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**REPORT 3**  
(1215/11/IM)

**Report of the Strategy and Policy Committee  
Meeting of Wednesday 24 May 2006**

**Members:** Mayor Prendergast, Councillors Armstrong (Chair), Ahipene-Mercer, Cook, Foster, Gill, Goulden, McKinnon, Morrison, Pepperell, Ritchie, Ruben, Shaw, Wade-Brown and Wain.

**THE COMMITTEE RECOMMENDS:**

1. **ITEM 109/06P FEES AND CHARGES: BUILDING CONSENTS AND LICENSING SERVICES**  
(1215/52/IM) (REPORT 2)

*THAT Council:*

1. *Agree to recommend that the Council agree to the fees and charges as outlined in Appendix 1 (of this report) and that these apply from 1 July 2006.*

2. **ITEM 110/06P SOUTHERN LANDFILL – REVIEW OF LANDFILL CHARGES**  
(1215/52/IM) (REPORT 3)

*THAT Council:*

1. *Agree to recommend that the Council approves the proposed fees and charges set out in Appendix 2 (of this report) effective 1 July 2006.*

3. **ITEM 113/06P PROPOSED CHANGES TO THE LIQUOR CONTROL BYLAW – CONSULTATION PROCESS**  
(1215/52/IM) (REPORT 6)

*THAT Council:*

1. *Note that the Strategy and Policy Committee considered the draft bylaw and submissions, attached as Appendices 1 and 3 (of the Officers report) respectively, at the 24 May 2006 meeting.*

- (a) *Resolve to adopt the Liquor Control Bylaw attached as Appendix 3 (of this report), pursuant to sections 83, 86, 147 and 156 of the Local Government Act 2002.*
- (b) *Resolve that the commencement date for the bylaw is 8pm 29 June 2006 allowing for at least fourteen days public notice, following the 31 May 2006 Council meeting.*
- (c) *Resolve that the draft bylaw (attached as Appendix 1 of the Officers report) is part of the Wellington Consolidated Bylaw 1991.*
- (d) *Resolve to amend the Wellington Consolidated Bylaw 1991 by revoking Part 23 (Liquor Control) and replacing it with Part 23 (Liquor Control) attached as Appendix 1 (of the Officers report), to come into effect at 8pm, 29 June 2006.*

4. **ITEM 114/06P REVIEW OF COMMUNITY BOARD DELEGATIONS**  
(1215/52/IM) (REPORT 7)

*THAT Council:*

- 1. *Agree to the revised terms of reference for the Tawa Community Board and the Makara/Ohariu Community Board (as set out in Appendix 4 of this report).*

5. **ITEM 115/06P LOCAL GOVERNMENT NEW ZEALAND**  
**'LEADING COMMUNITIES' CONFERENCE, WELLINGTON, 16-19 JULY 2006**  
(1215/52/IM) (REPORT 8)

*THAT Council:*

- 1. *Appoint:*
  - (a) *Mayor Prendergast as its presiding delegate, with authority to exercise Wellington City Council's votes;*
  - (b) *an alternate presiding delegate (in the event that the Mayor is absent from the floor of the meeting at any time), who shall be a Councillor; and*
  - (c) *two other delegates, who shall be Councillors*
  - (d) *to attend the Local Government New Zealand AGM to be held on Wednesday 19 July 2006.*

**Robert Armstrong**  
**Chair**

# APPENDIX 1

## Fees and Charges: Building Consents and Licensing Services

Activity	Current Fee	Proposed Fee
<b>C480 - Building Control &amp; Facilitation</b>		
<b>Building Permissions (incl. building inspection services)</b>		
Code Compliance Certificate	56.25	75.00
<b>Certificates of Acceptance (includes lodging fee and inspection deposit)</b>		
• < \$ 5,000	388.00	398.00
• \$5001 - \$12,000	525.00	535.00
• \$12,001 - \$25,000	553.00	563.00
• \$25,001 - \$50,000	580.00	590.00
• \$50,001 - \$75,000	663.00	673.00
• \$75,001 - \$100,000	690.00	700.00
• \$100,001 - \$250,000	1,048.00	1,058.00
• \$250,001 - \$500,000	1,295.00	1,305.00
• \$500,001 - \$1,000,000	1,955.00	1,965.00
• \$1,000,000+	1,955.00+	1,965.00+
• for each \$500k or part there of over \$1,000,000	855.00	865.00
<b>S77 Fees (buildings over two or more allotments)</b>		
Processing time		110.00
Legal costs	Actual cost	Actual cost
LINZ lodgement	Actual cost	Actual cost
<b>Marquee Licenses</b>		
Consent	90.00	90.00
Inspection	115.00	120.00
<b>Compliance schedule/ Building Warrant of Fitness</b>		
New compliance schedule (linked with Building Consent)	110.00	110.00
Alterations to compliance schedule (linked to Building Consent)	82.50	82.50
Amendments to compliance schedule	190.00	195.00
Building Warrant of Fitness - Annual Certificate	115.00	120.00
Building Warrant of Fitness Inspection (per hour)	115.00	120.00
Fire Service reports	actual cost	actual cost
Consultants reports	actual cost	actual cost

