

MINUTES OF COUNCIL MEETING

File Reference: ECM8294895
Meeting Date: Tuesday 2 June 2020 at 1pm
Venue: Civic Centre and via Zoom

Members Present

Mayor Neil Holdom, Councillors Tony Bedford, Sam Bennett, Gordon Brown, David Bublitz, Anneka Carlson, Murray Chong, Amanda Clinton-Gohdes, Harry Duynhoven, Richard Handley, Stacey Hitchcock, Colin Johnston, Richard Jordan, Dinnie Moeahu and Marie Pearce

Non Members Present

Doug Hislop (Chairperson - Kaitake Community Board),

Mel Cook (Chairperson - Inglewood Community Board)

Staff in Attendance

Craig Stevenson, Julie Straka, Nadia Phillips, Charles Woollin, Richard Mowforth, Frieda Winstanley, Steve McIntosh, Juliet Johnson, John Eagles, Charlotte Dunning, Jacqueline Baker, Kelvin Wright, David Langford, Joy Buckingham, Alison Trustrum-Rainey, Cheryl McGrath, Mitchell Dyer, Teresa Turner, Liam Hodgetts, Callum Williamson, Rowan Betts

Media Attendance

Christina Persico and Jim Tucker – Taranaki Daily News

Submissions – Animals Bylaw

- Mr Francis Proffit
- Mr George White

Public Forum

- Mr Michael Carr (CEO – Sport Taranaki)

Deputations

- Mr Don Searle – (Supplementary Report – Road Stopping and Disposal to Adjoining Owner – 1 Sisson Tce, Lepperton (Tab 5))

COUNCIL MINUTES

Council Resolution:

Cr Brown)

Cr Carlson)

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

Council (21 April 2020)
Council Extraordinary (5 May 2020)
Council Emergency (20 May 2020)

Carried

COMMITTEE RECOMMENDATIONS

Council Resolution:

Cr Handley)

Cr Johnston)

That the minutes of the following meetings, as circulated, be received and decisions made under delegated authority by the committees and community boards be incorporated in the minutes of this meeting of the Council.

Strategy and Operations Committee (28 April 2020)

Te Huinga Taumatua (19 May 2020)

Finance, Audit and Risk Committee (26 May 2020)

Carried

STRATEGY AND OPERATIONS COMMITTEE

28 April 2020

File Reference: 8278847

Members present

Councillors Stacey Hitchcock (Chairperson), Richard Handley (Deputy); Mayor Neil Holdom, Councillors Richard Jordan, Tony Bedford, Sam Bennett, Gordon Brown, David Bublitz, Anneka Carlson, Murray Chong, Amanda Clinton-Gohdes, Harry Duynhoven, Colin Johnston, Dinnie Moeahu, Marie Pearce and Matua Howie Tamati.

Non-members Present:

Doug Hislop – Kaitake Community Board (Chairperson), Murray Seamark – Clifton Community Board (Member)

Staff in Attendance:

Craig Stevenson, Nadia Phillips, Julie Straka, Charlotte Dunning, David Langford, Joy Buckingham, Callum Williamson and David Brown

Media in Attendance:

Christina Persico and Jim Tucker (Taranaki Daily News)

Conflicts of Interest

None received.

Apologies

Strategy and Operations Committee Resolution:

Cr Handley)

Cr Pearce)

That the apology for absence from Councillor Richard Jordan be accepted.

Carried

Deputations

- Terry Heaps (Citizens Advice Bureau – New Lease (Tab 1))

Minutes

Strategy and Operations Committee Resolution:

Cr Johnston)

Cr Clinton-Gohdes)

That the minutes of the Strategy and Operations Committee meeting (10 March 2020) and the proceedings of the said meeting, as previously circulated, be taken as read and confirmed as a true and accurate record.

Carried

Resolutions made under delegated authority

1. **New Concessional Land and Building Lease to Citizens Advice Bureau New Plymouth Incorporated**

ECM8274396

The matter for consideration by the Council is granting a new concessional land and building lease to Citizens Advice Bureau New Plymouth Incorporated for the building known as Community House and associated carparks located at 32 Leach Street, New Plymouth as their current lease is due to expire.

