

## **MINUTES OF COUNCIL MEETING**

**File Reference:** ECM 7574701

**Meeting Date:** Tuesday 14 November 2017 at 3.30pm

**Venue:** Civic Centre, Liardet Street, New Plymouth.

**Members Present:** Mayor Neil Holdom, Councillors Shaun Biesiek, Gordon Brown, Murray Chong, Harry Duynhoven, Richard Handley, Stacey Hitchcock, Colin Johnston, Richard Jordan, John McLeod, Alan Melody, Mike Merrick, Marie Pearce and Roy Weaver

### **Non Members Present:**

Community Board Chairpersons Doug Hislop (Kaitake), Kevin Rowan (Inglewood), Ken Bedford (Clifton), Andrew Larsen (Waitara) and Community Board Member Jonathan Marshall (Waitara)

### **Staff in Attendance:**

Craig Stevenson, Alan Bird, Kelvin Wright, Liam Hodgetts, Jacqueline Baker, Julie Straka, Jan Holdt, Gaye Batty, Callum Williamson, Simon Rees, Colleen Mullin, Delwyn Masters, Teresa Turner, Cheryl McGrath, Mitchell Dyer, David Langford, Katrina Brunton, Mimie Van der Merwe, Meldin Moos, Jo Eagar, Kathryn Scown, Kimberley Hope, Juliet Johnson

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### **Apologies**

#### *Council Resolution:*

Cr McLeod )

Cr Pearce )

That the apologies for absence from Cr John Williams be received.

Carried

### **Declarations**

Crs Johnston and Pearce declared that whilst they were not in attendance at the Gambling Venues and TAB Venues Policy hearing they had read all submissions and listened to the recorded hearing.

Cr Melody declared that whilst he was not in attendance at the Gambling Venues and TAB Venues Policy or the Waste Management and Minimisation hearings he had read all submissions and listened to the recorded hearings.

### **Public Forum**

- Therese Campbell and Howie Tamati (Sport Taranaki update)
- Blair Riddick (BMX Nationals 2018)
- Malcolm Pearce (Habitat for Humanity)
- Frank Kerlake (Onaero Foreshore Protection Group)

### **Deputations re Len Lye Centre**

- Elaine Gill and Lynn Bublitz
- Kim Dunlop-Roberts and Doug Bird (Friends of Govett-Brewster Art Gallery)
- Morris West
- Alessandra Keighley
- Susan Hughes (Len Lye Foundation)

*The meeting was adjourned at 5.20pm and reconvened at 5.30pm.*

## **Minutes**

### Council Resolution:

Cr McLeod )

Cr Biesiek )

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

5 October 2017

10 October 2017

31 October 2017

Carried

## **Committee Minutes**

### Council Resolution:

Cr Biesiek )

Cr Handley )

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

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

Te Huinga Taumatua 26 October 2017

Planning Committee 1 November 2017

Performance Committee 2 November 2017

Carried

## Decisions from the Planning Committee

Meeting Date: Wednesday 1 November 2017  
Members Present: Councillor Roy Weaver (Chairperson); Mayor Neil Holdom, Councillors Stacey Hitchcock, Shaun Biesiek, Murray Chong, Richard Handley, Alan Melody, Mike Merrick  
Non-Members Present: Councillors Harry Duynhoven, John McLeod, Colin Johnston, Richard Jordan, Gordon Brown and Marie Pearce  
Community Board Chairpersons Kevin Rowan (Inglewood), Ken Bedford (Clifton) and Doug Hislop (Kaitake)

## Minutes

### Planning Committee Resolution

Cr Biesiek )

Cr Handley )

That the minutes of the Planning Committee meeting (27 September 2017) and the proceedings of the said meeting, as previously circulated, be taken as read and confirmed as a true and accurate record.

Carried

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

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### **1 District Plan Review Update Report**

ECM 7536035

The purpose of this report is provide an update on the District Plan Review and to identify the key steps and communication methods leading up to the release of the Draft Digital District Plan for wider community feedback early next year.

#### Planning Committee Resolution:

Mayor Holdom )

Cr Hitchcock )

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

Carried

### **2. Tapuae Roa: Make Way for Taranaki Strategy**

ECM 7554839

The purpose of this report it to present the *Tapuae Roa: Make Way for Taranaki Strategy* to the Council.

