTIVITIES**Waitara River Stop Banks and West Quay Walkway**

Work on the first stage is progressing slowly. Unfortunately, due to lack of materials, work is behind schedule.

A meeting of the Waitara Lower River Liaison Committee was held in which concept drawings were presented to the committee by Taranaki Regional Council. More work is being carried out on these drawings with public consultation planned in the near future on the proposals for West Quay and the West Bank Walkway.

Methanex Waitara Valley to West Quay Pipe Replacement

Materials are now on site in Parris Street and pipes are starting to be laid out for initial fit up.

Waitara Storm Water Briefing with Mark Hall

The briefing was held to address concerns raised by the Community Board and North Ward Councillors regarding storm water control and flooding occurring in Waitara in heavy rainfall periods.

Photos were presented by Trevor Dodunski detailing surface flooding of properties within Waitara.

Further to this meeting Annual Plan submissions to the NPDC by Waitara Community Board and myself about upgrading the storm water mains and reinstating the kerb and channel budgets in Waitara were unsuccessful.

Local Government New Zealand Zone 3 2014 Community Board Meeting

I attended the Saturday Morning sessions along with other local Community Board members from Zone 3. Some interesting presentations and a report is attached (Appendix A).

APPENDIX A

Zone 3 2014 Community Board Meeting 9 – 10 May 2014.

Hosted by the Wanganui Rural Community Board and held in the Council Chambers, Wanganui.

I would like to thank the Council for allowing me to attend this Community Board Meeting. Unfortunately I was not able to attend the sessions on Friday afternoon but did arrive for the dinner. I sat with some of the Taihape Community Board members and community funding was an issue that we discussed. Taihape has very little access to community funding and suffers as a result. We are fortunate to have access to funding from both TET and the TSB in our area and these providers enable community groups and projects to move ahead and contribute to the community we live in.

Saturday morning started with a presentation by Alan Taylor, Chair Wanganui Rural Community Board and Zone 3 Deputy Chair, on the Community Board Awards and raising the profile of the Community Board Awards. It was felt that the Community Board Awards from the Community Board Conference at Wanaka last year were a PR failure, in that very little coverage in both local and national press were given to these awards. There appears to be a glass ceiling with PR for community boards. Some very promising initiatives locally were ignored both locally and nationally. Community boards are cash poor and asset rich – the assets are us, the Community Board members.

We were then addressed by Russell Bell, Director of Zenith Solutions, on the Rural Enterprise Project – how to promote and encourage intensification in agriculture in our areas. This was a three hour presentation reduced to 30 minutes. The title is slightly misleading in that he was looking at concentrating resources to maximise outputs. The old adage of “if it ain’t broke don’t fix it”, is not relevant any more. It can and must be improved! We need a culture of innovation and experimentation as a knowledge advantage is short lived. His main point was that *value is created at contact points*. We need to change from a push (outward) to a pull (inwards) strategy. The internet has a key role in this. Producers need to target niche markets for their products. Why sell tomatoes to your local market for \$1 per kilo, when with modern transport links you can sell them within 24 hours of harvest in California for \$4 per kilo. You need to maximise your margin by minimising your investment. This was a very thought provoking presentation.

The next speaker was Warren Ferner from Ruapehu District Council and he looked at various issues impacting on their roads, including NZTA, forestry and large vehicle space. Local roads contribute between 1.3 – 1.8 times the transport tasks of the main highways. They have looked at all the roads in the district and the projected financial returns of the businesses on those roads over a 28 year period and rated the roads, bridges and pavements accordingly. Their main factors were dairy, meat and wool, and forestry. Although dairy was the most profitable of the three, forestry had the most weight on the roads, albeit over a much shorter period. They do not have an oil and gas industry as Taranaki does and I would be very interested in the results if a similar exercise was carried out here.

The final speakers were Commissioner Stuart Hylton, Wanganui District Licencing Commission, and Stephanie Rose, Policy and Corporate Chair, WDC. Their subject was the

Sale and Supply of Alcohol and the Local Authority Alcohol Policies. The legislation on this was poorly written, and problems were arising because of this.

Overall some very good presentations and I would recommend that more community board members attend these meetings.

Andrew Larsen
Waitara Community Board.



ACCESSIBILITY STRATEGY ANNUAL REPORT 2013

PREPARED BY: Jayne Beer (Community Relations Officer)
TEAM: Community Development
APPROVED BY: Leighton Littlewood (Manager Community Development)
WARD/COMMUNITY: District Wide
DATE: 11 June 2014
FILE REFERENCE: DM1563246

PURPOSE

The purpose of this report is to provide an update on progress made since the Annual Report 2012.

