

ORDINARY MEETING

OF

ENVIRONMENT COMMITTEE

MINUTES

Time: 9.15am
Date: Thursday, 16 October 2014
Venue: Committee Room 1
Ground Floor, Council Offices
101 Wakefield Street
Wellington

PRESENT

Mayor Wade-Brown
Councillor Ahipene-Mercer
Councillor Free
Councillor Lee
Councillor Pannett (Chair)
Councillor Ritchie
Councillor Sparrow

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1 Meeting Conduct

(Councillor Free entered the meeting at 09:16 am.)
(Councillor Ritchie entered the meeting at 09:16 am.)

1.1 Apologies

Moved Councillor Pannett, seconded Councillor Sparrow

Resolved

That the Environment Committee:

Accept the apologies received from Councillor Foster.

Carried

1.2 Conflict of Interest Declarations

There were no conflicts of interest declared.

1.3 Confirmation of Minutes

Moved Councillor Pannett, seconded Councillor Ritchie

Resolved

That the Environment Committee:

Approve the minutes of the Environment Committee held on 4 September 2014, having been circulated, that they be taken as read and confirmed as an accurate record of that meeting.

Carried

(Mayor Wade-Brown entered the meeting at 09:20 am.)

1.4 Public Participation

1.4.1 Duncan Mackay

Duncan Mackay addressed the Environment Committee on his South Coast Bach.

1.5 Items not on the Agenda

There were no items not on the agenda.

(Councillor Ahipene-Mercer entered the meeting at 09:29 am.)
(Councillor Lee left the meeting at 10:23 am.)
(Councillor Ritchie left the meeting at 10:24 am.)
(Councillor Lee returned to the meeting at 10:26 am.)
(Councillor Ritchie returned to the meeting at 10:26 am.)

(The meeting adjourned at 10.54am for morning tea)
(The meeting reconvened at 11.12am)

(Mayor Wade-Brown, Councillors Ahipene-Mercer, Pannett, Sparrow, Lee and Free were present when the meeting reconvened).
(Councillor Ritchie returned to the meeting at 11:13 am.)

2.2 Review of the Collection and Transportation of Waste Bylaw

Moved Councillor Pannett, seconded Mayor Wade-Brown

Resolved

That the Environment Committee:

1. Receives the information.
2. Notes that the Collection and Transportation of Waste (CTW) Bylaw regulates four private tanker companies that collect, transport and discharge dirty water from grease traps, commercial car washes, and septic tanks (from businesses and from some households).
3. Notes that there has been little public interest around whether or not to reinstate this Bylaw, with the single submission received during public consultation (Attachment 2 to the report) being in favour of reinstatement.
4. Agrees to recommend to Council, on 5 November 2014, to reinstate the proposed CTW Bylaw in its current form (as attached).
5. Notes that the more significant Trade Waste Bylaw will be reviewed by 2016 and that changes to the current CTW Bylaw may be proposed in that later review, including possibly subsuming the CTW Bylaw into the larger Trade Waste Bylaw and encouraging tanker companies to adopt extra tracking / record-keeping requirements.

Carried

Attachments

- 1 CTW Bylaw

(Councillor Ritchie left the meeting at 11:14 am.)
(Councillor Ritchie returned to the meeting at 11:16 am.)

3.1 Review of Annual Reports for Council Controlled Organisations for the year ending 30 June 2014

Moved Councillor Pannett, seconded Councillor Free

Resolved

That the Environment Committee:

1. Receive the information.
2. Note any issues for the Chair to raise with the entities covered by this report.

Carried

2. Policy

2.1 Public Places Bylaw - proposed new camping provisions

Moved Councillor Ritchie, seconded Councillor Pannett

Recommendations

That the Environment Committee:

1. Receive the information.
2. Recommend the Council:
 - a. Note the recommended changes to Part 12 of the Public Places bylaw following public consultation in accordance with the the special consultative procedure under Section 83 of the Local Government Act 2002.
 - b. Adopt the proposed camping provisions as set out in Attachment 1 to replace the current camping provisions in Part 12 of the Public Places Bylaw.

Moved Councillor Ritchie, seconded Councillor Lee, the following amendment:

That the Environment Committee:

- b. Adopt the proposed camping provisions as set out in **amended Attachment 1 as below** to replace the current camping provisions in Part 12 of the Public Places Bylaw:
 - i. 12.5 Camping is permitted in any local authority area in Wellington City, unless it is restricted or prohibited in an area under:
 - a. this bylaw; or
 - b. **under any other enactment. ~~the Reserves Act 1977.~~**
 - ii. 12.6 Camping is prohibited on all land managed under the Reserves Act 1977 **and Wellington Town Belt** unless allowed in a reserve management plan. Campers are advised to camp in the restricted areas identified in Schedule One of this bylaw. For clarity, the Act's non-site-specific offences do apply to Council reserves, and any site-specific restrictions or prohibitions on Council reserves to be administered under this bylaw must be included in Schedule One of this bylaw.