#### Planning Committee Resolution:

Cr Hitchcock )

Cr Chong )

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

Carried

## Decisions from the Performance Committee

Meeting Date: Thursday 2 November 2017

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

Non-members Present: Councillors Mike Merrick, Shaun Biesiek (to 5.10pm), Richard Handley, Stacey Hitchcock

Community Board Chairpersons Doug Hislop (Kaitake), Kevin Rowan (Inglewood), Ken Bedford (Clifton), Andrew Larsen (Waitara) and Community Board Member Jonathan Marshall (Waitara)

Stuart Trundle and Michelle Jordan (VTT)

## Minutes

### Performance Committee Resolution

Cr Pearce )

Cr Brown )

That the minutes of the Performance Committee meeting (28 September 2017) be 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. **Venture Taranaki Trust Quarter One 2017/18 Report**

ECM7556137

The purpose of this report is to present the Venture Taranaki Trust (VTT) Quarter One Report for the period 1 July to 30 September 2017 to the Council.

#### Performance Committee Resolution:

Cr Duynhoven )

Cr Pearce )

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

Carried

### 2. **Performance Report for Period 1 July to 30 September 2017**

ECM7555243

The purpose of this report is to advise of the Council's performance for the first quarter (1 July to 30 September 2017) of the 2017/18 financial year.

#### Performance Committee Resolution:

Mayor Holdom )

Cr Brown )

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

Carried

3. **New Concessional Land and Building Lease for Inglewood Scouts and Guides – Carnival Park, Inglewood**

ECM7538986

The matter for consideration by the Council is granting a new concessional land and building lease (in lieu of expired lease) at Carnival Park Inglewood, to The Scout Association of New Zealand and The Girl Guides Association of New Zealand Inc (the Associations) to allow the continued operation of the Associations.

Performance Committee Resolution:

Cr Pearce )

Cr Brown )

That having considered all matters raised in the report:

- a) Notes that the lease held by The Scout Association of New Zealand and The Girl Guides Association of New Zealand Inc (the Associations) at Carnival Park, Inglewood has expired and the Associations are seeking a new land and building lease.
- b) Approves pursuant to Section 54 (1) (b) of the Reserves Act 1977, a new lease to The Scout Association of New Zealand and The Girl Guides Association of New Zealand Inc of 700 square metres more or less, over the hall and part of the land comprising Carnival Park (Section 122 Town of Inglewood) highlighted red on the plan in Appendix One, with the same terms and conditions as the previous lease but subject to the following additional terms and conditions:
  - i) The term of the lease will be 10 years commencing 1 December 2017, with one 10 year right of renewal.
  - ii) The new rental to be \$1 + GST per annum for the land rental and \$281.02 + GST per annum for the building rental in accordance with the Community Funding Investment Policy.
  - iii) The cost of the solicitor's fee for preparing the lease document (estimated to be \$900 exclusive of GST) will be invoiced to the Associations.
  - iv) The Associations will be responsible for all opex and capex costs associated with the building (including but not limited to repairs, maintenance, internal structure, external fabric, any applicable rates and taxes (including Taranaki Regional Council rates) and insurance of the building.
  - v) The Property Manager is authorised to approve the final lease terms and conditions and any minor adjustment to the lease area.

Carried

*Mayor Holdom, having declared an interest, withdrew from the table and took no part in the discussion or voting on the preceding matter.*

4. **Infrastructure Professional Services Collaborative Contract**

ECM7539086

This report provides the Council with a summary of the performance of the Infrastructure Professional Services Collaborative Contract at the end of its first year of operation.

Performance Committee Resolution:

Cr Pearce )

Cr Duynhoven )

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

Carried

5. **Delegated Authority Contracts**

ECM7459921

To inform Council of contracts with a value in excess of \$250,000 awarded in the period 1 April to 30 June 2017.

Performance Committee Resolution:

Cr Duynhoven )

Cr Johnston )

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

Carried

6. **Temporary Road Closures - Taranaki Car Club Mataro Road and Wortley Road Car Sprint Events**

ECM7533685

The matter for consideration by the Council is an application for the temporary closure of roads in the New Plymouth District to enable the Taranaki Car Club to hold motorsport events on Wortley and Mataro roads.

Performance Committee Resolution:

Cr Duynhoven )

Cr Brown )

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

a) Taranaki Car Club Wortley Road Car Sprints

Road to be closed: Wortley Road from the intersection with Richmond Road to rapid number 118 Wortley Road.