EXECUTIVE SUMMARY

Disability is defined as when a person experiences physical or attitudinal barriers in living their life. At some point in our life-time we will all experience a reduction in our sensory functions, mobility or mental capacity. At some point the issue of disability will affect us all.

The Strategy seeks to provide guidance to Council staff by identifying actions that make Council services and amenities accessible to everyone. Monitoring of progress of the action plan within the Strategy is reported to the Accessibility Issues Working Party on a six monthly basis. The Annual Report provides an update on all actions within the strategy.

RECOMMENDATION

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

SIGNIFICANCE ASSESSMENT

In terms of the Council's Significance Policy this matter is of:

Low significance Medium significance High significance

This matter has been assessed as low significance because as it is for information purposes only.

BACKGROUND

The vision of the Accessibility Strategy is "*One inclusive level of service for all*".

The Disability Strategy was approved in 2009 and identifies what the Council can do to increase accessibility within the New Plymouth district. In November 2012, the name was changed to Accessibility Strategy ("the Strategy"), which better reflects the intentions of the Council to make public amenities and services around the district more accessible to everyone.

The Council is a member of the Taranaki Disability Strategy Coalition Group and the Council's contribution towards the Taranaki Disability Strategy is monitored through the Accessibility Strategy.

The following are the goals of the Council's Accessibility Strategy:

- 1) Council services, facilities and assets are accessible to all people;
- 2) Council staff are aware of disability in the community and receive appropriate training; and
- 3) Council are active champions of an inclusive society.

In order to achieve these goals, the Council agreed to complete a number of key actions and projects. These are outlined below:

Strategic Goal One: Council services, facilities and assets are accessible to all people

Key Actions/Projects that will be undertaken by the Council to achieve this goal include:

- Understanding the level of accessibility of Council facilities and public assets
- Creating an action plan for making Council facilities and public assets barrier free
- Developing Consultation policy and guidance material to ensure that consultations are undertaken in a consistent and inclusive manner
- Council information and publications will be more accessible
- The Council website will be accessible
- Ongoing participation will be encouraged through regular sign language, plain language and touch tours for disabled visitors at Puke Ariki and the Govett-Brewster Art Gallery
- The Accessibility Issues Working Party will track the progress of the Council Accessibility Strategy

Strategic Goal Two: Council staff are aware of disability in the community and receive appropriate training

Key Actions/Projects that will be undertaken by the Council to achieve this goal include:

- Disability awareness training for staff
- Consultation training offered to staff to ensure consultations are consistent and inclusive

Strategic Goal Three: Council are active champions of an inclusive society

Key Actions/Projects that will be undertaken by the Council to achieve this goal include:

- Existing communication mediums will be used to inform stakeholders of current and upcoming consultations
- To establish and use an image library collection of disabled people
- To work closely with other stakeholders to increase the community's awareness of disability

DISCUSSION

The Disabilities Issues Working Party was disestablished prior to the Local Government elections in 2013, this report has been prepared to present to the first meeting of the newly established Accessibilities Issues Working Party.

The update Report indicates the following:

- Timeframes have been updated to give a more realistic timeframe for completion.
- Actions that have been achieved and are marked to be removed.

Review of the Accessibility Strategy is required to be undertaken and will be completed by November 2014.

OPTIONS

The Accessibility Annual Report 2013 is for information purposes only, and as such the options are:

1. The Annual Report be accepted; or
2. The Annual Report not be accepted.

Option 1 is recommended.

IMPLICATIONS ASSESSMENT

Local Government Purpose

The matter comes within the scope of the Council's lawful powers, including satisfying the purpose statement in section 10 of the Local Government Act 2002. The matter will enable the Council to meet the current and future needs of communities for good quality (i.e. efficient, effective and appropriate to present and anticipated future circumstances):

Local Infrastructure Local public services Performance of regulatory function

The Accessibility Strategy action plan relates to, and promotes, accessible amenities and services to everyone within the New Plymouth District. The services are delivered in the way that is most cost-effective for households and businesses.

Community Outcomes

This matter contributes to the following community outcomes:

Connected Skilled Prosperous Secure and Healthy
 Together Vibrant Sustainable

Community outcomes are the outcomes that the Council aims to achieve in meeting the current and future needs of communities for good-quality local infrastructure, local public services and performance of regulatory functions.

