

PERFORMANCE COMMITTEE

File Reference: ECM8081496
Meeting Date: Wednesday, 31 July 2019 at 3.30pm
Venue: Council Chamber
Members Present: Councillor Richard Jordan (Chairperson); Mayor Neil Holdom; Councillors Marie Pearce (til 5.11pm, prior to Tab 11), Gordon Brown, Harry Duynhoven, Colin Johnston and John McLeod (til 4.58pm part Tab 4)

Apology: Councillor John Williams

Non-members Present: Crs Richard Handley (til 4.58pm part Tab 4), Stacey Hitchcock (til 4.58pm part Tab 4) and Shaun Biesiek (from 4.54pm, part Tab 4)

Community Board Chairpersons Doug Hislop (Kaitake) and Ken Bedford (Clifton) and Clifton Community Board member John McLean

Staff in Attendance: Craig Stevenson, Julie Straka, Ian Baker, Katrina Brunton, Joy Buckingham, Jacqueline Baker, Kimberley Hope, Kelvin Wright, Charles Woollin, Callum Williamson, David Langford, Teresa Turner, Liam Hodgetts and Charlotte Dunning.

Deputations:

- Mr Rob Murphy (*On behalf of Firth*) (ECM8081586)
- Mr John Hill (ECM8081585)
- Ms Joely Ham (*On behalf of Pukearuhe Hall Committee*) (ECM8081584)
- Mr John McLean and Mr Ken Bedford (*Extension of Kerbside recycling and rubbish collection areas*)

Presentation

- Luke Galley (Zeal) (ECM807754)

Apologies:

Mayor Holdom)
Cr Johnston)

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

Carried

Minutes

Performance Committee Resolution:

Cr Pearce)

Cr Johnston)

That the minutes of the Performance Committee meeting (19 June 2019) 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

1. Water New Zealand Annual Performance Report 2017/18

ECM7967640

This report provides Council with a summary of the 2017/18 National Performance Review published by Water New Zealand.

Performance Committee Resolution:

Mayor Holdom)

Cr Pearce)

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

Carried

2. Zeal Contract for Service – Six Monthly Report

ECM8029112

The purpose of this report is to provide elected members with a six monthly update on the work of Zeal Taranaki (Zeal).

Performance Committee Resolution:

Cr Brown)

Cr Duynhoven)

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

Carried

Cr McLeod requested his abstention from voting be recorded.

3. Amendments to Parking Controls

ECM8040941

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

Performance Committee Resolution:

Cr Pearce)

Cr Brown)

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:

1. *Moulton Street East, New Plymouth*

- Prohibit parking on the south side of Moulton Street from 70.7m to 76.8m (6.1m) measured in a westerly direction from the prolongation of the west kerb of Calvert Road.

2. *Liardet Street and Gilbert Street, New Plymouth*

- Prohibit parking on the east side of Liardet Street from 6.0m – 8.6m (2.6m) measured in a northerly direction from the prolongation of the north kerb of Gilbert Street.
- Prohibit parking on the east side of Liardet Street East from 6.0m – 11.5m (5.5m) measured in a southerly direction from the prolongation of the south kerb of Gilbert Street.
- Prohibit parking on the west side of Liardet Street from 6.0m – 11.5m (5.5m) measured in a southerly direction from the prolongation of the south kerb of Gilbert Street.
- Prohibit parking on the north side of Gilbert Street from 6.0m – 14.4m (8.4m) measured in a westerly direction from the prolongation of the west kerb of Liardet Street.
- Prohibit parking on the west side of Liardet Street from 6.0m – 15.5m (9.8m) measured in a northerly direction from the prolongation of the north kerb of Gilbert Street.

3. *Downe Street, New Plymouth*

- Revoke an unrestricted parking space on the north side of Downe Street from 19.9m to 28.3m (8.4m) measured in a westerly direction from the prolongation of the west kerb of Robe Street.

4. *Cameron Street, New Plymouth*

- Create two restricted (P120) parking spaces on the west side of Cameron Street from 28.3m to 38.3m (10.0m) measured in a southerly direction from the prolongation of the south kerb of Lemon Street.

5. *Powderham Street (SH45), New Plymouth*

- Prohibit parking on the north side of Powderham Street (SH45) from 95.3m to 99.8m (4.5m) measured in a easterly direction from the prolongation of the east kerb of Mount Edgumbe Street.

6. *Huatoki Street, New Plymouth*

Remove a bus stop on the north side of Huatoki Street from 13.8m to 25.8m (12.0m) measured in an easterly direction from the prolongation of the east kerb from Camden Street.

Carried

4. **New Plymouth PIF Guardians Limited – Final Statement of Intent for the Year Ending 30 June 2019**

ECM8041313

Committee to note New Plymouth PIF Guardian Limited's final Statement of Intent for the year ending 30 June 2020.

Performance Committee Resolution:

Mayor Holdom)

Cr Pearce)

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

Carried

Cr Biesiek arrived at 5.54pm, part way through debate on the preceding item.

Cr McLeod, Hitchcock and Handley left the 4.58pm, part way through debate on the preceding item.