Date and period of closure: from 7am to 5pm on Saturday 25 November 2017.

b) Taranaki Car Club Mataro Road Car Sprints

Road to be closed: Mataro Road south from the intersection with Hickman Road.

Date and period of closure: from 7am to 5pm on Sunday 26 November 2017.

The above road closures are subject to the conditions outlined in correspondence from the New Plymouth District Council to the Taranaki Car Club dated 6 September 2017.

The conditions for each requested temporary road closure are identical. Refer Appendix 1.

Carried

7. **Temporary Road Closures – New Plymouth, Waitara, Inglewood and Bell Block Christmas Parades 2017**

ECM7482718

The matter for consideration by the Council are applications for the temporary closure of roads in New Plymouth, Waitara, Inglewood and Bell Block to enable Lions organisations to hold Christmas Parades in each location.

Performance Committee Resolution:

Cr Johnston )

Cr Duynhoven )

That having considered all matters raised in the report the road closures for the following events be approved:

a) New Plymouth Christmas Parade

Date and period of closure: from 5pm to 7.30pm on Saturday 25 November 2017.

Roads to be closed:

- Devon Street West and Devon Street East from Dawson to Eliot streets
- Dawson Street from Powderham (SH45) to King streets
- Queen Street from Devon Street West to King Street
- Robe Street from Devon Street West to Powderham Street
- Egmont Street from Devon Street West to King Street
- Brougham Street from Powderham to King streets
- Currie Street from Courtenay to Ariki streets
- Liardet Street from Courtenay to Gill streets
- Gover Street from Courtenay to Gill streets
- James Lane
- Boon Lane
- Currie Lane

Affected adjoining roads: Devon Street West between Weymouth and Dawson streets, Eliot Street, Moller, State and Boon lanes.

b) Waitara Christmas Parade

Date and period of closure from 9.30am to 11.30am on Saturday 9 December 2017.

Roads to be closed:

- McLean Street from Cracroft Street to West Quay.
- Queen Street from McLean to Whitaker streets.
- Whitaker Street from Queen Street to West Quay.
- West Quay from Whitaker to McLean Streets.
- Memorial Place from Whitaker to McLean streets.

Affected adjoining roads: Courthouse and Wrights lanes (service lanes).

c) Inglewood Christmas Parade

Date and period of closure: from noon to 2pm on Saturday 9 December.

Roads to be closed:

- Matai Street (SH3) from Brookes Street to Rata Street (SH 3).
- Rata Street from Rimu Street (SH3a) to Brown Street.
- Cutfield Street from Rata to Brookes streets.
- Kelly Street from Brown to Matai streets.

d) Bell Block Christmas Parade

Date and period of closure: from 4.30pm to 6pm on Saturday 2 December.

Roads to be closed:

- Bell Block Court.
- Tahana Lane.
- Wynyard Street from Bell Block Court to Murray Street.
- Chesney Street.
- Murray Street from Wynyard Street to Nugent Street.
- Jeffery Lane (service Lane).

The above road closures are subject to the conditions outlined in letters sent to each Lions organisation during August and September 2017. The road closure conditions and requirements stated in each of these letters is identical. Refer appendix 1 for a copy of the letter to the New Plymouth Lions.

*An amendment was moved at the Performance Committee*

Cr McLeod

Cr Johnston

That there be no parking from Matai Street (SH3) along Brookes Street to Cutfield Street during the period of the road closure.

*The amendment was carried*

*The substantive motion was put and carried*

8. **Temporary Road Closure - HMNZS Endeavour Charter Parade**

ECM7527076

The matter for consideration by the Council is an application for the temporary closure of a section of Queen Street in New Plymouth to enable the New Plymouth District Council and HMNZS Endeavour to hold a parade.

*Performance Committee Resolution:*

Mayor Holdom )

Cr Brown )



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

HMNZS Endeavour Charter Parade

Date and period of closure: from 10am to noon on Saturday 18 November 2017.

Road to be closed: Queen Street from Devon Street West to King Street.

The above road closure is subject to the conditions outlined in correspondence to the Council groups involved in organising the parade dated 11 September 2017. Refer Appendix 1.

Carried

9. **Temporary Road Closure - Tri New Plymouth Ltd International Triathlon Events**

ECM7485680

The matter for consideration by the Council is an application for the temporary closure of roads in New Plymouth to enable Tri New Plymouth Ltd to use the closed roads as a venue for International Triathlon Union (ITU) and Oceania Junior Triathlon Championship events.