ITEM B1**ITEM FOR DECISION**

The Accessibility Strategy primarily contributes towards secure and healthy, together and vibrant community outcomes. Also it contributes to other community outcomes by endeavouring to ensure that all Council amenities and services are accessible to everyone.

LTP / Annual Plan

Is this matter currently budgeted for? Yes No

Actions within the Strategy are ongoing within existing projects or work programmes and as such they are budgeted for.

Consistency with Policy and Plans

The report is consistent with the Council's plans and policies, including the Taranaki Regional Disability Strategy, of which New Plymouth District Council is a member of the coalition group.

Legal

This Strategy falls in line with the New Zealand Disability Strategy and aims to ensure that all Council's assets are accessible to everyone who lives or visits the New Plymouth District. Its aim is to provide a clear vision for a society where people with impairments can say that they live in a society that highly values their lives and continually enhances their full participation.

Council has obligations under the Local Government Act 2002 in relation to its broad roles in recognising the diversity of communities, and promoting community wellbeing.

Tangata Whenua Māori

In relation to the content of the Accessibility Strategy, Tangata Whenua Māori input and feedback is sought through representation on the Accessibility Issues Working Party. For project specific items that may be incorporated into the action plan, Tangata Whenua Māori considerations are sought on a project by project basis.

Community Views and Preferences

This Strategy affects anyone who is disabled within the New Plymouth district and seeks to make all Council assets fully accessible, wherever possible. This Strategy not only aims to assist those who have physical disabilities, but also those who may not be able to access council facilities because of barriers that prevent access, a good example being pushchairs.

Risk Analysis

The Council is considered to be a leader in dealing with disability issues with the provision of its own internal strategy and being a coalition partner to the Taranaki Disability Strategy.

The risk of not endorsing the annual report may signal that the Council no longer sees value in continuing the work already committed to in improving accessibility within the district.

APPENDICES

Accessibility Strategy Annual Report 2013 (DM1486992)

COASTAL STRATEGY, OAKURA AND URENUI STRUCTURE PLANS IMPLEMENTATION UPDATE

PREPARED BY: Richard Mowforth (Senior Policy Adviser)
 TEAM: Corporate Strategy and Policy
 APPROVED BY: Lucy Graydon (Manager Corporate Strategy and Policy)
 WARD/COMMUNITY: District wide
 DATE: 8 June 2014
 FILE REFERENCE: DM 1550417

PURPOSE

The purpose of this report is to provide the Council with an update on the implementation of the Coastal Strategy, the Oakura Structure Plan and the Urenui Structure Plan.

EXECUTIVE SUMMARY

A review of the implementation of the actions in the Coastal Strategy, the Oakura Structure Plan and the Urenui Structure Plan has been undertaken. This report includes updates on the implementation of each action and provides a summary of the future status of each action.

RECOMMENDATION

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

- a) **That the Coastal Strategy Implementation Plan 2014, the Oakura Structure Plan Implementation Plan 2014 and the Urenui Structure Plan Implementation Plan 2014 be accepted.**
- b) **Notes that the completed actions in the Coastal Strategy Implementation Plan 2014, the Oakura Structure Plan Implementation Plan 2014 and the Urenui Structure Plan Implementation Plan 2014 will require no further action or monitoring.**
- c) **Notes the intention to undertake a district wide coastal erosion project to guide future Council planning and decision making for coastal erosion.**

SIGNIFICANCE ASSESSMENT

In terms of the Council's Significance Policy this matter is of:

Low significance Medium significance High significance

ITEM B2

ITEM FOR DECISION

This matter has been assessed as low significance because this report is for information purposes only and does not require any decisions to be made which may impact on the Council's ability to achieve its levels of service or affect the Council's capacity to perform its role and carry out its activities.

BACKGROUND

The Coastal Strategy was adopted in April 2006. The Oakura Structure Plan and the Urenui Structure Plan were adopted in August 2006. All three documents were developed in partnership with key communities and stakeholders across the district and region. This partnership approach is reflected in the action plans for each document with key stakeholders identified as lead or supporting agencies in the implementation of the actions.

Implementation plans for the Coastal Strategy and the two structure plans were developed between 2006 and 2008 to track implementation of the actions from all three documents.

The Coastal Strategy Implementation Plan, the Oakura Structure Plan Implementation Plan and the Urenui Structure Plan Implementation Plan were updated and reported to Council in 2008 and 2010.

