



Te Kaunihera-ā-Rohe o Ngāmotu

**New Plymouth
District Council**

STRATEGY AND OPERATIONS COMMITTEE

**Tuesday, 28 July 2020
at 1pm**

**COUNCIL CHAMBER
LIARDET STREET, NEW PLYMOUTH**

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

COMMITTEE PURPOSE

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:

- Promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.
- 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



Te Kaunihera-ā-Rohe o Ngāmotu

**New Plymouth
District Council**

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

None advised

ADDRESSING THE MEETING

Requests for public forum and deputations need to be made at least one day prior to the meeting. The Chairperson has authority to approve or decline public comments and deputations in line with the standing order requirements.

PUBLIC FORUM

Public Forums enable members of the public to bring matters to the attention of the committee which are not contained on the meeting agenda. The matters must relate to the meeting's terms of reference. Speakers can speak for up to 5 minutes, with no more than two speakers on behalf of one organisation.

- None advised

DEPUTATIONS

Deputations enable a person, group or organisation to speak to the meeting on matters contained on the agenda. An individual speaker can speak for up to 10 minutes. Where there are multiple speakers for one organisation, a total time limit of 15 minutes, for the entire deputation, applies.

- None advised

PREVIOUS COMMITTEE MINUTES

Recommendation

That the minutes of the Strategy and Operations Committee (9 June 2020), and the proceedings of the said meeting, as previously circulated, be taken as read and confirmed as a true and correct record.

END

REPORTS

ITEMS FOR DECISION BY COMMITTEE

1. Parking Prohibitions

ITEMS FOR REFERRAL/RECOMMENDATION TO COMMUNITY BOARDS AND COMMITTEES

2. Waiwaka Stormwater Culvert
3. Freedom Camping Bylaw
4. Appointment and Remuneration of Directors Policy Review
5. Lepperton Hall Update
6. Approval of Charter for HMNZS AOTEAROA
7. Meeting Cycle for 2021

END

AMENDMENTS TO PARKING CONTROLS

MATTER

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

RECOMMENDATION FOR CONSIDERATION

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 Broadmore Street & Tasman Street, New Plymouth

- Create a section of no-stopping on the north side of Broadmore Street from 64.0m to 80.1m (16.1m) measured in an easterly direction from the prolongation of the east kerb of Drake Street.
- Create a section of no-stopping on the west side of Tasman Street from 23.1m to 31.9m (8.8m) measured in a southerly direction from the prolongation of the west kerb of Broadmore Street.
- Revoke a section of no-stopping on the east side of Tasman Street from 22.1m to 32.7m (10.6m) measured in a southerly direction from the prolongation of the south kerb of Broadmore Street.

Item 2 Devon-street East, New Plymouth

- Remove a time restricted on-street parking space (P60) on the north side of Devon-street East from 94.7m to 100.2m (5.5m) measured in an easterly direction from the prolongation of the east kerb of Nobs Line.
 - Create a time restricted (P5) loading zone on the north side of Devon-street East from 94.7m to 100.2m (5.5m) measured in an easterly direction from the prolongation of the east kerb of Nobs Line
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COMPLIANCE	
Significance	This matter is assessed as being of some importance.
Options	<p>This report identifies and assesses the following reasonably practicable options for addressing the matter:</p> <ol style="list-style-type: none"> 1. Endorse the proposed amendments to parking controls. 2. Do nothing and retain the existing parking controls.
Affected persons	The persons who are affected by or interested in this matter are the residents/property owners and users of the transportation network in the relevant locations. The views of these persons are discussed in this report.
Recommendation	This report recommends Option 1 for addressing the matter.
Long-Term / Annual Plan Implications	There are no implication for the Long-term or Annual Plan.
Significant Policy and Plan Inconsistencies	There are no significance implications for Council Policies or Plans.

BACKGROUND

Item 1 Broadmore Street & Tasman Street, New Plymouth

1. This item recommends the introduction of no-stopping along the north/east side of Broadmore Street adjacent to No.19. The primary purpose of this proposal is to provide safe thoroughfare along the Broadmore Street.
2. Also recommended is the relocation of the on-street car parking space from the east to the west side of Tasman Street adjacent to No.4. The primary purpose of this proposal is to use the existing on-street car parking to create a small amount of horizontal deflection in an attempt to reduce the speeds of vehicles as they travel along Tasman Street and exit onto Broadmore Street.

Community Views and Preferences

3. The proposal has been requested by local residents who find it difficult to travel along Broadmore Street (as forward visibility is limited), and have reported that vehicles that exit Tasman Street (onto Broadmore) do so at an unsafe speed. The item was publicly notified on 27 May 2020 in the North Taranaki Midweek. The occupiers of adjacent properties were concurrently advised of the proposal.

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4. Two responses have been received. One response initially objected to the proposal but has since accepted it after further clarification. The other response did not believe that the no-stopping on Broadmore Street was necessary but has accepted the proposal.

Item 2 Devon Street East, New Plymouth

5. This item recommends the removal of the time restricted on-street parking space (P60) to create a loading zone (P5) along the north side of Devon Street East adjacent to No.475 Devon Street East. The primary purpose of this proposal is to provide quick turnover parking for drop-offs and pick-ups that relate to the adjacent businesses.
6. This time restricted on-street parking space (P60) was resolved by this Committee earlier in the year to allow vehicles to legally park in this location. The adjacent businesses felt that this P60 restriction obstructed their business activities and it was subsequently agreed that the space should be changed to a Loading Zone (P5).

Community Views and Preferences

7. This item was publicly notified on 27 May 2020 in the North Taranaki Midweek. No responses to the proposal have been received at the time of writing the report.

NEXT STEPS

8. Should the Committee endorse the proposed changes (Option 1), as a whole or in part, NPDC staff will instruct our contractors to manufacture any required signage and install any required markings to finalise the changes to parking controls.
9. For items that form part of private developments, this work will be completed by those other parties as those developments are nearing completion. For the other items, it is anticipated that the installation of signs and markings should be completed within four weeks of receiving notification that the proposed changes have been endorsed by the Committee.

SIGNIFICANCE AND ENGAGEMENT

10. In accordance with the Council's Significance and Engagement Policy, this matter has been assessed as being of some importance because the changes herein can be funded from current transportation budgets.
 11. There are interested and affected parties regarding the matters raised in this report. Consultation has already been undertaken with these parties to obtain their views and preferences on the matters proposed in this report. Their views are covered in the options assessment section of this report.
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OPTIONS

12. There are two reasonably practical options:

- Endorse the proposed changes (Option 1).
- Do nothing (Option 2).

The two options have been assessed together below:

Financial and Resourcing Implications

13. The costs for amending parking controls are for changes to road-marking, signage, parking sensors, the construction of traffic calming and crossing facilities and associated administration costs. Costs and associated resourcing are relatively low and are covered within existing operational budgets.
14. There are no short term associated costs should the Committee choose not to amend parking control(s) at this time. However, this could incur future costs if the Committee needs to address safety or amenity issues in the future.

Risk Analysis

15. The risk associated with implementing the proposed amendments are minimal. The proposed amendments have come through via various requests from our community, as a result of safety concerns, or to improve network functionality.
16. In some instances, proposed amendment addresses a current issue of non-compliance with standards, good practice or bylaws. The Committee is exposed to risk when it is aware of these matters but fails to act on the issue.

Promotion or Achievement of Community Outcomes

17. The proposed amendments promote the 'people' outcome by improving road safety and open space amenity for the community.

Statutory Responsibilities

18. The proposed amendments enable the Council to meet its statutory responsibility to provide efficient, effective, and appropriate infrastructure to meet the needs of the community. The necessary road-marking and signage needed to make the changes necessary to implement this option must comply with:
- Land Transport Rule; Traffic Control Devices Rule 2004.
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- New Zealand Transport Agency; Traffic Control Devices Manual, Part 13 - Parking Control.
- New Plymouth District Council; Bylaws 2008, Part 13 - Traffic.

Consistency with Policies and Plans

19. The proposed amendments are consistent with the Long-Term Plan. One of the key performance indicators for the transport network is reducing the number of fatal and serious crashes in the District.

Participation by Māori

20. Council officers do not consider there to be specific issues relating to Māori with this option.

Community Views and Preferences

21. Neighbouring residents are directly consulted regarding the proposed changes to parking controls. This direct consultation can include certain stakeholders such as public transport operators and schools. In addition to this there is a general notification in the local newspaper as a way of informing the wider community.

Advantages and Disadvantages

22. Changes to parking controls are often made to, improve public safety or, convenience. Not making the proposed changes in line with Option 1 would negatively impact the community.

OPTION SUMMARY

	Option 1	Option 2
Financial and Resourcing Implications	-	-
Risk Analysis	✓	X
Promotion or Achievement of Community Outcomes	✓	X
Statutory Responsibilities	✓	X
Consistency with Policies and Plans	✓	X
Participation by Māori	-	-
Community Views and Preferences	✓✓	X
Advantages and Disadvantages	✓	X

KEY: X Negative effect, ✓ Positive effect, - Neutral

RECOMMENDED OPTION

This report recommends Option 1 which endorses the amendments to parking controls as proposed for addressing these matters.

APPENDICES**Appendix 1:** Plans of Proposed Changes (ECM8318580)

Report Details

Team:	Transportation
Prepared By:	David Brown (Traffic and Safety Engineer)
Approved By:	David Langford (Infrastructure Manager)
Ward/Community:	New Plymouth City Ward
Date:	7 July 2020
File Reference:	ECM 8318579

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

AMENDMENTS TO PARKING CONTROLS

Appendix 1: Plans of Proposed Changes.

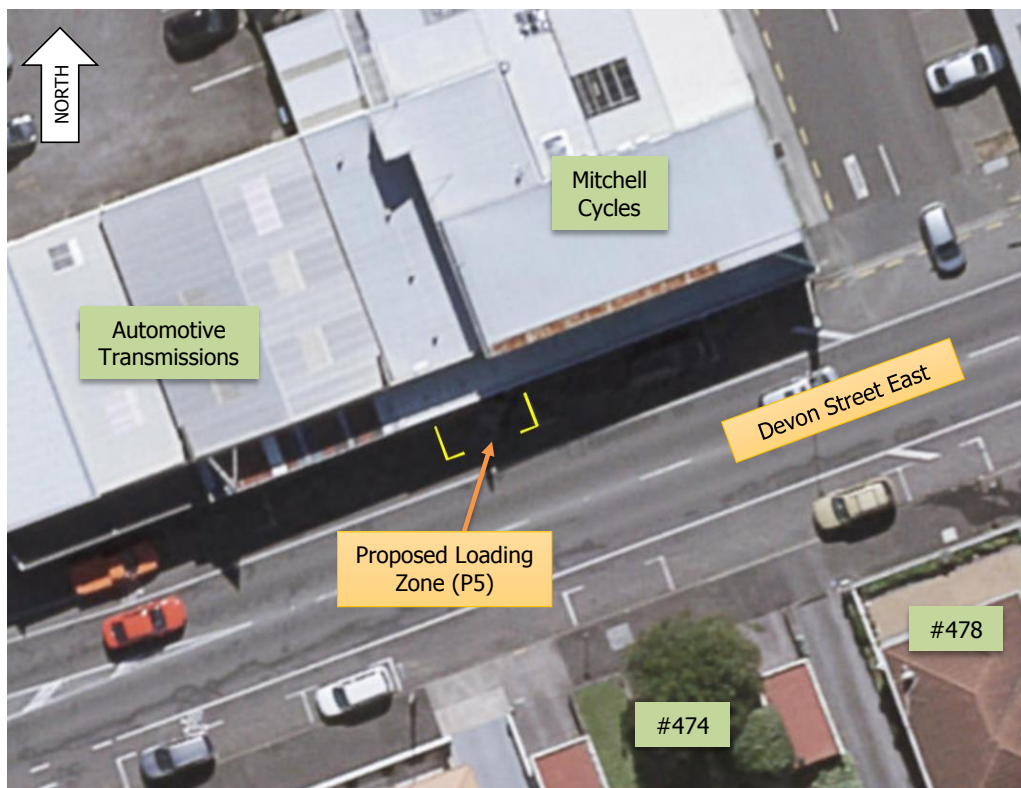
Item 1 Broadmore & Tasman Streets

Plan of proposed changes:



Item 2 Devon Street East, New Plymouth

Plan of proposed changes:



WAIWAKA TERRACE URGENT CULVERT REPAIR AND MAINTENANCE PROJECT

MATTER

1. The matter for consideration by the Council is the approval of funding for the urgent renewal and repair of the storm water culvert at Waiwaka Terrace.

RECOMMENDATION FOR CONSIDERATION

That having considered all matters raised in the report Council:

- a) **Approve a budget of up to \$2.45M for the replacement and repair of the Waiwaka Terrace culvert and the adjoining 450mm diameter pipe.**
- b) **Notes that the renewal of culverts is included in the scope of the Term Maintenance Contract that NPDC has with Downer and that the work will be delivered via this contract.**
- c) **Notes that the budget may be increased by up to a further \$170k under authority delegated to the Chief Executive if the risk that it is not possible to extract the temporary sheet piling eventuates.**

COMPLIANCE	
Significance	This matter is assessed as being critical
Options	<p>This report identifies and assesses the following reasonably practicable options for addressing the matter:</p> <ol style="list-style-type: none"> 1. Do Nothing – leave the culvert as it is and accept the risk that it may collapse further. 2. Option 2 Approve the unbudgeted expenditure of \$2.45m to urgently undertake the repair work as soon as possible. 3. Option 3 Budget for the replacement of the culvert as part of the 2021-2031 Long Term Plan.
Affected persons	The persons who are affected by or interested in this matter are the landowners in the immediate vicinity and the wider storm water catchment as well as the general road using public who use Waiwaka Terrace.
Recommendation	This report recommends Option 2 for addressing the matter.

COMPLIANCE	
Long-Term Plan / Annual Plan Implications	This is unbudgeted renewals expenditure.
Significant Policy and Plan Inconsistencies	This is inconsistent with the 2018 Long Term Plan as this project was not budgeted in the plan.

EXECUTIVE SUMMARY

4. The storm water culvert, located on Waiwaka Terrace has partially collapsed as illustrated in photograph 1. The culvert is believed to have been constructed approximately 40 years ago. The construction methodology seems to have favoured a tunnelling construction method approach which has resulted in a far less robust culvert design.
 5. The culvert has been inspected and assessed for replacement and a recommended replacement methodology developed.
 6. In its current state, the culvert presents a high risk to private property and public safety as well as legal and reputations risks to the Council.
 7. There is a high risk that the culvert could further fail causing the collapse of Waiwaka Terrace and/or the private property. This would also result in further blockage of the culvert that would result in severe flooding. Furthermore, there is also a sewer pipe laid inside this culvert which is at risk of damage from fall in debris should the culvert collapse further. This would result in a large uncontrolled discharge of untreated sewage to the surrounding watercourse. As such, it is recommended that the culvert be repaired as soon as practicably possible.
 8. Furthermore if the culvert is not replaced it is highly likely that Waiwaka Terrace will need to be closed. As a result, the 770 vehicles that use this road each day will need to travel an additional 1.4km in order to complete their journeys. Over the design life of the new culvert, this additional travel will cost the community roughly \$15.5 million in vehicle running costs and generate approximately 2,560 tonnes of additional carbon dioxide emissions. This is a significantly higher cost than the estimated replacement cost of the culvert.
 9. Independent engineering consultants have been appointed to inspect the culvert, provide an accurate condition assessment and make recommendations on the most suitable repair/replacement options. Subsequent to this work, the detail engineering design of the preferred repair solution was commissioned and is currently underway.
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10. Due to the high health and safety risks that will need to be managed during the construction phase, a contractor has been appointed to provide planning and buildability advice during the detail design phase.
 11. The work commissioned to date has been done under authority delegated to council officers and is funded from existing storm water renewals budgets. However, the annual budget for the renewal of storm water assets is only \$210,445 which is less than a tenth of the \$2.45m cost estimate to repair the culvert.
 12. This report recommends that Council approve a budget of up to \$2.45m in the 2020/21 financial year, in order to undertake the necessary repair works to the culvert under Waiwaka Terrace.

Photograph 1: Collapsed Culvert – this section is under the driveway to 32B, 32C and 32D Waiwaka Tce.



BACKGROUND

13. A 0.76m wide by 1.68m high culvert that traverses private property, the Waiwaka Terrace road reserve and State Highway 3 (SH3) provides the outlet for a storm water catchment bounded by Mangorei Rd, Rimu Street, Chilman Street and SH3. Figure 1 shows the location of the culvert.
 14. Whilst responding to Blockages in the sewer which runs through the culvert in 2018 and 2019, damage to the culvert was identified, although the full extent was yet to be determined. A detailed inspection of the culvert was undertaken in November 2019 which highlighted the extent of the damage.
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15. It is fortunate that the sewer main passes through the culvert as the council suspended its storm water CCTV inspection programme in approximately 2008. Without the coincidental discovery of the condition of the culvert during the sewer inspection it is likely that the condition of the culvert would have remained undetected until it collapsed further with potentially serious consequences.
16. The culvert is made up of several sections of varying construction types. Most of the section in private property is 450mm concrete pipe installed in 1945. The section under Waiwaka Terrace, as illustrated in Photograph 1, is a box culvert constructed in-situ around 1981. The section under SH3 is a precast box culvert also installed in the 1980's.

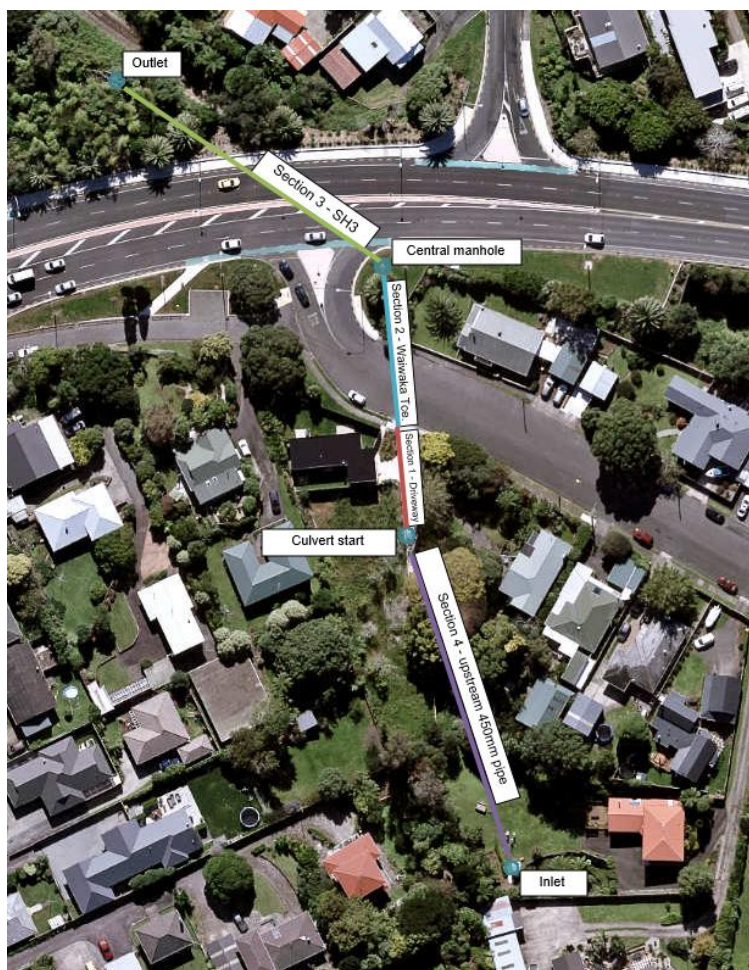


Figure 1: Alignment of Culvert – under driveway, Waiwaka Tce and SH3.

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17. Upon discovery of the culvert's very poor condition, a Project Manager was appointed to undertake investigatory work in order to fully scope the extent of any necessary repairs and assess the feasibility and economics of the available options.
 18. Engineers from WSP NZ Ltd undertook a detailed condition inspection of the culvert on 27 November 2019 (Appendix One (ECM8255415)).
 - a) The failure of the box culvert had only occurred under the driveway section of 32B and 32C Waiwaka Terrace.
 - b) The section of the culvert under Waiwaka Terrace is of the same design as the section under 32B and 32C Waiwaka Terrace. While currently stable, the culvert is showing signs of distress and this should be repaired at the same time.
 - c) The section of the culvert under SH3 is of a different and more robust design and construction. No concerns were raised in the condition of this section of the culvert and no work is required at this time.
 - d) No damage to the sewer line or leakages were found during the assessment.
 - e) A CCTV inspection has confirmed that multiple joints in the adjoining 450mm pipe are compromised and leaking. Some settlement in the vertical alignment of the pipe has also been observed and thus needs to be repaired or replaced.
 19. Based on the advice from WSP the access via the driveway way to 32C and 32D has been restricted to light vehicles only. Furthermore fortnightly inspections were recommended and have been undertaken to monitor the condition of the culvert.
 20. Due to the location of the culvert, there is no easily accessible secondary flow path. Therefore, if the culvert were to collapse, there would be some localized flooding which would impact the adjacent low lying properties. Furthermore, any culvert failure would likely damage the sewer pipe within the culvert leading to wastewater discharging into the culvert and the downstream water course. In addition, collapse of the culvert section under Waiwaka Terrace would likely result in the closure of the road.
 21. Based on these risks, WSP was commissioned to undertake an options assessment and provide a recommended solution. This work considered 4 feasible construction methods as follows:
 - Trenchless rehabilitation of the culvert using a cured in place liner
 - Trenchless rehabilitation of the culvert using a fibre reinforced polymer liner
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- Open trench in-line replacement of the culvert with precast concrete
 - Off-line replacement of the culvert by trenchless pipe jacking of a new concrete pipe
22. Option A (trenchless rehabilitation of the culvert using a cured in place liner) was identified as the preferred option due to the following reasons
- Worker health and safety risks during construction
 - Up front capital costs of construction
 - Whole of life costs based on Net Present Value (NPV) over 50 and 100 year timeframes
 - Expediency to carry out the repairs.
23. A copy of the options assessment report is included in Appendix Two. It should be noted that the cost estimates given in the options assessment report only account for the direct construction costs associated with each option. These estimates exclude other costs, such as, but not limited to, the costs for detailed engineering design works, project management, the temporary over-pumping of the sewer, replacement of the adjoining 450mm diameter pipe etc. As such, these costs differ from the total project budget being request for this project.
24. Given the risk of further collapse of the Culvert, WSP have been instructed to commence the detailed design of the preferred solution. This work is being funded from the existing storm water renewals budget under the delegated authority limits of council managers.
25. Furthermore, given the complexity of the repair and the health and safety risks associated with working on a collapsed structure, in confined spaces up to 8 meters below ground, a Contractor has also been engaged to provide advice on buildability via an Early Contractor Involvement (ECI) contract.
26. Whilst the detailed design work has been commissioned using the existing storm water renewals budget of \$210k per annum, there is insufficient funding available to cover the estimated \$2.45m construction repair costs.
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27. Figure 2 shows how the storm water renewals budget has changed over time over the last 20 years. During this time, the storm water network has grown in length and value from 79km and \$69.6m to 290km and \$372.8m respectively. Whilst renewals budgets were increased to keep pace during the years 2000 to 2008, in the years following budgets have been reduced by more than 90%.

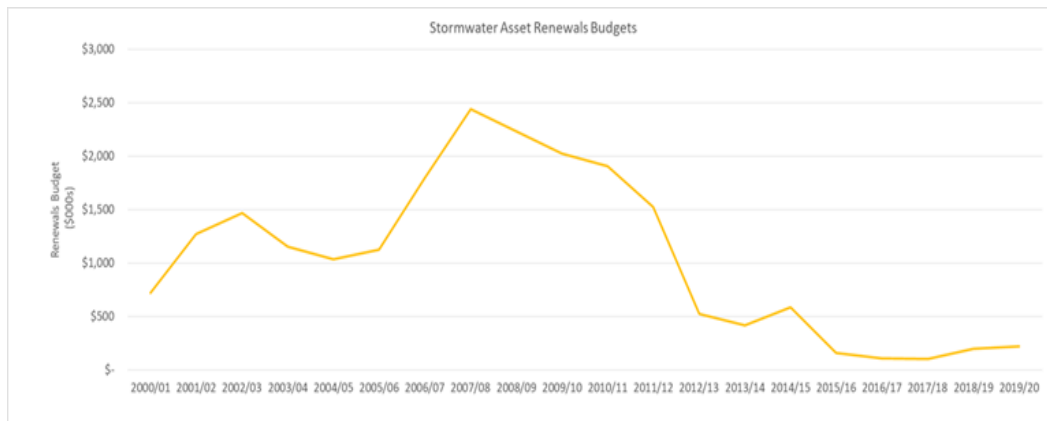


Figure 2

BENEFITS STATEMENT

28. The infrastructure management team have prepared a business case to support the case for replacing the culvert. In summary the following benefits have been identified:
- Replacing the culvert will ensure the storm water infrastructure continues to meet the councils performance levels of service and prevent flooding to residents homes in line with our levels of flood protection.
 - Replacing the culvert will protect the sewer main that passes through the bore of the existing culvert from damage caused by falling debris. In turn this will prevent uncontrolled discharges of sewage to the downstream watercourse.
 - Replacing the culvert will avoid the need to close the road and footpaths above the culvert on Waiwaka Terrace in order to protect public safety as the structure collapses further.
 - If the road of Waiwaka Terrace were closed in order to protect public safety, then the 770 vehicles that use this road each day will need to travel an additional 1.4km in order to complete their journey. Over the design life of the new culvert, this additional travel will cost the community approximately \$15.5 million in vehicle running costs. This is a significantly higher cost than the estimated replacement cost of the culvert.

- Replacing the culvert will avoid the additional 1.4km per vehicle per day travelled if Waiwaka Terrace is closed, which would in turn generate an additional 2,560 tonnes of carbon dioxide from vehicle emissions which will be released over the design life of a new culvert.

BUDGET CLASSIFICATION

29. As part of the business case development, a cost estimate for the works has been developed by the project management team and is summarised in the table below:

Description	Estimate
Project Management, Construction Supervision and quality assurance	\$80,000
Legal fees	\$60,000
Land lease including valuation costs	\$40,000
Land and private property reinstatements	\$150,000
Engineering designs & options assessment	\$156,500
Culvert inspections	\$20,000
Over pumping during construction	\$110,000
Site preparation and tree removal	\$30,000
Culvert relining	\$750,000
Culvert Inlet reconstruction and 450mm diameter pipe replacement	\$385,000
Temporary works and trench support	\$100,000
Sub-Total:	\$1,881,500
Contingency (30%)	\$564,450
Total	\$2,445,950

30. The accuracy and reliability of this budget estimate has now been developed to a Class 3 (on a scale of Class 5 to Class 1). This budget classification is based on the following factors:

- The scope of the project, including confirmation of a preferred replacement option, has been fully documented and is now fixed
- The location of the project is confirmed
- Site inspections have confirmed the ground conditions of the site
- A project plan and associated work breakdown structure has been developed

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- A preliminary procurement strategy has been developed
 - Detailed engineering designs have been commissioned but are not yet complete.
31. Due to the level of risk, particularly regarding the temporary ground support and debris clearance operations, and the fact that the budget has currently been developed to a Class 3 standard, a 30% contingency is included in the proposed budget.
32. Furthermore, there are a number of assumptions that support the budget estimate build up. One such key assumption is that the sheet piles used as temporary ground support can be successfully extracted at the end of the project. If it is not possible to extract the sheet piles, either due to ground conditions or any other reason, then they will need to be left in-situ and the council will be required to purchase the piles from the contractor. Should this risk eventuate then the project budget will be increased by up to a further \$170k under authority delegated to the CEO should there no longer be sufficient uncommitted contingency.

PROCUREMENT APPROACH

33. To reduce the risks relating to flooding and further collapse of the culvert, it is proposed that these works be undertaken at the earliest opportunity over the coming summer period when average rainfall is lowest.
34. There are a number of specialist materials, such as the new culvert liner, which have long lead times and need to be sourced with urgency. As such it is proposed to use NPDC's existing Term Maintenance Contract (held by Downer) as the scope of this contract already includes the replacement of roading culverts. This will expedite the procurement of long lead time materials and allow detailed planning of the construction phase to commence sooner compared to a traditional design – tender – construct approach.