Performance Committee Resolution:

Cr Pearce )

Cr Johnston )

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

Tri New Plymouth Limited International Triathlon Events:

- International Triathlon Union (ITU) New Plymouth World Cup Sprint Triathlon
- Oceania Junior Triathlon Championships

Date and period of closure: from 7.30am to 5pm on Sunday 25 March 2018.

Roads to be closed, forming event cycle routes:

- Paritutu Road from Centennial Drive to Portview Crescent.
- Portview Crescent.
- Centennial Drive from Paritutu Road to Ngamotu Road.
- Ngamotu Road from Centennial Drive to Breakwater Road (SH 44).
- Breakwater Road from Ngamotu Road to Bayly Road.
- Bayly Road from Breakwater Road to Ocean View Parade (private road, Port Taranaki).
- Ocean View Parade (private road, Port Taranaki).

Roads to be closed, intersecting with closed roads with no alternative exit:

- Hakirau Street.
- Peace Avenue.
- Otaka Street.

- Breakwater Road from Ngamotu Road to the Port Taranaki entrance.

The above road closures are subject to all conditions outlined in correspondence to Tri New Plymouth Ltd dated 1 August 2017, refer appendix 1.

For a map showing the proposed temporary road closures listed above, refer appendix 2.

Carried

## 10. **Amendments to Parking Controls**

ECM7537603

The matter for consideration by the Council is amendments to parking prohibitions, restrictions and traffic controls at various locations within the New Plymouth District.

### Performance Committee Resolution:

Cr Brown )

Cr Johnston )

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 within the New Plymouth District be imposed:

NEW PLYMOUTH

#### *Tukapa Street*

1. Prohibit parking on the west side of Tukapa Street from 0.0m – 27.4m (27.4m) measured in a northerly direction from the prolongation of the north kerb of Borrell Avenue.
2. Prohibit parking on the west side of Tukapa Street from 0.0m – 23.9m (23.9m) measured in a southerly direction from the prolongation of the south kerb of Borrell Avenue.

#### *Nobs Line*

3. Prohibit parking on the west side of Nobs Line from 16.6m – 39.1m (22.5m) measured in a northerly direction from the prolongation of the north kerb of Devon Street East.

#### *Roto Street*

4. Prohibit parking on the west side of Roto Street from 47.8m – 106.0m (58.2m) measured in a southerly direction from the prolongation of the south kerb of Poplar Grove.

#### *Devon Street East*

5. Revoke a bus stop on the north side of Devon Street East from 6.0m – 22.5m (16.5m) measured in a westerly direction from the prolongation of the west kerb of Beach Street.

6. Prohibit parking on the north side of Devon Street East from 0.0m – 22.5m (22.5m) measured in a westerly direction from the prolongation of the west kerb of Beach Street.
7. Revoke one time restricted parking space (P120) on the south side of Devon Street East from 120.6m – 126.7m (6.1m) measured in a easterly direction from the prolongation of the east kerb of Darnell Street.
8. Prohibit parking on the south side of Devon Street East from 120.6m – 210.0m (89.4m) measured in a southerly direction from the prolongation of the south kerb of Darnell Street.

#### *Courtenay Street*

9. Prohibit parking on the south side of Courtenay Street from 48.0m – 68.4m (20.4m) measured in a westerly direction from the prolongation of the west kerb of Watson Street.

#### *Belt Road*

10. Prohibit parking on the east side of Belt Road from 39.5m – 52.1m (12.6m) measured in a southerly direction from the prolongation of the south kerb of Gaine Street.

#### *Carrington Street*

11. Revoke a bus stop on the east side of Carrington Street from 30.0m – 42.0m (12m) measured in a northerly direction from the prolongation of the north kerb of Essex Street.
12. Create a bus stop on the east side of Carrington Street from 72.0m – 90.0m (18m) measured in a northerly direction from the prolongation of the north kerb of Essex Street.

#### *Leach Street (SH45)*

13. Create two time restricted (P120) parking bays on the south side of Leach Street (SH45) from 32.5m – 43.5m (10.0m) measured in a westerly direction from the prolongation of the west kerb of Gover Street.

### INGLEWOOD

#### *Elliot Street*

14. Prohibit parking on the west side of Elliot Street from 0.0m – 10.4m (10.4m) measured in a northerly direction from the prolongation of the north kerb of Elliot Street.

