



Te Kaunihera-ā-Rohe o Ngāmotu

NEW PLYMOUTH DISTRICT COUNCIL

newplymouthnz.com

MEETING AGENDA

COUNCIL

**Thursday 9 March 2017
at 2pm**

**COUNCIL CHAMBER
LIARDET STREET
NEW PLYMOUTH**

Chairperson:	Mayor Neil Holdom
Members:	Cr Craig McFarlane (Deputy)
	Cr Shaun Biesiek
	Cr Gordon Brown
	Cr Murray Chong
	Cr Harry Duynhoven
	Cr Richard Handley
	Cr Stacey Hitchcock
	Cr Colin Johnston
	Cr Richard Jordan
	Cr John McLeod
	Cr Alan Melody
	Cr Mike Merrick
	Cr Marie Pearce
	Cr Roy Weaver

Addressing the committee

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

A public forum section of up to 30 minutes precedes all committee 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.

Purpose of Local Government

The reports contained in this agenda address the requirements of the Local Government Act 2002 in relation to decision making. Unless otherwise stated, the recommended option outlined in each report meets the purpose of local government and:

- Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses;
- Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

END



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Health and Safety Message

In the event of an emergency, please follow the instructions of Council staff.

Please exit through the main entrance.

Once you reach the footpath please turn right and walk towards Pukekura Park, congregating outside the Spark building. Please do not block the footpath for other users.

Staff will guide you to an alternative route if necessary.

If there is an earthquake – drop, cover and hold where possible. Please be mindful of the glass overhead.

Please remain where you are until further instruction is given.

APOLOGIES

Cr Craig McFarlane

PUBLIC FORUM

None advised.

DEPUTATIONS

None advised.

REPORTS

- 1 Temporary Road Closure
- 2 Exclusion of the public from the remainder of the meeting

TEMPORARY ROAD CLOSURE – NEW ZEALAND PETROLEUM CONFERENCE

MATTER

The matter for consideration by the Council is to recommend the temporary closure of roads in central New Plymouth during a conference organised by the Petroleum Exploration and Production Association of New Zealand (PEPANZ conference). The conference is to be held primarily at the TSB Showplace. For the safe and efficient access and egress of conference delegates, but also safe routes and space for the protestors and to ensure the safety and efficiency of the road network, a partial closure of Devon Street and King Street is required.

RECOMMENDATION FOR CONSIDERATION

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

Petroleum Exploration and Production Association of New Zealand (PEPANZ conference)

Date and period of closure: from 6:30 on Wednesday 22 March to 5pm on Thursday 23 March.

Roads to be closed: Devon Street West from Robe to Egmont streets and partial road closure of King Street from Queen to Egmont streets (footpath is to remain open on King Street).

Affected areas: No parking is permitted within the road closure area from 5am on Wednesday 22 March until the road reopens. The Devon Street West exit for the Central Car Park (opposite TSB Showplace) will be closed. All vehicles are to enter and exit this car park via Powderham or Robe streets.

COMPLIANCE	
Significance	This matter is assessed as being of some importance.
Options	This report identifies and assesses the following reasonably practicable options for addressing the matter: <ol style="list-style-type: none"> 1. To approve the application for temporary road closures. 2. To not approve the application for temporary road closures.

COMPLIANCE	
Affected persons	The persons who are affected by or interested in this matter are property owners, occupiers and businesses located on the closed roads, retailers in central New Plymouth, public transport providers, people attended the conference, protestors, police, all road users in the vicinity of the TSB Showplace.
Recommendation	This report recommends option one for addressing the matter.
Long-Term Plan / Annual Plan Implications	No.
Significant Policy and Plan Inconsistencies	No.

EXECUTIVE SUMMARY

This report recommends the temporary closure of that section of Devon Road from Egmont Street to Robe Street and the partial closure of King Street in central New Plymouth during the Petroleum Exploration and Production Association of New Zealand conference to be held at the TSB Showplace.

BACKGROUND

The Petroleum Exploration and Productions Association of New Zealand (PEPANZ) is organising the New Zealand Petroleum Conference. This will take place in New Plymouth from 21 to 23 March 2017. The conference organisers expect more than 250 delegates to attend. PEPANZ have hired the TSB Showplace as one of the conference venues.

The PEPANZ conference held in Auckland in 2016 attracted significant protest demonstrations. The protest is aimed at disrupting the conference and preventing delegate access to the conference venue. The New Plymouth Police and the New Plymouth District Council agree that a traffic management plan is essential to provide safe access and egress to the conference for the delegates, but also safe routes and space for the protestors and to ensure the safety and efficiency of the road network.