This report covers the third update of the three implementation plans for 2014. The Coastal Strategy Implementation Plan 2014, the Oakura Structure Plan Implementation Plan 2014 and Urenui Structure Plan Implementation Plan 2014 (the 2014 Implementation Plans) are attached in the appendix of this report.

The updated information on the actions for the 2014 Implementation Plans were obtained from the lead agency responsible for the implementation each action.

DISCUSSION

The 2014 Implementation Plans outline progress of the implementation of each action included in the Coastal Strategy, Oakura Structure Plan and Urenui Structure Plan and provide a summary of the future status of each action. Actions in the 2014 Implementation Plans are organised according to the prioritisation set at the time the Coastal Strategy and the two structure plans were developed. The types of actions included are grouped as follows:

- Existing – existing projects currently under way;
- Ongoing – ongoing projects;
- Urgent – to be completed within one year (July 2006 to June 2007);
- High – to be completed within next 2-3 years (July 2007 to June 2009); and
- Medium – to be completed within next 4-10 years (July 2009 to June 2016).

The action progress and action summary information in the 2014 Implementation Plans provides details on some key work programmes and projects that are either currently underway or planned. The following information provides details of these programmes and projects:

District Plan Review

The Council is required to commence a review of the District Plan by August 2015. Work on the District Plan review has now commenced. There are many actions identified in the 2014 Implementation Plans that relate to reviews of sections or rules in the District Plan. These actions will be progressively worked into the District Plan review programme.

District Wide Coastal Erosion Project

There are many actions in the 2014 Implementations Plans relating to coastal erosion. As an outcome of the review of the implementation of the Coastal Strategy, Oakura Structure Plan and Urenui Structure Plan it was identified that there is a need for a more coordinated approach to coastal erosion management to guide planning and decision-making. A district wide coastal erosion project is proposed to be undertaken that will include the following:

- Development of a district coastal erosion management policy.
- Review of the Coastal Erosion Strategy 1995.
- Review of the Natural Hazards section of the District Plan.
- Progression of all relevant coastal erosion actions in the Coastal Strategy and Oakura and Urenui Structure Plans.

An initial research phase will determine the status of coastal erosion in the district to inform the project. The scope of this project will be reported to Council in more detail once this research has been completed.

Waahi Tapu Review Project

The Council is undertaking a Waahi Tapu Review Project. The District Plan currently identifies over 700 Waahi Tapu and archaeological sites. Rules in the District Plan regulate development on or within the vicinity of these sites. The aim of the Waahi Tapu and archaeological site review is to confirm the location of these sites on the District Plan maps and to map their extents where possible. Sites that are not currently formally identified will also be considered for inclusion in the District Plan. There are several actions in the Coastal Strategy, Oakura Structure Plan and Urenui Structure Plan that are in progress or are planned to be undertaken as part of the Waahi Tapu Review Project.

Recreation and Open Space Strategy

The Council is preparing a Recreation and Open Space Strategy (ROSS) which will be reported to Council for approval for public consultation in 2014. ROSS will be a long term planning document that will be used to help the Council plan, develop and manage Council owned recreation and open spaces within the District to meet the current and future needs of the community. There are many actions in the Coastal Strategy, Oakura Structure Plan and Urenui Structure Plan which directly relate to ROSS. It is intended that these actions will be progressed in conjunction with the development and implementation of ROSS.

ITEM B2**ITEM FOR DECISION****OPTIONS**

This report is for information purposes only, as such there are no options to consider.

IMPLICATIONS ASSESSMENT**Local Government Purpose**

The matter comes within the scope of the Council's lawful powers, including satisfying the purpose statement in section 10 of the Local Government Act 2002. The matter will enable the Council to meet the current and future needs of communities for good quality (i.e. efficient, effective and appropriate to present and anticipated future circumstances):

Local Infrastructure Local public services Performance of regulatory function

The actions in the Coastal Strategy, Oakura Structure Plan and the Urenui Structure Plan are related to local infrastructure, local public services and performance of regulatory functions.

Community Outcomes

This matter contributes to the following community outcomes:

Connected Skilled Prosperous Secure and Healthy
 Together Vibrant Sustainable

The actions in the Coastal Strategy, Oakura Structure Plan and the Urenui Structure Plan relate to all the community outcomes.