SIGNIFICANCE AND ENGAGEMENT

35. In accordance with the Council's Significance and Engagement Policy, this matter has been assessed as being critical because:
- It is likely to be of high interest to the community and particularly the affected landowners.
 - Due to the nature of the maintenance work the decision is not likely to be reversible.
 - There are risks to both the storm water and sewer service delivery which are both significant activities.
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OPTIONS

36. There are three options available to the Council. Option 1 is not considered a reasonably practicable option for the reasons outlined below.

Option 1 Do Nothing – i.e. leave the culvert as it is and accept the risk that it may collapse. This is not considered a reasonably practicable option due to the health and safety risks and obligations Council has for providing these services but it is included for completeness.

Option 2 Undertake the work ASAP – i.e. undertake the work as soon as possible taking into account the need for design and the complexities of this work.

Option 3 Delay and Budget in 2021-2031 LTP – i.e. delay work and budget as part of the 2021 Long Term Plan which will enable Council to evaluate this expenditure against all its other potential costs.

37. For ease of comparison all three options have been assessed together.

Financial and Resourcing Implications

38. The cost estimate for the recommended option for completing this work is up to \$2.45m of capital expenditure. This is unbudgeted in the current 2018-28 Long Term Plan and will be funded from the council's renewals reserves.

39. The renewal reserve accumulates funding in advance of the expenditure, over a period of ten years. To retrospectively top-up the Renewals reserve will require an increase in rates over the next 10 years of \$250,000 per year, a rates increase of 0.25% in 2021/22.

40. The cost estimate has been developed to a Class 3 budget and includes a 30% contingency. This level of contingency is commensurate with the perceived risk of the project and the fact that detailed design work is not yet complete.

41. The cost estimate is based on the assumption that the temporary sheet piles used for ground support can be extracted after the project is complete. It is not uncommon for sheet piles to refuse extraction for a number of reasons (ground conditions and high friction in the clutches). If some or all of the sheet piles cannot be extracted then NPDC will be required to purchase the piles from the contractor and leave them in the ground. If this occurs then there will be an additional cost of up to \$170k that is not included in the project budget. If there is not sufficient uncommitted contingency left, then it is proposed that the budget will be further increased to cover this cost under authority delegated to the Chief Executive.
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42. If this work is delayed and the culvert collapses further then there will be additional costs as follows (these are unable to be quantified given their uncertain nature).
- a) This is based upon the current level of damage to the culvert. If the culvert deteriorates further due to delays then the cost is likely to increase.
 - b) If there is a further failure there is likely to be damage to other assets such as Waiwaka Terrace road and footpaths as well as adjacent private property.
 - c) If there is further failure of the culvert then temporary works in the form of over-pumping will be required at significant cost until the works are completed. Due to delays in long lead materials this could be several weeks or months.
43. Taking into account the risk of further damage (and therefore cost) and the advice of the engineers regarding the need for urgent action, undertaking the work as soon as possible is likely to be the lowest cost option for completing this work.

Risk Analysis

44. This project poses significant health and safety risks to NPDC staff and contractors. The works will involve personnel entering into a partially collapsed structure up to 8 meters below ground level in order to clear debris and install the new culvert liner. In addition, there will be deep excavations requiring temporary support in order to prevent the open trenches from collapsing and burying workers. Whilst there is an urgency to undertake the repairs, it is important that appropriate time is given to the planning and management of these critical risks.
45. Due to the location of the culvert, there is no defined secondary flow path in the event the culvert fails. In the worst case if the culvert failed and there was a very significant storm event, as many as 14 houses could be flooded or have their level of protection compromised.
46. In its current condition it poses a safety risk to heavy vehicles therefore access to 32C and 32D has been limited to light vehicles only. This also means development of these vacant properties is unable to commence until the culvert is repaired.
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47. The width of the easement is not sufficient to enable the work to be undertaken with working outside of the easement required. Agreement is needed with the landowner to enable Council to work on parts of the property outside the easement. If this is not forthcoming this may delay the works. If agreement cannot be reached then Council will need to rely on its rights under the Local Government and Public Works Acts. These processes take time and are a risk to the timely completion of the works.
 48. If the section under Waiwaka Terrace was to fail it could pose a safety risk to users of the road and it will also impact on the roading network in this area and access to adjacent properties.
 49. If the culvert was to fail it is likely it would damage the sewer pipe as well. This would lead to an unauthorised discharge of wastewater into the environment and potential prosecution. This would also lead to the need to implement a stop gap solution involving 24 / 7 over pumping of both storm water and wastewater. This would include 24 hour running of pumps and generators and come at a considerable cost. In the case of the storm water it is possible the large storms would not be able to be effectively managed and localise flooding would occur. Overground pipework would impact the use of Waiwaka Terrace and the access to 32B, 32C and 32D.
 50. The timing of the repair works is an important consideration given the higher average rainfall experienced during the winter rainfall period. The management of the storm water flows during this period provides a significant risk and complication to the works. It is therefore recommended to undertake construction during the spring and summer period.

Promotion or Achievement of Community Outcomes

51. Place: - Undertaking the repair works will ensure that the Council can continue to undertake the expected service delivery levels for storm water and sewage and also avoid possible unexpected road closures (Waiwaka Tce).
 52. People: The community expects the service delivery to be undertaken effectively and with particular reference to the storm water level of protection assured by the Council. They should not be concerned that there will be damage and risk to their properties from flooding and storm events.
 53. Prosperity: Community landowners should not be impacted by service delivery constraints and be able to utilize and or sell their land as intended without constraints
-

Statutory Responsibilities

54. The Council has a statutory responsibility under the Local Government Act to 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.

Consistency with Policies and Plans

55. This project was not budgeted for in the Long Term Plan and is a response to a failing asset in need of repair and replacement.
56. The recommended option is consistent with our Asset Management Strategy which requires a "whole of life" approach to managing our assets and consideration of the total investment over the lifecycle of an asset.

Participation by Māori and Community Views and Preferences

57. We recognise that water is taonga to Māori and the safe and environmentally appropriate management of storm water and wastewater is of paramount importance. This view of the importance of environmentally appropriate management of storm water and wastewater is closely aligned with that of our broader community. For that reason we have combine these two sections.
58. The views of Māori are understood from regular He Puna Wai meetings and recent discussions relating to current storm water projects and the renewal of related resource consents.
59. The views of the community are well known via consultation to date as part of the annual submitters meeting for the treated wastewater discharge consent and participation in related resource consents.
60. In general both Māori and the community have an expectation that Council will provide adequate storm water and wastewater services. In the event this culvert was to collapse further we would not be meeting these expectations. There is also a decreasing tolerance of unauthorised wastewater discharges. If the culvert was to collapse and break the sewer pipe we would have such a discharge.
61. The surest way of meeting these expectations is to undertake the repair as quickly as possible to ensure the uninterrupted provision of these services and avoid an unauthorised wastewater discharge.
-

Advantages and Disadvantages

- 62. Option 1: Has the advantage of not incurring unbudgeted expenditure; however, it does not address a known health and safety issue and addressing the risk of failure of two of the Council's assets (the culvert and sewer main).
- 63. Option 2: Has the advantage of addressing the known health and safety issue and ensures Council continues to provide the services expected of the community. It however requires Council to spend unbudgeted funds on renewing the culvert.
- 64. Option 3: Has the advantage of delaying the expenditure and enabling this to be budgeted as part of the 2021-2031 LTP. However it delays addressing this issue and increases the risk of further collapse of the culvert and damage to the sewer main.

Recommended Option

This report recommends option 2 to approve the expenditure of \$2.45M for the repair of the culvert in the quickest possible and safe timeframe.

APPENDICES

Appendix One	Waiwaka Terrace Detailed Inspection Report (ECM8255415)
Appendix Two	Waiwaka Terrace Options Report (ECM8283788)

Report Details

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Team:	Infrastructure
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Ward/Community:	District Wide
Date:	25 June 2020
File Reference:	ECM 8305577

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

Project Number: 5-NPDC4.IC

Waiwaka Terrace Stormwater Culvert

7 February 2020



Inspection Report





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Document History and Status

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Contents

Disclaimers and Limitations.....	1
1 Background.....	2
1.1 Culvert Description.....	2
2 Inspection.....	4
2.1 Section 1 - Driveway.....	4
2.2 Section 2 - Waiwaka Terrace.....	11
2.3 Section 3 - SH3.....	15
3 Discussion.....	20
3.1 Section 1 - Driveway.....	20
3.2 Section 2 - Waiwaka Terrace.....	21
3.3 Section 3 - State Highway 3.....	21
3.4 Rehabilitation Options.....	21
4 Conclusions.....	23

List of Figures

Figure 1-1 Aerial view of culvert.....	2
Figure 1-2 : View towards Section 2 looking upstream from Section 3. Note concrete encased stormwater (bottom left) and sewer main attached to right hand wall.....	3
Figure 1-3 : Upstream view through Section 3 (from outlet end).....	4
Figure 2-1: View through culvert from inlet end.....	5
Figure 2-2: View of roof panels 7-8. Note severe cracking at midspan and root infiltration between panels.....	5
Figure 2-3: View of earth fill over failed culvert roof. Note rotated left-hand wall panels from point of failure onwards and root mat within fill.....	6
Figure 2-4: View through failed section showing blockage from roof panels. Note deflection of remaining roof panels and extensive root infiltration through fill material.....	6
Figure 2-5: Cracking to midspan of roof panels evident in panels 3 - 10 upstream of Chainage 17.5 m.....	7
Figure 2-6: Failed roof panel lying on culvert invert at Chainage 15.5 m.....	8
Figure 2-7: View looking upstream towards failure.....	8
Figure 2-8: Damage to second panel upstream of Chainage 12.5 m as a result of failure of adjacent panels.....	9
Figure 2-9: Failure of 3 rd - 5 th panels upstream of Chainage 12.5 m. Note wall panels remain vertical at this point likely due to partial propping action of failed slabs.....	9
Figure 2-10: General view of rotated wall panels.....	10
Figure 2-11: Detail view of rotated wall panel. Note remnants of roof panel at top of wall panel.....	10
Figure 2-12: General view of failed roof panel. Note intact half joint (top of image) and no half joint (bottom of panel).....	11
Figure 2-13: General view from inlet manhole looking up driveway.....	11
Figure 2-14: Spall to left-hand wall panel (upstream joint) at Chainage 45 m.....	12
Figure 2-15: Full width horizontal crack at mid-height of left-hand wall panel - Chainage 47.5 m. Note fine cracking to adjacent wall panels.....	13
Figure 2-16: Roof panel 2 (upstream of Chainage 49.5 m) -flexural cracking and delamination/spalling adjacent wall panel.....	13



Figure 2-17: Detail view of panel 2	14
Figure 2-18: Roof panel 4 (upstream of Chainage 49.5 m) -flexural cracking and delamination/spalling adjacent wall panel	14
Figure 2-19: Typical flexural cracking in roof panels 2 - 17	15
Figure 2-20: Typical circumferential cracking (repaired) evident throughout length of culvert.....	16
Figure 2-21: Typical circumferential cracking (not repaired) evident throughout length of culvert....	16
Figure 2-22: 1.35 m diameter stormwater main through right-hand wall. Note sewer main entering culvert.....	17
Figure 2-23: 150 mm diameter drain nested within 500 mm diameter pipe through left-hand wall at Chainage 75.5 m.....	17
Figure 2-24: 300 mm diameter drain discharging through left-hand wall at Chainage 85.0 m.....	18
Figure 2-25: Silting of 300 mm drain at Chainage 85.0 m	18
Figure 2-26: Diagonal cracks in culvert wall at Chainage 105.5 m.....	19
Figure 2-27: Regular circumferential cracking with active water ingress Chainages 118.5-122.0 m.....	19
Figure 2-28: Sewer thrust block.	20

Project Number: 5-NPDC4.IC
Waiwaka Terrace Stormwater Culvert
Inspection Report

Disclaimers and Limitations

This report ('**Report**') has been prepared by WSP exclusively for New Plymouth District Council ('**Client**') in relation to the inspection of Waiwaka Terrace Stormwater Culvert ('**Purpose**'). The findings in this Report are based on and are subject to the assumptions specified in the Report. WSP accepts no liability whatsoever for any reliance on or use of this Report, in whole or in part, for any use or purpose other than the Purpose or any use or reliance on the Report by any third party.

In preparing the Report, WSP has relied upon data, surveys, analyses, designs, plans and other information ('**Client Data**') provided by or on behalf of the Client. Except as otherwise stated in the Report, WSP has not verified the accuracy or completeness of the Client Data. To the extent that the statements, opinions, facts, information, conclusions and/or recommendations in this Report are based in whole or part on the Client Data, those conclusions are contingent upon the accuracy and completeness of the Client Data. WSP will not be liable in relation to incorrect conclusions or findings in the Report should any Client Data be incorrect or have been concealed, withheld, misrepresented or otherwise not fully disclosed to WSP.

Project Number: 5-NPDC4.IC
Waiwaka Terrace Stormwater Culvert
Inspection Report

1 Background

Following a request from New Plymouth District Council (NPDC), WSP undertook a detailed condition inspection of a 127.5 m long stormwater culvert located beneath a driveway, Waiwaka Terrace and SH3.

This report provides a summary of the inspection findings, a discussion of observed condition, recommendations for ongoing management and, where applicable, options for refurbishment or rehabilitation.

For the purposes of this report, locations of defects and key features are referenced with chainage 0.0 m at the inlet end running through to the outlet. True left is the left-hand side of the culvert when facing downstream.

1.1 Culvert Description

Drawings were provided prior to the inspection which indicated insitu reinforced concrete construction throughout (refer Appendix A). This is not the case. The existing culvert comprises modular precast concrete box units at the upstream end transitioning into an insitu reinforced concrete box.

For the purposes of reporting, the culvert has been separated into three sections (refer Figure 1-1) numbered from inlet to outlet. Section 1 comprises the culvert beneath the driveway and section 2 the remainder of the precast modular box units beneath Waiwaka Terrace. Section 3 comprises the insitu reinforced concrete box running from the transition with the precast units, beneath SH3 and through to the outlet.

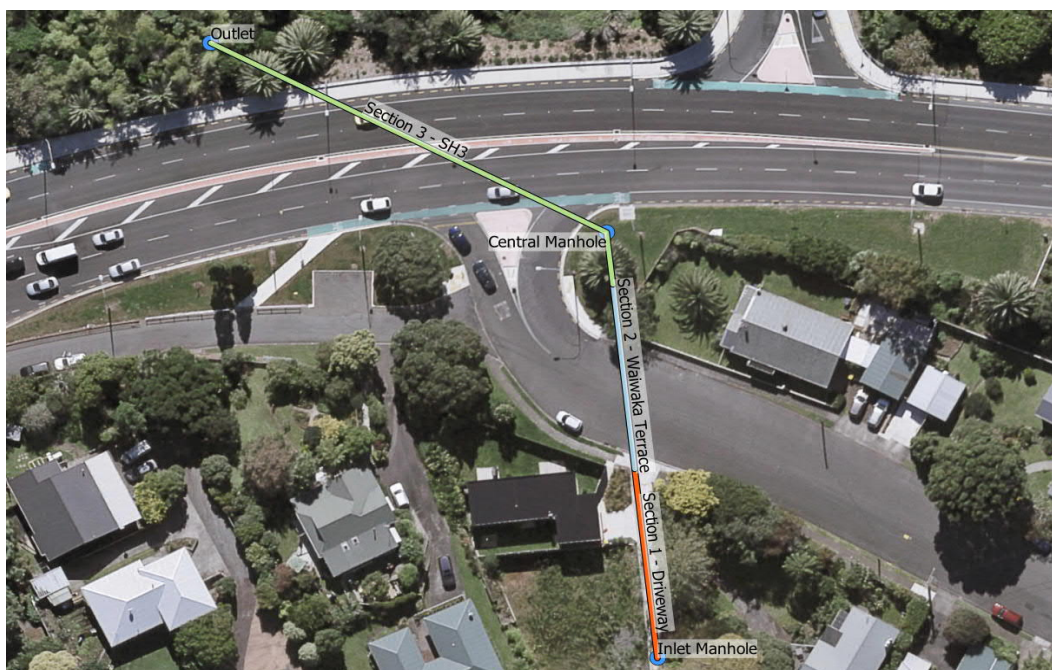


Figure 1-1 Aerial view of culvert

Project Number: 5-NPDC4.IC
 Waiwaka Terrace Stormwater Culvert
 Inspection Report

1.1.1 Sections 1 and 2

As noted, sections 1 and 2 comprise precast concrete modular box units (internal barrel dimensions of 0.76 m wide x 1.68 m high). Precast concrete roof panels (typically 300 mm wide) are supported on precast wall panels (typically 800 mm wide) which are seated on a concrete invert/floor. A sewer main is accommodated within both sections, attached to the right-hand side wall above a concrete encased storm water pipe (refer Figure 1-2).

Section 1 is approximately 24 m long, located beneath a driveway providing access to 32B, 32C and 32D Waiwaka Terrace. 32B, nearest to Waiwaka Terrace is occupied while the remaining two sections are currently undeveloped. Section 2 extends a further 25.5 m beneath Waiwaka Terrace.



Figure 1-2 : View towards Section 2 looking upstream from Section 3. Note concrete encased stormwater (bottom left) and sewer main attached to right hand wall.

The precast concrete culvert is believed to have been constructed circa 1981 following failure of a previous insitu concrete culvert.

Access to the box culvert inlet is via a 900 mm diameter manhole riser. Stormwater enters the culvert through a smaller diameter concrete pipe (diameter unable to be confirmed at time of inspection as is submerged but estimated at 450 mm diameter) which runs beneath the manhole chamber invert.

Depth of fill over the culvert at the inlet is approximately 2.4 m, increasing to 5.7 m at the end of the driveway (Section 1). Depth of fill through Section 2 varies between 5.5 and 6.4 m.

1.1.2 Section 3

Section 3 comprises an insitu reinforced concrete box culvert commencing at chainage 49.5 m. At this point the box has the same cross section as the precast box units, however the sewer main and concrete encased stormwater pipe terminate before chainage 49.5. At

Project Number: 5-NPDC4.IC
 Waiwaka Terrace Stormwater Culvert
 Inspection Report

chainage 57.8 m the culvert transitions into the central manhole chamber. A 1.35 m diameter stormwater pipe intercepts the box culvert through the right-hand wall at this location.

At chainage 59.8 m, the culvert changes direction, running beneath SH3 (Northgate Road) to the outlet at chainage 127.5 m. Over this section, the culvert width increases to 1.15 m and, once again, there is a sewer main attached to the right-hand wall above a concrete plinth.



Figure 1-3: Upstream view through Section 3 (from outlet end)

Depth of fill over section 3 varies between 7.9 and 8.7 m

2 Inspection

The inspection was completed on 27 November 2019 by Nicholas Zglobis (WSP Structures Inspector) and Anthony Rooke (WSP Principal Engineer). The culvert is considered a Confined Space and the inspection was therefore completed under the control of City Care Services, who provided all necessary equipment and supervision to enable a manned entry to be completed.

The inspection comprised a visual inspection and delamination survey (sounding with hammer).

The following is a summary of the main observations for each section of the culvert.

2.1 Section 1 - Driveway



The first three roof panels are intact with no immediate defects apparent. Panels four through seven exhibit severe cracking in the mid span region, with visible vertical deflection and root infiltration from the fill above. Beyond roof panel eight (approximate Chainage 2.4 m), there has been a complete failure of the culvert roof. Entry through the failed section was not undertaken,

Project Number: 5-NPDC4.IC
Waiwaka Terrace Stormwater Culvert
Inspection Report



however the failed section is estimated to be 12 m long. Over this entire length, all roof panels have failed. While some fill above the roof panels appears to have been lost, the remainder currently appears to be stable and is spanning the void through arching action. There were no immediately apparent large bell-mouth type voids evident from the point of inspection.

The failed panels are resting on the culvert invert and the sewer main. Water is backing up behind the blockage to a depth of approximately 1 m.

The right-hand wall panels appear vertical throughout. Beyond the roof failure, the left-hand wall panels have all rotated inwards.

Description	Image
Figure 2-1: View through culvert from inlet end.	 A photograph looking down a concrete culvert. The floor is covered with a thick layer of brown organic debris and some standing water. The walls are made of vertical concrete panels. A timestamp '27/11/2019 14:48' is visible in the bottom right corner.
Figure 2-2: View of roof panels 7-8. Note severe cracking at midspan and root infiltration between panels.	 A photograph of the roof structure of the culvert. It shows several concrete panels supported by vertical walls. There is significant visible cracking in the concrete at the midspan, and some roots are seen growing through the joints between the panels. A timestamp '27/11/2019 14:40' is visible in the bottom right corner.

Project Number: 5-NPDC4.IC
Waiwaka Terrace Stormwater Culvert
Inspection Report

Description	Image
Figure 2-3: View of earth fill over failed culvert roof. Note rotated left-hand wall panels from point of failure onwards and root mat within fill.	
Figure 2-4: View through failed section showing blockage from roof panels. Note deflection of remaining roof panels and extensive root infiltration through fill material.	

As noted previously, the failed section of culvert extends for approximately 12 m, which coincides with the downhill end of the access driveway to 32B Waiwaka Terrace. The culvert beyond the failure was inspected from the downhill end and was accessed via the culvert outlet beyond SH3. The inspection commenced at chainage 24 m. Panels 3 - 10 upstream of

Project Number: 5-NPDC4.IC
Waiwaka Terrace Stormwater Culvert
Inspection Report

Chainage 17.5 m exhibit hairline cracking at midspan, with cracking to panel 7 being more severe than the others.


At Chainage 15.5 m, there is a failed roof slab lying on the culvert invert although there are no missing panels immediately above this, suggesting it was likely transported down the barrel during high flows. The panel exhibits no structural cracking although it was noted that the left-hand half joint is missing.

The second roof panel upstream of Chainage 15.5 m has severe cracking around midspan and spalling with the third, fourth and fifth panels having lost support from the left-hand wall panels, although these wall panels remain vertical. Loss of support again appears to be a result of failure of the half joint detail above the wall panel.

Chainage 14.0 m is the approximate downstream extent of the roof failure, with roof panels observed lying on top of the sewer main or in the culvert invert itself.

Water is still flowing through the culvert downstream of the failure.



All the failed roof panels that could be observed, appear to have the right-hand half joint intact while the left-hand half joint appears to have failed, as evidenced by what appears to be the remainder of the half joint intact on top of the panel.

Description	Image
Figure 2-5: Cracking to midspan of roof panels evident in panels 3 - 10 upstream of Chainage 17.5 m.	



Project Number: 5-NPDC4.IC
Waiwaka Terrace Stormwater Culvert
Inspection Report

Description	Image
Figure 2-6: Failed roof panel lying on culvert invert at Chainage 15.5 m.	
Figure 2-7: View looking upstream towards failure	


Project Number: 5-NPDC4.IC
Waiwaka Terrace Stormwater Culvert
Inspection Report

Description	Image
Figure 2-8: Damage to second panel upstream of Chainage 12.5 m as a result of failure of adjacent panels.	 A photograph showing the interior of a concrete culvert. A horizontal concrete panel at the top has cracked and shifted downwards, creating a gap. Debris, including wooden planks, is visible in the dark space below the panel. A timestamp '27/11/2019 12:54' is in the bottom right corner.
Figure 2-9: Failure of 3 rd - 5 th panels upstream of Chainage 12.5 m. Note wall panels remain vertical at this point likely due to partial propping action of failed slabs	 A photograph showing the interior of a concrete culvert. Multiple horizontal concrete panels are visible, some of which are cracked and sagging. The vertical wall panels appear to be supported by the failed slabs. A timestamp '27/11/2019 12:55' is in the bottom right corner.

Project Number: 5-NPDC4.IC
Waiwaka Terrace Stormwater Culvert
Inspection Report

Description	Image
Figure 2-10: General view of rotated wall panels	 A photograph showing a general view of the interior of a stormwater culvert. The walls are made of large, light-colored concrete panels that are severely damaged and rotated. Debris, including broken concrete and twisted metal reinforcement, is visible. A timestamp '27/11/2019 12:55' is visible in the bottom right corner of the image.
Figure 2-11: Detail view of rotated wall panel. Note remnants of roof panel at top of wall panel.	 A close-up photograph of a rotated concrete wall panel. The panel is tilted at an angle, and the top edge shows remnants of a roof panel. The concrete is cracked and crumbling, with exposed metal reinforcement. A timestamp '27/11/2019 12:55' is visible in the bottom right corner of the image.

Project Number: 5-NPDC4.IC
Waiwaka Terrace Stormwater Culvert
Inspection Report

Description	Image
Figure 2-12: General view of failed roof panel. Note intact half joint (top of image) and no half joint (bottom of panel)	

Inspection of the driveway over the top of the culvert identified no significant defects that could be directly attributable to loss of support because of the culvert roof failure. While some settlement cracks were observed in the insitu concrete slabs, no significant vertical settlement was evident.

Figure 2-13: General view from inlet manhole looking up driveway.	
---	--

2.2 Section 2 - Waiwaka Terrace


At Chainage 45 m, there is a large spall evident to the left-hand wall panel up to 35 mm deep. There is no exposed reinforcement within the spall area nor any indication of underlying delamination, suggesting the defect is likely from construction.

Project Number: 5-NPDC4.IC
Waiwaka Terrace Stormwater Culvert
Inspection Report



From chainage 39.5 m - 49.5 m, all left-hand wall panels exhibit fine horizontal cracking at approximate 100 mm centres over the middle third of the panel. The left-hand wall panel at Chainage 47.5 m has a severe full width crack (approximately 1.75 mm wide) at mid-height. Sounding of the crack identified no delamination.

Roof panels 2 - 17 upstream of the transition to Section 3 (Chainage 49.5 m) all exhibit flexural cracking to the soffit ranging from hairline to severe cracking. Panels 2 and 4 are in the worst condition with delamination and spalling adjacent to the right-hand wall panel. Isolated pockets of corrosion are evident in panel soffits. As would be expected, sounding of these panels identified numerous hollow sounding areas.



General sounding of wall panels through Section 2 identified many hollow sounding areas that could not be reconciled with any obvious corrosion induced spalling of the panels.

Description	Image
Figure 2-14: Spall to left-hand wall panel (upstream joint) at Chainage 45 m	 A photograph showing a vertical crack and spalling on a concrete wall panel. The crack runs vertically down the center of the panel. The surrounding concrete is light grey and shows signs of weathering. A timestamp '27/11/2019 12:27' is visible in the bottom right corner of the image.


Project Number: 5-NPDC4.IC
Waiwaka Terrace Stormwater Culvert
Inspection Report

Description	Image
Figure 2-15: Full width horizontal crack at mid-height of left-hand wall panel - Chainage 47.5 m. Note fine cracking to adjacent wall panels	
Figure 2-16: Roof panel 2 (upstream of Chainage 49.5 m) - flexural cracking and delamination/spalling adjacent wall panel	

Project Number: 5-NPDC4.IC
Waiwaka Terrace Stormwater Culvert
Inspection Report

Description	Image
Figure 2-17: Detail view of panel 2.	
Figure 2-18: Roof panel 4 (upstream of Chainage 49.5 m) - flexural cracking and delamination/spalling adjacent wall panel	

Project Number: 5-NPDC4.IC
 Waiwaka Terrace Stormwater Culvert
 Inspection Report

Description	Image
Figure 2-19: Typical flexural cracking in roof panels 2 - 17	

2.3 Section 3 - SH3

Section 3 of the culvert is of insitu reinforced concrete and consequently exhibits circumferential cracking to the walls and roof at regular intervals throughout. Many of these appear to have been repaired through crack injection at some point. None are considered to impact on structural performance of the culvert. As noted previously, at the central manhole, there is a 1.35 m diameter stormwater main discharging into the culvert through the right-hand wall. A sewer main also enters the culvert at this location where it is then attached to the right-hand wall through to the outlet of the culvert.