In the interests of public safety New Plymouth District Council has applied to close the sections of King Street and a section of Devon Street West that are adjacent to the TSB Showplace, (Map attached as Appendix 1). The request dates and period of the road closure cover the times the conference will be using the TSB Showplace as a venue.

PEPANZ had engaged Tricky trees to undertake pedestrian management (for protestors) outside the venue. Council met with Tricky Trees to assess that plan and it was determined with consultation with NZ Police that the plan was unlikely to be adequate to safely manage the event.

New Plymouth District Council has subsequently worked with Tricky Trees Management to extend the traffic management plan to include closure of the roads and diversion of the traffic.

SIGNIFICANCE AND ENGAGEMENT

In accordance with the Council's Significance and Engagement Policy, this matter has been assessed as being of some importance because it does not have a large impact on the public.

The Council has made contact with all properties affected by the road closure.

The Road Closure was advertised in the Taranaki Daily News on Saturday 4 March with a submission period until Wednesday 8 March and also on Facebook.

At the time of writing the report, a submission had been received by Ozone Coffee Roasters. Ozone are concerned that the proposed road closure would block of all vehicle access to Ozone Coffee Roasters, the road closure would result in lost custom, and impact the ability for couriers and deliveries to the Ozone business. Council officers have worked with Ozone to ensure that deliveries, staff and customers to the roasters would be able to gain access through the closure. In addition, it was also explained to Ozone that the footpath would remain open to the public.

The NZ Police have been working alongside PEPANZ and the New Plymouth District Council for this event. The NZ Police were concerned that the proposed traffic management was not going to be sufficient and could result in unplanned closures with no notice due to protest activity. The NZ Police and New Plymouth District Council both consider a planned closure with notification to all affected persons is a better approach.

PEPANZ do not wish to have a road closure and would prefer the road to stay open.

Due to the short time frame between submission of the road closure applications and that the decision date, this matter has not been reviewed by Community Boards.

OPTIONS

Option 1 Approval of this road closure application to allow New Plymouth District Council to close Devon Road and King Street during the PEPANZ conference.

Option 2 To not approve the road closure application to allow New Plymouth District Council to close Devon Road and King Street during the PEPANZ conference.

The following assessment applies to both options

- a) **Financial and Resourcing Implications**
Avenues Event Management have engaged Tricky Trees to prepare and implement the Traffic Management Plan.

There will be a minor impact of paid parking both on-street and off-street in the road closure area.

There are no other financial implications for the Council.
- b) **Risk Analysis**
If the road closure is not approved, there is a high risk of the road being closed at short notice due to the potential protest action.

The NZ Police consider that it is better to pre-empt and manage the anticipated disruption to the roading network rather than react to it.
- c) **Promotion or Achievement of Community Outcomes**
The planned road closure ensures we are providing for the safe and efficient use of our roading network and also the safety of our community
- d) **Statutory Responsibilities**
This road closure is proposed under the Schedule 10 of the Local Government Act 1974
- e) **Consistency with Policies and Plans**
The road closure is consistent with Councils plans and policies
- f) **Participation by Māori**
Road closures are an operational matter and Maori have not participated in decision making to date. Consultation is not required.

Recommended Option

This report recommends option 1 Approve the road closure application to allow New Plymouth District Council to close Devon Road and King Street during the PEPANZ conference for addressing the matter.