LTP / Annual Plan

Is this matter currently budgeted for? Yes No

Not all of the actions in the Coastal Strategy, Oakura Structure Plan and the Urenui Structure Plan are currently budgeted.

There are some updates on the actions in the 2014 Implementation Plans that are yet to be planned or budgeted for. This is because it is a long term strategy. These actions will be assessed and planned at a later date and will be reported to Council for approval if required.

Consistency with Policy and Plans

The 2014 Implementations Plans are consistent with the Coastal Strategy, Oakura Structure Plan and Urenui Structure Plan.

Legal

There is no legal requirement for the Council to have a Coastal Strategy, Oakura Structure Plan or Urenui Structure Plan.

The implementation of the Coastal Strategy, Oakura Structure Plan and Urenui Structure Plan must be consistent with the Council's statutory and legal obligations under various legislation including the Resource Management Act and Local Government Act.

Tangata Whenua Maori

Tangata Whenua were extensively consulted regarding the preparation of the Coastal Strategy, Oakura Structure Plan and Urenui Structure Plan.

Community Views and Preferences

The New Plymouth District community was extensively consulted regarding the preparation of the Coastal Strategy, Oakura Structure Plan and Urenui Structure Plan.

Key stakeholders in the implementation of the Coastal Strategy, Oakura Structure Plan and Urenui Structure Plan were consulted during the review of implementation of these documents.

Risk Analysis

Failure to implement actions from the Coastal Strategy, Oakura Structure Plan and Urenui Structure Plan within the specified timeframes presents a risk in terms of meeting community expectations on the delivery of these actions.

APPENDICES

Coastal Strategy Implementation Plan Updated 2014 – DM1480191

Oakura Structure Plan Implementation Plan Updated 2014 – DM1500007

Urenui Structure Plan Implementation Plan Updated 2014 – DM1517453

LOCAL AUTHORITY ELECTIONS – ELECTORAL SYSTEM

PREPARED BY: Julie Straka (Manager Democratic Services)
TEAM: Democratic Services
APPROVED BY: Simon Pickford (Manager Executive Services)
WARD/COMMUNITY: District Wide
DATE: 13 June 2014
FILE REFERENCE: DM 1564202

PURPOSE

The purpose of this report is to seek a decision by the Council on the voting system to be used for the 2016 triennial election of the Mayor, councillors and community board members. This decision is a statutory requirement under the Local Electoral Act 2001.

EXECUTIVE SUMMARY

The Local Electoral Act 2001 (the Act) prescribes two electoral systems for use in local elections and polls. The two available systems are first past the post (FPP) and single transferable vote (STV). New Plymouth District Council currently uses the FPP system. This report outlines the options available under the Act to change the electoral system.

RECOMMENDATION

That having considered all matters raised in the report:

EITHER

- a) **The Council resolves that there be no change to the electoral system and the first past the post system continue to be used.**
- b) **That public notice be given (no later than 19 September 2014) advising electors of their right to demand a poll on the matter.**

OR

- a) **The Council resolves to change the electoral system and the single transferable system be used for the 2016 and 2019 triennial elections.**
- b) **That public notice be given (no later than 19 September 2014) advising electors of their right to demand a poll on the matter.**

ITEM B3**ITEM FOR RECOMMENDATION****SIGNIFICANCE ASSESSMENT**

In terms of the Council's Significance Policy this matter is of:

Low significance Medium significance High significance

This matter has been assessed as medium significance. The voting system used impacts on the community. Electors need to be able to understand the voting systems to enable them to cast eligible votes. While there has been no obvious indication of a desire to change voting systems, the Council's choice of voting system will be publicly advertised, and the public have the opportunity to call for a legally binding poll. The choice of voting system may also have financial and resourcing implications.

BACKGROUND

The two electoral systems available for Councils are:

- a) First Past the Post (FPP)
Voters tick the names of candidates they wish to vote for. The voter can vote for as many candidates as there are positions to be filled. The candidates with the most votes are elected to the Council.
- b) Single-Transferable Vote (STV)
Voters use numbers to rank candidates in their order of preference. A voter would write "1" next to their favourite candidate, "2" next to their second favourite and so on. Voters may rank as many of the candidates as they wish. A quota (determined from the number of valid votes and number of positions) is used to determine who is elected.

The electoral system for a Council can be changed through one of the following processes:

- a) Resolution to change the system. To take effect for the 2016 election, the resolution must be passed by 12 September 2014. Following a decision to change, a poll on the decision must be held if five percent of the electors of the New Plymouth District request one.
- b) A decision by the Council to hold a poll on whether the electoral system should be changed.
- c) A poll on electoral systems required to be held following receipt of a petition signed by five percent of the electors of the New Plymouth District.

