

Western Bay of Plenty District Council

**Minutes of Meeting No. PP23 of the Policy Committee
held on 8 August 2019 in the Council Chamber, Barkes Corner, Tauranga,
commencing at 9.30am**

Present

Councillor M Williams (Chairperson), Councillors G Dally, M Dean, M Lally, P Mackay, K Marsh, D Marshall, M Murray-Benge, J Palmer, J Scrimgeour, D Thwaites and His Worship the Mayor G J Webber

In Attendance

M Taris (Chief Executive Officer), R Davie (Group Manager Policy, Planning and Regulatory Services), P Watson (Reserves and Facilities Manager), E Watton (Policy and Planning Manager), A Curtis (Compliance and Monitoring Manager), S Stewart (Policy Analyst), S Harvey (Roading Engineer East), L Gotty-Rangitua (Planning Coordinator), and B Clarke (Senior Governance Advisor)

Community Boards

A Sole (Chairperson, Waihi Beach Community Board), and J Dugmore (Member, Te Puke Community Board)

Declarations of Interest

Members were reminded of the need to be vigilant and to stand aside from decision making when a conflict arises between their role as an elected representative and any private or other external interest that they may have.

Members were advised that if they had an interest (actual, potential, perceived, pecuniary or non pecuniary interest) in any item on the agenda, then they must declare this interest and refrain from discussing or voting on the item and are advised to withdraw from the meeting table for the item (as per the Local Authorities (Members' Interest) Act 1968).

There were no declarations of interest declared by Members in relation to any items on the agenda.

PP23.1 **Recommendatory Report from Operations & Monitoring Committee - Relocation of Mobility Park to Oxford Street, Te Puke**

The Policy Committee considered a report from the Senior Governance Advisor dated 4 July 2019.

In response to a question, the Policy and Planning Manager advised that the recommendation before the Committee aligned with the draft Traffic and Parking Enforcement Bylaw 2019. She noted that there would be an opportunity for Members to consider the draft bylaw in its entirety, as it was a later agenda item.

Resolved: Dally / Dean

1. *THAT the recommendation from the Operations and Monitoring Committee, as set out below, be considered as part of the Traffic and Parking Bylaw in its entirety.*
2. *THAT one mobility park be relocated from the eastern end of the Plaza to Oxford Street, Te Puke, to allow better mobility access to the pharmacy.*
3. *THAT the report relates to an issue that is considered to be of low significance in terms of Council's Significance and Engagement Policy.*

PP23.2 **Deliberations on the draft Freedom Camping Bylaw 2019**

The Policy Committee considered a report from the Policy Analyst dated 4 July 2019.

The Policy Analyst requested that the report be taken as read, and outlined the following key points:

- Members had discussed the draft bylaw in a workshop.
- Council had undertaken public consultation on the draft bylaw from 18 March to 18 April 2019 under the Local Government Act 2002 Special Consultative Procedure.
- 145 submissions had been received, resulting in 828 individual submission points.
- There were 8 key proposals; feedback results showed a majority support for all proposals.
- Some submission points proposed alternatives to key proposals, however, it was important that Council only adopt changes deemed to be minor in nature; and that would not affect an existing right, interest, title, immunity, duty, status or capacity to whom the bylaw applied.
- 11 submission points were outside the scope of the bylaw.

Resolved: Mackay / Mayor Webber

1. *THAT the Policy Analyst report dated 4 July 2019 and titled "Deliberations on the draft Freedom Camping Bylaw 2019" be received.*
2. *THAT the report relates to an issue that is considered to be of medium significance in terms of Council's Significance and Engagement Policy.*
3. *THAT the Policy Committee receives all written and verbal feedback from the special consultative procedure 18 March to 18 April 2019, as set out in the document titled "Freedom Camping Bylaw 2012 Review – Submissions" as circulated separately with this agenda.*
4. *THAT in relation to the following issues, the Policy Committee resolves:*

Issue 1: Key proposals

Option A: THAT Council prohibit freedom camping year round at ANZAC Bay, Lund Road reserve, Reserve at Wairoa Road, Fyfe Road utilities reserve, and Western Avenue utilities reserve; Move Freedom Camping designation and reduce area at Pukehina Beach (Dotterel Point); Reduce depth of freedom camping designation at Brighton Reserve; and amend wording to obtain tenting permission TECT Park by removing "in writing".

