

TE HUINGA TAUMATUA COMMITTEE

File Reference: ECM 8109191
Meeting Date: 3 September 2019 at 3.30pm
Venue: Council Chamber
Members Present: Liana Poutu (Chairperson); Mayor Neil Holdom, Councillors Gordon Brown, Richard Handley, and Stacey Hitchcock, and Ms Jacqui King, Ms Tamzyn Pue and Ms Colleen Tuuta

Apologies:

Mr Larry Crow, and Councillor Marie Pearce

Non-members Present:

Councillors Alan Melody, Colin Johnston, Richard Jordan and Harry Duynhoven.

Kaitake Community Board Chairperson Doug Hislop.

Staff in Attendance:

Craig Stevenson, Nadia Phillips, Kelvin Wright, Cheryl McGrath, Mitchel Dyer, David Langham, Liam Hodgetts, Greg Stephens, Rowan Williamson, Charles Woollin, Anaru Wilkie, Jacqueline Baker, Joy Buckingham, Ian Baker

Deputations

- *Mr Selwyn Watkins*
New Plymouth Recreation and Racecourse Reserve Act 1999

Apologies

Resolved:

Mayor Holdom)
Ms Poutu)

That the apologies for absence from Mr Larry Crow and Cr Marie Pearce be received.

Carried

Minutes

Resolved:

Mayor Holdom)
Ms Poutu)

That the minutes of the Te Huinga Taumatua meeting (23 July 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. Naming Of Roads - Hurdon

ECM8107768

The matter for consideration by the Council is the naming of roads as a result of a subdivision development at Cowling Road, Hurdon.

Te Huinga Taumatua Resolution:

Cr Brown)

Mayor Holdom)

That, having considered all matters raised in the report, the matter of the proposed naming of Atutahi Street and Piharau Crescent, the matter be uplifted from the table.

Carried

Te Huinga Taumatua Resolution:

Ms Poutu)

Cr Hitchcock)

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

Carried

2. Naming of Roads – Whalers Gate / Welbourn

ECM8076599

The matter for consideration by the Council is the naming of rights-of-way as a result of subdivision developments at Cyrus Street, Whalers Gate and Junction Street, Welbourn.

Te Huinga Taumatua Resolution:

Ms Tuuta)

Ms King)

That, having considered all matters raised in the report, the following names be approved and the Chief Operating Officer allocate street numbers, where appropriate, to the properties fronting these rights-of-way:

a) Rights-of-way

i) Totarahoe Lane

ii) Orite Rise

Carried

ITEMS FOR FINAL DETERMINATION BY THE COUNCIL

3. Freedom Camping Update Report – Summer 2018 to 2019

ECM8021589

The purpose of this report is to provide a summary of freedom camping in the New Plymouth district over the period December 2018 to March 2019, following the adoption of the amended Freedom Camping Bylaw. The amendments adopted to the Freedom Camping Bylaw became operative on 14 December 2018.

Te Huinga Taumatua Recommendation:

Mayor Holdom)

Ms Poutu)

That, having considered all matters raised in the report, the report be noted and the current compliance monitoring and enforcement operations of the Bylaw continue.

Carried

4. Animals Bylaw – Initiation of Review

ECM8073041

The matter for consideration by the Council is whether or not to approve the initiation of a review of the Animals Bylaw (Part 2), and to determine that a bylaw is the most appropriate way of addressing the nuisance or problem relevant to the Animal Bylaw as per the Local Government Act 2002

Te Huinga Taumatua Recommendation:

Mayor Holdom)

Cr Handley)

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

- a) Determines that a bylaw continues to be the most appropriate way of addressing the perceived problems that arise in relation to animals in accordance with section 155(1) of the Local Government Act 2002, and
- b) Approves the initiation of a review of the New Plymouth District Bylaw 2008, Part 2 Animals, in accordance with section 158 of the Local Government Act 2002.
- c) Notes the review will consider the option to create a standalone Animals Bylaw as an alternative to its continued incorporation within the existing consolidated New Plymouth District Bylaw 2008.