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Activity	Current Fee	Proposed Fee
<b>Structural Fee/ Producer Statements</b>		
Structural fee for checking elements of specific design on projects comprising structural works, not supported by a producer statement, for:		
• single element	285.00	355.00
• several separate element	400.00	505.00
• major design aspects on project valued under \$250,000	772.50	982.50
• major design aspects on larger projects	1,232.50	1,582.50
Structural fee for checking elements of specific design on projects comprising structural works, supported by a producer statement for:		
• single element	130.00	167.50
• several separate element	157.50	242.50
• major design aspects on project valued under \$250,000	185.00	280.00
• major design aspects on larger projects	240.00	355.00
<b>Building Inspections</b>		
Standard Inspection Fee: 45 minute inspection	86.25	90.00
Standard Final Inspection: 1 hour inspection	115.00	120.00
Engineering inspections (not covered by a Producers Statement) , including fire engineering, structural engineering for unusual proposal, specific design	actual cost, plus 40.00	actual cost, plus 45.00
<b>Swimming Pool</b>		
Fencing Inspection: first standard inspection free	-	
Fencing Inspection: additional standard inspection - 45 minutes (first standard inspection free)	86.25	90.00
Exemptions: Base fees (including 5.5 hours of processing time)	632.50	660.00
Exemptions: processing costs after the initial 5.5 hours	115.00	120.00
Hearing costs	actual cost	Actual cost
<b>LIM and Information Services</b>		
LIMs: Residential	300.00	
LIMs: Commercial Base Fee	700.00	
LIMs: Commercial per hr after 10 hrs	70.00	
Property Reports: Building Consents	140.00	
Property Reports: Resource Management	140.00	
Property Reports: Public Drainage	140.00	
Building Consent printout (site specific)	-	25.00

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Activity	Current Fee	Proposed Fee
<b>Customer Services</b>		
Pre-application Meeting (per quarter hr)	27.50	
Monthly Report of Issued Building Consents	56.25	
Official Info Requests (property): Disbursements		
- 1 <sup>st</sup> 20 A4 sheets free,		
- 20 cents per additional sheet		

Activity	Current Fee	Proposed Fee
<b>C478 - Public Health</b>		
<b>Environmental Health</b>		
<b>Health Licensing and Inspection</b>		
New Food Premises (1st yr. set-up)	367.50	400.00
New Non Food Premises (1st yr. set-up)	210.00	210.00
Change of Occupiers Fee base fee	105.00	
Change of Occupiers Fee base fee - Charge over 1 hr (per hr)	105.00	
Inspections (per hr) for legal action	105.00	
Late payment +10%	-	
Annual licence for registered food premises :		
• Excellent Grade	150 – 500	150 – 500
• Good Grade	250 – 700	250 – 700
• Ungraded	300 – 900	305 - 920
• Ungraded – High risk	400 – 1500	410 – 1537.50
<b>Animal Control</b>		
Registration per animal:		
• Entire	145.00	145.00
• Neutered / Spayed (with proof)	105.00	105.00
• Working Dogs	40.00	40.00
• Approved Responsible Owner	50.00	50.00
• Charge for late payments	+50%	+50%
Application for RDO status or change of RDO address		50.00
Licence for 3 or more dogs	30.00	30.00
Licence for Guide or Hearing Dog	Free	Free
Impounding Fees:		