Resolved:

Mayor Holdom)

Cr Bedford)

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

- a) Approves a new concessional land and building lease to the Citizens Advice Bureau New Plymouth Incorporated commencing on 1 July 2020 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 15 years commencing 1 July 2020, with one (1) 15 year right of renewal.
 - ii) The new rental to be \$532.50 + GST per annum in accordance with the Community Funding Investment Policy and Fees & Charges set by the Annual Plan.
- b) Authorises the Property Manager to approve the final lease terms and conditions and any minor adjustment to the lease area.

An amendment was moved:

Cr Chong)

Cr Moeahu)

That the terms of the lease be amended to include an annual rental increase of 0.1% of inflation.

The amendment was put and lost

A Division was called (ECM8278772)

Those voting for the motion were Crs Chong and Carlson.

Those voting against the motion were Crs Hitchcock, Handley, Bedford, Bennett, Brown, Bublitz, Clinton-Gohdes, Duynhoven, Johnston, Jordan, Moeahu, Pearce, and Mayor Holdom.

The original motion was put and carried

A Division was called: (ECM8278724)

Those voting for the motion were Crs Chong, Carlson, Bedford, Bennett, Brown, Duynhoven, Hitchcock, Johnston, Jordan, Moeahu, Pearce, and Mayor Holdom.

Those voting against the motion were Crs Bublitz, Clinton-Gohdes and Handley.

Matua Howie Tamati was absent during voting of the preceding item.

2. Amendments to Parking Controls – City Ward

ECM8273787

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

Resolved:

Cr Carlson)

Cr Pearce)

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

New Plymouth

Item 1 Cracroft Street, New Plymouth

- Create a section of time restricted parking (P15) on the north side of Cracroft Street from 60.1m to 74.8m (14.7m) measured in an easterly direction from the prolongation of the east kerb of Coronation Avenue.

Item 2 Henwood Road, Bell Block

- Prohibit parking on the west side of Henwood Road from 0.0m to 25.4m (25.4m) measured in a northerly direction from the prolongation of the south kerb of Paraiti Road.
- Prohibit parking on the west side of Henwood Road from 0.0m to 64.4m (64.4m) measured in a southerly direction from the prolongation of the south kerb of Paraiti Road.

Item 3 Mangorei Road, New Plymouth

- Prohibit parking on the east side of Mangorei Road from 96.6m to 99.0m (2.4m) measured in an northerly direction from the prolongation of the north kerb of Northgate (SH3).

Item 4 Mangorei Road, New Plymouth

- Prohibit parking on the east side of Mangorei Road from 78.8m to 81.8m (3.0m) measured in a southerly direction from the prolongation of the south kerb of Manurau Crescent.

Item 5 Octavius Place, New Plymouth

- Prohibit parking on the south side of Octavius Place from 65.0m to 68.9m (3.9m) measured in a easterly direction from the prolongation of the east kerb of Eliot Street.

Item 6 Parklands Avenue, New Plymouth

- Create a section of no-stopping on the north side of Parklands Avenue from 69.5m to 24.5m (45.0m) measured in a westerly direction from the prolongation of the west kerb of Mangati Road.
- Create a section of no-stopping on the south side of Parklands Avenue from 59.3m to 32.3m (27.0m) measured in a westerly direction from the prolongation of the west kerb of Mangati Road.
- Create a section of no-stopping on the south side of Parklands Avenue from 106.6m to 116.9m (10.3m) measured in a westerly direction from the prolongation of the west kerb of Mangati Road.

Item 7 Tukapa / Clawton intersection, New Plymouth

- Prohibit parking on the east side of Tukapa Street from 0.0m to 14.5m (14.5m) measured in an northerly direction from the prolongation of the north kerb of Clawton Street.

Item 8 Vivian Street (SH45), New Plymouth

- Prohibit parking on the south side of Vivian Street (SH45) from 80.2m to 84.2m (4.0m) measured in an easterly direction from the prolongation of the east kerb of Mt Edgcumbe Street.