Carried

5. Cemeteries and Crematoria Bylaw Review

ECM8001593

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

Te Huinga Taumatua Recommendation:

Ms Poutu)

Ms King)

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

- a) Determines that the form of the bylaw as proposed is the most appropriate form of bylaw in light of the requirements of the Local Government Act 2002.
- b) Determines that the bylaw as proposed does not give rise to any implications under the New Zealand Bill of Rights Act 1990.
- c) Adopts the Cemeteries and Crematoria Bylaw Statement of Proposal for public consultation using a special consultative procedure as set out in section 83 of the Local Government Act 2002.

Carried

6. Neighbourhood Led Project

ECM8075763

The matter for consideration by the Council is amendments to parking controls and shared pathway allocation on one neighbourhood led street projects.

Te Huinga Taumatua Recommendation:

Ms Pue)

Mayor Holdom)

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 and shared pathways in the New Plymouth District be imposed:

Merrilands School, Kauri Street, New Plymouth

- Revoke parking prohibition on the north side of Kauri Street from 0.0m to 32.8m (32.8m) measured in an easterly direction from the prolongation of the east kerb of Mangorei Road.
- Revoke parking prohibition on the north side of Kauri Street from 67.3m to 92.9m (25.6m) measured in an easterly direction from the prolongation of the east kerb of Mangorei Road.

- Revoke parking prohibition on the south side of Kauri Street from 0.0m to 20.0m (20.0m) measured in an easterly direction from the prolongation of the east kerb of Mangorei Road.
- Revoke parking prohibition (8.15am to 9.00am, 2.45pm to 3.30pm, Monday – Friday) on the south side of Kauri Street from 67.3m to 92.9m (25.6m) measured in an easterly direction from the prolongation of the east kerb of Mangorei Road.
- Revoke parking prohibition on the south side of Kauri Street from 0.0m to 21.7m (21.7m) measured in a westerly direction from the prolongation of the west kerb of Kellyville Heights.
- Revoke parking prohibition on the south side of Kauri Street from 0.0m to 10.0m (10.0m) measured in an easterly direction from the prolongation of the east kerb of Kellyville Heights.
- Revoke parking prohibition (8.15am to 9.00am, 2.45pm to 3.30pm, Monday – Friday) on the south side of Kauri Street from 9.0m to 62.0m (53.0m) measured in an easterly direction from the prolongation of the east kerb of Kellyville Heights.
- Prohibit parking on the north side of Kauri Street from 0.00m to 34.5m (34.5m) measured in an easterly direction from the prolongation of the east kerb of Mangorei Road.
- Prohibit parking on the north side of Kauri Street from 68.5m to 124.3m (55.8m) measured in an easterly direction from the prolongation of the east kerb of Mangorei Road.
- Prohibit parking on the north side of Kauri Street from 0.0m to 23.1m (23.1m) measured in a westerly direction from the prolongation of the west kerb of Miro Street.
- Prohibit parking on the west side of Miro Street from 0.0m to 20.5m (20.5m) measured in a northerly direction from the prolongation of the north kerb of Kauri Street.
- Prohibit parking on the east side of Miro Street from 0.0m to 21.6m (21.6m) measured in a northerly direction from the prolongation of the north kerb of Kauri Street.
- Prohibit parking on the north side of Kauri Street from 0.0m to 25.2m (25.2m) measured in an easterly direction from the prolongation of the east kerb of Miro Street.