5. **Approval to Grant a Ground Lease to the Pukearuhe Hall Society Incorporated of the Land Known as Pukearuhe Domain Recreation Reserve (Occupied by the Pukearuhe Hall and Tennis Court) and Classification of the Reserve**

ECM8040414

The matter for consideration by the Council is a recommendation to approve:

- a) granting a ground lease of part of Pukearuhe Domain (inland portion) to the Pukearuhe Hall Society Incorporated, being that part of the Domain occupied by the Pukearuhe Hall and Tennis Court and;
- b) classification of the hall site as a local purpose (community purposes) reserve and the balance as a recreation reserve subject to the Reserves Act 1977.

Performance Committee Resolution:

Cr Duynhoven)

Cr Pearce)

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

- a) Notes that Pukearuhe Domain Recreation Reserve is currently held by New Plymouth District Council by way of appointment to control and manage from the Crown, following the Local Bodies Amalgamation in 1989.
- b) Notes that a lease over the reserve can be granted where an appointment to control and manage is held under the provisions of Section 59A of the Reserves Act 1977, acting under a blanket instrument of delegation from the Minister of Conservation and Section 54(1) and Section 61 as the case maybe where a reserve vests by statute on classification of the reserve.
- c) Notes that because there is no management plan in place for this part of Pukearuhe Domain, (inland portion) the intent to grant a lease will be publicly advertised as required by Section 119 of the Reserves Act 1977.
- d) Approves, pursuant to Section 16(1) acting under a delegation from the Minister of Conservation, the classification and gazettal of Lot 10 DP 3166 as local purpose (community) purposes and Section 64 Pukearuhe District for recreation reserve purposes subject to:
 - i) Undertaking public notice in accord with subsection (4) in the case of the local purpose classification and any objection or submission being the subject of a further report for a final decision.
- e) Approves, subject to no public objection granting under the appropriate provisions of the Reserves Act 1977, a ground lease of approximately 2000m² to the Pukearuhe Hall Society over lot 10 DP3166, being the site of the Pukearuhe Hall, and of approximately 1200m², part of section 64, Pukearuhe District being the site of the Pukearuhe Tennis Court.
- f) Agrees that the Pukearuhe Hall be reinstated to the schedule of Rural Halls eligible for funding under the Rural Hall Maintenance Grants contained within the Community Funding Investment Policy.

- g) Notes that the Pukearuhe Hall Society Incorporated, meets the criteria for a \$1 + GST lease (if demanded) in accordance with the Community Funding Investment Policy.
- h) Notes that the Pukearuhe Hall Society Incorporated will be responsible for all outgoings associated with the management and operation of both the Hall and Tennis Court.
- i) Notes that the Pukearuhe Hall Society will be responsible for the cost to prepare the lease (estimated to be \$900 + GST).

Delegates final approval of the lease terms and conditions to the Property Manager.

Carried

6. Grant of an Encroachment Licence – To Fletcher Concrete and Infrastructure Limited Trading as Firth Concrete Limited, 96 and 100 Clemow Road, New Plymouth

ECM8016120

1. The matter for consideration by the Council is an application from Fletcher Concrete and Infrastructure Limited (trading as Firth Concrete Limited) to enter into an Encroachment Licence with the Council for the purpose of occupying road reserve adjacent to 96 and 100 Clemow Road, New Plymouth.
2. The purpose of the Encroachment Licence application is to legitimise the applicant's occupation of road reserve. This will enable construction of a concrete block wall, which has been recommended by audio specialists as a practicable solution to reducing excessive noise levels from the concrete manufacturing site at 96 and 100 Clemow Road which are adversely affecting residential property owners.

Performance Committee Resolution:

Cr Johnston)

Cr Pearce)

That, having considered all matters raised in the report the Council approves the application for an Encroachment Licence from Fletcher Concrete and Infrastructure Limited (trading as Firth Concrete Limited) subject to:

- a) An initial licence term of Twenty (20) years.
- b) Right of renewal for a further Ten (10) years.
- c) Payment of an annual Licence fee in accordance with Council's Fees and Charges and Encroachments on Road Reserve Policy.

d) The recommendation being subject to the Licensee meeting all conditions of the Encroachment Licence.

i) Draft of the Encroachment Licence (Refer Appendix 1)

ii) Aerial view of the proposed Licence Area. (Refer Appendix 2)

Carried

7. Temporary Road Closure – Craft Beer Festival, Ms White Presents Beer Mania

ECM8033067

The matter for consideration by the Council is an application from White Lady Limited trading as Ms White, for the temporary closure of a section of Queen Street in central New Plymouth, to create a venue for a craft beer festival.

Performance Committee Resolution:

Cr Johnston)

Cr Jordan)

That, having considered all matters raised in the report the following event be approved:

a) Event: Ms White Presents Beer Mania

b) Road to be closed: Queen Street from Devon Street West to King Street, New Plymouth

c) Date and period of road closure: from 6am on Friday 15 November 2019 to 12pm (noon) on Sunday 17 November 2019.

The above road closure is subject to the conditions outlined in correspondence to the applicant dated 6 June 2019. Refer Appendix 1.