## Southern Landfill Charges

Description	Charging Criteria	Current Charge	Proposed New Charges (GST Inclusive)			
			Proposed Charge	Base	Proposed Recycling Levy	Total
Car (General waste)	Per tonne	\$101.00	<b>\$61.10</b>		<b>\$16.90</b>	<b>\$78.00</b>
Minimum Charge		\$6.00	<b>\$3.93</b>		<b>\$1.07</b>	<b>\$5.00</b>
Lost Docket Charge		\$25.00				<b>\$20.00</b>
Vans and Utilities(General waste)	Per tonne	\$101.00	<b>\$61.10</b>		<b>\$16.90</b>	<b>\$78.00</b>
Minimum Charge		\$6.00	<b>\$3.93</b>		<b>\$1.07</b>	<b>\$5.00</b>
Lost Docket Charge		\$35.00				<b>\$27.00</b>
Trailers	Per tonne	\$101.00	<b>\$61.10</b>		<b>\$16.90</b>	<b>\$78.00</b>
Minimum Charge		\$6.00	<b>\$3.93</b>		<b>\$1.07</b>	<b>\$5.00</b>
Lost Docket Charge		\$45.00				<b>\$30.00</b>
Trailers – Commercial	Per Tonne	\$101.00	<b>\$61.10</b>		<b>\$16.90</b>	<b>\$78.00</b>
Minimum Charge		\$50.50	<b>\$30.55</b>		<b>\$8.45</b>	<b>\$39.00</b>
Tyres –Car	Per Tonne	\$301.50	<b>\$261.60</b>		<b>\$16.90</b>	<b>\$278.50</b>
Minimum Charge		\$150.75	<b>\$130.80</b>		<b>\$8.45</b>	<b>\$139.25</b>

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Tyres –Truck	Per Tonne	\$349.50	<b>\$309.60</b>	<b>\$16.90</b>	<b>\$326.50</b>
Minimum Charge		\$174.75	<b>\$154.80</b>	<b>\$8.45</b>	<b>\$163.25</b>
Tyres –Tractors	Per Tonne	\$349.50	<b>\$309.60</b>	<b>\$16.90</b>	<b>\$326.50</b>
Minimum Charge		\$349.50	<b>\$309.60</b>	<b>\$16.90</b>	<b>\$326.50</b>
Tyres –Earthmoving/Machine	Per Tonne	\$386.00	<b>\$346.10</b>	<b>\$16.90</b>	<b>\$363.00</b>
Minimum Charge		\$386.00	<b>\$346.10</b>	<b>\$16.90</b>	<b>\$363.00</b>
Fridge / Freezer degassing (Per appliance)	Per Appliance	\$25.00	N/A	N/A	\$25.00
General Waste	Per Tonne	\$101.00	<b>\$61.10</b>	<b>\$16.90</b>	<b>\$78.00</b>
Minimum Charge		\$50.50	<b>\$30.55</b>	<b>\$8.45</b>	<b>\$39.00</b>
Special Waste – (Type A) <sup>(1)</sup> Sewage, Fish, Asbestos, etc <sup>(2)</sup>	Per Tonne	\$126.50	<b>\$86.60</b>	<b>\$16.90</b>	<b>\$103.50</b>
Minimum Charge		\$126.50	<b>\$86.60</b>	<b>\$16.90</b>	<b>\$103.50</b>
Special Waste – (Type C) Abattoir Meat, etc <sup>(2)</sup>	Per Tonne	\$111.50	<b>\$71.60</b>	<b>\$16.90</b>	<b>\$88.50</b>
Minimum Charge		\$111.50	<b>\$71.60</b>	<b>\$16.90</b>	<b>\$88.50</b>

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Clean fill (delivered by truck)	Per Tonne	\$10.20			
Minimum Charge		\$27.70	N/A	N/A	N/A
Clean fill Special (delivered by truck)	Per Tonne	\$3.00	\$4.00		\$4.00
Minimum Charge			\$4.00	N/A	\$4.00
Car bodies (stripped)	Per car body	\$20	\$20	N/A	\$20.00
Car Bodies other (still contain seats/ refuse)	Per car body	\$40	\$40	N/A	\$40
Vehicles weigh only	Per weigh	\$10	N/A	N/A	\$10
Car Tyre <sup>(3)</sup>	Per tyre	\$3.50	N/A	N/A	\$3.50
Truck Tyre <sup>(3)</sup>	Per tyre	\$8.75	N/A	N/A	\$8.75