All polls are binding on the Council.

Any change of electoral system, whether as a result of a poll or Council decision, applies for the next two elections.

DISCUSSION

FPP Electoral System

The FPP electoral system has been used for every local council election in this district and is also used by the Taranaki Regional Council and other Taranaki territorial authorities. It is a very simple method of electing candidates and is widely used throughout the world. It is the most widely understood electoral system.

Under FPP electors place a tick next to the name(s) of the candidate(s) they are voting for. The candidate(s) with the most votes wins.

STV Electoral System

In the STV electoral system, each elector has only one vote, hence the name “single transferable vote”. It is a form of preferential or proportional voting where the elector ranks some or all of the candidates in order of their personal preference. In order for a vote to be valid, an elector needs to rank at least one candidate but is able to rank more or all candidates. This enables each elector’s single vote to be transferred from their most preferred candidate to their second preference, and so on, if their preferred candidate has either more votes than required to be elected, or so few as to have no chance of being elected.

Counting STV votes is done using specially developed computer software. There is a “quota”, which is the number of votes a candidate needs to be elected, and a “keep value” which is the portion of the vote they need to reach the quota and be elected but allows any extra or surplus votes to be transferred to other candidates according to the elector’s preferences.

The counting process tallies all first preference votes. A candidate is elected if they reach the quota and keeps only the proportion of the vote they need to reach the quota. The surplus part of each vote is transferred to the voter's second preference.

The votes are tallied again. If another candidate reaches the quota or gets more votes than they need to be elected, the surplus part of each vote for that candidate will be transferred to the voter's third preference.

If no more candidates have enough support to get elected (i.e. reach the quota), the lowest polling candidate is eliminated and all votes for that candidate are transferred to those voters' next preferences.

This process is repeated until enough candidates are elected to fill the vacant positions.

Proportionality

FPP is not a form of proportional representation. This means that elected members may not necessarily reflect the range of opinions in proportion to the electors of the district or region holding those opinions. Many votes cast may be considered ‘wasted’ because successful candidates often receive many more votes than they need to be elected.

STV is a broadly proportional electoral system. It provides effective representation for all significant points of view. It cannot, however, guarantee that there will be an increased diversity of representation. STV is widely considered to reflect voters' wishes better than other electoral systems. Each vote is of equal value at any given point in the count, and very few votes are 'wasted' by not being able to help elect at least one candidate.

Single Vacancies or Multiple Vacancies

There is no pre-determined size for STV wards, but between three and nine representatives is generally regarded as providing benefits of additional proportionality reflecting voters' preferences. Larger units electing a greater number of representatives (e.g. New Plymouth City Ward) are possible, but risk making the voters' task very onerous.

Under STV, elections for mayoralties and single-member wards will provide an absolute majority (50% + 1 of all valid votes cast) for the winning candidate. Since there are usually a number of candidates contesting these elections, it is likely that voters' second and even third preferences will have to be allocated before the winning candidate attains the quota.

Advantages and Disadvantages

FPP is a straightforward system of voting and counting and is familiar to most people. Results are published simply and are easy to understand, and who 'won' and who 'lost', or who 'topped the poll' or who 'just made it', is easy to determine.

STV is more complex, particularly the counting and is not as familiar to most New Zealanders. The public's knowledge of STV is still very poor and the number of informal and blank votes in STV elections throughout the country remains high in comparison to FPP elections. This is partly attributable to lack of knowledge about STV but is also the result of two voting systems on the combined voting document.

Under STV any 'on the day' results are far less indicative of final or official results. Accordingly there is likely to be a greater delay before results are available. The results of STV elections can be published in a form that enables people to identify which candidates have been successful and which have not. However the notice does not so readily identify the candidate with the greatest level of voter support as all successful candidates are elected with the same proportion of the vote.

One of the arguments in support of STV is that it is a fairer system and candidates from ethnic and minority backgrounds have a better chance of being elected under this system. This has not been proved in those local authorities where STV elections have been held.

Use of STV in other Authorities

In 2013, the following councils used the STV system:

- Dunedin City Council
- Kapiti Coast District Council
- Marlborough District Council
- Palmerston North City Council
- Porirua City Council

ITEM FOR RECOMMENDATION**ITEM B3**

- Wellington City Council
- Wellington Regional Council

The Kaipara District and Canterbury Regional councils are currently governed by a Commission and did not have elections in 2013. All remaining councils used the FPP system.