- Prohibit parking on the south side of Kauri Street from 0.0m to 107.7m (107.7m) measured in an easterly direction from the prolongation of the east kerb of Kellyville Heights.
- Prohibit parking on the east side of Kellyville Heights from 0.0m to 27.9m (27.9m) measured in a southerly direction from the prolongation of the south kerb of Kauri Street.
- Prohibit parking on the west side of Kellyville Heights from 0.0m to 22.0m (22.0m) measured in a southerly direction from the prolongation of the south kerb of Kauri Street.
- Prohibit parking on the south side of Kauri Street from 0.0m to 65.6m (65.6m) measured in a westerly direction from the prolongation of the west kerb of Kellyville Heights.
- Create two time restricted parking spaces (P120 8.00am to 5.00pm, Monday to Friday) from 16.5m to 27.5m (11.0m) measured in an easterly direction from the prolongation of the east kerb of Mangorei Road.
- Prohibit parking on the south side of Kauri Street from 0.0m to 11.5m (11.5m) measured in an easterly direction from the prolongation of the east kerb of Mangorei Road.
- Create a 2.5m wide Shared Pathway for pedestrians and cyclists on the north side of Kauri Street from Mangorei Road to Miro Street.

Carried

7. District-Wide Road Safety Review

ECM8077645

The purpose of this report is to provide the Council with an update on the District-Wide Road Safety Review and a summary of the community feedback received. This report also outlines the next steps to be taken in order to develop a safer road environment and reduce the number of fatal and serious harm crashes on New Plymouth district roads.

Te Huinga Taumatua Recommendation:

Cr Handley)

Ms Pue)

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

Carried

8. Housing and Business Capacity Assessment for New Plymouth District

ECM8075187

The matter for consideration by the Council is the Housing and Business Capacity Assessment for New Plymouth (June 2019). The purpose of the Housing and Business Capacity Assessment (HBCA) is to enable local authorities to make informed decisions about planning for growth. The HBCA has greatly assisted the drafting of the Proposed District Plan through providing an evidence base to inform planning decisions.

Te Huinga Taumatua Recommendation:

Mayor Holdom)

Ms Tuuta)

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

Carried

9. Energy Management Quarter 4 Report (to 30 June 2019)

ECM8074183

The purpose of this report is to present the Energy Management Services Team's report on savings made across the spectrum of Council operations in respect of electricity, gas, and fuel consumption and consequential reduction in green house carbon emissions through an in-house Energy Management Programme first initiated in 2006.

Te Huinga Taumatua Recommendation:

Ms Poutu)

Cr Handley)

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

Carried

10. Easement Inglewood over land donated by John Clark

ECM8078113

The matter for consideration by the Council is granting services easements (gas, electricity, telecommunications, water and sewerage), subject to those specified services being installed within the approved Right of Way Easement that will be created with the land transfer (approved by Council in 2017) of the gifted land to the Council at Inglewood.

Te Huinga Taumatua Recommendation:

Mayor Holdom)

Ms King)

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

- a) Notes that the Council resolved on 14 November 2017 to accept the gift of approximately two hectares of land adjoining Joe Gibbs

Scenic Reserve in Inglewood for public recreation reserve to vest subject to the Reserves Act 1977.

- b) Notes that public notice was given of the intent to grant a right of way over the newly gifted land under the Reserves Act 1977 and that no objections were received allowing Council officers to proceed with the land transfer as per the resolution.
- c) Notes that after commencing the land transfer process, Council officers have established that service easements for gas, electricity, telecommunications, water and sewerage are also required.
- d) Notes that the Council, as administering body, may grant an easement pursuant to a blanket delegation from the Minister of Conservation to Territorial Local Authorities under Section 48(1) of the Reserves Act 1977.
- e) Approves, acting under a blanket delegation from the Minister of Conservation pursuant to section 48(1) (c) (d) and (f) of the Reserves Act 1977, the grant of an Appurtenant Easement for gas, electricity, telecommunications, water and sewerage services being installed within the Right of Way Easement Area (already approved as to an easement by the Council) and delegates final approval and documentation easement terms to the Property Manager, subject to the specified services being installed and the landowner meeting the legal costs to prepare and register the easements and subject to vesting of gifted land as recreation reserve.