Voting For: Mayor Wade-Brown, Councillor Ahipene-Mercer, Councillor Free, Councillor Lee, Councillor Pannett (Chair), Councillor Ritchie and Councillor Sparrow

Voting Against: Nil

Majority Vote: 7:0

Carried

Resolved:

That the Environment Committee:

1. Receive the information.
2. Recommend the Council:
 - a. Note the recommended changes to Part 12 of the Public Places bylaw following public consultation in accordance with the the special consultative procedure under Section 83 of the Local Government Act 2002.
 - b. Adopt the proposed camping provisions as set out in amended Attachment 1 as below to replace the current camping provisions in Part 12 of the Public Places Bylaw:
 - i. 12.5) Camping is permitted in any local authority area in Wellington City, unless it is restricted or prohibited in an area under:
 - a. this bylaw; or
 - b. under any other enactment.
 - ii. 12.6) Camping is prohibited on all land managed under the Reserves Act 1977 and Wellington Town Belt unless allowed in a reserve management plan. Campers are advised to camp in the restricted areas identified in Schedule One of this bylaw. For clarity, the Act's non-site-specific offences do apply to Council reserves, and any site-specific restrictions or prohibitions on Council reserves to be administered under this bylaw must be included in Schedule One of this bylaw.

Carried

Attachments

- 1 Proposed Camping Bylaw - as amended

4. Operational

4.1 Proposed Reserve Revocation - 23 Batchelor Street

Moved Councillor Ritchie, seconded Mayor Wade-Brown

Resolved

That the Environment Committee:

1. Receives the information.
2. Recommends that the Council:
 - a. Agrees to revoke the reserve status of 23 Batchelor Street, Newlands, pursuant to section 24 of the Reserves Act 1977.

- b. Authorises the Chief Executive Officer to conclude the reserve revocation of 23 Batchelor Street, Newlands.
Notes:
 - i. Public submissions received as part of the section 24 of the Reserves Act 1977 process will guide the Council on the reserve revocation.
 - ii. A further report will be presented to the Council to summarise submissions received and to decide whether to uphold objections or not.
- c. If the reserve revocation option is chosen and completed successfully, agree that the property at 23 Batchelor Street is not required for a public work and is surplus to requirements.
- d. If 23 Batchelor Street is declared surplus, authorise Council officers to commission a section 40 Public Works Act 1981 report to identify whether the land at 23 Batchelor Street must be offered back to a former owner or their successor in title, or whether an exemption from offer back applies under section 40(2), 40(3) or 40(4) PWA.
- e. If 23 Batchelor Street is declared surplus, approve its disposal.
- f. Delegate to the Chief Executive Officer the power to take all actions necessary to sell 23 Batchelor Street in accordance with the provisions of the Public Works Act 1981.
Notes:
 - i. The consent of the Minister of Conservation is to be obtained, in accordance with section 24 of the Reserves Act 1977.
 - ii. Any future use of the site would be guided by the 'Open Space A' zoning of the Land. A separate zoning plan change process is recommended if other uses are proposed.

Carried

4.2 Approval for an easement over reserve - 500 Queens Drive, Houghton Bay

Moved Councillor Ritchie, seconded Councillor Pannett

Resolved

That the Environment Committee:

1. Receives the information.
2. Recommends that the Council approve the granting of the registered easement (as identified in the plan in Attachment 1 of the report) for the access over part of the Wellington City Council's Reserve (Scenic) land at 500 Queens Drive, Houghton Bay (Sec 30 SO Plan 31517), in favour of 44 The Esplanade, Houghton Bay (Lot 1 DP 15775 and Lot 1 DP 46805), pursuant to Section 48 of the Reserves Act 1977.
3. Notes that:
 - a. As provided for in the Instrument of Delegation for Territorial Authorities signed by the Minister of Conservation on 12 June 2013 the consent of the Minister of Conservation to this proposal is not required.
 - b. The requirement for public advertising under Section 48(2) of the Reserves Act 1977 can be waived in accordance with Section 48(3) of the Reserves Act 1977, as the Wellington City Council's Reserve (Scenic) land is not likely to be materially altered or permanently damaged and the rights of the public will not be affected by the granting of the registered easement.

- c. All costs related to the preparation and registration of the proposed registered easement will be borne by the owner of 44 The Esplanade, Houghton Bay.

Carried

5. Public Excluded

Moved Councillor Pannett, seconded Councillor Ahipene-Mercer

Resolved

THAT the Environment Committee :

Pursuant to the provisions of the Local Government Official Information and Meetings Act 1987, exclude the public from the following part of the proceedings of this meeting namely:

Carried

| General subject of the matter to be considered | Reasons for passing this resolution in relation to each matter | Ground(s) under section 48(1) for the passing of this resolution |
|--|---|---|
| 5.1 Dedication of Road Reserve as Road Under Section 111 of The Reserves Act 1977 in Exchange for Private Land to be Vested Scenic Reserve | s7(2)(h) The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities. | s48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7. |

The meeting went into public excluded session at 11.56am.

The meeting concluded at 12:03pm.

Confirmed: _____
Chair