Carried

TE HUINGA TAUMATUA COMMITTEE

Meeting date: 19 May 2020

File Ref: 8286377

MEMBERS PRESENT:

Councillor Gordon Brown (Co-Chairperson), Matua Howie Tamati (Te Kotahitanga o Te Atiawa Trust) (Co-Chairperson), Mayor Neil Holdom, Councillors Dinnie Moeahu, Anneka Carlson and David Bublitz; Ms Jacqui King (Te Kāhui o Taranaki Trust), Whaea Colleen Tuuta (Te Rūnanga o Ngāti Mutunga), Ms Tamzyn Pue (Te Rūnanga o Ngāti Maru Trust) and Ms Patricia O'Carroll (Te Rūnanga o Ngāti Tama Trust)

NON-MEMBERS PRESENT:

Councillors Tony Bedford, Amanda Clinton-Gohdes, Colin Johnston, Stacey Hitchcock, Sam Bennett and Richard Jordan

Doug Hislop (Kaitake Community Board Chairperson) and Mel Cook (Inglewood Community Board Chairperson)

Staff in Attendance:

Craig Stevenson, Nadia Phillips, Julie Straka, Liam Hodgetts, Kelvin Day, Aroha Chamberlain, Kathryn Scown, Joy Buckingham, David Langford and Rowan Williams

Media Attendance

Christina Persico – Taranaki Daily News

Minutes

Cr Bublitz)

Cr Moeahu)

That the minutes of Te Huinga Taumatua (18 February 2020), and the proceedings of the said meeting, as previously circulated, be taken as read and confirmed as a true and correct record.

Carried / Kua Mana

Resolutions made under delegated authority**1. Te Kohia Pa Project Progress Update**

ECM8274490

The purpose of this report is to inform the Council on progress to date with regard to the potential development of Te Kōhia at 1373 Devon Road, Brixton, Waitara which the Council purchased in 2016. The Council have delegated authority to Te Huinga Taumatua to approve the final concept plan for Te Kōhia Pā.

Te Huinga Taumatua Resolution:

Cr Moeahu)

Cr Carlson)

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

Carried / Kua Mana

2. Naming of Roads

ECM8207439

The matter for consideration by the Council is the renaming of Kindberg Road and the naming of a new road as a result of subdivision development.

Te Huinga Taumatua Resolution:

Ms Pue)

Cr Moeahu)

That, having considered all matters raised in the report, the following road names be approved and the Chief Operating Officer allocate street numbers where appropriate to the properties fronting these roads.

a) Road Name

- i) Ruru Lane
- b) Road Renaming
 - i) Fernbrook Drive

Carried / Kua Mana

FINANCE AUDIT AND RISK COMMITTEE

26 May 2020

File reference: 8290325

Members Present:

Councillor Richard Handley (Chairperson), Ms Adrienne Young-Cooper (Deputy Chairperson), Mayor Neil Holdom, Councillors Tony Bedford, Amanda Clinton-Gohdes, Stacey Hitchcock and Richard Jordan

Non-members Present:

Councillors Colin Johnston, Gordon Brown, Dinnie Moeahu, Anneka Carlson, Marie Pearce, Harry Duynhoven, Sam Bennett

Doug Hislop - Chairperson (Kaitake Community Board Chairperson)

Debbie Perera (Audit New Zealand)

David Seath (Deloitte)

Media Attendance:

Christina Persico – Taranaki Daily News

Staff in Attendance:

Craig Stevenson, Nadia Phillips, Julie Straka, Joy Buckingham, Alison Trustrum-Rainey, Rowan Betts, Teresa Turner, Mitchell Dyer, Kelvin Wright, Cheryl McGrath, Liam Hodgetts, Fried Winstanley, Jacqueline Baker; Rowan Williams

Declarations

- Committee members confirmed their independence and declared that there were no conflicts of interest.
- Management confirmed that there had been no security breaches.
- Management confirmed that there were no concerns regarding internal controls.
- Management confirmed that Council is compliant with legislation relevant to its activities.

Minutes

Finance, Audit and Risk Committee Resolution:

Mayor Holdom)

Cr Hitchcock)

That the minutes of the Finance, Audit and Risk Committee (7 April 2020), and the proceedings of the said meeting, as previously circulated, be taken as read and confirmed as a true and correct record.

Carried

Resolutions made under delegated authority

3. NPDC Performance Report for Period 1 July 2019 – 31 March 2020

ECM8278743

The purpose of this report is to advise of the Council's performance for the period 1 July 2019 to 31 March 2020 of the 2019/20 financial year.