**Note: Green waste charges set by Living Earth Ltd**

- (1) **Any waste delivered to landfill which emits noxious, dangerous or offensive odour or requires an additional measures in terms of the Health and Safety in Employment Act or additional operational activities, or separate landfilling procedure over and above the normal activities for acceptance and landfilling of general waste**
- (2) **Prior approval required for all waste in this category. Special waste permit required.**
- (3) **Domestic customers only, when tyre (s) being delivered in a mixed load with general waste.**



### Wellington consolidated bylaw 1991

#### Part 23 – Liquor Control

This part of the bylaw prohibits the consumption and possession of liquor in public places from 8pm each Thursday until 8am each Sunday. In addition, the prohibition applies every year on Christmas Eve, the 24<sup>th</sup> of December and New Years Eve, the 31<sup>st</sup> of December from 5pm to 8am the following day and occasionally during special events. It applies to the Wellington Central area as shown on the attached map. The bylaw includes a process to obtain prior Council written permission to authorise events that would otherwise breach the bylaw. The Council will erect signage to communicate the terms of the bylaw to the public.

The purpose of this bylaw is to address concerns relating to potential criminal offending and safety concerns that are linked to the possession or consumption of alcohol in public places. By imposing this ban, the consumption of alcohol within the central area should primarily be restricted to private residences or licensed premises from Thursday night until Sunday morning.

The bylaw is introduced pursuant to s147 of the Local Government Act 2002 – this section should be read together with this part of the bylaw as it contains relevant definitions and the situations when this bylaw control will not apply (particularly relating to the transportation of unopened liquor). Pursuant to s169 and s170 of the Local Government Act 2002, the Police can enforce this part of the bylaw. Further details on the statutory provisions are provided as a note at the end of this part of the bylaw.

#### Definitions

Wellington Central Area means the area inside the boundaries depicted in the attached map but excluding:

- a) Any area that is subject to a road encroachment issued by the Council;
- b) Any licensed premises that occupies a paved area on legal road or Council land where permission to occupy has been granted by the Council.

#### 23.2 Liquor prohibition

23.2.1 The consumption or possession of liquor in a public place (including while in a vehicle), is prohibited within the Wellington Central Area as shown on the attached map. This prohibition is effective from 8pm each Thursday to 8am each Sunday. The prohibition also applies every year on Christmas Eve, the 24<sup>th</sup> of December and New Years Eve, the 31<sup>st</sup> of December from 5pm to 8am the following day

In addition to the prohibition in Clause 23.2.1 above, the Council by resolution may order a prohibition on the consumption or possession of liquor (including while in a vehicle) in a public place for certain specified times and/or within certain specified public places for specified special events. The prohibition must

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be notified in the appropriate Wellington metropolitan newspaper at least 14 days in advance of the special event.

### **23.3 Council permission**

- 23.3.1 Any person may apply to the Council for prior written permission for any activity that would be in breach of any prohibition under this part of the bylaw.
- 23.3.2 The process for obtaining the Council's permission is outlined in Part 1 (Introduction) of this bylaw.

### **23.4 Signage**

- 23.4.1 The Council will erect signage within public places covered by this bylaw to provide information to the public on the terms of the bylaw. The size, location and terms of this signage shall be at Council's discretion. To avoid any doubt, the absence of signage in any public place does not authorise breach of this part of the bylaw.

### **23.5 Offences**

- 23.5.1 Everyone commits an offence who:
- a) Consumes or possesses any liquor in a public place in breach of a prohibition under this part of the bylaw; and
  - b) Breaches, or permits a breach of, the terms of any Council permission granted pursuant to clause 23.3 of this bylaw.

*Note: This bylaw is introduced pursuant to the specific empowering provisions of the Local Government Act 2002 that provide for bylaws for liquor control purposes. This bylaw does not repeat or paraphrase those statutory provisions, and accordingly those provisions should be read in conjunction with this bylaw. In particular, the following provisions are noted:*

*Section 147 empowers the Council to make this bylaw. It also defines 'liquor' and 'public place'. In addition, s147(3) sets out a number of specific exemptions when the bylaw will not apply with respect to the transportation of unopened bottles or containers.*

*Section 169 provides the Police with powers of search and seizure, without warrant, to enforce the bylaw. The Police are responsible for enforcing the bylaw.*

*Section 170 sets out certain conditions imposed on the Police powers of search under s169.*

*This bylaw has no effect on any other Police powers of search, seizure and arrest or any other statutory offences.*

Wellington Central Area



### **Tawa Community Board Makara/Ohariu Community Board**

#### **Voting Membership:**

The Board will have six elected members (not including Councillor appointments if any).