In addition to the circumferential cracking evident, the following defects/features were noted during the inspection:

Chainage 75.5 m, a stormwater drain (possibly abandoned) discharges through the left-hand wall. This comprises a 150 mm diameter pipe nested within a 500 mm diameter pipe.

Chainage 80.0 m, a 300 mm diameter drain discharges through left-hand wall. The drain is silted up.

Chainage 90.5-92.0 m, area of honeycombed concrete to left-hand wall. No evidence of delamination, likely result of a cold joint from construction.

Chainage 92.5, open circumferential crack, up to 2 mm wide. No evidence of leakage through crack.

Chainage 92.5, very fine pattern cracking in roof.

Chainage 105.5-106.5 m, diagonal settlement type crack in culvert walls.



Chainage 126.0 m, sewer main thrust block.

General sounding of wall panels through Section 3 identified no areas of delamination or hollow sounding concrete.

Project Number: 5-NPDC4.IC
Waiwaka Terrace Stormwater Culvert
Inspection Report

Description	Image
<p>Figure 2-20: Typical circumferential cracking (repaired) evident throughout length of culvert.</p>	
<p>Figure 2-21: Typical circumferential cracking (not repaired) evident throughout length of culvert</p>	



Project Number: 5-NPDC4.IC
Waiwaka Terrace Stormwater Culvert
Inspection Report

Description	Image
Figure 2-22: 1.35 m diameter stormwater main through right-hand wall. Note sewer main entering culvert.	 A photograph showing a large, circular concrete culvert opening. A large, light-colored pipe (stormwater main) enters the culvert from the left. A smaller, dark pipe (sewer main) enters the culvert from the right, passing through the wall. The interior of the culvert is dark and appears to be filled with water or sludge. A timestamp '27/11/2019 11:37' is visible in the bottom right corner of the image.
Figure 2-23: 150 mm diameter drain nested within 500 mm diameter pipe through left-hand wall at Chainage 75.5 m.	 A photograph showing a smaller, circular concrete culvert opening. A large, light-colored pipe (500 mm diameter) enters the culvert from the left. A smaller, dark pipe (150 mm diameter drain) is nested within the larger pipe, entering the culvert from the right. The interior of the culvert is dark and appears to be filled with water or sludge. A timestamp '27/11/2019 11:31' is visible in the bottom right corner of the image.

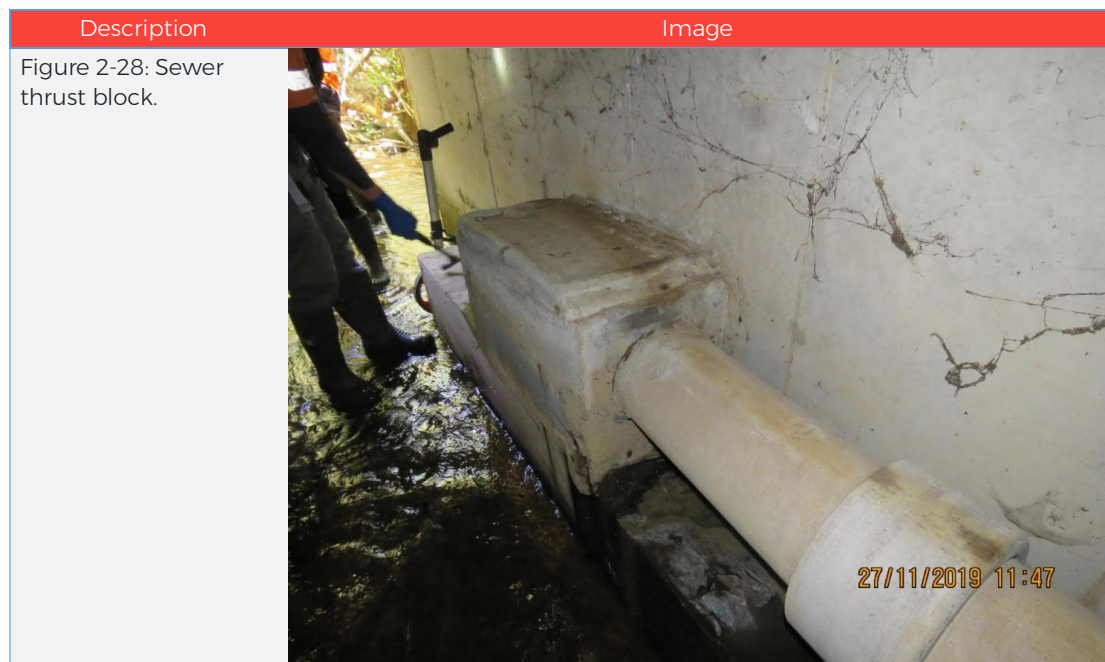
Project Number: 5-NPDC4.IC
Waiwaka Terrace Stormwater Culvert
Inspection Report

Description	Image
Figure 2-24: 300 mm diameter drain discharging through left-hand wall at Chainage 85.0 m.	
Figure 2-25: Silting of 300 mm drain at Chainage 85.0 m	

Project Number: 5-NPDC4.IC
Waiwaka Terrace Stormwater Culvert
Inspection Report

Description	Image
Figure 2-26: Diagonal cracks in culvert wall at Chainage 105.5 m.	 A photograph showing the interior of a culvert. A large, horizontal, light-colored pipe runs across the lower half of the frame. The concrete wall above the pipe shows several vertical and diagonal cracks. The lighting is dim, and the overall tone is greyish-brown. A timestamp '27/11/2019 11:21' is visible in the bottom right corner of the image.
Figure 2-27: Regular circumferential cracking with active water ingress Chainages 118.5-122.0 m	 A photograph showing the interior of a culvert. The concrete walls are heavily damaged, with significant circumferential cracking and active water ingress. The water is dark and turbulent, flowing through the cracks. The lighting is dim, and the overall tone is dark grey-brown. A timestamp '27/11/2019 11:15' is visible in the bottom right corner of the image.

Project Number: 5-NPDC4.IC
 Waiwaka Terrace Stormwater Culvert
 Inspection Report



3 Discussion

3.1 Section 1 - Driveway

Complete failure of the culvert roof has occurred over approximately 12 m of the culvert. The cause of failure appears to have been a result of a failure in the half joint detail of the roof panels along the left-hand side of the culvert. Failure of these panels has then resulted in loss of support to the wall panels with subsequent rotation of the wall panels along the left-hand side of the culvert. The reason for the half-joint failure could be attributed to any number of causes. These include inadequate design/detailing of the joint, poor fabrication, damage during construction or external loading (earth pressures, loading from heavy vehicles, seismic event etc.) leading to a shear failure of the joint.

As noted previously, there are no as-built drawings for this section of culvert (the drawings supplied indicate insitu concrete construction) and there is also uncertainty as to how the culvert was constructed. Anecdotal evidence suggests that Sections 1 and 2 were constructed in the early 1980's following failure of an earlier insitu concrete culvert. Further, it has been suggested that the culvert was installed without open excavation. I.e. a tunnelling shield was used to provide protection as the existing culvert was removed and the precast concrete units installed in place. The long-term success of this method is questionable as it would be very difficult to provide well compacted backfill to the culvert wall and roof panels. This may explain hollow sounding areas identified in the wall panels.

The current situation is that, for approximate 12 m, there is no support to the earth fill above the culvert and directly beneath the access driveway.

The culvert, in its current condition, does not unduly impede flows (it is understood that the existing culvert is possibly oversized, as evidenced by the smaller diameter pipe feeding into it) however, any failure of the fill above or loss of support to the walls could lead to the culvert becoming blocked with associated upstream effects and further damage as the remaining fill becomes saturated. Further, any loss of support may also impact adjacent properties.

Project Number: 5-NPDC4.IC
 Waiwaka Terrace Stormwater Culvert
 Inspection Report

While the fill currently appears stable due to soil arching, there is no guarantee that this will continue to be the case and every effort should be taken to minimise external loading on the unsupported fill. We would strongly recommend that no heavy vehicles be permitted to access 32C or 32D Waiwaka Terrace until such time as the failed culvert can be refurbished or replaced. Access to the existing property by light vehicles is considered acceptable at this stage however, should any further deterioration become evident this would need to be reviewed.

In the immediate-term, regular inspection of the culvert is recommended to ensure no further deterioration of the culvert and/or loss of fill. This can be readily achieved by visual inspection from the inlet manhole (with adequate lighting) without having to enter the culvert itself. Simple monitoring of the driveway slabs for any movement/settlement related defects should also be undertaken.

In the medium-long term, rehabilitation of the culvert is required to address the failed area and mitigate the potential for any further collapse. Rehabilitation options are discussed further in Section 3.4.

3.2 Section 2 - Waiwaka Terrace

This section of the culvert, while in much better condition than Section 1, is exhibiting defects that may indicate overstress of the roof and/or wall panels. Specifically, roof panels 2-17 upstream of Chainage 49.5 m are in poor condition with panels 2 and 4 exhibiting severe distress.

At this stage, the culvert is considered serviceable and, given the depth of fill above the culvert, there are no immediate concerns regarding traffic loading from Waiwaka Terrace. As for Section 1 of the culvert, regular inspection is recommended in the interim to monitor for any further deterioration. If deterioration occurs, then it may become necessary to apply restrictions.

While rehabilitation of Section 2 of the culvert may not be immediately necessary, the benefit of extending any proposed rehabilitation of Section 1 through Section 2 must be considered. The main failure observed within Section 1 appears to be related to a failure of the roof panel half-joint detail along the left-hand wall. The cause of failure is unknown but could be attributable to an inherent design, detailing or construction fault. Further, there would likely be limited advance warning of any failure and rehabilitation of the culvert once failure occurs would be more complicated/costly. On this basis, we would recommend that any proposed rehabilitation encompass the full length of the modular precast concrete culvert.

3.3 Section 3 - State Highway 3

The cast insitu section of the culvert is in fair condition with no significant issues. There are no concerns over the serviceability of this section of the culvert or to the security of State Highway 3.

3.4 Rehabilitation Options

Broadly speaking, rehabilitation of the existing culvert would either involve trenched or trenchless construction.

3.4.1 Trenched Construction

Trenched construction will require excavation from surface level down to the culvert in order to facilitate repair or replacement of the culvert.

At this stage, approximately 12 m of the culvert through Section 1 has failed with loss of support to the roof and rotation of the left-hand wall panels. Any open excavation will need address this length of the culvert and, at least a further 2 - 5 m section of the culvert. Simple replacement of the failed roof panels is not recommended given the loss of support to the wall panels. Replacement with precast concrete box units of equivalent dimensions would therefore be the most likely solution with trenched construction.

Project Number: 5-NPDC4.IC
 Waiwaka Terrace Stormwater Culvert
 Inspection Report

The depth of fill over Section 1 varies between 2.4 m and 5.7 m. The minimum depth to formation of any excavation would be 4.5 m increasing to 7.5 m. The proximity of 32B Waiwaka Terrace excludes any form of open excavation as overall width of excavation at ground level will be up to 17.5 m. Any trenched solution will therefore require shored construction. The type of shoring will be dependant on existing ground conditions, but options include speed shoring systems, propped sheet pile walls or similar. Irrespective of the shoring system adopted, costs will be excessive and there will be loss of access to the driveway along with significant disruption to Waiwaka Terrace for the duration of the works (4-6 weeks).

The above assumes that only failure of Section 1 is addressed. As noted previously, it is recommended that Section 2 should also be rehabilitated at the same time to mitigate the potential for future failures. Should a trenched option be extended to the entire length of culvert then costs and disruption will become prohibitive.

A trenched solution is therefore not recommended unless trenchless techniques are found to be impractical.

3.4.2 Trenchless Construction/Rehabilitation

Trenchless construction using the same line as the existing culvert would involve pipe bursting/jacking to install an equivalent sized pipe along the culvert line. This would require construction of a thrust pit at the inlet end of the culvert. From here, a bursting head would be driven along the existing culvert (with a shield to prevent collapse) and a replacement pipe dragged through behind to form a new culvert. While this approach will reduce disruption to road users, construction of the thrust pit itself will be a significant activity requiring removal of the existing manhole riser and the stormwater pipe discharging into the box culvert and a pit approximately 2.5 - 3.0 m deep. It will also require access across the failed section for heavy construction equipment with the associated risk of a culvert collapse. Further, the effectiveness of this approach with rectangular culverts of modular construction is unknown.

Any replacement culvert will need to be of at least a diameter equivalent to the overall height of the existing box units. This will cause issues tying invert levels in with the remainder of the culvert and does not also account for any complications associated with other services in the vicinity of the culvert.

The alternative to trenchless construction is trenchless rehabilitation which involves the installation of another culvert within the existing (otherwise known as sliplining). Sliplining techniques include installation of smaller diameter 'rigid' pipes with the annulus between new and existing grouted, or the insertion of resin impregnated flexible liners which are then inflated and cured in place (CIPP) either using heat (water) or ultraviolet radiation. Both approaches offer the benefit of requiring minimal establishment works at ground level (i.e. no excavation or traffic disruption) and construction timeframes are much shorter. CIPP has an additional benefit that the flexible liner can be manufactured to various shapes and, in theory, can be inflated to take up the form of the existing culvert, avoiding the need for any extensive grouting works. Further, CIPP solutions typically can be undertaken with minimal manned entry, with the liner pulled or pushed through the existing culvert before the curing process. The disadvantage of trenchless rehabilitation is a reduction in waterway capacity however, as noted previously, it is understood that the existing precast concrete culvert may be oversized and, in this instance, a reduction could be accommodated. This should be confirmed as a priority.

Other issues that will need to be resolved if sliplining is to be explored further include:

- Removing damaged components. At present, the failed roof panels are resting on the culvert invert/sewer main and will need to be removed. This will likely require manned entry into an area with unsupported fill and unrestrained wall panels. Removal of the

Project Number: 5-NPDC4.IC
 Waiwaka Terrace Stormwater Culvert
 Inspection Report

panels will require careful planning and provision of appropriate temporary works to reduce the risks to an acceptable level. This may involve some form of shield and temporary propping of unrestrained wall panels, working upstream through the failed section.

- There is an existing sewer main and concrete encased stormwater drain running beside the right-hand wall along the entire length of the precast concrete culvert. The sewer main has an inspection point at the downstream end and there appear to be no other junctions. Accommodating the existing sewer during construction and its final location on completion of the works will require careful consideration. Any lining or CIPP solution will likely require temporary removal of the sewer pipe and encased stormwater drain during construction.
- Dewatering of existing culvert - it may be necessary to dewater the existing culvert for sliplining. If smaller diameter pipes are utilised, then this may not be necessary as the new pipe could be used to carry flows prior to grouting of the annulus but for a CIPP solution careful consideration will be required with respect to managing the existing drain feeding into the culvert at the inlet. Note: this will also be the case for trenchless excavation and trenchless construction.

The above issues are not insurmountable, and it is recommended that, should hydraulic analysis confirm a smaller diameter culvert is acceptable, a suitably experienced contractor is involved to further develop this option.

4 Conclusions

Complete failure of roof panels over approximately 12 m of Section 1 of the culvert has occurred. Section 2 of the culvert (beneath Waiwaka Terrace), while in better condition, exhibits localised defects suggesting overstress or durability issues. The insitu concrete part of the culvert (Section 3) is in fair condition.

Rehabilitation of Section 1 of the culvert is required.

Rehabilitation of Section 2 of the culvert should be considered at the same time.

A review of rehabilitation options indicates that, subject to further investigation, trenchless rehabilitation (sliplining) will likely be the most cost-effective and least disruptive option. This is subject to hydraulic analysis confirming a reduction in waterway can be accommodated. If this is proven, an experienced contractor or contractors should be approached for early involvement to confirm the suitability of this approach and resolve issues such as removal of failed roof panels and dewatering (if required).

Based on the inspections completed to date, we recommend that, until such time as rehabilitation is completed:

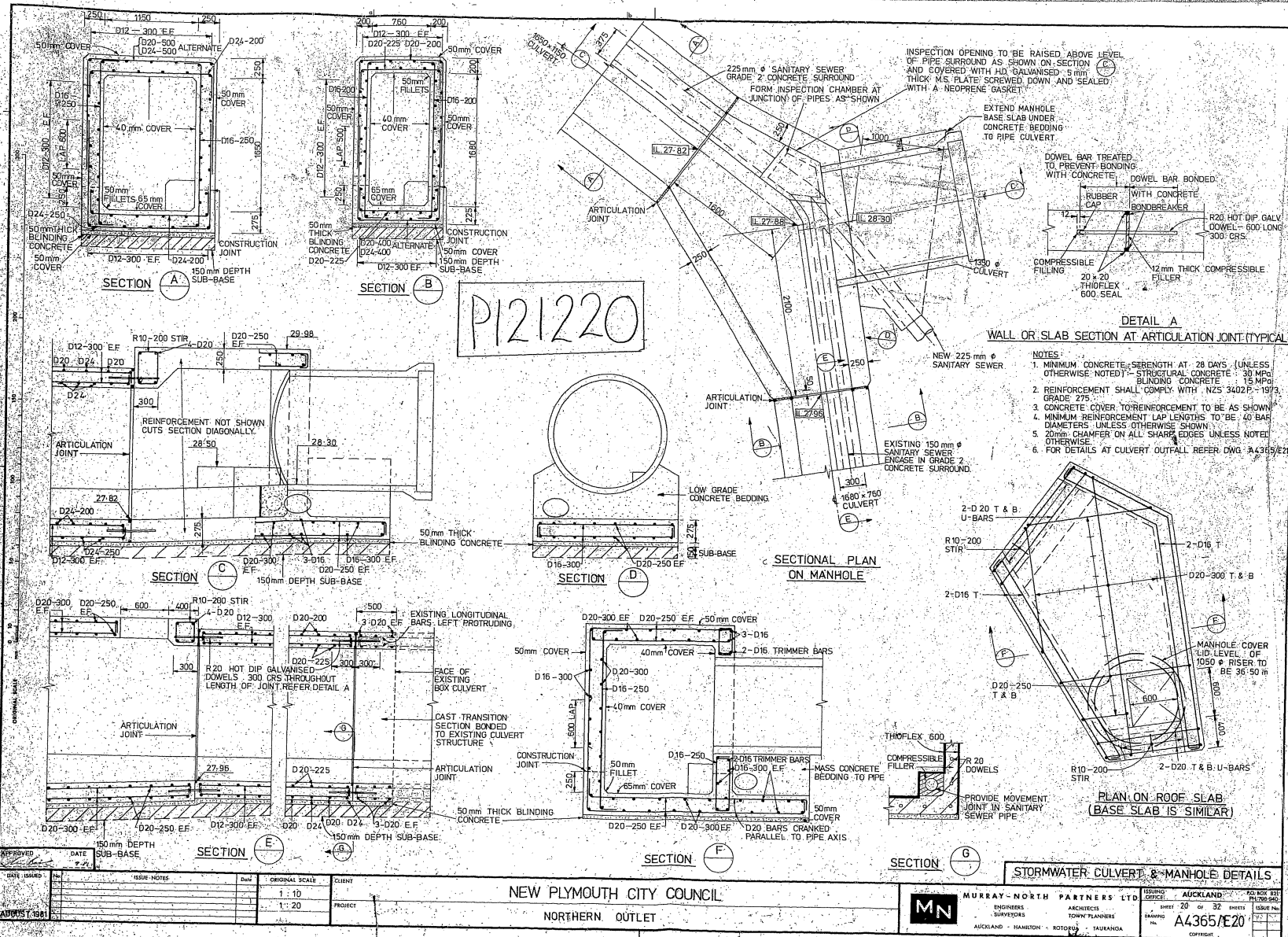
- Sections 1 and 2 of the culvert and the driveway be subject to fortnightly visual inspection and following any notified significant rainfall or seismic event.
- Any observed change/deterioration in the culvert or driveway condition will require further investigation and may result in further restrictions.
- No heavy vehicles be permitted to access the driveway.
- Hydraulic analysis of the culvert be undertaken to confirm if a reduction in the culvert capacity is acceptable.
- Subject to the analysis findings, suitably experienced contractors be approached for early involvement to confirm sliplining of the culvert is the most appropriate solution.

Appendix A

Supplied Drawings



W/000/0791/03





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Project Number: 5-NPDC4.II

Waiwaka Terrace Stormwater Culvert Options Report

19 May 2020





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Revision Details

Revision	Details
1	Issued for comment
2	Update with hydraulic assessment findings
3	NPV values added to options assessment table.
4	Issue final report



Contents

Disclaimers and Limitations.....	1
1 Background.....	2
1.1 Culvert Description.....	2
1.2 Current Condition.....	4
2 Hydraulics/Hydrology	5
3 Factors Influencing Solution	6
3.1 Project Scope.....	6
3.2 Safety in Design.....	6
3.3 Site Constraints.....	6
3.4 Performance/Function	8
4 Options Assessment.....	8
4.1 Cured in Place Pipe.....	8
4.2 Fibre Reinforced Plastic	10
4.3 In-line replacement.....	10
4.4 Off-line replacement.....	10
4.5 Option Comparison	13
5 Selection of Preferred Repair Option	16

List of Figures

Figure 1-1 Aerial view of culvert.....	2
Figure 1-2 : View towards Section 2 looking upstream from Section 3. Note concrete encased stormwater (bottom left) and sewer main attached to true right hand wall.....	3
Figure 1-3 : Upstream view through Section 3 (from outlet end)	4
Figure 3-1 : Alternative site access	7
Figure 4-1 : Example cured in place pipe liner	9
Figure 4-2 : Plan on site showing proposed off-line replacement	12

Project Number: 5-NPDC4.IC
Waiwaka Terrace Stormwater Culvert
Options Report

Disclaimers and Limitations

This report ('**Report**') has been prepared by WSP exclusively for New Plymouth District Council ('**Client**') in relation to the inspection of Waiwaka Terrace Stormwater Culvert ('**Purpose**'). The findings in this Report are based on and are subject to the assumptions specified in the Report. WSP accepts no liability whatsoever for any reliance on or use of this Report, in whole or in part, for any use or purpose other than the Purpose or any use or reliance on the Report by any third party.

In preparing the Report, WSP has relied upon data, surveys, analyses, designs, plans and other information ('**Client Data**') provided by or on behalf of the Client. Except as otherwise stated in the Report, WSP has not verified the accuracy or completeness of the Client Data. To the extent that the statements, opinions, facts, information, conclusions and/or recommendations in this Report are based in whole or part on the Client Data, those conclusions are contingent upon the accuracy and completeness of the Client Data. WSP will not be liable in relation to incorrect conclusions or findings in the Report should any Client Data be incorrect or have been concealed, withheld, misrepresented or otherwise not fully disclosed to WSP.

Project Number: 5-NPDC4.IC
 Waiwaka Terrace Stormwater Culvert
 Options Report

1 Background

A partial failure of a stormwater culvert has occurred adjacent to Waiwaka Terrace (refer WSP report dated 7 February 2020).

This report has been prepared to provide a summary of options for refurbishment or replacement of the existing culvert.

For the purposes of this report, locations of defects and key features are referenced with chainage 0.0 m at the inlet end running through to the outlet. True left is the left-hand side of the culvert when facing downstream.

1.1 Culvert Description

The existing culvert comprises modular precast concrete box units at the upstream end transitioning into an insitu reinforced concrete box.

For reference purposes, the culvert has been separated into three sections (refer Figure 1-1) numbered from inlet to outlet. Section 1 comprises the culvert beneath the driveway and section 2 the remainder of the precast modular box units beneath Waiwaka Terrace. Section 3 comprises the insitu reinforced concrete box running from the transition with the precast units, beneath SH3 and through to the outlet.

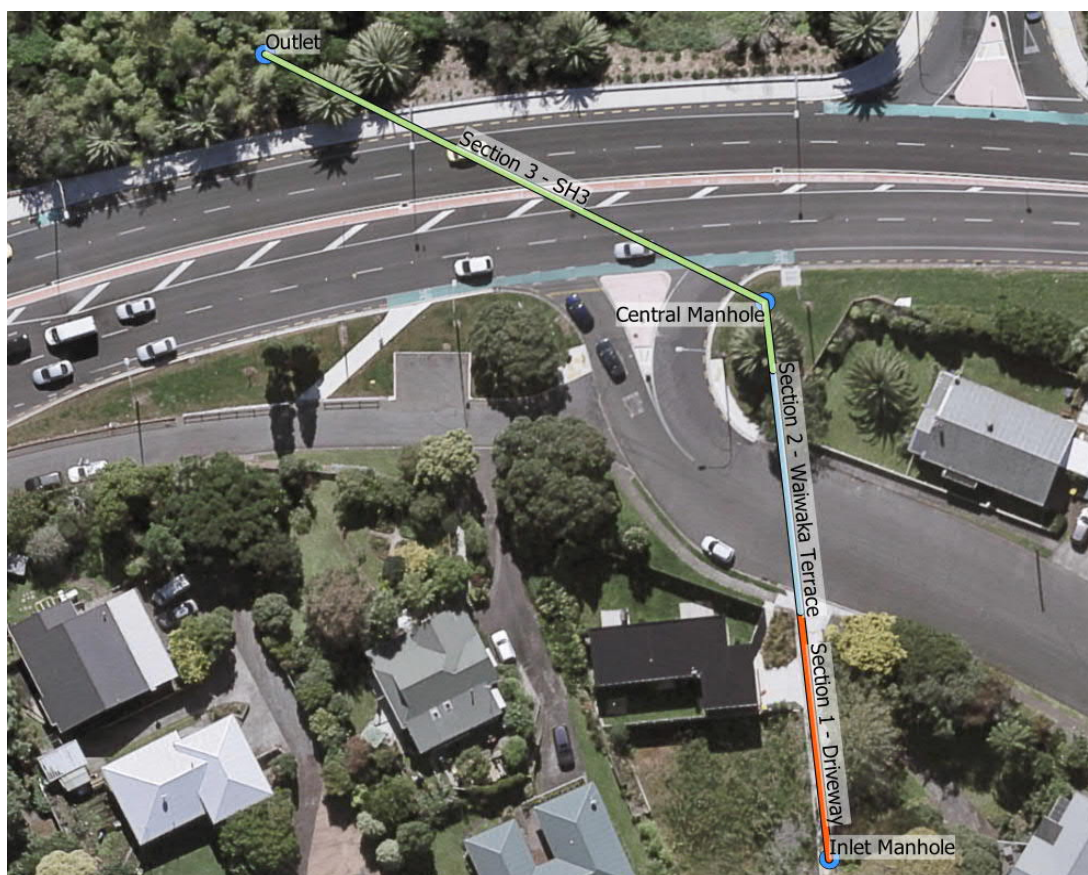


Figure 1-1 Aerial view of culvert

Project Number: 5-NPDC4.IC
 Waiwaka Terrace Stormwater Culvert
 Options Report

1.1.1 Sections 1 and 2

Sections 1 and 2 comprise precast concrete modular box units (internal barrel dimensions of 0.76 m wide x 1.68 m high). Precast concrete roof panels (typically 300 mm wide) are supported on precast wall panels (typically 800 mm wide) which are seated on a concrete invert/floor. A sewer main is accommodated within both sections, attached to the right-hand side wall above a concrete encased storm water pipe (refer Figure 1-2).

Section 1 is approximately 24 m long, located beneath a driveway providing access to 32B, 32C and 32D Waiwaka Terrace. 32B, nearest to Waiwaka Terrace is occupied while the remaining two sections are currently undeveloped. Section 2 extends a further 25.5 m beneath Waiwaka Terrace.



Figure 1-2 : View towards Section 2 looking upstream from Section 3. Note concrete encased stormwater (bottom left) and sewer main attached to true right hand wall.

The precast concrete culvert is believed to have been constructed circa 1981 following failure of a previous insitu concrete culvert.

Access to the box culvert inlet is via a 900 mm diameter manhole riser (Inlet Manhole). Flows enter the culvert through a smaller diameter concrete pipe (diameter unable to be confirmed at time of inspection as is submerged but estimated at 450 mm diameter) which runs beneath the manhole chamber invert. This pipe extends upstream of the culvert, beneath 32D Waiwaka Terrace, to an inlet structure located at the southern extent of the plot.