#### *Carrington Street*

15. Prohibit parking on the north side of Carrington Street from 0.0m – 8.6m (8.6m) measured in a westerly direction from the prolongation of the west kerb of Elliot Street.

### OAKURA

#### *South Road (SH45)*

~~16. Prohibit parking on the north side of South Road (SH45) from 46.1m – 51.9m (5.8m) measured in a northerly direction from the prolongation of the north kerb of The Outlook.~~

URENUI

*Takiroa Street*

17. Revoke a bus stop on the south side of Takiroa Street from 5.4m – 19.0m (13.6m) measured in a westerly direction from the prolongation of the east kerb of Whakapaki Street.
18. Prohibit parking on the south side of Takiroa Street from 5.4m – 37.6m (32.2m) measured in a westerly direction from the prolongation of the east kerb of Whakapaki Street.
19. Prohibit parking on the north side of Takiroa Street from 16.4m – 36.0m (19.6m) measured in a westerly direction from the prolongation of the east kerb of Whakapaki Street.

Carried

***Tabs 3 and 4 were considered at this juncture.***

**BERL Report – Economic Impact of the Len Lye Centre September 2017**

ECM7539614

The purpose of this report is to update Council on the economic impact assessment of the Len Lye Centre carried out by BERL.

*Council Resolution:*

Cr Pearce )

Cr Hitchcock )

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

Carried

*Cr McLeod requested that his vote against the motion be recorded.*

**Options for Charging for Entry to the Govett Brewster Art Gallery/Len Lye Centre**

ECM7539613

The purpose of this report is to outline the options for Council to consider if they wish to charge for entry to the Govett-Brewster Art Gallery/Len Lye Centre.

*Council Resolution:*

Mayor Holdom

Cr McLeod

That having considered all matters raised in the report:

- a) The Council introduce a \$15 admission fee for non-resident visitors to the Govett-Brewster Art Gallery / Len Lye Centre with free entry for under-16s.
- b) The admission fee be allocated as follows:

- i) \$5 be provided to the Len Lye Foundation
  - ii) \$5 be used for the Council to invest in improving the visitor experience at the Govett-Brewster Art Gallery / Len Lye Centre.
  - iii) \$5 be used to offset operational expenditure for the Govett-Brewster Art Gallery / Len Lye Centre.
- c) The charges take effect from 1 August 2018.
- d) That policy P78-001 Art Gallery Admission Charges be revoked.

Carried

*A division was called at the Council meeting (ECM 7578854)*

*Those voting for the motion were Mayor Holdom, Crs Biesiek, Brown, Chong, Jordan, McLeod and Weaver.*

*Those voting against the motion were Crs Duynhoven, Handley, Hitchcock, Johnston, Melody, Merrick and Pearce.*

The meeting was adjourned at 7.17pm and reconvened at 7.27pm.

*The motion was carried by casting vote.*

Council Resolution:

Cr Weaver )

Cr McLeod )

That the following recommendation of the Planning Committee be adopted by the Council and form part of the proceedings of and be entered in the minutes of this council meeting.

Carried

**Recommendations from the Planning Committee**

Meeting Date: Wednesday 1 November 2017

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

Non-Members Present: Councillors Harry Duynhoven, John McLeod, Colin Johnston, Richard Jordan, Gordon Brown and Marie Pearce

Community Board Chairpersons Kevin Rowan (Inglewood), Ken Bedford (Clifton) and Doug Hislop (Kaitake)

**3. Gifting of Land Neighbouring Joe Gibbs Reserve, Inglewood**

ECM7391884

The matter for consideration by the Council is the proposed gift of approximately 2.0 hectares of land adjoining Joe Gibbs Scenic Reserve in Inglewood for a public recreation area.

Planning Committee Recommendation:

Cr Hitchcock )

Cr Biesiek )

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

- c) Accepts the gift of land (see Appendix One) for reserve purposes.
- d) Will meet the legal, resource consent and survey costs related to the property conveyance.
- e) Delegates the signing of the resulting land transfer and deed to the Manager Property.
- f) Classifies the gifted land as recreation reserve.
- g) Approves the right of way (easement) in principle over Section 2 SO 14870 and part of the newly gifted land (see Appendix One), and issue a public notice in accordance with the Reserves Act 1977.
  - i. Notes that officers will proceed with approving the easement if there are no objections and if there are objections the matter will be reported back to Council.
  - ii. Notes the private bridge development will be at Mr Clark's expense.
  - iii. Notes that the bridge development by Mr Clark will need to achieve the various resource consents and building permits.
  - iv. Meet the legal costs for the right of way if the gift is accepted.
  - v. Notes that installation of a privately owned bridge across the Kurapete Stream through a public reserve is likely to be used by the public to access the new reserve, therefore it is recommended that a public access over the structure is identified in the easement document.
- h) Notes that a right of way (easement) in favour of Council will be applied over the existing entrance to Mr Clark's farm for access of operational vehicles at the southern part of the gifted land.