The following table shows the number of councils using STV since the 2004 election.

Election	Number of councils using STV
2004	10
2007	8
2010	6
2013	7

All district health boards are elected under the STV system.

OPTIONS

The Local Electoral Act 2001 provides only the options of FPP or STV electoral systems.

IMPLICATIONS ASSESSMENT**Local Government Purpose**

The matter comes within the scope of the Council's lawful powers, including satisfying the purpose statement in section 10 of the Local Government Act 2002. The matter will enable the Council to meet the current and future needs of communities for good quality (i.e. efficient, effective and appropriate to present and anticipated future circumstances):

Local Infrastructure Local public services Performance of regulatory function

Community Outcomes

This matter contributes to the following community outcomes:

Connected Skilled Prosperous Secure and Healthy
 Together Vibrant Sustainable

Community outcomes are the outcomes that the Council aims to achieve in meeting the current and future needs of communities for good-quality local infrastructure, local public services and performance of regulatory functions.

The consideration of community outcomes under section 77(1)(b)(ii) of the Local Government Act 2002 is addressed under 'Options' in this report.

ITEM B3**ITEM FOR RECOMMENDATION**

Local authority elections are the mechanism that enables the community to choose its representatives to make decisions in the best long-term interests of their communities. The electoral system used (FPP or STV) is the direct link with the voters, allowing them to record their choice/s of candidate/s.

LTP / Annual Plan

Is this matter currently budgeted for? Yes No

While there is provision in the budget for elections, there is no budget allocated for the holding of a poll (whether Council or community initiated). The cost of a poll would be covered from the election reserve and topped up the following financial year.

A review of the provision of election management services is currently underway. Costs for provision of future elections is not yet known.

Consistency with Policy and Plans

The matter is consistent with the Council's plans and policies.

Legal

The actions arising from this report will ensure that the Council complies with the Act.

Tangata Whenua Maori

The Local Government Act 2002 sets principles and requirements for local authorities that are intended to facilitate participation by Māori in local authority decision-making processes.

As stated above, one of the arguments in support of STV is that it is a fairer system and candidates from ethnic and minority backgrounds have a better chance of being elected under this system. It is possible therefore that STV provides a better chance for Māori to be elected. However, this has not been proven in those local authorities where STV elections have been held.

Community Views and Preferences

The whole community is ultimately affected by this issue. Consultation has not been undertaken as there have been no strong indications from the community of a desire to change the system. One submission on the matter was received to the 2014/15 Annual Plan. Electors have a right to demand a poll on the matter and the Council must advertise this. If it appeared that there was support for STV, the Council could still resolve (no later than 28 February 2015) to hold a poll.

Risk Analysis

A change in the electoral system could cause confusion for the voters. Should the Council choose to change the voting system, information on the voting systems would need to be made widely available.

DISTRICT PLAN & RESOURCE MANAGEMENT ACT STATUS OF WAITARA RIVERBANK NOTABLE TREES ON LAND DESIGNATED FOR FLOOD PROTECTION WORKS

PREPARED BY: Ralph Broad – Manager Consents
 TEAM: Consents
 APPROVED BY: Liam Hodgetts – General Manager Environment & Regulatory Services
 WARD/COMMUNITY: Waitara
 DATE: 17 June 2014
 FILE REFERENCE: DM 1565182

PURPOSE

To provide information detailing the District Plan and Resource Management Act status of the District Plan notable trees on the Waitara River embankment.

EXECUTIVE SUMMARY

The District Plan shows the notable trees are within land designated by the Taranaki Regional Council (TRC) for “Lower Waitara River Flood Protection and River Control Scheme”. This designation overrides the notable tree protection rules that would otherwise apply.

Therefore:

- i. The TRC may remove the trees without the need for resource consent, and
- ii. The planting of replacement trees and the formation of a replacement walkway on the designated land once the flood protection work is completed, will require TRC approval.

RECOMMENDATION

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

SIGNIFICANCE ASSESSMENT

In terms of the Council’s Significance Policy this matter is of:

Low significance Medium significance High significance

This matter has been assessed as medium significance because while the status of the notable trees is subject to legislative process under the District Plan and RMA, the pending removal of the trees is an important issue of concern to the Waitara Community.