Depth of fill over the box culvert at the inlet is approximately 2.4 m, increasing to 5.7 m at the end of the driveway (Section 1). Depth of fill through Section 2 varies between 5.5 and 6.4 m.

Project Number: 5-NPDC4.IC
 Waiwaka Terrace Stormwater Culvert
 Options Report

1.1.2 Section 3

Section 3 comprises an insitu reinforced concrete box culvert commencing at chainage 49.5 m. At this point the box has the same cross section as the precast box units, however the sewer main and concrete encased stormwater pipe terminate before chainage 49.5. At chainage 57.8 m the culvert transitions into the central manhole chamber. A 1.35 m diameter stormwater pipe intercepts the box culvert through the right-hand wall at this location.

At chainage 59.8 m, the culvert changes direction, running beneath SH3 (Northgate Road) to the outlet at chainage 127.5 m. Over this section, the culvert width increases to 1.15 m and, once again, there is a sewer main attached to the true right-hand wall above a concrete plinth.



Figure 1-3: Upstream view through Section 3 (from outlet end)

Depth of fill over section 3 varies between 7.9 and 8.7 m

1.2 Current Condition

As noted previously, an inspection of the culvert was completed by WSP. The following is a brief summary of the condition of the culvert.

1.2.1 Section 1

Section 1 of the culvert is currently in very poor condition. Complete failure of the culvert roof has occurred over approximately 12 m of the culvert. The cause of failure appears to have been a result of a failure in the half joint detail of the roof panels along the left-hand side of the culvert. Failure of these panels has then resulted in loss of support to the wall panels with subsequent rotation of the wall panels along the left-hand side of the culvert. The reason for the half-joint failure could be attributed to any number of causes. These include inadequate design/detailing of the joint, poor fabrication, damage during construction or external loading

Project Number: 5-NPDC4.IC
Waiwaka Terrace Stormwater Culvert
Options Report

(earth pressures, loading from heavy vehicles, seismic event etc.) leading to a shear failure of the joint.

The current situation is that, for approximate 12 m, there is no support to the earth fill above the culvert and directly beneath the access driveway.

The culvert, in its current condition, does not unduly impede flows however, any failure of the fill above or loss of support to the walls could lead to the culvert becoming blocked with associated upstream effects and further damage as the remaining fill becomes saturated. Further, any loss of support may also impact adjacent properties.

While the fill currently appears stable due to soil arching, there is no guarantee that this will continue to be the case and every effort should be taken to minimise external loading on the unsupported fill. Mitigation measures put in place by NPDC to address the short-term risks are:

- Regular inspection of the culvert to monitor for deterioration in the culvert, loss of fill or any debris build up that may lead to further deterioration or cause water to back up.
- Monitoring of the driveway slabs for any settlement that may indicate loss of fill above the culvert.
- Limiting access over the failed section to light vehicles only.

The above are considered appropriate mitigation measures while options are considered, and detailed design completed.

1.2.2 Section 2

This section of the culvert, while in much better condition than Section 1, is exhibiting defects that may indicate overstress of the roof and/or wall panels. Specifically, roof panels 2-17, counting upstream of Chainage 49.5 m, are in poor condition with panels 2 and 4 exhibiting severe distress.

At this stage, the culvert is considered serviceable and, given the depth of fill above the culvert, there are no immediate concerns regarding traffic loading from Waiwaka Terrace. As for Section 1 of the culvert, regular inspection is being undertaken to monitor for any further deterioration. If deterioration occurs, then it may become necessary to apply restrictions.

1.2.3 Section 3

The cast insitu section of the culvert is in fair condition with no significant issues. There are no concerns over the serviceability of this section of the culvert or to the security of State Highway 3.

2 Hydraulics/Hydrology

It is expected that the preferred option will provide the necessary hydraulic capacity to meet the calculated demand. It should also be noted however that, irrespective of the theoretical demand, the 'system' is limited by section 3 of the culvert (beneath SH3) which has a cross-sectional area of 1.93 m² and has an additional 1.35 m diameter pipe discharging into it.

A study was commissioned by New Plymouth District Council to model the hydraulic capacity of the existing culvert and to inform future demand. A separate report has been prepared detailing the hydraulic assessment. The following is a summary of the assessment findings as they relate to the existing culvert.

Project Number: 5-NPDC4.IC
 Waiwaka Terrace Stormwater Culvert
 Options Report

- The culvert is only operating at 23% capacity during a 100 year flood event because the inflow is regulated by the DN450 pipe upstream, which causes attenuation of stormwater in three basin areas upstream of the culvert.
- A larger culvert is not necessary unless NPDC wish to prevent attenuation in the basins upstream of the culvert. This is not advisable as it would result in a considerable increase in flood risk downstream.

3 Factors Influencing Solution

3.1 Project Scope

Section 1 of the culvert has failed and requires major refurbishment. Section 2 of the culvert exhibits defects indicating refurbishment will likely be required in the medium term. Section 3 of the culvert is in serviceable condition and does not require attention.

The scope of the project is therefore limited to rehabilitation of sections 1 and 2 of the culvert. Further improvements to the capacity of the upstream pipe (450 mm diameter inlet pipe) may also be required (subject to ongoing hydraulic assessment) but is excluded from this report.

Subject to regular inspection and the other measures identified in Section 1.2.1, no immediate action is required. Rather, it is recommended that time be taken to develop an appropriate solution that will restore this essential service whilst minimising disruption.

Irrespective of the solution adopted, there will be disruption to existing flows and consequentially the timing and duration of works will be critical to mitigate effects on stormwater management and disruption to services. Any works should therefore be planned for low flow summer months with detailed design completed over the coming months.

3.2 Safety in Design

Each option considered will consider the impact on safety both during construction and for ongoing use and maintenance. These Safety in Design considerations are summarised for each option in Table 4-1.

3.3 Site Constraints

3.3.1 Upstream

Section 32D, immediately upstream of the culvert acts as one of three attenuation areas for the upstream catchment and is described as marshy/saturated. This will limit access for construction plant.

The failed section of culvert beneath the access driveway will further limit access to the upstream end of the culvert. There is potential alternative access, however this is of limited value for construction plant due to restricted width (refer Figure 3-1.). Further, this is a separate private property and any access would be subject to agreement of the owner.

3.3.2 Waiwaka Terrace

Waiwaka Terrace is classified as an Access road in the ONRC and runs between Paynters Avenue and SH3.

It serves residential properties with a recorded ADT of 850 vehicles per day.

The culvert crosses beneath Waiwaka Terrace some 35 m from the intersection with SH3 (refer Fig 1.1).

Project Number: 5-NPDC4.IC
 Waiwaka Terrace Stormwater Culvert
 Options Report

Any works requiring excavation within the carriageway will sever access to SH3, requiring all residential traffic to use Paynters Avenue (with the exception of several properties at the north end of Waiwaka Terrace who will only be able to use SH3).

3.3.3 Utilities

No utility searches have been conducted for this report. There are likely to be numerous underground services that will require careful management in the event of excavation being required.



Figure 3-1: Alternative site access

The existing 200 mm diameter sewer main within the culvert will need to be managed during culvert repairs/replacement.

3.3.4 Property Boundaries

Any solution deviating from the line of the existing culvert, particularly at the inlet end will likely involve lengthy (and costly) negotiations with adjacent landowners which will need to be accounted for in any programming/budgetary constraints.

3.3.5 Resource Consent/Environmental Measures

The culvert does not appear to carry a recognised waterway. Enquiries have been made with Taranaki Regional Council who have confirmed they do not consider this a waterway. On this basis, there would unlikely be any Regional Council Resource Consent requirements for proposed works although a planning assessment should be undertaken once the preferred option has been determined, as district council consents may be required.

Project Number: 5-NPDC4.IC
Waiwaka Terrace Stormwater Culvert
Options Report

Irrespective of the solution adopted, there will be disruption to existing stormwater capacity and consequentially the timing and duration of works will be critical to mitigate effects and disruption to services. Any works should therefore be planned for low flow summer months as far as practical.

Further, given the downstream channel does eventually discharge into the Te Henui Stream, there will be stringent controls required on environmental management for the duration of any proposed works.

3.4 Performance/Function

All options will need to meet the relevant NPDC design criteria for design loading and service life.

Live Loading - HN HO 72

Design life - 100 years*

* New structures. For any refurbishment option, a reduced design life may be acceptable subject to cost, programme and disruption.

As noted in Section 2, a detailed assessment of the hydraulic requirements has been undertaken which indicates a reduction in waterway area can be accommodated.

Manned access for maintenance is required. Further, it is recommended for all options, access at the inlet be separated from access to the existing sewer main (currently use a shared manhole).

4 Options Assessment

For the purposes of this report, the following options have been considered for rehabilitation of Sections 1 and 2 of the culvert:

1. Refurbish existing culvert - Cured in Place Pipe (CIPP) liner
2. Refurbish existing culvert - Fibre reinforced plastic (FRP) liner
3. In-line replacement
4. Off-line replacement

All supplied estimates are rough order cost estimates. The cost of liner systems is based on indicative rates supplied by an experienced installer while bulk excavation and culvert replacement costs are based on comparable projects. Temporary works have been estimated using sheet piling costs for recent retaining wall projects of similar scale, adjusted to reflect temporary nature and propping of excavation.

Each option is discussed in greater detail below. Table 4-1 compares each option.

4.1 Cured in Place Pipe

A cured-in-place pipe (CIPP) is a trenchless rehabilitation method used to repair existing culverts. It is a jointless, seamless lining within an existing culvert.

The process of CIPP involves inserting and running a flexible lining into the existing culvert. The liner is manufactured to the required dimensions from a polyester felt fibre material, fibreglass or a combination of both. The liner is saturated with a heat-activated resin system.

The flexible liner is then delivered to site and a derrick is erected at the point of entry and the liner suspended above the manhole. The liner is then pushed into place using either water or air and,

Project Number: 5-NPDC4.IC
 Waiwaka Terrace Stormwater Culvert
 Options Report

once in position, heat is introduced through hot water, steam or UV light to cure the resin and form a structurally independent (i.e. can withstand all external loads with no contribution from the original culvert) liner (refer Figure 4-1).

The structure of the CIPP liner is made from glass reinforced plastic (GRP) this consist of high modulus reinforcing fibre locked into a resin matrix. Liner design is based around the material strength (200MPa) and flexural modulus (13600MPa). The liner is designed as a flexible pipe designed to ASTM standard F1216, the material has an elongation factor of 4% so offers similar flexibility to a PVC pipe with much higher mechanical values.

Once cured, grouting of annular gaps in the corners will be required, as the liner will not fully conform to the rectangular box shape, and all existing laterals are restored internally.

The required wall thickness will depend on choice of material but would be in the order of 20 - 50 mm.



Figure 4-1 : Example cured in place pipe liner

Prior to installation of the liner it will be necessary to remove the existing sewer main and concrete encased stormwater line. These will be restored once the liner is in place and fully cured.

Installation of the CIPP liner itself will involve no disruption to Waiwaka Terrace or temporary works. Further, installation can be completed in days. However, the CIPP liner will not address the failed section of culvert at the inlet. Prior to installation of the liner it will be necessary to address this section of culvert (estimated 12 m long). This will require trenched excavation down to formation level in order to remove the existing failed section of culvert and install replacement units on to a prepared bed. Once units are installed backfill would be placed and compacted in a controlled manner to restore the driveway access.

As this option will only require excavation at the upstream end of the culvert, the disruption to Waiwaka Terrace will be minimal (construction traffic only). As for all other excavation, temporary

Project Number: 5-NPDC4.IC
 Waiwaka Terrace Stormwater Culvert
 Options Report

works will be required to support excavation sides and prevent damage to adjacent properties, albeit the depth of excavation will be substantially less due to the sloping driveway.

The estimated cost of this option is \$500,000 - \$750,000 and construction is estimated to take 3 - 6 weeks with most of the time associated with inlet replacement works.

Examples of recently completed CIPP projects are included in Appendix A.

4.2 Fibre Reinforced Plastic

An alternative to the CIPP liner is use of fibre reinforced polymer (FRP) lining. Instead of insitu curing of a flexible liner, preformed FRP box units are manually installed, jointed within the existing culvert and the annular spaces grouted.

As for the CIPP solution, reconstruction of the inlet will still be required and there will be minimal disruption to Waiwaka Terrace during construction.

The estimated cost of this option is \$500,000 - \$750,000 and construction is estimated to take 3 - 6 weeks with most of this time associated with inlet replacement works.

4.3 In-line replacement

In-line replacement of the existing culvert will entail removal of the existing culvert structure and replacement with a new culvert of precast concrete construction. The replacement culvert would take the form of either rectangular box or circular pipe units. Units would be sized to meet assessed hydraulic requirements noting the need for compatibility with section 3 of the existing culvert.

As replacement is in-line, there are no implications on existing property boundaries although access to 32B-D Waiwaka Terrace will be severely impacted during construction.

In-line replacement will require trenched excavation down to formation level in order to remove the existing culvert and install replacement units on to a prepared bed. Once units are installed backfill would be placed and compacted in a controlled manner back to road level.

Due to the depth of the trench, up to 8 m, extensive temporary works in the form of shoring, sheet piling or propping designed by an appropriately qualified engineer will be required as excavation proceeds, to both protect workers and to minimise the width of excavation at road level. Waiwaka Terrace will be closed for the duration of the works, estimated at 4 - 6 months.

Once the existing culvert is removed, replacement precast units will be lowered on to the prepared bedding and back-filled in a controlled manner to road level before reinstating the carriageway.

For the duration of the works it will be necessary to manage stormwater entering the catchment which will require extensive dewatering/diversion works. Further, a temporary diversion of the existing sewer line located within the existing culvert will also be required. Given the duration of the works, both will prove very challenging.

Additionally, support and protection of other services within the road corridor will also be required for the duration of the works.

The estimated cost of this option is \$2.75M - 3.25M.

4.4 Off-line replacement

Off-line replacement of the culvert will involve installation of a new culvert adjacent to existing followed by abandonment of the existing culvert on completion. All existing services/connections would be relocated to the new culvert on completion.

Project Number: 5-NPDC4.IC
Waiwaka Terrace Stormwater Culvert
Options Report

Due to the proximity of adjacent properties, trenched excavation for any off-line option is not feasible. Therefore, any off-line replacement will require the use of trenchless construction methods.

Essentially, a shaft/thrust pit would be sunk within Waiwaka Terrace and a new precast concrete pipe installed by pipe-jacking in each direction to intersect with the existing culvert alignment (refer Figure 4-2). This will still require consultation with affected property owners and planning changes and will require extensive mitigation measures to monitor for any effect from construction on adjacent properties.

An 8m deep excavation will be required to install the thrust pit, requiring significant temporary works to be installed.

While trenchless construction offers benefits in terms of reduced disruption to existing utilities and less disturbance at ground level, there will be complications when intersecting with the existing culvert at the downstream end. It will be necessary to break through into the existing culvert which may require excavation of a further pit.

Dewatering and service protection requirements will be less extensive than for the in-line solution.

On completion of the new culvert, the existing sewer main would be relocated into the new pipe culvert and the existing culvert will need to be made safe/decommissioned. Decommissioning will require additional excavation (and associated temporary works) at the inlet end to remove the failed culvert units. For the remainder of the culvert, this will require installation of a series of bulkheads or similar and backfilling with an inert material, likely grout, to prevent any future collapse.

Unlike the in-line replacement option, management of stormwater and the existing sewer located within the existing culvert will not be required during the works. There will be some disruption to the sewer line while it is relocated into the new culvert, but this will be short-term only.

Construction of this option is estimated to take 3-6 months.

The estimated cost of this option is \$2.75M - 3.25M. This does not consider any planning or property related issues related to construction beneath adjacent properties or associated designation changes. The additional cost of this is difficult to quantify but may very quickly escalate. The impact on the construction programme may also be considerable, as stakeholders are consulted and negotiations progress.

Project Number: 5-NPDC4.IC
Waiwaka Terrace Stormwater Culvert
Options Report

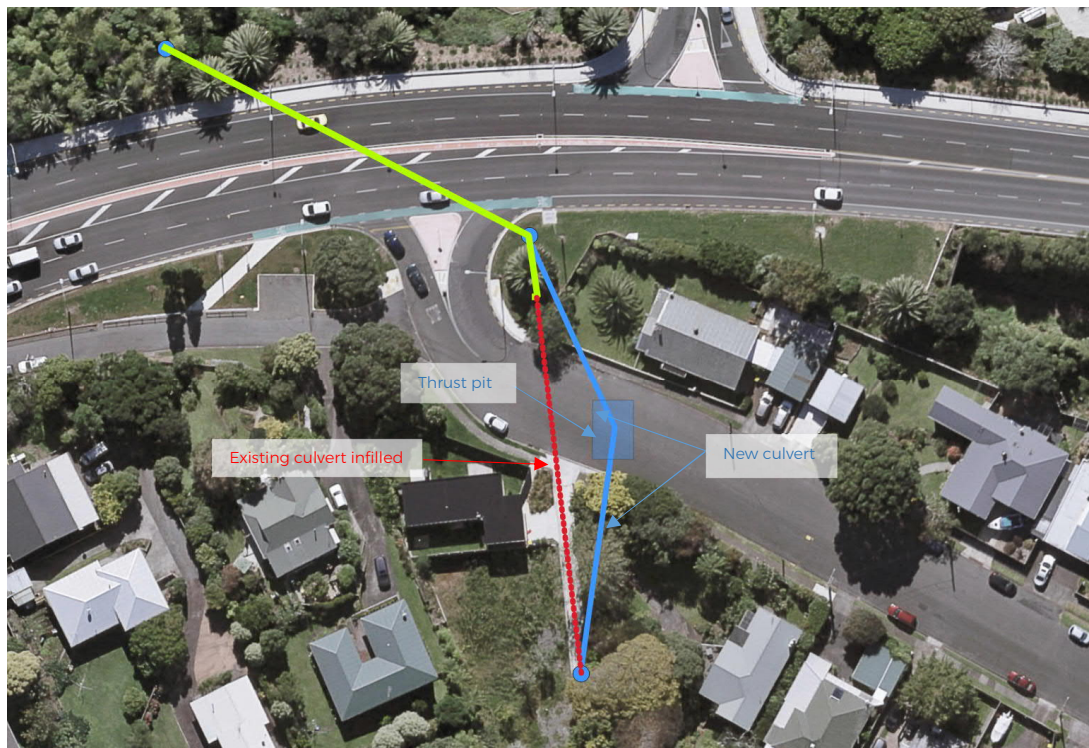


Figure 4-2 : Plan on site showing proposed off-line replacement

Project Number: 5-NPDC4.IC
Waiwaka Terrace Stormwater Culvert
Options Report

4.5 Option Comparison

Table 4-1 - Options Comparison

Issue	Repair Option			
	1 - Cured in Place pipe liner	2 - Fibre reinforced plastic liner	3 - In-line replacement	4 - Off-line replacement
Design				
Programme	• 1 - 3 months	• 1 - 3 months	• 1 - 3 months	• 1 - 3 months
Technical risks/challenges	<ul style="list-style-type: none"> Minimal 	<ul style="list-style-type: none"> Minimal 	<ul style="list-style-type: none"> Deep excavation with associated temporary works. Existing lateral connections (known and unknown). 	<ul style="list-style-type: none"> Deep excavation with associated temporary works. Existing lateral connections (known and unknown). Connection to existing culvert at downstream end. Sealing and backfilling existing culvert.
Planning requirements	<ul style="list-style-type: none"> Minimal - construction within existing culvert footprint. 	<ul style="list-style-type: none"> Minimal - construction within existing culvert footprint. 	<ul style="list-style-type: none"> Minimal - construction within existing culvert footprint. 	<ul style="list-style-type: none"> Construction of culvert beneath adjacent properties. Consultation and stakeholder agreement required for construction to proceed.
Resource consent requirements	<ul style="list-style-type: none"> Planning assessment required. Regional resource consent unlikely required. NPDC consents may be required. Short-term diversion of stormwater and sewer during construction. 	<ul style="list-style-type: none"> Planning assessment required. Regional resource consent unlikely required. NPDC consents may be required. Short-term diversion of stormwater and sewer during construction. 	<ul style="list-style-type: none"> Planning assessment required. Regional resource consent unlikely required. NPDC consents may be required. Installing culvert on existing alignment - requires lengthy diversion of stormwater and sewer for duration of construction. 	<ul style="list-style-type: none"> Planning assessment required. Regional resource consent unlikely required. NPDC consents may be required. Installing culvert off-line. Minimal disruption to existing stormwater and sewer for duration of construction.

Project Number: 5-NPDC4.IC
Waiwaka Terrace Stormwater Culvert
Options Report

Issue	Repair Option			
	1 - Cured in Place pipe liner	2 - Fibre reinforced plastic liner	3 - In-line replacement	4 - Off-line replacement
				<ul style="list-style-type: none"> Backfilling of existing culvert will involve large volumes of grout or similar.
Construction				
Procurement	<ul style="list-style-type: none"> Specialist contractor. 	<ul style="list-style-type: none"> Specialist contractor. 	<ul style="list-style-type: none"> Heavy civil contractor. 	<ul style="list-style-type: none"> Specialist contractor.
Construction duration	<ul style="list-style-type: none"> 3 - 6 weeks 	<ul style="list-style-type: none"> 3 - 6 weeks 	<ul style="list-style-type: none"> 4 - 6 months 	<ul style="list-style-type: none"> 3 - 6 months
Environmental effects	<ul style="list-style-type: none"> Minimal, disruption to existing stormwater and sewer during inlet works. 	<ul style="list-style-type: none"> Minimal, disruption to existing stormwater and sewer during inlet works. 	<ul style="list-style-type: none"> Moderate, provided over pumping or diversion of existing stormwater and sewer carefully managed. 	<ul style="list-style-type: none"> Minimal, off-line works so disruption to existing stormwater and sewer negligible. Also assumes existing culvert fully isolated from water flows when backfilling underway.
Health and Safety	<ul style="list-style-type: none"> Manned entry into existing culvert to remove sewer. 	<ul style="list-style-type: none"> Manned entry into existing culvert to remove sewer and install FRP liner. 	<ul style="list-style-type: none"> Deep excavations. 	<ul style="list-style-type: none"> Deep excavations. Tunnelling safety regulations.
Traffic disruption	<ul style="list-style-type: none"> Closure of access driveway during inlet reconstruction. 	<ul style="list-style-type: none"> Closure of access driveway during inlet reconstruction. 	<ul style="list-style-type: none"> Closure of Waiwaka Terrace and access driveway for duration of construction (months). 	<ul style="list-style-type: none"> Closure of Waiwaka Terrace and access driveway for duration of construction (months).
Rough order cost estimate	<ul style="list-style-type: none"> \$500,000 - 750,000 	<ul style="list-style-type: none"> \$500,000 - 750,000 	<ul style="list-style-type: none"> \$2,750,000 - 3,250,000 	<ul style="list-style-type: none"> \$2,750,000 - 3,250,000
NPV₃₀¹	<ul style="list-style-type: none"> \$640,000 	<ul style="list-style-type: none"> \$640,000 	<ul style="list-style-type: none"> \$2,830,000 	<ul style="list-style-type: none"> \$2,830,000
NPV₅₀²	<ul style="list-style-type: none"> \$790,000 	<ul style="list-style-type: none"> \$790,000 	<ul style="list-style-type: none"> \$2,830,000 	<ul style="list-style-type: none"> \$2,830,000
NPV₁₀₀³	<ul style="list-style-type: none"> \$665,000 	<ul style="list-style-type: none"> \$665,000 	<ul style="list-style-type: none"> \$2,840,000 	<ul style="list-style-type: none"> \$2,840,000

Project Number: 5-NPDC4.IC
 Waiwaka Terrace Stormwater Culvert
 Options Report

Issue	Repair Option			
	1 - Cured in Place pipe liner	2 - Fibre reinforced plastic liner	3 - In-line replacement	4 - Off-line replacement
Performance				
Design life	• 50 years ⁴	• 50 years ⁴	• 100 years	• 100 years
Design loading	• HN HO 72	• HN HO 72	• HN HO 72	• HN HO 72
Hydraulic capacity	• Meets requirements for 1:100 year design event.	• Meets requirements for 1:100 year design event.	• Meets requirements for 1:100 year design event.	• Meets requirements for 1:100 year design event.
Maintenance	• Minimal	• Minimal	• Minimal	• Minimal
Evaluation	• Recommended	• Acceptable	• Not recommended	• Not recommended

Notes

1 - Net Present Value at 30 years. Assumes 6% annual discount rate. Similar maintenance requirements for all options.

2 - Net present value at 50 years. Assumes 6% annual discount rate. Options 1 and 2 assume full replacement of refurbished section at year 50. NPV₅₀ with further lining treatment at year 50 = \$655,000.

3 - Net present value at 100 years. Assumes 6% annual discount rate. Options 1 and 2 assume further lining at year 50 with full replacement at year 100. NPV₁₀₀ with further lining treatment at year 50 and year 100 = \$655,000.

4 - CIPP liners have a 50 year design life with an expected life of 100 years. The liners are designed using the extrapolated mechanical values of the liner in 50 years' time, these values are then used to determine the required thickness to ensure the liner is strong enough to last 50 years. The first CIPP liners were installed in London 50 years ago and are still providing values above the designed criteria. The suppliers anticipate design life will shortly be adjusted to a longer period by the respective international standards.

Project Number: 5-NPDC4.IC
Waiwaka Terrace Stormwater Culvert
Options Report

5 Selection of Preferred Repair Option

All options considered assume that the entire length of modular precast concrete culvert requires attention. That is, the failure at the inlet end is symptomatic of an issue affecting the remainder of the modular culvert.

Options 1 and 2 assume that the currently intact modular culvert can be refurbished while options 3 and 4 are based on replacement being required.

Options 1 and 2 will deliver a solution with a minimum 50 year design life while options 3 and 4 will achieve a 100 year design life. As noted previously, the supplier anticipates the stated design life for CIPP and FRP (Options 1 and 2) will be increased by the respective international standards. While a 100 year design life is preferable, a reduced design life should not be discounted when considering cost, programme and disruption.

Both options 1 and 2 will result in a reduced waterway area, offset marginally by improved flow characteristics. Hydraulic assessment indicates that this reduction in area will not impact on the system's ability to cater for a 1:100 year design event.

Options 1 and 2 are significantly cheaper than either replacement option and can be constructed in a shorter timeframe with less disruption to the public and adjacent property owners.

Based on the above, it is recommended that **Option 1 - Cured in place pipe liner** be adopted for this site. Further, it is recommended that suitably experienced contractors be involved early in the design process to ensure the final design and construction methodology results in the least disruptive solution.

Project Number: 5-NPDC4.IC
Waiwaka Terrace Stormwater Culvert
Options Report

Appendix A

CIPP Examples

Trenchless Pipe Rehabilitation: CIPP



WWTP - CLARIFIER INFLUENT PIPE E/Q REPAIRS

Client: CHRISTCHURCH CITY COUNCIL

Commenced: Oct 2011

Completed: January 2012

Engineer: Beca

Main Contractor: Pipeworks

Value: \$650,000

EXTENDING THE LIMITS

- ◆ 1800mm dia pipe. The largest CIPP installation in NZ.
- ◆ Designed to withstand earthquake liquefaction effects
- ◆ Special Vinyl-ester resin with 10% elongation factor to absorb the possible pipe movement during earthquakes.
- ◆ The installation was completed under water using divers to clean the pipes

The project involved CIPP structural liner installed on the influent pipes under two Clarifiers tanks at the Christchurch Wastewater Treatment Plant in Bromley

Project Scope

- CIPP lining of the 1,800mm diameter inlet pipe to the Clarifiers, which had been damaged during the recent earthquakes
- The water table was high and the requirement was to complete the works without dewatering the pipes, this was to mitigate the risk of uplift forces on the pipes and any further damage to the Clarifiers
- "Over the hole" wet-out and installation techniques were used due the sheer volume and size of the CIPP material
- Inspection and cleaning of the pipes was done under water utilising divers to complete the work
- Special consideration was adopted in the design calculation to allow the new CIPP pipe to withstand liquefaction effects during earthquakes. In addition a special resin with 10% elongation factor was used to allow for the movement of pipes during earthquakes

- All sections of CIPP liner were installed to a high standard.
- The new CIPP installation withstood some very serious aftershocks without suffering any damage while the surrounding structures incurred further damage.
- The very large diameter CIPP liner was successfully inverted through a 90 degree bend without extensive wrinkling.