Carried

11. Road Vesting – NPDC (Waitara Lands Act) 2018 Implementation

ECM8066648

The matter for consideration by the Council, as part of the implementation of the New Plymouth District Council (Waitara Lands) Act 2018 is a decision to:

- a) Approve a recommendation that four land parcels of Council owned land (Sections 3, 4, 5 and 6 SO 496323 totalling 7841m²) be declared and vested as local road for legal access requirements (to be held subject to the Local Government Act 1974) pursuant to the provisions of the Public Works Act 1981. The land parcels involve road extensions/legalisations to Battiscombe Terrace, Browne Road Extension, West Beach and new unnamed road off West Beach (recorded as Marine Park Road 1 for asset purposes).

- b) Approve a recommendation that one parcel of Council owned land (Section 8 SO 496323 547m² developed as part of the public work for the Waitara River "flood protection stop bank" be declared and vested at a nominal consideration of \$1 (if demanded) in the Taranaki Regional Council as a Local Purpose (soil conservation, river control and recreation purposes) reserve subject to the Reserves Act 1977. The land would be the same status as adjoining Regional Council land.

Te Huinga Taumatua Recommendation:

Mayor Holdom)

Ms Poutu)

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

- a) Notes that as part of the implementation of the New Plymouth District Council (Waitara Lands) Act 2018, that cadastral survey by way of SO Plan 496323 was undertaken in 2016 for "West Beach" land, to be vested in an estate in fee simple "Te Kōwhatu Tū Moana" (incorporated Trust Board) subject to recreation reserve status under the Reserves Act 1977, with provision for service easements.
- b) Notes that Survey Office Plan 496323 more particularly delineated in the following Schedule A, the land parcels totalling 7841m² required to be declared and vested as legal local road in Council for the purposes of the Local Government Act 1974, pursuant to the provisions of the Public Works Act 1981.

Schedule A

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

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

Schedule B

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

- f) Notes that in terms of SO Plan 496323 that in 2016 the Transportation Team has approved the land requirements for the additional road requirements and the location of the waste water pump station within the road corridor has been approved by the Water and Waste Team.
- g) Notes that SO Plan 496323 was submitted in 2016 to both Te Atiawa (Te Kotahitanga o Te Atiawa Trust) and hapū of Otaraoa and Manukorihi (latter now formed as the “Te Kōwhatu Tū Moana” (incorporated Trust Board) as part of due diligence and disclosure.
- h) Approves:
1. Pursuant to Section 114(1) of the Public Works Act 1981, the declaration and vesting and gazettal as legal road of the land parcels in Schedule A, and;
 2. Pursuant to Sections 17 and 20 of the Public Works Act 1981 to the declaration and vesting and gazettal of the land in Schedule B, in the Taranaki Regional Council at a nominal compensation consideration of \$1, as local purpose (soil conservation, river control and recreation purpose) reserve subject to the Reserves Act 1977 and;
 3. Approves the Principal Administrative Officer Declaration seeking the Minister for Land Information’s consent to the declarations and gazettal thereto of the land parcels in 1 and 2.

Carried

12. Purchase of Land for Reservoir – Mountain Road

ECM8075631

The matter for consideration by the Council is the purchase of an existing leased site and the adjoining freehold site, in total 4565 square metres subject to survey, for Mountain Road water reservoir expansion.

Te Huinga Taumatua Recommendation:

Mayor Holdom)

Cr Handley)

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

- a) Approves the purchase of the property at Mountain Road, Lepperton for up to \$375,000 incl GST if any.
- b) Agrees to pay additional compensation of up to \$25,000 to the landowner as outlined in Section 72A of the Public Works Act 2018.

Carried

13. North Egmont Carparking Facilities

ECM8080034

The matter for consideration by the Council is a decision on approaching landowners on Egmont Road for the proposed purchase of a parcel of land for use as public car park, to address current parking and safety issues relating to traffic congestion at the North Egmont Visitor Centre.