ITEM B4

ITEM FOR RECOMMENDATION

BACKGROUND

The Taranaki Regional Council have advised that they intend to augment the existing flood protection works on the Waitara River embankments to increase the degree of flood protection for the low lying areas of Waitara to provide for a 1 in 100 year flood event. This work will necessitate the removal of two groups of riverside trees noted on the District Plan. These trees were included in the District Plan primarily because they were healthy specimens in a prominent location.

DISCUSSION

District Planning map for Waitara shows two groups of notable trees #297 and #298 within a designation L2. Designation L2 encompasses the Waitara River and its embankments.

The notable tree listing details for these two tree groups describe the groups as 13 Norfolk Island Pine trees and 116 Pohutukawa trees. All the trees are Category 2 items.

Under District Plan rule OL50 Category 2, Notable Trees can be removed where a Council approved arborist considers the tree(s) unsafe or removal would benefit other desirable trees. Otherwise resource consent would normally be required to remove the trees.

The land on which the trees are located is subject to Designation L2.

Designations are provided for within the Resource Management Act to provide for and protect significant proposed or established infrastructure, public facilities and works. This council has a considerable number of designations.

The designated purpose of designation L2 is stated as “Lower Waitara River Flood Protection and River Control Scheme”. The owner (the requiring authority) for the designation is the Taranaki Regional Council.

Once land is designated, the designated purpose overrides any underlying District plan rules and notations, such as those that would normally apply to the notable trees.

Where a designation detail has not been provided to the NPDC and the physical works relating to the designation have yet to be commenced, an Outline Plan is required to be submitted to the council. The council cannot decline an Outline Plan but may “request” changes.

In this case the flood control works are in place. The TRC intend to increase the flood protection capability of the existing works by raising the embankments 1.5 to 2 metres. In these circumstances an Outline Plan is not needed.

Given the above, the Taranaki Regional Council, as the requiring authority, may remove the trees without resource consent as this work is for the flood protection purposes provided for by the designation.

ITEM FOR RECOMMENDATION**ITEM B4**

Where an activity is proposed on designated land that falls outside the scope of the designation, such as a riverside walkway and replacement plantings on the L2 stop banks, the RMA requires that the permission of the TRC, as the requiring authority is needed.

This should not be an issue as the TRC have already indicated that they are agreeable in principle to the reinstatement of plantings and the walkway on the embankments and joint design concepts for the walkway, its linkages and replacement plantings are intended to be prepared and presented at a later date.

OPTIONS

The Taranaki Regional Council have a statutory right to remove the Notable Trees to enable the proposed flood protection works specified by the designation. Also the carrying out works on the designated land other than for flood protection or river control is only possible under the RMA with the approval of the Taranaki Regional Council.

The TRC have indicted their acceptance in principle to the reinstatement of the walkway and its planting on the augmented flood protection works.

IMPLICATIONS ASSESSMENT**Local Government Purpose**

The matter comes within the scope of the Council's lawful powers, including satisfying the purpose statement in section 10 of the Local Government Act 2002. The matter will enable the Council to meet the current and future needs of communities for good quality (i.e. efficient, effective and appropriate to present and anticipated future circumstances):

Local Infrastructure Local public services Performance of regulatory function

The Waitara River bank is within the Waitara urban area and currently provides an important recreational amenity for the Waitara community. These existing recreational and amenity values should be recognised.

Community Outcomes

This matter contributes to the following community outcomes:

Connected Skilled Prosperous Secure and Healthy
 Together Vibrant Sustainable

Community outcomes are the outcomes that the Council aims to achieve in meeting the current and future needs of communities for good-quality local infrastructure, local public services and performance of regulatory functions.

The consideration of community outcomes under section 77(1)(b)(ii) of the Local Government Act 2002 is addressed under 'Options' in this report.

ITEM B4

ITEM FOR RECOMMENDATION

Consistency with Policy and Plans

The matter is consistent with the Council's plans and policies, including the operative District Plan.

Legal

The matter is subject to the provisions of the District Plan and the Resource Management Act.

Tangata Whenua Maori

The Waitara River is recognised as being of cultural importance to mana whenua.

Community Views and Preferences

The Waitara community is concerned at the impending removal of the trees. Reducing flood risk is important work for Waitara that needs to proceed. The work is negative in amenity and recreational outcomes initially but the TRC have indicated they accept the reinstatement of plantings and the walkway once the flood control work is complete.

Risk Analysis

The flood protection work should proceed without undue delay.