Project Outcomes

www.pipeworks.co.nz

MAKING PIPES WORK

PipeWorks

Auckland Council: Great South Road, 900, 1050 & 1200 mm SW CIPP



A207 Great South Road SW CIPP

Main Client: Auckland Council

Commenced: August 2016

Completed: March 2017

Engineer: Project Max

Main Contractor: PipeWorks

Subcontractor: None

Value: \$2,000,000

Project Scope

- CIPP lining to an existing large diameter SW pipe in Penrose
- The job was done during a series of dry-spells so by-pass pumping was only required for emergencies.
- Liner thicknesses up to 40.5mm were required in order to deal with some sections of the badly deteriorated pipe. The liner used was I-Plus from Insituform. This is a glass-fibre reinforced product.

Order of Works

- The liners were impregnated and inverted on site. They were then cured with Hot Water. Great care was taken to remove the curing water from the Stormwater before the pipe was re-opened again for normal flow.

Outcome

- During the execution of the works it was discovered that the 1200mm liner was not of consistent diameter. It actually reduced to 1050mm somewhere halfway down the line. This required the installation of a tapered liner and a special stitch to connect the different diameters. The liner for this section was then inverted in one piece.

This project was designed to rehabilitate 401m of 900mm, 88m of 1050 and 227m of 1200mm Stormwater Pipe along Great South Road in Penrose. The pipes runs under a number of newer properties.

Specified Materials used

- Insituform I Plus composite liner.
- Standard polyester resin

Specified Equipment used

- In order to carry out works without the need for man-entry, PipeWorks developed and built a special "Platform Robotic Cutter". In lots of instances the use of this cutter offers a viable alternative having to send men into a pipe.



wsp

wsp.com/nz

PROPOSED AMENDMENTS TO THE FREEDOM CAMPING BYLAW FOLLOWING THE 2019/20 TEMPORARY PROHIBITIONS AT CORBETT PARK, BATTISCOMBE TERRACE AND TONGAPORUTU

MATTER

1. The matter for consideration by the Council is the adoption of a Statement of Proposal (SOP) on proposed amendments to the Freedom Camping Bylaw (the Bylaw). The SOP would provide for consultation on whether the 2019/20 temporary prohibitions at Corbett Park, Battiscombe Terrace, and Tongaporutu should be adopted as permanent prohibited freedom camping areas within the Bylaw.

RECOMMENDATION FOR CONSIDERATION

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

- a) **Adopt the Statement of Proposal for Special Consultative Procedure on proposed amendments to the Freedom Camping Bylaw.**
- b) **Note that the consultation on the amended Freedom Camping Bylaw will be undertaken from 1 August to 4 September.**

COMPLIANCE	
Significance	This matter is assessed as being of some importance.
Options	<p>This report identifies and assesses the following reasonably practicable options for addressing the matter:</p> <ol style="list-style-type: none"> 1. Adopt the Statement of Proposal for proposed amendments to the Freedom Camping Bylaw for Special Consultative Procedure. 2. Do not adopt the Statement of Proposal on the amended Freedom Camping Bylaw for consultation and retain the bylaw status quo.
Affected persons	The persons who are affected by or interested in this matter are freedom campers, users of Corbett Park, Battiscombe Terrace, and Tongaporutu and the wider communities.
Recommendation	This report recommends option one for addressing the matter.
Long-Term Plan / Annual Plan Implications	No.

COMPLIANCE	
Significant Policy and Plan Inconsistencies	No.

EXECUTIVE SUMMARY

2. We recommend that Council adopts the Statement of Proposal (SOP) for special consultative procedure on proposed amendments to the Freedom Camping Bylaw (the Bylaw). The proposed amendments relate to the 2019/20 Corbett Park, Battiscombe Terrace and Tongaporutu temporary prohibitions as permanent freedom camping prohibited areas within the Bylaw.
3. Taking this approach will provide the opportunity to hear community views on whether the 2019/20 temporary freedom camping prohibitions should be permanently included within the Bylaw. There is very little risk to this approach as it will allow the Council to consider the incorporation of the 2019/20 temporary prohibitions as permanent year round or summer restrictions within the Bylaw.
4. The next step is to undertake a special consultative procedure on the proposed amendments to the Bylaw. Council officers will then report back to Council with community views and preferences, which will inform final decision making on any amendments to the Bylaw.

BACKGROUND

5. The Bylaw was initially adopted in December 2017 and has undergone a number of reviews since then – please refer to appendix two for a full briefing of the Bylaw's history.

Freedom camping temporary closures December 2019

6. Since the adoption of the Bylaw, Corbett Park, Battiscombe Terrace and Tongaporutu have been popular with freedom campers, and there have been large numbers of freedom campers visiting these areas. In December 2019 members of the Kaitake Community Board, Waitara Community Board and Clifton Community Board raised concerns about the excessive numbers of both non-self-contained (NSC) and Self Contained (SC) freedom campers in these three locations.
 7. Members of the Kaitake Community Board requested a temporary closure of Corbett Park to freedom camping for the summer period ending 30 April 2020. This request was supported by Oākura Marae, Ngāti Tairi Hapū, Ngā Mahanga Hapū and the Taranaki iwi.
-

-
8. The Waitara Community Board members requested that Council consider a temporary closure of Battiscombe Terrace (excluding the six restricted NSC carparks) to freedom camping for the summer period ending 30 April 2020.
 9. The Clifton Community Board members requested that Council consider a temporary closure of part of Tongaporutu to freedom camping until 30 April 2020.
 10. Following the above requests, on December 2017, Council determined: *In accordance with clause 9.1 of the FC Bylaw 2017, to temporarily close Corbett Park, Battiscombe Terrace and Tongaporutu to freedom camping until 30 April 2020.*
 11. The 2019/20 temporary prohibitions are considered to have been successful in protecting the three local authority areas, the health and safety of people who visit the local authority areas, and access to the local authority areas.
 12. The following was observed during the temporary closures of these areas:
 - a) There remained high volumes of rubbish due to the popularity of the areas with the public over peak summer months.
 - b) There was degradation of grass areas where vehicles park – this is common during peak summer months.
 - c) Between 1 January 2020 and 29 June 2020 there were a total of 31 complaints received for freedom camping across the whole district – one of these was a fine enquiry for Battiscombe Terrace, there were no issues raised for Corbett Park or Tongaporutu.
 - d) 202 freedom camping infringement fines were issued across New Plymouth district between 1 January and 29 June 2020. 23 of these were for freedom campers at Battiscombe Terrace and one was for a freedom camper at Corbett Park. (Infringement fines cannot be issued for freedom camping at Tongaporutu, as it is managed under the Reserves Act 1977). Therefore a total of 24 infringement fines were issued for these areas, as compared to 46 for the previous summer period.
 13. As there is already high use of these areas (especially during the peak summer months), it is considered that the continued prohibitions of freedom camping would help to alleviate pressure on the sites in terms of overcrowding and the associated issues – such as vehicle impact and levels of rubbish. In addition, it appears that the temporary closures of these areas resulted in fewer infringement fines for these areas.
-

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14. Therefore including the 2019/20 temporary prohibitions as permanent freedom camping prohibitions in the Bylaw would help protect the three local authority areas, the health and safety of people who visit the local authority areas, and access to the local authority areas.

Options going forward

15. The Council now essentially has two options to either retain the status quo or consider amending the Bylaw.
16. The SOP provides for the consideration as to whether the 2019/20 temporary freedom camping prohibitions should be permanently incorporated into the Bylaw.
17. The SOP proposes that the 2019/20 Corbett Park, Battiscombe Terrace and Tongaporutu temporary prohibitions as permanent year round freedom camping prohibited areas within the Bylaw. In addition, it is also proposed that the submission form also provides for consideration of only applying the 2019/20 Corbett Park, Battiscombe Terrace and Tongaporutu temporary prohibitions as permanent summer (20 October to 30 April) freedom camping prohibited areas within the Bylaw. The summer date range from 20 October to 30 April is proposed to ensure that the period from labour weekend to Easter is captured.
18. For Corbett Park it is also proposed that the submission form provides for consideration of only applying the 2019/20 Corbett Park temporary prohibitions to the area other than the existing five freedom camping NSC restricted areas. Essentially this option would restrict freedom camping to only five SC or NSC vehicles (on a first come first served basis) with the remaining area being prohibited to freedom camping.
19. Taking this approach will provide the opportunity to hear community views on whether the 2019/20 temporary prohibitions should be permanently included within the Bylaw.

NEXT STEPS

20. If the special consultative procedure is approved, the next step would be to notify the public of the consultation and carry out consultation from 1 August to 4 September. There would be opportunity for submitters that wished to be heard to speak to the Council. Officers would then report back on the consultation, for Councillors to determine any amendments to the Bylaw – this would take place before the 2020/2021 summer period.
-

SIGNIFICANCE AND ENGAGEMENT

21. In accordance with the Council's Significance and Engagement Policy, this matter has been assessed as being of some importance. Freedom camping is a topic which generates a high level of interest in the community. Freedom camping impacts on areas with high cultural and community value. The consultation and any of the proposed amendments to the Bylaw would have minimal financial impact for Council. The proposed amendments aim to: protect the environment of the local authority areas, the health and safety of people who visit the local authority areas, and access to the local authority areas.

OPTIONS

Option 1 Adopt the Statement of Proposal on proposed amendments to the Freedom Camping Bylaw for special consultative procedure.

Financial and Resourcing Implications

22. There will be a small cost of running the special consultative procedure, including cost of public notification. If additional prohibitions are adopted for the Bylaw (following consultation), these can be implemented through existing budgets.

Risk Analysis

23. There is no perceived risk in running a special consultative procedure for proposed amendments to the Bylaw.

Promotion or Achievement of Community Outcomes

24. This option supports the community outcome of People and Place, as the amendments would provide protection to the three local authority areas, the health and safety of people who visit the local authority areas, and access to the local authority areas.

Statutory Responsibilities

25. Under Section 11(5) of the Freedom Camping Act, a local authority must use the special consultative procedure if amending a bylaw made under this section of the Act.

Consistency with Policies and Plans

26. This option is consistent with Council Policies and Plans.
-

Participation by Māori

27. The 2019/20 temporary prohibition of freedom camping from Corbett Park was supported by Oākura Marae, Ngāti Tairi Hapū, Ngā Mahanga Hapū and the Taranaki iwi. The consultation provides the opportunity for participation by Maori through the submission process.

Community Views and Preferences

28. The proposed consultation provides the opportunity for the Council to take into account community view and preferences.

Advantages and Disadvantages

29. The advantage of this option is that it allows for the views and preferences of the community to be heard, for informing the decision making. This option will test multiple options for managing freedom camping at Corbett Park, Battiscombe Terrace and Tongaporutu (including the status quo).
30. There are no disadvantages to this option.

Option 2 Do not adopt the statement of proposal on the Freedom Camping Bylaw for consultation and retain the bylaw status quo.

Financial and Resourcing Implications

31. No financial or resourcing implications. The status quo will remain.

Risk Analysis

32. The risk of this option is that the ongoing community concerns regarding freedom camping at Corbett Park, Battiscombe Terrace and Tongaporutu remain unresolved.

Promotion or Achievement of Community Outcomes

33. This option promotes the Community Outcome through the existing Bylaw provisions.

Statutory Responsibilities

34. Not applicable.

Consistency with Policies and Plans

35. This option is consistent with Council policies and plans.
-

Participation by Māori

36. The 2019/20 temporary prohibition of freedom camping from Corbett Park was supported by Oākura Marae, Ngāti Tairi Hapū, Ngā Mahanga Hapū and the Taranaki iwi. This option retains the status quo with no opportunity for participation by Maori through a consultation process.

Community Views and Preferences

37. This option retains the status quo with no opportunity for community views and preferences through a consultation process.

Advantages and Disadvantages

38. The disadvantage of this option is that there is no opportunity for the community to provide their views and preferences, as to whether the 2019/20 temporary freedom camping prohibitions should be permanently incorporated into the Bylaw.

Recommended Option

This report recommends option one Adopt the Statement of Proposal on proposed amendments to the Freedom Camping Bylaw for special consultative procedure for addressing the matter.

APPENDICES

Appendix 1 *Statement of proposal for amendments to the Freedom Camping Bylaw* (ECM8327825)

Appendix 2 *Background history of the Freedom Camping Bylaw* (ECM8318381)

Report Details

Prepared By:	Jo Eagar (Policy Adviser)
Reviewed By:	Mitchell Dyer (Policy Development Lead)
Team:	Police Development Team
Approved By:	Liam Hodgetts (Group Manager Strategy)
Ward/Community:	Waitara, Clifton, Kaitake
Date:	7 July 2020
File Reference:	ECM 8318373

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

Proposed Amendment to the Freedom Camping Bylaw Statement of Proposal

September 2020



Te Kaunihera-ā-Rohe o Ngāmotu

**New Plymouth
District Council**

Background

The Freedom Camping Bylaw already provides the following restrictions for freedom campers in New Plymouth District:

- All freedom camping prohibited at Fitzroy Beach car park, Oakura Beach front, East End Beach front, Kawarua car park, and the Waiwhakaiho River Mouth;
- Self-contained freedom campers are permitted to freedom camp at the same location for no more than three periods of up to 24 hours in a 30 day period;
- Non-self-contained freedom campers are permitted to freedom camp in 15 carparks within the district – these are: Battiscombe Terrace (six carparks), Corbett Park (five carparks), Lake Rotomanu (four carparks);
- Non-self-contained freedom campers are allowed to freedom camp at the same location for no more than one period of 24 hours in a 30 day period; and
- Tents and other temporary structures are prohibited.

Under the Freedom Camping Act 2011, the Council is allowed to put restrictions for freedom camping in place in the district, if it is satisfied that the bylaw restrictions are necessary to:

- Protect the area;
- Protect the health and safety of people who may visit the area, and
- Protect access to the area.

The Council is proposing to amend the Freedom Camping Bylaw, to incorporate the 2019/20 temporary freedom camping prohibitions as permanent prohibitions at:

- Tongaporutu;
- Battiscombe Terrace, Waitara; and
- Corbett Park, Oakura.

Including the 2019/20 temporary prohibitions as permanent freedom camping prohibitions in the Freedom Camping Bylaw would protect public access to these areas, protect the health and safety of people who visit the areas and protect the environment within the local authority areas.

The rest of the Bylaw would remain unchanged. The full proposed Freedom Camping Bylaw can be found at the end of this document, or go to www.newplymouthnz.com/HaveYourSay to have your say.

Have your say!

The proposed amendment to the Freedom Camping Bylaw is now open for public consultation. This is your chance to let the Council hear your views on the proposed amendments to the Bylaw, so please take the time to get involved and have your say. There are several ways you can have your say. A submission form is provided with this document or you can fill in your submission online.

To get your submission to us, either:

Post it to: NPDC Freedom Camping Bylaw Submissions, Reply Paid DX, DX Box NX10026, New Plymouth 4342

Deliver it to: Civic Centre, Liardet Street, New Plymouth or to a library and service centres in Bell Block, Inglewood or Waitara

Email it to: submissions@npdc.govt.nz

Do it online: www.newplymouthnz.com/HaveYourSay

Be sure to get your submission to the Council **by 5pm on XXXXXXXXXXXX**.



Te Kaunihera ā-Rohe o Ngāmotu

**New Plymouth
District Council**

Save time by filling in your submission online at newplymouthnz.com/HaveYourSay

Phone (Day):

My submission

Tongaporutu		PROPOSED All freedom camping prohibited in two locations	STATUS QUO Self-contained freedom camping permitted in all locations
1	Which of the following restrictions do you support for freedom camping at Tongaporutu for the summer period?	<input type="checkbox"/>	<input type="checkbox"/>
2	Which of the following restrictions do you support for freedom camping at Tongaporutu for the winter period?	<input type="checkbox"/>	<input type="checkbox"/>

[illegible]

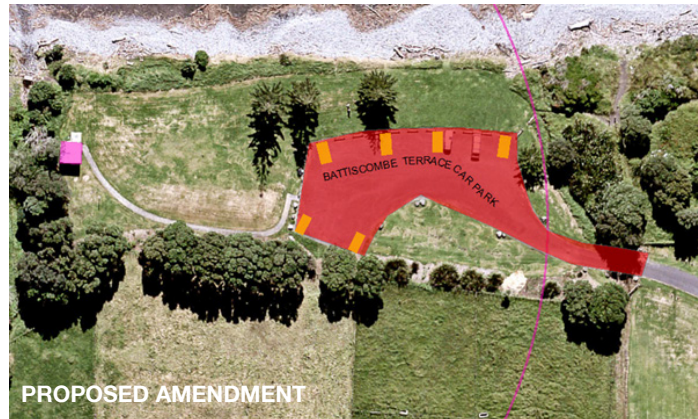
Freedom camping prohibited






New Plymouth District Council

Battiscombe Terrace, Waitara NSC = non-self-contained freedom camping SC = self-contained freedom camping		PROPOSED Freedom camping prohibited with the exception of six restricted sites (NSC and SC)	STATUS QUO Self-contained permitted and non-self- contained restricted to five designated sites
3	Which of the following restrictions do you support for freedom camping at Battiscombe Terrace for the summer period?	<input type="checkbox"/>	<input type="checkbox"/>
4	Which of the following restrictions do you support for freedom camping at Battiscombe Terrace for the winter period?	<input type="checkbox"/>	<input type="checkbox"/>

Comments:



-  Freedom camping prohibited
-  Freedom camping self-contained and non-self-contained restricted areas
-  Public toilet

Thank you for your submission!

Be sure to get your submission to the Council by 5pm on XXXXXXXXXXXX

Corbett Park, Oakura		PROPOSED All freedom camping prohibited	Freedom camping prohibited with the exception of five restricted sites (NSC and SC)	STATUS QUO Self-contained permitted and non-self contained restricted to five designated sites
5	Which of the following restrictions do you support for freedom camping at Corbett Park for the summer period?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6	Which of the following restrictions do you support for freedom camping at Corbett Park for the winter period?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments:





Te Kaunihera-ā-Rohe o Ngāmotu

**New Plymouth
District Council**



New Plymouth District Council Bylaw

As amended and re-adopted December 2018

Freedom Camping Bylaw 2017

The purpose of this bylaw is to regulate freedom camping in the district in order to protect:

- local authority areas;
- the health and safety of people who may visit local authority areas;
- access to local authority areas.

(ECM 7601938)

NOTE: Bylaw amendment additions marked in underline

Bylaw amendment deletions marked in ~~strike through~~



Te Kaunihera-ā-Rohe o Ngāmotu

**New Plymouth
District Council**

1. Authority

- 1.1 This bylaw is made under the Freedom Camping Act 2011 and the Local Government Act 2002.

The following note is explanatory and is not part of the bylaw:

This bylaw applies only to the areas under the control of the New Plymouth District Council.

Compliance with this bylaw does not remove the need to comply with all applicable Acts, regulations, bylaws, and other regulatory requirements. This includes complying with any parking or other traffic restrictions in any area, not littering, complying with any restrictions or prohibitions on the lighting of fires, not making excessive noise, and complying with the directions of enforcement officers or other authorised persons.

2. Commencement

- 2.1 This bylaw comes into force on 14 December 2018.

3. Purpose

- 3.1 The purpose of this bylaw is to regulate freedom camping in the district in order to protect:

- a) local authority areas;
- b) the health and safety of people who may visit local authority areas;
- c) access to local authority areas.

4. Interpretation

- 4.1 In this part unless the context otherwise requires:

Definitions

Act means the Freedom Camping Act 2011.

Council means the New Plymouth District Council.

District means the New Plymouth District.

Prohibited areas means freedom camping is not allowed in this area, in accordance with clause 5 of this bylaw, unless a permit has been granted under clause 8.

Self-contained vehicle means a vehicle designed and built for the purpose of camping which has the capability of meeting the ablutionary and sanitary needs of occupants of that vehicle for a minimum of three days without requiring any external services or discharging any waste, and complies with, and is certified under *New Zealand Standard 5465:2001* (including the March 2012 and May 2017 amendments to the Standard), as evidenced by the display of a current self-containment warrant issued under that Standard.

The following terms have the same definitions as in the Act – the definitions are set out in the guidance material:

Freedom camp

Local authority area

5. Prohibited areas

- 5.1** Subject to clause 8, a person must not freedom camp:
- a) in any local authority area in tents or other temporary structures; or
 - b) in a vehicle in any area marked red on any map in Schedule 1 during the dates in which it is indicated that freedom camping is prohibited.

Prohibited areas

6. Freedom Camping Restricted Areas – non-self-contained vehicles

- 6.1** Subject to clause 8, a person may freedom camp in a non-self-contained vehicle in the areas identified for freedom camping in Schedule 2 of this Bylaw, subject to complying with all of the following restrictions:
- a) the vehicle must be parked in a non-self-contained restricted area;
 - b) the vehicle must be parked legally;
 - c) must not stay in the same area in the district for more than one period of up to 24 hours in a 30 day period;
 - d) must not prevent others from undertaking legitimate activities in the area;
 - e) must not light any fires at the area; and
 - f) must comply with the noise requirements set out in the operative District Plan;

Non-self-contained

- 6.2** In clause 6.1(c) “the same area” means the land within 500 metres of the place where the person was last freedom camping.

7. Freedom camping Restricted Areas – self-contained vehicles

- 7.1** Subject to clause 8, a person may freedom camp in a self-contained vehicle in any local authority area, including non-self-contained restricted areas, excluding those prohibited in clause 5.1, subject to complying with all of the following restrictions:
- a) must be in a certified-self-contained vehicle;
 - b) the vehicle must be parked legally;
 - c) must not stay in the same area in the district for more than three periods of up to 24 hours in a 30 day period;
 - d) must not prevent others from undertaking legitimate activities in the area;
 - e) must not light any fires at the area; and

Self-contained

- f) must comply with the noise requirements set out in the operative District Plan.

7.2 In clause 7.1(c) “the same area” means the land within 500 metres of the place where the person was last freedom camping.

8. Permits from the Council

8.1 The Council may grant a permit providing dispensation from a prohibition under clause 5.1 or one or more of the restrictions in clauses 6.1(a) to (f) or 7.1(a) to (f). Permits may be granted with or without conditions. Conditions may include, but are not limited to:

Permits

- a) maximum number of people;
- b) maximum number of vehicles / tents / caravans;
- c) maximum number of nights.

8.2 Application for a permit must be made:

- a) in writing;
- b) providing sufficient detail about the proposed freedom camping, including why the freedom camping will not comply with one or more of the requirements of clauses 6.1 and 7.1 and what efforts will be made to otherwise comply (for example, if freedom camping for more than three 24 hour periods, how the applicant will manage waste generated while freedom camping); and
- a) be made at least 20 working days in advance of the date planned for freedom camping.

9. The Council may temporarily close an area to freedom camping

9.1 In accordance with sections 145, 146(b), and 151(2) of the Local Government Act 2002, the Council may, by resolution, temporarily close any local authority area (or part of such area) in which freedom camping can be undertaken to some or all types of freedom camping where the closure is considered necessary to:

Temporary closures

- a) repair damage that significantly affects the use of the local authority area or facilities in the area for freedom camping, or to prevent damage occurring where there is an immediate threat of damage that would otherwise require the Council to close the area to repair the damage; or
- b) allow maintenance to be carried out on the local authority area or facilities; or
- c) to ensure public health and safety can be maintained by ensuring safe public access to and from temporary events and occasions.

9.2 Notice will be given of any temporary closure, and the removal of any closure, in any manner the Chief Executive considers is appropriate to the reason for the closure. Where possible, not less than 24 hours' notice of any temporary closure will be given.

The following note is explanatory and is not part of the bylaw:

Notice given by the Council may include any of the following: a sign erected in the area; and / or advertising on the Council's website or on the radio; and / or a public notice in the paper.

10. Effect of this bylaw on other bylaws and enactments

- 10.1** This bylaw does not override or affect any time, vehicle class or other restrictions that apply to the parking of a vehicle, made under any other bylaw or enactment.

**Effect of this
bylaw on other
bylaws and
enactments**

The following note is explanatory and is not part of the Bylaw:

This clause is to make it clear that approval of freedom camping under this bylaw also satisfies any requirement for approval under another bylaw or enactment. For example:

the Council designates parking areas under the Traffic Bylaw and Council approval is needed to make changes; approving the same area for freedom camping under this bylaw also provides any Traffic Bylaw approval, if required (but the freedom camping must still comply with any parking time limits, etc. applicable to the area).

- 10.2** The Council resolved to make a bylaw under the Freedom Camping Act 2011 at a meeting of the Council on 5 September 2017. Following consideration of submissions received during a special consultative procedure, the Council adopted this bylaw by resolution at a subsequent meeting of the Council on 6 December 2017. Public notice was issued on 16 December 2017 to set the operative date at 23 December 2017.

