

MINUTES OF WAITARA COMMUNITY BOARD

File Reference: ECM8102447
Meeting Date: Friday 23 August at 9am.
Venue: Waitara Library & Service Centre
Members Present: Mr Andrew Larsen (Chairman), Mr Joe Rauner (until 11.21am), Mr Trevor Dodunski, Mr Jonathan Marshall and Cr Colin Johnston

Non-members Present: Councillors Murray Chong, Harry Duynhoven, Alan Melody and John Williams.

Community Board Chairperson Ken Bedford (Clifton)

Staff in Attendance: Nadia Phillips, Ian Baker, Stuart Scarle, David Langford, Mitchell Dyer, Miranda Petersen, Cheryl McGrath, Kate Keegan

Conflicts Of Interest:

Andrew Larsen – Application for Temporary Road Closure – Taranaki Car Club, Waitara Street Sprints

Public Comment:

Vicky Dombroski (Waitara Alive) - Upcoming White Ribbon Event.

Due to Mr Larsen making a deputation, he stood down as Chairperson, and Mr Rauner Chaired the meeting.

Acknowledgment:

Mr Rauner acknowledged the contribution of Cr John McLeod for his support to the Waitara Community Board. He also acknowledged Councillors and candidates taking part in the up-coming Local Body elections.

Deputation:

Mr Andrew Larsen and Ms Larni Burkhart (Taranaki Car Club).

At the conclusion of the deputation, Mr Larsen returned to the table to chair the meeting.

Confirmation of Minutes of Previous Meeting

File Reference: ECM8064811

Moved: Mr Rauner)

Seconded: Mr Marshall)

Resolved:

That the minutes of the Waitara Community Board meeting dated 12 July 2019 and the proceedings of the said meeting, as previously circulated, not be taken as read and accepted.

Carried

MATTERS FINALLY DETERMINED BY THE WAITARA COMMUNITY BOARD UNDER DELEGATED AUTHORITY AND REFERRED TO THE COUNCIL FOR INFORMATION AND RECORD

1. Members Activity Report – Andrew Larsen

File Reference: ECM8094132

This report advises of the community board activities of Andrew Larsen in the period to 14 August 2019.

Resolved:

Moved: Mr Larsen)

Seconded: Mr Rauner)

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

Carried

2. Members Activity Report – Trevor Dodunski

File Reference: ECM8094158

This report advises of the community board activities of Trevor Dodunski in the period to 14 August 2019.

Resolved:

Moved: Mr Dodunski)

Seconded: Mr Rauner)

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

Carried

Resolved:

Moved: Cr Johnston)

Seconded: Mr Rauner)

That, having considered all matters raised in the report, the Waitara Community Board request that the Chief Executive immediately start the process of seeking a resource consent to construct a rock sea wall to protect the entire dump site, including the Battiscombe Tce carpark.

Carried

ITEMS FOR FINAL DETERMINATION BY THE COUNCIL

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

File Reference: 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.

Recommendation:

Moved: Cr Johnston)

Seconded: Mr Marshall)

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

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.

Carried

Due to Mr Larsen's declared conflict, he stood down as Chairperson, and Mr Rauner Chaired the meeting for the preceding item.

Mr Larsen took part in the debate on the preceding item. However, he requested his abstention from voting be recorded.

4. Animals Bylaw – Initiation of Review

File Reference: 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.

Recommendation:

Moved: Mr Rauner)

Seconded: Mr Marshall)

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

5. Cemeteries and Crematoria Bylaw Review - Adoption of Statement of Proposal for Public Consultation

File Reference: ECM8001593

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

Recommendation:

Moved: Mr Marshall)

Seconded: Mr Rauner)

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

6. Housing and Business Capacity Assessment for New Plymouth District

File Reference: 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.

Recommendation:

Moved: Cr Johnston)

Seconded: Mr Marshall)

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

Carried

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

File Reference: 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.

Recommendation:

Moved: Mr Rauner)

Seconded: Mr Marshall)

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

Carried

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

File Reference 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.

Recommendation:

Moved: Mr Dodunski)

Seconded: Mr Rauner)

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

Carried

9. 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 New Plymouth District Council (Waitara Lands) Act 2018

File Reference: 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.

Recommendation:

Moved: Cr Johnston)

Seconded: Mr Marshall)

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.