Te Huinga Taumatua Recommendation:

Ms Poutu)

Ms King)

That, having considered all matters raised in the report, the Council approves a budget of \$350K to purchase a parcel of land on Egmont Road for the purpose of constructing a new off-road carpark facility.

Carried

14. New Plymouth Recreation and Racecourse Reserve Act 1999

ECM8036395

The matter for consideration by the Council is whether to lift the report regarding the New Plymouth Recreation and Racecourse Reserve Act 1999 from the table as requested by Taranaki Racing Inc.

Te Huinga Recommendation:

Cr Handley)

Cr Brown)

That, having considered all matters raised in the report the item continue to lay on the table.

Carried

15. Application by Tag Oil (NZ) Limited for Deed of Easement – Tarata Road, Inglewood

ECM8101942

The matter for consideration by the Council is a decision on a recommendation that an application by TAG Oil (NZ) Limited to install a 22 metre length petroleum pipeline (3 inch (75mm) diameter) within Tarata Road be approved and secured by the issue of a Deed of Grant of Easement, pursuant to the provisions of Section 338(1) of the Local Government Act 1974.

Te Huinga Taumatua Recommendation:

Cr Hitchcock)

Ms Poutu)

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

- a) Notes that Tag Oil (NZ) Limited (TAG) own and operate the Supplejack-1 wellsite, located on private land at 126 Tarata Road, Inglewood.
- b) Notes that TAG's intention is to construct a production facility at the well site and build a pipeline over the private land (600 metres) to convey petroleum products from the site to Tarata Road. The pipeline will connect into the existing First Gas pipeline located within Tarata Road to be able to convey its petroleum products along that pipeline.
- c) Notes that the overall project involves TAG securing approval to install a 22 lineal metre section of the pipeline with Tarata Road Corridor and to obtain Deed of Grant of Easement as shown bordered red on the plans in Appendix 1.
- d) Notes that Council staff have met with Pukerangiora hapū to discuss the pipeline within the road reserve and were advised there were no concerns with the road crossing.
- e) Notes that TAG has requested an urgent decision to be able to meet contractual obligations that if not met will result in considerable financial loss to the company.
- f) Notes that Section 338 of the Local Government Act 1974, permits the grant of an easement for up to 50 years on such terms and conditions and payment as maybe approved authorising the laying of conduit pipes for petroleum under any road.
- g) Notes that Tarata Road is a local road vested and under control of the district and held within the meaning of the Local Government Act 1974.

- h) Notes the Transportation Team have discussed TAG's proposals on site and has no issues. Water and Waste Team have also indicated that they have no issues. Contract works to be undertaken to install the new pipeline will be undertaken by Energy Works who will lodge application for a Corridor Access and Traffic Management Plan.
- i) Notes that an application to vary the Land Use Resource Consent has been submitted to the Consents Team.
- j) Approves the application by TAG to install a 22 lineal metre pipeline within Tarata Road and to the Grant of a Deed of Easement pursuant to the provisions of Section 338 of the Local Government Act 1974, for a twenty year period, with a renewal option for a further twenty year period, subject (but not limited to) the following conditions;
 - i) Payment by TAG of annual rental to be paid in advance or a one-upfront payment to be negotiated. The rental will be based on current valuation methodology.
 - ii) If renewed payment terms for the next 20 years similar to those in (i) above.
 - iii) All consents be approved prior to starting works.
 - iv) Disturbed road substrate and surface being reinstated at the expense of TAG to the satisfaction of the New Plymouth District Council Transportation Team.
 - v) As-built plans be provided as required.
 - vi) A traffic management plan prepared and submitted by TAG being acceptable to the Transportation Team.
 - vii) TAG meeting all costs in relation to this matter, including the costs of the preparation of a Deed of Grant outlining the aforementioned conditions.
- k) Delegates authority to the Property manager to finalise the conditions to the Deed of Grant.

Carried

Ms Poutu closed the hui with a karakia at 6.10pm.