#### **External Membership (non-voting):**

Nil.

#### **Quorum:**

A quorum of the Board shall consist of half the total number of members of the board (including vacancies) when that number is even and a majority of such members (including vacancies) when the number is odd.

#### **Chair:**

The Chair will be elected by the Board's members and remunerated at a level determined by the Remuneration Authority.

#### **Frequency of Meetings:**

The Community Board will meet on a monthly basis, or as required.

#### **Parent Body:**

The Community Board reports to Council.

#### **General Purpose:**

To assist Council in fulfilling the purpose of local government as expressed in Part 2, Section 10 of the Local Government Act 2002, being:

- (a) to enable democratic local decision-making and action by, and on behalf of, communities; and
- (b) to promote the social, economic, environmental, and cultural well-being of communities, in the present and for the future.

#### **Objective:**

To achieve the role of a Community Board under Section 52 of the Local Government Act 2002; that is:

- (a) Represent and act as an advocate for the interests of its community; and
- (b) Consider and report on all matters referred to it by the territorial authority, or any matter of interest or concern to the community board; and
- (c) Maintain an overview of services provided by the territorial authority within the community; and
- (d) Prepare an annual submission to the territorial authority for expenditure within the community; and

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- (e) Communicate with community organisations and special interest groups within the community; and
- (f) Undertake any other responsibilities that are delegated to it by the territorial authority.

### **Terms of Reference:**

The Community Board shall:

- facilitate the Council's consultation with local residents and community groups on local issues and local aspects of citywide issues including input into the Long Term Council Community Plan, Annual Plan, and policies that impact on the Board's area; and
- engage with council officers on local issues and levels of service, including infrastructural, recreational, community services and parks and gardens matters.

Council shall consult with the Board on issues that impact on the Board's area and allow sufficient time for the Board's comments to be considered before a decision is made.

The Community Board will have responsibility and authority to:

- 1.0 Make submissions (as a Community Board) to any organisation (including submissions on resource consents notified by the Greater Wellington Regional Council and Wellington City Council) relating to matters of interest to the Board in respect of the Board's area (a copy of any such submission is to be given to the Council's Chief Executive).
- 1.1 Represent the interests of the community at Council, Committee or Subcommittee meetings when a motion under debate relates to a matter that the Board considers to be of particular interest to the residents within its community.
- 1.2 Determine expenditure of funds allocated by Council to the Board for specific purposes.
- 1.3 Consider matters referred to it by officers, the Council, its committees or subcommittees, including reports relating to the provision of council services within the Board's area, and make submissions or recommendations in response to those matters as appropriate. This will include:
  - monitoring and keeping the Council informed of community aspirations and the level of satisfaction with services provided
  - providing input to the Council's Long Term Council Community Plan and Annual Plan
  - providing input to proposed District Plan changes
  - providing input to strategies, policies and plans that impact on the Board's area
  - providing input to bylaw changes that impact on the Board's area.
- 1.4 Provide input (whether from the full Board, a subcommittee of the Board, or a nominated board member/s) to officers on the following matters:
  - local road work priorities

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- traffic management issues (such as traffic calming measures, pedestrian crossing, street lighting, etc)
- street facilities management (such as taxi-stands, bus stops, bicycle stands, etc)
- liquor licence applications
- application of the Resource Management Act (including notification decisions) within the Board's area
- the emergency management needs of the area, including the appointment of emergency centre coordinators.

The final decision on matters set out in 1.4 will be made by council officers acting under their delegated authority.

### ***Resource Management Hearings***

The Community Board will have up to two suitably-trained members available for selection to sit on hearings panels on resource management issues in the Board's area. Such selection will be in accordance with the "Guidelines for Appointment of Hearings Panels" approved by Council on 30 March 2005 (and as may be amended from time to time). No Board member shall be eligible for selection if the Board has made a submission on the matter to be decided.

### ***Delegated Authority***

The Tawa and Makara/Ohariu Community Boards will have delegated authority to carry out activities within their terms of reference.