Issue 2: Alternatives on key proposals

Option A: THAT Council incorporates the non-substantive and practical alternatives in the Freedom Camping Bylaw, being to amend aerial imagery which show incorrect freedom camping use at Tuapiro Point

5. *THAT pursuant to s11 of the Freedom Camping Act 2011, Council confirms that areas prohibited for freedom camping use are done so in order to protect the area, to protect the heathy and safety of people who may visit the area, and/or to protect access to the area. This draft bylaw is also the most appropriate and proportionate way of addressing the perceived problem in those areas, and the draft bylaw does not give rise to any implications under the New Zealand Bill of Rights 1990.*
6. *THAT the Policy Committee recommends to Council that the Freedom Camping Bylaw 2019 be adopted, inclusive of the above amendments, and become effective on 23 August 2019.*
7. *THAT the Policy Committee directs staff to prepare a decision document as the formal response to submitters, in general accordance*

with the resolutions made in relation to this report, to be adopted at the Council meeting on 29 August 2019 alongside the final bylaw.

PP23.3 **Deliberations on the draft Traffic and Parking Enforcement Bylaw 2019**

The Policy Committee considered a report from the Policy and Planning Manager dated 20 July 2019.

The Policy and Planning Manager requested that the report be taken as read, and outlined the following key points:

- The seventh recommendation sought to incorporate recommendations from the Operations and Monitoring Committee in the final bylaw, for consistency with the changes to parking provision made by that Committee's decisions on 4 July 2019.
- Commerce Lane, Te Puke carpark did not meet NZ standards for manoeuvrability. The Te Puke Community Board recommended keeping the carpark, but erecting signage to the effect that the parking area was suitable for small vehicle use only.
- The Roading Engineer East had met with Fairhaven School and local residents in relation to the availability of parking in the school vicinity. There appeared a stalemate at present, as the school sought removal of the yellow lines prohibiting parking outside the properties of nearby residents, however, the residents wished them to remain.
- There had been a request from Oropi School to make traffic changes to protect the school pupils and vehicle users during peak times.

Staff responded to questions in relation to Council land leased to Countdown; and the establishment of a motorcycle park to utilise the remaining portion of a carpark dissected to create a mobility carpark.

Resolved: Mayor Webber / Murray-Benge

1. *THAT the Policy and Planning Manager's report and titled "Deliberations on the Draft Traffic and Parking Enforcement Bylaw" 2019 and dated 20 July 2019 be received.*
2. *THAT the report relates to an issue that is considered to be of medium significance in terms of Council's Significance and Engagement Policy.*
3. *THAT the Policy Committee receives all written and verbal feedback from the special consultative procedure 18 March to 18 April 2019, as set out in the document titled "Traffic and Parking Enforcement Bylaw Review – Submissions" as circulated separately with this agenda.*
4. *THAT in relation to Issue 1 the Policy Committee resolves [as amended] to:*

- *Add a new parking area off Commerce Lane next to the walkway through to Jellicoe Street (subject to a P120 restriction and also including a new mobility park)*
 - *Introduce a P120 restriction to the 10 on-street parks on Commerce Lane*
 - *Add yellow 'no parking' lines for the first 35 metres of No. 3 Road on both sides of the road*
 - *Add an additional mobility park at the eastern end of Jellicoe Street, outside the Bottle-O (33 Jellicoe Street)*
 - *Relocate the mobility park on Queen Street outside the PathLab (27 Queen Street) to the opposite end of the angle parking bay, next to the wheelchair access to PathLab*
 - *Reduce the area subject to the bylaw outside Te Puke Countdown, to reflect that part of this carpark is privately owned*
 - *Make a range of changes to the yellow 'no parking' restrictions as a result of recent works on Jellicoe Street*
 - *Reduce the yellow 'no parking' lines outside Waihi Superette (211 Seaforth Road), to accommodate new pedestrian refuges*
 - *Extend the yellow 'no parking' lines on the western side of Wilson Road from the intersection with The Crescent 15 metres north*
 - *Add yellow 'no parking' lines on both sides of Seaforth Road, between the Coastguard building and Anzac Bay*
 - *Extend the yellow 'no parking' lines on Omokoroa Road to 10 metres north of the skate path boundary, and on Western Avenue to the commencement point of the kerb and channel*
 - *Introduce a P30 time restriction to three car parks outside Patuki Manawa (Katikati Library and Service Centre)*
 - *Extend the yellow 'no parking' lines from the parking area to run west along McLaren Falls Road for 300 metres, on both sides of the road*
 - *Add yellow 'no parking' lines to start after the driveway of 1031 Omanawa Road to run 200 metres south on both sides of the road*
 - *Include a heavy vehicle restriction on Wilson Road South, Paengaroa to give effect to resolution made by Council in 2004.*
5. *THAT in relation to Issue 2 the Policy Committee resolves [as amended] to:*
- *Remove some yellow 'no parking' lines in and around Fairhaven School, Te Puke (Boucher Avenue) in accordance with Attachment A to this report*
 - *Decline the submitter request to include further time restricted carparks on Commerce Lane (beyond what exists presently)*
 - *Extend the existing bus stop in Commerce Lane*
 - *Add yellow 'no parking' lines to replace the last carpark next to the New World entrance on Commerce Lane*
 - *Decline the submitter request for a heavy vehicle prohibition in Te Puke and Maketu residential areas*
 - *Convert two of the parks on the western side of Oxford Street into one mobility park and one motorcycle park*