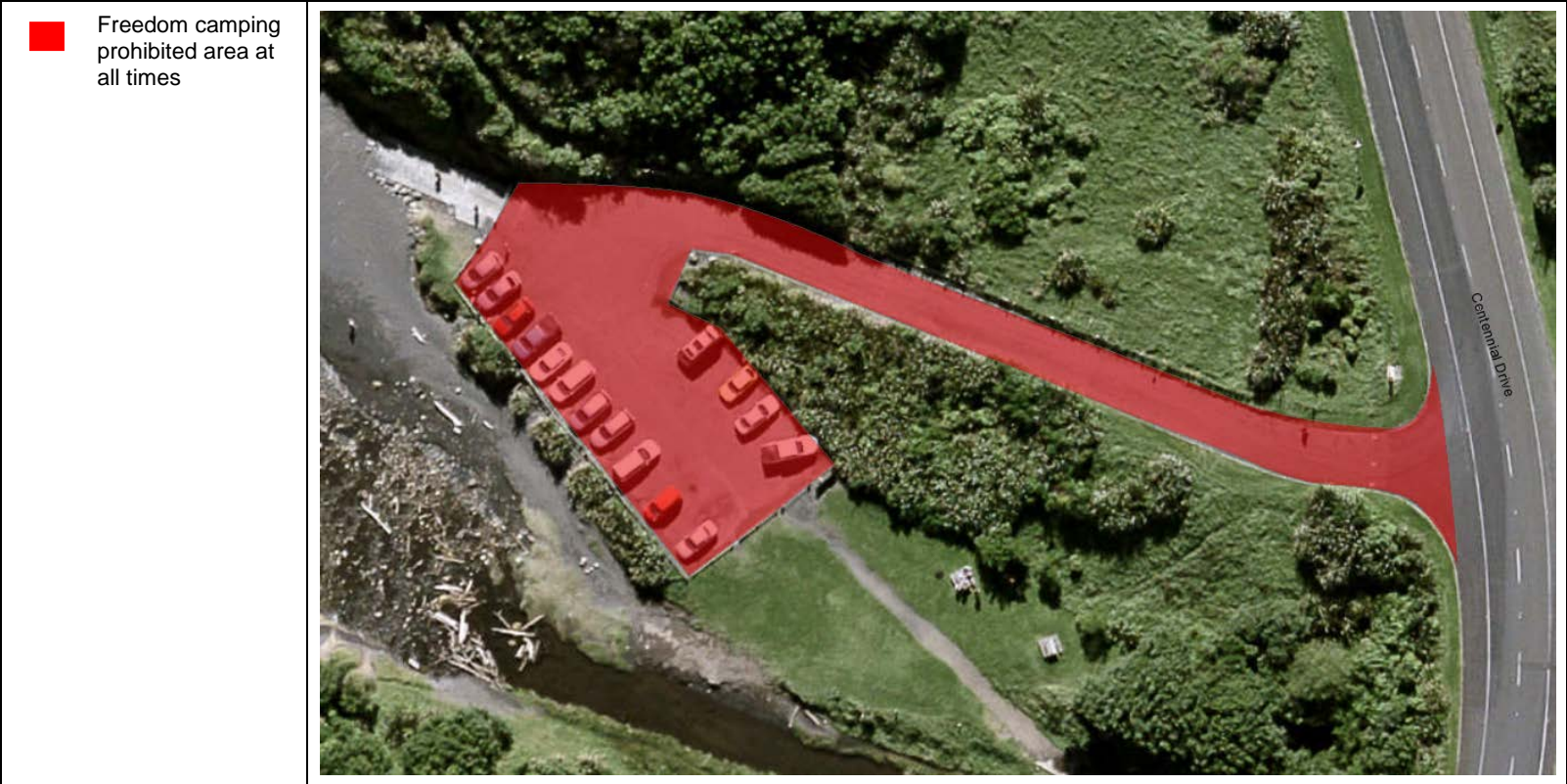
Schedule 1: Maps of prohibited areas

Map number	Where is freedom camping prohibited?
Map 1	Fitzroy Beach carpark
Map 2	Back Beach bottom carpark
Map 3	Oakura Beach front
Map 4	Waiwhakaiho River Mouth
Map 5	East End Beach
Map 6	Kawaroa Park
<u>Map 7</u>	<u>Corbett Park</u>
<u>Map 8</u>	<u>Battiscombe Terrace</u>
<u>Map 9</u>	<u>Tongaporutu</u>

Map 1: Fitzroy Beach carpark



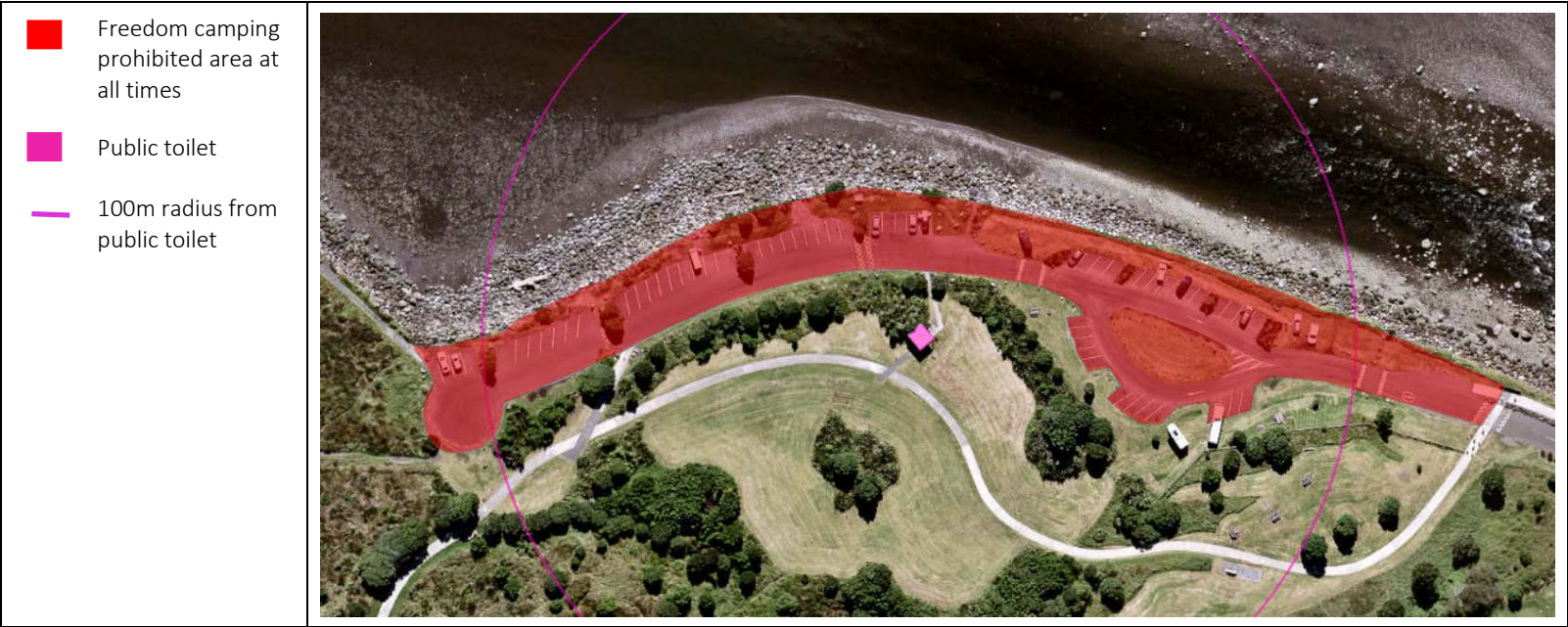
Map 2: Back Beach bottom carpark



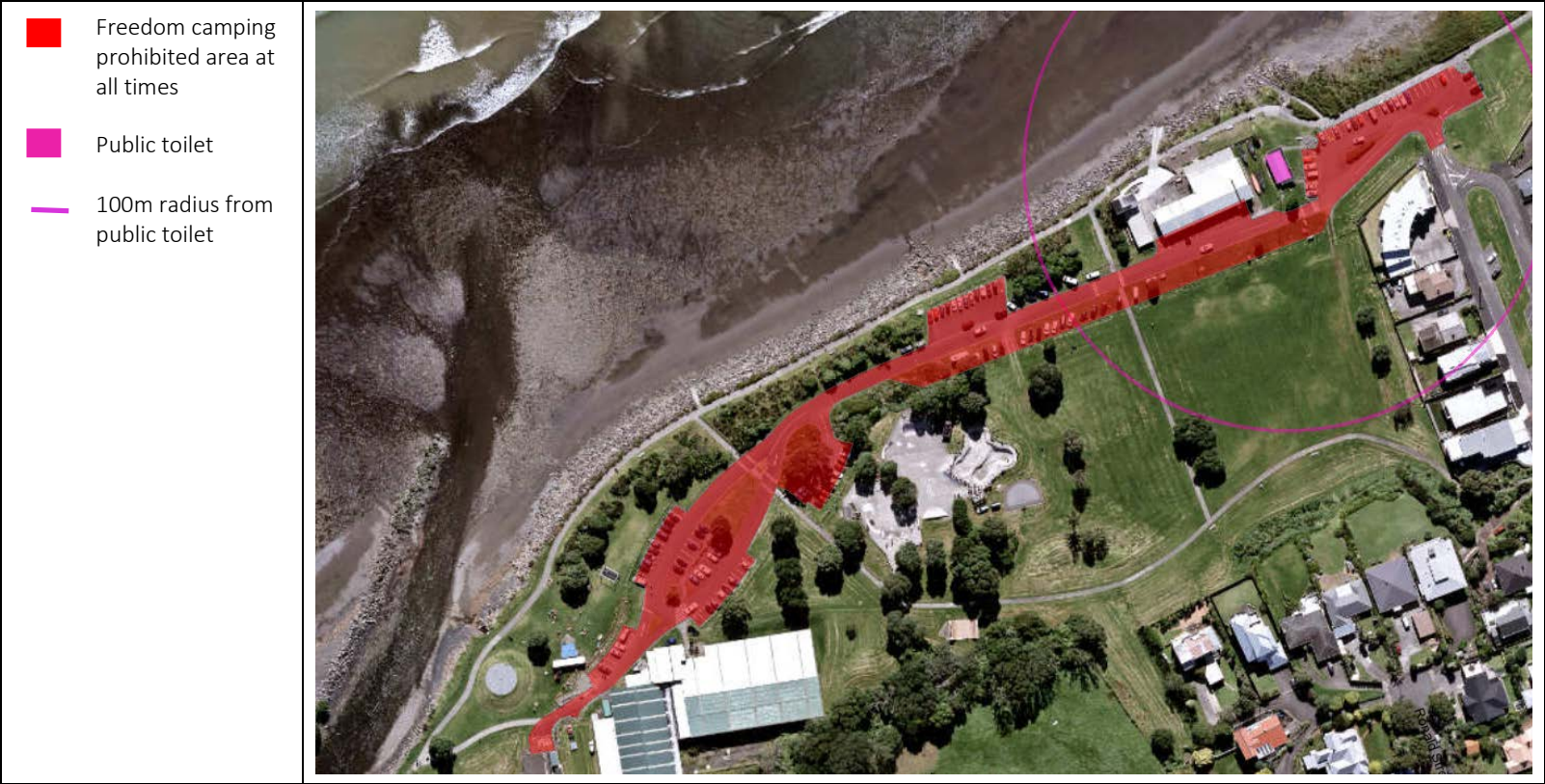
Map 3: Oakura Beach front



Map 4: Waiwhakaiho River Mouth



Map 5: East End Beach



Map 6: Kawaroa Park



Map 7: Corbett Park



Map 8: Battiscombe Terrace



Map 9: Tongaporutu



Schedule 2: Maps of non-self-contained restricted areas

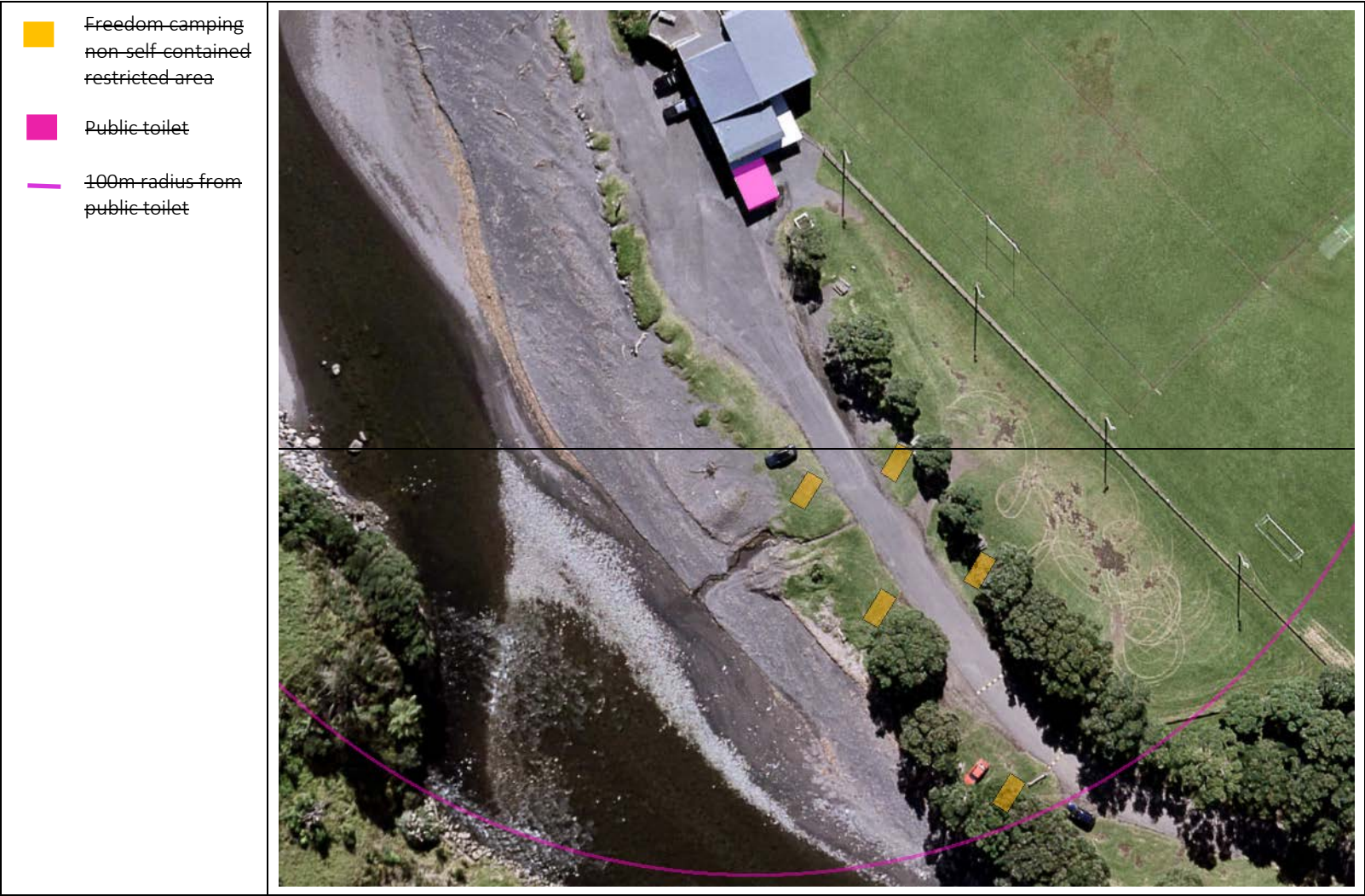
Map number	Where is non-self-contained freedom camping allowed?
Map 10 ⁷	Battiscombe Terrace
Map 8	Gorbet Park
Map 11 ⁹	Lake Rotomanu

Map 107: Battiscombe Terrace





Map 8: Corbett Park



Map 911: Lake Rotomanu



Freedom Camping Bylaw - Guidance Material

1. Freedom Camping Act 2011 interpretation
2. Freedom Camping Act offences and penalties, and offenders liable for cost of damage - Section 20, 23 and 24
3. New Zealand Standard: Self-containment of motor caravans and caravans NZS 5465:2001
4. Department of Conservation
5. New Plymouth District camp grounds
6. New Plymouth District dump stations and transfer stations
7. New Plymouth District Public Toilets

1. Freedom Camping Act 2011 interpretation

Freedom camp

- (1) In this Act, freedom camp means to camp (other than at a camping ground) within 200 m of a motor vehicle accessible area or the mean low-water springs line of any sea or harbour, or on or within 200 m of a formed road or a Great Walks Track, using 1 or more of the following:
 - a. a tent or other temporary structure:
 - b. a caravan
 - c. a car, campervan, housetruck, or other motor vehicle.
- (2) In this Act, freedom camping does not include the following activities:
 - a. temporary and short-term parking of a motor vehicle:
 - b. recreational activities commonly known as day-trip excursions:
 - c. resting or sleeping at the roadside in a caravan or motor vehicle to avoid driver fatigue.
- (3) In subsection (1), -

Camping ground means –

- a. a camping ground that is the subject of a current certificate of registration under the Camping-Grounds Regulations 1985; and
- b. any site which a fee is payable for camping at the site

Great Walks Track means –

- a. a track specified in Schedule 1 (of the Act); and
- b. any other track specified by order in Council made under section 44 (of the Act) as a Great Walks Track.

Local authority area:

- (1) In this Act, local authority area –
 - a. means an area of land-
 - i) that is within the district or region of a local authority; and
 - ii) that is controlled or managed by the local authority under any enactment; and
 - b. includes any part of an area of land referred to in paragraph (a); but
 - c. does not include an area of land referred to in paragraph (a) or (b) that is permanently covered by water.

2. Freedom Camping Act offences, penalties, and offenders liable for cost of damage - Section 20, 23 and 24

20 Offences

- (1) Every person commits an offence who—
 - a) freedom camps in a local authority area in breach of any prohibition or restriction in a bylaw made under section 11 that applies to the area; or
 - b) while freedom camping in a local authority area,—
 - i. interferes with or damages the area, its flora or fauna, or any structure in the area; or
 - ii. deposits waste in or on the area (other than into an appropriate waste receptacle); or
 - c) makes preparations to freedom camp in a local authority area in breach of any prohibition or restriction in a bylaw made under section 11 that applies to the area; or
 - d) deposits waste, generated while freedom camping, in or on a local authority area other than into an appropriate waste receptacle; or
 - e) fails or refuses to leave a local authority area when required to do so by an enforcement officer acting under section 36; or
 - f) *[Repealed]*
 - g) freedom camps on conservation land in breach of any prohibition or restriction in a freedom camping notice that applies to the land; or
 - h) while freedom camping on conservation land,—
 - i. interferes with or damages the land, its flora or fauna, or any structure on the land; or
 - ii. deposits waste in or on the land (other than into an appropriate waste receptacle); or
 - i) *[Repealed]*
 - j) makes preparations to freedom camp on conservation land in breach of any prohibition or restriction in a freedom camping notice that applies to the land; or
 - k) deposits waste, generated while freedom camping, in or on conservation land other than into an appropriate waste receptacle; or
 - l) refuses to give information when required to do so by an enforcement officer under section 35 or gives false or misleading information; or
 - m) fails or refuses to leave conservation land when required to do so by an enforcement officer acting under section 36.
- (2) Every person commits an offence who discharges a substance in or on a local authority area or conservation land in circumstances where the discharge of the substance is likely to be noxious, dangerous, offensive, or objectionable to such an extent that it—
 - a) has, or is likely to have, a significant adverse effect on the environment; or
 - b) has caused, or is likely to cause, significant concern to the community or users of the area or land.
- (3) Every person commits an offence—
 - a) who, while an enforcement officer is carrying out his or her functions and duties under this Act,—
 - i. intentionally prevents the officer from carrying out those functions and duties; or
 - ii. obstructs or impedes the officer; or
 - iii. assaults, threatens, or intimidates the officer; or
 - iv. uses language that is abusive or threatening to the officer; or
 - v. behaves in a threatening manner towards the officer; or
 - b) who incites any other person to do any act referred to in paragraph (a).
- (4) In this section, waste receptacle means a receptacle or facility that is provided by a local authority or the Department for the purposes of disposing of waste (for example, a rubbish bin, public toilet, or bulk waste disposal unit).

23 Penalties

- (1) A person who commits an infringement offence is liable to the following fee:
 - a) the amount prescribed by regulations made under section 43 as the infringement fee for the offence; or
 - b) \$200, if no fee is prescribed in accordance with paragraph (a).
- (2) A person who is convicted of an offence against section 20(2) is liable to a fine not exceeding \$10,000.
- (3) A person who is convicted of an offence against section 20(3) is liable to a fine not exceeding \$5,000.

24 Offenders liable for cost of damage

- (1) A person who commits an offence may, in addition to, or instead of, the penalty for the offence, be ordered to pay the costs incurred by the local authority or Department in repairing any damage done to the local authority area or the conservation land concerned as a result of the offence.
- (2) The costs must be assessed by the District Court and are recoverable as if they were a fine.

3. New Zealand Standard Self-Containment of Motor Caravans and Caravans, NZS 5465:2001

The Self Containment Standard NZS5465:2001 defines the minimum facilities that a motor caravan or caravan needs to contain the waste which its occupants produce, and to provide the fresh water which they require for a minimum of three days. Below is a brief overview of the requirements:

Water supply

- Motor caravan or caravan shall be fitted with a water supply tank or tanks having a capacity of not less than 4 L per day for each of the number of persons authorised by the Self Containment Certificate, for not less than three days (i.e. a minimum of 12 L per person).

Sanitary fittings

- The motor caravan or caravan shall be equipped with a sink. Additional sanitary fittings, like a handbasin, shower etc. are optional.

Toilet

- The motor caravan or caravan shall be equipped with a toilet that is adequately restrained or secured when travelling. The toilet shall be usable within the vehicle, including sufficient head and elbow room whenever required, even with the bed made up.
- All toilet systems shall provide sufficient waste holding capacity for the occupants of the motor caravan or caravan for a minimum of three days. The waste holding capacity shall be the net capacity after deducting the initial charge, or the internal flushing water. The minimum capacity required per person per day shall be one litre.
- Self composting toilets shall comply with the sanitary requirements of the NZBC.

Waste tank

- The motor caravan or caravan shall be provided with a waste tank or tanks to receive all the waste water from all permanently installed fixtures. The capacity of the water tank shall not be less than, and preferably larger than, the minimum water supply as water supply requirements above.
- All tanks shall be adequately secured while the motor caravan or caravan is in motion. The evacuation valve or macerator pump shall be mounted to prevent accidental damage.

Evacuation hose

- Any vehicle fitted with a waste tank shall be supplied with an evacuation hose. The hose shall have a leak-proof coupling for attaching it to the holding tank evacuation valve. For a 75mm black water connection, a bayonet coupling to connect to a dump point is required.
- The hose diameter shall not be less than the minimum valve size appropriate for the tank, have a minimum length of 3m and be carried in a separate container.

Waste water treatments

- Chemical or biological treatments should be used in a waste tank.

Solid waste containment

- The motor caravan or caravan shall have a sealable solid waste container for rubbish.

Issuing Authority

A self containment issuing authority shall be one of the following:

- A plumber registered under the Plumbers, Gasfitters, and Drainlayers Act 1976; or
- A suitable qualified person, registered under the Plumbers, Gasfitters, and Drainlayers Act 1976; or
- Any organisation that operates a scheme of qualification for testing officers who shall be members of the organisation concerned. Documentation of this qualification scheme shall be made available on a public website or to any party on request as evidence that testing officers are competent to certify to this Standard.

4. Department of Conservation

The Department of Conservation provides a number of campsites across New Zealand. In the Taranaki Region there is one Department of Conservation campsite:

Waitoetoe campsite:**Facilities**

Only accessible on foot and with minimal facilities, this is the spot for those seeking a back to basics holiday.

The campsite is a paddock that is occasionally grazed by stock.

Getting there

The campsite is on Waitoetoe Road, off SH3, 35 minutes north of New Plymouth.

A slump in the road means this campsite is only accessible by foot. Park your vehicle at the Waitoetoe Road end and follow the rough track down to the camping area - approximately 300m away.

Location

NZTM2000 coordinates: E1724050, N5685995

Latitude: -38.9662. Longitude: 174.4319

Fees

Free.

Maximum four night stay.

Activities

A perfect place for fishing, walking, surfing, swimming, relaxing or hiking the nearby [Whitecliffs Walkway](#).

Know before you go

Take your rubbish away with you.

There is a flush toilet onsite, you will need to bring your own toilet paper.

The campsite can be exposed to the weather - make sure you tie your tent down well!

The ocean can have tidal rips so be wary if swimming. Keep clear of the eroding cliffs along the beach. If you're going for a walk make sure you are aware of tide times so you don't get trapped against the cliffs by an incoming tide.

For more information contact the Ngāmotu/New Plymouth Office

Phone: +64 6 759 0350

Address: 55A Rimu Street, New Plymouth 4312

Email: newplymouth@doc.govt.nz

5. New Plymouth District camp grounds

1. URENUI BEACH CAMP Urenui Domain, Urenui. Phone: 06-752 3838
2. ONAERO BEACH HOLIDAY PARK 1147 Main Road, Onaero. Phone: 0508 662 376
3. MARINE PARK MOTOR CAMP 8 Centennial Avenue, Waitara. Phone: 06-754 7121
4. NEW PLYMOUTH TOP 10 HOLIDAY PARK 29 Princes Street, Fitzroy, New Plymouth. Phone: 06-758 2566
5. FITZROY BEACH HOLIDAY PARK 1D Beach Street, New Plymouth. Phone: 06-758 2870
6. BELT ROAD SEASIDE HOLIDAY PARK 2 Belt Road, New Plymouth. Phone: 0800 804 204
7. OAKURA BEACH HOLIDAY PARK 2 Jans Terrace, Oakura. Phone: 06-752 7861

6. New Plymouth District dump stations and transfer stations

Dump Stations:

1. BP POWDERHAM SERVICE STATION 71 Powderham Street, New Plymouth
2. MOBIL SERVICE STATION Corner Leach and Eliot streets, New Plymouth
3. AA VEHICLE TESTING STATION 14D Swans Road, Bell Block

Transfer Stations:

1. OKATO Hampton Road
2. INGLEWOOD King Road
3. NEW PLYMOUTH Colson Road
4. WAITARA Norman Street
5. TONGAPORUTU Hutiwai Road

7. New Plymouth District public toilets

	Public toilet location	Access times
1	Ahu Ahu Reserve	24/7
2	Awanui Cemetery Reserve	Open 6.30am close 8.30pm
3	Battiscombe Terrace Car park	24/7
4	Bell Block Beach – Mangati Walkway	24/7
5	Brooklands Park	24/7
6	Brooklands Zoo	Open 9.00am closed 5.00pm
7	Centennial park	24/7
8	Coastal Walkway CBD	24/7
9	Coastal Walkway Waiwhakaiho River Mouth	24/7
10	Corbett Park	24/7
11	East End Beach	24/7

	Public toilet location	Access times
12	East End Reserve Buller Street	Toilet access is 24/7, vehicle access is 6.00am to 8.30pm
13	Fitzroy Beach	24/7
14	Fitzroy Shopping Centre	24/7
15	Hickford Park	24/7
16	Inglewood CBD	24/7
17	James Lane Rest Rooms CBD	Women's rest rooms are 10.00am – 5.00pm most days, closed Sunday. Outside toilet attached that is 24/7
18	Jubilee Park	24/7
19	Kawaroa Park	24/7
20	Lake Mangamahoe	Toilet access is 24/7, vehicle access is 6.00am to 8.30pm
21	Lake Rotomanu	24/7
22	Lee Breakwater	24/7
23	Marine Park	24/7
24	Merrilands Domain – Audrey Gale Reserve	Toilets are 24/7, vehicle access is 6.00am to 8.30pm
25	Motorua Shopping Centre	24/7
26	New Plymouth CBD	24/7
27	New Plymouth CBD Exaloo	24/7
28	Ngamotu Beach	24/7
29	Oakura Beach	24/7
30	Oakura Motor Camp	Motor camp administered toilets
31	Okato	24/7
32	Okato Domain	24/7
33	Onaero Beach Motor Camp	Motor camp administered toilets
34	Plunket Women's Rest Rooms	Custodian administered
35	Puke Ariki	Museum opening hours
36	Pukekura Park behind Tea House	24/7
37	Pukekura Park Bellringer Pavillion	24/7
38	Pukekura Park Playground	24/7
39	Pukekura Park Rogan St Entrance	24/7
40	Pukekura Park Women's Toilets	24/7
41	Tarata Domain	24/7

	Public toilet location	Access times
42	Tongaporutu Recreational Reserve	24/7
43	Urenui Community Centre	24/7
44	Urenui Motor Camp – Beach	Motor camp administered toilets
45	Urenui Motor Camp – River	Motor camp administered toilets
46	Wai-iti Beach	24/7
47	Waitara CBD	24/7
48	Waiwhakaiho Park	24/7
49	Weld Road Reserve	24/7
50	Westown	24/7
51	Yandle Park	24/7

Appendix Two: Background history of the Freedom Camping Bylaw

Public Places Bylaw Camping provisions

1. In 2008, under the Local Government Act 2002 (the LGA), clause 22 of the New Plymouth District Bylaw 2008 Part 5 Public Places (the LGA Bylaw), restricted camping in public places to self-contained (SC) vehicles only in areas set aside for vehicle parking for a maximum of three nights in any month at any single location.
2. In addition to clause 22 of the LGA Bylaw in relation to Council reserves:
 - The Coastal Reserves Management Plan (CRMP) provides that camping will only be permitted within coastal reserves designated for the purposes of a camping ground;
 - Outside of the reserves covered by the CRMP the General Policies for Council Reserves provides for SC freedom camping within public parking areas for a maximum of 48 hours;
 - The Tongaporutu Reserve Management Plan provides for SC freedom campers in areas set aside for car parking subject to compliance with all relevant bylaws and legislation.

FC Bylaw 2017

3. In December 2017 the Council adopted the FC Bylaw 2017 under the Freedom Camping Act and revoked clause 22 of the LGA Bylaw. The FC Bylaw 2017 restricted SC and NSC freedom camping throughout the district and prohibited all freedom camping (NSC and SC) at three sites being:
 - Back Beach bottom carpark – year round;
 - Oakura Beach Front between 1 November and 30 April; and
 - Fitzroy Beach carpark between 1 November and 30 April.
4. In addition to the requirements of the FC Bylaw 2017, freedom camping within the New Plymouth District was also subject to the requirements of the Reserves Act, as outlined in paragraph six above.