APPENDICES

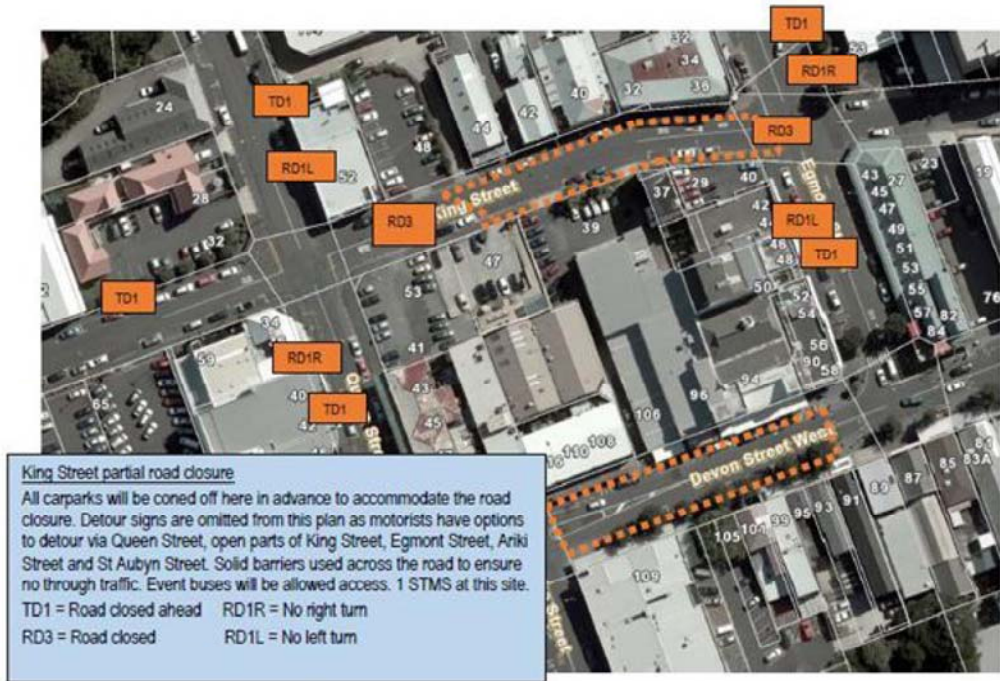
- 1. Map of affected area
- 2. Letter outlining conditions of the temporary road closure.

Report Details

Prepared By:	Katrina Brunton (Customer and Regulatory Solutions Manager)
Team:	Customer and Regulatory Solutions Manager
Approved By:	Sue Davidson (Chief Operating Officer)
Ward/Community:	New Plymouth District
Date:	9 March 2017
File Reference:	ECM 7360025

-----*End of Report*-----

APPENDIX 1



APPENDIX 2

When replying please quote Application Number – RTC17/00232

3 March 2017

New Plymouth District Council
Private Bag 2025
New Plymouth Central
NEW PLYMOUTH 4342

Attention: Ron Murray

Dear Ron,

ROAD CLOSURE UNDER THE LOCAL GOVERNMENT ACT 1974 – Petroleum

We acknowledge your application requesting the closure of roads in central New Plymouth in the interests of public safety, during the New Zealand Petroleum Conference being held at the TSB Showplace.

Roads to be closed:

- Devon Street West from Robe to Egmont streets.
- King Street from Queen to Egmont streets.

Date and period of closure: from 6.30am on Wednesday 22 March to 5.00pm on Thursday 23 March.

Please note:

- Emergency Vehicles will have unrestricted access at all times.
- No parking is permitted in the road closure area from 5am on Wednesday 22 March until the road is reopened at 5pm on Thursday 23 March. Vehicles remaining on the roads to be closed after 5am on Wednesday 22 March will be towed out of the area.
- The Central Car Park will remain open. All vehicles to enter and exit via Powderham or Robe Streets. The Devon Street West exit will be closed.

Council will consider this application on 16 March 2017 in accordance with Schedule 10 of the Local Government Act 1974.

The Council must give public notice of the proposed closure in accordance with the Act and then consider any objections or submissions received in that respect.

The Council requires your organisation to:

- a) Pay the cost of the public notice.
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- b) Make personal contact with all residential and commercial property occupiers affected by the proposed closure, to inform them of the event. Where personal contact cannot be made, a letter outlining the proposed closure and the right to make a submission must be given to the affected party instead. This contact should be completed a reasonable time before the closure of the submissions which is at 4pm on Wednesday 8 March (and in any event allowing sufficient time for an affected party to make a submission). When visiting each property please record the physical address, business name/person spoken with and the date visited. **A record of this visiting list and a copy of the letter given to affected parties is required by the Council immediately after the date submissions close.**
 - c) Provide a Traffic Management Plan (TMP) compiled by an authorised Site Traffic Management Supervisor (STMS) to the Council setting out signage, barrier details, crowd control procedures and access arrangements.
 - d) Ensure that all risks associated to the event have been identified, and that a Health and Safety Plan is in place for the duration of the road closure and event. Evidence of this must be provided to Council if requested.