Finance, Audit and Risk Committee Resolution:

Mayor Holdom)

Cr Hitchcock)

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

Carried

4. Legal Compliance Summary May 2020

ECM8281842

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

Finance, Audit and Risk Committee Resolution:

Cr Clinton-Gohdes)

Mayor Holdom)

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

Carried

5. Audit New Zealand Audit Proposal for the Three Year Period from 1 July 2019 to 30 June 2022

ECM8282777

The matter for consideration is the Audit New Zealand audit proposal letter to the Council on the audit of New Plymouth District Council for three years, for the period from 1 July 2019 to 30 June 2022

Finance, Audit and Risk Committee Resolution:

Mayor Holdom)

Cr Hitchcock)

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

Carried

6. Report to the Council on the Interim Audit for the year Ending 30 June 2020.

ECM8283644

The matter for consideration is to note the Report to Council on the interim audit prepared by Audit New Zealand, as part of the annual audit of the 2020 Annual Report.

Finance, Audit and Risk Committee Resolution:

Mayor Holdom)

Cr Handley)

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

Carried

7. Internal Audit Update May 2020

ECM8281855

This report provides an update of internal audit activities since the last update at the February 2020 meeting of the Finance, Audit and Risk Committee.

Finance, Audit and Risk Committee Resolution:

Cr Handley)

Cr Hitchcock)

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

Carried

COUNCIL RESOLUTIONS

Amendments to Parking Controls - Inglewood

ECM8273745

The matter for consideration by the Council is amendments to parking controls at various locations within the Inglewood Community Board area.

Council Resolution:

Cr Pearce)

Cr Jordan)

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

Item 1 Kelly Street, Inglewood

- Create two time restricted car parking spaces (P2, 8.30 - 9.00am & 2.45 – 3.15pm, School Days Only) on the south side of Kelly Street from 55.1m to 66.1m (11.0m) measured in a westerly direction from the prolongation of the west kerb of Miro Street.
- Create two time restricted car parking spaces (P2, 8.30 - 9.00am & 2.45 – 3.15pm, School Days Only)) on the north side of Kelly Street from 63.7m to 74.7m (11.0m) measured in an easterly direction from the prolongation of the east kerb of Hinau Street.

Carried

Water Safety Plan Implementation Report 2018/19

ECM8274396

This report summarises compliance and implementation with the approved Water Safety Plans for New Plymouth, Inglewood, Oakura and Okato for the 2018/19 compliance year. The report is a summary of the detailed report provided to the Drinking Water Assessor (DWA) in July 2019. The report to the DWA is included as Appendix A. Some matters arising during the 2018/19 period remained outstanding at the time of issue to the DWA. Such matters are addressed and will be reported on in the 2019/20 report.

Council Resolution:

Mayor Holdom)

Cr Bubnitz)

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

Carried

Update to Council's Delegations Register

ECM8279131

1. The matter for consideration by the Council is updating the Council's Delegation Register to ensure that the delegations are current and delegated to the appropriate level.
2. The report recommends that the Council delegates its powers and duties to specified Council officers, as set out in the attached Schedule, to ensure that the Council officers have the necessary authority to undertake the functions, powers, or duties on behalf of the Council.

Council Resolution:

Cr Duynhoven)

Cr Clinton-Gohdes)

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

- a) delegates the powers and duties, as set out in Appendix 1 of the attached Schedule, to the specified Council officers;
- b) directs that the Council's Delegations Register be updated accordingly.

Carried

Treasury Management Policy

ECM8280045

The matter for consideration by the Council is to consider and approve the proposed amendments to the Treasury Management Policy (TMP). This policy is one of the key policies used in the development of the Long Term Plan 2021-2031 (LTP).

Council Resolution:

Cr Handley)

Cr Carlson)

That having considered the report that the Treasury Management Policy revision be approved.

Carried

A Division was called (ECM8294118)

Those voting for the motion were Crs Bedford, Bennett, Bublitz, Carlson, Clinton-Gohdes, Duynhoven, Handley, Hitchcock, Johnston, Jordan and Pearce.