- *Decline the submitter request to have longer parking times for carparks on Jellicoe Street*
 - *Decline the submitter request for a new covered mobility park outside the post office on Jellicoe Street*
 - *Decline the submitter request for yellow no parking lines along the length of buildings fronting the lane between 23 and 27 Wilson Road and erect appropriate signage instead*
 - *Remove the yellow 'no parking' lines outside the dairy on the western side of Wilson Road*
 - *Decline the submitter request to reinstate yellow 'no parking' lines on one side of Pacific Road*
 - *Decline the submitters request to add yellow 'no parking' lines at a number of places around Omokoroa Point School*
 - *Decline the submitters request to add yellow 'no parking' lines between the entrance to the boat trailer park and the shops*
 - *Decline the submitter request to shift the yellow 'no parking' lines at the Omokoroa Road intersection with SH2*
 - *Add yellow 'no parking' lines on the southern side of the curve on Harbour View Road running from outside number 49 to opposite Ruamoana Place*
 - *Decline the submitter request to add yellow 'no parking' lines and/or redesign the cul-de-sac at the end of Baigent Place*
 - *Relocate two mobility carparks from the northern side of the Katikati Memorial Hall to the north eastern corner and remove four angle parks next to Westpac Bank*
 - *Increase the parking restriction outside 36 Main Road from 1 hour to 2 hours*
 - *Decline the submitter request to extend the yellow 'no parking' lines from the end of Park Road up to Francis Drive*
 - *Decline the submitter request to add yellow 'no parking' lines on either side of Highfields Drive from the main road down to Vesey Drive*
 - *Decline the submitter request for yellow 'no parking' lines on Fairview Road and Carisbrooke Street*
 - *Incorporate existing yellow 'no parking' lines around the entrance to 23 Te Puna Road into the Bylaw*
 - *Impose a heavy vehicle restriction (for vehicles over 10 tonnes) for that part of Oropi Gorge Road between Gluepot Road and Oropi Road)*
 - *Add yellow 'no parking' lines around the corner of Oropi Road adjacent to the formed school carpark.*
6. *THAT in relation to Issue 3 the Policy Committee acknowledges the matters raised outside the scope of this bylaw review, and endorses*
7. *the proposed responses set out in the attached issues and options paper.*
8. *THAT the final bylaw incorporates the decisions made by the Operations and Monitoring Committee on 4 July, being:*
- *The garden adjacent to the Plaza be altered to install one additional carpark at an estimated cost of \$25,000*

- *One mobility park be relocated from the eastern end of the Plaza to Oxford Street, Te Puke to allow better mobility access to the pharmacy.*
9. *THAT the final bylaw includes an additional clause, specifying the process for exemption permits to be issued.*
 10. *THAT the Policy Committee recommends to Council that the Traffic and Parking Enforcement Bylaw 2019 be adopted, inclusive of the above amendments, and shall become effective on 30 September 2019.*
 11. *THAT the Policy Committee recommends to Council that Schedules 1-6 of the Traffic and Parking Enforcement Bylaw are classified as the parking places for the Western Bay of Plenty District.*
 12. *THAT the Policy Committee directs staff to prepare a decision document as the formal response to submitters, in general accordance with the resolutions made in relation to this report, to be adopted at the Council meeting on 29 August 2019 alongside the final bylaw.*

PP23.4

Adoption of the draft Water Supply System Bylaw 2020 for public consultation

The Policy Committee considered a report from the Policy Analyst dated 3 July 2019.

The Policy Analyst requested that the report be taken as read. The Policy and Planning Manager advised that the intention was to hold a Policy Development Workshop for Members in February 2020 to provide an update and opportunity for discussion on the approach to consultation. The bylaw would then be consulted on early in 2020.

In response to a question, staff advised that the entire bylaw was about the protection and supply of water in the District.

Resolved: Dean / Mackay

1. *THAT the Policy Analyst's report dated 3 July 2019 and titled "Adoption of the Draft Water Supply System Bylaw 2020 for Public Consultation" be received.*
2. *THAT the report relates to an issue that is considered to be of low significance in terms of Council's Significance and Engagement Policy.*
3. *THAT pursuant to s155 of the Local Government Act 2002, Council confirms that a bylaw is the most appropriate way of addressing the perceived problems, the draft bylaw is the most appropriate form of bylaw, and that the draft bylaw does not give rise to any implications under the New Zealand Bill of Rights 1990.*

4. *THAT the Draft Water Supply System Bylaw 2020, the accompanying statement of proposal, and feedback form, as appended to the report, are released for consultation pursuant to s156 of the Local Government Act 2002, from early February to early March 2020.*

The meeting concluded at 10.00am.

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