ROAD CLOSURE CONDITONS

If the Council gives its consent to the road closure and the event, you must comply with the following conditions:

1. You must give formal notice of the road closure event to the Police and the New Zealand Fire and Ambulance Services.
 2. Emergency Vehicles will have unrestricted access at all times.
 3. You must ensure that the approved TMP is strictly adhered to throughout the event.
 4. You must provide at your cost 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.
 5. You must make adequate provisions to give 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 must be included in the TMP required under condition 2.
 6. Upon completion of the event, and no later than the time specified for the end of the closure, you must remove all signs and barricades restricting access, and clear all litter and debris from the road to the satisfaction of the Council.
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7. You are required to advise the Council of any damage to the road surface, shoulders, drainage channels, verges, signs or other Council Property whatsoever resulting from the event.
 8. You are responsible to pay all costs incurred in making good any damage to Council Property or any third party property and pay all costs incurred by the Council or any third party in making good any such damage, whether reported or not.
 9. You must notify the Police, New Zealand Fire and Ambulance Services and the Council in the event that the road closure is no longer needed.
 10. Where a late cancellation of the event takes place (i.e. after road closure signs, barriers etc. have been placed at the venue), you will ensure that the full TMP shall remain in place for the approved road closure time period; or 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.
 11. You are responsible for taking out public liability insurance to indemnify the Council against any claims or actions that may arise from the staging of the event to a minimum of \$1 million in respect of any one claim or accident. A copy of the policy or a cover note must be provided to the Council by the date submissions close.
 12. You must comply with, and ensure that all competitors comply with, all relevant laws and regulations not waived by the temporary road closure under Section 342 and Schedule 10 of the Local Government Act 1974.
 13. You are responsible for meeting all costs associated with the temporary closure of the road(s) including the costs to contract a person/company qualified to prepare the TMP and undertake traffic management for the activity and to hire signs or other traffic controls devices. You will also be required to meet the reasonable cost of any Council staff required in relation to the event.

The Local Government Act 1974 requires the Council to give public notice of any intended road closure. We will place an appropriate public notice for the event in the *Taranaki Daily News* on Saturday 4 March. The account for the *Taranaki Daily News* advertisement will be forwarded to you. The public notice will also be uploaded to the Council website and Facebook pages, free of charge.

We will contact you after the Council meeting on 16 March and advise you of the Council's decision. If you require any further information before this date please do not hesitate to call.

For further information, you can also check the Council's Temporary Road Closure and Disruption to Traffic Policy and Guidelines on New Plymouth District Council's website by following the link below:

<http://www.newplymouthnz.com/CouncilDocuments/Policies/TemporaryRoadClosureandDisruptiontoTrafficPolicyandGuidelines.htm>

Yours faithfully



Katrina Brunton
CUSTOMER AND REGULATORY SOLUTIONS MANAGER

- cc: Emergency Services
- Road User Groups
- Transportation, New Plymouth District Council
- Tricky Tree Specialist

EXCLUSION OF THE PUBLIC FOR THE REMAINDER OF THE MEETING

MATTER

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

RECOMMENDATION FOR CONSIDERATION

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) Appointment of Acting Chief Executive and Recruitment of Chief Executive**

The withholding of the information is necessary to protect the privacy of natural persons, including the deceased persons, this particular interest being protected by section 7(2)(a) of the Act.

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987.

COMPLIANCE	
Significance	This matter has been assessed as being of some importance.
Options	This report identifies and assesses the following reasonably practicable options for addressing the matter: <ol style="list-style-type: none"> 1. Exclude the public. 2. Not exclude the public.
Recommendation	This report recommends option one (1) for addressing the matter.
Long-Term Plan / Annual Plan Implications	There are no budget considerations.
Significant Policy and Plan Inconsistencies	This report is consistent with Council's Policy and Plans.

BACKGROUND

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

SIGNIFICANCE AND ENGAGEMENT

In accordance with the Council's Significance and Engagement Policy, this matter has been assessed as being of some importance because the exclusion of the public is a statutory procedure that will have a little or no impact on the Council's strategic issues.

OPTIONS

Option 1 Pursuant to the Local Government Official Information and Meetings Act 1987, good reason exists to exclude the public for consideration of the items listed.

Option 2 The Council can choose to consider these matters in an open meeting.

Risk Analysis

Release of information which meets the statutory tests for withholding (under the Local Government Official Information and Meetings Act 1987) may expose the Council to legal, financial or reputational repercussions.

Recommended Option

This report recommends option one (1) exclusion of the public for addressing the matter.

Report Details

Prepared By:	Jan Holdt (Committee Adviser)
Team:	Governance
Approved By:	Julie Straka (Governance Lead)
Ward/Community:	District Wide
Date:	3 March 2017
File Reference:	ECM 7360759

-----*End of Report*-----