Carried

Council Resolution:

Cr Duynhoven )

Cr Biesiek )

That the following recommendation of the Performance Committee be adopted by the Council and form part of the proceedings of and be entered in the minutes of this council meeting.

Carried

## **Recommendations from the Performance Committee**

Meeting Date: Thursday 2 November 2017

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

Non-members Present: Councillors Mike Merrick, Shaun Biesiek (to 5.10pm), Richard Handley, Stacey Hitchcock

Community Board Chairpersons Doug Hislop (Kaitake), Kevin Rowan (Inglewood), Ken Bedford (Clifton), Andrew Larsen (Waitara) and Community Board Member Jonathan Marshall (Waitara)

Stuart Trundle and Michelle Jordan (VTT)

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### **11. Acquisition of Land for Recreation Reserve Purposes to Facilitate Public Walkway Access Connection to a Section of the Coastal Walkway - 137c Wills Road, Bell Block**

ECM7539026

The matter for consideration by the Council is to seek approval to:

1. The acquisition of 1950m<sup>2</sup> (subject to survey) of private land for public recreation reserve purposes for the independently assessed market value of \$35,890 (including GST if any) plus approximately \$10,000 subdivision and legal fees to secure full proprietary ownership for development purposes, (in lieu of the esplanade strip covenant interest over part 1120m<sup>2</sup>) to facilitate a strategic public access link connection to Wills Road section of the coastal walkway.
2. To approve classification of the reserve following acquisition for recreation reserve purposes, subject to the provisions of the Reserves Act 1977; and
3. Following acquisition, undertake surrender of the existing legal interest in the 10m wide Esplanade Strip on both sides of the Waihowaka Stream over approximately 1120m<sup>2</sup>, in favour of Council over part of the land to be so acquired.

#### Performance Committee Recommendation:

Cr Pearce )

Mayor Holdom )

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

- a) Notes that privately owned land situated at 137C Wills Road is currently on the open market for sale as 'Enquiries over \$320,000' and the opportunity to acquire 1950m<sup>2</sup> for recreation reserve has arisen.
- b) Notes that the land is currently subject to an Esplanade Strip Agreement of 10 metres wide on either side of the Waihowaka Stream, over approximately 1120m<sup>2</sup> of the land proposed for acquisition of recreation reserve. The Esplanade

Strip Covenant was laid off on subdivision in 2005 without the statutory obligation for payment of compensation.

- c) Notes that as the land on either side of the 10m wide Esplanade Strip has since been acquired for recreation reserve purposes, it is now desirable that ownership of the land covered by the Esplanade Strip plus additional land be acquired for recreation reserve purposes as to be of consistent status and in keeping with "preferred reserve status" notation in the District Plan.
- d) Notes that the acquisition will provide a strategic link between the two existing reserves and to enable strategic public access connection to the Coastal Walkway situated in this location and acquisition will provide the full proprietary ownership rights and development in comparison to the exiting legal interest "covenant rights" over the land by way of the current Esplanade Strip Agreement wherein land ownership remains with the owner and development rights are limited.
- e) Notes that following acquisition the reserve needs to be classified in accordance with the mandatory provision of the Reserves Act 1977.
- f) Approves the acquisition of the 1950m<sup>2</sup> (subject to survey) for recreation reserve purposes for the sum of \$35,890 including GST (if any) being Part of Lot 8 DP 339113, held in Computer Freehold Register 160971 subject to:
  - i) Council meeting all subdivision and survey costs with both parties to pay their respective own legal fees to complete the matter. These total additional costs are estimated at \$10,000.
  - ii) Classification and gazettal of the reserve for recreation reserve purposes pursuant to Section 16(2A) of the Reserves Act 1977.
  - iii) Surrender of the existing Esplanade Strip Agreement over part (1120m<sup>2</sup>) of the land.