Carried

ITEMS FOR FINAL DETERMINATION BY THE COUNCIL

8. Road Stopping and Disposal to Adjoining Owner – 38 Woolcombe Terrace, New Plymouth

ECM8041197

The matter for consideration by the Council is an application to stop a section of unformed road under the Public Works Act 1981. It is proposed that once stopped, the land of approximately 140m² (subject to survey) be sold to the applicant at the independently assessed market value of \$135,000 (including GST if any).

Performance Committee Recommendation

Cr Duynhoven)

Cr Pearce)

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

- a) Notes that the Transportation team has indicated that it has no objection to the disposal of the area of unformed legal road on the basis that there is no proposal in the foreseeable future to form the road as it is not required to service access to existing residential development.
- b) Notes that the Water and Waste team have no issues with the road stopping.
- c) Notes that Ngāti Te Whiti Hapū have advised they have no issue with the sale of the land
- d) Notes that a conditional agreement has been entered into with the Applicant for the sale of the land based on the independently assessed market valuation of \$135,000 (including GST if any) subject to stopping, necessary approvals and the Applicant meeting all costs including but not limited to valuation, survey, Land Information NZ Accredited Agents costs and legal costs (estimated to be \$10,000).
- e) Approves stopping an unformed section of Woolcombe Terrace of approximately 140 m² (subject to survey), under the Public Works Act 1981.
- f) Approves the sale of the freehold title to the land by standard conveyance/reservation of required easements and title amalgamation condition (with Title TN126/49) to the Applicant
- g) Authorises the Chief Executive to request the consent of the Minister of Land Information's delegate to undertake the necessary gazettal declaration to stop the section of unformed legal road pursuant to Sections 116(1) and 117(1) of the Public Works Act 1981.

Carried

9. Subdivision and Land Purchase to Allow Enlargement of Exclusion Zones Around the Ōākura Water Bores to Facilitate Water Safety Improvements

ECM8038821

The matter for consideration by the Council is the subdivision and purchase of parts of 160 and 162 Wairua Road, Ōākura to increase the exclusion zone around the Ōākura Water Bores.

This has been identified as a priority in order to protect the aquifer that supplies water to the Ōākura Community, from potential sources of contamination.

Performance Committee Recommendation:

Cr Jordan)

Cr Johnston)

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

- a) Approves the purchase of approximately 946 square metres at 160 Wairua Road, Ōākura (part Lot 1 and part Lot 5, DP 482991), for market value as determined by registered valuers.
- b) Approves the purchase of approximately 185 square metres at 162 Wairua Road, Ōākura (part Lot 3 DP 482991), for market value as determined by registered valuers.
- c) Notes that agreement for the subdivision and purchase have been presented to the landowners, these conditional on approval by Council.

Authorises the Property Manager to conclude negotiations with the vendors and finalise the subdivision and purchase of this land.

Carried

Cr Pearce left the room at 5.11pm prior to consideration of the following item.

10. Extension to the Kerbside Recycling and Rubbish Collection Area

ECM8040085

The matter for consideration by the Council is the extension of the kerbside recycling and rubbish collection area.

Performance Committee Recommendation:

Cr Jordan)

Cr Duynhoven)

That, having considered all matters raised in the report:

- a) Extend the collection area to include:
 - i) Cowling Road (part of zone 3)
 - ii) Lepperton (zone 10 - part of zone within existing area).
 - iii) Otaraoa Road (zone 11 – part of zone, excludes side road).
 - iv) Turangi Road (zone 12).
 - v) Kaipakari Road Upper and Wilson Road (zone 13).

- b) Undertake further consultation with residents on:
 - i) South Road between Oakura and Okato, including Upper Weld Road (zone 1).
 - ii) Hurford Road up to and including 693 Hurford Road (zone 2).
 - iii) Frankley Road up to and including 790 Frankley Road (zone 3).
 - iv) Carrington Road up to and including Baker Road, and Mangorei Road below Baker Road (zone 4).
 - v) Junction Road between New Plymouth and Egmont Village (zone 5).
 - vi) Richmond Road and Waitara Road up to Pennington Road (zone 9).

- c) Do not extend the collection area to include:
 - i) Egmont Road between Egmont Village and Kaipari Road (zone 6).
 - ii) Smart Road (zone 7).
 - iii) Paraita Road (zone 8).
 - iv) Pukearuhe (zone 14).

- v) Inglewood (zone 15).
 - vi) Inglewood Matai St SH3 (zone 16).
- d) Note that a targeted rate will not be collected from households within the extended area until 1 July 2020, as the service will be rolled out part way through the financial year (the cost of \$5,000 can be funded within existing budget).

A procedural motion was moved at the Performance Committee:

Cr Brown)

Cr Johnston)

That the motion lie on the table.

The procedural motion was Lost

The original motion was put and Carried.

Cr Brown requested his vote against the original motion be recorded.

11. Exclusion of the Public for the Remainder of the Meeting

ECM8047879

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

Performance Committee Recommendation:

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:

Property Purchase

The withholding of the information is to enable the Council to carry out negotiations of a commercial nature. This particular interest being protected by section 7(2)(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