Temporary restrictions under the FC Bylaw 2017

5. In January 2018, the Council approved the following temporary restrictions, under clause 8 of the FC Bylaw 2017, for freedom camping until 30 April 2018:
 - a) Temporarily closed Waiwhakaiho River Mouth area to freedom camping
-

-
- b) Temporarily restricted freedom camping at East End carpark, the Wind Wand carpark and Kawaroa carpark
 - c) Assigned freedom camping parking at Kawaroa carpark into a single block against the trees and retained 15 carparking sites for freedom campers.
6. In May 2018, the Council approved the following temporary prohibitions and restrictions, under clause 8 of the FC Bylaw 2017, for freedom camping until 31 October 2018:
- a) Temporarily prohibit freedom camping at Oakura beach front and Fitzroy carpark.
 - b) Temporarily prohibit freedom camping at the Waiwhakaiho River Mouth.
 - c) Temporarily restrict freedom camping at East End carpark (to six parking spaces only), the Wind Wand carpark (to two spaces only) and Kawaroa carpark (to fifteen spaces only).

FC Bylaw 2018

7. In November 2018 Council approved amendments to the FC Bylaw (FC Bylaw 2018). The FC Bylaw 2018 regulates the following for freedom camping in New Plymouth District:
- a) Prohibits all freedom camping (NSC and SC) at Fitzroy Beach car park, Oakura Beach front, East End, Kawaroa, and the Waiwhakaiho River Mouth;
 - b) Restricts SC vehicles to no more than three periods of up to 24 hours in a 30 day period;
 - c) Restricts NSC vehicles to fifteen restricted NSC areas at: Battiscombe Terrace (six carparks), Corbett Park (five carparks), Lake Rotomanu (four carparks);
 - d) Restricts NSC vehicles staying at one site to no more than one period of 24 hours in a 30 day period; and
 - e) Prohibits tents and other temporary structures.
8. In addition to the requirements of the FC Bylaw 2018, freedom camping within the New Plymouth District was also subject to the requirements of the Reserves Act, as outlined in paragraph six above.
-

Freedom camping monitoring update Report 2019

9. An update report on monitoring freedom camping during summer 2018/19 (December 2018 to March 2019) was presented to the Council on 24 September 2019.
 10. This report identified that Corbett Park proved particularly popular with freedom campers and noted the following:
 - a) The five NSC marked car parks were well utilised and generally occupied when checked.
 - b) The number of SC vehicles usually ranged from five to ten, with the highest being 23.
 - c) On a few occasions staff located tents at the site.
 - d) 30 infringement fines were issued (2nd highest amount per location from 149 total for the district).
 - e) At times the rubbish bins were overflowing and people had left additional bags of rubbish around the rubbish bins. Rubbish was collected on the regular, pre-existing schedule.
 11. The report also identified that Battiscombe Terrace proved particularly popular with freedom campers and noted the following:
 - a) The six NSC marked car parks were well utilised and generally occupied when checked.
 - b) The number of SC vehicles ranged between five and ten.
 - c) On a few occasions staff located tents at this site.
 - d) 16 infringement fines were issued (3rd highest amount per location from 149 total fines for the district).
 - e) A four bin recycling unit was installed at this site.
 - f) Road markings and signage were installed at this site, to outline the freedom camping rules and penalties.
 12. The report also identified that Tongaporutu proved very popular with freedom campers and noted the following:
 - a) 147 SC campers and 18 NSC campers during January (evening check).
-

-
- b) 179 SC campers and 17 NSC campers during February (evening check).
 - c) 21 self-contained campers and 2 NSC campers during March (morning check).
 - d) A temporary toilet block was installed at Tongaporutu, to address the increasing demand on facilities from all visitors to this area. The facility has serviced the community and area users, as well as freedom campers.

APPOINTMENT AND REMUNERATION OF DIRECTORS OF COUNCIL ORGANISATIONS POLICY REVIEW

MATTER

1. The matter for consideration by the Council is a review of the New Plymouth District Council (NPDC) Appointment and Remuneration of Directors of Council Organisations Policy and the adoption of a revised policy.

RECOMMENDATION FOR CONSIDERATION

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

- a) **Adopt the NPDC Appointment and Remuneration of Directors of Council Organisations Policy in Appendix One.**
- b) **Revoke Policy P03-006 Appointment and Remuneration of Directors of Council Organisations.**

COMPLIANCE	
Significance	This matter is assessed as being of some importance
Options	<p>This report identifies and assesses the following reasonably practicable options for addressing the matter:</p> <ol style="list-style-type: none"> 1. Adopt the revised Appointment and Remuneration of Directors of Council Organisations Policy. 2. Adopt the revised Appointment and Remuneration of Directors of Council Organisations Policy with changes. 3. Retain the current Appointment and Remuneration of Directors of Council Organisations Policy.
Affected persons	The persons who are affected by or interested in this matter are current and prospective directors and employees of NPDC Council Organisations and the wider community.
Recommendation	This report recommends option one for addressing the matter.
Long-Term Plan / Annual Plan Implications	No

COMPLIANCE	
Significant Policy and Plan Inconsistencies	Yes

EXECUTIVE SUMMARY

4. Under the Local Government Act 2002 (LGA), Council must adopt a policy that sets out the process for the appointment and remuneration of directors of a council organisation. The current policy was adopted in 2003 and an internal review has been undertaken and an updated policy is now recommended to Council.
5. The Appointment and Remuneration of Directors of Council Organisations Policy currently relates to Venture Taranaki Trust, New Plymouth PIF Guardians Ltd, and Papa Rererangi i Puketapu Ltd.

BACKGROUND

6. The LGA, Section 57 Appointment of directors, states that:
 - (1) *A local authority must adopt a policy that sets out an objective and transparent process for –*
 - (a) *The identification and consideration of the skills, knowledge, and experience required of directors of a council organisation; and*
 - (b) *The appointment of directors to a council organisation; and*
 - (c) *The remuneration of directors of a council organisation.*
 - (2) *A local authority may appoint a person to be a director of a council organisation only if the person has, in the opinion of the local authority, the skills, knowledge, or experience to –*
 - (a) *Guide the organisation, given the nature and scope of its activities; and*
 - (b) *Contribute to the achievement of the objectives of the organisation.*
 - (3) *When identifying the skills, knowledge, and experience required of directors of a council-controlled organisation, the local authority must consider whether knowledge of tikanga Māori may be relevant to the governance of that council-controlled organisation*
7. The role of directors under the LGA is to assist the organisation to meet its objectives and any other requirements in its statement of intent.

-
8. The current NPDC Appointment and Remuneration of Directors of Council Organisations Policy was adopted in July 2003. A review is overdue and has been undertaken following the addition of section 57(3) to the LGA (as above) in 2019.
 9. Changes are recommended to the current policy to bring it up to date and make it clearer in some areas. A recommended updated policy is attached as Appendix One and changes include:
 - The inclusion of a policy purpose and a definition section;
 - Clarity around diversity considerations when appointing a board member;
 - Consideration of whether a knowledge of tikanga Māori may be relevant to the governance of a council-controlled organisation – as per an update to the LGA;
 - Further clarity around the appointment process, term of a board member position, succession and removal of a board member; and
 - The process for determining a market rate for remuneration; and
 - Removing reference to the Equity Subcommittee which no longer exists; and
 - Other minor changes.

NEXT STEPS

10. Any future board member appointments and remuneration will be determined under the revised policy.

SIGNIFICANCE AND ENGAGEMENT

11. In accordance with the Council's Significance and Engagement Policy, this matter has been assessed as being of some importance as the recommended policy changes are minor and do not impact on the interests of the district, community or the relationship of Māori with their ancestral land, water, and other taonga.
-

OPTIONS

Option 1

Adopt the revised Appointment and Remuneration of Directors of Council Organisations Policy

Option 2

Adopt the revised Appointment and Remuneration of Directors of Council Organisations Policy with changes

12. The option assessment for options 1 and 2 is the same and will be undertaken as one

Financial and Resourcing Implications

13. Funding provided to council organisations, including for the remuneration of directors, is decided during Long-Term and Annual Plan processes. Under these options, the decision of how much to provide for director remuneration will be more transparent and fair.
14. There may be minor additional costs to purchasing professional market rate information.
15. Costs related to the appointment of directors of council organisations is met by NPDC. There are no additional costs under these options.

Risk Analysis

16. There are no risks to these options. The recommended policy changes are consistent with good practice throughout New Zealand and the LGA.

Promotion or Achievement of Community Outcomes

17. Council organisations with good quality directors and transparent processes contribute to all community outcomes.

Statutory Responsibilities

18. This policy is required under the LGA. The current policy does not meet all the requirements of the current LGA and changes, as per these options, are strongly recommended. In particular with regard to section 57 (3) relating to knowledge of tikanga Māori.

Consistency with Policies and Plans

19. These options result in the adoption of a revised policy and revocation of the current policy. They are consistent with other Council policies or plans such as the Long-Term Plan 2018-21.
-

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20. The current policy is inconsistent with the current NPDC committee structure as it refers to the Equity Subcommittee which no longer exists. These options will remove this.

Participation by Māori

21. These options result in a policy that recognises the need to consider knowledge of tikanga Māori (as per the LGA) and also the importance of diversity in the governance of council organisations.
22. Council may wish to consider being more explicit in the diversity section to state that the governance group of each council organisation includes at least one person with knowledge of tikanga Māori or a similar statement relating to Māori.
23. Participation by Māori may also be deemed important during the appointment process and with regard the selection panel make-up.

Community Views and Preferences

24. Council organisations contribute to the entire New Plymouth District community. The Appointment and Remuneration of Directors of Council Organisations and the changes suggested under these options does not require community consultation. The people most affected are the current and future directors that this policy applies to.

Advantages and Disadvantages

25. The advantages of these options is that the revised policy will meet the requirements of the LGA, is more in keeping with good practice and the remuneration is more fairly considered and determined.

Option 3

Retain the current Appointment and Remuneration of Directors of Council Organisations Policy

The current policy is attached as appendix two.

Financial and Resourcing Implications

26. Retaining the current policy may have some minor financial benefits through a less thorough consideration of remuneration of directors of council organisations.
-

Risk Analysis

27. This option does not meet the current requirements of the LGA and so there is a risk that NPDC will be challenged on their appointment and/or remuneration process.

Promotion or Achievement of Community Outcomes

28. This option also helps achieve the community outcomes, but this may be diminished by having less diverse governance or potentially less experienced directors under an outdated policy.

Statutory Responsibilities

29. This option does not meet statutory responsibilities due to an amendment to the LGA since the current policy was adopted.

Consistency with Policies and Plans

30. This option is consistent with current policies and plans, except it references the Equity Subcommittee which no longer forms part of the NPDC committee structure.

Participation by Māori

31. This option still allows for participation by Māori but is less explicit in ensuring this occurs.

Community Views and Preferences

32. This option will most affect the current and future directors of council organisations through not fully recognising the LGA, the benefits of diversity and fairly determined remuneration.

Advantages and Disadvantages

33. The advantage of this option is that it is fully consistent with the process under which any current directors have been appointed or remunerated. The disadvantages are that the current policy does not meet legislative requirements or recognise the importance of diversity and references a subcommittee that no longer exists.

Recommended Option

This report recommends option 1 Adopt the revised Appointment and Remuneration of Directors of Council Organisations Policy for addressing the matter.

APPENDICES

Appendix 1 Draft Revised Appointment and Remuneration of Directors of Council Organisations Policy (ECM8319406)

Appendix 2 Current Appointment and Remuneration of Directors of Council Organisations Policy (ECM1253490)

Report Details

Prepared By:	Kathryn Scown (Principal Adviser – Regional Economic Development)
Team:	Strategy Group
Approved By:	Joy Buckingham (Chief Financial Officer)
Ward/Community:	District Wide
Date:	7 July 2020
File Reference:	ECM 8319399

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

Appointment and Remuneration of Directors of Council Organisations Policy

POLICY PURPOSE

The purpose of this policy is to ensure that suitable, highly-skilled and knowledgeable directors are appointed to council organisations, related remuneration is appropriate and the requirements of the Local Government Act 2002 (LGA) are met.

In particular section 57 (1) of the LGA, ensuring Council has an objective and transparent process for the:

- Identification and consideration of the skills, knowledge, and experience required of directors of a council organisation; and
- Appointment of directors to a council organisation; and
- Remuneration of directors of a council organisation.

DEFINITIONS

Statutory definitions relating to this policy are contained in section 6 of the LGA. Key definitions are summarised as:

Council organisation: an organisation in which the New Plymouth District Council (NPDC) has a voting interest or the right to appoint a director, trustee or manager.

Council-controlled organisation: a council organisation that NPDC (alone or with other local authorities) controls 50 per cent or more of the voting rights or has the right, directly or indirectly, to appoint 50 per cent or more of the directors, trustees or managers.

Council-controlled trading organisation: A council-controlled organisation that operates a trading operation for the purpose of making a profit.

Director: Includes company directors, trustees, board members, managers and office holders of a council organisation (however described).

APPOINTMENTS

Skills, knowledge or experience

Appointments to a council organisation will only be made if the person has, in the opinion of the New Plymouth District Council (NPDC), the skills, knowledge, perspective or experience to guide the organisation and contribute to its objectives as set out in its Statement of Intent.

Diversity and inclusion

NPDC values and supports the benefits that diversity of thought, experience, background, demographics and skills bring to our council organisations.

All board member appointments will be made on the basis of merit, skills, knowledge and experience which the organisation as a whole requires to be effective with due regard to the benefits of diversity such as by ensuring a gender balance.

Transparency

The process of appointing board members will be undertaken in an objective and transparent manner, while protecting individual privacy.

Identification of skills, knowledge and experience required

When a board member is to be appointed, an external consultant will be engaged by the Council if it is deemed necessary or advantageous to gain independent expert advice. The Council and/or consultant will first complete a position description for the role. The Chair of the council organisation will be consulted to ensure that the skills they believe are required to complement the existing board are captured.

The position description will detail the skills, the knowledge and experience required for the role and will take into account:

- a) The nature and scope of the organisation, the organisations future directions and its constitutional set up.
- b) The strategic objectives of the organisation and the attributes, skills and knowledge, which will be required to deliver the strategic objectives of the organisation.
- c) The skills of the current directors of the company or the required skills of all the directors of the company.
- d) Any specific skill, knowledge and experience that is currently required or may be required in the future.
- e) The diversity, including gender balance, of the current council organisation board members.
- f) Whether knowledge of tikanga Māori may be relevant to the governance of a council organisation.

A role specification will be developed and will detail:

- The organisation's context.
- The functional relationships of the role.
- The responsibilities attached to the role.
- The personal attributes for the role.
- The specific skills/qualifications required for the role.

Appointment process

This is a general process that may be modified in light of any constitutional requirements that override any step provided or where another body has responsibility for managing the process involved.

The key objective for the Council in any appointment process is to obtain and select the best person for each role and to follow best practice in reaching each decision.

Candidates may be sought through a combination of methods, such as by:

- a) Publicly advertising the position/positions that are available; and/or
- b) Directly approaching people it is felt may be appropriate for the role; and/or

- c) Asking relevant groups within the community for nominations for the role of directors; and/or
- d) Any other method deemed appropriate.

Any candidates will be asked to supply:

- A curriculum vitae which establishes how well they meet the role specification for the directorship role.
- A letter detailing why they are interested in the particular role.
- Details of any conflicts of interest their appointment may cause.

Selection panel

A selection panel will be established that will consider all applications, short list applicants for interview, undertake interviews and make a recommendation to the Council. The panel will include:

- a) The Mayor and/or Deputy Mayor;
- b) The Chief Executive of the Council and/or another Executive;
- c) Other Councillors, staff or external people with specific skills, experience or other attributes that add value to the process as determined by the Mayor and Chief Executive.

The selection panel will make a recommendation to the Council that will generally be adopted by a full resolution of the Council. The decision will generally be made with the public excluded to protect the privacy of any individuals, but a public statement will be made as soon as practicable on the appointment made in conjunction with the council organisation.

Term

The term of a board member position will be determined by the constitution (or other founding document) of the council organisation to which the board member is appointed or, where this is not the case the Council will determine the term in the resolution appointing the board member.

At or near the end of each term the candidate selection panel may carry out a formal review of the board member's performance. If required, this will be used to assist the decision-making process for reappointment.

Regular board rotation is encouraged. Board members will generally be appointed for a three-year term with the view that an existing/retiring board member may be re-appointed for one further term after consideration and a resolution of the Council.

Where there are special circumstances such as related to succession planning, continuity for projects or specific areas of expertise, a board member is able to be reappointed for a third and final term.

The Council considers it best practice for boards to have in place policies and processes to ensure that the succession and refreshment of overall board numbers occurs over time, in a staggered manner.

The Council also considers that other than in emergency situations, board members should be non-executive and not undertake executive roles within the entity involved.

The Appointment of Staff or Councillors as Directors

It is not considered appropriate for either staff or Councillors to act as directors of council organisations. This could create conflicts of interest between the roles of staff as advisors to Councillors and Councillors as objective decision makers while having the responsibilities of the role of a board member.

REMOVAL OF BOARD MEMBERS

Board members hold office at the pleasure of the Council and may be removed at any time by council resolution. Without limiting the right of the Council, the council may choose to remove a board member due to issues relating to their attendance, undertaking of responsibilities, conflicts of interest or behaviour that is found in breach of standards deemed appropriate to the role.

Where the board has concerns regarding the behaviour of one of its members, it may recommend removal of the board member to the Council.

NPDC will not make any payment by way of compensation to board members who have been removed from their position.

THE REMUNERATION OF BOARD MEMBERS

The remuneration of board members will be determined based on each specific role and any existing legal or constitutional requirements. Council organisation board members appointed by the Council will receive the remuneration (if any) offered by that body.

Unless an alternative process is stated in a council organisation's constitution, or otherwise agreed, Council will set individual director and Chair remuneration for all council organisations following consultation with each council organisation. In all cases, the member's role specification will be used to establish market rates for comparable positions at the time of appointment or at each review.

The market rate either for an entire board or individual board members, may be reviewed by council officers or through such methods as commissioning an independent consultant to benchmark the level of fees paid. This will include reference to entities that are comparable to each council organisation and the annual Institute of Directors' Fees Survey or similar.

The review should be undertaken once each triennium and will take into account factors such as the need to attract and retain appropriately qualified people, the external market for comparable positions, and the objectives of each organisation. It will also consider the size, scope and scale of the organisation, level of accountability and the type of expertise and specialisation required.

An important principle for any remuneration review is the element of public service related to being a board member of a council organisation. The Council, therefore, expects that remuneration will be set at or below any comparable private sector entities.

In the case of it being deemed appropriate for a Councillor or council staff member to become a member of a council organisation, if no remuneration is offered, such board members who are Councillors will be entitled to receive normal Council meeting allowances. Council staff members appointed to such bodies will not accept any remuneration.

P03-006 Appointment and Remuneration of Directors of Council Organisations

1 July 2003

GMSS

Review 2012

Identification of Skills, Knowledge and Experience Required of Directors

In each of the cases that a director is to be appointed the Council will develop a director specification for the role. It will detail the skills, the knowledge and experience required for that directorship role. The role specification will take into account:

- a) The nature and scope of the organisation, the organisations future directions and its constitutional set up.
- b) The strategic objectives of the organisation and the attributes, skills and knowledge, which will be required to deliver the strategic objectives of the organisation.
- c) The skills of the current directors of the company or the required skills of all the directors of the company.
- d) Any specific skill, knowledge and experience that is currently required or may be required in the future.
- e) The implications and involvement of the organisation with tangata whenua and their cultural values.

The role specification will detail:

- The organisation's context.
- The functional relationships of the role.
- The responsibilities and liabilities attached to the role.
- The key result areas for the role.
- The personal attributes for the role.
- The specific skills/qualifications required for the role.

The General Appointment Process for Directors

This is a general process that may be modified in light of any constitutional requirements that override any step provided or where another body has responsibility for managing the process involved.

The key objective for the Council in any appointment process is to obtain and select the best person for each role and to follow best practice in reaching each decision.

The Council will first complete a director's role specification.

A list of potential directors will be achieved by:

- a) Publicly advertising the position/positions that are available; and/or
- b) Directly approaching people it is felt may be appropriate for the role; and/or
- c) Asking relevant groups within the community for nominations for the role of directors.

Any candidates will be asked to supply:

- A curriculum vitae which establishes how well they meet the role specification for the directorship role.
- A letter detailing why they are interested in the particular role.
- A report on any conflicts of interest their appointment may cause.

A selection panel will be established that will consider all applications, short list applicants for interview and make a recommendation to the Council. The panel will include:

- a) The Mayor;
- b) The Chief Executive Officer of the Council;
- c) Other councillors, staff or outside consultants with specific skills that add value to the process.

The selection panel will make a recommendation to the Council that will generally be adopted by a full resolution of the Council. The decision will generally be made with the public excluded to protect the privacy of any individuals, but a public statement will be made as soon as practicable on the appointment made.

The term of the Directors position will generally be determined by the constitution (or other founding document) of the council organisation to which the director is appointed. Where this is not the case the Council will determine the term in the resolution appointing the director.

At or near the end of each term the candidate selection panel may carry out a formal review of the director's performance. If required, this will be used to assist the decision-making process for reappointment.

The Council's current view of best practice on tenure is that an existing/retiring director may be re-appointed for one further term and, in exceptional circumstances, a further and final term.

For current boards of directors, the Council will transition toward that best practice outcome over time to ensure existing continuity is not severely disrupted. The Council considers it best practice for

boards to have in place policies and processes to ensure that the succession and refreshment of overall board numbers occurs over time.

The Council also considers that other than in emergency situations, directors should be non-executive and not undertake executive roles within the entity involved.

The Appointment of Staff or Councillors as Directors

It is not considered appropriate for either staff or Councillors to act as directors of Council-controlled organisations. This could create conflicts of interest between the roles of staff as advisors to Councillors and Councillors as objective decision makers while having the responsibilities of the role of a director.

The Remuneration of Directors

The remuneration of Directors will be determined based on each specific role and any existing legal or constitutional requirements.

Council Organisation directors appointed by the Council will receive the remuneration (if any) offered by that body. If no remuneration is offered, such directors who are Councillors will be entitled to receive normal Council meeting allowances. Council staff members appointed to such bodies will not accept any remuneration.

Where the Council is required to set the remuneration the director's role specification will be used to establish market rates for comparable positions at the time of appointment. The market rates will determine the remuneration for the role. Where the Council is unable to set the remuneration or has limited power to do so, it will still indicate its view on the matter and record its position as a matter of record.

The market rates will then be reviewed on an annual basis. The expectation will be that directors who are performing adequately will receive any increase on an annual basis.

Delegations of the Equity Subcommittee

Pursuant to clause 32, Schedule 7 of the Local Government Act 2002 for the purpose of efficiency and effectiveness in the conduct of its business the Council delegates to the Equity Subcommittee the powers and functions necessary in that behalf provided that:

- a) Such power only be exercised by the Subcommittee if a decision or action is required urgently;
- b) As soon as practicable, all Councillors are provided with the full detail of the decision and the reason for the urgent action.

Notes

Reviewed 3 yearly

LEPPERTON HALL UPDATE

MATTER

1. The matter for consideration by the Council is to partially revoke the previous Council decision of 12th April 2016 (Appendix 1) to sell the Lepperton Hall land in order to provide for a community open space. Further consultation with the community is required to determine the extent and details of future use and development for the land.

RECOMMENDATION FOR CONSIDERATION

That having considered all matters raised in the report:

- a) **The following clauses of the Council resolution (12th April 2016) on the "Lepperton Hall – Assessment of Public Notice" (attached in Appendix 1) be revoked:**

- | | |
|-------------------|--|
| Clause (a) | Approves the sale of the Lepperton Hall property at 533 Richmond Road, being Section 98 Town of Lepperton; |
| Clause (d) | Delegates authority to the Councils Property Manager to finalise the agreement and execute the agreement outlined in clause f) of this resolution in conjunction with representatives of Lepperton School; |
| Clause (e) | Agrees to transfer up to \$270,000 derived from the sale proceeds of the Lepperton Hall, to the Lepperton School as part funding for the construction of a new hall for the use by both the school and the community. |
| Clause (i) | That a written agreement is be entered into with Lepperton School to ensure continuity of public access to the new hall. |

COMPLIANCE	
Significance	This matter is assessed as being of some importance
Options	<p>This report identifies and assesses the following reasonably practicable options for addressing the matter:</p> <ol style="list-style-type: none"> 1. Carry out the Council decision to sell the Lepperton Community Hall and land. 2. Partially revoke the Council decision to sell the Lepperton Community Hall land, but sell or remove the Community hall and undertake future planning on the future use of the land. 3. Partially revoke the decision to sell the Lepperton Community Hall and the land that it sits.
Affected persons	The persons who are affected by or interested in this matter are the Lepperton community including the Lepperton Residents Association, the Lepperton Hall Society and the Lepperton School.
Recommendation	This report recommends option 2 for addressing the matter.
Long-Term Plan / Annual Plan Implications	No – although there may be future implications following identification of development aspirations for the land.
Significant Policy and Plan Inconsistencies	Yes

EXECUTIVE SUMMARY

2. It is recommended that Council partially revoke its previous 2016 decision that actioned the sale of the property containing Lepperton Hall and that further planning with the community is undertaken regarding the future use of the land to provide for community open space.
3. The Council made a decision in 2016 to work collaboratively with the Lepperton Community to assist with developing a modern and fit for purpose school hall that would be available for community use. The Lepperton Community Hall and land it sits on at that time was identified to be sold with the proceeds going into the school hall development.
4. Since this decision was made in 2016, there has been changed circumstances around the funding of the new school hall and the previously identified Council and community funding is no longer required. The new school hall has now been funded fully by the Ministry of Education.

-
5. Taking the approach of partially revoking the previous decisions is the first step in a process that will ensure that the Council then works with the community on the future use and planning for the land.
 6. Taking this approach will ensure that a comprehensive approach is taken to planning for Open Space issues in Lepperton for the long term.
 7. The community has driven this response. The Lepperton Hall Society, Lepperton School and recently formed Lepperton Residents Association have approached Council staff in support of retaining the Lepperton Hall land.
 8. The next steps following the partial revocation of the previous Council decision is to consider if the hall can be sold or removed from the site. Future planning on the use of the land will be required.

BACKGROUND

The Lepperton Community Hall

9. The Lepperton Community Hall is located in the Lepperton settlement on 2023m² of freehold land on Richmond Road opposite the Lepperton School. The hall was transferred to Council ownership (then the Taranaki County Council) in 1974.
10. The building covers an area of approximately 490m² and is located at the front of the site. There is vacant land to the rear of the site that is currently grazed. This piece of land is identified as surplus in Councils Open Space Sport Recreation Strategy.
11. Although there are no building records of the hall it was constructed sometime after 1906. There have been many improvements and additions to the building over time.
12. The Lepperton Hall Society currently manages bookings of the Lepperton Hall.

The Lepperton School proposal and Council decision

13. Lepperton School was granted significant funding from the Ministry of Education for a major redevelopment of its facilities prior to 2016, including funding allocation for a new hall. It was identified by the school at the time that the funding provision from the Ministry was not sufficient to meet the full requirements of the school.