Carried

*The meeting was adjourned at 7.44pm and reconvened at 7.49pm.*

#### **Class 4 Gambling Venues Policy and Tab Venues Policy – Adoption Report**

ECM7437675

The matter for consideration by the Council is the submissions on the draft Class 4 Gambling Venues Policy and draft TAB Venues Policy, and consideration for adoption of the final policies.

#### Council Resolution

Cr McLeod

Cr Biesiek

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

- a) Note that the Council consulted on the draft Class 4 Gambling Venues Policy and TAB Venues Policy, and received 29 submissions.



- b) Adopt the attached Class 4 Gambling Venues Policy, with a district wide (excluding Waitara) cap fixed at 320 gaming machines
- c) Adopt a sinking lid policy for Waitara until the total number is reduced to 25 machines, and
- d) Adopt the attached TAB Venues Policy.

*An amendment was moved at the Council meeting*

*Cr Jordan     )*

*Cr Pearce     )*

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

- a) *Note that the Council consulted on the draft Class 4 Gambling Venues Policy and TAB Venues Policy, and received 29 submissions.*
- b) *Adopt the attached Class 4 Gambling Venues Policy with a district wide cap fixed at 369 gaming machines, and*
- c) *Adopt a sinking lid policy for Waitara until the total number is reduced to 25 machines, and*
- d) *Adopt the attached TAB Venues Policy.*

*The amendment was lost*

The original motion was put and carried

*Crs Pearce, Brown and Jordan requested that their votes against the motion be recorded.*

## **Proposed Beauty Therapy, Tattooing and Piercing Bylaw – Deliberation and Adoption**

ECM7562380

The matter for consideration by the Council is whether or not to approve the proposed Beauty Therapy, Tattooing and Piercing Bylaw for adoption.

*Council Resolution:*

*Cr Biesiek     )*

*Cr Melody     )*

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

- a) *Notes that it has considered all submissions to the Council’s proposed Beauty Therapy, Tattooing and Skin Piercing 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 New Plymouth District Council Bylaw 2010, Part 6, Beauty Therapy, Tattooing and Piercing does not give rise to any implications under the New Zealand Bill of Rights Act 1990.*
- d) *Adopts the New Plymouth District Council Bylaw 2010, Part 6, Beauty Therapy, Tattooing and Piercing included as appendix two to be operative from 4 December 2017.*

- e) Adopts the Beauty Therapy, Tattooing and Piercing Code of Practice included as appendix three to be operative from 4 December 2017
- f) Is satisfied that the Beauty Therapy, Tattooing and Piercing Code of Practice, as included as appendix three is compliant with clause 6.2 of the Beauty Therapy, Tattooing and Piercing Bylaw.

Carried

### **Waste Management and Minimisation Plan 2017**

ECM7566953

The matter for consideration by the Council is the adoption of the Waste Management and Minimisation Plan 2017 with recommended amendments based on the outcome of consultation.

#### Council Resolution:

Cr Handley )

Mayor Holdom )

That having considered all matters raised in the report:

- a) The Waste Management and Minimisation Plan 2017 as shown in Appendix 1 is adopted.
- b) New actions in the Plan will be included in the draft 2018-28 Long Term Plan for community consideration with implementation of the plan subject to LTP funding approval.

Carried

### **Amendments to Parking Controls**

ECM7568730

The matter for consideration by the Council is amendments to parking prohibitions, restrictions and traffic controls at various locations within the New Plymouth District.

#### Council Resolution:

Cr Johnston )

Cr McLeod )

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 within the New Plymouth District be imposed:

OAKURA

#### *South Road (SH45)*

1. Prohibit parking on the north side of South Road (SH45) from 0.0m – 48.3m (48.3m) measured in a northerly direction from the prolongation of the north kerb of The Outlook.
2. Create a bus stop "Monday - Friday, 7am - 7pm" on the north side of South Road (SH45) from 48.3m - 65.3m (17.0m) measured in a northerly direction from the prolongation of the north kerb of The Outlook.

Carried

**Exclusion of the Public for the Remainder of the Meeting**

MayorECM7548072

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

Council Resolution:

Mayor Holdom        )

Cr Jordan             )

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)     New Plymouth District Plan – Independent Commissioner’s Recommended Decisions on Plan Change Plc17/00047  
      To enable the Council to consider matters where the information is subject to appeal by a Court or Tribunal, this particular interest being protected by section 48(2)(a)(i) 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

*The meeting was adjourned at 8.34pm and reconvened at 8.36pm.*