Schedule A

Section SO 496323	Area m ²	Freehold Record of Title	Road Requirement	Land
3	0.2477	Part 658872 Limited	Extension to Battiscombe Terrace	
4	0.0612	Part 725697	Legalise part Browne Road Extension – currently not legal road	
5	0.0304	Part 658872 Limited	Extension to West Beach Road	
6	0.4448	Part 658872 Limited	New road (<i>recorded for asset purposes only as Marine Park Road 1</i>) vesting off West Beach for legal access to Marine Park, Waitara Camp ground Regional Council Waitara Boat Club leased land and to facilitate ownership of the Council's Waitara Waste water pump stations and reduce need for an	

			array of additional easements to be created
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- c) Notes that Survey Office Plan 496323 also delineated the following, land parcel in Schedule B, being land developed as part of the public work for the "Waitara Flood Protection Stop bank" required to be declared and vested pursuant to the provisions of the Public Works Act 1981, in the Taranaki Regional Council ownership at a nominal consideration of \$1 (if demanded) for compensation purposes, as a Local Purpose (soil conservation, river control purposes) Reserve subject to the Reserves Act 1977.
- d) Notes that the vesting of land for road and local purpose reserve could not for legal reasons be provided for under the provisions the New Plymouth District Council (Waitara Lands) Act 2018.
- e) Notes that this land was formerly held for municipal purpose subject to Section 9 of the Waitara Harbour Act 1940 in which that Council held a contingent interest.

Schedule B

Section SO 496323	Area m ²	Freehold Record of Title	Land Requirement
8	0.0547	Part 658872 Limited	Local Purpose (soil conservation, river control purposes) Reserve subject to Reserves Act 1977

- f) Notes that in terms of SO Plan 496323 that in 2016 the Transportation Team has approved the land requirements for the additional road requirements and the location of the waste water pump station within the road corridor has been approved by the Water and Waste Team.
- g) Notes that SO Plan 496323 was submitted in 2016 to both Te Atiawa (Te Kotahitanga o Te Atiawa Trust) and hapū of Otaraoa and Manukorihi (latter now formed as the "Te Kōwhatu Tū Moana" (incorporated Trust Board) as part of due diligence and disclosure.

h) Approves:

1. Pursuant to Section 114(1) of the Public Works Act 1981, the declaration and vesting and gazettal as legal road of the land parcels in Schedule A, and;
2. Pursuant to Sections 17 and 20 of the Public Works Act 1981 to the declaration and vesting and gazettal of the land in Schedule B, in the Taranaki Regional Council at a nominal compensation consideration of \$1, as local purpose (soil conservation, river control and recreation purpose) reserve subject to the Reserves Act 1977 and;
3. Approves the Principal Administrative Officer Declaration seeking the Minister for Land Information's consent to the declarations and gazettal thereto of the land parcels in 1 and 2.

Carried

10. District-wide Road Safety Review

File Reference: EC8077645

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.

Recommendation:

Moved: Cr Johnston)

Seconded: Mr Rauner)

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

Carried

11. Freedom Camping Update Report

File Reference: ECM8021589

1. 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.
2. The Council adopted an amended bylaw, which became operative on 14 December 2018. The Bylaw restricts not self-contained (NSC) freedom camping to three areas and 15 carpark spaces at those three locations. NSC campers are restricted to staying one 24 hour period in any 30 day period at

any of these three sites. The Bylaw is significantly stricter in its controls than any previous bylaw due to the feedback received by the community in 2017 and 2018.

3. A total of 149 infringement fines have been issued for the period December 2018 to May 2019. The majority of fines were issued at the three NSC locations, Lake Rotomanu, Corbett Park, and Battiscombe Terrace.
4. There has been no negative feedback directed at either the Parks team or Armourguard staff from the community. Freedom camping areas were kept tidy with no loose rubbish, vandalism or damage.
5. Designated parking areas and improved signage contributed to a better understanding of the rules for freedom camping in the district by campers, however additional monitoring checks at night and in the morning would likely result in greater compliance with the Bylaw.

Recommendation:

Moved: Mr Larsen)

Seconded: Mr Marshall)

That, having considered all matters raised in the report:

- a) The report be noted; and
- b) The Waitara Community Board request further discussion on the regulatory approach to freedom camping including compliance monitoring and enforcement operations of the Bylaw.

Carried

Mr Rauner left the meeting at 11.21am, part-way through the discussion on the preceding item.

The meeting closed at 11.25am.