Those voting against the motion were Crs Brown, Chong and Moeahu, and Mayor Holdom.

Supplementary Report – Road Stopping and Disposal to Adjoining Owner – 1 Sisson Tce, Lepperton

ECM8274363

The matter for consideration by the Council is an update on the application from the adjoining owner to stop a strip of legal road reserve (Sisson Terrace) of approximately 547m2 in order that they may purchase it.

Council Resolution:

Cr Jordan)

Cr Bennett)

That having considered all matters raised in the report the Council declines the application to stop an additional 4m strip of legal road reserve (approximately 547m²) and instead negotiate an encroachment license with the applicant.

Carried

A Division was called (8294119):

Those voting for the motion were Crs Bedford, Bennett, Brown, Carlson, Clinton-Gohdes, Duynhoven, Handley, Johnston, Jordan and Pearce, and Mayor Holdom.

Those voting against the motion were Crs Bublitz, Chong, Hitchcock and Moeahu.

Fire and Smoke Nuisance Bylaw 2020 – Deliberations and Adoption

ECM8273821

The matter for consideration by the Council is the adoption of the proposed Fire and Smoke Nuisance Bylaw 2020 following consultation with the community.

Council Resolution:

Cr Pearce)

Cr Carlson)

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

- a) Notes the submission received on the proposed Fire and Smoke Nuisance Bylaw 2020.
- b) Determines that it has followed the required special consultative procedure as set out in the Local Government Act 2002.
- c) Determines that the Fire and Smoke Nuisance Bylaw 2020 does not give rise to any implications under the New Zealand Bill of Rights Act 1990.
- d) Adopts the Fire and Smoke Nuisance Bylaw 2020.
- e) Approves the commencement date of 22 June for the Fire and Smoke Nuisance Bylaw 2020, noting that public notice on the making of the Bylaw will be given prior to this date.
- f) Revokes the existing New Plymouth District Council Bylaw 2008 Part 4 'Prevention of nuisance from fires and smoke, and maintenance of public health and safety' on 22 June 2020.

Carried

Animals Bylaw Review – Deliberation and Adoption

ECM8274116

The matter for consideration by the Council is the adoption of the proposed Animals Bylaw 2020 following consultation with the community.

Council Resolution:

Cr Carlson)

Cr Duynhoven)

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

- a) Notes that it has considered all submissions to the Council's proposed Animals 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 Animals Bylaw 2020 does not give rise to any implications under the New Zealand Bill of Rights Act 1990.
 - d) Adopts the Animals Bylaw 2020 with the following replacement to clause 8.3:

 "The approval of the Council under clause 8.1 of this bylaw may include such terms and conditions as the Council considers appropriate in the circumstances, including requiring the cats to be desexed".
 - e) Approves the commencement date of 22 June for the Animals Bylaw 2020, noting that public notice on the making of the Bylaw will be given prior to this date.
 - f) Revokes the existing New Plymouth District Bylaw 2008 Part 2 Animals on 22 June 2020.
- Carried

A Division was called (8294114)

Those voting for the motion were Crs Bedford, Bennett, Bublitz, Carlson, Chong, Clinton-Gohdes, Duynhoven, Handley, Hitchcock, Johnston, Jordan, Moeahu and Pearce, and Mayor Holdom.

Voting against the motion was Cr Brown.

Revocation of Delegations (Covid-19 Response)

ECM8282147

The purpose of this report is to revoke delegations conferred on the Chief Executive, and standing orders amendments for the period of the Covid-19 response period.

Council Resolution:

Mayor Holdom)
 Cr Duynhoven)

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

- a) All interim delegations conferred on the Chief Executive; and
- b) The amendments to Standing Orders;

Implemented for the Covid-19 response period by Council resolution dated 25 March 2020.

Carried

Exclusion of the Public for the Remainder of the Meeting

ECM8287182

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

Council Resolution:

Cr Johnston)

Mayor Holdom)

That having considered all matters raised in the report, the Council hereby resolves that, pursuant to the Local Government Official Information and Meetings Act 1987, the public be excluded from the following parts of the proceedings of this meeting:

- a) Independent Commissioner's Recommended Decisions on Private Plan Change
The withholding of the information is necessary 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

Cr Chong requested his vote against the motion be recorded.