-
14. Lepperton School approached the Council in 2016 with a proposal to obtain additional funding to contribute to a new Lepperton School Hall. This involved selling the existing Lepperton Hall and land and using the proceeds of this sale to improve the proposed Lepperton School Hall so it would also function as a community hall with a piece of land at the front functioning as community open space.
 15. Following the process required for sale of reserve land under the Reserves Act (1974) community consultation was undertaken. There were 45 submission received in support of the proposal, 9 conditional submissions and 11 separate objections (including a petition with 30 signatures).
 16. There was general support for the proposal to collaborate with the school and provide a modern and usable community space and school facility. The proposal was considered to offer a fit for purpose, modern facility and that would allow for greater diversity of use. The proposal guaranteed that the hall would be available to serve the community, which was not assured with the current arrangements. In particular the proposal reinforced the school as the hub of the community.
 17. However there were also concerns identified regarding the loss of reserve land that the hall stands on and about the need to retain open space at the centre of the village.
 18. These submissions were considered by the Council in April 2016 and the Council made a decision to dispose both the hall and the land parcel it sits on (2023m²) and to put the proceeds (up to \$270,000) of the sale into the development of the school hall that would provide for community use.
 19. A summary of the key aspects of the Council decision are outlined below:
 - a) That the Lepperton Hall and land on which it sits is sold (once clauses b) and c) below are actioned).
 - b) That Council partially revoke the recreation reserve status on the land.
 - c) That the property is entered into the schedule of surplus land for sale in the District.
 - d) That up to \$270,000 is contributed from the sale of the Lepperton Hall into the new school hall.
 - e) That an agreement is entered into between the Council and the Lepperton School Board that confirms the financial transactions and the continued community use of the hall.
 - f) That officers work with the school on the placement of seating on the school land.
-

Progress with implementing the Council decision

20. The Lepperton Community and the Council had made significant progress on meeting the requirements of the decision.
21. The Council has actioned the reserve revocation process. The Department of Conservation revoked the Recreation Reserve status on 29th August 2016. The land is now held in freehold title and owned by Council.
22. The Council has entered into an agreement with Lepperton School Board that confirms the financial transactions and the continued community use of the hall. Following this the Lepperton Hall was marketed for sale by tender in July 2018. No offers were received that meet the market value so the land was not sold. Subsequent to this and on request from the community, the sale of the Lepperton Hall and land is now on hold.
23. Officers worked with the community on the planning for use of 9000m² of school land for community use (in anticipation of the hall land being sold). A community workshop was held in mid-2019 that identified design ideas for this space.

The Council contribution to the School hall is no longer required.

24. The new school hall opened in 2019. After lengthy discussions between the Lepperton School and the Community Hall Society around the future maintenance of the hall the Ministry of Education has now agreed to fully fund the school hall. As such, the proceeds from the sale of the Lepperton School Hall are no longer required to fund 1/3 of the new school hall.
25. The Lepperton Hall Society is now entering into an agreement (License to Occupy) with Lepperton School regarding the use of the school hall for community use. This confirms that the old Lepperton hall remains surplus to requirements and continues to be no longer required for community use.
26. A submission from the Lepperton Residents Association has identified a desire for the land on which the hall sits to be retained as community open space and have provided indicative plans for facilities that could be provided on the land that support the local community.
27. As a result of the above, Council officers have agreed to place on hold the sale of the Lepperton Hall and land until consideration is given to these changed circumstances.

Strategic Considerations

28. The Open Space Sport and Recreation Strategy adopted by Council in October 2015 identifies part of the land in question as a potential over-supply. This determination is based on a level of service that provides for residents to be within a 500m radius or 10 minute walking distance to neighbourhood parks.
29. In Lepperton, the only other open space areas are esplanade reserves that bound the township or facilities such as the cemetery. This piece of land, although increasing the amount of access to open space for residents, provides opportunity for a different open space function than the esplanade reserves. It is located central to the township and is one of the few open space areas within the township that would be suitable for more community focused facilities such as public toilets, playground and to provide for community gathering/outdoor event space.
30. In consideration of the above, the retention of part or all of this land to service community open space outcomes as identified by the community is aligned to the objective of creating attractive living environments with open space adjacent to the road frontage. Retention of an area of land within the township that supports specific functions for the community aligns with the strategic goal of Recreation and open space contributing to community identify, vibrancy and sense of place.

The community can use the new School Hall

31. The Licence to Occupy is between the Lepperton School Board of Trustees and the Lepperton Hall Society. The License allows use of the hall and other common areas for community groups and the public. Use is permitted after school hours or at other times with written consent from the Lepperton School.
 32. The term of the agreement is for 20 years with two rights of renewal of two years each. This ensures access to the school over the short to medium term. However the license to occupy will need to be re-negotiated after 24 years. Either party can terminate the Licence by giving six months' notice.
 33. The Lepperton Hall Society will need to contribute a yearly license fee and will be responsible for public liability insurance and repair of any damage resulting from community use.
 34. The Lepperton Hall Society considers they have a good working relationship with the school and that the terms in the Licence are workable. They are confident they will be able to retain the hall for community use and will continue to lobby for this in the long term.
-

NEXT STEPS

35. The Lepperton School, Lepperton Hall Society and Lepperton Residents Association have requested that the Council no longer proceed with the sale of the Lepperton Community Hall land. The report recommends that the previous decision to sell the Lepperton Community Hall and property is partially revoked.
36. The proceeds from the sale of the land/building are no longer required to fund the school hall, which is now fully funded by the Ministry of Education.
37. The Lepperton Hall Society have indicated that they are supportive of removing the hall building from the site, as the Lepperton School Hall provides for the communities needs for a hall space. With this in mind, the Lepperton hall building can be sold for removal or re-purposing
38. Combined with the community interest in retaining the land for Open Space it is prudent to revisit the earlier decision and the new set of circumstances regarding the school hall. Officers are not currently actively marketing the hall and its land and have already put on hold any sale of the site.
39. As a last resort the hall could be demolished but there is not currently funding for demolition of the hall.
40. It is recommended that Council officers work with the Lepperton Residents Association and other community stakeholders to confirm a short and long term strategy for the land and its associated development, including funding options
41. This will help the Council determine the long term status of the land, appropriate future use in light of community needs and any associated classification for the land. The Lepperton Residents Association consider there is a need and opportunity for this to remain as open space land in Lepperton, which will be a key focus for any discussions.

SIGNIFICANCE AND ENGAGEMENT

42. In accordance with the Council's Significance and Engagement Policy, this matter has been assessed as being of some importance as it relates to the management of Council owned land in Lepperton. The decision reverses a previous Council decision that is no longer desirable due to changed circumstances.
43. The proposed outcomes being recommended have been driven by the community in response to changing circumstances and reflect the interests of the township of Lepperton and Council's ability to be agile to changing circumstances.

-
44. The proposal provides for retention of open space within the Lepperton township and is likely to provide for improved levels of service to the local community.
 45. There are potential future costs to Council in developing and maintaining the land with community facilities and consideration of funding efficiency and opportunities through the sale of the hall and other mechanisms.

OPTIONS

46. Three options have been assessed below. These are

- | | |
|----------|---|
| Option 1 | Carry out the Council decision to sell the Lepperton Community Hall and land. |
| Option 2 | Partially revoke the Council decision to sell the Lepperton Community Hall land, but sell or remove the Lepperton Community Hall and undertake future planning on the future use of the land. |
| Option 3 | Maintain the status quo and partially revoke the decision to sell the Lepperton Community Hall and the land that it sits on and retain the Lepperton Community Hall. |

Option 1

Carry out the Council decision to sell the Lepperton Community Hall and land

Financial and Resourcing Implications

47. The original Council decision to sell the hall and land was cost neutral for the Council but would provide benefit to the Lepperton Community as up to \$270,000 would be injected into the new school hall.
 48. The hall and land when marketed in 2018/2019 did not attract offers sufficient for the property to be sold so that it was compliant with the Approval of Properties for Sale and Method of Sale Policy.
 49. However, this option could be of financial benefit to the Council if the hall and land is sold.
 50. If the hall and land was sold the Lepperton Community would want to see this funding re-purposed into spend on open space for the local community. Council would need to consider how this would be funded in line with the Revenue and Financing Policy.
-

Risk Analysis

51. There will be community and reputation risk from selling the hall and land. The Lepperton Residents Association have clearly indicated that they do not support the sale of the land that the hall sits on. They consider this land can provide for the future Open Space needs of the Lepperton Community.

Promotion or Achievement of Community Outcomes

52. The community outcomes of People and Place are most relevant as the outcomes are related to provision of open space and re-allocation of funds from an asset that is no longer required by the community.

Statutory Responsibilities

53. The Council has a statutory obligation to provide for the well-being of its community under the Local Government Act.

Consistency with Policies and Plans

54. This option is consistent with the identification in the Open Space and Recreation Strategy that part of this land is potentially an over-supply of open space in Lepperton.
55. The Proposed District Plan identified a change of zoning to residential for the hall site, based on the 2016 Council decision to sell the land. There are submissions in opposition to this zoning and in support of retaining the land as an open space zoning.

Participation by Māori

56. Tangata Whenua, Puketapu hapū and Pukerangiora hapū were consulted as part of the original 2016 decision. At that stage there were no specific concerns regarding the sale of the land. There was also support for the wider proposal.

Community Views and Preferences

57. The Lepperton Residents Association was formed in response to this issue and are now an incorporated society. The purpose of the Lepperton Residents Association is identified in their Strategic Plan and is to "bring the community together to create a sustainable, healthy and safe village environment."
 58. The Lepperton Residents Association are active in opposing the proposed sale of the land and support developing this area into a Village Open Space. The Lepperton Residents Association consider that they provide a voice for the wider Lepperton Community.
-

59. It is noted that the Lepperton School and Lepperton Hall Society do not support the sale of the land at this time.

Advantages and Disadvantages

60. The advantages and disadvantages of this option are outlined below:

Advantages	Disadvantages
<ul style="list-style-type: none"> • The Council will be able to sell the hall and land and will not need to maintain it. • There will be financial gain from the sale of the land. • There can be future discussions around how the funds from the sale are used to benefit the Lepperton Community, although this is not standard council policy. • There is still the ability for the Lepperton community to use the school land to meet the open space needs of the community. 	<ul style="list-style-type: none"> • The Lepperton Residents Association does not support the sale of the land. • Lepperton may require a future open space.

Option 2

Partially revoke the Council decision to sell the Lepperton Community Hall land. This option would retain the Community Hall land but allow the flexibility for the Community Hall building to be sold and or removed.

Financial and Resourcing Implications

61. The direct financial implications of not selling the hall land relate to the costs of on-going maintenance and future planning and the development of the Open Space.
62. There is the possibility that the hall can be sold separately for removal. Estimates would need to be obtained to understand the cost of removal.
63. If the hall is not sold then it may need to be demolished in the future. The cost of demolition is unknown and may need to be factored into future Long Term Plans.
64. Further planning will be required with the Lepperton Community to determine the future use of the land. This will require operational expenditure mostly for staff time, which will need to be prioritised alongside the existing open space planning work programme.
65. If through this planning process additional funding is required for the development of a park on this land this would need to be considered through additional capital expenditure in future Long Term Plans.

- 66. There is potential during this planning process to identify if all of the land is required for the community open space outcomes and/or if planning for the land could provide for consideration of alternative funding opportunities to be explored to support the development of open space.
- 67. In the interim there will be on-going operational maintenance costs associated with the land, including mowing.

Risk Analysis

- 68. The provision for a community hall is provided by the new school hall. Community access has been agreed for up to 24 years between the Hall Society and School. Retaining the hall land provides a longer term option for community open space, reducing reliance on the school to provide this space.
- 69. There is some risk that other members of the community may not agree to the sale or removal of the hall. There were submissions made in the 2016 decision regarding the importance of the hall. However, recent discussions have indicated that the main concerns from the community relate to the retention of the land for future open space.
- 70. There is limited reputational or legal risk from Council changing its decision as the change in funding circumstances were external to Council.
- 71. There is some operational risk if the hall cannot be sold or is not removed. The Lepperton Hall Society would need to continue to manage two halls, which would not be affordable.

Promotion or Achievement of Community Outcomes

- 72. The community outcomes of People and Place are most relevant as the outcomes are related to provision of open space and re-allocation of funds from an asset that is no longer required by the community.

Statutory Responsibilities

- 73. The Council has a statutory obligation to provide for the well-being of its community under the Local Government Act. Parks and reserves contribute to community well-being.

Consistency with Policies and Plans

- 74. This option provides for flexibility to consider the extent of land area required by the community for open space outcomes and an ability to reduce/remove costs linked to a property asset that is no longer required by the community.

75. Both these outcomes are consistent with the Open Space Sport and Recreation Strategy of ensuring community access to open space while addressing potential over-supply issues. The removal of the hall opens up the open space area to the road frontage which is considered desirable in terms of objectives identified in the Open Space Sport and Recreation Strategy.
76. The Proposed District Plan identified a change of zoning to residential for the hall site, based on the 2016 Council decision. There are District Plan submissions in opposition to this zoning and in support of retaining the land as an open space zoning. The changed council decision could have an impact on the outcome of the Proposed Plan process.

Participation by Māori

77. Tangata Whenua, Puketapu hapū and Pukerangiora hapū were consulted as part of the original 2016 decision. At that stage there were no specific concerns regarding the sale/removal of the building. There are no known associations with the building.
78. Before any future planning is undertaken discussions will be undertaken with To Kotahitanga o Te Ātiawa and the relevant hapū to determine how iwi and hapū would like to be involved in planning for the open space.

Community Views and Preferences

79. The Lepperton Residents Association, the Lepperton Hall Society and the Lepperton School have indicated that they support the retention of the land and the removal of the hall from the site.
80. As indicated in the risk analysis section there were original submissions made in the 2016 decision regarding the importance of the hall. However, the Lepperton Residents Association maintain that the main concerns from the community relate to the retention of the land for future open space.
81. The future planning process for the open space will ensure that community views or future preferences will be considered.

Advantages and Disadvantages

82. The advantages and disadvantages of this option are outlined below:

Advantages	Disadvantages
<ul style="list-style-type: none"> • The Council will be able to sell the hall and will not need to maintain it. • The Lepperton Residents Association supports the sale of the hall building. • The removal of the hall will allow for future planning for the Open Space to occur and to feed into future planning processes. 	<ul style="list-style-type: none"> • There is not likely to be significant financial gain from the sale of the hall due to the cost of removal from the site. • Council may have to demolish the hall if it cannot be sold. • There were original submissions to the council decision in 2016 that did not support the hall removal. • Additional funding is required for future planning and for any development of the open space

Option 3

Maintain the status quo and partially revoke the decision to sell the Lepperton Community Hall and the land that it sits.

Financial and Resourcing Implications

83. The direct financial implications of not selling the hall and land relate to the costs of on-going maintenance of the land and hall.
84. There will be operational costs of maintaining the hall building, although it will not be the main hub of community activity, which will now be at Lepperton School. The Lepperton Hall Society will need to continue to manage two halls which will not be viable for the community.
85. There will be on-going operational maintenance costs associated with the land, including mowing.

Risk Analysis

86. The main risk of retaining the hall and land relates to the on-going costs to the community of maintaining and operating two community halls. There is not sufficient demand to justify two halls operating in the community.
87. There may be future reputational and legal risk for Council regarding the long term management of the hall.
88. There is limited reputation risk from Council partially revoking its decision as the change in funding circumstances were external to council.

Promotion or Achievement of Community Outcomes

89. This option relates to People and Place and. This option continues to provide an open space and community facility level of service to the community but does this to the potential detriment of support for a newly established community hall at the school.

Statutory Responsibilities

90. The Council has a statutory obligation to provide for the well-being of its community.

Consistency with Policies and Plans

91. This option retains an asset that is no longer required by the community and part of the land that Council has identified in the Open Space Sport and Recreation Strategy as a potential over-supply.
92. The Proposed District Plan identified a change of zoning to residential for the hall site, based on the 2016 Council decision. There are submissions in opposition to this zoning and in support of retaining the land as an open space zoning.

Participation by Māori

93. Tangata Whenua, Puketapu hapū and Pukerangiora hapū were consulted as part of the original 2016 decision. At that stage there were no specific concerns regarding the sale/removal of the building. There are no known associations with the building.

Community Views and Preferences

94. The Lepperton Residents Association, the Lepperton Hall Society and the Lepperton School have indicated that they support the removal of the hall from the site but support the retention of the property.
95. As indicated in the risk analysis there were submissions made in the 2016 decision regarding the importance of the hall. However, the Lepperton Residents Association maintain that the main concerns from the community relate to the retention of the land for future open space.
96. This option would maintain an asset that the community indicate they no longer require and that creates a block between the open space area to the rear and the road frontage, thus cutting off the space for future connectivity as a village open space area. The scenario does not respond effectively to the changing needs of the community.
-

Advantages and Disadvantages

97. The advantages and disadvantages of this option are outlined below:

Advantages	Disadvantages
<ul style="list-style-type: none"> There were original submissions to the council decision in 2016 that did not support the hall removal. The Lepperton Residents Association supports the sale of the hall building to allow for future planning. 	<ul style="list-style-type: none"> The Council will need to maintain the hall and the land, although the hall is not likely to be significantly used. There will be no financial gain from the sale of the land and hall.

Recommended Option

This report recommends Option 2 to partially revoke the Council decision to sell the Lepperton Community Hall land. This option would retain the community hall land but allow the flexibility for the Community Hall building to be sold or removed, for addressing the matter.

APPENDICES

Appendix 1: Council Resolution April 2016 (ECM7098747)

Report Details

Prepared By: Juliet Johnson (Manager Planning)
 Team: District Planning Team
 Approved By: Liam Hodgetts (General Manager Strategy)
 Ward/Community: Waitara Community Board
 Date: 7 July 2020
 File Reference: ECM 8319546

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

RESOLUTION FOR ACTION

5.1

14 April 2016

TO: **GROUP MANAGER STRATEGY**
Infrastructure Planning Lead

Council
12 April 2016

This Resolution for Action is only forwarded to report authors, please forward to any other affected staff members.

LEPPERTON HALL – ASSESSMENT OF PUBLIC NOTICE

FILE REFERENCE: ECM 6819092, PID 7346

The matter for consideration by the Council is the proposal to dispose of the recreation reserve at 533 Richmond Road, which contains the Lepperton Hall (the Hall). The proposal has recently completed its public notice period. The proposal includes using up to \$270,000 of the sale proceeds toward the construction of a new school/community hall on the Lepperton School grounds. Forty-five submissions in support, nine conditional submissions and 11 objections (including a petition with 30 signatures) have been received.

Council Resolution:

Cr Brown)

Cr Duynhoven)

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

- a) Approves the sale of the Lepperton Hall property at 533 Richmond Road, being Section 98 Town of Lepperton.
- b) Applies to the Minister of Conservation (or delegated representative) for revocation of the reserve status on this land. In consideration of section 24(1)(b) of the Reserves Act 1977, the reason for the revocation is that the land is considered surplus to requirement.
- c) Agrees that the hall will not be placed on the market for sale until such time that:
 - i) An agreement (as outlined in Appendix 4) is entered into between the Lepperton School Board and New Plymouth District Council.
 - ii) Confirmation is received that the cost of the new hall and sufficient community funding to complete the hall have been secured.
- d) Delegates authority to the Council's Property Manager to finalise the agreement and execute the agreement outlined in clause f) of this resolution in conjunction with representatives of Lepperton School.
- e) Agrees to transfer up to \$270,000 derived from the sale proceeds of the Lepperton Hall, to the Lepperton School as part funding for the construction of a new hall for the use by both the school and the community.

- f) Notes that the transfer outlined in (e) is inconsistent with the Council's Revenue and Financing Policy and is undertaken to contribute to an integrated community asset at Lepperton. This inconsistency is considered a one-off that does not require amendment to the policy.—*This is included to cover off s.80 of the LGA 2002.*
- g) Notes that the Lepperton Hall property will be included in the schedule "Properties identified as surplus to Council requirements", in accordance with the 'Approval of Properties for Sale and Method of Sale (P05-019)' policy.
- h) Notes that officers will continue to work with the school on the option of an outdoor seating area near the road.
- i) That a written agreement be entered into with Lepperton School to ensure continuity of public access to the new hall.

Carried

Jan Holdt
Committee Adviser
ECM 7098747

CHARTER FOR HMNZS AOTEAROA

MATTER

1. The matter for consideration by the Council is approval of a Charter for the HMNZS AOTEAROA.

RECOMMENDATION FOR CONSIDERATION

That having considered all matters raised in the report the Council approve a Charter for the HMNZS Aotearoa.

COMPLIANCE	
Significance	This matter is assessed as being of some importance.
Options	<p>This report identifies and assesses the following reasonably practicable options for addressing the matter:</p> <ol style="list-style-type: none"> 1. Approve a Charter 2. Not approve a Charter
Affected persons	The persons who are affected by or interested in this matter are citizens of the District and the Royal New Zealand Navy.
Recommendation	This report recommends option 1 for addressing the matter.
Long-Term Plan / Annual Plan Implications	No
Significant Policy and Plan Inconsistencies	No

EXECUTIVE SUMMARY

2. This report recommends the adoption of a Charter between the New Plymouth District Council and the HMNZS AOTEAROA.
 3. The recommendation formalises the Council's intention (resolution of April 2017) to enter into a Charter with the new Navy vessel following the decommissioning of the HMNZS ENDEAVOUR and the cessation of the previous Charter with that vessel.
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BACKGROUND

4. Following decommissioning of the HMNZS ENDEAVOUR, the Council's Charter with the vessel was discontinued. In 2017, the Royal New Zealand Navy advised they would be constructing a new ship (HMNZS AOTEAROA) which would provide a Maritime Sustainment Capability.
5. The Council subsequently accepted the Royal New Zealand Navy's invitation to be the home port for HMNZS AOTEAROA and approved the drafting of a new Charter to formalise the relationship and confer HMNZS AOTEAROA the Freedom of the District. This report presents the draft Charter for Council approval.

A Charter is a formal declaration

6. A Charter is a formal declaration of the relationship between the HMNZS AOTEAROA and the citizens, allowing the freedom to parade through the district "with drums beating, colours flying, and bayonets fixed". This most commonly occurs during a charter parade which allows citizens the opportunity to acknowledge appreciation for the vessels service to the country and recognise the support of families, friends and work colleagues that enable participants to deploy on operations.
7. It is usual for the granting of the Freedom of the District to be reciprocated by having Navy personnel attend the Mayor on official occasions.

Being the home port

8. The HMNZS ENDEAVOUR developed close relationships with local hapū and local schools. It is envisaged that the relationships will continue with HMNZS AOTEAROA.

NEXT STEPS

9. Initial planning is underway for HMNZS AOTEAROA's first visit to her home port, along with a Charter Parade and other formalities.

SIGNIFICANCE AND ENGAGEMENT

10. In accordance with the Council's Significance and Engagement Policy, this matter has been assessed as being of some importance because there is no impact on the Council's statutory purpose, obligations, duties and requirements. There are no financial implications or impacts on levels of service. The signing of a Charter is consistent with previous the previous Charter and the current Charter between the District and the City of New Plymouth Cadet Unit. Charter
-

OPTIONS

11. There are two reasonably practicable options: approve a Charter or not approve a Charter. The following assessment relates to both options.

Financial and Resourcing Implications

12. There are no financial and resourcing implications associated with adopting a Charter. There may be some cost associated with hosting Civic Events and Functions when the HMNZS AOTEAROA is in port. These can be met from within the current Civic Functions budget.

Risk Analysis

13. There may be reputational risk if within the New Zealand Defence Force if the Council decides not to approve a Charter at this point in time.

Promotion or Achievement of Community Outcomes

14. Adoption of a Charter promotes the People community outcome by supporting our community.

Statutory Responsibilities

15. There are no statutory responsibilities relating to either option.

Consistency with Policies and Plans

16. Both options are consistent with the Council's policies and plans.

Participation by Māori

17. The HMNZS ENDEAVOUR developed a strong relationship with Ngāti te Whiti as the hapū with mana whenua over the Taranaki port area.
18. The Royal New Zealand Navy are working to formalise the relationship of HMNZS AOTEAROA with Ngāti te Whiti hapū, who carved the mauri (life force) and Symbol of Command for the ship.

Community Views and Preferences

19. The community have been supportive of previous visits of the HMNZS ENDEAVOUR. It is anticipated that the community will be supportive of continuing a Home Port relationships with the HMNZS AOTEAROA.
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Recommended Option

This report recommends option 1 – Approval of a Charter for addressing the matter.

APPENDICES

Appendix 1 Draft Charter (ECM 8316786)

Report Details

Prepared By:	Julie Straka (Governance Lead)
Team:	Governance
Approved By:	Liam Hodgetts (Group Manager Strategy)
Ward/Community:	District Wide
Date:	8 July 2020
File Reference:	ECM 8308941

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

Charter

HMNZS AOTEAROA

6.1

Whereas the Mayor, Councillors and Citizens of the District of New Plymouth, New Zealand have agreed to adopt HMNZS AOTEAROA

And whereas the Chief of Navy has agreed to such adoption

And whereas it is desired to place on record this close relationship between the District of New Plymouth and HMNZS AOTEAROA

Now therefore the Mayor and Councillors do confer upon the Officers and Ship's Company of HMNZS AOTEAROA the right and privilege of marching with drums beating, band playing, colours flying, bayonets fixed and swords drawn through the streets of the District of New Plymouth when such processions are approved and mutually convenient

And do further respectfully and dutifully confer upon all those who serve or shall serve in HMNZS AOTEAROA all the rights and privileges of citizenship of the District of New Plymouth

And the said Mayor, Councillors and Citizens of the District of New Plymouth do hereby acknowledge the responsibilities accepted by their adoption of HMNZS AOTEAROA

And do hereby accept the honour of having the Officer's and Ship's Company of the said ship on parade for an inspection by His or Her Worship the Mayor on suitably mutually agreed occasions

And do hereby accept the further honour of having two Officers of HMNZS AOTEAROA when in New Plymouth, being in attendance in uniform upon His or Her Worship the Mayor of New Plymouth on all appropriate occasions.

The Common Seal of the New Plymouth
District Council was hereto affixed
Pursuant to a resolution of the Council on
[insert date] 2020.

.....
Neil Holdom, Mayor

.....
Craig Stevenson, Chief Executive

ADOPTION OF MEETING CYCLE FOR 2021

PURPOSE

1. The matter for consideration by the Council is the adoption of ordinary meetings for Council, Committees and Community Boards for 2021.

RECOMMENDATION

That, having considered all matters raised in the report, the following meeting schedule be adopted:

	Strategy and Operations	Comm Bds	Te Huinga Taumatua	Finance, Audit & Risk	CCOs Committee	Strategic Projects	Council
January	26						
February		4-9	16	23		24	
March	9	18-23	30		31		2
April	20	29-30		6			13
May		3-4	11	18			25
June	1	10-15	22	29	23	16	
July	13	22-27					6
August	24		3	10			17
September		2-7	14	21	15	8	28
October	5	14-19	26				
November	16	25-30		2			9
December			7	14	8	1	21

SIGNIFICANCE AND ENGAGEMENT

2. This matter has been assessed as being of some importance due to its administrative nature.

DISCUSSION

3. Following the 2019 triennial election, the Mayor established a committee structure with a six weekly meeting cycle. This report presents the ordinary meeting dates for 2021 based on that structure.
4. At least one week of every school holidays remains clear of Council and committee meetings.
5. The Council have previously determined that Council and committee meetings will generally commence at 1pm. Unless a meeting falls on a statutory holiday, Community Board meeting times will be held as follows:

Clifton Community Board	Thursdays at 4pm
Waitara Community Board	Fridays at 9am
Kaitake Community Board	Mondays at 5pm
Inglewood Community Board	Tuesdays at 1.30pm

NEXT STEPS

6. Once approved, electronic meeting notices will be sent to elected members.
7. The Council can review its committee structure at any time. If changes require a new meeting schedule, Council officers will present a revised meeting schedule to the Council for adoption at the appropriate time.

FINANCIAL AND RESOURCING IMPLICATIONS

8. There are no financial or levels of service implications.

IMPLICATIONS ASSESSMENT

9. This report confirms that the matter concerned has no particular implications and has been dealt with in accordance with the Local Government Act 2002. Specifically:
 - Council staff have delegated authority for any decisions made;
 - Council staff have identified and assessed all reasonably practicable options for addressing the matter and considered the views and preferences of any interested or affected persons (including Māori), in proportion to the significance of the matter;
 - Council staff have considered how the matter will promote the social, economic, environmental, and cultural well-being of communities in the present and the future.
 - Unless stated above, any decisions made can be addressed through current funding under the Long-Term Plan and Annual Plan;

-
- Any decisions made are consistent with the Council's plans and policies; and
 - No decisions have been made that would alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or would transfer the ownership or control of a strategic asset to or from the Council.
-

Report Details

Prepared By:	Julie Straka (Governance Lead)
Team:	Governance
Approved By:	Liam Hodgetts (Group Manager Strategy)
Ward/Community:	District Wide
Date:	22 June 2020
File Reference:	ECM 8305288

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